



**CORVALLIS
CITY COUNCIL AGENDA**

**May 20, 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

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. [direction]

A. Reading of Minutes

1. City Council Meeting – May 6, 2013
2. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Arts and Culture Commission – April 17, 2013
 - b. Citizens Advisory Commission for Civic Beautification and Urban Forestry – May 9, 2013
 - c. Corvallis-Benton County Public Library Board – April 3, 2013
 - d. Downtown Commission – April 10, 2013
 - e. Downtown Parking Committee – September 25, 2012
 - f. Economic Development Commission – March 11, 2013
 - g. Historic Resources Commission – April 9, 2013

- h. Parks, Natural Areas, and Recreation Board – April 18, 2013
 - i. Watershed Management Advisory Commission – April 24, 2013
- B. Confirmation of Appointment to Corvallis-Benton County Public Library Board (Krane)
- C. Announcement of Appointment to Board of Appeals (Ruttan)
- D. Schedule public hearings for June 3, 2013, to consider State Revenue Sharing Funds for Fiscal Year 2013-2014 and a Fiscal Year 2013-2014 budget
- E. Authorization to enter into and for the City Manager to sign an Intergovernmental Agreement with Benton County for collaboration of a Situational Leadership Program
- F. Schedule an Executive Session for June 3, 2013, at 5:30 pm or following the regular meeting under ORS 192.660(2)(d)(i) (status of labor negotiations; status of employment-related performance)
- G. Confirmation of an Executive Session following the regular meeting under ORS 192.660(2)(a)(d)(e)(h)(i) (status of employment of a public officer; status of labor negotiations; status of real property transaction; status of pending litigation or litigation likely to be filed; status of employment-related performance)

VII. ITEMS REMOVED FROM CONSENT AGENDA

VIII. UNFINISHED BUSINESS

- A. March 18, 2013 Collaboration Corvallis Steering Committee recommendations [direction]
- B. City Legislative Committee – May 14, 2013 [direction]

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

- A. Human Services Committee – May 7, 2013
 - 1. Liquor License Annual Renewals [direction]
 - 2. Youth Mental Health Issues [information]
- B. Urban Services Committee – May 7, 2013
 - 1. Total Maximum Daily Load (TMDL) Update [direction]
 - 2. Municipal Code Review: Chapter 6.10, "General Traffic Code" (Weight Restrictions) [direction]

ACTION: An ordinance amending Corvallis Municipal Code Chapter 6.10, "General Traffic Code," as amended, to be read by the City Attorney [direction]

- C. Administrative Services Committee – May 8, 2013
 - 1. Republic Services Annual Report [information]
 - 2. Republic Services Franchise Agreement Extension [direction]

*ACTION: An ordinance regulating solid waste management including, without limitation, granting an exclusive solid waste franchise to Republic Services of Corvallis, establishing service standards and public responsibility, repealing Ordinance 2008-15, and stating an effective date, **to be read by the City Attorney*** [direction]

- D. Other Related Matters
 - 1. *Second reading of an ordinance relating to the Land Development Code, amending Ordinance 93-20, as amended, and declaring an emergency, **to be read by the City Attorney*** [direction]

 - 2. *A resolution accepting a Benton Soil and Water Conservation District Conservation Incentive Program grant (\$2,000) for Chip Ross Natural Area restoration, **to be read by the City Attorney*** [direction]

X. MAYOR, COUNCIL, AND STAFF REPORTS

- A. Mayor's Reports
- B. Council Reports
- C. Staff Reports [information]
 - 1. Sustainability annual report
 - 2. City Manager's Report – April 2013

XI. NEW BUSINESS

- A. Transportation and Growth Management grant program proposal [direction]
- B. A motion relating to real property transaction (after Executive Session) [direction]
- C. A motion relating to employment of a public officer (after Executive Session) [direction]

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
MAY 20 - JUNE 1, 2013

MONDAY, MAY 20

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

TUESDAY, MAY 21

- ▶ Human Services Committee - 2:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Urban Services Committee - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

WEDNESDAY, MAY 22

- ▶ Housing and Community Development Commission - 12:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ Administrative Services Committee - 3:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue
- ▶ City Council - 7:00 pm - Downtown Fire Station, 400 NW Harrison Boulevard (work session)

THURSDAY, MAY 23

- ▶ OSU/City Collaboration Project Parking and Traffic Work Group - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, MAY 25

- ▶ No Government Comment Corner

MONDAY, MAY 27

- ▶ City Holiday - all offices closed

TUESDAY, MAY 28

- ▶ Commission for Martin Luther King, Jr. - 5:00 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

THURSDAY, MAY 30

- ▶ OSU/City Collaboration Project Neighborhood Planning Work Group - 5:30 pm - Madison Avenue Meeting Room, 500 SW Madison Avenue

SATURDAY, JUNE 1

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

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES
May 6, 2013**

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
Executive Session 1. City Attorney performance evaluation 2. Municipal Judge candidates Page 220, 233	Yes Yes		
Proclamation/Presentation/Recognition 1. "If I Were Mayor" contest winners 2. National Historic Preservation Month 3. Older Americans Month 4. Public Service Recognition Week 5. Drinking Water Week 6. Police Week Pages 220-221	Yes Yes Yes Yes		<ul style="list-style-type: none"> • Proclaimed • Proclaimed
Visitors' Propositions 1. Municipal Judge recruitment (White) 2. Plastic bag inventories (Mehlhaf) 3. Plastic bag ordinance (Higbee-Sudyka) 4. Operating levy (Worden) 5. Creekside Center (King) Page 222-223	Yes Yes Yes Yes Yes		
Consent Agenda Page 223			
Unfinished Business 1. OSU Campus Master Plan LDC Text Amendment Formal Findings 2. 49th Street Annexation Formal Findings 3. Reschedule Creekside Center I & II public hearing Page 224-225		2nd reading May 20, 2013	<ul style="list-style-type: none"> • Formal findings and ordinance <u>passed 8-1</u> • RESOLUTION 2013-16 (forward to voters, schedule election, include ballot title) <u>passed 7-0</u>; 2 abstained • Adopted zone change formal findings <u>passed 7-0</u>; 2 abstained • Consider case in whole (review of prior decision, LUBA remand, new testimony) <u>passed U</u> • Rescheduled public hearing to June 17, 2013 <u>passed U</u>
USC Meeting of April 16, 2013 1. Demolition Permit Requirement 2. CP Review and Recommendation: 91-9.05, "Street Naming and Addressing Policies and Procedures"			<ul style="list-style-type: none"> • Continue current process, denied request for digital images <u>passed 8-1</u> • Amended Policy <u>passed U</u>

Agenda Item	Information Only	Held for Further Review	Decisions/Recommendations
USC Meeting of April 16, 2013 - continued 3. CP Review and Recommendation: 13-9.08, "Building Encroachments in the Public Right-of-Way" 4. Airport Lease Extension – Ferrellgas, L.P. Pages 225-226			<ul style="list-style-type: none"> • Adopted Policy as amended <u>passed U</u> • Authorized City Manager to sign <u>passed U</u>
ASC Meeting of April 17, 2013 1. CMC 8.14, "Single-Use Plastic Carryout Bags" update Pages 227-228			<ul style="list-style-type: none"> • ORDINANCE 2013-03 <u>passed U</u> • ASC to consider other issues as high priority items <u>by consensus</u>
Other Related Matters 1. ODOT STP funding – 10th Street reconstruction; authorize CM to sign Page 228			<ul style="list-style-type: none"> • RESOLUTION 2013-17 <u>passed U</u>
New Business 1. DC tax incentives recommendation Page 228			<ul style="list-style-type: none"> • Referred to ASC <u>by consensus</u>
Mayor's Reports 1. Sister City update Page 228-229	Yes		
Council Reports 1. Ward 7 meeting (Traber) 2. Corvallis Forest Tour (Hervey) 3. <i>Ex parte</i> contacts (Sorte) 4. CAD meeting; gathering opinions (Sorte) 5. "Get There" activities (Beilstein) 6. Library Food for Fines event (York) 7. Railway Corridor update (Hirsch) 8. Arts and Culture; Economic Development (Hirsch, Traber) Pages 229-230	Yes Yes Yes Yes Yes Yes Yes Yes		
Public Hearing 1. SE Park Avenue renaming to SE Heron View Street Pages 230-232			<ul style="list-style-type: none"> • ORDINANCE 2013-04 <u>passed U</u>

Glossary of Terms

ASC	Administrative Services Committee	ODOT	Oregon Department of Transportation
CMC	Corvallis Municipal Code	OSU	Oregon State University
CP	Council Policy	STP	Surface Transportation Program
DC	Downtown Commission	U	Unanimous
LDC	Land Development Code	USC	Urban Services Committee
LUBA	Land Use Board of Appeals		

**CITY OF CORVALLIS
COUNCIL ACTION MINUTES**

May 6, 2013

Mayor Manning read a statement, based upon Oregon laws regarding executive sessions. Only representatives of the news media, designated staff, and other Council-designated persons were allowed to attend the executive session. News media representatives were directed not to report on any executive session discussions, except to state the general subject of the discussion. She noted that no decisions would be made during the executive session. Council and staff members were reminded that the confidential executive session discussions belong to the Council as a body and should only be disclosed if the Council, as a body, approves disclosure. Council or staff members not able to maintain the Council's confidences were asked to leave the meeting room.

The Council entered executive session at 5:30 pm. (Councilor Hirsch arrived at 5:34 pm.)

The Council and City Manager Patterson reviewed the City Attorney performance evaluation with City Attorney Fewel, and Deputy Attorneys Brewer and Coulombe.

Attorneys Fewel, Brewer, and Coulombe left the meeting at 5:39 pm.

Councilor Hervey updated Council on the Municipal Judge candidates.

Mayor Manning recessed the Council from 5:55 until 6:00 pm and announced that executive session will reconvene following the regular meeting.

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 May 6, 2013 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 Hogg, York, Brauner, Traber, Hervey, Hirsch, Sorte, Brown, Beilstein

Mayor Manning directed Councilors' attention to items at their places, including a brochure from the Corvallis-Uzhgorod Sister City Association (Attachment A), information about the "Get There" activity (Attachment B), and correspondence from Mark Worden, Marys Peak Group-Sierra Club, and Richard Mehlhaf (Attachments C, D, and E, respectively).

IV. PROCLAMATION/PRESENTATION/RECOGNITION

A. "If I Were Mayor ..." contest winners recognition

Mayor Manning welcomed the students, and their families, who participated in the 2013 League of Oregon Cities (LOC) "If I Were Mayor ..." poster and essay contest. Local winners received a gift card to Grass Roots Bookstore and are automatically entered into the Statewide LOC contest, making them eligible to win a laptop. Posters received from Hannah Jacob, Daniel Kontra, and Hadley Collins received Honorable Mention. The winning poster was submitted by Colin Frojen-Andersson. Mayor Manning read excerpts from the winning essay, and introduced and congratulated writer Kathleen Breitling.

B. Proclamation of National Historic Preservation Month – May 2013

Mayor Manning read the proclamation.

Mayor Manning thanked Deb Kadas, Historic Resources Commission (HRC) Chair, for her service and volunteerism within the community. Ms. Kadas thanked the Mayor and Council for their support of HRC. She noted that Historic Preservation Month activities are listed on the City's Web site, and she invited everyone to the awards ceremony at 6:00 pm on May 30 at the Children's Farm Home.

C. Proclamation of Older Americans Month – May 2013

Mayor Manning read the proclamation.

Senior Center Supervisor Bogdanovic announced that the Senior Center will celebrate Older Americans Month on May 29, which is also National Senior Health and Fitness Day. A variety of activities are planned, including free fitness classes, games, refreshments, and prizes (Attachment F).

Scott Bond, Senior and Disability Services Director, Oregon Cascades West Council of Governments (COG) said COG is the area agency on aging for Linn, Benton, and Lincoln Counties. Federal funds available through the Older Americans Act are distributed to COG to serve residents in the three counties. The funds help support the Meals-on-Wheels and dining room programs. The Benton County meal site is located at Chintimini Senior Center where more than 20,000 meals are provided per year. The funds also help support an informational and referral call center. During the last four months, the call center received more than 500 calls for assistance in Benton County. Many of the calls were from family members seeking assistance for elderly relatives. Mr. Bond announced that COG is sponsoring the ninth annual "Age Well, Live Well" event on May 18 at the Linn County Expo Center.

D. Proclamation of Public Service Recognition Week – May 5-11, 2013

E. Proclamation of Drinking Water Week – May 5-11, 2013

F. Proclamation of Police Week – May 13-17, 2013

V. VISITORS' PROPOSITIONS

Hugh White announced that he is a member of "The Partnership," a local coalition with representatives from Oregon State University (OSU), local law enforcement agencies, Benton County Health Department, and licensed liquor establishments. The mission of The Partnership is to reduce the impacts of underage and excessive drinking in the community. Underage and excessive drinking affects the livability of every neighborhood in the City. The Police Department (CPD) issues citations for minor-in-possession, furnishing alcohol to minors, open containers, and other related nuisances. Citations have a deterrent value and help preserve community livability if individuals are convicted. Frequently, these types of citations are dismissed in Municipal Court. The Partnership requests Council carefully consider the citations issued for the above noted violations, and direct the new Municipal Judge to support CPD.

In response to Councilor Brown's inquiry, Mr. White estimated that one-third of the above noted citations are dismissed in Municipal Court. He said the greatest loss is the deterrent value. If a citation resulted in a conviction of the maximum allowed penalty, that information would quickly disseminate in the community.

Mr. White clarified for Councilor Traber that he does not understand the reasons for the dismissals.

Richard Mehlhaf read from his written testimony (Attachment E) related to plastic bag inventories.

Councilor Hirsch thanked Mr. Mehlhaf for his suggestion and agreed that allowing small businesses to use their plastic bag inventory purchased prior to the adoption of the bag ordinance seemed reasonable.

Mr. Mehlhaf added that a three-month supply of plastic bags for large stores equates to a 12-year supply for his small business.

Councilor Traber thanked Mr. Mehlhaf for providing the information about bag usage and costs.

Debra Higbee-Sudyka read from her prepared testimony (Attachment D) regarding the bag ordinance and proposed amendments.

Ms. Higbee-Sudyka confirmed for Councilor Hervey that the proposed paper "barrel bag" definition does not include the one-eighth barrel bag used in other communities.

Mark Worden read his written testimony (Attachment C) related to renewing the current local operating levy and keeping it separate from any newly proposed levy.

Councilor Hirsch added that Corvallis citizens cherish the community and services provided by the City. Those who complain about taxes are vocal and passionate, but not the majority.

Seth King said he is a land use attorney representing the Creekside Center I and II developer, Brett and Thomas Fox Properties. The developer concurs with the recommendations presented in the staff report. Rescheduling the public hearing to June 17 allows time for Council to review and deliberate; however, the 90-day time period would expire on July 5. Mr. King said, if Council reschedules the public hearing as proposed, the applicant will grant an extension to August 4.

Mr. Fewel confirmed that the request will be part of the record and asked Mr. King to put the request and extension information in writing.

In response to Councilor Sorte's inquiry, Mr. King confirmed that the developer supports a review of the application in whole.

Mr. Fewel clarified for Councilor Traber that the developer is not requesting the public hearing be delayed, a request has been made for an extension due to scheduling and deadline issues.

VI. CONSENT AGENDA

Councilors Hirsch and Sorte, respectively, moved and seconded to adopt the Consent Agenda as follows:

- A. Reading of Minutes
 - 1. City Council Meeting – April 15, 2013
 - 2. City Council Special Meeting (Executive Session) – April 22, 2013
 - 3. For Information and Filing (Draft minutes may return if changes are made by the Board or Commission)
 - a. Bicycle and Pedestrian Advisory Commission – March 29, 2013
 - b. Citizens Advisory Commission on Civic Beautification and Urban Forestry – April 11, 2013
 - c. Watershed Management Advisory Commission – March 27, 2013
- B. Confirmation of Appointments to Boards, Commissions, and Committees to (Citizens Advisory Commission on Civic Beautification and Urban Forestry – Brown; Citizens Advisory Commission on Transit – Cornelius and Harder)
- C. Announcement of Appointment to Corvallis-Benton County Public Library Board (Krane)
- D. Approval of an application for a Full On-Premises Sales liquor license for Wai Cheng Ng and Esther Kong Chee Lam, owners of China Delight Restaurant, 325 NW Second Street (Change of Ownership)
- E. Approval of Planning and Historic Resources Commissions vacancies and proposed interview schedule
- F. Schedule an Executive Session for May 20, 2013, at 5:30 pm or following the regular meeting under ORS 192.660(2)(a)(e)(i) (status of employment of a public officer; status of real property transaction; status of employment-related performance)

The motion passed unanimously.

VII. ITEMS REMOVED FROM CONSENT AGENDA – None.

VIII. UNFINISHED BUSINESS

- A. Adoption of Findings of Fact and Order relating to a Land Development Code Text Amendment (LDT12-00002 – OSU Campus Master Plan Land Development Code Text Amendment)

Mr. Fewel read an ordinance related to the Land Development Code, amending Ordinance 93-20, as amended, and declaring an emergency.

Mr. Fewel clarified that the ordinance also adopts formal findings and will go into effect immediately upon passing.

Councilor Brauner noted that he attended the public hearing, but was absent during deliberations. He said he read the minutes capturing deliberations and will vote on findings.

The formal findings and ordinance passed eight to one with Councilor Hirsch opposing and will be read a second time on May 20, 2013.

- B. Adoption of Findings of Fact and Order relating to an annexation request and an appeal of a Planning Commission decision (ANN10-00002, ZDC10-00002 – 49th Street Annexation)

Mr. Fewel read a resolution scheduling an election on November 5, 2013, forwarding the 49th Street Annexation to the voters, and directing that notice be given, including the ballot title.

Councilors Hervey and Sorte, respectively, moved and seconded to adopt the resolution.

Councilors Brauner and Hirsch both reported that they would abstain from voting since they did not attend the public hearing.

RESOLUTION 2013-16 passed seven to zero with Councilors Brauner and Hirsch abstaining.

Councilors Hervey and Brown, respectively, moved and seconded to adopt the formal findings and conclusions related to the zone change, uphold the appeal and approve the application, contingent upon voter-approval of the annexation.

Councilors Brauner and Hirsch reiterated that they would abstain from voting since they did not attend the public hearing.

The motion passed seven to zero with Councilors Brauner and Hirsch abstaining.

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

C. Rescheduling a public hearing for Creekside Center I & II planned development remand

Mr. Fewel referred to the memorandum from Deputy City Attorney Brewer explaining that Corvallis Municipal Code directs Council to review Land Use Board of Appeal (LUBA) remand issues in whole or part. A *de novo* hearing essentially starts the process over from the beginning as if the public hearing never happened. A public hearing on remand allows Council to review only the remand issues or the whole application (applying all criteria), including the modified plan even though it was not remanded to Council from LUBA. Council should consider two items: 1) reviewing the remand in whole, and 2) scheduling a public hearing for June 17, 2013.

Councilors Traber and Hervey, respectively, moved and seconded that the notice for the public hearing include the following description of the process:

"The applicant has proposed conditions that modify the site development plan in order to address the issues on remand. The Council will review the prior decision and the Land Use Board of Appeal's remand, and take new testimony to consider the case in whole."

Councilor Sorte commented that the memorandum does a good job explaining "in whole," allowing him to better explain the situation to others.

The motion passed unanimously.

Councilors Traber and Sorte, respectively, moved and seconded to reschedule the public hearing for the remanded Creekside Center I and II planned development to June 17, 2013. The motion passed unanimously.

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

- A. Human Services Committee – None.
- B. Urban Services Committee – April 16, 2013
 - 1. Demolition Permit Requirement (Digital Images)

Councilor Hogg explained that this request is related to taking pictures of buildings before they are demolished. Having photographs of buildings is worthwhile for a historical record; however, the Urban Services Committee (USC) did not recommend this requirement due to the following:

- 1. Demolition information is available on the City's Web site allowing anyone to take photographs if they choose. This moves toward a model of self-service where the City provides information and citizens do what they want with the information.
- 2. Due to budget constraints and in consideration of State public record laws, USC was hesitant to add to staff's workload.
- 3. The work is similar to the State Historic Preservation Office program that provides surveys and photographs of houses online.

Councilors Hogg and Hervey, respectively, moved and seconded to continue with the current demolition permit application process, denying the request to require photographs of buildings to accompany the application.

The motion passed eight to one with Councilor Brown opposing.

2. Council Policy Review and Recommendation: 91-9.05, "Street Naming and Addressing Policies and Procedures"

Councilors Hogg and Hervey, respectively, moved and seconded to amend Council Policy 91-9.05, "Street Naming and Addressing Policies and Procedures" as recommended by staff. The motion passed unanimously.

3. Council Policy Review and Recommendation: 13-9.08, "Building Encroachments in the Public Right-of-Way"

Councilor Hogg said this new policy is related to balconies and extensions over sidewalks in the City. He explained that, following a number of individual encroachment requests, USC requested Council direct staff to draft a policy so future requests can be addressed in a uniform and consistent manner.

Councilors Hogg and Hervey, respectively, moved and seconded to adopt Council Policy 13-9.08, "Building Encroachments in the Public Right-of-Way," as amended by the Urban Services Committee.

Councilor Hervey said this is an excellent example of a citizen coming forward with concerns, being prepared with research about policies and procedures in other cities, and helping staff develop a balanced policy.

Councilor Hogg clarified for Councilor Sorte that the policy includes three encroachment categories: Minor – 12 inch or less (no application or annual fee), Intermediate – overheads up to four feet (application and annual fee for occupied space), and Major – all other requests (reviewed by the Council).

Councilor Brown noted that, if the policy is adopted, Corvallis is the only city charging for encroachments up to four feet.

The motion passed unanimously.

4. Airport Lease Extension – Ferrellgas, L.P.

Councilor Hogg reported that City staff described Ferrellgas as a good tenant.

Councilors Hogg and Hervey, respectively, moved and seconded to authorize the City Manager to sign the lease extension with Ferrellgas, L.P. The motion passed unanimously.

C. Administrative Services Committee – April 17, 2013

1. Municipal Code Chapter 8.14, "Single-Use Plastic Carryout Bags," Update

Councilor Traber reported that the Administrative Services Committee (ASC) reviewed proposed amendments to the plastic bag ordinance. The goal was to address concerns expressed since the ban was enacted. He noted that ASC considered a number of concerns reported during a meeting Councilor Brauner and staff held with citizens. The proposed amendments are related to bag size, recyclable content, fees, types of plastic, and violation clarification. Discussion also included alternative solutions, such as providing a nickel donation jar for use by Women, Infants, and Children (WIC) and Supplemental Nutrition Assistance Program (SNAP) customers; and allowing used plastic bags at thrift stores as long as they were not distributed by clerks.

Councilor Traber referred to Mr. Mehlhaf's testimony about small businesses needing additional time to eliminate their inventories of plastic bags. He inquired whether Council should refer this issue back to ASC for further discussion before amending the ordinance.

Mr. Fewel noted that since he has not yet read the ordinance title, the ordinance is not before Council for consideration. If Council decides to send this issue back to ASC before considering the amendments, a motion is preferable.

Councilor Hirsch said ASC also discussed the use of used bags and whether the word "new" should be included in the ordinance language. Not including "new" is acceptable as long as it is understood that a bag can be reused by customers, but not provided by businesses. He would support further discussions by ASC.

Councilor Brauner agreed the additional testimony warrants further consideration. He suggested Council vote on the ordinance and refer the other issues back to ASC.

Mr. Fewel read an ordinance amending Corvallis Municipal Code Chapter 8.14, "Single-Use Plastic Carryout Bags."

In response to Councilor York's inquiry, Councilor Brauner suggested that, if Council refers the additional issues back to ASC, small businesses may want to keep their plastic bag inventory until Council considers a recommendation by ASC.

Mayor Manning noted that ASC could address this issue at their next meeting.

Councilor Sorte said tabling the amended ordinance adoption to a time certain commits Council to work on these other issues.

Councilor Brauner responded that tabling the ordinance adoption postpones other issues important to small businesses that have been addressed in the amendments.

ORDINANCE 2013-03 passed unanimously.

The Council agreed by consensus that the additional bag issues should be a high priority item for ASC consideration.

D. Other Related Matters

1. Mr. Fewel read a resolution accepting Surface Transportation Program funding from Oregon Department of Transportation in the amount of \$544,260 for the Tenth Street reconstruction project, and authorizing the City Manager to sign the Fund Exchange Agreement.

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

RESOLUTION 2013-17 passed unanimously.

XI. NEW BUSINESS

A. Downtown Commission recommendation to consider tax incentive programs

Councilor Traber said it appeared the proposed programs may be useful tools in dealing with a number of development issues that the City should consider, especially those related to housing and affordable housing. He opined that it would be appropriate to refer this item to the Administrative Services Committee.

Councilor Beilstein agreed that tax incentives can be a useful public tool and reported that the City offers tax incentives for some energy saving appliances. He is opposed to the use of tax incentives to increase employment in Corvallis when there is an imbalance of housing to employment. Two-thirds of the people working in Corvallis commute from other areas. Providing additional housing will help alleviate the imbalance of employment and living space.

Councilor Hervey said he is very interested in the vertical housing credit. Utilizing the upper floors of downtown businesses for residences requires compliance with the Americans With Disabilities Act. The expense to make some of these older buildings compliant removes the opportunity to use older buildings for income-eligible housing. He supports a review by committee.

The Council agreed by consensus to refer this issue to ASC.

X. MAYOR, COUNCIL, AND STAFF REPORTS

A. Mayor's Reports

Mayor Manning referred to the Sister City brochure (Attachment A) and announced that she recently attended the annual Sister City Association dinner. In September, she will travel with a 20-person delegation visiting Uzhgorod during the annual Founder's Day celebration.

B. Council Reports

Councilor Traber announced that a City-sponsored Ward 7 meeting is scheduled for May 14 in the Walnut Community Room.

Councilor Hervey reminded everyone about the Corvallis Forest Tour scheduled for May 29.

Councilor Sorte said he spoke with the City Attorney's Office about *ex parte* contact after learning that Campus Crest filed a planning action and Councilors were invited to participate in public discussions with the developers. It was agreed that if the Planning Commission's decision is appealed, contact after the appeal date would be considered *ex parte* contact.

Mr. Fewel clarified that *ex parte* contact does not preclude participation, it requires a declaration of the contact and provides an opportunity to rebut. Councilor Sorte responded that contact prior to an appeal would not require a declaration because the Councilor was not in a decision making role at that time.

Councilor Sorte said he and Councilor Beilstein attended the recent Community Alliance for Diversity meeting. A process to rapidly assess opinions was tried and deemed fairly successful. In less than one minute, participants responded to six questions utilizing flip charts and colored dots. He suggested that this process and/or instant polling may be an effective method to gather opinions related to a public safety levy.

Councilor Beilstein referred to the "Get There" brochure (Attachment B) and encouraged Councilors, staff, and citizens to participate in the many scheduled activities. The DriveLessConnect Web site offers connections for car/van pooling and transit, along with information about regional activities, savings calculations, and more. Members who track trips on the Web site are eligible for prizes.

Councilor York congratulated the Library for collecting more than 2,100 pounds of food during the Food for Fines event.

Councilor Hirsch said he has been attending the railway corridor meetings and suggested a larger community discussion about commuter rail. Funds committed for a rail corridor are not dispersed to communities and in all likelihood, high-speed rail would be constructed along Interstate 5. Including a local station in Corvallis would cost more than \$1,000,000. It seems reasonable that community discussions about the necessity of accessing commuter rail be scheduled.

Councilor Hirsch said arts and culture was discussed as livability and economic development issues during Council goal setting. He inquired whether there was interest to include arts and culture related activities as part of the Economic Development Officer's duties since the City is currently recruiting for this position. He suggested the position could help define a strategy to develop the concept of Corvallis as an arts and culture destination, promote arts

and culture locally as an economic driver, incorporate a strategic arts master plan and inventory, develop an efficient arts management plan for the two City-owned arts facilities with effective plans for repayment of loan-debt from the arts related organizations, consolidate local arts boards, and find creative ways for consistent funding and support for local arts.

Mayor Manning said the Arts and Culture Commission is working on a visioning and strategic planning effort. OSU is working on a similar program as part of their search for a Director of Performing Arts.

Councilor Traber said, as the Economic Development Commission (EDC) Council Liaison, the Council goal has not yet been reviewed or discussed by EDC due to scheduling issues. He recommended allowing time for EDC to evaluate the goal and discuss a plan prior to Councilors requesting more explicit action.

- C. Staff Reports – none.

Mayor Manning recessed Council from 7:30 until 7:36 pm.

XII. PUBLIC HEARINGS

- A. A public hearing to consider renaming a street (MIS13-00003 – SE Park Avenue)

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

Staff Report

Associate Planner Voice reviewed information provided in a PowerPoint presentation (Attachment G). He explained that, if approved, the proposal will change the name of the north-south segment of SE Park Avenue to SE Heron View Street. The City's Parks and Recreation Department (P&R) requested the name change to comply with a condition of approval attached to a 2009 planned development and Willamette River Greenway approval for Willamette Park improvements. To move forward with improvements, P&R must initiate the street name change process prior to obtaining building permits. The 2009 condition was imposed during the initial review of the Willamette Park development plan, when it was determined that the existing name (SE Park Avenue) was not compliant with Council Policy (CP) 91-9.05, "Street Naming and Addressing Policies and Procedures." Typically, east-west and north-south road names are differentiated by "street" (north-south) and "avenue" (east-west) for emergency response. Currently, there are no houses addressed on this segment of SE Park Avenue; however, that could change with future development. The name "SE Heron View Street" was recommended by the Parks, Natural Areas, and Recreation Board (PNARB) to P&R, the applicant. The related street segment is currently a strip of asphalt on the west side of Willamette Park and not a dedicated right-of-way. Future park development requires the segment be dedicated as right-of-way and improved to City standards.

Mr. Voice noted that review criteria includes Development Services Procedure 3042, Oregon Revised Statute (ORS) 227.120, and the street naming criteria outlined in CP 91-9.05.

Following the public hearing, Council should consider whether the proposal meets the minimum notification guidelines and if the request is in the best interest of the City.

Council Policy 91-9.05 specifies that street names be limited to twelve letters (excluding prefix and suffix), be preceded with the appropriate quadrant (SE), identified with a "street" suffix for north-south streets, and proposed changes be noticed to government agencies and utility providers.

Notification of the proposal was sent to various governmental departments (e.g., County Surveyor, City Police, City Fire) and utility service providers. Notice of the proposal and public hearing was provided to the *Corvallis Gazette-Times*, South Corvallis Neighbors Neighborhood Association, Willamette Landing Owners Neighborhood Association, and the owners of the two properties adjacent to the street segment impacted by this proposed name change.

Staff found that the proposal meets the minimum review criteria and that proper notification was made. Staff recommends approval of the street name change.

Questions of Staff

Councilor Hirsch: If this proposal is approved, would the north and south ends of the street be named Park Avenue, and this middle segment be named SE Heron View Street?

Mr. Voice: Currently, Park Avenue continues east towards Willamette Park and bends south where it dead-ends at SE Goodnight Avenue.

Councilor Brown: The second review criteria slide (#6) refers to the avenue and street suffixes. Is the definition for the north-south suffix incorrect?

Mr. Voice: Yes. The fourth bullet should state that north-south streets shall have a "street" suffix. East-west streets have an "avenue" suffix.

Mayor Manning directed Councilors' attention to the correspondence received by staff from Jay Gile (Attachment H).

Public Testimony

Simon Johnson said he owns the land to the west of the SE Park Avenue extension. The staff map identifies SE Park Avenue ending at SE Goodnight Avenue. On *Mapquest* and *Google Earth*, SE Park Avenue continues another quarter or half mile into the property behind the cyclone fence. He acknowledged that online maps can be incorrect. He expressed interest in knowing about plans for future developments in this area and added that the suggested name is confusing since there is no view or herons along this street.

Councilor Hervey explained that the name is in honor of the heron nursery across from Willamette Park.

Mr. Johnson responded that the heron nursery is not visible. He said P&R previously indicated they would close that road and, until recently, it has been a muddy roadway with multiple potholes.

Mayor Manning closed the public hearing.

Questions of Staff

Councilor Traber: How much of SE Park Avenue is being renamed? What happens with the segment that crosses SE Goodnight Avenue?

Mr. Voice: Staff consulted with the City's Streets Division about whether SE Park Avenue continues to the south of SE Goodnight Avenue, or if there is any intention to extend it in the future. There is a multi-use path behind the northern section of Willamette Landing that is either owned by the City or is part of the neighborhood association. The larger piece of property east of the path is City-owned property. If the City-owned property is developed, the street could potentially continue south of SE Goodnight Avenue.

Mr. Gibb: Future right-of-way extensions in this area could continue with the street name.

Mayor Manning: Are there known future development plans for the area?

Park Planner Rochefort: In 2008-2009, P&R engaged the community and formed a stakeholder group to develop a conceptual plan for Willamette Park. This step is a section of phase one of the plan. The plan was carefully considered and adopted by Council. The improvements will occur in phases.

Deliberations

Councilor Hervey thanked P&R for involving citizens in the renaming process.

Mr. Fewel read an ordinance renaming the north-south segment of SE Park Avenue to SE Heron View Street.

Final Decision

ORDINANCE 2013-04 passed unanimously.

Mayor Manning read a statement, based upon Oregon laws regarding executive sessions. Only representatives of the news media, designated staff, and other Council-designated persons were allowed to attend the executive session. News media representatives were directed not to report on any executive session discussions, except to state the general subject of the discussion. She noted that no decisions would be made during the executive session. Council and staff members were reminded that the confidential executive session discussions belong to the Council as a body and should only be disclosed if the Council, as a body, approves disclosure. Council or staff members not able to maintain the Council's confidences were asked to leave the meeting room.

Mayor Manning reconvened executive session at 7:55 pm.

Council continued their discussion about the Municipal Judge candidates.

XIII. ADJOURNMENT

The meeting adjourned at 8:25 pm.

APPROVED:

ATTEST:

MAYOR

CITY RECORDER

Membership Form

The Corvallis-Uzhhorod Sister Cities Association provides numerous opportunities for involvement, ideas and energy. By becoming a member of our organization you'll have a chance to help in areas like project design and development, cultural outreach, fund raising, and general administration.

Memberships are available at a variety of levels. Annual dues (January payment) for each level are outlined below:

- Youth \$10
- Individual \$15
- Family \$30
- Friend \$50
- Sustaining \$75
- Patron \$100 or more

Yes, I'm interested in membership:

Name: _____

Address: _____

Phone: _____

E-mail: _____

Please check type of newsletter delivery:

email _____ U.S. mail _____

Sponsor a child in Ukraine _____ \$75

Other donation \$ _____

Please make checks payable to C-USCA

I am interested in volunteering in the following:

- Host visitor events
- Provide home stays for visitors
- Provide transportation for visitors
- Write grants
- Translate Ukrainian or Russian
- Help with annual flower basket sale
- Serve as a board member
- Serve on a project or committee



**Corvallis-Uzhhorod
Sister Cities Association**

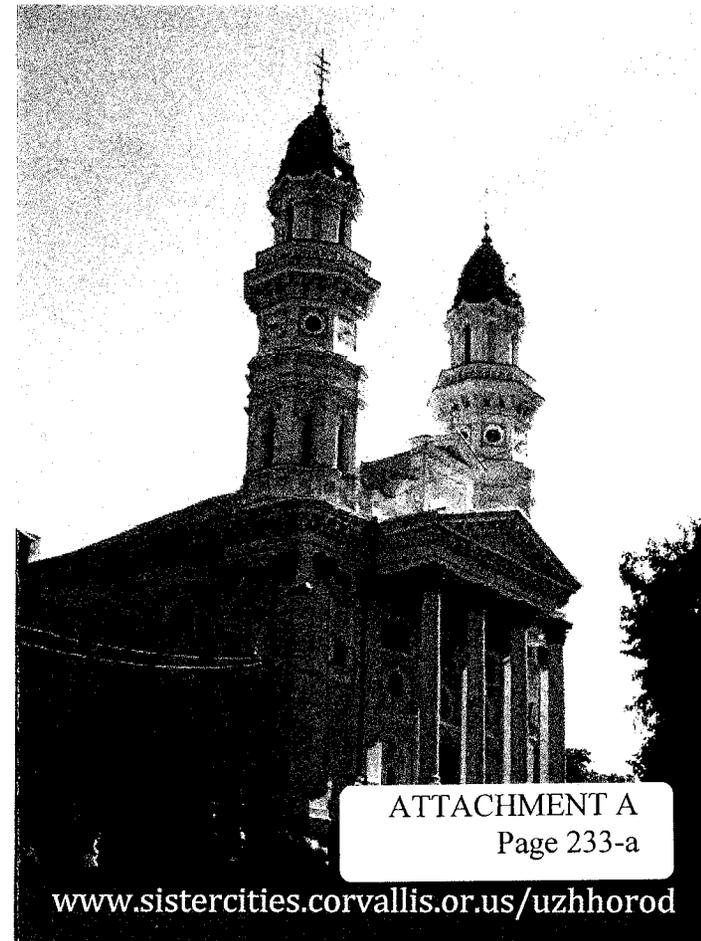
PO Box 176

Corvallis, OR. 97339



Corvallis-Uzhhorod Sister Cities Association

*Furthering peace, understanding, and friendship by
building relationships between the people of
Corvallis and the people of Uzhhorod, Ukraine*



ATTACHMENT A
Page 233-a

www.sistercities.corvallis.or.us/uzhhorod

Who We Are

The Sister City concept evolved from President Eisenhower's "People to People" program and is now embodied in Sister Cities International, an organization based in Alexandria, Virginia. Over 900 cities representing millions of Americans have established links with counterparts around the world. Corvallis and the Corvallis Sister Cities Association are members.

Our Mission

The mission of the Corvallis-Uzhhorod Sister Cities Association is to develop and enrich the relationships between the cities and organizations of Corvallis, Oregon, USA and Uzhhorod, Ukraine.

Our Goals

The goals of the C-USCA are to foster understanding and friendships, provide and expand cultural experiences, develop and support citizen leadership, and enhance social and economic conditions for the citizens, families, organizations, businesses, and governments of the two cities.

What We Do

Our history is rich with successful projects carried out both in Corvallis and in Uzhhorod. Activities include:

- Award winning programs over two decades. Corvallis-Uzhhorod Sister Cities Association has twice received the Best Overall Program award from Sister Cities International for cities in the 50-100,000 population category
- The TOUCH project: *Take One Ukrainian Child's Hand*, a sponsorship program which started in 2000 supports over 300 children in need in Uzhhorod. Sponsors and donors from 4 countries and 21 states help C-USCA with their support
- Six official *Aid to Uzhhorod* humanitarian shipments since 1994. With shipping provided by the U.S. State Department, over 250,000 lbs. of aid have been sent to Uzhhorod
- An annual Flower Basket Fund Raiser. These beautiful hanging flower baskets benefit C-USCA projects and are sold and enjoyed throughout the community each spring
- In cooperation with Rotary International, a dental clinic was established and a \$57,000 bus was purchased to benefit children with disabilities
- Exchanges involving hundreds of citizens from both Uzhhorod and Corvallis. Individuals representing aspects of culture, education, art, government, health and dental care, social services, youth, music, tourism, leadership and volunteerism have been exchanged
- Special Projects such as providing a fence and playground at Public School #14, establishment of a center for children with disabilities, creation of one of the first mammography clinics in Uzhhorod, support of libraries at various facilities, and sponsoring musicians (Cantus and Maharimbass) between the two cities

How We Succeed

Our mission and goals include personal interactions and communication, exchanges of people, materials and technology, and specific, focused, short-term projects where urgent needs or emergent interests may exist.

Our success relies on the continued enthusiasm, talent, and good will of our communities. We invite you to be part of our vibrant partnership by becoming a member of Corvallis-Uzhhorod Sister Cities Association. With your help, we will continue to further peace, understanding, and friendship between Corvallis and Uzhhorod. From short-term projects to longer committee assignments, you'll find a place to put your interests to work.



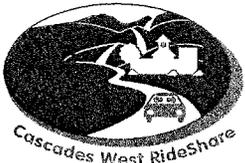


Track your trips at www.DriveLessConnect.com and watch your financial savings go up and your CO2 emissions go down! You also can search for bike buddies or carpool / vanpool options, whether for your regular commute to work or school, or a one-time trip anywhere in Oregon (and beyond!)

Sign up for FREE at www.DriveLessConnect.com, or simply log in if you're already a member! Click on "Ridematch" in the top blue bar to create a trip. Click on "Calendar" to track your trips. It's that easy.



City of Corvallis Transportation Program



No matter how you "Get There," you can WIN prizes donated from our generous sponsors

GRAND PRIZES

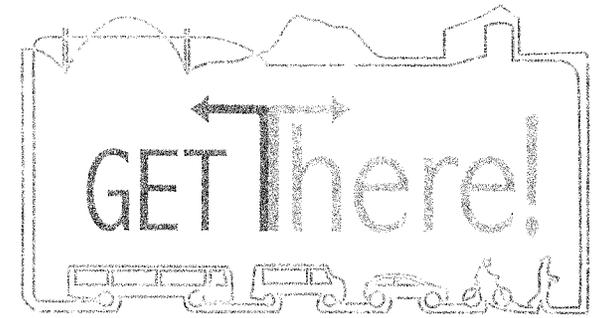
(Track just 5 trips or more to be eligible)

- **Overnight oceanfront stay at the Shilo Inn in Newport!** Winner also receives complementary travel for 2 via the Coast to Valley express bus, plus:
 - 2 admissions to the Undersea Gardens, Ripleys Believe it or Not, or the Waxworks Museum in Newport, from Mariner Enterprises
 - \$30 gift card from Mo's seafood restaurants
- **Bike or gift card to local bike shop, \$600 value**
- **iPad with WIFI**

OTHER PRIZES

(Track just 1 trip to be eligible)

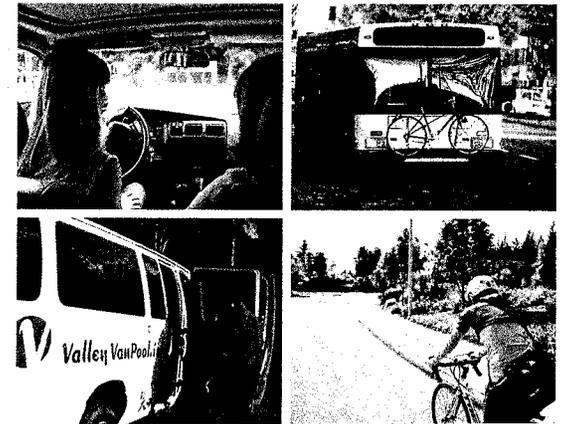
- American Dream Pizza gift card
- Audible.com, 5 free e-books
- Corvallis-Albany Farmers Market tokens
- Corvallis Cyclery item
- Cyclotopia, 2 bike tune-ups (\$50 value)
- First Alternative Co-op gift card
- Footwise gift card
- Great Harvest gift cards
- Izzy's Pizza, 2 free buffet coupons
- Laughing Planet, \$10 gift card
- Massage for Wellness gift card
- McMenamins, \$15 gift card
- Novak's restaurant, Albany, \$10 gift card
- Peak Sports gift card
- Sibling Revelry gift card
- Squirrels Tavern gift card
- Stoker's Vitaworld gift card
- Woodstocks, \$15 gift card
- SamFit 3 month gym membership
- Starbucks- 3 gift cards (\$10 each)
- Fred Meyer- 2 gift cards (\$20 each)
- New Morning Bakery gift card
- Papa John's Pizza gift card
- Papa's Pizza Gift Card



Corvallis

May 4-17, 2013

Drive Less! Save Money! **Win Prizes!**



ATTACHMENT B

Page 233-c

Bike, Bus, Carpool/Vanpool, Telecommute, Walk or Skate and **WIN prizes**, no matter how you get there!

Win Prizes!

The City of Corvallis, Cascades West Rideshare, area merchants and organizations, and your Employee Transportation Coordinator (ETC) encourage you to leave your single-occupancy vehicle (SOV) at home and travel to work, school or shopping ANOTHER WAY! Do this at least once during May 4-17, and you'll be eligible to win terrific PRIZES!

Each day you use an environmentally friendly transportation option and register a trip by cycling, walking, carpool/vanpool, transit or telecommuting, you increase your chance of winning prizes such as:

- An overnight stay at the Shilo Inn in Newport!
- Bike or gift card to local bike shop, \$600 value!
- An iPad with WIFI!

Track 5 trips at **DriveLessConnect.com** to be eligible for these great prizes, and track just 1 trip to be eligible for gift certificates to local restaurants and more!

**Drive less.
Save more.**

**BI-MART
JUST RIGHT**



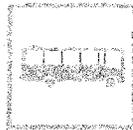
**Shilo
INN
Suites Hotel**
"Affordable Excellence"

Special thanks to all of our sponsors, Employee Transportation Coordinators and partner organizations!

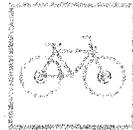
Getting there another way costs less:

- Compare your actual costs at www.rideshareonline.com/commuters/calculator.html
- Riding a bike costs pennies per day and Corvallis buses are fareless!
- Active transportation is part of a healthy lifestyle and helps you arrive at your destination more alert and invigorated.
- Commute time on the bus or a shared ride becomes free time to read, rest, or catch up, if you're not driving.

*For information on your transportation options, contact your organization's ETC or the City of Corvallis Transportation Program at 541-754-1730 or Gregory.Wilson@corvallisoregon.gov. And, check out the *Get There Corvallis* website for more event details: www.ci.corvallis.or.us/getthere*



Bus!



Bike!



Walk!



Carpool/Vanpool!



Telecommute!

Schedule of Events:

SUN MAY 5	CANCELED Cinco de Mayo Ciclovía festivities, Avery Park (10 a.m. to 2 p.m.) Avery Dr. will be closed for a bike, skate, walk parade, bike and pedestrian decorating, music, Kinetic Sculptures, food, bike swap, and more!
TUE MAY 7	Bicycle Law Clinic by Ray Thomas (Madison Ave Meeting Room, 500 SW Madison Ave 7:00-8:30p.m.)
WED MAY 8	Bike to School Day, 509J Safe Routes 2 School Program
SAT MAY 11	Walk Your Walk (Corvallis Sustainability Coalition Transportation Action Team)
MON MAY 13	"Light it Up," bike lights for "unlit" cyclists, 6:30-7:30p.m. details at www.ci.corvallis.or.us/getthere
WED MAY 15	Ride of Silence, Mid Valley Bicycle Club, 6:30-7:30p.m. details on website
THU MAY 16	Bike Extravaganza, OSU, 11 a.m.- 3 p.m., Memorial Union Quad Bike Movie Night, Darkside Theatre, check website for shows/times
FRI MAY 17	Bike to Work Day, 7-9:00 a.m.

RECEIVED

MAY 06 2013

CITY MANAGERS
OFFICE

May 6, 2013

To: Mayor and City Council
Budget Commission
City Manager

RE: Preparation for Work Session on May 13th and Renewal Request

The Political Action Committee (PAC), who lead the campaign resulting in a highly successful passage of 02-74, will be actively engaged in seeking voter approval for the renewal of the Operating Levy on the November 2013 or May 2014 ballot with City Council's support. The Levy for the Aquatic Center, Senior Center and Library, voted on by the Citizens of Corvallis on May 17, 2011, provided much needed support to the City, and was able to restore those facilities and services while freeing approximately 1.9 Million Dollars each year for three years to help balance the budget.

A group of people, who were active with the PAC, have met several times since the passage of the current Levy to research and prepare a campaign for its renewal. We are pleased to be a part of continuing to preserve these core services while helping balance the General Fund Budget.

Analysis of the voter approval on May 17, 2011 showed a high level of support for those Livability Services listed above. Voter approval was over 65%, nearly a 2 to 1 margin, the highest original initiative Operating Levy that we could find in the previous two decades.

Furthermore, our analysis of operating levy renewals showed tremendous voter support for renewing current operating levys in the City and throughout Benton County. For instance, the 509J School District's original initiative Operating Levy in 2006 passed by only a slim margin of just over 50%. However, the District's renewal of the same Levy four years later passed by a wide margin of nearly 70%.

Another example is this past November election regarding the Benton County Operating Levy Renewal for limited Public Safety and Health Services. The original initiative for the levy in 2006 passed with a slim margin of 50.27%. The renewal five years later garnered support of over 65%.

The PAC was heavily involved in leading the efforts of hundreds of citizens who went door to door, made phone calls to ballot holders, and overall campaigned unrelentingly for the passage of the Levy to benefit the Senior Center, Library, Pool and Social Services.

We believe the every day demand for these services from thousands of citizens on a daily basis is one of the reasons for the amazing success of the original initiative levy. For the PAC to be able to run another successful campaign, we believe it is important for the City to present the levy as a renewal. If the ballot measure is combined with another list of levy items, it removes the PAC's ability to market the campaign as a renewal.

Recent City Council work sessions have spoken about possibly pursuing a Public Safety Operating Levy. While an enhancement to Public Safety appears to be a much-needed area for our community, I caution City Council from incorporating a Public Safety Levy with the renewal of the current Operating Levy for the following reasons:

1. Having two separate levys gives voters a menu option of what services they wish to support.
2. There is a large level of transparency that can be shown with a Levy for Public Safety and a Levy for Livability Services. Having a combined levy too large with too many different services is difficult for

ATTACHMENT C

Page 233-e

campaign marketing purposes. As an example, the City's Levy request in 2002 had a list of nearly a dozen facilities and services that were going to benefit and the levy failed with 45% yes votes.

3. The renewal of the current Operating Levy will allow voters to make a conscious vote for preserving current services. Likewise, a separate Public Safety levy will allow voters to make a conscious vote for restoring services (i.e. Fire Station 5).
4. A straight renewal of 02-74 helps voters understand they will simply pay the same amount on their Property Taxes they currently pay to preserve the services they presently enjoy.
5. Modifying the current Levy may lead to voter confusion and a loss at the ballot box resulting in full and partial closure of facilities that our community simply cannot afford.

If the City Council is going to pursue a second levy, my recommendation is to present the operational levy as a renewal and the Public Safety levy as a new measure and even consider placing them on separate ballots between November 2013 and May 2014 to help ensure voter tolerance and clarity.

Conclusion

In conclusion, I recommend that the City Council presents a new Public Safety levy on the November 2013 ballot and files the intent to present a renewal Operating Levy for a full five (5) years on the May 2014 ballot. Once the City files, this will allow the PAC to begin the campaign to ensure a successful passage of the measure.

Respectfully submitted,

Mark Worden,
Co-Chair 02-74



To: Mayor Julie Manning and Corvallis City Council

From: Marys Peak Group – Sierra Club

Date: May 6, 2013

RE: City Staff's Recommendation Revised Draft Ordinance

I represent the local Marys Peak Group—Sierra Club. On behalf of our group I would like to thank Mayor Julie Manning, the City Council, and City Staff for the important work you all have done on this ordinance. You have moved our community forward on banning the single-use plastic bag—which will help save valuable resources and move us away from a wasteful single-use habit. This is a great accomplishment, one that we in Corvallis can be proud of.

The next phase of the ordinance addresses the challenges of small businesses. The Administrative Services Committee has recommended that you exempt small bags from the 5-cent fee and the 40% post-consumer recycled content. We would prefer that all businesses comply with the same rules; however, we can accept the ASC's recommendation as a transition tool.

It is important to note that we are the first city in Oregon to exempt the small paper bag. However there are five cities in the Northwest that have ordinances that similarly exempt the small paper bag, and we can learn from them. They are Port Townsend, Bellingham, Bainbridge Island, Issaquah, and Seattle. They all apply the 5-cent cost to the **one-eighth barrel (882 cubic inches¹) size and larger** and it has worked well for them². As a result, we request that the ordinance's "barrel size" definition include the one-eighth barrel size.

The one-eighth barrel dimension makes it easy to explain which bags receive the pass-through cost, and prevents someone from by-passing the paper bag cost by using multiple bags. I have attached a flyer used by Issaquah and Port Townsend. The flyer contains pictures of the small versus large paper bags, and explains the following rule of thumb: "if a bag has a flat bottom greater than 6 inches by 10 inches, you'll need to charge for them." I have included a copy of the ordinances or FAQs of the five cities to show that this is a standard definition when exempting small paper bags from the 5-cent price requirement.

¹ 10 inches wide X 6 inches deep x 14.7 inches tall

² The ASC is recommending that the 5-cent fee be applied only to the following barrel size: "a paper carryout bag with approximate dimensions of 12 inches wide x 7 inches deep x 13-18 inches tall or a capacity of 1,100 to 1,600 cubic inches."

In summary, we again thank you for all the work that you've done on this ordinance. We would also like to encourage the City to consider expanding the ordinance in the future, to include restaurants and all paper bags to comply with the full requirements of the original ordinance, and join the rest of Corvallis as we move forward with "bringing our own bags."

Respectfully,



Debra Higbee-Sudyka

Executive Committee Vice Chair

Marys Peak Group – Sierra Club

PO Box 863

Corvallis, OR 97339

541-554-6979

dwhigbe@juno.com

http://oregon.sierraclub.org/groups/marys_peak/

City of Seattle Legislative Information Service

Information retrieved on February 27, 2013 9:20 AM

Council Bill Number: 117345

Ordinance Number: 123775

AN ORDINANCE relating to the City of Seattle's solid waste system, regulating the distribution of single-use plastic and biodegradable carryout bags and requiring retail establishments to collect a pass-through charge from customers requesting recyclable paper carryout bags, and amending Seattle Municipal Code Chapter 21.36.

Status: Passed

Date passed by Full Council: December 19, 2011

Vote: 9-0

Date filed with the City Clerk: December 20, 2011

Date of Mayor's signature: December 19, 2011

(about the signature date)

Date introduced/referred to committee: November 21, 2011

Committee: Seattle Public Utilities and Neighborhoods

Sponsor: O'BRIEN; CO-SPONSORS: BAGSHAW, BURGESS, CLARK, CONLIN, GODDEN, LICATA

Committee Recommendation: Pass as Amended

Date of Committee Recommendation: December 13, 2011

Committee Vote: 2 (O'Brien, Harrell) - 0

(No indexing available for this document)

Fiscal Note: Fiscal Note to Council Bill No. 117345

Electronic Copy: PDF scan of Ordinance No. 123775

Text

ORDINANCE _____

AN ORDINANCE relating to the City of Seattle's solid waste system, regulating the distribution of single-use plastic and biodegradable carryout bags and requiring retail establishments to collect a pass-through charge from customers requesting recyclable paper carryout bags, and amending Seattle Municipal Code Chapter 21.36.

WHEREAS, the Washington State Legislature in RCW 70.95.010(8)(a) established waste reduction as the first priority for the collection, handling, and management of solid waste; and

WHEREAS, the Washington State Legislature in RCW 70.95.010(4) found that it is "necessary to change manufacturing and purchasing practices and waste generation behaviors to reduce the amount of waste that becomes a governmental responsibility"; and

WHEREAS, the Washington State Legislature in RCW 70.95.010(6)(c) found that it is the responsibility of city and county governments "to assume primary responsibility for solid waste management and to develop and implement aggressive and effective waste reduction and source separation strategies"; and

WHEREAS, in 2007 the City Council adopted, the Mayor concurring, Resolution 30990, which reaffirmed the City's 60% recycling goal and set a longer-term goal of 70% recycling along with targets for waste reduction; and

WHEREAS, Resolution 30990 called for studies on how to reduce Seattleites' use of hard-to-recycle materials, many of them plastics, and specifically required Seattle Public Utilities ("SPU") to propose strategies, including bans, to discourage the use of disposable plastic carryout bags; and

WHEREAS, SPU has completed some of those studies, finding that the production, use and disposal of plastic carryout bags have significant adverse impacts on the environment; and

WHEREAS, it is the City's desire to conserve resources, reduce greenhouse gas (GHG) emissions, waste, litter and marine litter and pollution and to protect the public health and welfare; and

WHEREAS, there is a need to conserve energy and natural resources and control litter, and less reliance on single-use carryout bags provided by retail establishments works toward those goals; and

WHEREAS, plastic carryout bags are made of nonrenewable resources and plastic never biodegrades and only breaks down into smaller and smaller particles which seep into soils or are carried into rivers and lakes, Puget Sound and the world's oceans posing a threat to animal life and the natural food chain; and

WHEREAS, even though single-use paper carryout bags are made from renewable resources and are less of a litter and particularly marine litter problem than single-use plastic carryout bags, they nevertheless require significant resources to manufacture, transport and recycle or dispose of; and

WHEREAS, costs associated with the use, recycling and disposal of single-use paper and plastic carryout bags in Seattle creates burdens on the City's solid waste disposal system, including in the case of plastic carryout bags machine down time and contamination of recycled paper at the City's materials recovery facility; and

WHEREAS, to prevent waste generation it is in the City's interest to discourage the use of single-use, throw-away items of all types which can be accomplished through price signals; and

laundry-dry cleaning bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags.

2. "Pass-through charge" means a charge to be collected by retailers from their customers when providing recyclable paper bags, and retained by retailers to offset the cost of bags and other costs related to the pass-through charge.

3. "Recyclable paper bag" means a paper carryout bag that has a manufacturer's stated capacity of one-eighth barrel (882 cubic inches) or larger and meets the following requirements: (a) contains a minimum average of 40 percent post-consumer recycled materials, and (b) displays the minimum percent of post-consumer content on the outside of the bag.

4. "Retail establishment" means any person, corporation, partnership, business venture, public sports or entertainment facilities, government agency, street vendor or vendor at public events or festivals or organizations that sell or provide merchandise, goods or materials including, without limitation, clothing, food, beverages, household goods, or personal items of any kind directly to a customer. Examples include but are not limited to department stores, clothing stores, jewelry stores, grocery stores, pharmacies, home improvement stores, liquor stores, convenience stores, gas stations, restaurants, food vending trucks, farmers markets and temporary vendors of food and merchandise at street fairs and festivals. Food banks and other food assistance programs are not considered to be retail establishments for the purposes of this section.

5. "Single-use plastic carryout bag" means any carryout bag made from plastic or any material marketed or labeled as "biodegradable" or "compostable" that is neither intended nor suitable for continuous reuse as a carryout bag or that is less than 2.25 mils thick.

Section 2. Effective July 1, 2012, Section 21.36.922 of the Seattle Municipal Code is amended as follows:

SMC 21.36.922 Civil infractions

A. The violation of or failure to comply with any section of this chapter identified in this section is designated as a civil infraction and shall be processed as contemplated by RCW Chapter 7.80.

B. The violation of or failure to comply with any of the following sections is a Class 1 civil infraction under RCW 7.80.120:

Section 21.36.415 (Discarding potentially dangerous litter), except that the maximum monetary penalty and default amount is \$500, not including statutory assessments

Section 21.36.30 (Unlawful hauling of City's Waste -- Exceptions)

Section 21.36.084 (Prohibition on use of expanded polystyrene food service products)

Section 21.36.086 (Compostable or recyclable food service ware required)

WHEREAS, to reduce the use of plastic and paper carryout bags in the City, it is necessary to regulate such use; and

WHEREAS, it is in the best interest of the health, safety and welfare of the people of the City that regulation require a pass-through charge on the use of recyclable paper carryout bags in order to encourage greater use of reusable bags, to reduce the cost of solid waste disposal by the City, and to protect the environment; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Effective July 1, 2012, Seattle Municipal Code Chapter 21.36 is amended by adding new Section 21.36.100 to read as follows:

SMC 21.36.100 Single-use plastic and recyclable paper carryout bags

A. No retail establishment in the City shall provide a single-use plastic carryout bag to any customer.

B. Through December 31, 2016, no retail establishment in the City shall provide a paper carryout bag with a manufacturer's stated capacity of one-eighth barrel (882 cubic inches) or larger that is not a recyclable paper bag, and retail establishments shall collect a pass-through charge of not less than five-cents for each recyclable paper carryout bag provided to customers. It shall be a violation of this section for any retail establishment to pay or otherwise reimburse a customer for any portion of the pass-through charge; provided that retail establishments may not collect a pass-through charge from anyone with a voucher or electronic benefits card issued under the Women, Infants and Children (WIC) or Temporary Assistance to Needy Families (TANF) support programs, or the federal Supplemental Nutrition Assistance Program (SNAP, also known as Basic Food), or the Washington State Food Assistance Program (FAP).

C. All retail establishments shall indicate on the customer transaction receipt the number of recyclable paper carryout bags provided and the total amount of the pass-through charge.

D. For purposes of this section, the following definitions apply.

1. "Carryout bag" means a bag that is provided by a retail establishment at the check stand, cash register, point of sale or other point of departure to a customer for the purpose of transporting food or merchandise out of the establishment. Carryout bags do not include:

(a) bags used by customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, greeting cards, or small hardware items, such as nails and bolts, or to contain or wrap frozen foods, meat or fish, whether prepackaged or not, or to contain or wrap flowers or potted plants, or other items where dampness may be a problem, or to contain unwrapped prepared foods or bakery goods, or to contain prescription drugs, or to safeguard public health and safety during the transportation of prepared take-out foods and prepared liquids intended for consumption away from the retail establishment; or (b) newspaper bags, door-hanger bags,

Section 21.36.089 (Concrete, bricks, and asphalt paving - - recycling required)

Section 21.36.100 (Single-use plastic and recyclable paper checkout bags)

* * * * *

Section 3. It shall be a violation of this ordinance for any retail establishment to penalize, discipline, or discriminate against any employee for performing any duty necessary to comply with the ordinance.

Section 4. To further promote the use of reusable shopping bags and reduce the quantity of single-use carryout bags entering the City's waste stream, the Director of Seattle Public Utilities is authorized to make reusable carryout bags available to the public at low cost or free-of-charge, targeting such programs to reach low-income households to the greatest degree possible.

Section 5. The Director of Seattle Public Utilities shall evaluate: (a) the financial impact to retail establishments of implementing this ordinance, (b) the effectiveness of this ordinance in reducing the number of single-use carryout bags used in the City, (c) the effectiveness of this ordinance compared to other jurisdictions' efforts to reduce use of single-use carryout bags, and (d) the waste- and litter- reduction benefits of the City's program. The evaluation shall be presented in reports to the City Council that recommend any changes in the ban, pass-through charges, or other provisions that are needed to improve effectiveness. At minimum, reports to the City Council shall be submitted by January 1, 2013 and July 1, 2016. Based on SPU's reports, the Council may take further action to extend the five-cent pass-through charge or implement other actions to achieve City waste-reduction goals.

Section 6. This ordinance shall take effect and be in force thirty days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2011, and signed by me in open session in authentication of its passage this

____ day of _____, 2011.

President _____ of the City Council

Approved by me this ____ day of _____, 2011.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2011.

City Clerk

(Seal)

Meg Moorehead LEG Bag ORD December 12, 2011 Version #10

City of
Bellingham

Plastic Bag Ban FAQs for Retailers



FAQs

1. When are retailers required to stop providing plastic single-use carryout bags to customers?
2. What plastic bags are prohibited?
3. Can retailers provide paper bags?
4. What stores are affected?
5. Are small retail businesses exempt?
6. Can retailers provide "reusable" plastic bags?
7. Can retailers provide plastic bags for meat, produce, bulk foods and other items?
8. Are retailers required to provide reusable plastic or single use paper bags?
9. Are low-income customers exempt from paying the 5-cent fee for a single use paper bag?
10. Are non-profit agencies and stores exempt?
11. Can restaurants provide single-use plastic bags?
12. Do the requirements prohibit retailers from selling plastic bags such as garbage bags and pet waste bags?
13. Is there an exemption for clothing stores?
14. Can retailers provide plastic bags made of compostable materials?
15. Can retailers provide small paper bags at check out for easily damaged items, such as birthday cards or small paint brushes or glass items?
16. Will there be a "grace period" for retailers to comply?
17. What are the penalties for not complying with these new requirements?
18. Why did the City ban lightweight plastic carryout bags but allow heavy-weight, thicker ones?
19. Do I have to charge my customers for all paper bags?
20. Can retailers just "eat the cost" of large paper bags and not charge their customers?
21. What about smaller paper bags?
22. What about the low-income customers for whom a bunch of 5-cent bags can mean real money?
23. Bellingham's ordinance is very prescriptive about the recycled content in paper bags. How will this be enforced?
24. Do stores have to keep track of how many paper bags they sell?
25. Is the paper bag transaction taxable?
26. Are stores required to charge 5 cents for the heavy-weight plastic bags?
27. Is there a requirement for the heavy duty plastic bags to have recycled content?
28. Are retailers allowed to use up existing stocks of plastic bags after Aug. 1?
29. If restaurants are selling items other than prepared foods are the bags they use still exempt?
30. Are grocers' deli counters exempt like restaurants with to-go food?

15. Can retailers provide small paper bags at check out for easily damaged items, such as birthday cards or small paint brushes or glass items?

Yes. Retailers may provide small paper bags for small items such as gifts, books, nails, for the examples noted above, and more. They may be provided free or charged for at the store's discretion.

16. Will there be a "grace period" for retailers to comply?

The ordinance was approved Aug. 1, 2011, allowing one full year for affected retailers to plan for the transition.

17. What are the penalties for not complying with these new requirements?

The ordinance describes enforcement options, including fines, for violations of the ordinance. First-year efforts to introduce the new requirements, however, will focus on business and customer education and incentives to promote the use of reusable bags.

18. Why did the City ban lightweight plastic carryout bags but allow heavy-weight, thicker ones?

The thicker, stronger plastic bags – those more than 2.25 mils thick – are reusable and tend to actually be reused more often than the lightweight plastic bags. They also have special uses for which paper is not a good option or not readily available; for example, very large bags for bedding and other bulky household items. Banning lightweight single-use plastic bags is considered a great first step in the right direction toward reducing the impacts of plastics on our environment.

19. Do I have to charge my customers for all paper bags?

No. Retailers of all types are required to charge only for larger bags such as typical grocery store carryout bags – technically a bag larger than 882 cubic inches, known as one-eighth barrel in the grocery trade. As a rule of thumb, if a bag has a flat bottom greater than 6 inches by 10 inches, you'll need to charge for it.

20. Can retailers just "eat the cost" of large paper bags and not charge their customers?

No. The minimum 5-cent charge must be collected. It is meant to be a reminder to customers to shop with reusable bags, and for that reason the number of bags and total cost of recyclable paper bags sold must be shown on the customer's sales slip. The City ordinance requires the charge for all large bags at all stores to ensure a level playing field among retailers.

21. What about smaller paper bags?

Stores are not required to charge for smaller paper bags but they may at their discretion.

22. What about low-income customers for whom a bunch of 5-cent bags can mean real money?



Plastic Bag Ban

City of Port Townsend's Single-Use Plastic Carryout Bag Ban Information for Retail Stores and Packaging Suppliers

Plastic Shopping Bags	Large Paper Shopping Bags	Smaller Paper Bags	Plastic Produce/Bulk Food Bags
	Charge required  5¢	Charge optional  FREE	 ALLOWED

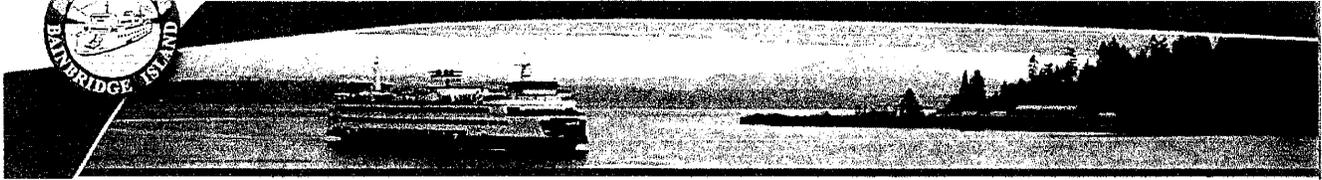
What the City of Port Townsend Law Requires: Beginning November 1, 2012

- All City of Port Townsend retail stores are prohibited from providing customers with single-use carryout (shopping) bags, including those advertised as compostable, biodegradable, photodegradable or similar.
- Plastic bags 2.25 mil or thicker are deemed reusable and may be provided free or charged for at the store's discretion.
- Retail stores in Port Townsend may provide customers with any size recyclable paper or reusable carryout bags. Stores must charge a minimum of 5 cents for paper carryout bags of 1/8 barrel (882 cubic inches) or larger. As a rule of thumb, these are typical grocery bags with a flat bottom greater than 60 square inches.
- Paper bags to which the 5-cent charge applies must contain at least 40 percent post-consumer recycled fiber and display the minimum recycled content on the outside of the bag. Use of recycled fiber and labeling is encouraged for all other sizes of bags.
- Paper bag charge revenue is retained by stores. At their discretion, stores may charge for smaller sizes or provide them free of charge. All paper bag charges must be shown on customer receipts. Sales tax does apply to this 5-cent charge.

City of Port Townsend
250 Madison Street, Suite 2
Port Townsend, WA 98368

EXEMPTIONS & ADDITIONAL DETAILS 

For more information: Contact vridgway@cityofpt.us or 360/385-5991



Plastic Bag Ban Frequently Asked Questions

< May 2013 >

Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1
2	3	4	5	6	7	8

Meeting Calendar - click on a date to see all the meetings for that day.

Last updated
10/15/2012 8:39:59 AM

[Sustainable Practices](#)
[Flyer \(color\)](#)
[Flyer \(black & white\)](#)
[The Bainbridge Bag](#)
["CHOOSEreusable"](#)

Why did the City ban single-use plastic carryout bags?

Lightweight plastic carryout bags are commonly found in litter and escape into our waterways where they remain as a pollutant forever. Fish and other marine animals commonly mistake pieces of plastic and bags for food. When plastics break down into smaller and smaller pieces, those microscopic particles may also be consumed by small animals in the oceans and enter the food chain. Because of plastic's persistence in the environment, the City believes the use of throw-away plastic products should be minimized. Paper, of course, is organic and does not present similar problems. But reducing waste means cutting down on the use of paper bags, too. That's why the City urges all retailers to encourage their customers to shop with reusable bags.

What plastic bags are prohibited?

Those considered "single-use" and "carry out" are prohibited. This includes all plastic bags less than 2.25 mils thick provided at check out or point of sale. Those not allowed are the typical plastic bags with handles constructed of thin plastic (less than 2.25 mils thick). Bags constructed of durable plastic (thicker than 2.25 mils) are considered reusable and are allowed.

What stores does this apply to?

All retail stores of any kind are prohibited from using lightweight plastic carryout bags, and they must charge customers 5 cents each for any large, grocery sized, carryout bags used.

Are there any exceptions?

Only one: food banks may use any type of bag. In fact, retailers with more plastic bags than they will use up before the plastic bag ban takes effect November 1 may want to donate them to a food bank. Helpline House (206) 842-7621 has confirmed that they will appreciate any bags provided.

What about food vending trucks, farmers' markets, street fairs, festivals and events?

Ordinance 2012-06 specifically includes all these activities among the kinds of "retail establishments" where the use of lightweight plastic carryout bags is banned. Vendors at farmers' markets may use small bags of any type for vegetables and meat and put these in a paper carryout bag or a customer's reusable bag.

Is there a fee for all paper bags?

No. Stores (and vendors of all kinds including those at farmers' markets) are required to charge only for larger bags such as typical grocery store carryout bags – technically a bag larger than 882 cubic inches, known as one-eighth barrel in the grocery trade. As a rule of thumb, if a bag has a flat bottom greater than 6 inches by 10 inches, you'll need to charge for it.

Can retailers just "eat the cost" of large paper bags and not charge their customers?

No. The minimum 5 cent charge must be collected. It is meant to be a reminder to customers to shop with reusable bags, and for that reason the number of bags and total cost of recyclable paper bags sold must be shown on the customer's sales slip. The City ordinance requires the charge for all large bags at all stores to ensure a level playing field among retailers. The law says: "It shall be a violation of this section for any retail establishment to pay [for] or otherwise reimburse a customer for any portion of the pass-through charge."

Are there any restrictions on stores, restaurants, or bakeries choosing to charge a fee on all bags?

No, there are no requirements. This decision is up to the business.

What about smaller paper bags?

Stores are not required to charge for smaller paper bags but they may at their discretion.

What about low-income customers?

Many low-income customers are exempt from the charge. Specifically, no retail store at any time may charge the 5-cent pass-through fee for large recyclable paper bags to customers having vouchers or electronic benefits cards issued under the Women, Infants and Children (WIC) or Temporary Assistance to Needy Families (TANF) support programs, or the federal Supplemental Nutrition Assistance Program (SNAP, formerly "Food Stamps," also known as Basic Food), or the Washington State Food Assistance Program (FAP).

New Requirements: Retail Plastic and Paper Bags

The City of Issaquah recently adopted new requirements, banning plastic bags used at check-out from grocery stores and retailers. Paper bags are allowed, but a charge of 5 cents for each bag will be required. The ordinance aims to reduce pollution and waste associated with plastic bags, and encourage a shift to reusable carryout bags.

Learn More:

For more information about the new requirements, go to www.ci.issaquah.wa.us/bags

The ordinance includes:

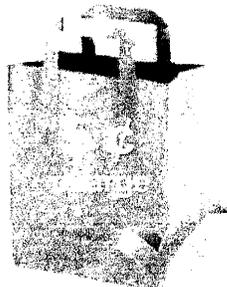
- A ban on plastic carryout bags at retail locations in the City.
- A 5 cent charge to customers for large paper bags.
- Exemptions for bags used in stores, such as for produce, meat, seafood, bulk foods, flowers and small items.
- Exemptions for plastic bags for newspapers, dry cleaning and take-out food.
- Reusable bags for low-income families.
- Education to businesses, residents and customers on reusable bag options.
- A phased implementation period, starting in March 2013 for requirements to go into effect.

Bag Ban At-a-Glance:

Plastic Bags
(less than 2.25 mil)



Large
Paper Bags



Small
Paper Bags



In-store
product bags



Reusable
Bags



For more information:
www.ci.issaquah.wa.us/bags



300 S.W. MADISON AVENUE

CORVALLIS, OREGON 97333-4793

PHONE (503) 757-8070

I would like to propose to the City Council that small businesses existing inventory of non compliance bags that were purchased before the bag ban became public be grandfathered in so that they may be used up and not create a financial hardship on these businesses and an unnecessary addition to our local landfill when they are disposed of in mass.

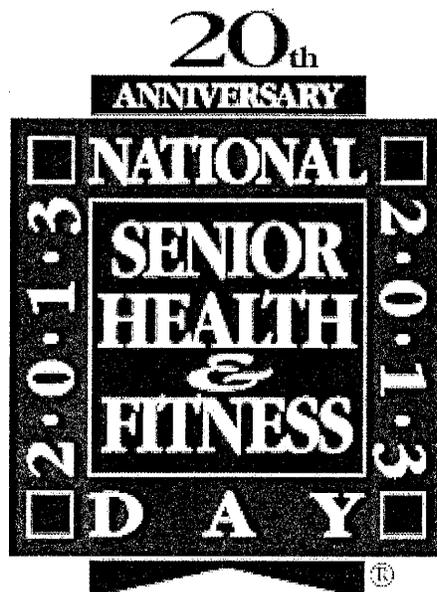
Sm Bag 12"x17" 1.75 mil – We ordered 5,000 in Oct 2010 and got 5,200 – We now have 3,200 left - Thus we used 2,000 bags in 2.33 yrs or 858 per yr, so we now have a 3.73 yr supply left @ \$.1802 per bag = \$576.64

Med Bag 15"x20" 1.75 mil –We ordered 10,000 in July 2011 and got 11,200 –We now have 8,100 left – Thus we used 3,100 bags in 1.75 yrs or 1,771 per yr, so we now have a 4.57 yr supply left @ \$.2043 per bag = \$1,654.83

Lg Bag 20"x23" 2 mil – We ordered 6,000 in July 2009 and got 6,200 – We now have 2,600 left – Thus we used 3,600 in 3.75 yrs or 960 per yr, so we now have a 2.71 yr supply left @ \$.2936 per bag = \$763.36

That's a total of 13,900 bags worth \$2,994.83 to be sent to the landfill!!! I don't feel this is fair since we have to order our bags in a volume that takes us approximately 5 years to go through, and this ordinance came about in the fall of 2012, long after I had gotten in the most recent order. We will switch to a approved bag as we order replacement bags for our current inventory.

Richard Mehlhaf
Mehlhaf's Clothiers



WEDNESDAY,
MAY 29TH
10:00-4:00PM

CORVALLIS PARKS
AND RECREATION
SENIOR CENTER
2601 NW TYLER AVE.

Stop in to enjoy various activities
to promote a healthy mind
and body including:

- Fitness classes such as Gentle Yoga and Line Dancing
- Therapeutic animals
- Wii tournaments
- Bingo
- Pool
- Ping Pong
- Raffle Drawings

Healthy Snacks provided by:
First Alternative Co-op



For more information:
541-766-6959

ATTACHMENT F
Page 233-u

MIS13-00003
SE Park Ave. Re-Naming
(North-South Segment Only)



Staff Overview of Proposal

Applicant: City Parks & Recreation Dept.
City Staff: Jared Voice, Associate Planner
Hearing Body: City Council
Date: May 6, 2013

Applicant's Request:



- Change name of the north-south segment of SE Park Ave., to SE Heron View St.
 - Request is being made in order to comply with a condition of the 2009 PD / CD / WRG approval for Willamette Park.
 - During review of park development plan, City Fire Marshall determined that existing name for this street segment is not compliant with CP 91-9.05.
 - “Street” v. “Ave.” / name distinction preferred for emergency responders
 - As a result of Fire Marshall’s concern, Planning Commission approval of the Willamette Park Plan required that street name be changed in conjunction with future development of site.
 - “SE Heron View St.” selected based on recommendation by PNARB.

Review Criteria



- City Council Policy 91-9.05 sets forth street naming criteria
- Street renaming shall also follow procedure set forth in Development Services PRO 3042.
- ORS 227.120 specifies that public hearing must be held to consider a street re-naming request.
 - City Council shall determine if proposal has met minimum notification guidelines, and whether request is in best interest of City.

Review Criteria (2)



- Council Policy 91-9.05 specifies the following:
 - Street names shall be limited to length of 12 letters (excluding prefix and suffix).
 - Each street name shall be preceded by the appropriate quadrant prefix (“SE”).
 - North-South streets shall have an “Ave.” suffix.
 - Identified government agencies and utility providers shall be notified when street name change is proposed.
 - Intended to assure consistency with the overall system, and to prevent street name duplication.

Noticing



- Notification sent to government departments and utility service providers identified in CP91-9.05.
- After reviewing proposed street name and comments from affected governmental departments (including County Surveyor, City Police and City Fire), Staff determined that proposal complies with CP 91-9.05.
- Public notice of proposal and public hearing mailed to South Corvallis Neighbors Neighborhood Association, which has boundaries within which street is located.
 - Courtesy notice also provided to Willamette Landing Owners N.A., and to owners of two properties adjacent to affected street segment.
 - No individual property owners or occupants are addressed from affected street segment.
- Public Notice also published in Gazette Times

Staff Analysis



- Staff have sent the required notification, and have evaluated the proposal to ensure it meets the minimum review criteria specified in CP 91-9.05 and DS PRO 3042.

Requested Action



The City Council has the following options:

- Option #1: Approve the applicant's proposed request to rename the street by adopting an ordinance.
- Option #2: Reject the applicant's request by adopting a resolution, to be developed by Staff for consideration by the City Council at the May 20, 2013, City Council meeting.

Conclusion and Recommendation



Based on the information and analysis found in the Staff Report, Staff recommend that City Council approve the ordinance as read by the City Attorney.

Voice, Jared

From: Jay Gile [jaygile@]
Sent: Monday, April 29, 2013 12:12 PM
To: Voice, Jared
Cc: Ward 1
Subject: Proposed SE Park Ave. Name Change

Follow Up Flag: Follow up
Flag Status: Flagged

First, I would like to know why the city is proposing to change the name on (north-south) 200 meter section of SE Park Ave.? Second, how much is this activity going to cost tax payers (including staff time, the Public Hearing and other related costs) and what benefit do we get for this change? It is these kinds of city activities that frustrate voters. There is rarely a week when there isn't something in the GT relating to city budget issues, many of which are related to personnel costs. Surely Parks & Rec staff must have more important issues to address.

If you expect voters to approve future funding requests, you need to make us feel as though you are spending our money responsibly. I do not consider this name change a responsible use of city resources, especially when the city is considering cutting some services.

--

Jay Gile

Voice, Jared

From: Gibb, Ken
Sent: Tuesday, April 30, 2013 10:58 AM
To: 'jaygile@
Cc: Voice, Jared; Emery, Karen; Patterson, Jim; Ward 1
Subject: Proposed SE Park Ave. Name Change

Dear Mr. Gile:

Thank you for submitting comments. Your e-mail will be provided to the City Council as part of the hearing process.

The background on this proposal is summarized below:

- In 2009, the Planning Commission reviewed a development plan for Willamette Park
- During the review of the development plan, the City's Fire Marshall determined that the N/S portion of SE Park Avenue (which is adjacent to Willamette Park) was not consistent with the City's street naming policy, i.e. N/S streets are designated as streets rather than avenues – this comes into play from a public safety standpoint
- As a result of the Fire Department's concern, the Planning Commission approval of the Willamette Park Plan required that the name be changed in conjunction with future development of the site.

As the City's (owner) representative, the Parks and Recreation Department, in consultation with the Parks, Natural Areas and Recreation Board, proposed a name change for this section of street as required by the 2009 Condition of Approval. The process to do so is called out in city ordinance and State law.

As you noted, there are staff time and out-of-pocket costs associated with this action. However, Parks and Recreation staff did not have a choice in moving forward as it was in response to a legal obligation established 4 years ago through the development plan review process.

I don't have a specific estimate of the staff time involved but the direct costs for legal public notice and changing out the street signs etc. are estimated to be \$ 770.

Please let me know if you have any questions about this information. Thanks again for sharing your concerns.

Sincerely,

Ken Gibb
Community Development Director
City of Corvallis

DRAFT

**CITY OF CORVALLIS
MINUTES OF THE ARTS AND CULTURE COMMISSION
APRIL 17, 2013**

Attendance

Brenda VanDevelder, Chair
Rebecca Badger, Vice Chair
Karyle Butcher
Patricia Daniels
Shelley Moon
Joel Hirsch, Council Liaison

Staff

Karen Emery, Director
Mark Lindgren, Recorder

Visitors

Irene Zenev

Absent/Excused

Charles Creighton
Larry Rodgers
Elizabeth Westland
David Huff

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
III. Review of Minutes	X		
IV. Visitor Propositions	X		
V. Benton County Historical Society	X		
VI. Vision and Action Plan Next Steps	X		
VII. Subcommittee Reports	X		
VIII. City Council Liaison Update on Goal Setting	X		
IX. Staff Liaison Report	X		
X. New Business	X		
XI. Adjournment	X		The next Arts and Culture Commission meeting is scheduled for 5:30 p.m, May 15, 2013 at the Parks and Recreation Conference Room.

CONTENT OF DISCUSSION

- I. CALL TO ORDER.** Chair Brenda VanDevelder called the meeting to order at 5:31 p.m. She related that the Benton County Cultural Coalition (BCCC) had selected Elizabeth Wyatt as liaison to the commission.
- II. INTRODUCTIONS.**

III. REVIEW OF MARCH 20, 2013 MINUTES.

Patricia Daniels stated that on page 4, third paragraph, the second sentence should read, “She and Moon will be meeting on Friday *with representatives of participating organizations..*”. The March 20, 2013 minutes were approved as corrected.

IV. VISITORS PROPOSITIONS. None.**V. BENTON COUNTY HISTORICAL SOCIETY.**

Executive Director Irene Zenev said she mostly wanted to update the commission on progress toward construction of a future Benton County Historical Society Museum in downtown Corvallis. She highlighted the new BCHS&M logo, with the tagline “Discover What’s Inside”.

She highlighted the summary for the case for support for the museum campaign, including the “what” and “why”. She said the huge former OSU Horner Museum Collection was acquired after a decade of work, requiring much more display space, and to be housed in a location where many more people can easily see it. Having a museum in downtown Corvallis will move the museum in a new path. She highlighted a FAQ sheet on the project, saying the completion date was in 2016, with construction beginning when 80% of funds are raised. She said that many notable objects in the Horner Collection were still being discovered as they are unpacked. Zenev said that in many cases, viewing objects in museums can change peoples lives, and that is the experience the museum seeks to provide.

Karyle Butcher highlighted the “Creative Placemaking” report, on the process in which cities can create economic and cultural partnerships. She suggested that the commission have a consultant include this document in development of a strategic plan, including all arts and culture organizations working together in a coalition.

VanDevelder asked what kinds of partnerships the Society had with business groups; Zenev replied that it was a member of both the Philomath and Corvallis Chambers. She said that even though the museum was the major attraction in Philomath, its potential tended to be underestimated, and she felt a deeper relationship could be sought, given the economic development aspect. Daniels highlighted the high level of civic support for the Rickreall Museum. Zenev noted that the museum logo was commonly used in civic promotion materials, but the museum gets no funding or cross promotions. The museum could be cross promoting with restaurants, for example.

VanDevelder praised the impressive level of fundraising that has been accomplished to date, mostly donations from individuals. Zenev noted that many grantors now require a high degree of community financial support before they will fund a museum project. She said the recession has caused fundraising to go forward more slowly. Daniels praised the high profile exhibits and lectures at the museum over the last few years.

VI. VISION AND ACTION PLAN NEXT STEPS.

VanDevelder distributed the most recent version of the Vision and Action Plan discussed at the March meeting. She clarified that the commission decided that it needed a comprehensive plan that includes action steps. Its scope should include completing an inventory of cultural assets; developing a metric tool to be used by arts and culture providers to collect consistent data on tourism; determining “leakage” of Corvallis residents traveling elsewhere for arts and culture events; outlining Corvallis arts and culture’s competitive and comparative advantages (including all assets); and stakeholders using all this information to build a final comprehensive plan and an action plan.

VanDevelder expected the consultant would be asking for a lot of background information. Butcher suggested using the “Creative Placemaking” report as a base or framework, as it identifies where the commission wants the arts and culture in Corvallis to end up. Badger suggested said that some language in the report highlighted distinctive qualities and resources that could serve as a reference point for the consultant. Daniels proposed that under Scope, modifying bullet #4 to “Establish the competitive and comparative advantages of Corvallis: distinctive qualities and resources such as environmental assets,....”. There was consensus on the change.

Daniels asked if OSU should be explicitly referenced in the document; VanDevelder replied that it was already present. Butcher said the document was just a starting point, and could be part of the RFP for a consultant.

Emery said the RFP proposal would be reviewed, and then it would be sent out and advertised and the commission would see what comes forward. Badger added that it was discussed to have an OSU College of Business professor review it; Butcher suggested that Brian Wagner of the Oregon Arts Council may be willing to review it, as well. Butcher said an OSU student may be willing to work on the plan in order to get credit. Emery said it would be important to determine whether Ilene Kleinsorge was willing to work on it, since that would be important in crafting the RFP; Butcher will speak to Kleinsorge to determine her willingness. VanDevelder said the RFP should include the potential for student involvement.

Emery said it was important to establish a timeline for the project. Butcher said she can determine Kleinsorge’s willingness within a week. VanDevelder said funds were available after July 1, 2013; she suggested starting in September, and finishing by June 30, 2014. Butcher suggested getting feedback from the consultant on the timeline, a reasonable budget, and whether it would be helpful to have OSU student help. VanDevelder said she expected a report from Larry Rodgers next month.

VII. SUBCOMMITTEE REPORTS.

Daniels said she and Moon met with representatives from performing arts groups on the CAFA project. They are gathering the information they need. She related that Charles Creighton felt that the Corvallis Youth Symphony was likely to join. She related that the Citizens Advisory Committee on Transit gave feedback on transportation and the Corvallis Transit logo will be used on the brochure. She said participating groups were asked to state whether children will be admitted free.

VanDevelder suggested the committee contact the DaVinci Days Festival.

VanDevelder reported that the Marketing Committee’s Elizabeth Westland met with the new director of the Fall Festival.

Badger suggested continuing to reach out and having organization representatives make presentations to the commission; no one is scheduled for the May meeting yet. VanDevelder suggested invited the Director of the Fall Festival; Butcher suggested inviting a representative of the Whiteside Theater. VanDevelder stated that she will invite a representative from the one of the groups participating in the Year of Culture to speak at the next meeting.

VIII. CITY COUNCIL LIAISON UPDATE ON GOAL SETTING. None.

IX. STAFF LIAISON REPORT. None.

X. NEW BUSINESS.

Butcher praised VanDevelder, Hirsch and Huff's recent presentation on arts and culture at the City Club. VanDevelder added that the commission was well represented at the event, saying that arts and culture was a supported value in the community, but raising its visibility will help. She said Huff's Year of Culture was responsible for making it happen. Badger added that it was the best-attended event in the City Club's history; people were turned away.

Daniels suggested hanging the commission's award certificate from the BCCC at Parks and Recreation; Emery agreed to hang it on the department's Awards Wall.

XI. ADJOURNMENT: Meeting adjourned at 6:32 p.m.

DRAFT

CITY OF CORVALLIS
MINUTES OF THE CIVIC BEAUTIFICATION AND URBAN FORESTRY COMMISSION
May 9, 2013

Attendance

Angelica Rehkugler, Chair
Ross Parkerson
Ruby Moon
Larry Passmore
Norm Brown, OSU Liaison
Joel Hirsch, City Council Liaison

Staff

Jude Geist, Parks Supervisor
John Hickle, Parks Operation Specialist
Deb Curtis, Recreation Coordinator
Matt Sanchez, Intern
Claire Pate, Recorder

Absent/Excused

Tim Brewer, Vice Chair
Becki Goslow
Kent Daniels
Ian Davidson

Visitors

Jake Kleinknecht

SUMMARY OF DISCUSSION

	Agenda Item	Information Only	Held for Further Review	Recommendations
I-II	Call to Order/Introductions			
III.	Vegetation Presentation	X		
IV.	Review of Minutes – 4.11.13	Postponed		
V.	Visitors' Propositions	None		
VI.	Staff Reports	X		
VII	City Council/OSU Liaison Reports	X		
VIII	Heritage Tree Program – Review Committee Representation	X		
IX.	Report from Sub-Committees	X		
X.	Adjournment – at 10:15am	X		

I-II. CALL TO ORDER/INTRODUCTIONS.

Chair Rehkugler called the meeting to order at 8:30am. Introductions were made all around.

III. VEGETATION PRESENTATION – PASSMORE.

Larry Passmore gave a presentation on the red maple, known by its Latin name as acer rubrum. There are many reasons to call it red, including the color of the leaf stems (red); the color of the leaves in the fall (red); and the color of the early spring bloom (red), which honey bees love. This is the poster child of trees: it never seems to cause any problems. The seeds, or samaras, are winged, and operate like a helicopter. This allows them to be dispersed hundreds of feet from the source tree when the wind blows. Most red maples now are cultivars as opposed to being actual species plants. They are cultivated for specific features, such as the beautiful red leaves that show up in the fall. These trees are quite common and it would be hard to be in any location in the city and not have one within sight. They are a medium-sized tree.

Chair Rehkugler asked for a volunteer to do the vegetation report for the next meeting. Parkerson took it under consideration, and Passmore said he would be the “fallback” person if needed.

IV. REVIEW OF MINUTES – April 11, 2013.

Since there was no quorum, this item was postponed until the next meeting.

V. VISITORS’ PROPOSITIONS/ANNOUNCEMENTS

Deb Curtis handed out information relating to the upcoming garden tour on June 1, 2013. The tour is a fundraiser for Parks and Recreation, and advance tickets are available for \$12. There are seven new gardens that will be on the tour. Next year’s tour will be in the fall, as they alternate each year from spring to fall. If anyone knows of a garden that should be included on one of the tours, and the residents are willing to do so, they can call 541-754-1734, or otherwise be in touch with her.

Jake Kleinknecht said he lived nearby and was a graduate student at OSU. He came to the meeting out of curiosity, but also to possibly fulfill a class requirement to attend a civic meeting.

Parkerson reminded the group that May was Historic Preservation Month and handed out brochures in that regard. The Historic Preservation awards presentation is scheduled for May 30, 2013, at the Children’s Farm Home open house.

Rehkugler expressed thanks to Mayor Manning, on behalf of the commissioners, for the volunteer recognition gifts.

VI. STAFF REPORTS.

Geist reported that they had held a downtown cleanup event last month, with another coming up as part of OSU Alumni Service Day.

The Tree City USA recognition event at City Council went well, though next year it might be better to cluster all “tree” items together such as the celebration of Arbor Day along with the Tree City USA recognition. Merja is now working on implementation of the program, and putting the committee together. Geist referred to the interest form which can be filled out and turned in by anyone who has the interest.

They are moving ahead with the “Tree for a Fee” plan, and have put a draft together of what it would look like. The next step is to meet with the Planning Division staff to see what policies might need updating. Basically, the program gives developers an option of paying the City on a lineal-foot basis so that at a later, more appropriate time of the year in terms of weather, the City can plant trees. Typically, there is a low success rate of trees surviving when they are planted July; a developer can pay into the system and the City will take on planting a street tree at a later date. Developers can still select what type of tree should be planted. In response to a question from Parkerson, Geist said that the street trees are usually monitored for 3-4 years after planting.

In response to other questions, Geist said that they have a program wherein trees which have had to be taken out can be replaced by trees provided by the City if the urban forestry program budget has the funds available and if arrangements can be made to ensure the trees get watered. This is not a formal program, but has been part of Parks and Recreation’s procedures. Merja is the contact for anyone who might have an interest in this.

VII. CITY COUNCIL/OSU LIAISON REPORTS.

Liaison Joel Hirsch said that he was happy to have the Heritage Tree program adopted before Merja’s retirement and before Daniels leaves CBUF. It was unanimously approved by City Council.

Moon shared with Hirsch that someone had stopped her to say that it was a bad idea to privatize parks. Hirsch said that the City was only investigating the possibilities of privatization of different services, and there would be many opportunities to weigh in prior to anything like that happening. He said that there would likely be two levies on the ballot, and that he would be proposing a third, more robust, 5-year levy which would allow for service levels to be brought back to what they once were. He did not know if it would gain any traction.

VIII. HERITAGE TREE PROGRAM – REVIEW COMMITTEE REPRESENTATION.

Geist explained for visitors that this is a non-regulatory program to identify significant trees within a community. The State of Oregon has a Heritage Tree Program, as do individual jurisdictions such as the City of Albany and – now – Corvallis. Ross said that the article in the paper about the program was a very good one, and he hopes there will be more. It was suggested that additional attention by the paper would likely be garnered as trees are actually selected for the program. Brown thought that there should be an adequate number of people to staff a committee. Trees on the OSU campus will also be a part of the program.

IX. REPORT ON SUBCOMMITTEES.

Reporting on behalf of the Civic Beautification subcommittee, Moon said that she was working on a process to get people to sign up to “adopt” or take on responsibility for small portions of public spaces in the downtown area and in Central Park to keep them weeded and tended. She had maps of the areas and had signed up people at the Spring Garden Show. Once there are adequate volunteers signed up, she expected that a class would be given to ensure the volunteers had familiarity with appropriate plant tending techniques, such as pruning. The idea is to beautify the public spaces. Secondly, it will be helpful to have the attention given to Central Park so as to counter some of the negative perception people have of its being impacted by the homeless and transient population. Appropriate pruning of lower portions of shrubs and trees will allow for more visibility. It was suggested that if people wanted to volunteer for this work they could contact Steve McGettigan.

Parkerson opined that there seemed to be fewer trash receptacles in Central Park. Geist did not know if this was the case. With regard to the missing squirrel taken from the Central Park bench, Geist said they would wait until the end of the OSU school year to see if it shows up; if not, they will look into possibly replacing it.

Chair Rehkugler said that since Goslow was not at the meeting there was no report relating to the Beautification Awards. People have until the end of May to submit nominations. Additionally, she handed out an updated list of email addresses and phone numbers of those on the commission and staff members.

Matt Sanchez, Parks casual, gave a presentation on the work he has been doing to draft an “Urban Forests Stewards Manual.” He selected as a descriptive quote for the document: “Spreading the practical knowledge of the urban forest through education of the people.” He handed out draft copies and discussed the various topics selected for inclusion which are:

- Urban Forest
- Benefits
- What is a Tree? Ruby said Magnolias should be added to deciduous and
- Anatomy
- Growth
- Dichotomy
- Right Tree, Right Place
- Picking the tree
- Planting
- Suggested References and contacts

The commissioners had the following comments and suggestions:

- Consider adding magnolias as another type of tree under the section “What is a Tree?”
- PH testing can be done by contacting the local Master Gardeners program office.
- Include information on how much water is needed to support a transplanted tree.
- Include more pictures of examples, for instance pictures of good tree placement and bad tree placements.
- Keep the reference and contact information general enough so it does not get outdated; i.e. refer to job positions and programs as opposed to citing specific people.
- It would be nice to have this as a hard copy document, as well as being on the internet.
- Kudos for keeping the document simple and easily understood by a novice gardener.
- Great job!

Sanchez gave his email address as mattsncz@gmail.com and phone number (971-275 6047) and asked for more suggestions and comments as they come to mind. He will bring another draft back for review, likely at the next meeting.

X. ADJOURNMENT.

The meeting was adjourned at 10:15am. Chair Rehkugler asked that the topic of Sweetgum trees be put back on the list of pending items.

CORVALLIS-BENTON COUNTY PUBLIC LIBRARY BOARD MINUTES
April 3, 2013

Board Present	Staff Present
Scott Elmshaeuser, Chair Martha Fraundorf Leanne Giordono Corrine Gobeli David Low Isabela Mackey Jacque Schreck Steve Stephenson Sravya Tadepalli Penny York	Carolyn Rawles-Heiser, Library Director Janelle Cook, Senior Administrative Specialist Andrew Cherbas, Extensions & Technology Manager Mary Finnegan, Adult Services Manager Lori Johnston, Circulation Supervisor Curtis Kiefer, Youth Services Manager Carol Klamkin, Management Assistant Felicia Uhden, Access Services Manager
Excused: Linda Modrell and Jana Kay Slater	Visitors: None

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Action
Call to Order	7:30 pm	
Visitors' Propositions		None
Minutes: March 6, 2013		Approved as submitted
Library Board Packet	x	
Director's Report	x	
Division Manager Reports	x	
Clean Slate Program	x	
Board Reports <ul style="list-style-type: none"> • Friends of the Library Board • Foundation Board 	x x	
Information Sharing	x	
Adjournment	8:36 pm	

CONTENT OF DISCUSSION

I. CALL TO ORDER

Chair Scott Elmshaeuser called the meeting to order at 7:30 pm.

II. VISITORS' PROPOSITIONS

None.

III. APPROVAL OF MINUTES

Motion: Jacque Schreck moved approval of the March 6, 2013 minutes as submitted. The motion was seconded by Steve Stephenson and passed.

IV. LIBRARY BOARD PACKET QUESTIONS AND COMMENTS

Jacque inquired about the City's new financial system. Carolyn Rawles-Heiser replied the City's current financial software harkens back to the 1980s. The new software uses a Windows platform and is an update of the old software, which is DOS based. It will be a big learning curve for staff, but it does have some nice features such as online time recording and the ability for employees to change their withholdings. Isabela Mackey asked for more information on contingency funds as reported in the March 6 Board minutes. Carolyn explicated that for the first time, the City will not count contingency funds as recurring expenses. Although these funds are rarely used, they have historically been included in each department's annual operating budget. The Finance Director proposed moving the contingency funds "below the green line," which City Council approved, and the net result is that the City will not have as large of a budget shortfall as anticipated next year.

V. DIRECTOR'S REPORT

Carolyn reminded the Board that the Budget Commission will be meeting on April 23 at 7:00 pm at the Downtown Fire Station. The budget will likely be released on that date as well. The public hearing will be held on April 30 at the Fire Station as well. Budget Commission accepts written comments and appreciates receiving them ahead of time.

A draft has been started on the Library Board Sunset Review.

Longtime Library supporter John Fenner passed away recently. Mr. Fenner is the owner of the adjacent property that has been the subject of the Library Foundation's Complete the Block campaign. The City will move forward with contacting the Fenner family about purchasing the property. Per the agreement signed by the City and Mr. Fenner, appraisers will be hired to value the property. An agreement will then be worked out between the parties. Likely, the Foundation will give the money to the City for the purchase. The current plan is to continue renting the building to its existing occupants. The Foundation would like to stipulate that the rental income be used solely for Library purposes.

Carolyn displayed a sample of the cards that the Foundation had printed to send out to all donors letting them know the campaign goal had been reached and alerting them to an event this fall to celebrate. Penny York inquired if Carolyn would be making an announcement to City Council and she said, yes, probably in conjunction with the National Library Week proclamation which will be read by the Mayor at the April 15 Council meeting.

VI. DIVISION MANAGER REPORTS

Access Services: Felicia Uhden reported that moving the DVD holds to the media alcove freed up some shelving and staff was able to remove the temporary shelving which allows for more light in the back of the Library and gives better visual control for staff.

Administration: Carol Klamkin noted Admin staff is busy as usual processing contracts and invoices. Admin staff has also been working with Circulation and Finance staff to implement the credit card function on the new self-check machines. A test will be performed in the next couple of days and hopefully this feature will be up and running next week.

Adult Services: Mary Finnegan said Adult Services has been inundated with patrons who are up against the tax filing deadline. A dedicated computer and printer has been set up for patrons to access the IRS web site.

Intern Katie Warrener has completed her term and accomplished a couple of projects for the Library. Mary brought a couple of handouts on upcoming programs - Big Conversations and Adult Graphic Novel Book Club.

Circulation: Lori Johnston reminded the Board that Food for Fines will be offered during National Library Week.

Extension Services: Andrew Cherbas passed around the notecards that Alsea Community Effort (ACE) is selling for their annual fundraiser. The artwork on the cards was created by Mary Rounds. Posters and other items are also for sale and more information can be found on ACE's web site. The new Monroe Library is still on track for occupancy to be signed over on April 15. Andrew is planning to start moving shelving next Monday. A new catalog was launched last Sunday with very few technical hiccups. Overall, it has been a smooth transition.

Youth Services: Curtis Kiefer demonstrated the new LeapPad2, which is geared toward preschoolers through second graders. Gadget money from the Friends Needs List will be used to purchase the new equipment. The LeapPad2 requires no maintenance or updates. The Maker Festival was a huge success and Curtis gave kudos to the Friends for sponsoring the Festival, Librarians Robin Fosdick, Ruth Rose Hennessey, and Alex Regan for coordinating the event, Volunteer Coordinator Cathi Roberts who organized the great volunteers, and Senior Administrative Specialist Erin Kahle for processing numerous contracts. About 1,100 people attended the two-day event. Hewlett-Packard and the OSU Robotics Team have both expressed interest in continuing to offer programs at the Library. Carolyn added that the Library is going to apply to the Benton County Foundation for a grant to purchase a 3-D printer and other equipment, which can be used for future teen programming.

VII. CLEAN SLATE PROGRAM

Felicia summarized staff discussions on procedures regarding the Clean Slate Program. Circulation staff and Youth Services staff pulled together a program proposal based on discussions with other staff members. More than 900 accounts of minors exceed the \$10 fine limit. The highlights include:

- Only available to minors
- Once-in-a-lifetime opportunity for patrons who incurred the charges while they were a minor
- If the account is less than \$30, the fees would be wiped out and a new card would be issued with full borrowing privileges.
- If the account is more than \$30, a one-year card would be issued with limited borrowing privileges. If after one year, the patron has kept their account in good standing, then a regular Library card would be issued.
- Permanent notes will be added to all patron accounts who take advantage of this one-time offer.
- Participants will sign an agreement.
- The timeline of the amnesty program would be indefinite.

Staff believes the Library is not likely to collect any of this revenue anyway and therefore, the program would not cost anything and staff expects the payoff would be the return of Library patrons who hopefully will become lifetime users and supporters of the Library. Scott inquired if this program would be advertised and Felicia replied it would not be widely advertised. Penny suggested it might be a good idea to inform teachers in the community of the program because they may be in a position to recognize the need. Sravya Tadepalli later commented that she was skeptical the teachers would have much of an impact on this program because they would not necessarily make the connection with students who fail to turn in their homework and the fact that they do not have access to the public library. Jacque inquired if the agreement will even be binding and/or legally enforceable since the agreement is with a minor. Felicia surmised it would not be, but the intention is for it to be morally enforceable. Martha Fraundorf asked if there would be a minimum age since a younger child could not be expected to fully understand the responsibility. According to Felicia, this was discussed, but in practice, the program is targeted for teens. Jacque was impressed that a program that sounded very complicated at first blush has been made into something which actually sounds workable.

VIII. COMMITTEE AND BOARD REPORTS

Friends of the Library: Corrine Gobeli thanked everyone for supporting the Friends Pasta-thon at Pastini's - it was a great success! The Friends received \$589 from the proceeds. Both Corrine and David Low represented the Friends at the Sustainability Fair. Corrine also echoed Curtis' comments that the Maker Festival was a terrific event. The most popular craft was making covered switchplates. The Friends are learning to use Wiggio, a free online communications tool for groups. The next meeting will be held on April 15 at the Philomath

Community Library. Jill Rubart has joined the Board as a co-chair of the February Book Sale. At the same time, longtime Board member Lois Malango has resigned from the Board and will be greatly missed.

Foundation Board: No report.

IX. INFORMATION SHARING

The volunteer breakfast is on Friday, April 19 at 8:00 am. Mayor Julie Manning and City Manager Jim Patterson are expected to attend.

Penny shared that the public safety tax went to Administrative Services Committee (ASC), but has not been to Council yet. ASC recommended the proposal be forwarded to the public for a vote. It has not been decided yet whether or not the tax should be a utility fee or property tax levy, but it is anticipated that it will be forwarded to the voters. Given the timeline involved, this will likely not affect the next budget cycle. It was acknowledged that there is a timing issue due to the current operating levy expiring in 2014, which includes a significant amount of the Library's current budget.

Martha asked about the Benton County budget hearing on the Library Service District scheduled for next Tuesday. Carolyn said yes, the County is required to hold a hearing to appropriate the tax and this is an annual exercise.

X. ADJOURNMENT

The meeting was adjourned at 8:36 pm.

NEXT MEETING: May 1, 2013 6:00 pm

Approved as Corrected, May 8, 2013
CITY OF CORVALLIS
DOWNTOWN COMMISSION MINUTES
APRIL 10, 2013

Present

Heidi Henry, Chair
Liz White, Vice Chair
Kirk Bailey
Brigetta Olson
Elizabeth Foster
Mike Wiener
Dan Brown, Council Liaison

Staff

Ken Gibb, Director
Sarah Johnson, Associate Planner
Mark Lindgren, Recorder

Guests

Michele Walker
Paula Leslie

Excused

Dee Mooney
Steve Uerlings
Ken Pastega
Mary Gallagher
Donna Williams

SUMMARY OF DISCUSSION

	Agenda Item	Held for Further Review	Recommendations
II.	Approval of March 13, 2013 minutes.		Minutes approved as corrected.
III.	Public Comment		Paula Leslie of BikePAC of Oregon noted the organization sought to incorporate motorcycle safety into planning.
IV.	City Council Liaison Report		Work on Council Goals is underway.
V.	Public Comment Opportunity & Discussion- Mobile Food Unit Policy Review & Consideration of Recommendation		Motion passed to recommend approval of all recommendations in the MFU memo plus two additions: that the Council consider more locations, and to recommend a review of less ten feet of separation.
VI.	Discussion- Right-of-Way Encroachment Draft Policy Review		Motion passed to support the policy as presented.
VII.	Staff Updates		Director Gibb noted that funding reductions could affect staffing of boards and commissions.
VIII.	Commissioner Updates -DCA Liaison Report -Parking Committee Liaisons		None.
IX.	Other Business		None.
X.	Adjournment.		Meeting adjourned 6:24 p.m. The next regular meeting will be May 8, 2013 at the Madison Avenue Meeting Room.

CONTENT OF DISCUSSION

I. CALL TO ORDER.

Chair Heidi Henry called the Corvallis Downtown Commission and Parking Committee to order at 5:33 p.m. in the Madison Avenue Meeting Room, 500 SW Madison Avenue.

II. APPROVAL OF MARCH 13, 2013 MEETING MINUTES.

Liz White moved and Brigetta Olson seconded to approve the March 13, 2013 minutes as presented.

III. PUBLIC COMMENT.

Paula Leslie stated that she was Legislative Director of BikePAC of Oregon, which represents Oregon's motorcycle riders. She said the group seeks to collaborate with cities and the state to improve motorcycle safety in project planning, and was attending in case the right-of-way issue on the agenda related to her group's advocacy work.

Bob Harrison said he planned to launch a food cart, depending on what he heard on proposed rules before he invests.

IV. CITY COUNCIL LIAISON REPORT.

Liaison Dan Brown related the Council was working on its six Council Goals and starting to address the budget.

V. PUBLIC COMMENT OPPORTUNITY AND DISCUSSION- MOBILE FOOD UNIT POLICY REVIEW AND CONSIDERATION OF RECOMMENDATION.

Chair Henry highlighted the April 2, 2013 food cart (Mobile Food Unit - (MFU)) memorandum in the commission packet. She said the commission was taking comments on the memorandum, and should decide whether to recommend that the Urban Services Committee consider all or some of the recommendations from the food cart policy.

Planner Sarah Johnson summarized that last month, the commission heard preliminary recommendations from the committee. The commission had some questions and made some suggestions to clarify a few items, and wanted public feedback before it deliberated tonight.

She said the committee was assessing the applicability of the policy and where Mobile Food Units should be able to operate on a year-round basis on private property. The committee was asked to look at other appropriate zones for that operation, and it could be appropriate for the Council to consider that, but the committee did not opt to recommend the Council extend the policy to other zones.

She related that the committee reviewed language regarding the need for a site plan for just one cart; the committee stated the City wanted to know where food carts were located on a year-round basis on private property, to ensure that site plans conform to setback and separation standards. She related that after consideration, the committee recommended retaining language on "...one or more food carts that are proposing to operate on a year-round basis..".

Planner Johnson said the committee considered definitions, including length and square footage. She said staff had done research previously on what was considered average and customary in other communities' policy. The committee recommended retaining length and square footage limitations, but removing the hitch component of a trailer from those calculations.

The committee discussed setbacks and separations at length. Staff looked at a number of ways site plans could be developed in order to accommodate units on sites that were configured differently, such as being perpendicular rather than parallel to the property line. The committee decided six-foot separation from the property line was probably not necessary, since buildings don't have those kinds of setback requirements within the zones under consideration. The committee recommended to remove setbacks from property lines in cases where the service window is not facing towards the street and recommended a setback of two feet from the property line where those service windows were facing the street. In cases where a food cart's service window faces the interior to the property, there wouldn't be a setback standard. Similarly, if it were perpendicular, so that the rear of the cart was against the property line, there also would not be a setback requirement.

Planner Johnson said there was considerable discussion on the requirement for ten feet of separation between units, and ten feet of separation between common outdoor eating areas, and the applicability of fire code to those standards. She related that the Fire Department could not recommend removing or reducing the ten-foot separation requirement between carts, largely because the city lacked the standards and programs to regulate and inspect fire suppression equipment on each food cart. The Fire Department allowed reducing separation between carts, tables and outdoor seating areas, changing it to a minimum of four feet of unobstructed area between a trailer and a common eating area, and requiring that relief valves on propane tanks be positioned away from the eating area, and that tables, chairs and benches must be made of non-flammable materials.

She stated that there was a lot of discussion on the fee and permit structure. The commission consistently heard from the stakeholders and property owners that it was unwieldy to have the property owner be the sole responsible party for the site plan and paying the infrastructure impact fee, for a number of reasons cited in the memo. The committee recommended restructuring the permitting process so each cart owner was responsible for working with the property owner, setting up a site plan for their cart and all other units on the property that conforms with policy requirements.

The structure was proposed to change to a one-time fee for site plan review for each location of a cart. For example, if a cart was located in two different areas in summer and winter, they could just pay for the site plan review for each of the locations, and as long as they used the same two locations each year in the same configuration, they would not be required to pay another site plan review fee. Regarding the infrastructure impact fee, the committee recommended charging a yearly infrastructure impact fee smaller than the fee originally proposed, which was felt would more closely approximate the actual impact on utility infrastructure for one cart on a yearly basis. Planner Johnson highlighted wording changes intended to clarify that a cart could be in multiple locations.

She related that some commission members asked to clarify that the permitting only applied to the siting of a food cart, and not operations, or fire safety, and so suggested calling it a Mobile Food Unit Siting Policy. Chair Henry invited the public to comment on the committee's recommended changes to the policy.

Michele Walker said she was the spokesperson for Cartvallis (the Corvallis Food Cart Alliance) and was a food cart owner. She thanked the commission for its hard work. She commented on the applicability issue, asking that the commission make a recommendation to the Urban Services Committee to look at other zones. With the Farmers Market currently closed, the only operating food carts are near campus. Also, she would like to see the policy moved forward as quickly as possible, noting that a third downtown property owner had just withdrawn an offer for siting her cart; she related the owner got tired of waiting and objected to the upfront fees. She felt the recommendations were a fair and reasonable compromise, and that cart owners should be mainly responsible for overall permitting fees, while anything related to the property should be worked out with the property owner.

She related that in her research, there have been only two fires in food carts in Portland over many years, and they were minor. Most communities require five feet of separation between carts, not ten feet. She commented that having the additional separation reduced the number of carts possible on a property, thus making it less cost-effective.

Commissioner Henry asked if recommending additional zones was within the commission's purview; Director Gibb replied that the commission could ask the Council to consider it.

Commissioner Bailey said that regarding the ten-foot separation requirement, the reason for it was that Fire Department staff doesn't have the framework in place to do the evaluation of the fire-worthiness of a cart, while some other jurisdictions are able to do that. He asked if it was worthwhile to insert a note to let Urban Services Committee know that that was the reason for the ten feet separation, with the idea that it may be possible to get private review in order to enable closer siting of carts in a location. Ms. Walker said separation was more of a concern from a property owner's perspective. Commissioner Bailey proposed citing the reasoning for the ten foot separation standard mentioned in the memo: "... essentially .. the lack of standards and programs to ensure proper fire suppression appliances on each food cart". He proposed adding "Should an independent way of evaluating that come forward, or resources become available, then reduced setbacks could be considered." He said the desire is to have reduced separation. Director Gibb suggested including it with the commission recommendation in the cover memo to the Council.

Commissioner Bailey moved and Commissioner White seconded to approve all recommendations in the MFU memo plus two additions: that the Council consider more locations, and to recommend a review of less ten feet of separation. Motion passed unanimously.

VI. DISCUSSION- RIGHT-OF-WAY ENCROACHMENT DRAFT POLICY REVIEW.

Planner Johnson said the commission saw the draft policy in December and she highlighted the minutes of that discussion. Since then, Greg Gescher of Public Works Engineering has approached the stakeholders and solicited comments from City staff, and the final draft policy reflects some changes from that input. It seeks to establish levels at which encroachment into sidewalks in downtown and shopping areas would be subject to different types of review.

If there is very little encroachment into the public right of way or sidewalk adjacent to the property line, then it would simply require a building permit, though it couldn't be habitable space. An intermediate encroachment would go through normal administrative review, including building permitting and LDC and Planning staff review. For example, if an encroachment is deemed to have more significant impact on the pedestrian experience walking the sidewalk, including awnings and canopies not exclusively used for code-required weather protection; and balconies used for weather protection or outside the scope of weather protection, for habitable space; it would go to the Council for review, with staff drafting a recommendation.

She said the code requires balconies or other habitable space that is used for weather protection to be between a minimum of eight feet and a maximum of twelve feet above the sidewalk; this policy states that balconies used as weather protection must be more than twelve feet above grade; designs that are between eight and twelve feet above grade must go to the Council for approval, an additional level of review, due to the impact on sidewalks. Director Gibb added that the purpose is to develop a coherent system that is not currently in place, including levels of review. We need to consider factors such as utilities, responsiveness to public needs, and a level of compensation for using public space.

Commissioner Bailey asked about 1.01.040 Applicability Clause, saying that it appeared to undermine agreements that developers have already worked out with the City, possibly causing a

substantial impact on people who have already committed to a design. Director Gibb explained it was not retroactive to approval, and would not affect any current agreements.

Commissioner Henry said it doesn't discuss bike racks or shelters; Planner Johnson replied that those elements are handled in a separate policy. Director Gibb said landscaping, planter, street furniture haven't been dealt with comprehensively; Commissioner Henry suggested the commission consider addressing those issues when developing the work program. She said clutter was starting to happen, and could affect safety, though it gives a street character; Director Gibb said there was a balance. He sought any comments. Planner Johnson said Public Works Engineering was forwarding the policy to the Urban Services Commission.

Visitor Paula Leslie said she taught motorcycle awareness, and said that having a huge plant on a corner is a major contributor to motorists not seeing motorcycle riders. She asked that she and her group be part of future discussion on these kinds of planning issues. Commissioner Bailey said the existing corner vision requirements also address this; Director Gibb added that there was a different clearance standard downtown compared to other areas, and the Downtown Commission only deals with the downtown area. Planner Johnson noted that people putting temporary signs in bulbed intersections is prohibited, but occasionally occurs downtown.

Commissioner Bailey moved to forward the right-of-way encroachment policy as presented, adding that a uniform policy would be beneficial; Commissioner Olson seconded; motion passed.

VII. STAFF UPDATES.

Director Gibb highlighted that staff were preparing to forward multifamily tax credit and vertical housing tax credit proposals to the Council. Since the proposals involved money, they could be referred to the Administrative Services Committee; or be considered as part of the Council's Housing Goal, since it is a tool that provides incentives for certain types of housing. He related that there will be a Housing workgroup as part of the City/OSU Collaboration.

He related the City Manager will present the budget to the Budget Commission on April 23. The Planning Division will need to respond to funding reductions, and may have to look at the impacts of staffing boards and commissions.

Planner Johnson photographed the commission for the City newsletter.

VIII. COMMISSIONER UPDATES.

DCA Liaison Report. None.

Parking Commission Liaisons Report. Commissioner White said the committee hadn't met.

IX. OTHER BUSINESS. None.

Commissioner Henry requested the commission discuss the Alley Project at the next meeting. She encouraged members to submit topics.

X. ADJOURNMENT: The meeting was adjourned at 6:24 p.m.

**DOWNTOWN PARKING COMMITTEE
MINUTES
September 25, 2012
DRAFT**

Present

Brad Upton
Liz White
Steve Uerlings

Staff

Lisa Scherf, Public Works
Robyn Bassett, Public Works

Absent

Chris Heuchert
Roan Hogg, Council Liaison

Visitors

George Heilig
Steve Weiler

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
Call Meeting to Order/Introductions	X		
I. Review of August 7, 2012 Minutes			Approved as corrected
II. Visitor Comments	X		
III. Old Business • None	n/a		
IV. New Business • Requests to convert 10-hour meters to 2-hour at Jackson and 1 st Street			Approved
V. Information Sharing	n/a		
VI. Committee Requests and Reports	n/a		
VII. Pending Items	n/a		

CONTENT OF DISCUSSION

Call Meeting to Order/Introductions

Chair Upton called the meeting to order and those present introduced themselves. Ms. Scherf also introduced Robyn Bassett, the new Transportation and Buildings Division Manager.

I. Review of Minutes

Chair Upton asked for some clarification to Mr. O'Brien's request regarding the conversion of parking meters. The sentence will now read, "Mr. O'Brien stated that on the south side of

Jackson between 1st and 2nd there are seven 10-hour meters and six 2-hour meters and that converting all the 10-hour meters to 2-hour meters would better serve the blend of businesses in the area.” **Committee Member White moved to approve the August 7 minutes as amended; Committee Member Uerlings seconded the motion and the minutes were passed unanimously.**

II. Visitor Comments

Visitor George Heilig gave a heads-up on a potential issue regarding the amount of parking associated with Sky High Brewing and that there may be a request coming to the Committee in November.

III. Old Business

None.

IV. New Business

Requests to convert 10-hour meters to 2-hour at Jackson and 1st Street

Visitor Steve Weiler noted that since his last communication with staff regarding the request, he has had a pre-application meeting with Planning staff and two additional items have surfaced. The Committee agreed he should describe those now so all the information is available when they discuss the requests under consideration.

As background, Mr. Weiler stated that eight years ago he purchased property to develop the Water Street Market, along with the vacant lot to the north. At that time two driveways onto 1st Street were eliminated, with the understanding that future development on the lot would access Jackson Avenue. The elimination of those driveways meant that additional parking was created on 1st Street. He is now proposing to develop that gravel lot with commercial space on the ground floor and three floors of residential above. The two issues that surfaced recently are:

1. A larger turning radius is needed to clear the proposed new driveway to the property on Jackson. This means one or two parking spaces east of the alley need to be eliminated. Mr. Weiler indicated he would like to use the creation of the spaces on 1st Street as an offset for the loss of parking with the current development.
2. The Corvallis Fire Dept. says 26 feet of clear width on Jackson is needed to accommodate the outriggers on their ladder truck. It appears this width could be gained without removing parking, if the excessively long parking stall markings are shortened to standard length.

Mr. Heilig stated that customers already find it difficult to park and that he'd like to see the discussion deferred until more detail can be provided about the proposed development. He supports the conversion of the 10-hour meters to 2-hour meters and has no issue with shortening the parking stall markings on the north side of Jackson.

After discussion, Chair Upton summarized that the Committee is looking at three issues:

1. The conversion of some 10-hour parking to short-term parking.
2. A recommendation regarding removing parking spaces on Jackson east of the alley to accommodate the turning radius for a relocated driveway.

3. Asking Public Works to evaluate the existing striping on the north side of Jackson to determine if it can be shortened.

Ms. Scherf presented a staff report for the conversion of the 10-hour meters to 2-hour meters on both 1st Street and the south side of Jackson Avenue, both east and west of the alley, and for the conversion of an existing 2-hour metered space on the south side of Jackson, immediately west of the alley, to 30-minute signed. She reviewed the results of a recent parking utilization and duration study for the area and noted three “takeaways” from the study: 1) there is still parking capacity in the area; 2) generally, the 10-hour parking is more fully utilized than the 2-hour parking; and 3) not everyone that parked in a 10-hour space needed it long term. Noting that the study supports the need for a mix of short- and long-term parking in the area, staff recommends approving both requests. However, since Sky High Brewery is open but Mr. Weiler’s project is not, staff recommends making the changes with different timing that would accommodate Mr. O’Brien’s request now, but defer the other request. Regarding Mr. Weiler’s request, staff recommends preparing a traffic order that would accommodate his request prior to occupancy of the new project. This would keep the long-term parking, which is currently being used, available for now. Mr. Weiler indicated that he felt this approach was reasonable.

The Committee discussed each portion of the recommendation separately. They were comfortable with the Sky High Brewing request, but expressed concern about the removal of so much long-term parking with the second request, considering that some of the 10-hour meters have high utilization by people needing long-term parking. There was discussion about whether the long-term parking should be replaced in another nearby location (by converting existing 2-hour parking) or whether people needing long-term parking would displace people who were just parking for lunch and using the less expensive 10-hour meters for convenience. They agreed with the staff recommendation as presented, with the provision that after the second request is implemented, the parking be resurveyed twice in the year following the change: once in winter and once in summer. **Committee Member Uerlings made a motion as such; Committee Member White seconded the motion, which passed unanimously.**

The Committee discussed Mr. Weiler’s request to remove one or two parking spaces on Jackson between 1st and 2nd Streets, immediately east of the alley, to accommodate the driveway into the site. In response to a question from Committee Member White, Mr. Weiler said that all required parking for the project would be built on the site. There was a lengthy discussion about whether any “credits” allowed under the Land Development Code for removing driveway cuts eight years ago will be applied to the parking requirements for the current project. Mr. Weiler stated that although he created spaces with the removal of driveways on 1st Street, he won’t be using those credits to offset the required parking for the proposed development. **Committee Member Uerlings moved to recommend allowing the removal of two spaces on the south side of Jackson Avenue between 1st and 2nd Streets, east of the alley. Committee Member White seconded the motion, but said she would prefer to pass it to the Downtown Commission without a recommendation. After further discussion, the motion passed unanimously.** The issue will be discussed at the Downtown Commission on October 10.

V. Information Sharing
None.

VI. Committee Requests and Reports

None.

VII. Pending Items

None.

The meeting was adjourned at 5:40 p.m.

NEXT MEETING: November 6, 2012, 5:30 p.m., Madison Avenue Meeting Room



City Manager's Office
 Economic Development
 501 SW Madison Avenue
 Corvallis OR 97333

**CITY OF CORVALLIS
 ECONOMIC DEVELOPMENT COMMISSION
 Minutes – March 11, 2013**

Present

Elizabeth French, Chair (left at 6:45 pm)
 Skip Rung, Vice-Chair
 Pat Lampton
 Nick Fowler
 Rick Spinrad
 Larry Mullins
 Tim Weber
 Biff Traber, Council Liaison

Staff

Tom Nelson, Economic Development Manager
 Melissa Murphy, Economic Development Officer
 Claire Pate, Recorder

Visitors

Elaine Howard, Consultant
 Dennis Aloia
 Paul Woods

Excused Absence

Ann Malosh
 Jay Dixon

SUMMARY OF DISCUSSION

	Agenda Item	Summary of Recommendations/Actions
I.	Call to Order	
II.	Welcome new Economic Development Officer – Melissa Murphy	
III	Approval of 2.13.13 Meeting Minutes	Approved w/ revisions
IV	Visitor Comments	For information only
V	Strategy Update	For Information only
VI	Accelerator Update	For information only
VII	Urban Renewal Presentation – Elaine Howard	
VIII	Other Items	For information only
IX	Adjournment at 7:30 pm	Next meeting scheduled for 3 pm; Madison Avenue Meeting Room. April 8, 2013

CONTENT OF DISCUSSION

I. CALL TO ORDER.

Chair French welcomed everyone to the meeting.

II. WELCOME NEW ECONOMIC DEVELOPMENT OFFICER, MELISSA MURPHY

Chair French introduced Melissa Murphy, recently hired as the City's Economic Development Officer, and asked her to say a few words. Ms. Murphy stated that for the last three years she has worked as the Socioeconomic Analyst for the Marine Reserves Program with the Oregon Department of Fish and Wildlife where she worked closely with coastal communities, state legislators, resource managers, and independent organizations to establish a baseline for monitoring impacts. She also has a background as a marketing manager for two major active sports companies, and managed multiple advertising campaigns, developed promotional events and materials and managed professional athlete contracts. She received her Bachelor of Science degree in Environmental Economics and Policy Management in 2007 and her Master's of Marine Resource Management in 2010, both at Oregon State University. Her focus had been on the economic impact of tourism. She grew up in the Pacific Northwest and appreciated the opportunity to stay in the area.

III. APPROVAL OF 2.13.13 MEETING MINUTES.

The following corrections were noted:

Page 4, line 4 of second paragraph: change "small nuclear reactor" to "small modular reactor."

Page 4, line 18: change "Grenville" to "Welter."

Page 5, line 10: change "'Xerox Park Center" to "PARC Center."

The minutes were approved as revised, with Commissioner Rung abstaining.

IV. VISITOR COMMENTS. None

V. STRATEGY UPDATE.

Mr. Nelson said that the Monthly Business Activity Report and the Strategy Status Update were included in the packet, and he would be happy to answer questions. There were none.

Chair French asked Council Liaison Traber to comment on possible updated verbiage to goals being considered by City Council, especially as they relate to economic development. Councilor Traber said that there was a desire to have the Economic Development Commission (EDC) review language in the Economic Development Strategy to see if modifications were needed to incorporate agriculture and food-related business, arts and culture, and local investment as part of the Strategy. Some of the councilors believe that the Strategy, as written, does not necessarily exclude those considerations, but nor does it specifically mention them. The City Council is not looking to dictate what, if any, changes are needed in the Strategy but will be looking for some recommendations from the EDC by the end of 2013 as to whether language is needed which might supplement what is already in the existing Strategy so that these areas of interest are also incorporated.

Chair French said that the Strategy was deliberately worded so that it did not address any specific sector, though it reflects an emphasis on traded sector businesses. In her opinion, arts and culture are important but should not be part of the Strategy. She hoped that there would not be too much countering of the work already done in putting the Strategy together.

In response to commissioner questions, Councilor Traber said that “local investment” was intended to address smaller businesses and non-qualified investor opportunities. He said that the recommendations were the result of work done by different workgroups. His thought is that if the EDC does not believe changes are needed, they can give their insight and reasoning for how the Strategy already allows for consideration of those areas of concern, or why the Strategy is not the appropriate mechanism.

VI. ACCELERATOR UPDATE.

Commissioners Spinrad and Fowler attended a Business and Transportation Committee hearing in Salem chaired by Senator Beyer relating to SB241 and the south valley regional business accelerator network, or Oregon RAIN (Regional Accelerator Innovation Network). Along with Mayor Manning, they presented and gave testimony as part of three different panels. The accelerator concept is a part of the Governor’s budget at a level of 7.5 million. Their feeling is that they were successful in conveying the need for Oregon RAIN, and the interest of the investment community. From the perspective of the Governor’s office, this is one of three initiatives being packaged together, the other two being an IT upgrade to the university system and a metals manufacturing initiative.

VII. URBAN RENEWAL DISTRICT.

Chair French introduced Elaine Howard, consultant, who had been asked to give an Urban Renewal 101 presentation to the Commission. The intent was to impart a basic understanding of urban renewal since most of the commissioners had not been a part of the last urban renewal district effort undertaken by the City. Ms. Howard has had an extensive background in development and in urban renewal, and has been a consultant for the past seven years assisting many Oregon jurisdictions and agencies with urban renewal efforts. Though there are other consultants working with urban renewal efforts, she is the only consultant whose firm works exclusively on these efforts.

Ms. Howard said that the presentation would consist of an overview of the urban renewal process, a history of its use, and the types of projects within the state for which it has been used. She used a PowerPoint presentation; a copy was included in the packet materials.

She defined urban renewal as a program to address blighting influences in specifically designated areas, by providing a financing mechanism to implement City plans. Basically, the increase in property taxes in a designated area is used to fund improvements in that area. This strategy utilizes tax increment financing and is often used with other financing tools.

Before an urban renewal process can be undertaken, a blight condition has to be identified, which generally consists of underdevelopment or underutilization of property; poor condition of buildings; or inadequacy of infrastructure including streets and utilities. Typically, the finding is related to underdevelopment or underutilization of property.

Ms. Howard proceeded with her presentation and responded to questions. The following are commissioner questions (C) and her responses (R).

C: How does one determine that there is a blight condition that meets the requirement?

R: Typically a consultant does this work, and identifies the blighted area which must meet one of the conditions listed in ORS 457.010.

C: Can you explain what is meant by Maximum Indebtedness?

R: Each urban renewal plan includes the maximum amount of indebtedness that may be issued or incurred under the plan. This is based on the good faith estimates of the scope and costs of projects over the life of the urban renewal plan, and is subject to limitations in ORS 457. There are also limits on increasing maximum indebtedness as well as expansion of the plan as outlined in ORS 457.

C: What are the types of projects that can be done?

R: Streetscapes, streets and utilities, parks and plazas, storefront loans, way-finding, new industrial development, etc. The Corvallis Riverfront improvements are a prime example of what could have been accomplished through an urban renewal district, though one was not established. The tax increment financing revenue can also be used for business assistance such as for incubators and loans and grants for physical improvements to buildings.

C: How does tax increment financing work?

A: The total assessed value of all of the taxable real and personal property contained in the proposed urban renewal area on the effective date of formation is determined and used as the base. In future years, taxes collected on an increase in assessed valuation over the base can be used for the urban renewal plan, as opposed to being distributed to the various taxing districts. The increase in assessed value typically occurs because of the improvements made in the urban renewal district. Lebanon's urban renewal efforts are a prime example of this.

C: If the work being done is on public infrastructure or private, non-taxable structures, how does the taxable assessed valuation increase?

R: These types of redevelopment work in an area, such as in a downtown district, generates other businesses, such as new restaurants, stores, etc. This increases the valuation. A prime example of this was Lebanon's recently established urban renewal plan. Another example is in Astoria where improvements were made to an historic, non-profit theater, which generated new restaurants and other infrastructure improvements with taxable increased assessed valuation.

C: How did it get established in Corvallis that it takes a vote of the citizens to approve an urban renewal district?

R: Back in the 70s, a charter amendment was adopted to ensure that all urban renewal districts would go before the voters. There are a few other jurisdictions with a similar requirement.

C: When would such a vote occur?

R: Typically, a feasibility study would be undertaken, with provision of public input opportunities. After the need is identified, an Urban Renewal Agency would be appointed, which could be the City Council or another designated group. The intent would be to have lots of presentations, opportunity for public input, and advocacy before a vote is undertaken.

C: What are the limitations on advocacy?

R: Once the ballot measure is before the voters, staff cannot advocate for or against it. There is no limitation placed on commissioners or councilors in terms of advocacy.

C: How does timing affect the success or viability of an urban renewal plan?

R: The economy can impact the success. It is good to be establishing one when valuations are going up, not down.

C: What determines the duration of an urban renewal district?

R: Usually they run from 20-25 years in length. One needs to set a reasonable length of time in which to generate enough tax increment financing revenue to accomplish projects. Typically, revenues are low in the first few years prior to improvements being made and are subject to the 3% maximum increase on valuation. If enough revenue is generated prior to the proposed end-year, a decision can be made to redistribute the funds to the other taxing districts. It is important to give value back to the community as soon as possible to maintain its support.

C: Is it prescribed that 100% of the incremental tax over the frozen assessment goes to the urban renewal district?

R: Yes, but there is new legislation that now allows for sharing the revenue, or underlevying it.

C: Does an urban renewal district have to be contiguous or can it be thematic in nature?

R: It needs to be contiguous property, but areas can be tied together by a "cherry stem" configuration. Otherwise, noncontiguous areas would have to be considered as separate urban renewal districts.

Commissioners, staff and Ms. Howard also made the following comments and observations:

- It needs to be clearly communicated to the citizens that an urban renewal district is not just a philanthropic exercise. The whole idea is to end up with higher property values so that at the conclusion of the plan additional tax revenue can be generated to distribute to the other taxing districts and used for important services, such as schools, parks, etc. It is also important for them to understand that this is not a tax increase, but rather an increase in the assessed value of property.
- The negative impact of urban renewal districts is that it impacts other taxing jurisdictions who forego getting the revenue generated from any increased assessed valuation until the district is dissolved. One needs to take a hard look at whether improvements would have been made even if an urban renewal district had not been established.
- It is important to look at the spinoff benefit of infrastructure work or improvements being made to public or non-profit entities.
- Lebanon's latest example is a good one. They partnered with Good Samaritan Hospital who wanted to construct a medical school across from the hospital. Lebanon did not have money upfront to help with infrastructure but were willing to establish an urban renewal area. Samaritan financed putting in the infrastructure and Lebanon agreed to repay them as revenues were generated through the tax increment financing. This was done through a negotiated redevelopment agreement. Additional jobs were created, and there were many spinoff projects that happened because of the new facility. These spinoff projects were responsible for increasing the taxable assessed valuation since Samaritan Health is a non-profit entity.
- The League of Women Voters in Portland is very politically active, and has focused on urban renewal plans. They have supported some and opposed others. They opposed the Portland State University plan because it was financing a public education facility.
- Corvallis public schools might be going forward with a bond measure, and though an

urban renewal district might not impact this people will certainly be concerned about total indebtedness.

- An important part of adopting an urban renewal plan is determining how specific one needs to be when setting up the district. In downtown districts, it is nice to have a bit of flexibility about what projects will be done so that one can take advantage of future opportunities that might be unforeseen at the time of formation. As an example, this enabled Astoria to finance the Ft. George Brewery project which had not been initially anticipated. On the other hand, Corvallis residents like specificity, and it is important to be transparent.
- People have a strong identity with the downtown area. There is a need to give residents the understanding that if the downtown becomes stronger and more viable it makes the community stronger and brings in new development. This resonates with many of the residents.
- It is important to have many community meetings where the residents are asked about what they would like to see in improvements.
- The urban renewal district process is not intuitive and needs to be explained fully and clearly to allay any suspicions or concerns.
- Even though the Corvallis Riverfront improvements were not a part of an urban renewal process, they could have been. Residents can see what the City's investment has meant for the community ten years later. It would be good to know what the increase in assessed valuation has been over the past ten years.
- It is important to make it clear that urban renewal funds do not go directly to a developer for a project. All funds are administered through an Urban Renewal Agency and are generally used for infrastructure that provides services to and enables construction of new development.

Economic Development Manager Nelson summarized by saying this had been a good, basic presentation. In terms of applicability in Corvallis, it could be applied in different ways depending on what needs were identified. It could be used to support downtown improvements and development, or could be used to make improvements to any of the three industrial areas in Corvallis where more infrastructure is needed. Additionally, it is important to take into consideration how an urban renewal district dovetails with an enterprise zone.

In response to a question from Commissioner Fowler, Councilor Traber said that City Council would be looking to the Economic Development Commission for making a recommendation relating to the need for an urban renewal district, though certainly other commissions could have an interest in the issue. Manager Nelson added that he would be needing direction from the Commission related to this, since it is included as a potential tool to implement the Economic Development Strategy.

Vice-Chair Rung thanked Ms. Howard for the informative presentation.

IX.ADJOURNMENT/NEXT MEETING

The meeting was adjourned at 7:30 p.m. The next meeting is scheduled for April 8, 2013, at 3 pm, Madison Avenue Meeting Room



Approved as submitted, May 14, 2013

CITY OF CORVALLIS
HISTORIC RESOURCES COMMISSION MINUTES
April 9, 2013

Present

Deb Kadas, Chair
 Robert "Jim" Morris
 Richard Bryant
 Roger Lizut
 Lori Stephens, Vice Chair
 Kristin Bertilson
 Charles Robinson
 Roen Hogg, Council Liaison

Absent/Excused

Geoffrey Wathen
 Tyler Jacobsen
 Jim Ridlington, Planning Comm. Liaison

Staff

David Coulombe, Deputy City Attorney
 Bob Richardson, Associate Planner
 Claire Pate, Recorder

Guests

Troy Brandt
 G.K. "Pat" Patterson
 Sara Robertson
 Bruce Osen
 Susan Capalbo
 Brian Hjelte
 David Dodson

SUMMARY OF DISCUSSION

	Agenda Item	Held for Further Review	Recommendations
I.	Visitor Propositions		
II.	Public Hearings a) Osen-Averill House (HPP13-00004) b) Mason House (HPP13-00007) c) OSU Dryden Hall (HPP13-00006) d) OSU Poling and Cauthorn Halls (HPP13-00011)		a) Approved b) Approved c) Approved d) Denied
III	Other Business/Info Sharing a) Historic Preservation Awards b) CLG Grant		
IV.	Minutes Review a) March 12, 2013		Approved as submitted
VI.	Adjournment – 9:35pm		

Attachments to the April 9, 2013 minutes:

- A. Bailey Branch Line Railroad handouts, submitted by .K. "Pat" Patterson, during Visitor Propositions.
- B. Mason House Written Testimony, submitted by Associate Planner Bob Richardson.
- C. Dryden Hall visual presentation, submitted by OSU Campus Planner Sara Robertson.
- D. Poling and Cauthorn Halls International Style Architecture handout, submitted by OSU Campus Planner Sara Robertson.
- E. Recommended Motion, for Poling and Cauthorn Halls, submitted by OSU Campus Planner Sara Robertson.
- F. 2013 Historic Preservation Awards Memo, submitted by Associate Planner Bob Richardson.

CONTENT OF DISCUSSION

I. Opening:

Chair Deb Kadas called the Corvallis Historic Resources Commission to order at 6:00 p.m. in the Corvallis Downtown Fire Station Meeting Room, 400 NW Harrison Blvd. She said that the agenda was lengthy with four public hearings, and she asked that everyone keep their testimony as brief as possible. She added that both she and Commissioner Stephens would be recusing themselves from the second hearing regarding the Mason House because of their involvement with the owner and project.

II. VISITOR PROPOSITIONS:

G.K. "Pat" Patterson spoke on behalf of saving the Bailey Branch Line Railroad. He submitted some articles and a copy of a letter explaining the effort to save the line which runs from Monroe to Corvallis (**Attachment A**). He added that the four main reasons why it should be saved relate to: 1) General freight transportation purposes for which it was originally built and for which there still is a need; 2) educational, in that LBCC and/or OSU could use it as part of a getting a degree in railroad operations; 3) recreational, in that it could attract tourists; and 4) historical.

III. PUBLIC HEARINGS –A. OSEN-AVERILL HOUSE (HPP13-00004); Alteration or New Construction Application; 553 SW B Avenue.

A. Opening and Procedures:

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

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

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

The Chair opened the public hearing.

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

1. Conflicts of Interest - Commissioners Stephens and Morris said that they were acquainted with Bruce Osen, applicant, but it would not interfere with their ability to make a fair and impartial decision.
2. Ex Parte Contacts – none
3. Site Visits – by Commissioners Stephens, Morris, Robinson, Bryant, Kadas. Chair Kadas said her observations were of a lovely home using materials that are reflective of the neighborhood and the site and that the siting of the proposed improvements was visible and clear from the sidewalk.
4. Rebuttal of disclosures – none
5. Objections on Jurisdictional Grounds - none

C. Staff Overview:

Associate Planner Richardson said that the case before the Commission is for the Osen-Averill House, located at 553 SW B Avenue. The applicant is requesting approval to construct two freestanding accessory buildings with an attached gate and trellis on the west side of the subject house. The house is within the Avery-Helm Historic District and is classified as a Non-historic/ Non-contributing structure. It was constructed after the district was formed under a permit that was approved by the Historic Preservation Advisory Board.

D. Legal Declaration:

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

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

E. Applicant's Presentation:

Bruce Osen, resident and owner of 553 SW "B" Avenue, spoke on behalf of his application. The proposal is to construct two, small accessory units on the west side of his house, which borders on the railroad yard to the west. The intention is to reflect both his house, as most accessory buildings would do in the historic district, and to also reflect the surrounding contributing properties. The proposal includes pitched roofs, eaves and generally wooden materials. He stated that his application had a full staff evaluation, and for expediency sake he would just respond to any questions that the commissioners might have.

Commissioner Bryant asked if one of the pavilions extended into the front yard setback. Mr. Osen said that it did, but that it was not an issue since the City had adopted amendments to the Land Development Code which allowed for garden structures to encroach upon the front yard setback. The house itself encroaches into the setback, because of the unenclosed porch. There is historic precedent for this along "B" Avenue.

Chair Kadas said she very much appreciated the drawings which were not only clear but were also works of art.

Commissioner Morris referred to A-21, and asked if it depicted the doorways of the utility structure. Mr. Osen affirmed that it did.

F. Complete Staff Report:

Planner Richardson said that to be expedient he would just highlight a few important factors contained in the full Staff Report. As the applicant stated, the review criteria for Non-Historic/Non-Contributing resources require that accessory development be compatible with both the primary building and with characteristics of the historic district. The application drawings show clearly how it is compatible with both. In terms of compatibility with the district, the materials, scale and proportion of the accessory structures, as well as design of the façade design are all compatible. Staff recommend approval of the application for an Historic Resource Permit.

G. Public Testimony in favor of the application: none

H. Public Testimony in opposition of the application: none

I. Neutral testimony: none.

J. Additional Questions for Staff: none

K. Rebuttal by Applicant: none

L. Sur-rebuttal: none

M. Additional time for applicant to submit final argument: waived.

The Chair noted that there were no requests for a continuation or to hold the record open.

N. Close the public hearing:

MOTION: Commissioner Morris moved to close the public hearing. Commissioner Bryant seconded the motion and it passed unanimously.

O. Discussion and Action by the Commission:

Commissioner Stephens **moved** to approve the Osen-Averill (HPP13-00004) application, as conditioned in the March 29, 2013, staff report to the Historic Resources Commission. This motion is based on findings in support of the application presented in the March 29, 2013, staff report to the HRC, and findings in support of the application made by the Commission during deliberations on the request. Commissioner Bertilson **seconded** the motion.

Chair Kadas said that though she does not vote, she thought that the application did an excellent job of meeting the criteria. It is a challenging situation because it is a Non-Contributing/Non-Historic resource and so it had to be designed to be compatible with both the resource and also with the district. The use of materials, patterns of window, scale and proportion, and the trellises all contribute to the historic qualities of the neighborhood.

The motion **passed** unanimously.

P. Appeal Period:

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

III. PUBLIC HEARINGS –B. MASON HOUSE (HPP13-00007); Alteration or New Construction Application; 124 NW 29th Street

A. Opening and Procedures:

Chair Kadas recused herself from the proceedings because she had consulted with the applicants, the Brandts, before they submitted their application. Vice-Chair Stephens recused herself from the public hearing since she was consulted as the architect for the project. Commissioner Morris volunteered to serve as the Pro Tem Chair and reviewed the public hearing procedures.

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

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

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

The Pro Tem Chair opened the public hearing.

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

1. Conflicts of Interest – Commissioners Kadas and Stephens recused themselves because of involvements with the applicant and project.
2. Ex Parte Contacts - none
3. Site Visits – by Commissioners Morris, Robinson, and Bryant. Pro Tem Chair Morris said he had driven past the house in both directions and examined it from the street view. Commissioners Robinson and Bryant said they had viewed it from the sidewalk and found that it conformed with the application.
4. Rebuttal of disclosures – none
5. Objections on Jurisdictional Grounds - none

C. Staff Overview:

Planner Richardson said that the application under consideration is for Historic Preservation Permit approvals to 1) build a two-story, 350 sq.ft. addition on the west (back) side of the house by converting an existing 150 sq.ft. covered porch and building a 200 sq.ft. addition; 2) relocate the garage on-site and construct a 260 sq.ft. addition on to it; and 3) reconstruct and expand the existing covered breezeway that connects the house to the garage. The house addition will alter architectural

features such as windows and the existing roof form. The Mason house, located at 124 NW 29th Street, is in the College Hill-West National Register Historic District, and is classified as a Historic Contributing resource.

D. Legal Declaration:

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

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

E. Applicant's Presentation:

Troy Brandt spoke on behalf of his application, along with a visual presentation by Lori Stephens, architect. Mr. Brandt said his family had lived in the house for about a year and had worked with Ms. Stephens to expand the house to meet the needs of their growing family. They have gone this route with the expectation that the current garage does not function appropriately, in that the garage doors do not open for access. The plan to move the garage to the northwest corner of the property will increase the amount of living space in the backyard, as well as orient the garage more appropriately to be able to access it with vehicles from the street. The renovation of the house will add an additional bedroom and bathroom upstairs, as well as additional living space downstairs. They will reuse all windows and door except for one window for which they have not found an appropriate space. They will use historically appropriate materials for the construction, including windows, siding, and doors, and replicating some of the detail work. They have the original blueprints for the house. Using visual aids, the applicant showed photographs of the existing conditions, and drawings of the planned improvements and how they fit with the existing house. The appearance of the existing breezeway will be maintained, though it will be lengthened; there is a porch that extends along the backside. They showed pictures of other homes in the district that have been modified in various ways, so their project is not unique for the neighborhood.

The existing garage is located in the middle of the backyard, so moving it allows for more use of the backyard. They showed how the roofline would be replicated, and how the new addition would be stepped back from the existing house with a pilaster that provides separate of the new siding from the old siding. They want to use architectural cement fiberboard on the new portion, similar in size and reveal to the existing siding. Because it steps back and does not directly attach to the wood siding, the difference in siding will not be noticeable. The door of the relocated garage will be replaced with something more decorative that will be more in character with the neighborhood.

Commissioner Bryant asked about the setback of the garage from the rear property line. Ms. Stephens said that the setback of the garage, as an accessory structure, meets the Land Development Code standards, which was affirmed by Planner Richardson.

F. Complete Staff Report:

Planner Richardson said that the project is a bit unusual in that it hits upon most all of the criteria for a Historic Resource Commission review. He did not intend to have a full discussion of each criterion, which was available in the staff report, but instead would briefly walk through how staff did its evaluation and what their conclusions were.

The applicant makes the case that on the Colonial Style homes the most important characteristic is the symmetrical street-facing façade. Since the additions and alterations occur on the back of the house it changes very little of the street-facing façade. For this reason, the design and style is consistent with the Mason house based on the general review criteria in Sections 2.9.100.04.b.1 and b.2. Generally speaking, the alterations and additions maintain the irregular footprint of the building. The garage is proposed to be moved and oriented differently than it is currently so that the large doors face east towards the street. The breezeway will be enlarged, but will have the same style and materials. The location and orientation of the garage will be similar to others in the neighborhood, and by maintaining the connection with the breezeway staff found that the design and style of the proposal was historically compatible and met the criteria in Section 2.9.100.04.b.1 and b.2. In Section 2.9.100.04.b.3, there are several compatibility criteria that speak to more specific elements of any new construction proposal. The application describes the different types of details on the house including the trim, pilasters, and breezeway laticing all of which will be retained and incorporated into the new design. There are no conjectural architectural features proposed. In addition, all of the windows, except for one, will be retained. The architectural details are consistent with the style of the building, and the proposal is maintaining much of the historic fabric.

The applicant mentioned that they are proposing to use cement fiberboard siding. In the past, on certain applications, the HRC has not approved the use of that material. In this case, the applicant makes an argument as to why it would be historically compatible. In particular, the cement fiberboard material will be separated from the existing siding by the use of trim and recesses which will minimize any inconsistencies between the two types. Based on the proposal, staff found that the painted cement fiberboard material would be historically compatible; however, HRC might not agree with this finding and staff has included a proposed condition of approval which would require wood siding.

In terms of scale and proportion, the peak of the proposed addition will be the same height as the original portion of the house; otherwise, the additions themselves are smaller than the primary resource. The roof form will be changed quite significantly, which will be the most noticeable change. There will be a new gabled roof which will be oriented in a different direction. However, the shape and pitch of the new roof forms are nearly the same as the original roof forms which satisfies the compatibility criteria. The applicant is proposing to retain and reuse most of the windows and any new windows or doors that are proposed are consistent with the pattern, form and detailing of the original windows on the Mason House.

Lastly, the moving and reorientation of the garage will be similar to others in the District, and will be consistent with other development standards. The pattern of use of the site will not be changing, though the garage will be moved.

Planner Richardson advised the commissioners that there were two additional pieces of testimony that were not part of the staff report, and had been handed out at the meeting (**Attachment B**).

There were no questions of staff. Pro Tem Chair Morris commented that the project was complicated, and he thought a good job had been done of figuring out rooflines and shuffling the windows and door around.

G. Public Testimony in favor of the application:

Susan Capalbo said that she and John Antle own and live in a house on the south side of the Mason House at 124 NW 29th Street. They had received previous HRC approval for an addition on the back of their house, which is on a smaller piece of property. The scale and scope of the project that the

Brandts are proposing is definitely within the same proportion of the scale of the property. They are extremely supportive of the project and urge approval by HRC. It will keep the neighborhood with some diversity in it, and keeps the historic perspective. They had previously submitted written testimony which was part of the packet.

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

I. Neutral testimony: None.

J. Additional Questions for Staff: None.

K. Rebuttal by Applicant: None.

L. Sur-rebuttal: None.

M. Additional time for applicant to submit final argument:

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

N. Close the public hearing:

MOTION: Commissioner Lizut **moved** to close the public hearing. Commissioner Robinson **seconded** the motion and it **passed** unanimously.

O. Discussion and Action by the Commission:

Commissioner Lizut opined that from his perspective there were two wrinkles in the application: one was the proposed use of cement fiberboard versus wood siding and the other is the change in orientation of the roof. He does not have an issue with either of these proposals, and feels that they do not detract from the historic resource.

MOTION: Commissioner Lizut **moved** to approve the Mason House Historic Preservation Permit application (HPP13-00007), as conditioned in the March 29, 2013, staff report to the Historic Resources Commission. This motion is based on findings in support of the application presented in the March 29, 2013, staff report to the Commission, and findings in support of the application made by the Commission during deliberations on the request. Commissioner Robinson **seconded** the motion.

Commissioner Bryant said that this was a very complicated project both from site development and building perspectives. A good job was done in putting it together.

The motion **passed** unanimously.

P. Appeal Period:

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

III. PUBLIC HEARINGS –C. OSU DRYDEN HALL (HPP13-00006); Alteration or New Construction Application; 450 SW 30th Street

A. Opening and Procedures:

Chair Kadas once again took the chair and reviewed the public hearing procedures. Staff will present an overview followed by the applicant's presentation. There will be a staff report and public

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

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

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

The Chair opened the public hearing.

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

1. Conflicts of Interest – none
2. Ex Parte Contacts – Chair Kadas had been on a walk and had a brief encounter with some of those involved with the project, who told her they would be coming before the HRC in the near future. This would not affect her ability to render a fair and impartial hearing.
3. Site Visits – By Commissioners Stephens, Kadas, Morris, Robinson and Bryant. Commissioner Bertilson said she used to work in the building and was familiar with it; Commissioner Stephens noticed the existing railing and the fixtures that would have to be moved. Chair Kadas observed the original front door, light fixture, back door and sidelights. She noted that the original light fixture over the main front door appeared to be original though the shade might not be. She also noticed a few screens leaning up against the building and many still up in the windows, which are an old-style screen and she would be interested in knowing if they will be reused. Commissioner Morris did a drive-by. Commissioner Robinson did a walk-around. Commissioner Bryant did a parking lot and street drive-by and focused his attention primarily on the front and rear entry doors and the decorative stonework at the doorways.
4. Rebuttal of disclosures – none
5. Objections on Jurisdictional Grounds - none

C. Staff Overview:

Planner Richardson said that the application under consideration is for several alterations to Dryden Hall, which is located at 450 SW 30th Street and is in the OSU National Historic District, listed as Historic Contributing. Those alterations are to: 1) construct two ADA access ramps at the east entrance; 2) repair the east entry stairs, and replace the stair railing and sidewalk approach; 3) install two new light posts; 4) install four new windows on the first floor of the east façade; 5) install 10 uncovered bicycle parking spaces on a new concrete pad to the northeast of the building; 6) replace the existing non-compliant ADA ramp at the west entrance with a new ADA-compliant ramp; 7) convert existing vehicle parking into two ADA-compliant vehicle parking spaces, and provide a pathway from those spaces to the west entrance ramp; and 8) construct a covered bicycle parking structure with five inverted u-hoops in the parking lot west of the building. Some of these activities are exempt from HRC-review, and one would qualify for director-level approval if it were submitted

separately. Though Planner Brian Latta had prepared the staff report, he is presenting on his behalf and will do his best to answer questions but would encourage those questions to be asked of the applicant as well.

D. Legal Declaration:

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

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

E. Applicant's Presentation:

Sara Robertson, OSU Planner, introduced Brian Hjelte, project architect; as well as Larrie Easterly, project manager, and David Dodson, OSU Planning Manager who were in the audience.

In this application, OSU is proposing a number of improvements to Dryden Hall. The purpose of the project is to improve ADA access to the building, add bicycle parking around the building, and create usable classroom space with the installation of four new windows on the east façade of the building. She showed visuals and provided orientation as to Dryden Hall's location and site. (**Attachment C**)

Dryden Hall is a Historic-Contributing Resource within the OSU National Historic District. The Italian Renaissance style building was designed by the Portland firm of Bennes and Herzog and constructed between 1927 and 28. It is predominantly constructed of brick with terra cotta detailing, and it has a pieced granite entry stair and landing. It is located just west of 30th Street and just north of Washington Way. Student Legacy Park is to the east. West Hall is to the northeast. Peavy Hall and Richardson Hall are to the north and northwest respectively. The Vet Research Lab is southwest and is the only adjacent Contributing Resource. There is a large parking lot directly west of the building. The proposed alterations are to the east entry and east façade; the west parking area and entry; and the northeast corner of the site.

Several of the proposed alterations are exempt activities, one is a director level activity, and four are the subject of the application. She said she would give a brief overview of all of the proposed alterations, and then focus in on activities that require HRC approval.

At the main west entrance of the building they will be replacing the existing non-compliant concrete entry ramp with a new ADA compliant ramp. They will be replacing five existing parking spaces with two ADA accessible parking spaces and constructing a raised walk from the new parking spaces to the new entry ramp. They also will be adding a covered bike shelter with five OSU standard inverted "U" hoop bike racks. All of these activities are exempt under Section 2.9.70 of the Corvallis Land Development Code.

On the east side of the building, OSU proposes installing new bike parking at the northeast corner of the site; installing four new windows on the east façade to the north of the front entrance; installing two new ADA compliant entry ramps; replacing the existing front entry walk; installing two new OSU standard light poles; and replacing the existing non-compliant stair handrail with a new ADA compliant handrail. The replacement of the handrail is a director-level activity, and her focus would be on the rest of the proposed alterations.

She noted that the hatched area shown on a site plan designates a Highly Protected Significant Vegetation (HPSV) area. This vegetation is protected under the Land Development Code. Within HPSV areas, the Land Development Code prohibits the introduction of new impervious surfaces, which influenced the proposed design for the east entrance walk and stairs.

First, OSU proposes a number of alterations to the front east entrance of the building. The existing stair and landing are constructed of granite above concrete footings with granite buttresses flanking it on both sides. As it is currently configured, the entry is not ADA compliant. Although they plan to upgrade the existing west entry ramp to comply with current ADA standards, the west entrance is a secondary entrance at the back of the building. OSU strives to incorporate the principles of Universal Design in all of its projects, and the first principle of Universal Design is to provide Equitable Use and avoid segregating any users, so they would like to add ADA access to this entrance of the building. The proposal is to replace the existing concrete walk with a new walk that is predominantly in the footprint of the existing walk. They intend to add two OSU standard light poles to either side of the front entry walk. Additionally, the plan calls for adding two symmetrical concrete access ramps to either side of the existing stair and landing, which rise to 2'7" above grade. Each of the ramps would have a painted black steel railing with vertically oriented rails. She showed the architect's rendering of the proposed entry.

To accommodate the new ramps, a portion of the buttress abutting the stair landing will be removed and stored. The buttress is pieced granite, so only one saw cut on either side of the landing will be required to remove these portions of the buttress. OSU considered installing only one accessible ramp at the east entrance to avoid cutting two pieces of the stone buttress, but because the Italian Renaissance architecture of this building is characterized by a symmetrical facade, they felt that the loss of symmetry would detract more from the historic character of the building than the small saw cut to a second piece of stone buttress. In the proposed design, the buttress will remain a dominant feature of the building even with portions of the buttress removed. The portions that OSU is proposing to remove are less visible from the street right of way than the ramps will be because they are hidden behind the front pieces of the buttress that flare out from the narrower landing. All portions of the buttress that are removed will be retained and could be reset in their existing location should the ramps be removed from the front entrance. Finally, as part of this work, a couple of broken pieces of the stone landing will be reset.

The second activity that OSU is proposing is the installation of four new windows on the first floor of the building just north of the main east entrance. There are four window openings that have been filled with brick infill panels. OSU is proposing to remove the brick panels and installing four new windows that are comparable to the existing windows in the building. Bennes and Herzog's original drawings indicate four wood windows were to be installed in these window openings. During the original construction of the building, however, the masonry openings of these windows were framed as originally intended, but brick infill panels were installed in place of the wood windows to accommodate a "Cold Room" use in this area of the building. Now, OSU plans to convert the "Cold Room" area to classroom space and proposes to remove the infill panels and replace them with wood windows. The proposed wood windows will fit within the existing brick openings and will require no modification of the head, jamb, and sill conditions.

The proposed windows will be double-hung, wood windows like the existing windows in the building. The outer dimensions of the proposed windows will match the outer dimensions of the existing windows. The muntin and sash dimensions of the proposed windows will differ from those of the existing windows by less than 1/4", and the proposed trim dimensions and design will very closely match the existing trim. The proposed windows will be double-paned, while the existing windows are single-paned. The proposed brick mould detail closely matches that of the existing windows. Because the original drawings specified windows in these four window openings; because these window

openings were framed for windows and then infilled with brick panels; and because the proposed windows are comparable to the existing windows in the building, OSU believes these alterations meet the criteria in Chapter 2.9 of the Land Development Code.

The final activity they are proposing is the installation of a new uncovered bike parking area to replace the bike parking that will be removed from the front entry area of the building. Ten OSU-standard "U" loop bike racks will be installed on a concrete slab that is 6 feet wide by 26-1/2 feet long and runs adjacent to an existing east west sidewalk to the north east of Dryden Hall. Currently, the area is lawn. Installation of bike parking in this area will ensure that it does not compete with the design of the front entry, and it will reduce conflicts between pedestrians and bicyclists. There is a bike lane on 30th and a curb cut just north of the proposed bike parking area.

OSU feels this project will improve the quality of ADA accessibility, bike parking, and classroom space, while respecting the historic character of Dryden Hall.

Mr. Hjelte added that Dryden Hall is a very nice and important building which has not been altered much in the past and has been kept in very good condition. They intend to maintain its good condition.

Commissioner Bryant referred to A.35 attachment, brick moulding detail, and expressed a concern relating to the sloping cut on the mould which he felt might present a drainage issue for any windowsill to which this was applied. Ms. Robertson said that though this was not a part of the Chapter 2.9 review, they would look at it.

Commissioner Robinson said he appreciated the inclusion of the original designs and they were helpful in contextualizing the application. He asked if there were other drawings and/or written resources that existed that would help with looking at the issue of historic integrity. Ms. Robertson said that there were extensive archives at OSU, but staff had had limited time to search for them.

Chair Kadas asked if there were any changes to the original doors. The applicant said no.

Chair Kadas asked what the proposal was for using screens on the window. Mr. Hjelte said that they had done some research on the unique existing screens which had the ability to shade from the sun. They likely could be fabricated, but they had not looked into it.

Chair Kadas asked if there were plans for placing the lights on the buttresses, similar to Moreland Hall. Ms. Robertson said that the lights on the buttresses at Moreland were not original and had been added. They do not plan to put lights on the buttresses in this location.

Chair Kadas said she appreciates their sensitivity to the symmetry of the building. It pays homage to the original intent of the architect.

F. Complete Staff Report:

Planner Richardson said that since the applicant stepped through the application in some detail, he would just touch on three issues. He reminded HRC that since the review of replacement of handrails is a director-level activity but has been included in the application, HRC should use director-level review criteria, as shown on page 4 of the Staff Report. Staff find the proposal compatible and recommend approval of this piece of the application.

The other two parts of the application upon which he focused are the east access ramp, and replacement of the windows. While the Code would only require one ramp, but the applicant is proposing two, consideration is a balancing act between sticking with the symmetry found on this type

of building while minimizing physical impact on the structure. Staff analysis finds it historically compatible. Staff also finds that the windows that will be replaced are historically compatible and consistent with the criteria in Section 2.9.100.04.b.2.b. All aspects will be very much like the original windows.

G. Public Testimony in favor of the application: None

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

I. Neutral testimony: None.

J. Additional Questions for Staff: None.

K. Rebuttal by Applicant: None.

L. Sur-rebuttal: None.

M. Additional time for applicant to submit final argument:

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

N. Close the public hearing:

MOTION: Commissioner Morris **moved** to close the public hearing. Commissioner Stephens **seconded** the motion and it **passed** unanimously.

O. Discussion and Action by the Commission:

Commissioner Stephens commended the OSU team on the good job they did with the project.

Chair Kadas said she agrees with the findings in the Staff Report in that it appears to meet all the criteria; in particular, the façades and architectural details criteria. She appreciates the architect's desire to maintain the symmetry. If these were stairs instead of a ramp they would be symmetrical, so it is appropriate for the ramps to be symmetrical. It meets the materials criteria in that they are using wood windows. The iron rails have a bit of a swoop detail which is a very nice touch. There is a slight difference in the muntin and brick mould but from a distance it will not be noticed. She is supportive of the application.

MOTION: Commissioner Morris **moved** to approve the OSU Dryden Hall application (HPP13-00006), as conditioned in the March 31, 2013, staff report to the Historic Resources Commission. This motion is based on findings in support of the application presented in the March 31, 2013, staff report to the Commission, and findings in support of the application made by the Commission during deliberations on the request. Commissioner Stephens **seconded** the motion.

The motion **passed** unanimously.

P. Appeal Period:

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

III. PUBLIC HEARINGS –D. OSU POLING AND CAUTHORN HALLS (HPP13-00011); Alteration or New Construction Application; 361 SW Sackett Place and 360 SW Weatherford Place.

A. Opening and Procedures:

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

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

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

The Chair opened the public hearing.

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

1. Conflicts of Interest – none
2. Ex Parte Contacts – Commissioner Bryant had a conversation with an architect at Waterleaf at an AIA meeting that was substantially after the last hearing on a previous application for OSU Poling and Cauthorn Halls. That conversation discussed the HRC process, and he made a comment to the architect that if the previous application were appealed to City Council the decision would likely be overturned. He believes that this will not affect his ability to make a fair and impartial decision on the application now before them. Deputy City Attorney Coulombe said he did not believe that this indicated any bias, and that it was likely his conversation happened prior to submittal of the current application so would not constitute ex parte contact.
3. Site Visits – by Commissioners Stephens, Kadas, Morris and Robinson. Commissioner Stephens said she had paid attention to the windows on Cauthorn, Poling, Buxton and Hawley Halls, as well as the windows on West Hall. They appeared to have been replaced with grey vinyl horizontal sliding windows. Chair Kadas said she had also viewed the windows on West Hall but her observation was that they were casement windows, not sliders. They looked like they were aluminum but they could have been silver-colored vinyl. They appeared to match the windows in the common areas. She also observed Buxton and Hawley. Her observation was that they looked like vinyl even from across the street and that they were not sliders but tilt and turn windows. Commissioner Morris said he walked around the building and through the center courtyard. He noticed a lot of awnings, some open and some not. He did notice the grey sliders, or at least he thought they were sliders. Commissioner Robinson walked around the quad to look at and compare the three different types of windows mentioned in the application to those on adjacent buildings. Commissioners Bertilson and Bryant did not do additional site visits, since they had visited the dorms as part of the last application.
4. Rebuttal of disclosures – none
5. Objections on Jurisdictional Grounds - none

C. Staff Overview:

Planner Richardson said that the application under consideration is for Historic Preservation Permit approval to replace existing single-paned aluminum windows on Poling and Cauthorn Halls with double-paned vinyl windows of a different design than the existing windows. As was mentioned, this application is very similar to one reviewed by HRC last month. In that application, there were four window types under consideration – Types A,B,C and D - and only the replacement of Type D windows was approved. These were aluminum storefront windows, and the replacement windows were substantially the same design as the existing windows. They did not approve the replacements for window types A through C which were, in general, windows with awning openings and with three divided light, horizontal muntions. The proposal was to replace them with vinyl windows that were slider or tilt-turn. The HRC denied that part of the request. When HRC was evaluating the request, part of the reason for denying those windows was that the HRC did not seem to find there was sufficient information regarding the historic compatibility of the proposed windows. In other words, the applicant made a good argument for why the windows should be replaced for energy-efficiency and cost savings, as well as consistency with Hawley and Buxton Halls, but there was not sufficient information to convince the HRC that the windows were historically compatible. OSU had the option to appeal the HRC decision to City Council, but chose instead to submit a new application that would provide new information in support of their request. Therefore, the current application is for approval to use three window types that are the same as reviewed before, but with additional information included in support of the application.

The subject buildings are located in the OSU National Register Historic District, and are part of a four building complex along with Buxton and Hawley Halls. The latter two buildings were constructed after the District's period of significance around 1959- 1961. They are classified as Non-Contributing buildings. Poling and Cauthorn were constructed during the last year of the District's period of significance which was 1957. Because of that, they are considered as Contributing buildings. They also might be considered Contributing because of their architectural style which is International Style.

D. Legal Declaration:

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

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

E. Applicant's Presentation:

David Dodson, OSU Planning Manager, introduced Brian Hjelte, Waterleaf Architecture, and Sara Robertson, OSU Planner, and presented on behalf of the application.

Poling and Cauthorn were constructed in 1957 in the International Style, just inside the period of significance for the OSU Historic District. Hawley and Buxton Halls were constructed slightly later in 1959 and 1961, also in the same International Style but outside the period of significance. Because of this difference in dates of construction, Hawley and Buxton are considered Non-contributing resources, and Poling and Cauthorn are considered Contributing. From the exterior, all four residence halls appear as one large building, with the exception of the windows that have been modified. The windows on Hawley and Buxton were replaced with white vinyl windows in the 90's and are

anticipated to remain for another 30 years. The windows remaining on Poling and Cauthorn are aluminum single pane windows in poor condition and in need of being replaced.

One of the issues driving the replacement is the concern for energy efficiency. Secondly, the existing windows do not meet the fire egress standards in terms of the size of the opening. The window replacement is intended to address fire egress and improve energy efficiency.

OSU Planner Robertson did some research on the International Style of architecture and how important the windows were to that particular style. (Ms. Robertson handed out a summary of her findings – **(Attachment D)**). Typically, the buildings were rectangular forms, occasionally with round projections. The skeleton construction was steel or reinforced concrete. The building walls were treated as skins or screens that enclosed a volume, rather than treated as a structural element with mass or weight. This was a big transition architecturally in this particular change of style. The roofs were typically flat. There was a complete absence of ornamentation. The glass was treated as a surfacing material, such as with the use of ribbon windows and curtain walls which were common. Façades could be asymmetrical but would have a balance of components, so that a symmetry would still be maintained with regard to window penetrations, etc. Cantilevered planes were common. Windows were of very simple design with minimal reveals on the windows. Metal frames were often used because they could be thin and simple in character. This thinness of window frames is a particularly important piece of the style. Heavy complicated frames and sashes were avoided, and there was standardization of parts including windows with both horizontal and vertical divided lights. This latter point is important: neither horizontal nor vertical divided lights were predominant. Mr. Dodson then showed pictures of some buildings on campus that were of International Style Architectural.

OSU has to strongly consider the historical significance of the building and its contribution to this district, and its location within the historic district. When they look at making alterations to existing structures, they look to see if they are one of just a few remaining examples, i.e. of prime significance that makes a large contribution to the historic district. If so, then it is treated with respect in terms of trying to match as much as possible with material replacements. When the buildings tend to be on the fringe of the district, or among other buildings which do not offer a contribution, then it is not as significant in terms of its location among the neighborhood of historic buildings.

In reviewing the residence halls on campus, Weatherford comes out as one that has high historical integrity. When its windows were replaced, the original wood windows were replaced with metal clad wood windows. This was in keeping with the significance of this building. Sackett Hall is a step down from Weatherford. It is located at the west end of the district, and is of medium historical integrity and its wood windows were replaced with both wood and vinyl windows. The more recently constructed dormitories are, in the majority, of the International Style of architecture. Over the years, Housing and Dining Services has gone in to replace these windows. For instance, West Hall's windows were replaced with grey vinyl. Its original windows were likely of the same that existed on Buxton, Hawley, McNary and Wilson: aluminum with horizontal lights. Because of their location and level of significance, these windows were replaced with vinyl, sometimes in grey or beige in addition to the white.

For this particular application, OSU is requesting approval for replacing the windows that are currently single-paned aluminum frame with those to match what is currently on Buxton and Hawley Halls: a white vinyl, double-paned window. One of the reasons that they are looking to do this is that these are some of the last dormitories with aluminum windows with horizontal treatments on them to be changed out. For consistency purposes, they would like to replace them with vinyl frame windows

to match those on Buxton and Hawley. If Buxton had been done in a grey vinyl, they would likely be asking to match that color. All four of these residence halls appear as if they are one building, and it would look odd to have white vinyl on half of the windows and grey on the rest.

When they came before HRC last month, they had tried to move in the direction of some horizontal banding that would be more respectful and reflective of what exists today. However, they did additional internet research on the International Style and came to the conclusion that the windows, in and of themselves, varied dramatically. That particular element of that particular architectural style was not uniformly horizontal, though most of the windows were aluminum simply because of the era. That was the trend of the time. Aluminum as a material was considered to be much more improved over the wood. It went with the other elements of the building such as the glass and thinner wall membranes.

They are stuck between a rock and a hard place on this project. OSU cannot replace the aluminum-framed windows with an aluminum-framed operable window. It is a 5' by 5' opening, and they do not currently make aluminum-framed windows of that size that are operable and meet the energy code requirements. They explored a number of other options, and came to the conclusion that for simplicity sake and for being respectful of and consistent with the other portions of this quad structure that have already had the windows replaced they would come back with a request to use the white vinyl windows.

At the meeting last month, several commissioners struggled with the proposal, probably due to the fact that there were a number of considerations on the table at that time. This time, they have come in with just one consideration. They also have drafted some wording for findings and for a motion of approval (**Attachment E**) which might be helpful to commissioners should they choose to support this request.

Commissioner Stephens opined that Sackett Hall, which had been built earlier than most of the residence halls, had its windows replaced and it was shocking to behold. This happened prior to the Historic District formation. With the International Style, she thinks of the windows as not standing out. The white vinyl really stands out, which is a big problem from her standpoint. If OSU is in a position of having to replace them in thirty years, she wondered if they would replace them again with white vinyl. Mr. Dodson said that in addition to vinyl, they are also looking at fiberglass as an option, which is starting to become available with integrated color. Mr. Hjelte added that windows are able to be replaced over time, unlike other architectural features such as brickwork. In twenty or thirty years, maybe all the windows in the four residence halls could be replaced.

Commissioner Bryant asked if OSU was planning to keep the building for thirty years. Mr. Dodson said he envisioned that to be the case.

Commissioner Morris asked if the other buildings with vinyl windows had vinyl windows originally. Mr. Dodson said they more likely all had aluminum windows if they were of International Style.

Commissioner Morris asked if there was a fire sprinkler system in the building. Mr. Dodson said there was not, which was one of the reasons why they wanted to change out the windows with ones that meet the emergency egress requirements. Eventually, over time, they will likely do both.

Commissioner Bryant asked if OSU was willing to substitute fiberglass for vinyl as part of this proposal. Mr. Dodson said that was not part of the proposal being presented, but they have looked at it. Mr. Hjelte said that the fiberglass did not have a lot more value than the vinyl; in fact, the vinyl

gives the building a more rectilinear look. And the fiberglass gives it more of a rounded look. The profile of the vinyl looks better in their opinion. However, fiberglass does provide the opportunity for integrated color as part of the material.

Commissioner Stephens referred to Callahan Hall, across from the Administration building, and said that the white vinyl windows in this application also make the building look worse, and makes the windows stand out.

Chair Kadas said that these buildings have a very strong horizontal quality about them. They are long and flat-roofed. The three divided lights on the existing windows give it long horizontal lines. Buxton and Hawley had unfortunate window replacements, along with Sackett, Callahan and West. Two wrongs do not make a right. The three divided lights of the windows are the character-defining feature of this architecture, and she suspects that if the windows in Buxton and Hawley had not already been replaced, OSU would have possibly proposed something different and more in keeping. Showing examples of International Style buildings that are outside OSU's Historic District is irrelevant. Additionally, she believes that the single, vertical division of the replacement windows is not compatible with the existing resource and the strong horizontal aluminum orientation. Thirty years was mentioned as a potential for the vinyl windows to last, but the aluminum have lasted for 50+ years. In her judgment, the vertical vinyl sliders are not compatible at all with the criteria the HRC must consider. The only rationale to approve this is that they match Buxton and Hawley, which are considered Non-Contributing resources. Otherwise, she does not believe that there is any finding that could support this, though she is willing to hear any argument they might have.

Ms. Robertson said she would first respond to the comments about the horizontal divides. They are unable to replicate the three light/two divide design, even with a custom window, and meet egress requirements. They have to modify the existing design of the window. International Style architecture is about simplicity of the windows, and not adding excessive ornamentation that does not serve a purpose. If they were to do a horizontal divide, there would have to be a sash and two false muntions which would add distracting ornamentation to the window. It was their decision to install the vinyl sliders with the single divide, as this was a simpler window design. The intent is to keep the windows as a simpler element in the façade. She added that all of the examples of International Style buildings shown, except for Cascade Hall, were within the Historic District, and do have a variety of windows. The Code does allow for some variation of style to accommodate contemporary and continued use of a building. The existing windows are not really in good shape; they are well worn and do not maintain comfortable living spaces for the students. Safety and comfort of the residents was certainly an important part of the consideration.

Chair Kadas asked if they had looked at any options which had a horizontal orientation. Mr. Dodson said that they had looked at a fully- openable 5-foot window but it became too costly to consider. It could not be done with vinyl so would likely have to be a custom metal-clad wood window at a cost of about \$1300 as compared to \$300. Double-hung windows would not meet the egress requirement for opening size. Chair Kadas suggested it was no different in opening size than a vertical slider. Additionally, she stated that the Code did not allow for expense to be taken into consideration by the commissioners.

F. Complete Staff Report:

Planner Richardson said that, for reference, Attachment A-37 of the Staff Report has images of the three window types both in their current form and as they would be replaced. In Land Development Code Chapter 2.9, Section 2.9.100.04.b.1 contains one of the general review criteria. In short, it requires that alterations or new construction be compatible with the design or style of the primary resource, based on the consideration of a number of factors. Staff views this criterion as setting the context for how to evaluate changes that might occur. It provides a way to look at a building and

identify whether it is of high historic significance, i.e. has it been altered or has its integrity been reduced. These sorts of factors can come into play in reaching a decision. The applicant talked about that a bit in their testimony. The applicant makes arguments that the building is important because of its architectural style, and that the windows they are proposing are consistent with that style. The staff findings reach a different conclusion. Part of the reason for this is that the staff analysis focuses on the particular buildings rather than their architectural styles. It is important to bring out this difference in perspective between the applicant's and staff's views. Commissioners might have a different view altogether.

To elaborate, the applicant is focusing on the fact that the buildings were constructed in 1957 near the end of the period of significance of the architectural style. They are making a case that the windows they are proposing are consistent with the architectural style, and, therefore, are of compatible design. The staff view is that they are contributing buildings with certain features. In this case, with these buildings, the features in question are the windows that have horizontal muntions. Staff view the design of the windows as an architectural feature and an important architectural characteristic on an otherwise simple and unadorned building. In that view, retaining those windows and those architectural features becomes more important. The proposed change to move away from that design was evaluated and found to be historically incompatible, along with the change in material to vinyl. For those reasons, generally speaking, the staff analysis finds that the proposal is not consistent with the criteria in Section 2.9.100.04.b.1 or Section 2.9.100.04.b.2.b.

That same analysis carries through to the other applicable compatibility review criteria in Section 2.9.100.04.b.3. The ones that are most pertinent are the façades, architectural details, and pattern of window and door openings. Staff's view is that the horizontal divided lights that are part of the existing windows are character-defining architectural elements which would not be a part of the new windows. For this reason, they are not consistent with the architectural features or façades criteria. With respect to the pattern of window and door openings, the proposed windows do actually satisfy many elements of that particular criterion in terms of their size, overall shape, placement and proportion. However, the proposed windows would be of a different material and would not have the detailing of the horizontal divided lights which are features staff consider to be important to the building. Therefore, staff find that this would be incompatible with the pattern of window and door openings criterion.

Planner Richardson again stressed that there can be different ways of looking at the proposal. From one perspective, wherein one places emphasis on architectural design and style of the building, it could be reasonable to conclude that the proposed windows might be historically compatible with the architectural style and therefore appropriate to be within the Historic District. The use of vinyl as a window material poses a different question, however, and the determination needs to be made as to whether that is an appropriate material for replacement of original windows on a Contributing resource.

Overall, staff evaluated the proposal in light of the applicable review criteria and concluded that the proposal did not sufficiently satisfy these criteria to warrant a recommendation of approval. Therefore, staff again recommend denial of the application.

Commissioner Lizut asked whether the code addressed the relationship between meeting compatibility criteria and meeting safety requirements. Planner Richardson said that there are some exceptions in the Building Code that would allow certain historic features to be retained, as long as they do not cause a building to be less safe than it is presently. In this particular case, if the applicant replaces windows as they are proposing, then they are required to meet egress standards. The proposed windows would do that. It is not really a question of one code trumping the other or a conflict between egress requirements and what they are proposing. Commissioner Lizut said that as he

understands it, the only vertical configuration that satisfies both egress and compatibility requirements would be the option that was mentioned by the applicant but was too expensive and therefore not a part of the proposal.

Planner Richardson elaborated that though the existing windows do not meet current fire egress standards, the City is not requiring OSU to replace the windows. In that respect, the existing windows are acceptable as they are in terms of the Code. However, if OSU chooses to replace the windows as they are proposing to do, then they have to be designed so that they meet today's standards for egress. Deputy City Attorney Coulombe offered that the current windows could be viewed as "lawful, non-conforming" windows.

Commissioner Bryant said he agrees with the code analysis that the windows are grandfathered in and do not meet current egress or energy codes. However, if the fire marshal were to tell OSU that there was a life safety issue with the windows and that they needed to do something about it, the two options are to install fire sprinklers or replace the windows so that they provide legal egress. Deputy City Attorney Coulombe said that that is a hypothetical in that it has not occurred and is not one of the facts before the Commission.

Chair Kadas referred to Attachment A-38 and asked for some clarification relating to the storefront windows that were approved during consideration of the last application. She asked if these windows, with two horizontal muntions, were of aluminum and were designed to keep a top third of the windows fixed with sliders on the bottom two-thirds. Ms. Robertson said she believed this was the case. Chair Kadas said she understood that these windows were of a different size than those under consideration.

G. Public Testimony in favor of the application: None

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

I. Neutral testimony: None.

J. Additional Questions for Staff: None.

K. Rebuttal by Applicant: None.

L. Sur-rebuttal: None.

M. Additional time for applicant to submit final argument:

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

N. Close the public hearing:

MOTION: Commissioner Morris **moved** to close the public hearing. Commissioner Bryant **seconded** the motion and it **passed** unanimously.

O. Discussion and Action by the Commission:

Commissioner Lizut said that OSU had not been compelled to replace the windows. They came forth with an application for reasons of their own and it has raised the two issues of fire safety and compatibility. He opined that it was fair to expect that they come up with a window design that would meet both requirements if they chose to replace the windows.

Commissioner Stephens said that she would like to see the windows have a stronger horizontal line. The proposal before them does not meet the criteria, and she agrees with staff's findings and conclusion.

Commissioner Morris said that while he accepts the applicant's argument that the International Style does not require a certain window style, he also accepts staff's analysis that the windows proposed are incompatible. What bothers him the most is the safety issue. Emergency egress is an important issue, and it should be part of the City's and OSU's consideration. The proposed windows are incompatible but there are compelling reasons to accept them for safety reasons.

Commissioner Bryant agreed with Commissioner Morris' observations about it being a potentially serious life safety issue. He feels they are caught in a quandary. However, he would like to see a design solution that might not stand out as much as white vinyl and would make the window disappear more. Perhaps Dryden Hall should be used as an example in that the windows have a very dark frame. This might be a way to get to a compatible compromise.

Chair Kadas said she agrees, though it is not the Commission's job to design. She would like to see something with a horizontal orientation which could possibly be a dark-hued, double-hung window with a divided light in each sash. Fiberglass might have a thinner profile. If someone came in with a proposal to replace windows on a bungalow with white vinyl sliders, the Commission would undoubtedly deny it. If a slider is the only option for this proposed window replacement, she would prefer that it be a double-hung window with horizontal orientation as opposed to a vertical slider.

Commissioner Bertilson asked if with the last application fiberglass had been discussed as an option but OSU had said it was not a possibility. Commissioner Bryant said that OSU has not presented this as an option, and has proposed the white vinyl sliders instead. The commission has three steps it can take: they can approve it; they can condition it; or they can reject it.

MOTION: Commissioner Stephens **moved** to deny the OSU Poling and Cauthorn Halls Historic Preservation Permit application (HPP13-00011), based on findings presented in the April 2, 2013, staff report to the Historic Resources Commission and findings made by the Commission during deliberations on the request. Commissioner Morris **seconded** the motion.

Commissioner Stephens said that the particular criteria she was citing were in Section 2.9.100.04.b.3. The main criteria it does not meet are façades, architectural details, and pattern of window and door openings. Additionally, it does not meet the criterion relating to materials.

The motion **failed**, with Commissioners Lizut, Bryant, Robinson, and Bertilson voting against it.

Chair Kadas again stated that she does not believe that the windows proposed are the only solution. Commissioner Bertilson commented that she is undecided about her decision, because she believes that the windows are not what the International Style is about, and she believes that the windows proposed are simple in keeping with the style. However, she does not like the material of white vinyl that the applicant has proposed.

Commissioner Robinson said he shares that perspective. The overarching characteristic of this style is functionality. There are compelling arguments to be made on both sides, as staff noted. Personally, he keeps coming back to the issue of egress though he understands that the only reason it is coming up is because OSU has made the proposal to replace the windows. He believes there should be another, middle-path solution.

In response to a suggestion that the application be conditioned to not allow vinyl windows, Deputy Attorney Coulombe said that this leaves the solution as an unknown. It would be better to specify what optional material should be used. Conditioning the windows to not be vinyl is, in essence, denying the application. The problem with conditioning the windows to not be of a certain material is that it does not change the style if that still remains an issue for the commissioners. Planner Richardson said perhaps the commissioners could specify that the overall dimensions should be the same, and the material should be of "type x" meeting certain design features.

Chair Kadas said that, in her opinion, there were enough criteria that the windows did not meet that it would be difficult to approve the application. If there is a consensus on the commission that all is good except the material, then the HRC could look at conditioning it.

Deputy City Attorney Coulombe again reminded commissioners they needed to look at whether the application satisfied the criteria in Chapter 2.9 which relate to compatibility, and they should not confuse their deliberations with the safety issue which is not part of their criteria. Additionally, it is the applicant's responsibility to persuade the commissioners, not for the commissioners to persuade each other about an issue. If commissioners are not persuaded, the path is clear.

MOTION: Commissioner Stephens again **moved** to deny the OSU Poling and Cauthorn Halls Historic Preservation Permit application (HPP13-00011), based on findings presented in the April 2, 2013, staff report to the Historic Resources Commission and findings in support of this motion to deny the application made by the Commission during deliberations on the request. Commissioner Morris **seconded** the motion.

The motion to deny the application was **approved**, with Commissioner Bryant voting no.

P. Appeal Period:

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

IV. OTHER BUSINESS/INFORMATION SHARING.

A. Historic Preservation Awards: (Attachment F)

Planner Richardson said that over the past months Commissioners Kadas, Bertilson and Stephens and he had had "virtual" meetings about potential historic preservation awards for the annual ceremony. Four recipients have been under consideration: the Kline Department Store (now the Oddfellows Hall), the Benton County State Bank (the Lucidyne Technology Building), the Whiteside Theater Foundation (suggested by BA Beierle), and the Neighborhood Photo survey participants (also suggested by BA Beierle). The Benton County State Bank is in the process of replacing twelve windows, including the curved one. The project is not finished yet, and it might be better to wait for next year. Chair Kadas said that an additional recognition should be given to the efforts of the Corden and Crotti brothers to move and preserve the Peavy House. This should be remembered for next year's historic preservation awards.

The commissioners agreed to the three awards as outlined by Planner Richardson. The event will be on May 30, at Children's Farm Home. There will be a tour before the award ceremony at 6pm.

B. CLG Grant:

Planner Richardson said the City was successful in obtaining a CLG Grant in the amount of \$13,000. \$5,000 of the funding will be used for a mini-grant program for homeowners wishing to do preservation work, with a maximum of \$1,000 per successful applicant. The program will be

advertised and prospective applicants will be given enough time to apply for permits. The HRC will review the applicants and select those they believe meet the basic criteria and are the most deserving. The balance of the grant can be used for commissioner training and registration costs, among other items, and commissioners were encouraged to think about what training would give them some benefit.

C. Other Information Sharing:

Planner Richardson announced that Planner Brian Latta was resigning, and would be taking a position as the City Administrator for the City of Harrisburg. They will be starting the process to recruit for another planner.

Chair Kadas advised that Commissioners that the terms for Commissioners Morris, Lizut and Kadas will expire in June. They will need to reapply and be interviewed, along with other candidates, if they wish to serve an additional term. Chair Kadas said it was highly likely that she would be retiring from the Commission.

V. MINUTES REVIEW.

A. March 12, 2013:

Commissioner Bertilson **moved** and Commissioner Bryant **seconded** to accept the minutes as drafted; the motion **passed** unanimously.

VI. ADJOURNMENT: The meeting was adjourned at 9:35p.m. The next meeting will be on Tuesday, May 14, 2013; at 6pm.

To Mr. & Mrs

Linn & Benton Counties

Yes! We mean all the adults that live in Benton County. You could have a very good chance to help save the Bailey Branch Railroad that runs from Monroe, Oregon, to Corvallis, Oregon.

For 18 miles the Union Pacific Railroad owns this branch line and it is not profitable. Of course, they would have to pay their stockholders, taxes and liability. ¹ If a non-profit joint venture was established by Benton County, seed farmers or possibly the Lumber Mill at the end of the line could be used as a controlled tourist attraction, in view of the fact that it is the only steam operated lumber mill in America, with historic value. This joint venture would have four very important uses for the railroad. They are:

- 1. General freight
- 2. Educational
- 3. Recreational
- 4. Historical

Now, Mr. & Mrs. Benton County, you could be an Honorary Railroad Vice President by buying nonprofit stock. Yes, you would have to give up a week of espresso, maybe one trip to the coast or the mountains, but just think, you would really be saving a real piece of valuable Americana.

2 Education: The Bailey Branch Line Railroad could be used through College Courses to teach students Management Maintaining, Engineering, and Operation. Company industries are hiring young people that have graduated with a credit course and they can be employed right out of school. Companies used to train workers right on the job, but it is becoming necessary to have the skill already learned.

3-4 Recreational: The Railroad tour train would run from Monroe to Corvallis or vice versa. This is a program that is working all over the country. There are several groups in Oregon that could do a very good job of this. Possibly using some steam locomotives or diesel equipment. Tours to the only all steam-operated Saw Mill in America!

Historical: The days when the Southern Pacific Railroad operated and built the Bailey Branch Line could be recreated and established as a Memorial to the men and women that built and operated one of the largest railroads in the world. The Southern Pacific Railroad is gone but many men and women that worked for that company are still living and they have a great love for this bygone railroad. Think about it! And, possibly movies and TV commercials could be made from this line as one more value.

Pacific Railway & Navigation Co., Inc

G. K. "PAT" PATTERSON
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You can make a real difference in the future of American transportation.

Dear Friend,

We are at a crossroads in America.

Opponents of the future that involves expansion of our passenger trains.

That is why we hope you are becoming a member

It is NARP's U.S. and to press the country. NARP acknowledged that improvements that

Recognizing our past two annual a great write-up heard American rail."

We spoke at the Show in New York and one in Mobile - as I

On Sept. 20 I gave testimony before Amtrak Operations, presentations to the *Passenger Rail 2011* Summit in Irving, T

www.gazettetimes.com

Group studies 4 high-speed rail routes

EUGENE (AP) — A council made up of mayors, legislators and state and local transit officials is considering four routes for high-speed travel in the Willamette Valley.

The routes would be hugely expensive to create and the obstacles, including securing money, are so many that it's possible the new line might never be built. But the study is under way with the Oregon Passenger Rail Leadership Council set to choose one of the four by fall of 2014, according to the Register-Guard.

The council is airing four "corridor concepts" under consideration for the future route of passenger rail in the valley. The proposed routes for a new line are:

- The I-5 right of way.
- A westerly route made of pieced-together short haul lines that include a stop at Corvallis.
- The old, unused Oregon Electric Railway right of way that runs through the valley, merging with the existing Union Pacific line near Canby.

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The existing Union Pacific lines that carry Amtrak long-haul and commuter passenger trains, as well as freight trains.

Hundreds of people have turned out to see maps of the proposed routes at a half-dozen State Department of Transportation open houses this month throughout the valley. Additionally, 424 people have attended a virtual open house on the department's website.

In Eugene-Springfield, "there's a very high interest in rail," said Eugene Mayor Kitty Piercy, co-chairwoman of the statewide leadership council.

Ridership on the Amtrak Cascades line has increased 22 percent since 2009 and by 238 percent since 1995, according to the state. The route provided 845,099 rides in 2012 to people who bought \$30 million worth of tickets, according to Amtrak.

In the next 25 years, the Willamette Valley population is expected to grow by about 35 percent, reaching about 3.6 million by 2035, meaning increased congestion and increased demand for transportation in all forms.

Oregon would like to optimize its in-state tracks to approach 90 mph. The top speed today is 79, and the trains can go that fast only on a straightaway near Junction City. The trip between Eugene and Portland averages two hours and 35 minutes, according to the state. That's 40 minutes slower than driving.

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Training cuts thwart jobless

Workers foot the bill to acquire new skills

By Paul Davidson
USA TODAY

Companies have dramatically cut training programs for new employees, experts say, worsening a skills gap that's keeping them from finding qualified job candidates and pushing up unemployment.

Employees "want people to hit the ground running," says Wharton School management professor Peter Cappelli, author of *Why Good People Can't Get Jobs*. "They don't want to train anybody."

The cuts coincide with a 16% drop in federal funding this fiscal year to train unemployed workers vs. five years ago.

As a result, the onus to enhance skills falls on financially strapped workers themselves. The jobless rate last month ticked up to 8.3% from 8.2%.

Thirty-eight percent of companies said they cross-train employees to develop skills not directly related to their job, according to a recent survey by the Society for Human Resource Management (SHRM). That's down from 43% in 2011 and 55% in 2008, past SHRM surveys showed.

An Accenture survey last fall found that 21% of em-

Work lessons

How and where workers acquired new skills in the past five years:

- On-the-job experience **65%**
- Formal company training **21%**
- Formal training outside workplace **13%**
- Informal means outside workplace **15%**
- Shadowing and observing others **12%**
- Haven't acquired any **7%**
- Informal company learning programs **8%**

Source: November 2011 Accenture online survey of 1,088 workers

ployees said they've acquired new skills through company-provided training over the past five years. By contrast, employee training was commonplace in the 1970s, Cappelli says, with young workers getting an average 2 1/2 weeks of training a year.

Particularly affected are manufacturers, which have pared back apprenticeships even as they're seeking multiskilled workers, says Michael Collins, head of consulting firm MPC Management.

The shift from extensive training began after the 1980 recession as companies became more cost conscious and intensified in the Great Recession of 2007-09. Firms also grew weary of paying for workers to gain skills only to watch them soon defect to competitors, says Susan Cantrell, an Accenture consultant.

With unemployment above 8%, many businesses "believe there's lots of (unemployed workers) out there that they can get," says Mark Schmit, vice president of research for SHRM.

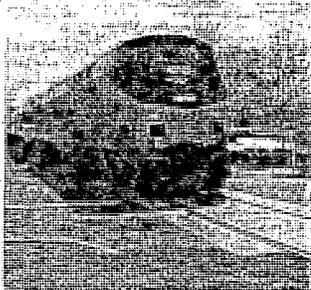
Yet finding workers with the right skills is challenging. Seventy percent of companies have found it difficult to fill key positions the past year, according to a recent survey by Right Management. That helps keep unemployment high.

Cappelli says this skills gap can largely be chalked up to employers' reluctance to hire candidates who meet most of their criteria and fill in gaps with training — a strategy they used to deploy routinely.

The behavior is short-sighted because jobs stay unfilled longer, which hurts companies, too, he says.

by Genevieve Weber

ODOT's HIGH-SPEED PASSENGER TRAINS



The Oregon Department of Transportation is currently working on a plan to bring high-speed passenger trains to one of four proposed routes linking the Columbia River above Portland to the Springfield-Eugene urban area.

With all likelihood, a high-speed train could pass through Corvallis.

According to ODOT, "Over the next 25 years, the population of the Willamette Valley is expected to grow by approximately 35 percent, with the population anticipated to reach 3.6 million by the year 2035."

At the same time, ODOT estimates that freight volume in Oregon will grow by 60 percent. The current population and freight growth rates are on track to exceed the capacity of Oregon's current rail systems.

And right now, trips from Eugene to Portland can take over 2-and-a-half hours—40 minutes longer than driving.

"We have a fair share of folks who commute to Corvallis from different cities in the Valley, and that would be a wonderful help... I can certainly think of many up-sides to having a stop here in town," said Corvallis Mayor Julie Manning. "It's very much in keeping with the city's interest in

Coming to the Willamette Valley?

alternative modes of transportation, environmental sustainability, diversifying the local economy, and encouraging visitors to Corvallis."

According to Oregon State, passenger use of the Amtrak Cascades line has risen 22 percent since 2009 and by 238 percent since 1995; building a new passenger rail line will justifiably help reduce congestion in the Valley. The state would like the optimized tracks, should they run along existing lines, to allow trains to hit 90 miles per hour. But right now, Union Pacific, which mainly moves freight, doesn't think that in-state trains will move faster than 79 miles per hour. Still, many travelers are less concerned with increased speed as they are with convenience and reliability.

Some advocacy groups are pushing for true high-speed trains, capable of hitting 150 miles per hour, which run on electricity rather than diesel and require a different, dedicated track set-up.

The project will be funded by a combination of federal and state funds, and ODOT is currently in the process of conducting an Oregon Passenger Rail Environmental Impact Statement. Given the obstacles ahead for the proposal, including its enormous expense, it's possible that the route will never be build.

Still under consideration are issues of train speed, frequency, station locations, fuel type, and routes.

David Knowles, CH2M Hill consultant and project manager for the Oregon Passenger Rail Project, told the Register Guard, "At this point, we're just trying to figure out where it ought to go."

Western exposure

3-4. A delegation of students from China reacts to their first glimpse of U.S. culture

By CANDA FUQUA
CORVALLIS GAZETTE-TIMES

"Architecture." "Environment." "All the animals."

A delegation of Chinese students who are visiting Oregon State University this week gave those answers when asked what surprised them about the United States. The group is visiting from Nanjing Agricultural University in Nanjing, which is in the Jiangsu province of China.

They were impressed by the beautiful buildings, the clean environment and the wildlife.

The group of 21 students, whose majors range from land resource management to finance to veterinary medicine, participated in the summer study program that began in 2007. It gives students from China a first-person look at U.S. culture — one that is not filtered through television, music or the movies.

David Hannaway of OSU's Department of Crop and Soil Science said that he and other program coordinators asked themselves certain questions when meeting the delegation's itinerary.

"Are there things that we can show them that could give them a broader picture of American culture; things that they couldn't experience at home, or that they wouldn't have seen on TV," he said.

The students took tours and went sight-seeing in Portland, coastal cities and Corvallis. They listened to educational lectures. They were most enthusiastic about the weekend, when



ABOVE: Teacher Pingping Man of China, left, shares photos she took of the students with David Hannaway of the Oregon State University Department of Crop & Soil Science on Monday morning.



Tourists enjoy the open-air "Norokko Train" through the lavender fields.

Rail tourism in Hokkaido

JR Hokkaido promotes tourist travel on its regular passenger trains, and receives additional benefits from myriad tourist industry publications advocating rail travel to visit the natural wonders of Hokkaido. Walk into any travel office in Japan, and you will see rows upon rows of glossy flyers for train travel displayed alongside those of airlines and tour buses. Special seasonal magazines highlight the best train rides to see everything from cherry blossoms to fall foliage. A national series of bi-monthly magazines publishes route guides to selected rail lines across the country and includes everything from train photography tips to local attractions, hotels, and restaurants.

While many of the ads are for travel on regularly scheduled trains, JR Hokkaido runs special trains that receive their own devoted ad campaigns. The Naepo Shops in Sapporo maintain special "sight-seeer" DMU trainsets that provide amenities such as raised seating and enlarged windows. Their operations include winter ski trains to resorts and the summer Lavender Express trains to Furano during the colorful flower season. Two sets of diesel-hauled open-air tourist trains make regular runs on branch lines, and the Asahikawa Shops maintain a pair of 2-6-4T class C11 steam locomotives, at least one of which can be found running somewhere in Hokkaido every month of the year. Promotional posters hang from the ceilings of commuter trains and line train station walls and travel offices throughout the island.

"They said they'd never see something like that in China," Hannaway said.

They were impressed with the Oregon Humane Society facility in Portland that houses stray animals. They had some other observations: One student

noted that it wasn't as mentally friendly as the U.S. "That's something we in China are going to learn from the USA." Hannaway said that it wasn't as mentally friendly as the U.S. "That's something we in China are going to learn from the USA." Hannaway said that it wasn't as mentally friendly as the U.S. "That's something we in China are going to learn from the USA."

Although not all of the students are pursuing agriculture degrees, the major work division in the U.S. is in the field. "I think so."

of the College of International Education at Nanjing Agricultural University, spoke about what surprised him. "The agriculture here — large farms with very advanced equipment and facilities, doing work with

The U.S. Chamber of Commerce has said that any new dollars that come into any area will turn over 6 to 7 times, buying power. That would be one of the values of our Chinese funds coming into our area.

Memorandum

To: Historic Resources Commission
From: Bob Richardson, Associate Planner
Date: April 9, 2013
Subject: Mason House (HPP13-00007) Written Testimony

Enclosed is written testimony regarding the Mason House Historic Preservation Permit application. This testimony was received after release of the March 29, 2013, Staff report and 12:00 PM on April 9, 2013.

To: Corvallis Historic Resources Commission
From: Laurie Mason
RE: Mason House modifications
Date: April 6, 2013

My grandparents, Earl and Gladys Mason, built a home in 1939 that stands relatively unchanged at 124 NW 29th St. in Corvallis. The house went out of family hands in 1945; I was fortunate to be alerted several years ago when it became available, and bought it. From 2007 to 2011, the house underwent considerable restoration; it was a project that brought a lot of enjoyment to me and to my father, who biked down Jackson Street most days to visit the home of his youth and reminisce about its construction.

I have reviewed the Brandt's plans to move the garage and add an addition behind the house while making internal modifications, and am writing you to lend my support to their project.

Their plans take great care to maintain the essence of the period my grandparents brought from their previous years in New Haven, Conn. When the streets were platted, the six homes built on the internal lots of 29th between Jackson and Johnson streets were of coordinated design due to the encouragement of Professor Peck, who likewise esteemed colonial revival architecture. Thus the Pecks, the Willies, the Johnsons, the Gleesons and the Jones sisters joined the Masons in establishing one of College Hill's remarkable sections, the great white houses.

Since then, the Jones house has a new garage with living space over it; the Peck, Johnson and Gleeson houses have seen extensions out back while the Willie house directly across from Mason House has gained an apartment over its garage. Such improvements have allowed these homes to continue to host modern families while around them, at two of the four corners, homes are occupied by students.

I am pleased that Troy and Marisa want to remain in Mason House with their growing family, and hope the Commission will approve their project as submitted. Gladys and Earl Mason, now residents of Oaklawn Cemetery, would no doubt be amazed at the process involved in modifying their home. Historical preservation is an important part of what makes Corvallis the wonderful community it is; I would note, however, that the deed to their Oaklawn plots – a document slightly older than the house under discussion – restricts use to “underground burial of human dead of the white race as defined by decisions of the U.S. Supreme Court and no other.”

Change can be good. This is another such occasion.

Sincerely,

Laurie Mason
4130 SW Fairhaven Dr.
Corvallis, OR 97333
541-752-0979

RECEIVED

APR - 8 2013

CORVALLIS HISTORIC RESOURCES COMMISSION
124 NW 29th St. Corvallis, OR 97333

From: Mike Middleton
To: Richardson, Robert
Subject: Mason House Addition / Strong Support From Neighbors
Date: Tuesday, April 09, 2013 9:35:51 AM

Hi Bob,

Please forward this on the HRC members.

Kudos to the Brandt's and their architect for designing such a well thought out addition to the Mason House! We live diagonally across the street to the Brandt's home and we strongly support this proposal.

One of the best ways for the College Hill Neighborhood to preserve the historic character of the neighborhood is to not only allow, but to encourage additions and remodels that respect the historic value of the neighborhood, yet accommodate the lifestyle requirements of today's families. The proposed addition to the Mason House does precisely that. The applicant and the staff report have both clearly and eloquently articulated how this addition meets the requirements of the 2.9 code. In addition, we concur with staff that the cement fiberboard siding is perfectly appropriate for this addition.

As residents on 29th street who plan to stay in our house until we are "historic", we strongly encourage the Historic Resource Commission to approve this application as proposed.

Also, thank you to the HRC committee members for all of their efforts!

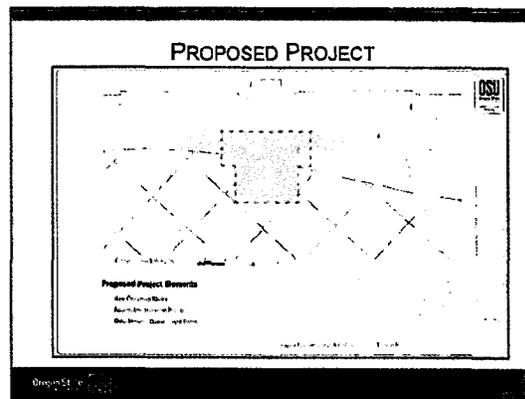
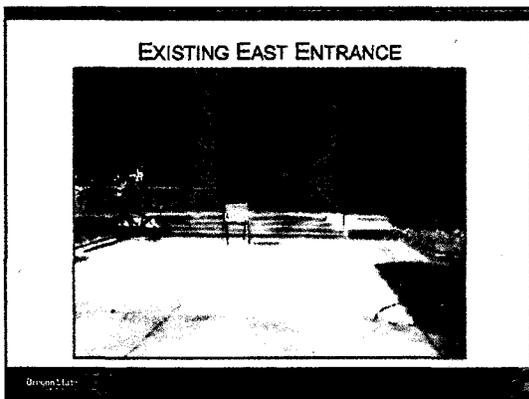
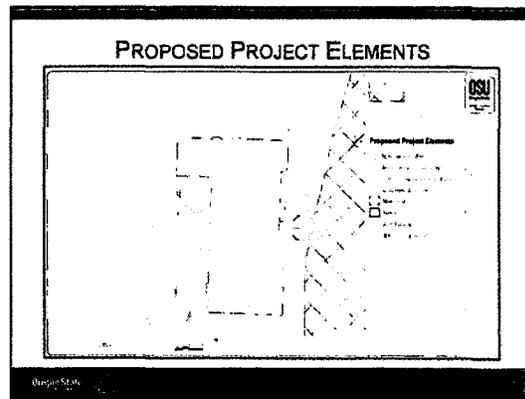
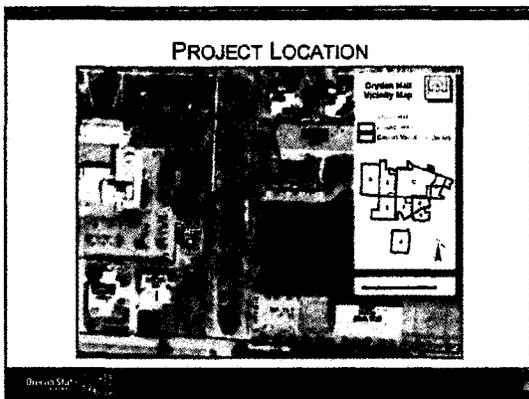
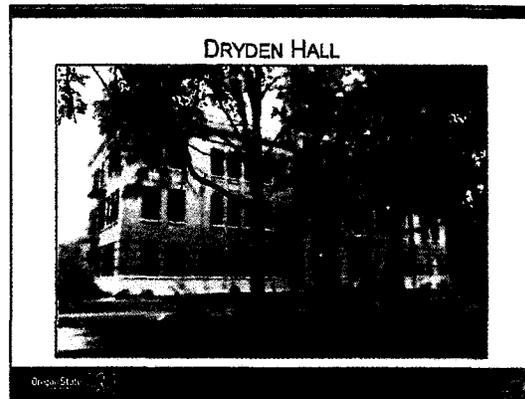
Regards,

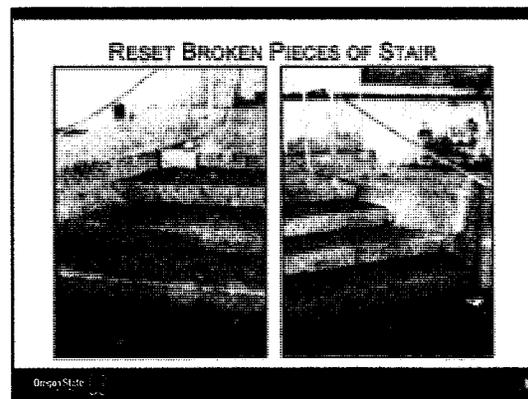
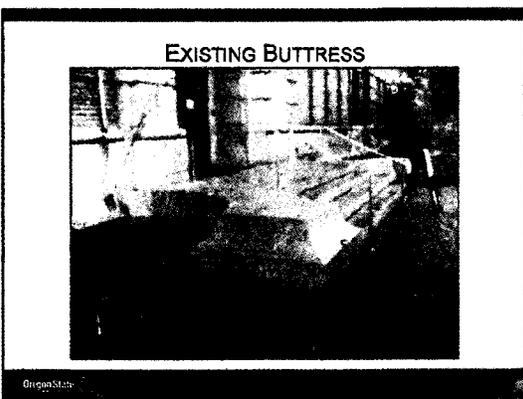
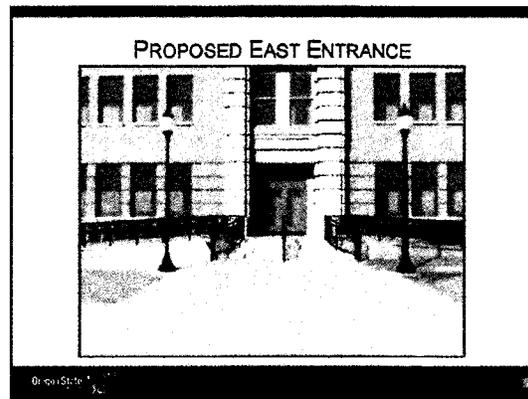
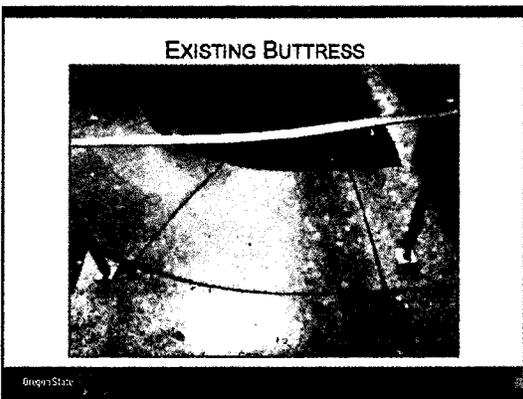
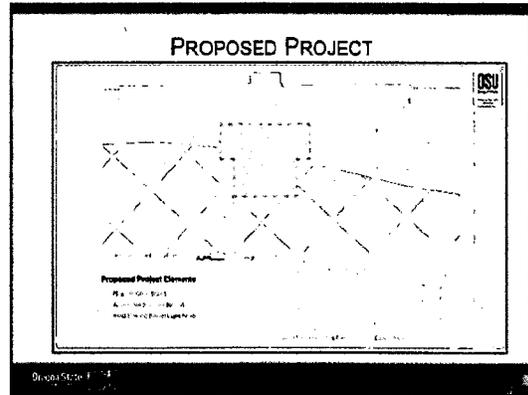
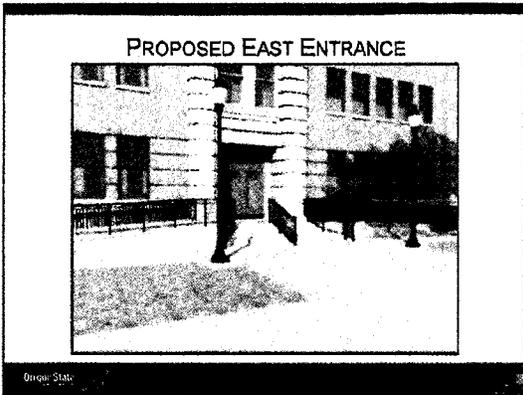
Mike and Suzanne Middleton
111 NW 29th Street

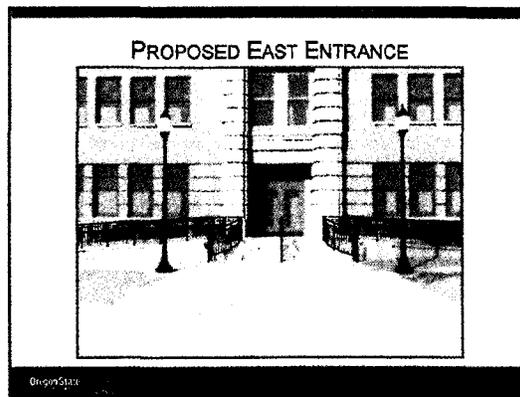
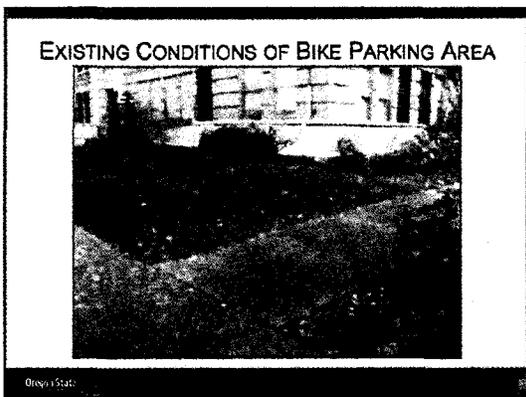
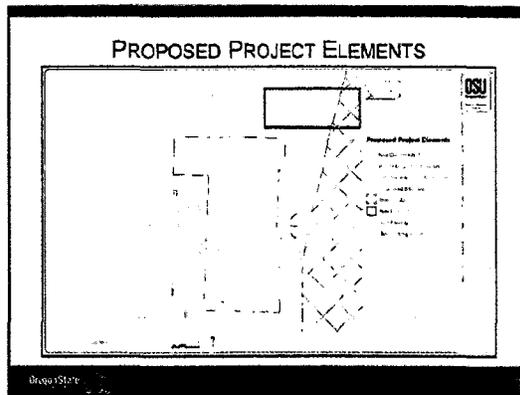
Oregon State
UNIVERSITY

**DRYDEN HALL
ADA, BIKE PARKING & BUILDING IMPROVEMENTS**
APRIL 9, 2013

SARA ROBERTSON, CAMPUS PLANNER
DAVID DODSON, CAMPUS PLANNING MANAGER
LARRIE EASTERLY, PROJECT MANAGER
BRIAN HJELTE, WATERLEAF ARCHITECTURE







Thank You

Questions?

Oregon State

International Style Architecture

Brief History of the Style

International Style Architecture was first identified and characterized by Henry-Russell Hitchcock and Philip Johnson in their book *The International Style* published in 1932. The book was written for the Museum of Modern arts International Exhibition of Modern Architecture which helped launched term and the architectural movement in the United States, although some early works of International style architecture in the United States pre date the 1932 exhibition.

The style had its origins in the work of architects of Western Europe during the first decades of the 20th century. Walter Gropius and Ludwig Mies van der Rohe in Germany, Le Corbusier in France, and J.J.P Oud in Holland were influential in advancing the style in Europe.

Henry-Russell Hitchcock (1903-1987) was an architectural historian and professor at Smith College. As a student at Harvard, he was one of a group of young intellectuals that helped start the modernism movement in the United States.

Phillip Johnson (1906-2005) was an influential architect and architectural critic. He is responsible for many well-known works including, The Glass House in New Canaan Connecticut, and the New York State Theater (now the David H. Koch Theater) at the Lincoln Center.

Typical Characteristics of the Style

- Rectangular forms, occasionally with round projections
- Skeleton construction of steel or reinforced concrete is typical
- Building walls are treated as skins or screens that enclose a volume rather than treated as structural elements that have mass or weight
- Flat roofs
- Complete absence of ornamentation
- Glass treated as a surfacing material: Ribbon windows, curtain walls of glass
- Smooth, planar wall surfaces
- Facades that are asymmetrical, but have a balance of components
- Cantilevered planes
- Windows are simple in design
- Minimal reveals on windows
- Metal frames were often used because they could be thin and simple in character
- Heavy complicated frames and sashes were avoided
- Standardization of parts including windows with both horizontal and divided lights

Oregon State
DA 19017

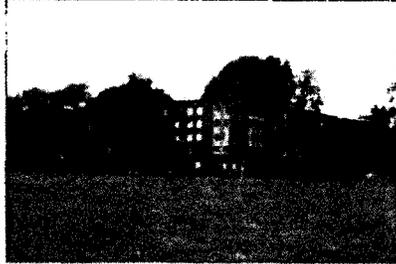
Poling/Cauthorn - Open Space

POLING / CAUTHORN WINDOW REPLACEMENT

APRIL 9, 2013

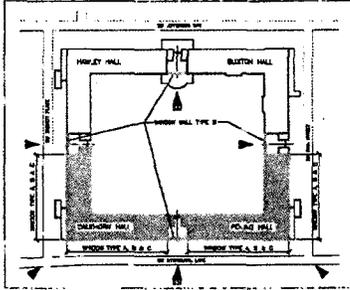
DAVID DODSON, CAMPUS PLANNING MANAGER
DAN LARSON, ASSOCIATE DIRECTOR OF UHDS
SARA ROBERTSON, CAMPUS PLANNER
BRIAN HJELTE, WATERLEAF ARCHITECTURE

POLING/CAUTHORN HALLS BUILT 1957



Oregon State

FOUR RESIDENCE HALLS IN ONE



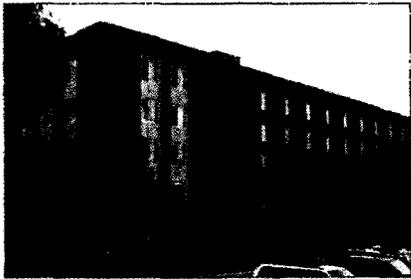
Oregon State

POLING/CAUTHORN HALLS BUILT 1957



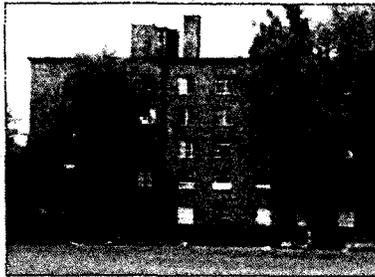
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HAWLEY / BUXTON WHITE VINYL WINDOWS



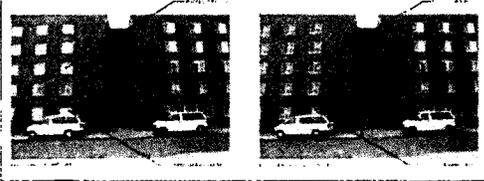
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POLING / CAUTHORN ALUMINUM WINDOW FRAMES



Oregon State

POLING & BUXTON ALL WHITE VINYL



Oregon State

POLING HALL COMPLEX



Oregon State

Recommended Motion

I move to approve the Historic Preservation Permit (HPP13-00011), as conditioned below. This motion is based on the following findings in support of the application made by the Commission during deliberations on the request.

Recommended Conditions of Approval

1. **Building Permits and other LDC Standards** - The applicant shall obtain any required Building Permits associated with the proposal. Work associated with the proposal shall comply with the Building Code, as adopted and amended by the State of Oregon; and other applicable state and local Codes and ordinances related to building, development, fire, health, and safety, including other provisions of the Land Development Code.
2. **Consistency with Plans** - Development shall comply with the plans and narrative in the applicant's proposal; excerpts of the plans are included as **Attachment A** of the April 2, 2013, staff report to the HRC.

Optional Findings in Support of the Application

1. Replacing sleeping room windows at Poling and Cauthorn Halls requires the applicant to comply with current emergency egress code standards. Approving this request will ensure compliance with current emergency egress standards and is compatible with the International architectural style, which lacks ornamentation and has windows with minimal reveals. The character-defining features of this style, with respect to windows, are shape, proportion, predominantly rectangular forms, minimal ornamentation, and smooth building surfaces. The horizontal divided lights associated with the existing windows are not identified as character-defining features of this style.
2. Poling and Cauthorn Halls are not prime examples or one of few remaining examples of the International style, nor are they considered rare or unusual, consistent with LDC review criteria 2.9.100.04.b.1.f and g.
3. All existing operable windows associated with the sleeping rooms at Poling and Cauthorn Halls have aluminum frames, with the exception of one vinyl window that was replaced due to damage on Buxton Hall. It is not possible to replace the operable windows with aluminum to match what exists today, because of energy code requirements and egress requirements. Vinyl frame windows are historically compatible materials, as they have been used on both contributing and noncontributing resources within the Historic District. The applicant's proposed use of vinyl windows is therefore considered reflective of and complimentary to the surrounding comparable Designated Historic Resources per LDC Section 2.9.100.04.b.3 b.
4. Poling, Cauthorn, Hawley, and Buxton Halls were conceived of, and operate as a unified complex. The existing vinyl frame windows on Hawley and Buxton Halls are anticipated to remain for another 30 years. Replacement windows that achieve a uniform appearance among all the buildings are an appropriate solution that is consistent with LDC Section 2.9.100.04.b.2.b, which requires the proposed alteration to be compatible with the historic characteristics of the Designated Historic Resource (all four halls) based on the appearance or material composition of the resource.
5. Character-defining elements of the International style include simple predominantly rectangular forms, minimal ornamentation, and smooth building surfaces. The horizontal mutins that divide the windows are not considered character-defining elements of the International style. Therefore, the request to replace the windows within the existing window opening is consistent with LDC Section 2.9.100.04.b.3 c, which requires retention of character-defining elements such as the existing window openings.
6. The International style includes both horizontally and vertically divided window patterns. Therefore, the request to replace the horizontally divided windows with vertically divided windows is consistent with LDC Section 2.9.100.04.b.3 g, which requires retention of compatible patterns of window and door openings.

Memorandum

To: Historic Resources Commission
From: Bob Richardson, Associate Planner
Date: April 9, 2013
Subject: 2013 Historic Preservation Awards

Each year the Corvallis and Benton County Historic Resources Commissions (HRC) host a Historic Preservation Awards ceremony. This year's event will be held on May 30th at the Children's Farm Home. Commissioners Kadas, Stephens and Bertilson have coordinated with City Staff to nominate the following projects and groups for awards:

1. Kline Department Store – The Independent Order of Odd Fellows own this historic building on SW 2nd Street and have replaced 10 original wood windows with 10 new nearly identical windows. They have also recently painted the street facing façade. The changes retain the historic appearance and character of this downtown building while helping to ensure that the building can continue to be used.
2. Benton County State Bank – The Lucidyne Technology business has received approval to replace 12 original wood windows, which face SW 2nd Street and SW Madison Avenue, with nearly identical windows. As with the Kline Department Store, these changes retain the historic appearance and character of this downtown building while helping to ensure that the building can continue to be used.
3. The Whiteside Theater Foundation
4. Neighborhood Photo Survey

The last two nominations were proposed to the Commissioners evaluating nomination candidates by BA Beierle. Reasons for giving awards to these groups are presented in Attachment A of this memorandum.

The Historic Resources Commission is asked to consider the above recommendations and either accept the recommendations, or choose from among the above list, which projects or groups should receive awards.

Attachments

- A. Information on award nominations
- B. Draft schedule of Historic Preservation Month activities



Community Development
Planning Division
501 SW Madison Avenue
P.O. Box 1083
Corvallis, OR 97339-1083
(541) 766-6908
FAX (541) 754-1792

**NOTICE OF DISPOSITION FOR DESIGNATED HISTORIC RESOURCE,
DIRECTOR-LEVEL HISTORIC PRESERVATION PERMIT**

ORDER NO. 2010-038

**CASE: Oddfellows Barnum Lodge #7 (Kline's Department Store)
(HPP10-00009)**

LOCATION

Barnum Lodge, which is also known as the Odd Fellows Building is located at 223 SW Second Street, on Tax Lot 3700 of Benton County Assessor's Map 11-5-35 DC.

OWNERS / APPLICANT

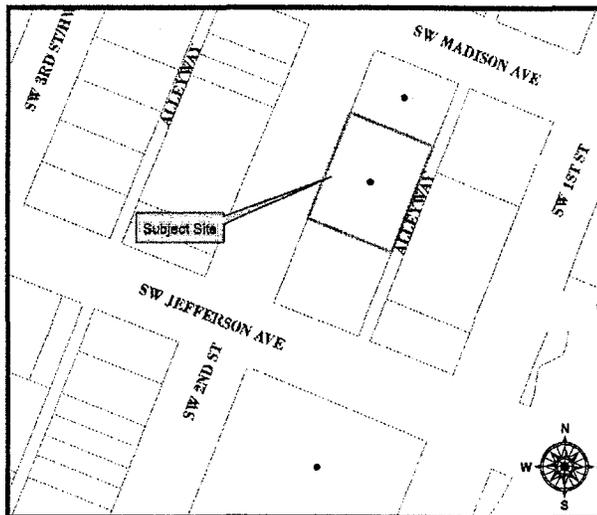
Michael Byers, for
Odd Fellows Barnum Lodge
223 SW Second Street,
Corvallis, Oregon 97333

HISTORIC CLASSIFICATION(S)

The Historic Name of the Oddfellows Building is Kline's Department Store. It is a Designated Historic Resource listed in the Corvallis Register of Historic Landmarks and Districts (Local Register).

REQUEST/PROPOSAL

The applicant proposes to replace 10 windows on the second floor of the Kline's Department Store. The windows to be replaced are single-pane, double-hung windows with wood sashes that are approximately 2 inches wide on the sides, and 3 inches wide on tops and bottoms. The new windows would be double-pane, double-hung windows, with wood sashes with approximately the same widths as original sashes. The replacement windows are proposed to be the same size, and installed in the same location as the existing windows.



REVIEW CRITERIA

Section 2.9.100 - ALTERATION OR NEW CONSTRUCTION ACTIVITIES INVOLVING A DESIGNATED HISTORIC RESOURCE

2.9.100.01 - Definition of Alteration or New Construction Involving a Designated Historic Resource

An activity is considered an Alteration or New Construction involving a Designated Historic Resource when: the activity is not an exempt activity, a Demolition, or a Moving, as defined in Sections 2.9.70, 2.9.110, and 2.9.120, respectively; and the activity meets at least one of the descriptions in "a" through "c," below.

- a. The activity alters the exterior appearance of a Designated Historic Resource. Exterior appearance includes a resource's facade, texture, design or style, material, and/or fixtures;

2.9.100.02 - Historic Preservation Permit Required for Alteration or New Construction Involving a Designated Historic Resource

If an activity meets the definition for an Alteration or New Construction involving a Designated Historic Resource, as outlined in Section 2.9.100.01 above, then one of the two types of Historic Preservation Permits (Director-level or HRC-level) outlined in this Section and summarized in Section 2.9.60.b is required.

2.9.100.03 - Alteration or New Construction Parameters and Review Criteria for a Director-level Historic Preservation Permit

- m. Repair or Replacement of Windows or Doors Containing Glass with Energy Efficient, Double-pane Materials - Except for situations involving decorative art glass, windows or doors containing glass may be repaired or replaced using energy efficient, double-pane glazing, provided the replacements otherwise match the replaced items in materials, design or style, color, dimensions, number of divided lights, and shape. Repair or replacement of windows or doors containing glass with energy efficient, double-pane materials on Nonhistoric/Noncontributing Resources in a National Register of Historic Places Historic District are exempt per Section 2.9.70.t.

DECISION

The applicant proposes to replace 10 windows on the second floor of the Kline Building. These are the uppermost windows over the Sedlak's Boots & Shoes store, and Grassroots Bookstore. The windows to be replaced are all either 34" x 81" or 36" x 81", single-pane, double-hung windows with sashes approximately 2 inches wide on the sides, and 3 inches wide on tops and bottoms. The replacement windows are proposed to be the same sizes, and installed in the same locations as the existing windows. New or repaired trim shall match existing trim material, style, and dimensions (**Condition of Approval 1**).

As proposed and conditioned, the application complies with Section 2.9.100.03.m, the applicable criterion for Director-level approval for Repair or Replacement of Windows or Doors Containing Glass with Energy Efficient, Double-pane Materials. The subject windows have single-pane glazing and do not contain decorative glass. The proposed replacement windows would have energy efficient double-pane glazing, but otherwise match the replaced windows in terms of materials (wood), design (double-hung), overall dimensions (either 34" x 81" or 36" x 81") and sash dimensions (2" on sides and 3" on tops/bottoms), number of divided lights (one-over-one), and shape. Replacement windows would also be placed in the same openings as original windows.

It is the decision of the Community Development Director to approve this request subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL

1. Consistency with Plans - Development shall comply with the plans and narrative in the application revised on July 22, 2010. Replacement windows shall be wood, one-over-one double-hung windows, and shall be the same size and installed in the same openings as the removed windows. Metal-clad wood windows shall not be installed, and any new trim shall match existing or original trim materials, style, and dimensions.
2. Building Permits and other LDC Standards - Prior to commencement of work, the applicant shall obtain any required Building Permits to install the replacement windows.

Accordingly, and as conditioned, the Director-level Historic Preservation Permit request (HPP10-00009) is APPROVED.

Please be aware that any previously established conditions of approval that pertain to the site, provisions of the Land Development Code, and applicable construction codes still apply. It is the applicant's responsibility to assure that all permit requirements are met for construction and/or development projects.

Approved by:



Ken Gibb, Community Development Director

July 26, 2010
Signature Date

APPEALS:

The property owner and applicant, the Historic Resources Commission, and residents and property owners within 100 feet of the subject site have received this Notice of Disposition. If you wish to appeal the Director's Decision, the appeal must be filed within 12 calendar days of the date that this Notice of Disposition is signed. When the final day of the appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the subsequent working day. All appeals must be submitted in writing to the City Recorder, and they must explain the specific grounds for appeal. If you have any questions about the appeal process, contact Planning Division at 541-766-6908.

Appeal Deadline: August 9, 2010
Effective Date (if not appealed): August 9, 2010
Effective Period: August 9, 2012
Date of Mailing: July 26, 2010

Note: Electronic copies of this Disposition and application are available online at <http://archive.ci.corvallis.or.us/Browse.aspx?startid=276057>.

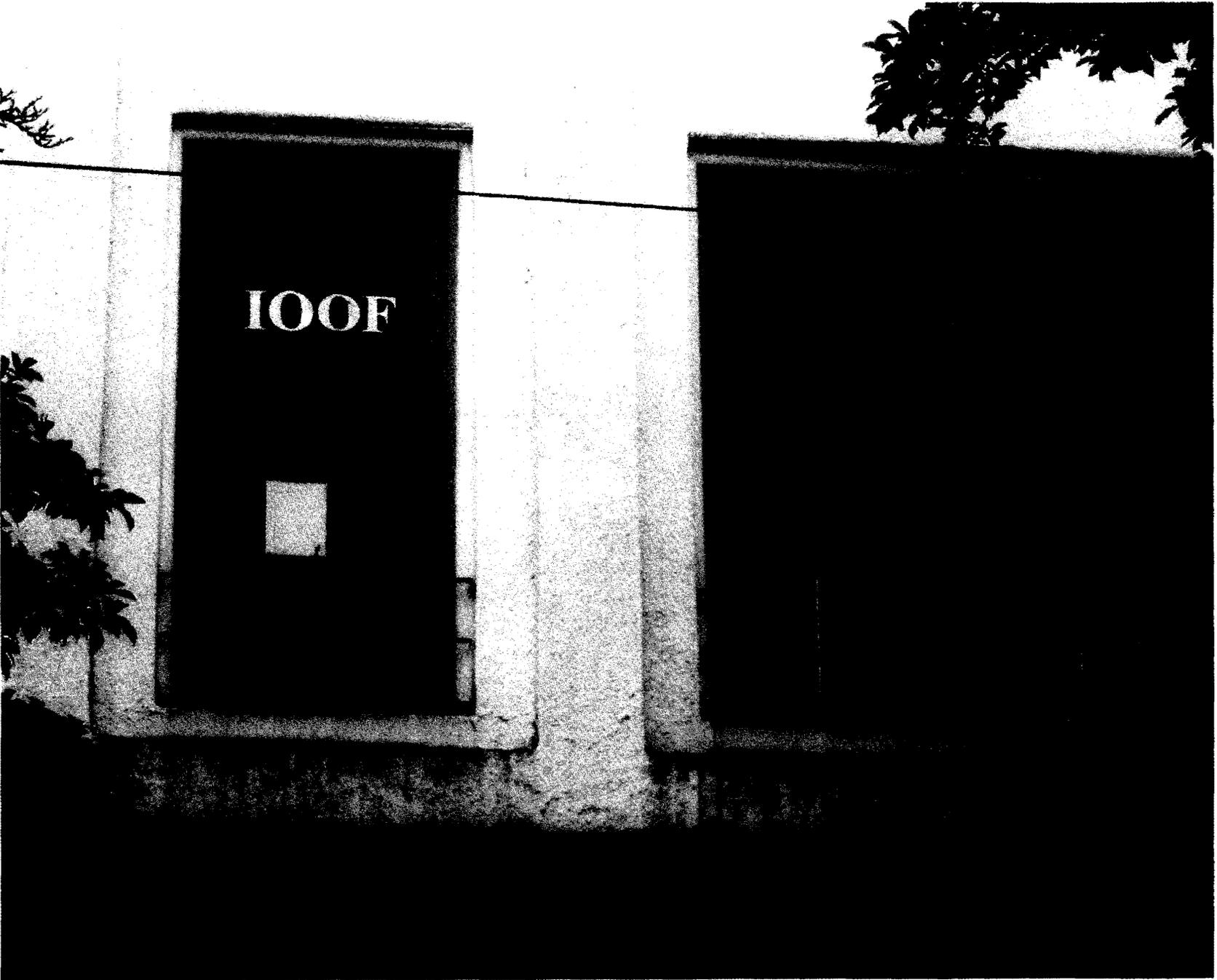
Attachment:

Photograph of subject windows.



Attachment A.5

Attachment F - 6





**Community Development
Planning Division**
501 SW Madison Avenue
P.O. Box 1083
Corvallis, OR 97339-1083
(541) 766-6908
FAX: (541) 754-1792
Planning@ci.corvallis.or.us

**NOTICE OF DISPOSITION FOR A DESIGNATED HISTORIC RESOURCE
DIRECTOR-LEVEL HISTORIC PRESERVATION PERMIT**

ORDER NO. 2011-045

CASE **Benton County State Bank Building (HPP11-00028)**

LOCATION

The subject site is located at 143 SW Second Street, and is identified on Benton County Assessor's Map 11-5-35 DC as Tax Lot 10700.

OWNER

George and Blou Carmen
2961 NW Jackson Avenue
Corvallis, Oregon 97330

APPLICANT

Lucidyne Technologies
155 SW Madison Avenue
Corvallis, Oregon 97333

HISTORIC CLASSIFICATION(S)

The Benton County State Bank is listed in the Corvallis Register of Historic Landmarks and Districts (Local Register) and the National Register of Historic Landmarks (National Register).

PROPOSAL

The applicant proposes to replace all 12 original wood windows on the second floor with new wood windows. The new windows are proposed to match the original windows in all respects except that the new windows would have tempered and/or double pane glazing rather than single pane glazing.

DIRECTOR-LEVEL REVIEW AND REVIEW CRITERIA

Land Development Code (LDC) Chapter 2.9 - Historic Preservation Provisions provides criteria to evaluate Historic Preservation Permits Requests.

2.9.100.03 - Alteration or New Construction Parameters and Review Criteria for a Director-level Historic Preservation Permit

A Historic Preservation Permit request for any of the Alteration or New Construction activities listed in Sections "a" through "o," below, shall be approved if the Alteration or New Construction is in compliance with the associated definitions and review criteria imbedded therein, listed below. Such Alteration or New Construction activities are classified as a Director-level Historic Preservation Permit. Some activities that are similar to Director-level Historic Preservation Permits may be exempt from permit review per Section 2.9.70 or may require review by the Historic Resources Commission.

- e. **Replacement of Windows or Doors on Historic, Historic/Contributing, and Historic/Noncontributing Resources-** Windows and doors may be replaced with new windows and doors containing double-pane glazing and meeting current Building Code energy efficiency standards. The following provisions also apply:
 1. **Except as otherwise provided in subsections 2-5, below, the replacements shall match the replaced items in:**
 - a. **Materials;**
 - b. **Design or style;**
 - c. **Size;**
 - d. **Sash and Muntin dimensions (a 1/2-in. tolerance in size is permitted for Sashes, and a 1/8-in. tolerance in size is permitted for Muntins);**
 - e. **Number and type of divided lites (either true or simulated lites are permitted; snap-on grids are not); and**
 - f. **Shape.**
 2. **Metal-clad wood may be substituted for the original, non-glass materials of the replaced items.**
 3. **On residential structures, non-wood doors and hollow-core doors may be replaced with doors of a dissimilar design, provided the replacement doors are solid wood or metal-clad solid wood and are the same size, and in the same location as the door to be removed. Glass is permitted in the replacement door.**
 4. **Alterations involving decorative art glass and leaded glass windows shall be reviewed by the HRC unless the alteration satisfies the Chapter 1.6 definition for In-kind Repair or Replacement.**
 5. **Installation of new, or replacement of windows and doors on Nonhistoric and Nonhistoric/Noncontributing Resources in a National Register of Historic Places Historic District are exempt per Section 2.9.70.t.**

The applicant proposes to replace all second floor windows with new windows that have tempered and/or double pane glazing (**Attachment A**). The proposed windows will be

constructed of wood, matching the original windows. The design, style, and size, including sash and muntin dimensions, will match those of the original windows. The existing windows do not have divided-lites, nor are the proposed windows proposed to include them. The shape of the proposed windows will match the shape of the existing, original windows. The only difference between the existing and proposed windows is that the proposed windows would have tempered and/or double-pane glazing (**Attachment A**). The proposed changes satisfy the criteria in Section 2.9.100.03.e for Director-level approval.

2.9.90.06 - Review Criteria

- a. **General Review Criteria for All Historic Preservation Permits - All Historic Preservation Permits shall comply with the Building Code, as adopted and amended by the State of Oregon; and other applicable state and local Codes and ordinances related to building, development, fire, health, and safety, including other provisions of this Code. When authorized by the Building Official, some flexibility from conformance with Building Code requirements may be granted for repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a building or structure. In considering whether or not to authorize this flexibility from some Building Code standards, the Building Official will check to ensure that: the building or structure is a Designated Historic Resource; any unsafe conditions as described in the Building Code are corrected; the rehabilitated building or structure will be no more hazardous, based on life safety, fire safety, and sanitation, than the existing building; and the advice of the State of Oregon Historic Preservation Officer has been received.**

Preliminary review of the Historic Preservation Permit application indicates that all applicable Codes and Ordinances are satisfied by the proposal. **Condition of Approval 2** requires the applicant to obtain any necessary Building Permits prior to beginning the proposed work.

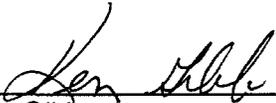
Summary and Conclusion

The proposal qualifies for a Director-level Historic Preservation Permit review, and as presented in the application materials and described in this Disposition, the proposal complies with applicable review criteria. It is the decision of the Community Development Director to approve the Benton County State Bank Building Historic Preservation Permit application (HPP11-00028), as conditioned.

CONDITIONS OF APPROVAL

1. Consistency with Plans - Development shall comply with the proposal as presented in the subject Historic Preservation Permit application. Only the windows on the second floor that face south onto SW Madison Avenue, or west onto SW Second Street shall be replaced as part of this approval.
2. Building Permit and Other LDC Standards - The applicant shall obtain any required Building Permits prior to beginning the work proposed in the HPP application. Work associated with the proposal shall comply with the Building Code, as adopted and amended by the State of Oregon; and other applicable state and local codes and ordinances related to building, development, fire, health, and safety, including other provisions of the Land Development Code.

APPROVED BY:



Ken Gibb,
Community Development Director

September 30, 2011
Date Signed

APPEALS:

The property owner and applicant, the Historic Resources Commission, and residents and property owners within 100 ft. of the subject site have received this Notice of Disposition. If you wish to appeal the Director's Decision, the appeal must be filed within 12 calendar days of the date the Notice of Disposition is signed. When the final day of the appeal period falls on a weekend or holiday, the appeal period shall be extended to 5:00 p.m. on the subsequent working day. All appeals must be submitted in writing to the City Recorder, and they must explain the specific grounds for appeal. If you have any questions about the appeal process, contact the Planning Division office at (541) 766-6908.

Historic Preservation Permits shall be effective for a two-year period from the date of approval. In the event that the applicant has not begun the development or its identified and approved phases prior to the expiration of the established effective period, the approval shall expire.

Appeal Deadline / Effective Date: 5:00 PM on October 12, 2011

Effective Period of Approval: October 12, 2013

Date of Mailing: September 30, 2011

ATTACHMENTS: Excerpt of Application

RECEIVED

7
SEP 26 2011

**Community Development
Planning Division**

Historic Preservation Permit Application

George and BLou Carman

Lucidyne Technologies, Inc.

155 SW Madison Avenue, Corvallis

Contact: Ellen Nelson, 541-753-5111, ellenn@lucidyne.com

The original windows in the upper floor of the historic Benton County Bank Building are over 100 years old. Some are beginning to show signs of extreme wear, notable the upper window on the corner (curved glass), and the most easternly upper window on the south side (facing Madison).

We are making application to replace the glass all of the upper windows with tempered and/or double-paned glass. The glass specifications are attached as Attachment A.

Much of the wood on these windows is also severely dryrotted, so we are further proposing to repair and replace the wood where necessary with custom-crafted wood that will identically match the existing historic wood frames.

Attachment "B" shows the building in the early 1900s, as the windows were originally. The replaced glass and repaired woodwork will identically match the original craftsmanship, size, and appearance in both the corner curved glass window, and the other upper windows.

Specifically with reference to Code #2.9-100.03 , and the applicable section "e", we submit:

1. Except as otherwise provided in subsections 2-5 below, the replacements shall match the replaced items in:
 - a. Materials
 - b. Design or style
 - c. Size
 - d. Sash and Muntin dimensions
 - e. Number and type of divided lites
 - f. Shape

The proposed work will meet all of these criteria, and will match the original windows in all categories, excepting the glass, which will be of higher energy-efficiency and UV filtration.

2. Metal-clad wood may be substituted for the original, non-glass materials of the replaced items. NOT APPLICABLE... we will be replacing original wood with new wood.
3. NOT APPLICABLE
4. NOT APPLICABLE
5. NOT APPLICABLE

Attachment A.1

Attachment A.11

Attachment F - 12

ATTACHMENT B

All second floor windows to be replaced per the revised application narrative, received on September 27, 2011.

*curved glass windows
flat glass windows at
end, ideal to
them...*



Attachment A.2

Attachment A.12

Attachment F - 13

City of Corvallis 2013 Historic Preservation Award Nomination

Whiteside Theatre Foundation

Like *The Little Engine That Could*, the Whiteside Theatre Foundation demonstrates that “I think I can, I think I can” are among the most inspirational words in English language. In the 1930 children's tale, a stranded train is unable to find an engine willing to take it over difficult terrain to its destination. Only the little blue engine is willing to try, and while repeating the mantra: “I think I can, I think I can,” overcomes a seemingly impossible task. Like the little blue engine, the Whiteside Theatre Foundation brought optimism, hard work and determination to the task of revitalizing the neglected Whiteside Theatre. Their work was divided into three components: rescue, rehabilitation, and repurpose.

Rescue

In November 2006, developers applied for a City of Corvallis historic preservation permit to alter the exterior of the Whiteside Theatre by installing display windows and doors on both the Madison Avenue and 4th Street facades, and removing the 1950 Streamline marquee. These changes would have also completely eradicated the stunning interior of the Whiteside and replaced it with retail shops and a restaurant. The Historic Resources Commission (HRC) denied the application and developers appealed the HRC decision to City Council.

The Council overturned the HRC decision, and an association of Whiteside Theatre advocates appealed the Council decision to the Oregon State Land Use Board of Appeals (LUBA). In August 2007, LUBA heard the appeal and subsequently remanded the decision back to Council for an additional hearing in January, 2008. Developers then withdrew their historic preservation permit, rendering any additional Council decision unnecessary. The Whiteside Theatre was left as it was since January 2002, when Regal Entertainment Group closed the Theatre due primarily to a failed sewer line and their own financial challenges.

The advocates immediately went to work on their vision for the Whiteside and filed initial documents in record time. WTF requested Regal Entertainment Group to give the Whiteside Theatre to the fledgling organization. Following a proposal fortified with chocolates, Regal agreed in February, 2008, and WTF became the owners of the Whiteside Theatre on May 16, 2008.

Volunteers also retrieved the Whiteside's exceedingly rare WurliTzer Opus 1807 Style F console from the Palace Theatre, Silverton, Oregon, and temporarily stored it at the Benton County Historical Society & Museum. Organ enthusiasts from throughout the Pacific Northwest rescued the WurliTzer's pipes from Oregon State University's Gill Coliseum where they had been since September 1961. Currently the pipes are kept in climate-controlled storage in Philomath, Oregon, and members of the Organ Team painstakingly labor to restore the instrument.

Rehabilitation

The City Building Department set initial benchmarks for Whiteside Theatre occupancy:

- Structural Engineering Analysis
- Certification of functioning electrical power
- Certification of functioning heating, ventilating and air-conditioning (HVAC), and

- Repair of the failed sewer line that closed the Whiteside.

WTF successfully prepared and submitted a National Register of Historic Places nomination that paved the way for funding for the Structural Engineering Analysis and other activities. Tours acquainted the public with the Whiteside's stories, architecture, community leadership, conditions, and needs. Shared use of the marquee enabled WTF to promote programs of other Corvallis' charitable groups. Electrical service powered the building and the HVAC system functioned. In August 2010, WTF used a new pipe-bursting technique to replace the failed clay sewer line.

Just before Halloween 2010, one of the cornice blocks succumbed to freeze and thaw cycles and fell to the marquee roof deck below. Fortunately no one was hurt and the block was undamaged. WTF invested in immediate safety measures, structurally evaluated the entire cornice, and launched planning for 2012 masonry repairs.

The initial Structural Engineering Analysis identified opportunities for Whiteside upgrades including a supporting concrete column and long-deferred fire escape repairs. During 2012, WTF fortified the column and fire escape, clearing the way for complete use of the auditorium and balcony. Like the Little Engine That Could, the WTF is now poised at the crest of a hill, as the group prepares for rehabilitation of the dazzling neon marquee and corner sign, that will vividly signal the Whiteside is once again open for business.

Repurpose

In September 2010, WTF produced its first programming, *The Whiteside Jam*, and presented this showcase of local musical talent at the Benton County Fairgrounds, looking forward to the time in 2011 when the Jam would come home to the Whiteside itself. With all four of the initial benchmarks met, the City Building Department permitted programming inside the Theatre during March 2011. In 2012, WTF produced cultural events and began leasing the auditorium to community groups for their own programs. These activities advance the WTF's mission to provide diverse cultural programming for all of Corvallis and our rural neighbors.

The WTF is dedicated to an economically sustainable performance hall that honors the Whiteside Theatre's role as an exceptional historic resource while rehabilitating the venerable Theatre in the most practical and environmentally sensitive manner. When rehabilitated, the Whiteside Theatre will be a premier downtown center for educational programs that inspire the literary, performing, and visual arts; encourage public discourse, and enhance cultural development for residents in Corvallis and the Mid-Willamette.

Summary

To date, stalwart WTF volunteers conservatively raised more than \$350,000 in cash and donated in excess of 20,000 documented volunteers hours – many in professional services – to return downtown's outstanding historic resource to Corvallis. They have learned new skills; inspired support from the community, state, region and across the nation; and created their own inspiring brand of historic preservation stick-to-it-iveness. Their optimism, hard work and determination would inspire even the Little Engine That Could.

From: BA Beierle
To: Richardson, Robert
Subject: 1 more
Date: Tuesday, April 02, 2013 4:57:46 PM



From: [BA Beierle](#)
To: [Richardson, Robert](#)
Subject: For the WTF nom
Date: Tuesday, April 02, 2013 4:55:42 PM
Attachments: [images](#)



City of Corvallis 2013 Historic Preservation Award Nomination

Neighborhood Photo Survey

Citizens for a Livable Corvallis, PreservationWORKS, Neighborhood Associations & Others

The Neighborhood Photo Survey – an outstanding successful citizen-volunteer program – documents neighborhoods surrounding OSU. The Survey provides a snapshot of near-campus neighborhoods from June 9, 2012 to January 2013 while those neighborhoods experience intensive change, a direct result of student apartment construction replacing vintage housing. The Reconnaissance Level Survey provides decision-makers with comprehensive resource information in the Collaboration Project area in both literal and visual formats.

While heritage advocates long-observed the loss of vintage housing to apartment development, those losses reached a tipping point during 2011, when more and more neighborhoods recognized the threat to neighborhood integrity. Understanding that the city's technical and financial resources are limited and that historic resources were being lost at an alarming rate, volunteers determined that accurate baseline data would be critical to future planning and decision-making. Understanding that a volunteer process would be more nimble, representatives gathered around a kitchen table and generated a strategy that included a calendar, recruitment, collaboration, commitment, and ice cream sandwiches.

The Survey area includes 13 neighborhoods: North College Hill, North and South Central Park, Avery Addition, Southwestern, four Jobs Addition Neighborhoods, Jobs Addition North, Downtown North, Chintimini and Harding. The boundaries were loosely drawn to reflect existing neighborhood associations, general age of structures, and administrative ease. In addition to photos, surveyors recorded general notes including structure function, size, materials, and changes – if any – over time.

The Photo Survey purposes are:

- Establishing visual baseline data before additional apartment construction changes the nature of neighborhoods even further
- Identifying sense of place
- Providing current data for planning and policy development for the Collaboration Project.
- Increasing knowledge of older neighborhoods to inform future zoning decisions
- Identifying compatible infill development as models
- Supporting planning programs with volunteer labor, reducing costs
- Providing a constructive program for neighbors in change-impacted neighborhoods
- Community building within and beyond individual neighborhoods
- Determining which of Corvallis historic assets and neighborhoods merit conservation

and which are better places for new development

- Identifying the most representative, rarest, and most fragile historic assets
- Strengthening the statewide database of heritage assets
- Creating a model strategy for other communities considering volunteer-driven surveys in challenging financial times, and
- Identifying future strategies for neighborhood conservation

Partners include:

- Citizens for a Livable Corvallis, PreservationWORKS, and Neighborhood Associations for volunteers and project coordination
- Oregon State Historic Preservation Office (SHPO) for surveyor training, quality control, and long-term database management
- City Planning Department for maps
- Benton County GIS services, and
- Corvallis/OSU Collaboration Project, for data entry funding

Instead of creating a new database, the Survey is managed by the existing Oregon State Historic Preservation Office database. This approach reduced start-up costs, long-term staff management, and has the advantage of availability to anyone with internet access. The GIS data contained within is also available to public agencies. The City of Corvallis' copy of the database includes photographs and maps so that reports may be generated and photos retained for reference by the Historic Resources Commission, the Planning Division, and any other commissions, agencies and staff as needed.

Following a Saturday morning training session, approximately half the Project Area was surveyed on the June 9, 2012 launch date. Armed with clipboards and their own digital cameras, two-volunteer teams fanned out across the project area; documented the community; returned to download images, forms and maps; rest their feet, and enjoy community-building with their fellow surveyors. Hard work on a hot day was rewarded with the liberal application of ice cream. Over the summer and early fall, skilled photographers surveyed the balance of the neighborhoods. Summer in Corvallis provides abundant foliage that often obscures views of historic resources. During January 2013, new photos replaced those where seasonal foliage hid historic assets. The Collaboration Project enlisted a consultant to enter photos, addresses, and inventory information in the database. Other volunteer preservation professionals double-checked architectural styles and evaluation of historic significance.

Results

The Photo Survey documents a tapestry of more than 18 architectural styles in Corvallis. They are – from oldest to newest:

- Classical Revival

- Gothic Revival
- Italianate
- Queen Anne
- Stick/Eastlake
- Western Farmhouse
- Colonial Revival
- 20th Century Revivals: English Cottage, Tudor & Jacobean, Colonial & Georgian, Spanish Colonial & Mediterranean, Mission, French Renaissance, Norman Farmhouse, Classical Greek & Roman, and Gothic
- Craftsman/Bungalow
- American Foursquare
- Moderne
- International
- Minimal Traditional
- Ranch
- Mid-Century Modern
- Mid-Century Commercial
- Mid-Century Apartment House.

More than 45 volunteer surveyors documented 2,536 addresses in 952 acres surrounding OSU with more than 6,000 photos.

- The Neighborhood Photo Survey includes structures from the 1850s to yesterday
 - 90% of the structures are residential
 - More than 75% are historically significant
 - The predominant style are ranch homes; the next most predominant style are bungalows
 - All late 19th and 20th Century Revival styles are represented
 - More than 200 are Minimal Traditional style and 108 are outstanding Victorians.
- Importantly, the Central Park Neighborhood Association reactivated itself, and the Harding Neighborhood Association formed.

Sadly, some of the photos recorded during the Survey are now historic records of now-lost assets. In the last five years, Development Services issued 95 demolition permits. From June 9 – when the survey began – to January 31, 2013, 28 demolition permits were issued: 15 for accessory structures and 18 for residences, most single-family structures.

Conserving neighborhoods contributes to any community's sense of place. Geographic locations with a strong sense of place possess identity that is deeply felt and is characterized by authenticity. Understanding how sense of place evolves is key to understanding how people safeguard place features like Corvallis' historic neighborhoods. When it comes to stewardship of sense of place, we are discussing heritage preservation.

Preservation is about deciding what's important, figuring out how to protect it, and passing along an appreciation for what was saved to the next generation. Preservation is place-keeping, safeguarding that sense of place that makes each and every place unique. In the words of Gertrude Stein: "There's a there, there."

Neighborhood Photo Surveyors generously provided their time in a public-spirited program to assure that the Corvallis of today endures tomorrow. They are indeed Place-Keepers.

May 2013 Historic Preservation Month

"See! Save! Celebrate!"

Presented by Benton County & City of Corvallis Historic Resources Commissions & PreservationWORKS

All events are FREE and open to the public. Some programs require reservations

- All May** **Corvallis Library Book Selections**
Monroe & NW 6th St
During preservation month, the Library features preservation titles for those who enjoy historic resources.
- 3** Friday **Rayburn Addition Tour**
4:00 pm, Meet at 406 NW 6th Street, corner of Harrison & NW 6th
One of Corvallis's oldest neighborhoods, this easy walking tour features homes ranging from the historic 1856 Biddle-Porter House to a 1926 Spanish revival stucco dwelling, and includes many unique and distinctive homes.
Doug Eaton, Benton County Historic Resources Commission
- 4** Saturday **Work Party at Fiechter House & Cabell Barn**
10:00 am, Meet at Fiechter House, Finley Wildlife Refuge: South on 99W to mile marker 93; follow signs for Finley Refuge.
This is the annual fluff 'n buff before Finley's Open House the following weekend. Come sweep out the 1910 barn and gather owl pellets, or vacuum the 1850s Fiechter House and clean the windows! This volunteer event is sponsored by the City of Corvallis and Benton County Historic Resource Commission and PreservationWORKS.
- 5** Sunday **Finley Digital Photo Workshop and Walk**
1 pm – 5 pm, Finley Wildlife Refuge Main Headquarters: Travel South 10 miles from Corvallis on Hwy 99 to milepost 93. Turn west on Finley Refuge Road. The Headquarters is about four miles up the road.
Join experienced photographer Paul Rentz for an in-depth workshop experience, which will focus on advanced photography techniques. Photographing birds and other wildlife has become increasingly popular with vast improvements in digital technology. Following the in-class session, participants will take a walking tour of

Finley Wildlife Refuge, putting their new photo skills to the test!
Spaces are limited to 18 for this free event, so make your reservation today! **Reservations Required:** email monroemolly@hotmail.com
Sponsor: USFWS William Finley National Wildlife Refuge

- 6** Monday ***Whiteside Theatre Tour***
12 – 1 pm, 361 SW Madison
The 1922 Italian Renaissance movie palace offers introductory tours to this National Register of Historic Places downtown Corvallis icon. Come see the stenciled friezes, garden boxes and fabulous balcony details. Tours are limited to 35 persons; reservation recommended: Reservations@WhitesideTheatre.org.
Louise-Annette Burgess & David Wilson, Whiteside Theatre Foundation
- 7** Tuesday ***Restoration and Butterfly Hike***
1 pm, Bezell Memorial Forest, 37309 Kings Valley Hwy (Hwy 223), approx. 5 miles north of Wren.
Visit the historic 1875 Plunkett House and Barn, today the home of the Bezell Forest Education Center. Then join the Benton County Natural Areas and Parks on moderate terrain to hike through mixed forest, where you will experience larkspur, exotic wild ginger, trillium and Indian pipe. The loop trail leads to an upland prairie where restoration efforts are expanding habitat for Taylor's checkerspot butterfly. Discover why this butterfly is so unique and rare. If conditions allow, we might get lucky and observe them in flight! Contact Information: Al Kitzman, 541-766-6018
Sponsor: Benton County Natural Areas and Parks
- 8** Wednesday ***Franklin School Neighborhood & Tree Tour***
2-3 pm, Meet at Franklin School, 750 NW 18th St, east entrance under the Pin Oak
Go green; take a neighborhood walk! Celebrate the enduring companionship of heritage trees in the historic Franklin School Neighborhood. This one-hour guided tour includes the 1889 Franklin Square Park, Corvallis' oldest park and home to more than 15 different tree species. Sponsor Group: Jobs Addition Neighborhood Association (JANA) Tour Guide: *Lynn Larson*
- 10** Friday ***Tyee Wine Cellars Bonfire and Wine Tasting***

6-8pm, 26335 Greenberry Rd

Come enjoy an evening at Buchanan Century Farm, home of Tye Wine Cellars along Muddy Creek south of Corvallis. This unique landscape is being actively restored to historic wetlands and marshes by the landowner, Dave Buchanan along with the Natural Resources Conservation Service, Institute for Applied Ecology, and U.S. Fish and Wildlife Service. Come learn about restoration efforts and hopefully take a tour of the Restoration Loop if conditions are appropriate. Bring a picnic and stay after for an evening of wine tasting, and storytelling around the bonfire.

Sponsor: Tye Wine Cellars at (541)753.875, www.tyewine.com

11 Saturday

Finley Wildlife Refuge Open House

South on 99W to mile marker 93; follow signs for Finley Wildlife Refuge

10 am – 3 pm, Join us at William L. Finley National Wildlife Refuge for a day full of adventure and activities. Start your journey at the Complex Headquarters near Bellfountain Road, or from the east entrances at Prairie Overlook or McFadden's Marsh near Hwy. 99W. Pick up your Wildlife Passport and continue through the designated stations earning your stamps. Learn how fire can help wildlife. Look back to a time before Oregon became a state with a tour of the historic Fiechter House. Learn about local wildlife from the Audubon Society of Corvallis. See how experts take photographs of wildlife! Watch how horses are used to remove logs in sensitive areas on the Refuge. Catch a glimpse of raptors above the open fields or blooming native wildflowers. Take a guided Behind the Scenes tour with Refuge staff at **10am, 12pm or 2pm. (registration required** – sign-up ahead of time by calling 541-757-7236). Restroom facilities and light refreshments (while supplies last) will be available. Present your stamped Wildlife Passport, and select from several mementos to take home. Keep a look out for the Blue Goose!

Wildflower Walk

2:00 pm, Meet Woodpecker Loop Trailhead, Finley Road
Join the Native Plant Society of Oregon's Esther McEvoy for a Wildflower Walk at Finley! For those attending the Refuge Open House, simply extend your visit to this beautiful natural area with walk and discussion about the abundant wildflowers that grace

Finley's prairies, wetlands, and oak savannas. This one mile loop is fun for all ages with many species of plants and wildlife to observe along the way. sponsored by the Native Plants Society or Oregon *Sallie Gentry, William L. Finley National Wildlife Refuge*

- 12** Sunday ***OSU Walking Tour, Mothers' Day***
2:00 pm, Meet east side of Benton Hall, 14th St near Monroe
Tour limited to 20 persons; for reservations (541) 737-0540
OSU is Corvallis' newest historic district with more than 80 contributing structures and the only Oregon Campus listed in the National Register of Historic Places. Learn about the development of campus structures, and early Olmsted and Taylor campus plans, quads, and view sheds. Appreciate the most comprehensive collection of distinctive John V. Bennes-designed buildings.
Larry Landis, OSU Archivist
- 18** Saturday ***Courthouse Window Sale! - Tentative***
8:00-Noon, 360 SW Avery Ave, Public Works parking lot.
Own a piece of the historic Benton County Courthouse, 125 years old this year! The windows removed in 19__ will be sold to the public, many sizes and shapes. Add historic value to your special home project with a lovely wood-framed window from the courthouse.
- 18** Saturday ***Adair Village Tours***
1:00 – 4:00 pm, details to be determined
- 27** Monday ***Memorial Day Ceremony at Crystal Lake Cemetery***
10:00 am, Crystal Lake Cemetery, 1945 SE Crystal Lake Drive
Listed in the National Register of Historic Places, Crystal Lake Cemetery was established in 1860. Joseph Alexander deeded 5.3 acres of his 1849 Donation Land Claim to the Masons' Corvallis Lodge #14 for a cemetery. This annual ceremony honors courageous heroes who served and sacrificed for our freedom.
Judy Juntunen, Crystal Lake Cemetery Committee
- 30** Thursday ***Annual Preservation Awards Ceremony - Children's Farm Home Old School, 4455 Hwy. 20, Corvallis***
5:30 pm, Tour of the renovated Old School, **6:00 pm** - Ceremony
Each year the Corvallis and Benton County Historic Resources

Commissions and PreservationWORKS recognize outstanding contributions to the preservation of historic resources. This year's celebration will feature an photo-illustrated presentation by Cheri Galvin, Development Director of the Farm Home, on the fascinating history of this unique place, from its inception to the present.

The Awards Ceremony immediately follows to acknowledge those leaders and stewards, who demonstrate outstanding commitment to maintaining, protecting, and celebration our shared heritage.

*Bob Richardson, City of Corvallis, Planning Department and
Chris Bentley, Benton County Planning Department*

TBA

Historic Downtown Corvallis Walking Tour

1:00 pm Meet at Riverfront Park Fountain, Jackson & NW 1st St
Once a shipping point, warehouse district, and industrial area, today's Riverfront Park honors downtown Corvallis' early past. Appreciate the sites that built the early local economy. Linger where historic rehabilitation projects fostered dynamic retail growth along 2nd Street. Learn how downtown changed, and yet remained the same inviting place to meet friends, dine, shop and conduct business.

Mary Gallagher, Benton County Historical Society & Museum

TBA

Fort Hoskins Commander's House Tour - New!

1:00 pm, Meet at Fort Hoskins, 38150 Hoskins Road, Philomath
Visit this important piece of early Oregon history, rescued from oblivion, returned this year to its original location at Fort Hoskins. Bring a picnic lunch and enjoy the wildflowers.

TBA

H Bar H Dude Ranch Tour at Lumos Winery

2:00 pm 24000 Cardwell Hill Drive, Philomath
Hear tales of the 400-acre H Bar H Dude Ranch, which encompassed this site in the 1940s, and was a haven for riding, wrangling, fishing, Western dancing and ranch dinners. Two of the cabins remain, converted to use by the Lumos Winery.

TBA

Harris Covered Bridge Tour at Harris Bridge Winery – New!

4:00 pm 22937 Harris Road, Philomath
Tour the Historic Harris Covered Bridge, site of the village of Harris in years gone by. Owners of the adjacent Harris Bridge Vineyard

will regale visitors with stories of the past, when this part of the county was a busy little railroad stop.

TBA

Atomic Ranch Homes Tour

4:00 pm, Meet at Lincoln & NW 15th at Dixon Creek

Ranch-style houses, a uniquely American domestic architectural style, are long and low. Many ranch neighborhoods like those in Corvallis developed during the post WWII "Atomic Age," when housing demand for returning servicemen boomed. These homes reflect an informal and casual life style and the auto-culture of their time. *Doug Sackinger, Benton County*

DRAFT

CITY OF CORVALLIS
MINUTES OF THE PARKS, NATURAL AREAS AND RECREATION BOARD
APRIL 18, 2013

Attendance

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

Staff

Karen Emery, Director
Steve DeGhetto, Assistant Director
Jude Geist, Parks Operations Supervisor
Jackie Rochefort, Park Planner
Terry Nix, Recorder

Absent/Excused

Carolyn Ashton

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
Introductions	X		
Approval of Minutes	X		
Visitors' Propositions	X		
SAGE Garden Update	X		
Avery Park Community Garden Relocation Proposal			Motion passed to approve relocation of Avery Community Garden conceptually and to leave it to staff to determine the exact location and size.
Contracting Out Parks and Recreation Services			Motion passed to approve a letter to the City Council on this issue with modifications suggested during discussion.
Levy Renewal Discussion			Motion passed that the Board express support for two distinct measures – one for the library/parks and recreation and another for public safety
Board/Liaison Reports	X		
Staff Reports	X		

Adjournment			The next Parks, Natural Areas and Recreation Board meeting is scheduled for May 16, 2013, 6:30 p.m., at the Downtown Fire Station, 400 NW Harrison Boulevard.
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CONTENT OF DISCUSSION

I. CALL TO ORDER: Chair Betty Griffiths called the meeting to order at 6:30 p.m.

II. INTRODUCTIONS

III. APPROVAL OF MINUTES – March 21, 2013

MOTION: Linda Wolfenbarger moved to approve the March 21 minutes as presented. Phillip Hays seconded the motion and it passed.

IV. VISITORS' PROPOSITIONS: None.

V. SAGE GARDEN UPDATE

Assistant Director Steve DeGhetto introduced Jen Brown, Director of the Edible Corvallis Initiative, a Corvallis Environmental Center (CEC) program. He said an update on activities at the Starker Arts Garden for Education (SAGE) and the Dunawi Creek Community Garden is included in meeting packets.

Jen Brown said there are three community gardens – Avery Park Community Garden, Dunawi Creek Community Garden, and the Starker Arts Garden for Education (SAGE). The Dunawi Creek garden serves about 100 families. The adjacent SAGE is run differently than traditional community gardens in that the work is done by volunteers and all of the food is donated to relief agencies in Corvallis. The SAGE is primarily supported through donations and has been growing over the last five years. This year about 6,744 pounds of food was donated to eight hunger relief agencies.

DeGhetto said the City has applied for a grant that would facilitate the SAGE teaching one of the Parks and Recreation Department’s youth activities. Even if the grant is not received, he hopes to find a way to go forward with the plan which would give kids an opportunity to get physical activity and good food.

Brown said the SAGE is a good example of partnership between the City, a nonprofit, and local businesses. The City provides the land and water; the CEC provides maintenance, programming and staffing; volunteers do the work; and local businesses make donations.

Marc Vomocil asked what Brown would choose to do differently if there were additional resources. Brown said that she would like to have an outdoor classroom to allow for year-round classes and cooking demonstrations. Planner Jackie Rochefort noted that the

project is included in the City's Capital Improvement Program with an unidentified funding source.

VI. AVERY PARK COMMUNITY GARDEN RELOCATION PROPOSAL

DeGhetto drew attention to the written staff report. He said the Avery Park Community Garden is located in a floodplain and in an isolated area that is not visible from the road. In its current location, the garden is subjected to seasonal flooding and is not accessible for gardening until May or June of each year. The location has limited accessibility and issues with pilfering and security. The CEC would like to work with the City to move the garden to a more suitable site within Avery Park. The site east of the Thompson Shelter and west of the Fire Side picnic area has been determined as the area that would best match the vision of the Parks & Recreation Master Plan and the needs of the community garden. The proposed garden footprint would be 100 feet x 50 feet for a total of 5,000 sq feet of garden space.

Brown said advantages to the proposed site include increased ADA access and the move would be a great way to highlight and celebrate the Community Garden Master Plan. She said the CEC will have a group of volunteers doing service in the community for a month toward the end of May and it would be great to use that service to get the new garden started. She said there is a demand for garden plots in Avery Park but some people are not comfortable going down to the current site.

Hays noted that the grassy area between the shelters might be a good place for pickup softball games, etc. He asked if consideration was given to siting the garden at the turnaround at the end of the road. DeGhetto said that was considered but shading and lack of morning sunlight created challenges with that site. Staff has not observed the proposed site being used much for recreation.

Kevin Bogatin asked if there is irrigation available. DeGhetto said there is water service adjacent that can be tapped into.

Joshua Baur asked if staff projects a change in water consumption. DeGhetto said there is no water consumption there now so there will be an increase.

Baur asked if consideration was given to potential conflicts with kids running around in the area of the garden. Director Emery said there is the potential that there would be fencing around the garden to address that issue.

Griffiths asked if consideration was given to angling the garden so it is not so close to the smaller shelter. DeGhetto said the garden is about 150 feet from the shelter. Parks Operations Supervisor Jude Geist added that the drawing shows an area that is about double the size of the proposed garden area.

Baur asked if staff anticipates parking or traffic issues associated with having more gardeners. DeGhetto said that there are about 200 parking spaces topside, that Avery Park is very accessible, and that many gardeners would likely walk and bike to the site.

Tatiana Dierwechter said that there is an opportunity to do community outreach and make the garden very inclusive.

MOTION: Hays moved to approve relocation of Avery Community Garden conceptually and to leave it to staff to determine the exact location and size. Nick Castellano seconded the motion and it passed.

VII. CONTRACTING OUT PARKS AND RECREATION SERVICES

Jon Soule reviewed a letter that he drafted to the City Council from the Board regarding the issue of contracting out Parks and Recreation services. He said he tried to keep the letter short and on topic and to include points made by Board members at the last meeting. The letter indicates that while the Board is certainly in favor of cost-cutting measures, it feels that the directive to look at contracting out recreation services is not the best use of staff time, particularly since these programs are largely paid for by users and the cost recovery program was just recently implemented.

City Council Liaison Joel Hirsch suggested that the letter include information that the cost recovery model is a nationally recognized effort. Following brief discussion, there was general agreement to add language to the effect that the cost recovery program has been recognized by a number of national organizations and municipalities around the country. Board members suggested additional minor edits.

MOTION: Vomocil moved to approve a letter to the City Council on this issue with modifications suggested during discussion. Wolfenbarger seconded the motion and it passed.

VIII. LEVY RENEWAL DISCUSSION

Griffiths said that the City Council is considering pursuing a public safety levy to reopen Fire Station #5 and add additional police officers. There has been discussion about whether that levy should be rolled into the parks and recreation/library levy renewal. Council has received input, and she agrees with the input, that because the parks and recreation/library levy was so well supported, the two levies should go forward separately. She asked if the Board wants to make a recommendation.

Soule asked if there is a reason that consideration is being given to bundling the two levies. Emery said that Councilor Sorte initially commented that public safety levies can carry other levies; after hearing public testimony, she thinks consideration is being given to keeping the levies separate. Soule said he feels that people need to be able to vote on the issues separately.

Hirsch said that for marketing purposes, he is going to propose that there be three levies – one for public safety, one for parks and library, and one for both. He feels that this gives the voters multiple ways to say yes. Griffiths said she thinks that would be confusing. Hays said he is concerned that having more levies on the ballot would result in people voting against them all. Hirsch said his argument is that the citizens want these services; his idea is that we give them three ways to say yes.

Griffiths said that she has suggested the City do a public survey to see if there is support of a public safety levy before its put on the ballot. She said we know there is support for the parks and recreation/library levy.

Hays questioned whether there would be measures from other jurisdictions on the ballot. Bogatin said there is nothing coming from the School District. Hays said he would check with the Commissioners to see if there is anything planned by the County.

Dierwechter said that this is part of the philosophical discussion about investing resources in prevention rather than enforcement. MacMullan expressed support for keeping the levies separate and allowing the voters to decide.

MOTION: Hays moved that the Board express support for two distinct measures – one for the library/parks and recreation and another for public safety. Soule seconded the motion and it passed.

IX. BOARD/COUNCIL REPORTS

Griffiths distributed a brochure from Friends of Corvallis Parks and Recreation, noting that the nonprofit organization is seeking donations.

X. STAFF REPORTS

Emery said the annual joint meeting of this Board, Benton County, and the Greenbelt Land Trust is usually held each spring. There have been discussions about postponing the meeting to the fall at which time the website will be done, and about possibly holding an outdoor social event. Several Board members expressed support and there were no objections.

Rochefort said we are fortunate to have an outstanding stakeholder group for the Trails Plan which will be part of the updated Master Plan. The stakeholder group has had two meetings and will hold a public meeting in a couple of weeks. She will give a full presentation at the July Board meeting.

Rochefort reported that construction has begun at Coronado Park. She reported that the City did not get the grant for the Marys River Boardwalk but has since applied to the Infrastructure Finance Authority which often provides matching funds for FEMA projects; she will keep the Board updated.

Rocheport gave an update on the Creekside Center project. The applicant has responded to LUBA remand issues and reduced the building footprint. The application still includes a multiuse path but it is no longer tied to MADA credits. The City Council will hold a public hearing on this application on May 20.

Geist said staff has been working with OSU Forestry and community members to develop a habitat restoration plan at Chip Ross Park and adjacent OSU forest land. A grant for \$2,000 has been received from the Soil and Water Conservation District for phase 1 and an application for a grant for phase 2 will be submitted in July.

Emery reported that fundraising is complete for a UV light system in the large pool at Osborn Aquatic Center. The UV system is very important to the community because it allows for less chlorine to be used and improves water and air quality for swimmers. Board member Wolfenbarger, whose mother was a regular user of the pool, was the final contributor.

XI. ADJOURNMENT

The meeting was adjourned at 7:58 p.m.

**WATERSHED MANAGEMENT ADVISORY COMMISSION
MINUTES
April 24, 2013
DRAFT**

Present

Charlie Bruce, Chair
 Jessica McDonald, Vice-Chair
 Creed Eckert
 David Hibbs
 Sheryl Stuart
 Jacque Schreck
 David Zahler
 Richard Hervey, City Council Liaison

Staff

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

Visitors

Xan Augerot
 Ken McCall
 Barb Ellis-Sugai
 Karen Fleck-Harding
 Steve Trask
 Jim Day

Absent

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Call Meeting to Order/Introductions	X		
II. Review of Agenda	X		
III. Review of March 27, 2013 Minutes			Approved
IV. Visitor Comments	n/a		
V. New Business <ul style="list-style-type: none"> • Revised Corvallis Forest Stewardship Plan • 2012 Stream Monitoring Report 	X X		Public input received
VI. Old Business <ul style="list-style-type: none"> • “Know Your Forest” presentation • Watershed annual tour • Next WMAC meeting 	X		May 6 May 29 June 26
VII. Staff Reports	X		
VIII. Commission Requests and Reports	X		
IX. Adjourn			

CONTENT OF DISCUSSION

I. Call Meeting to Order/Introductions

Chair Bruce called the meeting to order and those present introduced themselves. The commission welcomed new commissioner, David Hibbs.

II. Review of Agenda

No changes were made.

III. Review of Minutes

Commissioner Schreck moved to approve the minutes as sent; Commissioner McDonald seconded the motion and the minutes were approved unanimously.

IV. Visitor Propositions

None.

V. New Business

Revised Corvallis Forest Stewardship Plan

Chair Bruce briefly explained the revisioning process stating that the need for revisions and updates to the plan was recognized as early as 2009 and that a WMAC subcommittee worked on initial revisions before turning it over to City staff earlier this year. Mark Miller gave an overview of the content of the revised plan, highlighting key changes and additions and showing updated maps that have been included. The floor was then open for public comment. The only comment received was from Xan Augerot of Marys River Watershed Council. Ms. Augerot complimented the efforts of the commission and the revised plan, and stated that she looks forward to a continued partnership with the City on watershed related issues.

2012 Stream Monitoring Report

Barb Sugai-Ellis, hydrologist for the Siuslaw National Forest, shared her findings after monitoring several stream sites around the Corvallis Forest from June-November 2012. She concluded that the water temperatures in most of the Corvallis Forest streams are meeting state water quality standards and that the reservoir appears to be having an insignificant effect on downstream temperatures.

VI. Old Business

“Know Your Forest” Presentation

Jennifer Ward discussed the “Know Your Forest” public presentation scheduled for May 6 at 6pm at the Corvallis library. The commissioners gave input on display materials and clarified the responsibilities of the commissioners in regard to the presentation.

Watershed Annual Tour

The annual tour of the Corvallis watershed is scheduled for May 29, from 5-8pm. The commission discussed the tentative tour schedule.

May WMAC meeting

Due to ongoing efforts to complete the Stewardship Plan revisions and the two watershed outreach events scheduled in May, the commission agreed not to hold a WMAC meeting in May.

The next WMAC meeting will be held on Wednesday, June 26, 2013 at 5:00pm at the Madison Avenue Meeting Room.

VII. Staff Reports

Mr. Miller reported that the current thinning harvest is proceeding nicely because of the good weather. The City is confronted with a challenge in that the FY13-14 thinning harvest was scheduled to take place this summer, but now the main entry bridge into the watershed is being replaced during that time. The FY 13-14 harvest will therefore begin this spring, at the conclusion of the current harvest, and proceed to the extent that funds are available. Total harvest volume is expected to be somewhat less than the initial projections of 1.1 million board feet.

Mr. Miller also reported that the first part of a two-year Marbled murrelet surveying effort on the watershed will begin in May. Marbled murrelet surveys are being conducted by Turnstone Environmental.

Mr. Penpraze reported that the Rock Creek hydropower project is proceeding slowly. He also reported that he had given a presentation about the Corvallis watershed to a Corvallis Rotary club and was warmly received.

Ms. Ward reported that Trout Mountain Forestry's contract is expiring June 30, and a request for proposals for consultants has been advertised. Both formal and informal questions have been received by several firms. Proposals are due May 15 and a Notice of Intent of Award of a contract will be made May 31.

Ms. Ward also reported that Rock Creek bridge is scheduled to be replaced this summer, beginning July 15. The City of Corvallis is partnering with Siuslaw National Forest to complete the project. The City is working with Consumers Power, Inc. to move utilities and is improving the road through Rock Creek Park to act as an alternate/emergency access road while the bridge is out of commission. The City is also contributing \$150,000 to the total \$518,000 project costs.

VIII. Commission Requests and Reports

None.

IX. Adjourn

The meeting was adjourned at 6:34 p.m.

NEXT MEETING: June 26, 5:00 p.m., Madison Avenue Meeting Room.

MEMORANDUM

To: City Council Members

From: Julie Jones Manning, Mayor

Date: May 16, 2013

Subject: Confirmation of Appointment Corvallis-Benton County Public Library Board

At our last regular meeting, I appointed the following person to the Corvallis-Benton County Public Library Board for the term of office stated:

Paula Krane
Term expires June 30, 2015

I ask that you confirm this appointment at our next Council meeting, June 3, 2013.

1033

MEMORANDUM

To: City Council Members
From: Julie Jones Manning, Mayor 
Date: May 16, 2013
Subject: Appointment to Board of Appeals

I am appointing the following person to the Board of Appeals for the term of office stated:

Denise Ruttan
Term expires June 30, 2014

Denise is interested in getting involved in local politics and land use issues. She has experience as a newspaper reporter covering city government and is a public service communications specialist in the OSU Extension and Experiment Station Communications Department. Her interests include land use, historic preservation, community development, environmental issues, parks and recreation, and preserving open space and natural areas.

I will ask for confirmation of this appointment at our next Council meeting, June 3, 2013.

1034

MEMORANDUM

May 2, 2013

TO: Mayor and City Council

FROM: Nancy Brewer, Finance Director

NB

SUBJECT: **Scheduling Public Hearings**

Staff requests the City Council schedule Public Hearings at 7:30 PM on Monday, June 3, 2013 for:

- A recommendation for the use of State Shared Revenues for FY 2013-2014; and
- Adoption of a budget for FY 2013-2014.

INTER

OFFICE

MEMO



City of Corvallis
Human Resources
541.766.6902

To: Mayor and City Council
From: Mary Beth Altmann Hughes, Human Resources
Subject: Intergovernmental Agreement (IGA) between Benton County and City of Corvallis for Center for Leadership Studies, Situational Leadership Program
Date: May 20, 2013

Issue:

City Council's approval is required to authorize the City Manager to sign an IGA between the City and Benton County.

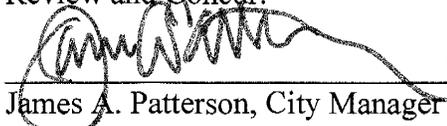
Background:

The program as outlined in the IGA will provide leadership training. Leadership training is a portion of the training program being established for management staff at the City. Management training was outlined as a goal in the internal HR Assessment as directed by the City Manager. The training program will begin in the fall and will be a requirement for all City management staff to attend. The goal of the program is to provide our management staff with best practices in human resources management.

Action Requested:

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to execute the IGA.

Review and Concur:

 James A. Patterson, City Manager 5/13/2013
Date

INTERGOVERNMENTAL AGREEMENT
Between
BENTON COUNTY
and
City of Corvallis
For
Cost Share for Management Training

This Agreement is made and entered into upon execution by and between the City of Corvallis, a municipal corporation of the State of Oregon, hereinafter known as CITY, and Benton County, by and through its Human Resources Office, a political subdivision of the State of Oregon, hereinafter known as COUNTY.

Recitals

- A. ORS 190.010 permits units of local government agencies to enter into agreements for the performance of required duties or the exercise of permitted powers.

THEREFORE, the parties to this intergovernmental agreement agree to the following terms and conditions:

Agreement

SECTION 1. SCOPE OF SERVICES

This Agreement shall be for the purpose of cost sharing for CLS Program Situational Leadership License.

SECTION 2. COUNTY RESPONSIBILITY

- A. County will pay 50% (\$3,147.50) of the Center for Leadership Studies (CLS) Program Situational Leadership license.
- B. County will select a Center for Leadership Studies certified trainer and assist with the arrangement of training dates for up to one year of the purchase date.
- C. County will purchase participant kits (\$127.80 each) for Benton County managers/supervisors.
- D. County will pay \$125 an hour for Center for Leadership Studies certified trainer for Benton County managers/supervisors. Make a check payable to Rich Galvez once training has been completed and an invoice has been received. Address: 2188 Shiloh Ct SE, Salem, OR 97306
- E. County will provide the CLS certified training materials to the trainer once the purchase has been made and materials have been received.

SECTION 3. CITY RESPONSIBILTY

- A. City will pay to County 50% (\$3,147.50) of the Center for Leadership Studies Program Situational Leadership license.
- B. City will purchase participant kits (\$127.80 each) for City of Corvallis managers/supervisors. Contact for the purchase of participant's kits: Grace Quinn at 800-330-2840 x1416 or 760-755-1416.
- C. City will pay \$125 an hour for CLS certified trainer for City of Corvallis managers/supervisors. Make a check payable to Rich Galvez once training has been completed and an invoice has been received. Address: 2188 Shiloh Ct SE, Salem, OR 97306

SECTION 4. PROVISIONS

- A. Contract Period: This agreement shall be effective upon signing by both parties and shall terminate on **April 1, 2014**, unless this agreement is hereafter modified in writing.
- B. Payment: Same day as shipment.
- C. Termination: This agreement may be terminated by either party. Suspension in whole or in part of this agreement by either party will require fifteen (15) days written notice to the other party. In the event of termination, each party shall compensate the other party for all services provided through the date of termination.
- D. Assignability: This contract is for the exclusive benefits of the parties hereto. It shall not be assigned, transferred, or pledged by either party without the prior written consent of all the remaining parties.
- E. Discrimination: The parties agree to comply with all applicable federal, state, and local laws, rules, and regulations on nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, disability, sexual orientation, gender identity or source of income.
- F. Indemnification: To the extent possible under the limits of the Oregon Tort Claims Act, CITY and County shall hold each other harmless, indemnify and defend each other's officers, agents and employees from any and all liability, actions, claims, losses, damages or other costs that may be asserted by any person or entity arising from, during, or in connection with the performance of the worked described in this agreement, except liability arising out of the sole negligence of either party or its employees. Such indemnification shall also cover claims brought against either party under state or federal workers compensation laws. If any aspect of this indemnity shall be found to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this indemnification.
- G. Public Contracts: All parties shall comply with all federal, state and local laws, ordinances and regulations applicable to the work under this agreement, including, without limitation, the applicable provisions of ORS chapters 279A, B

and C, particularly 279B.220-279B.235, as amended.

- H. Waiver: Waiver of any breach of any provision of this agreement by either party shall not operate as a waiver of any subsequent breach of this same or any other provision of this agreement.
- I. CITY and County are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017 which requires CITY to provide workers compensation coverage for all of its subject workers.
- J. Any amendment to this agreement shall be in writing and signed by authorized representatives of both parties.

IN WITNESS WHEREOF, the parties hereto each herewith subscribe the same in duplicate.

 Dennis Aloia
 Benton County Chief Operating Officer
 PO Box 3020, Corvallis, OR 97339-3020

 James A. Patterson, City Manager
 City of Corvallis
 PO Box 1083, Corvallis, OR 97339-1083

Date: _____

Date: _____

Approved as to form:

Approved as to form

 Benton County Counsel Date

 Corvallis City Attorney Date

MEMORANDUM

Date: May 15, 2013
To: Mayor and City Council
From: Ken Gibb, Community Development Director 
Re: March 18, 2013 Collaboration Steering Committee Recommendations

Background:

As noted in the March 27, 2013 memorandum to the City Council (Attachment 1), the Collaboration Corvallis work groups made 14 recommendations to the Steering Committee at the March 18th meeting, all of which were accepted and forwarded to Oregon State University and the City of Corvallis for action. The memorandum also suggested that for some of these recommendations, it would be advisable to have preliminary Council direction prior to engaging staff and community resources in moving these projects forward.

Discussion:

The project management team memorandum to the Steering Committee is provided in Attachment 2 and provides a description of the 14 work group recommendations. Additional background can be accessed via the documents and maps section of the Collaboration Corvallis website.

For review purposes, these recommendations are summarized below with primary implementation assignments identified in ***bold italics***:

1. Support a community policing model by establishing a goal of increasing the ratio of sworn officers from the current rate of 0.96 to 1.2 per 1000 population – ***City***
2. Implement a property maintenance code with a complaint based enforcement model, develop an equitable funding structure to support the program, provide sufficient staffing and utilize education and outreach strategies to engage stakeholders – ***City***
3. Utilize a progressive enforcement strategy to resolve code enforcement complaints – ***City***
4. Seek further information and input from stakeholders to help develop additional programs and policies to address habitability and livability concerns and review options for additional measures to address housing conditions within 2 years of implementing a property maintenance code - ***City***

5. Develop and provide orientation programs to prepare students for living off-campus with topic areas including landlord/tenant laws, pertinent city ordinances, neighborhood livability issues – **OSU and City**
6. Assign a city department to provide support to neighborhood associations and students in coordination with **OSU and City**
7. Develop a Community/Neighborhood Welcome program – **OSU and City**
8. Develop a mediation/conflict resolution service for community members – **OSU and City**
9. Develop and approve Land Development Code (LDC) amendments that related to lot line adjustments and unusable yard areas - **City**
10. Develop and approve LDC amendments related to setback requirements for single family attached units - **City**
11. Develop and approve LDC amendments related to density calculations - **City**
12. Develop and approve LDC amendments increasing public notice requirements for certain land use applications - **City**
13. Develop and approve LDC amendments related to minimum density requirements for infill residential projects - **City**
14. Develop and implement a series of parking management actions including the expansion of parking districts in conjunction with OSU campus parking management actions such as a variable cost pricing structure and enhanced shuttle system – **OSU and City**

The following will discuss the implementation of the above items with a focus on city actions that are needed to move forward. It is noted that two of the recommendations (property maintenance code and parking districts) will be discussed in more detail with City Council direction requested. This is due to the timing, scope and complexity of these particular recommendations.

Item # 1- Increasing the Number of Sworn Police Officers

The City Council has had recent discussions about the need and funding strategies to address public safety services including the addition of police officers. The proposals under consideration would move the Corvallis Police Department staffing toward the Collaboration Corvallis recommendation of 1.2 officers per 1000 (resulting in 13 additional officers) but not achieve that target goal immediately.

The Council has recently determined that public safety enhancements should be supported by a property tax levy rather than through a city services fee. Discussions are ongoing regarding the scope and timing of such a levy. Therefore, City action related to this item will depend on the Council's decision whether to propose a public safety levy and if so, the ultimate decision by Corvallis voters.

Items # 2, 3 & 4 - Property Maintenance Code and related actions

Attachment 3 provides detail and a request for Council direction on the property maintenance code and related actions that would address recommendations 2, 3 and 4. This is primarily a City responsibility but will involve considerable coordination with OSU through the proposed OSU and neighborhood liaison function.

Items # 5, 6 & 7 – Program development to support off campus student living, assigning city staff for neighborhood association support and developing a community/neighborhood welcome program.

These are largely shared responsibilities with OSU. The recommendations identify the need to provide education on rental housing related contracts and laws, education on city ordinances, roommate responsibilities, and relationships with neighbors and livability issues in general and recommends that a city department be assigned the responsibility to provide neighborhood support. Item 5 sets a target date of spring 2013 for the development of a pilot program while items 6 and 7 identify implementation targets for the fall 2013.

Staff notes that City Housing Division staff currently works with OSU in several of these areas such as student orientation on rental housing issues albeit not through a comprehensive and formal program. The Corvallis Police and Fire Departments also currently address some parts of these recommendations.

As described in Attachment 3, the proposed creation of the Housing and Neighborhood Services Division in conjunction with a property maintenance code and expanded code enforcement services would dedicate additional resources to neighborhood issues and liaison work with OSU. It is envisioned that the liaison role would address off campus living programs collaboratively with OSU as well as other aspects of these proposals.

The recommended pilot program target date of spring 2013 is not attainable. However, should the Housing and Neighborhood Services Division concept move forward, additional staff resources could be in place by early 2014 to support these proposals. Resources would be linked to the funding strategy identified in Attachment 3.

Item # 8 – Mediation/Conflict Resolution Service

This has been identified as a shared responsibility between OSU and the City with a target date of fall 2013. The work group envisioned that in conjunction with additional staffing at the OSU Student Conduct office, additional coordination and possibly direct OSU mediation services could be offered.

City staff will work with OSU over the upcoming months on opportunities to move this recommendation forward.

Items # 9 – 13 - Land Development Code amendments

As called for in the Planning work program recently endorsed by the City Council, Collaboration Project LDC amendments will be included in a package to be developed and presented for Planning Commission review and City Council approval later in 2013. The package will include the above recommendations, previous LDC related proposals

approved by the Steering Committee late in 2012 and measures potentially to be presented to the Steering Committee at the June meeting.

One of the potential recommendations coming from the Neighborhood Planning Work Group is the development of neighborhood design standards. Should that proposal and/or related concepts move forward, additional resources will likely be necessary to help develop specific code language. The proposed 2013-14 city budget includes \$25k for this effort as a collaboration related expenditure.

Item #14 – Parking District and Associated Recommendations

Attachment 4 addresses the recommendation to expand parking districts which is the major city implementation responsibility related to the Parking and Traffic Work Group recommendation.

Requested Action:

Staff requests that the City Council review this information, ask questions and provide feedback on the information provided above. In addition, as described in Attachments 3 and 4, preliminary direction is requested regarding moving forward on the Collaboration recommendations related to a property maintenance code and expansion of parking districts.

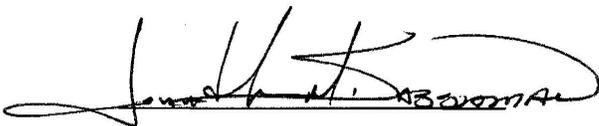
Review and Concur:



Jim Patterson, City Manager



Mary Steckel, Public Works Director



Jon Sassaman, Police Chief



Nancy Brewer, Finance Director

Attachments:

- Attachment 1 - 3/27/13 Memo to Council
- Attachment 2 – 3/13/13 Collaboration Steering Committee Recommendations
- Attachment 3 – Property Maintenance Cod and Related Recommendations
- Attachment 4 – Parking District Recommendation

Memorandum

Date: March 27, 2013
To: Mayor and City Council
From: Ken Gibb, Community Development Director 
Re: Status of City Actions on Collaboration Corvallis Recommendations

Council requested a status report on the Collaboration Corvallis recommendations for which the City is responsible. This report will review the status of recommendations accepted by the Collaboration Corvallis Steering Committee prior to the March 18, 2013 Steering Committee meeting. The Council previously received the full agenda packet for that meeting that included matrices summarizing the various recommendations (dated 1/18/13) and the status of implementation dated 3/1/13). These matrices are attached to this memorandum for reference.

There were several additional recommendations approved by the Steering Committee at the March 18 meeting. A process to address the City related implementation of these recommendations will also be previewed in this report.

Status of Collaboration Recommendations Made Prior to March 18

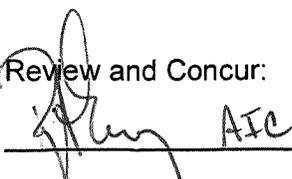
City implementation of some of the previously accepted recommendations is completed, e.g., parking requirements for 4/5 bedroom units, while others are in progress or have been scheduled for future consideration. The attached status review summary provides a snapshot of the actions that are either solely the City's responsibility or are joint efforts with OSU.

March 18 Collaboration Corvallis Recommendations

All of the 14 Work Group recommendations were accepted by the Steering Committee at the March 18 meeting. Many of these have City implementation actions required and include major items such as hiring additional police officers, expanding parking districts and implementation of a property maintenance code. A summary of these items will be presented to the Council in May.

In addition, it is anticipated that at least for some of these recommendations, preliminary direction from the Council will be requested at that time so that staff and community resources can then be invested in moving these projects forward. More information will be developed related to process, timelines, staffing and budget matters and provided to the Council as part of the presentation in May.

Review and Concur:


AIC

James A. Patterson, City Manager

Collaboration Corvallis
Brief Review-Status of City Implementation Actions

Item No.	Item/Work Group	Primary Responsibility	Timeline	Action/Progress	Resources Used / Needed
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Neighborhood Livability

1.1	Off Campus Living Guide	City/OSU	2013	Guide Completed. Funding being sought by OSU for printing	Staff Time
1-2	CDP/State Police Coordination	City/OSU	Ongoing	Communication has been enhanced. More CPD officers needed to expand patrols	Additional Police Officers, Public Safety tax being considered
1-3	SRN warnings	City	Ongoing	Expanded use of SRNs within current staffing levels	Additional Police Officers, Public Safety tax being considered
1-6	ITGA participation	City/OSU	Spring 2013	City/OSU planning to join International Town/Gown Association	Travel/Training Budget
1-7	Safer Universities Project	City/OSU	Spring 2013	Secure national expert to visit on April 9 th	Grant supported project
2-1	Increase alcohol fines	City	Spring 2013	Ordinance amendments being developed	Staff time
2-2	Social host ordinance	City	Spring 2013	Review related ordinances/policy	Staff time
2-3	Monitor SRN effectiveness	City	Late 2013/early 2014	Evaluate progress through survey	Staff time/small budget for survey (\$5,000)
2-4	Gravel parking enforcement	City	Late 2013	Existing conditions survey to enhance enforcement	Staff time/small budget (&5,000)
2-5	Refuse disposal enforcement	City	Early fall 2013	Municipal Code to be amended	Staff time

Neighborhood Planning

2-1 through 2-3	LDC definitions	City	Late 2013	LDC changes	Staff time
2-4	Parking requirements	City	Completed Dec 2012	LDC change to address parking for 4/5 bedroom units	Staff time

Parking and Traffic

4-1	Expanded CTS service	City	September 2012	Implemented	Only needed if funded runs continue to future years --\$30,000
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Item No.	Item/Work Group	Primary Responsibility	Timeline	Action/Progress	Resources Used / Needed
4-5	CTS Vehicle Info Service	City	September 2013	RFP published in March 2013; responses due by April 19 th .	\$500,000 from federal grant plus staff time to implement.
4-6	CTS marketing plan	City	September 2014	City staff met with OSU on February 22, 2013. OSU to do some work and then set next meeting date	\$20,000 from OSU and staff time to implement the plan that is developed
4-7	funding for Loop	City and OSU	With start of FY 13-14	Funding level has been established; beginning discussions with Albany and ODOT on how to move FTA grant funds between MPOs	\$105,000 increase in funding from CTS to Loop to come from FTA grant funds; results in loss of those funds being used on CTS services
4-8	OSU commitment for CTS funding	OSU and City	No timeline	No progress beyond 2013 agreement	TBD
4-9	on-campus transit hub	City	July 2014	City has secured agreement from MPO to do study as part of their FY 13-14 work plan	\$50,000 for the study to come from state planning dollars for transit
4-10	market alternative modes of safe travel	OSU/City	July 2014	City staff to support OSU marketing efforts	Staff time

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Neighborhood Livability	1. Create a sustainable program to mitigate issues associated with having a large student population within neighborhoods.	1. Production and distribution of an "Off-campus Living Guide" modeled after similar documents in use at Michigan State University, Colorado State University, the University of Florida, the University Colorado Boulder, and the University of California at Davis.	Increased awareness of information essential for OSU students to successfully transition to living off-campus.
	a. Develop livability standards that can be used as a guide for municipal code enactment and OSU Student Conduct standards.	2. The Corvallis Police Department, Oregon State Police, and the Oregon State University Office of Public Safety should find new and improved ways to collaborate in order to decrease incident response times, and increase law enforcement presence in the neighborhoods near Oregon State University.	Increased efficiencies in providing consistent community policing and proactive education on local and state laws that address alcohol use, nuisances and disorderly conduct, and other factors affecting neighborhood livability.
		3. The Corvallis Police Department no longer issue warnings for Special Response Notices (SRN), but issue the citation upon the first response instance instead.	In comparison to 2011 totals, a substantial Increase in number of SRNs issued between September and June, resulting in fewer calls for service related to disruptive social gatherings, excessive noise, etc.
		4. Oregon State University should amend the Student Code of Conduct to clearly state that the Student Code of Conduct applies to behavior occurring off campus in the Corvallis community. The University should proactively notify students of the aforementioned change.	Increased awareness by OSU students that the Code of Conduct applies to behavior that occurs off-campus, and that the possible sanctions can be imposed in response to incidents that occur off-campus. This knowledge is anticipated to act as a deterrent of behaviors that impact neighborhood livability.
		5. Oregon State University should increase staffing in the Office of Student Conduct and Community Standards to allow for effective enforcement of the Student Code of Conduct against behavior occurring off-campus. It is estimated that it would require an additional two FTE's to accomplish effective off-campus enforcement.	More effective management of off-campus student conduct; including expanded education programs and more efficient implementation of corrective response.
		6. Oregon State University and the City of Corvallis should establish and maintain membership in the International Town Gown Association; and Oregon State University and the City of Corvallis should send delegates to the next annual International Town Gown Association conference.	Improved access to national research on policies and programs designed to improve the social relationships between a university and its host community.

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Neighborhood Livability (cont.)	<p>1. Create a sustainable program to mitigate issues associated with having a large student population within neighborhoods.</p> <p>a. Develop livability standards that can be used as a guide for municipal code enactment and OSU Student Conduct standards.(cont.)</p>	<p>7. Oregon State University and the City of Corvallis should commit resources necessary to fund Dr. Robert Saltz to provide Oregon State University and the City of Corvallis consultation on best practices for enforcement of underage drinking laws and nuisance statutes.</p> <p>Following the Safer California Universities Project guidelines developed by Dr. Saltz, the Neighborhood Livability Workgroup recommends that the Corvallis Police Department and the Oregon State Police perform targeted, publicized, enhanced enforcement weekends.</p>	<p>Through partnering with the Benton County Strategic Prevention Framework, development of strategies that would be applied community-wide to decrease existing rates of underage and high-risk drinking. This would include the creation of strategy effectiveness metrics that would be periodically measured.</p>
	<p>2. Prepare associated municipal code amendments and student conduct standards and move them through the enactment process.</p>	<p>1. The Neighborhood Livability Workgroup recommends that the City of Corvallis amend Municipal Code Section 5.03.040.010.02 as follows, which would impose minimum fines that are consistent with Oregon Revised Statue section 471.410.</p>	<p>Increasing the existing minimum monetary penalties for providing alcohol to a minor to be consistent with State law is expected to serve as a better deterrent of this behavior than existing minimum fines.</p>
		<p>2. The City of Corvallis should amend Corvallis Municipal Code section 5.03.040.010.10 to be consistent with the attached model Social Host ordinance (see Nov. 26, 2012, memo to Steering Committee). The provisions that impose an escalating fine schedule for repeat offenses, and that clearly state each person who contributes to a violation of the ordinance is subject to the associated penalties are critical for addressing neighborhood livability concerns. It is concurrently recommended that the Corvallis Police Department respond to calls for Social Host violations as a top priority call.</p>	<p>Revising the existing Corvallis Municipal Code Section 5.03.040.010.10, as described, is expected to serve as a better deterrent of this behavior than existing penalties.</p> <p>It should be noted, however, that consistent police response to suspected Social Host violations as a top priority call will likely require an increase in the number of sworn officers employed by the Corvallis Police Department.</p>

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Neighborhood Livability (cont.)	2. Prepare associated municipal code amendments and student conduct standards and move them through the enactment process. (cont.)	3. The City of Corvallis Police Department should continue to monitor the effectiveness of the Special Response Notice (SRN) ordinance and recent decisions to impose SRN cost recovery fees more frequently rather than informal “warnings”, and continue to share citation reports with the Oregon State University Office of Student Conduct and Community Standards. It is further recommended that, before November 2013, the Corvallis Police Department assess whether the perception of improved neighborhood livability conditions exists in those areas of the city currently experiencing frequent disturbances from social gatherings, and consider the potential effectiveness of increasing the existing SRN 30-day probation period and increasing the fees and/or fines currently imposed through the ordinance.	By November 2013, a determination of whether modifications to the SRN ordinance are necessary to improve neighborhood livability. If modifications are required, it is anticipated that implementation would require up to six months.
		4. The Corvallis City Council should direct Community Development Department staff to devise a plan that facilitates effective and consistent enforcement of Corvallis Municipal Code Section 6.10.040.040(6).	Creation of an accurate physical survey of existing gravel parking areas that would be used to enforce against the creation of additional gravel parking areas, as prohibited by Corvallis Municipal Code Section 6.10.040.040(6).
		5. The City of Corvallis should amend Corvallis Municipal Code Section 4.01.070 by removing the words “promptly” and “before it becomes offensive”, and revise the associated language so it is clear and objective.	Increased ease of enforcing Corvallis Municipal Code 4.01.070, making the regulation more effective at controlling the improper management of refuse on private property.
Neighborhood Planning	2. Review current development standards, and identify potential measures that would minimize potential impact from the creation of high density housing in or near lower density residential areas.	1. In order to encourage affordable housing built specifically for low-income residents, who typically have lesser needs for parking, the City Council should direct City Planning staff to develop Land Development Code language that would exempt multifamily affordable housing development, defined as units made available for rent or purchase by households at or below 60 percent of the Area Median Income, from the parking requirements for four- and five-bedroom units.	Removal of a potential disincentive for developing additional housing in Corvallis consistent with Federal regulations pertaining to affordable housing for low-income individuals and families.

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Neighborhood Planning (cont.)	2. Review current development standards, and identify potential measures that would minimize potential impact from the creation of high density housing in or near lower density residential areas. (cont.)	2. The definition of "Family" contained in Chapter 1.6 of the Corvallis Land Development Code should be amended to include the term "domestic partnership", and be inserted after the word "marriage" as it appears in the current definition.	Clarification that the term "Family" includes domestic partnerships.
		3. A definition for the term "Residential Home" should be added to Land Development Code Chapter 1.6, and that the term be added to the existing list of residential use classifications contained in Chapter 3.0. The language for each should be consistent with the definition provided in Oregon Revised Statute Section 197.600(2).	Clarification that a "Residential Home", as defined in Oregon Revised Statute Section 197.600(2), is a permitted use.
		4. The off-street parking standards in Land Development Code Section 4.1.30 should be amended to address duplex, attached, and multi-family dwellings with more than three bedrooms. Units with four bedrooms should require the provision of 3.5 parking spaces, and units with five bedrooms should require 4.5 parking spaces. Similar adjustments to standards for on-site bicycle parking should also be made.	Revising the Land Development Code to include parking standards for multi-family units with four or five bedrooms is expected to reduce the potential for additional neighborhood parking impacts, as well as promote infill development that is more compatible with existing neighborhoods.
	3. Review opportunities to provide housing for OSU students that are compatible within the community. a. Evaluate ways to increase on-campus housing, such as on-campus living requirements, public-private partnerships, etc. b. Consider the merits and means to incentivize off-campus housing in preferred target areas such as downtown Corvallis, greenfield sites, etc.	1. OSU should strive to increase the percentage of undergraduate students living on campus through means such as entering into public-private partnerships to develop housing that is closer to market rates, and developing housing that is attractive to upper division students and allows more independence and autonomy for students. New housing should be designed so students don't have to bring cars to campus and reserves land for future housing demand. Based on a review of on-campus housing supply at comparator institutions identified by OSU in its Strategic Plan, as well as consideration of other factors, it is recommended that 28-30 percent of OSU undergraduate students are able to live on campus by 2019.	Provision of on-campus housing for up to an additional nine percent of the undergraduate student population. Based on data available in the 2011 Housing Study commissioned by University Housing & Dining Services and the number of new multi-family units permitted by the City of Corvallis as of June 2012, the rental housing vacancy rate is expected to increase to roughly 4-5 percent if 28 percent of the undergraduate student population lives on campus. This additional amount of housing on campus would minimize pressure on existing neighborhoods surrounding the OSU campus to accommodate increased student housing.

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Neighborhood Planning (cont.)</p>	<p>3. Review opportunities to provide housing for OSU students that are compatible within the community.</p> <p>a. Evaluate ways to increase on-campus housing, such as on-campus living requirements, public-private partnerships, etc.</p> <p>b. Consider the merits and means to incentivize off-campus housing in preferred target areas such as downtown Corvallis, greenfield sites, etc. (cont.)</p>	<p>2. OSU should include in their Campus Master Plan a chapter on student housing that sets goals, objectives, and targets for the percentage of students living on campus, and incorporates the land use planning necessary to achieve those goals, objectives, and targets. Goals should include providing housing on campus for a minimum percentage of students physically enrolled at the Corvallis campus. A determination of the minimum percentage should consider the potential impacts of OSU’s enrollment growth on neighborhoods surrounding the campus that could be mitigated through on-campus housing. To the extent practicable, the Campus Master Plan should designate preferred sites to accommodate housing for the minimum percentage of students, which will provide greater assurances to University Housing & Dining Services and prospective development partners that land is available for this purpose.</p>	<p>Greater focus through the Campus Master Plan on how and where additional on-campus student housing can be accommodated. The recommended range of 28-30 percent of undergraduate students being able to live on campus should be used as a benchmark for updates to the Campus Master Plan. Identification of specific sites for new housing is expected to facilitate University Housing & Dining Services’ efforts to plan new housing facilities.</p>
		<p>3. OSU place a priority on exploring the use of Public/Private Partnerships and other options that would facilitate development of an innovative on-campus village-style housing project for students, faculty, and staff. Elements for OSU to consider as part of such a project include: (see Nov. 26, 2012, memo to Steering Committee).</p>	<p>Strategic consideration of the use of Public/Private Partnerships to deliver new housing on campus for students, faculty, and staff in combination with retail space and recreational facilities; similar to the West Village project in Davis, California.</p>

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Parking and Traffic	3. Find opportunities to better manage traffic volumes and parking impacts within study area.	<p>1. Increased marketing and educational outreach for existing transportation demand management resources.</p> <ul style="list-style-type: none"> • Increasing awareness of Corvallis Transit System (CTS) routes that directly serve the OSU campus and target areas of Corvallis with high OSU student, faculty, and staff residency. • OSU should develop and distribute educational literature to new and returning students about the trade-offs of bringing a car to Corvallis. <p>OSU increase publicity of its existing rideshare program, which is implemented through the Office of Sustainability in partnership with Cascades West Rideshare and the "Drive Less. <i>Connect.</i>" program.</p>	<p>Within the OSU campus population, increased awareness of the availability and effectiveness of alternate transportation modes that could replace trips made via single occupancy vehicles. See the Aug. 8, 2012, memorandum to the Steering Committee for more information.</p>
		<p>2. Fully fund the on-campus bike-share program currently under development by the OSU Student Sustainability Initiative (SSI) and the Department of Recreational Sports (DRS) that would be available to OSU students, faculty, and staff. (See Aug. 8, 2012, memo to the Steering Committee for more details.)</p>	<p>Expansion of the existing bike rental fleet that is available to OSU students, faculty, and staff, which would increase options for traveling by bike to and from campus on a regular basis, or as needed.</p>
		<p>3. Install wayfinding signage at State Highway 34 bypass intersection to encourage parking at Reser Stadium and the 26th Street parking garage on campus.</p>	<p>Increased awareness by individuals who commute to the OSU campus on State HWY 34 of on-campus parking options. Redirection of trips to the south side of the OSU campus and away from residential neighborhoods along the north boundary that are currently experiencing parking impacts.</p>

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Parking and Traffic (cont.)	3. Find opportunities to better manage traffic volumes and parking impacts within study area (cont.)	4. In order to promote full utilization of available parking on the Oregon State University campus, including under-utilized parking facilities on the east side of campus, at Reser Stadium and in the Gill Coliseum Garage, OSU should undertake full consideration and the implementation in Fall 2013 of a variable pricing on-campus parking program that would create higher parking permit fees for parking in the campus core and in parking lots near the north campus border and lesser parking permit fees in lots at Reser Stadium, other identified lesser-used parking lots and the Gill Coliseum garage.	Increased utilization of on-campus parking facilities such as the parking lots near Reser Stadium and the parking garage near Gill Coliseum, which regularly have utilization rates of less than 25 percent. Decreasing the price for parking in areas further away from the core of campus is also intended to function in tandem with expanded neighborhood parking management off campus to further encourage increased utilization of on-campus parking facilities.
	4. Leverage transit system and OSU shuttle as much possible	1. Annual OSU contribution of an additional \$30,000 to fund CTS service expansions for Routes 5, 6, and C1. (See Aug. 8, 2012, memo to the Steering Committee for more details).	Increased transit ridership on key routes that are heavily used by OSU students, faculty, and staff. Projected ridership increases for the identified service expansions totaled approximately 11,000 trips annually.
		2. Improved schedule and route coordination between CTS and OSU Shuttle.	Reduce the number of single occupant commuter trips to the OSU campus occurring at peak travel times, but also improve service levels for students, faculty, and staff who must travel to and from campus multiple times each day. It will be necessary for staff from the City of Corvallis and OSU's Transit and Parking Services to review the existing routes and schedules to identify opportunities for improving service coordination. Such discussions might also include the logistics of implementing a seamless GPS-based transit vehicle tracking system, which is a new management tool both entities are currently considering independently.

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Parking and Traffic (cont.)	4. Leverage transit system and OSU shuttle as much possible (cont.)	3. The mission of the OSU Shuttle should be immediately redefined to emphasize transit services between on-campus parking facilities on the fringe of campus, future transit hubs serving CTS and the OSU Shuttle, and service to a handful of core campus destinations.	The OSU shuttle provides a critical service for transporting students, faculty, and staff between the campus core and outlying areas. Its ability to operate efficiently is anticipated to become even more important to facilitate changes in on-campus parking management. Reinforcing the mission of the shuttle to focus on these duties is expected to help minimize traffic and parking impacts in neighborhoods surrounding campus.
		4. The OSU-Shuttle should fully implement a GPS positioning system (VIS) for its buses and actively promote public use of mobile applications that provide shuttle users “real-time” information on the location and time at which the shuttle will arrive. It is strongly encouraged that the GPS tracking system compliment and be compatible with GPS tracking information generated by similar systems implemented in the future for the Corvallis Transit System.	Implementation of VIS is expected to improve shuttle ridership due to the ability for riders to more accurately plan trips by having access to real-time data on the shuttle’s location and projected time of arrival at each stop. These benefits are expected to be even more significant if the system is coordinated with a VIS implemented for the Corvallis Transit System.
		5. The City of Corvallis should implement a fully operational GPS system for its buses by September 2013, and actively promote the use of mobile applications that provide CTS users “real-time” information on the location and time in which CTS service will arrive.	Implementation of VIS is expected to improve CTS ridership due to the ability for riders to more accurately plan trips by having access to real-time data on the shuttle’s location and projected time of arrival at each stop. These benefits are expected to be even more significant if the system is coordinated with a VIS implemented for the OSU Shuttle.
		6. The city of Corvallis should adopt; fully fund; and implement a transit marketing and communications plan for CTS that targets at least a 20 percent increase in transit ridership and frequency among residents and employees working within two miles of the OSU campus. This program will be conducted to complement efforts to reduce the impacts of traffic and parking associated with the growth of OSU campus, LBCC Benton Center and employment in the downtown.	As articulated in the recommendation, the marketing and communications plan is expected to generate at least a 20 percent increase in transit ridership. The actual period of time over which this increase occurs was not specified, but should be set by City staff in order to compel adjustments to marketing strategies if ridership gains are not occurring at a significant rate.

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
Parking and Traffic (cont.)	4. Leverage transit system and OSU shuttle as much possible (cont.)	7. A funding agreement should be reached by April 30, 2013 between the cities of Corvallis and Albany, the counties of Linn and Benton, Oregon State University, LBCC and other partners to at least sustain, if not grow, current transit service levels provided by the Linn-Benton Loop.	Sustained service of the Linn-Benton Loop bus routes, which serve commuters who regularly travel between Albany, Corvallis, OSU, and LBCC is expected to help maintain, if not decrease, the number of single occupancy vehicle trips made daily between these destinations.
		8. A historical evaluation and full understanding should be provided related to the 2004 OSU Campus Master Plan commitment that calls upon Oregon State University to fully fund expansion of CTS service as necessitated by OSU growth. The city of Corvallis and OSU should undertake discussions to mutually agree on a defined process and outcomes by which any future transit funding commitments are made by -- or requested of -- the University.	A review of the commitment made in the OSU Campus Master Plan to fund OSU-related CTS service expansions is expected to give both organizations the opportunity to establish a specific and detailed agreement for how, to what extent, and when such funding contributions shall be made.
		9. The city of Corvallis, along with Oregon State University and other regional transit providers should undertake a study to consider the development of a transit hub/transit center located on or adjacent to the OSU Campus. The objectives of this study would be to determine: the cost of creating such a transit hub; whether such a hub would promote -- and to what degree -- increased use of transit services provided by CTS and other regional providers; whether such a hub would more effectively connect and serve the OSU campus and LBCC's Benton Center by transit; whether such a hub would link well to OSU Shuttle service serving campus destinations; variable funding sources for such a hub; and what measurements for expanding transit service to the proposed hub would be utilized. This study would be completed by Aug. 1, 2013.	The expected recommendation outcomes are articulated in its language.

Collaboration Corvallis Workgroup Recommendation Summary

Workgroup	Scope of Work Objectives	Recommendations	Expected Outcomes
<p style="text-align: center;">Parking and Traffic (cont.)</p>	<p>4. Leverage transit system and OSU shuttle as much possible (cont.)</p>	<p>10. The city of Corvallis and Oregon State University should undertake a communications, marketing and public engagement campaign to promote alternative modes of safe travel within targeted residential areas that are within two miles of the core of the University campus. The purpose of this campaign would be to promote the recommendations presented by the workgroup to the Steering Committee for consideration at the November 29, 2012, meeting, as well as any subsequent recommendations regarding alternate transportation modes.</p>	<p>The expected recommendation outcomes are articulated in its language.</p>

Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Neighborhood Livability	No. 1-1 Off-campus Living Guide	Oregon State University <ul style="list-style-type: none"> Office of Student Conduct and Community Standards Division of University Relations and Marketing City of Corvallis <ul style="list-style-type: none"> City Manager’s Office 	6 to 12 months. OSU used existing staff to update guide. OSU’s cost to print is \$2,200. Distributed beginning spring term 2013.	2	Final guide is complete and ready for printing. OSU Division of University Relations and Marketing is coordinating with Benton County Strategic Prevention Framework staff to obtaining funding for production. (12-21-12)
	No. 1-2 Corvallis Police Dept./Oregon State Police coordination	Oregon State University <ul style="list-style-type: none"> Oregon State Police University Office of Public Safety City of Corvallis <ul style="list-style-type: none"> Police Department 	Ongoing; however, initiation of discussions to explore opportunities for enhanced patrols on weekends should occur as soon as possible. Enhanced communication with City and Sheriff’s office using existing OSP staff. Additional staffing necessary (each Sworn Officer @ \$100,000)	Enhanced Communication: 1 Funding additional Sworn Staffing: 5 OSU: 2	CPD has worked with OSP/OSU and OSU Office of Student Conduct enhancing sharing of information beyond existing Mutual Aid agreements. Existing legal limits regarding jurisdiction and enforcement authorization remain. Enhanced patrols require additional officers. CPD and OSP coordinate patrols as appropriate based on known activity.
	No. 1-3 Eliminate Special Response Notice (SRN) “warnings”	City of Corvallis <ul style="list-style-type: none"> Police Department 	Immediate. We’ve implemented strict enforcement of SRN’s and CNP’s. (in-kind staffing/ moderate effort) Additional Sworn Staff: (each Sworn Officer @ \$100,000)	Strict Enforcement: 3 Funding additional Sworn Staff: 5	Police Department has begun issuing SRNs consistent with this recommendation. However, it is anticipated that additional staffing will be necessary to sustain this practice long term. (12-21-12)
	No. 1-4 Amend Student Code of Conduct	Oregon State University <ul style="list-style-type: none"> Office of Student Conduct and Community Standards 	6 to 12 months. Requires OAR amendment that should be in effect by fall of 2013.	1	

NOTES: ¹ Refer to accompanying recommendation summary for full text of each Scope of Work Objective and corresponding recommendations.

² Scale of 1-5, with 1 being “easiest” and 5 being “hardest.”

Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Neighborhood Livability (cont.)	No. 1-5 Increase Student Conduct Staffing	Oregon State University <ul style="list-style-type: none"> Office of Student Conduct and Community Standards 	6 months. Anticipate 2.5 FTE at a cost of \$220K.	3	Additional staffing has been authorized. Anticipate filling these new positions by summer 2013.
	No. 1-6 City/OSU ITGA Membership and Annual Conf.	Oregon State University <ul style="list-style-type: none"> Office of the President City of Corvallis <ul style="list-style-type: none"> City Manager’s Office 	3 to 6 months. Membership: \$800 Annual Conf.: \$2,000 per person; 1 staff member each from City and OSU	1	
	No. 1-7 Consult with Dr. Robert Saltz on California Safer Universities project	Oregon State University <ul style="list-style-type: none"> Office of the President Oregon State Police University Office of Public Safety City of Corvallis <ul style="list-style-type: none"> City Manager’s Office Police Department 	3 to 6 months. Currently coordinating with Benton County Strategic Prevention Framework to pay costs for Dr. Saltz consultation. Dependent upon strategy development Recruitment to hire and realize effective tasks no less than 1 year. (In-kind staff/ Moderate effort) Additional Sworn Staff: (each Sworn Officer @ \$100,000)	Consultation Planning and Coordination: 2 Recruitment & Hiring: 3 Funding additional Sworn Staff: 5	Staff from the Benton County Strategic Prevention Framework and Collaboration Corvallis have contacted Dr. Saltz to identify dates when he could attend meetings in Corvallis with relevant stakeholders, and begin an assessment of opportunities for implementing strategies utilized in the Safer California Universities project. It is currently anticipated that Dr. Saltz will visit Corvallis in April (3-1-13). Enhancing staffing to address underage drinking laws and nuisance statutes through a targeted and publicized campaign require additional staffing and/or officers on overtime.
	No. 2-1 Increase minimum fines for providing alcohol to minors	City of Corvallis <ul style="list-style-type: none"> City Manager’s Office Police Department City Attorney’s Office 	Spring 2013 (Target - end of March) (In-kind staff/ Moderate effort)	2	Staff is developing ordinance modification and reports for council consideration modifying fine amounts to be consistent with State Statute. (3-1-13)

NOTES: ¹ Refer to accompanying recommendation summary for full text of each Scope of Work Objective and corresponding recommendations.

² Scale of 1-5, with 1 being “easiest” and 5 being “hardest.”

Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Neighborhood Livability (cont.)	No. 2-2 Adopt specific elements of a Social Host Ord.	City of Corvallis <ul style="list-style-type: none"> City Manager’s Office Police Department City Attorney’s Office 	Assessment, decisions and ordinance modifications completed by Sept. 2013. (In-kind staff/ Moderate effort) Additional staffing necessary (each Sworn Officer @ \$100,000)	Evaluate/Modify Ordinances: 3 Funding additional Sworn Staff: 5	Social Host ordinance overlaps existing ordinances. A comparative analysis is being conducted to determine if existing ordinances should be modified or updated. Existing ordinances address Alcohol offenses, SRN, CNP, Disturbance and noise issues. Increased investigatory requirements are counter-productive to enforcement efficiencies. Additional staff are needed to enforce at levels desired by the Livability work group. CPD will continue to triage and prioritize calls for service based on nature of call and staffing levels.
	No. 2-3 Monitor effectiveness of SRN ordinance; report by Nov. 2013	Oregon State University <ul style="list-style-type: none"> Office of Student Conduct and Community Standards City of Corvallis <ul style="list-style-type: none"> City Manager’s Office Police Department 	SRN Ordinance modifications for initial response cost recovery is anticipated to be completed by Sept. 2013. (In-Kind staffing/ Moderate effort) Livability Conditions Survey – November 2013. Complete by February 2014 Cost - \$5,000 (In-kind staffing/Moderate effort)	Evaluate/Modify Ordinance: 3 Livability Report: 4	Staff will begin to explore enhancing the SRN ordinance to recover initial response costs. Sharing of information with OSP/OSU and Office of Student Conduct has been improved and occurring now. We recommend the Work Group conduct a survey to assess livability conditions in November 2013. Extending the SRN Ordinance probation period beyond 30 days must consider fairness for residents who didn’t live at the location yet are subject to a second response penalty. Preliminarily this may have legal challenges.

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Collaboration Corvallis Workgroup Recommendation Disposition

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Neighborhood Livability (cont.)	No. 2-4 Gravel parking area enforcement	City of Corvallis • Community Development Department	Completed by December 2013 \$5,000 (In-kind staffing/Moderate effort)	3	Physical survey of existing gravel parking areas to create baseline.
	No. 2-5 Refuse disposal enforcement	City of Corvallis • Community Development Department	Completed by August 2013 (In-kind staffing/Moderate effort)	2	Change Municipal Code language to provide for easier enforcement.
Neighborhood Planning	No. 2-1 Affordable housing parking exemption	City of Corvallis • Community Development Department	December 2013 (In-kind staffing/Minimal effort)	2	Part of LDC Collaboration Package
	No. 2-2 Amend LDC def. of "family"	City of Corvallis • Community Development Department	December 2013 (In-kind staffing/Minimal effort)	2	Part of LDC Collaboration Package
	No. 2-3 Add LDC def. of "Residential Home"	City of Corvallis • Community Development Department	December 2013 (In-kind staffing/Minimal effort)	2	Part of LDC Collaboration Package
	No. 2-4 LDC parking standards for 4- and 5-bedroom units	City of Corvallis. • Community Development Department	December 2012 (In-kind staffing/Major effort)	4	The City of Corvallis has completed the necessary public hearing process for the recommended Land Development Code amendments, and they were implemented as of December 2012. (12-21-12)

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Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Neighborhood Planning (cont.)	No. 3-1 On-campus housing for 28-30% of undergrad students by 2019	Oregon State University <ul style="list-style-type: none"> University Housing & Dining Services 	6 years Growing from current 18% to 30% would be an increase of 3,187 students based on 2019 projected enrollment. Our planned new residence hall costs approximately \$90K/bed. This will leave 2,858 left to grow by 2019. Using this cost/bed, OSU would need to spend approximately \$257M to house to a total of 30% of undergraduates in 2019, using traditional bond financing methods. In addition to additional residence halls, growing to 30% would require an additional dining facility, which would cost approximately \$12M. OSU will be constructing a new 324 bed residence hall in April, opening fall of 2014 at a cost of \$30 million. Hard cost \$21 million, soft cost plus fees \$9 million.	Currently planned residence hall: 3 Plan for future publicly funded residence halls: 5	On-going investments are being made in existing inventory to improve quality of life while minimizing costs to residents. The New Student Residence Hall will begin construction in April 2013. See No. 3-3 for update on PPP that may be able to help address the objective of housing 30% of undergrads.
	No. 3-2 Housing chapter in Campus Master Plan	Oregon State University <ul style="list-style-type: none"> Campus Planning 	18-24 months. Housing will be addressed more thoroughly in the CMP update. No cost, as staffing and funding are already anticipated.	1	

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Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Neighborhood Planning (cont.)	No. 3-3 Public/Private Student Housing	Oregon State University	Timeframe: If project is feasible – 2 years for project completion. Cost associated with project delivery will be based on partnership agreement. In-kind staff / Major effort	Requires legal counsel involvement, market analysis, financial agreements. Requires significant planning and review at each stage: 3	UHDS has completed the first phase - Exploration of Interest: UHDS has developed a first draft of a Request for Proposal (RFP) as the second phase.
Parking and Traffic	No. 3-1 Increased TDM marketing	Oregon State University <ul style="list-style-type: none"> • Division of University Relations and Marketing • Campus Operations City of Corvallis <ul style="list-style-type: none"> • Public Works Department – Transportation Division 	6 to 12 months. Beginning March, 2013, the OSU Sustainability Office and URM will be working collaboratively to increase TDM marketing. Specific costs need to be confirmed with Steve, but it would be reasonable to invest at least \$1000 winter quarter and \$3000 spring quarter. If City's assumption that OSU takes the lead is correct, the cost for the City would be characterized as minimal. OSU anticipates increased TDM marketing as early as this fall if tiered parking is implemented. \$20,000 for marketing materials.	Difficulty of effort to increase marketing (City): 2 OSU: 3	Programs included will be the bike rental program, Drive Less Connect (carpool system), use of CTS and OSU Shuttle, and bicycle and pedestrian options. Methods will begin with print and social media, continued events targeting bicycle and pedestrian commuters and incentive/awards for those using alternatives to the single occupancy vehicle. Recommendations are targeted to the OSU campus population so assume OSU will take the lead. City will provide support/information to OSU for their efforts on campus.

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Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Parking and Traffic (cont.)	No. 3-2 Fund on-campus bike share program	Oregon State University <ul style="list-style-type: none"> • Student Sustainability Initiative • Department of Recreational Sports • Campus Operations – Sustainability Program 	Implemented Jan.7, 2013. Estimated startup costs (Brandon to confirm) were \$3,840 with \$2,000 coming from the Student Sustainability Initiative and \$1,840 (of \$4,000 max allocated) coming from the Collaboration via Steve Clark and Brandon Trelstad. Ongoing O&M costs will be covered by rental fees (\$35/term, \$10/week, \$3/day) and Rec Sports.	2	Operated by Recreational Sports, the bike loan program began operation Jan.7,2013. As of early February, two of the 14 bikes in the fleet were rented. Additional marketing and outreach will occur over Feb. and Mar.2013. Website: http://oregonstate.edu/ssi/feature/20130113-osu-bike-loan-program Contact Brandon Trelstad for more info.
	No. 3-3 Parking wayfinding signage	Oregon State University	OSU to lead. 6-9 months. In kind – Major \$10,000 for signage	OSU: 4 ODOT follows strict guidelines for signage on highways and this may not be a permitted use: 4	Oregon Department of Transportation controls signage on the State highway.
	No. 3-4 On-campus variable parking permit pricing	Oregon State University <ul style="list-style-type: none"> • Campus Operations – Transit & Parking Services 	12 months. Cost – TBD	3	OSU intends to develop variable parking permit pricing with possibly a phased implementation to coincide with the City's execution of parking districts around campus. The first phase could be implemented by Fall 2013 .

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Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Parking and Traffic (cont.)	No. 4-1 OSU funding for expanded CTS service	Oregon State University <ul style="list-style-type: none"> • Division of University Relations and Marketing City of Corvallis <ul style="list-style-type: none"> • Public Works Department – Transportation Division 	Routes implemented September 2012 Cost: \$22,880 No specific agreements in place for FY14.	Difficulty of effort to expand operations: 2	The service expansions have been operational since the end of September 2012. The recommendations and expected outcomes may need to be refined as a result of discussions between OSU and the City on this item. OSU has committed to fund additional runs on three CTS routes (5, 6, and C1) for one year only (i.e. FY 12-13). The funding amount is \$22,880. OSU and the City of Corvallis are finalizing an intergovernmental agreement for one year of funding support for the additional runs. A commitment beyond that one year has not been determined. Based on the previous ridership of the affected routes, a more realistic target for the expected outcome is 8,500 trips (not 11,000)

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Collaboration Corvallis Workgroup Recommendation Disposition

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Parking and Traffic (cont.)	No. 4-2 Improved CTS/OSU Shuttle coordination	Oregon State University <ul style="list-style-type: none"> • Campus Operations City of Corvallis <ul style="list-style-type: none"> • Public Works Department – Transportation Division 	3 to 6 months. (depending on when work completed to set shuttle purpose and schedule) For City, cost is mainly in staff time and is expected to be moderate. OSU – In-kind / Moderate effort	Provided coordination of systems will actually result in expected outcomes (i.e., shuttle is best suited for getting folks around campus from south and west parking areas; CTS is best suited for getting folks to the north and middle of campus. May not be much overlap of riders: 3	Potential for coordination will depend on whether there is overlapping purpose between the two transit systems, on what is the proposed shuttle schedule, and on the specific shuttle route times and stop locations. First meeting to take place in early February 2013. Follow-up work assigned and next meeting to be scheduled by OSU in early March. OSU has implemented GPS units on campus shuttles. City to implement GPS by fall of 2013.
	No. 4-3 OSU Shuttle emphasis as transport between campus fringe and core	Oregon State University <ul style="list-style-type: none"> • Campus Operations – Transit & Parking Services 	OSU - This should be completed by a transit specialist at \$10,000 - \$15,000; 3-6 months. OSU will need one to two more shuttles that are ADA accessible at \$100K each. OSU will need additional drivers from First Student at a cost of \$X.	OSU: 3	

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Collaboration Corvallis Workgroup Recommendation Disposition

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Parking and Traffic (cont.)	No. 4-4 OSU Shuttle implement Vehicle Info Service	Oregon State University <ul style="list-style-type: none"> • Campus Operations – Transit & Parking Services 	3 to 6 months. OSU has implemented a GPS shuttle tracking system the initial cost for the equipment was \$900 and the recurring subscription costs are \$85 per month per bus. To fully implement the system we will need to update signage at all of the shuttle stop locations. Estimated cost for signage updates is approximately \$250 per sign location, anticipating 12 to 15 signs. This could be completed during the summer.	2	Transit & Parking Services staff initiated a VIS trial run in Nov. 2012 and intended to continue the test for several months to determine how to best configure the system. Final purchase and implementation is expected before the Fall 2013 term. (12-21-12)
	No. 4-5 CTS implement Vehicle Info Service	City of Corvallis <ul style="list-style-type: none"> • Public Works Department – Transportation Division 	September 2013 Part of a \$500,000 project	Significant workload to review proposals, secure vendor, configure and install product, and work through bugs: 4	Request for Proposals for VIS system to be published in February 2013. Expected Outcomes text “the shuttle’s location” should be replaced with “bus locations”.

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Collaboration Corvallis Workgroup Recommendation Disposition

Workgroup	Scope of Work Objective No. – Recommendation No. ¹	Organization(s) Responsible for Implementation	Anticipated Implementation Timeframe / Estimated Cost	Magnitude of Difficulty ²	Implementation Status / Comments
Parking and Traffic (cont.)	No. 4-6 City implement CTS Marketing Plan	City of Corvallis <ul style="list-style-type: none"> • Public Works Department – Transportation Division • Oregon State University – Division of University Relations and Marketing 	12 to 18 months. September 2014 \$20,000	No CTS staff capacity or expertise: 5	The recommendation would ideally reflect a joint effort between the City and OSU to develop a marketing plan. CTS does not have the staff capacity or expertise to do this work. City to work with OSU Marketing resources to develop a plan to make progress toward the objectives. OSU has initiated a first meeting. After discussion with staff, a more realistic percentage of increased ridership in both the Recommendations and Expected Outcomes section would be 10% (vs. current 20%)
	No. 4-7 City/OSU funding for Linn-Benton Loop	City of Corvallis City of Albany Oregon State University Linn-Benton Community College Benton County Linn County	May 2013 About \$210,000 needed to make up lost revenue sources for the Loop Negotiations between City of Albany (who runs the Loop) and other partners is complete for FY14 funding amounts. OSU agreed to \$102,000 for FY14, a significant increase above the current FY13 funding level of \$81,900 Corvallis contribution proposed to increase from ~\$20k to \$125k, which means \$100k reduction for CTS service	Difficulty to establish ‘fair’ funding model among partners and to reallocate scarce funds from each agency’s current services to Loop (City): 3 OSU: 2	Historical ridership statistics show 70% associated with either OSU or LBCC. All partner organizations listed have been meeting throughout the winter to discuss possible funding models. A final proposal is being reviewed for approval. No additional support from OSU has been requested for the Loop for FY13. OSU has agreed to the increase noted to the left for FY14. Please contact Brandon Trelstad for more info.

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Parking and Traffic (cont.)	No. 4-8 Evaluate OSU commitment for CTS funding	Oregon State University <ul style="list-style-type: none"> • Division of Finance and Administration City of Corvallis <ul style="list-style-type: none"> • City Manager’s Office • Public Works Department – Transportation Division • Community Development Department 	6 months. To be discussed.	OSU: 2	As noted above, there is an agreement nearly final for supplemental funding for additional runs during FY13, but no commitments have been made for FY14.
	No. 4-9 Evaluate need for on-campus transit hub	Oregon State University Linn-Benton Community College City of Corvallis Corvallis Area Metropolitan Planning Organization	Study completed by July 2014 Cost to support MPO planning effort is major.	Significant work to evaluate need, determine location(s) and perform cost/benefit analysis: 5	City met with OSU in early February 2013. City sought MPO planning support and project is included in MPO proposed work plan for FY 13-14. More realistic schedule is July 2014.
	No. 4-10 Marketing to promote alternate modes of safe travel	Oregon State University <ul style="list-style-type: none"> • Division of University Relations and Marketing • Campus Operations City of Corvallis <ul style="list-style-type: none"> • City Manager’s Office • Police Department • Public Works Department 	July 2014 Cost for City is moderate	Develop, implement, and manage a campaign with constrained staff resources: 4	Objective appears to be to market the changes made as a result of the Collaboration process; therefore timeframe moved to after an expected implementation of the feasible recommendations. City staff will provide support to OSU.

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MEMORANDUM

TO: Collaboration Corvallis Steering Committee

FROM: Eric Adams, Project Manager

DATE: March 13, 2013

SUBJECT: Third Round of Work Group Recommendations

Provided below is the third round of recommendations that have been developed by each of the three Collaboration Corvallis work groups directly in response to the Scope of Work objectives.

I. Neighborhood Livability Workgroup Recommendations

Scope of Work Objective 1 – Create a sustainable program to mitigate issues associated with having a large student population within neighborhoods

- a. Develop livability standards that can be used as a guide for municipal code enactment and OSU Student Conduct standards**

Recommendations

- 1. In order to allow the Corvallis Police Department to return to a Community Policing model that emphasizes cost-effective education and outreach strategies designed to proactively address community livability; to facilitate more consistent and effective enforcement of existing and proposed Corvallis Municipal Code regulations regarding nuisances, disorderly conduct, vandalism, and alcohol violations; to improve the safety of both the community and police officers who respond to the community's calls for service; and to promote and sustain livable neighborhoods throughout Corvallis; the Neighborhood Livability Work Group recommends to the Collaboration Corvallis Steering Committee that the City of Corvallis establish a goal of increasing the ratio of sworn police officers from the current rate of 0.96 per 1,000 residents to 1.2 sworn officers per 1,000 residents.**

Basis for Recommendation

The work group has revisited its recommendation on the topic of police staffing levels, which was originally presented to the Steering Committee at its November 29, 2012, meeting, but

returned for further consideration. In particular, the Steering Committee requested that the work group:

- Investigate whether it would be possible to improve neighborhood livability through more efficient coordination of existing law enforcement staff of the Corvallis Police Department, Oregon State Police, and Benton County Sherriff;
- Consider opportunities for strategic enforcement of Municipal Code regulations that respond to high-profile neighborhood livability issues;
- Discuss whether expanding education and outreach programs might proactively address behavior that detracts from livable neighborhoods;
- Explore whether non-sworn OSU public safety officers or civilian patrols could help with off-campus community policing; and
- Consider additional work load and staffing issues that might impact the City of Corvallis Municipal Court, Benton County Jail, and District Attorney's Office.

Since the November 29, 2012, Steering Committee meeting, the following actions have occurred relative to the five requests noted above.

1. Improved coordination between the Corvallis Police Department, Oregon State Police, and OSU Office of Student Conduct and Community Standards has increased identification of OSU students charged with violations of Oregon law and/or the Corvallis Municipal Code, which instigates follow-up communications with those students by the OSU Office of Student Conduct and Community Standards.
2. The Corvallis Police Department began strictly enforcing the Special Response Notice ordinance, which requires payment of enforcement costs associated with subsequent responses to the same property within 30 days of an initial citation. Increasing and maintaining enforcement of this ordinance at current levels has caused some Corvallis Police Department officers to incur overtime because of existing staffing levels.
3. The City of Corvallis has tentatively been awarded a \$142,000 state grant to implement an electronic citation system, which will significantly improve the efficiency of existing prosecution, data tracking, and administrative tasks completed by the Municipal Court and Police Department.
4. The Corvallis Police Department and Collaboration Corvallis project staff have conducted additional research on police staffing levels from comparator jurisdictions, and, to the extent possible, have taken the associated crime rates into consideration. Additional discussion of these comparators is provided below.
5. The Corvallis Police Department provided the work group with a detailed comparison of the city's total population, OSU's student population, total calls for service, and number of sworn officers for Fiscal Years 1991/1992 and 2011/2012. Fiscal Year 1991/1992 was the last year in which the sworn officer ratio was near 1.2 per 1,000 of total population. See Attachment A for more information.

6. The Corvallis Police Department discussed with the Municipal Court, District Attorney's Office, and Benton County Jail potential impacts to their work loads and staffing requirements if citation rates were increased as a result of a higher ratio of sworn officers. In general the Benton County Jail and District Attorney's Office noted they had been able to accommodate the rate of prosecutions when the Corvallis Police Department's sworn officer ratio was closer to 1.2 per 1,000 of total population, and anticipated being able to return to that same level of service if the current sworn officer ratio increased. They also noted that most citations issued by the Corvallis Police Department are prosecuted by the Corvallis Municipal Court, particularly those often related to neighborhood livability concerns. The Municipal Court anticipates that the new electronic citation system mentioned above will provide additional work load capacity that could accommodate an increased number of citations, assuming an increase occurred.
7. The Corvallis Police Department has had discussions with Collaboration Corvallis project staff, as well as staff from the Benton County Strategic Prevention Framework, concerning enforcement expectations related to recent recommendations to modify existing Municipal Code regulations dealing with alcohol violations. Forthcoming consultations with Dr. Robert Saltz of the Safer California Universities project, and the likelihood of recommendations to institute targeted enforcement and publication of enforcement outcomes, have also been discussed in light of existing staffing levels. Lastly, items related to education and outreach programs that are included with this most recent round of recommendations from the work group were reviewed for potential demands on current police staffing.
8. The Corvallis Police Department has provided the work group with a description of current cost containment initiatives, which include:
 - Reduced annual budget of \$1,600 for volunteer crime prevention and similar community resource programs;
 - Continuation of "No Report Written" (O-6) call for service response, estimated to have saved approximately \$294,000 in office time for 2012;
 - Continuation of the "CopLogic" online reporting system, estimated to have saved \$33,950 in officer time for 2012; and
 - Phone-based reporting by non-sworn staff, estimated to have saved approximately \$55,000 in officer time for 2012.

In addition to this information, the work group has also reviewed the following.

1. Statistical information on the percentage of calls for service logged in 2012 for each of the three Corvallis Police Department districts, as well as the corresponding percentages of total population. The Central District, which includes most of the Collaboration Corvallis Project Area is noted to have 32 percent of the city's population but generated 49 percent of the calls for service. See Attachment A.

2. The work group received a summary of findings from previously conducted surveys and staffing studies related to the community's perception of crime and safety (Attachment A). These include:
- Results from the 2010, 2011, and 2012 City of Corvallis Citizen Attitude Survey, which show that the percentage of respondents who felt safe in their neighborhood or Downtown has decreased by 6 percent and 13 percent, respectively, over the last three years.
 - Findings from a 2011 International City Manager Association (ICMA) Survey, which identified "police services" as the only city service to be a "Corvallis Key Driver", a "National Key Driver", and a "Core Service." Key Drivers are those factors which have the greatest influence residents' opinions on quality of life.
 - A comparison of police staffing ratios for all Oregon jurisdictions that was completed in 2009 by the League of Oregon Cities. At that time, Corvallis had the fourth lowest ratio of all Oregon jurisdictions and the lowest ratio of all jurisdictions with a population of greater than 50,000 people. This information was considered as part of the work group's previous recommendation to increase police staffing to be consistent with other university communities.
 - Findings from a 2008 police staffing study conducted by Matrix Consulting Group, a national firm specializing in the assessment of municipal service provision, which based its recommendation that the City of Corvallis attain a sworn officer ratio of 1.2 per 1,000 of total population on then-current statistical rates for Part I, II, and III crimes, and not comparisons of total population. It also noted that the Corvallis community was prone to overestimating safety, partly due to changes in enforcement practices brought about by the "No Report Written" cost-savings measure described above. Additionally, the study concluded that the Corvallis Police Department had "*insufficient unobligated time for Community Policing*" efforts due to below-average staffing levels.
 - A comparison of the police staffing ratios from a random sample of 12 comparable university communities from across the country, which shows that Corvallis has the second lowest police staffing ratio (Attachment A).

In addition to this information, Collaboration Corvallis project staff also analyzed the police staffing ratios and crime rates for all U.S. jurisdictions with a population between 53,000 and 60,000 people. Of the 83 cities, only 25 are home to a nationally accredited university, and only six of those have a total student enrollment of 20,000 or greater. Corvallis' police staffing ratio ranks second lowest among those cities with a university population of 20,000 or greater, and seventh lowest among all 83 cities.

It is also worth noting that while the Uniform Crime Rate reported for Corvallis (33.2 per 1,000 in 2011) is consistent with the national average, it only captures Part I crimes, which include murders, rapes, robberies, assaults, burglaries, thefts, auto thefts, and arsons. Part II and Part III crimes, which include the spectrum of nuisance, vandalism, disorderly conduct, and alcohol violations that have become increasingly common in some neighborhoods near the OSU campus, are not

captured in the Uniform Crime Rate. Therefore, comparisons of the Uniform Crime Rate from other jurisdictions with similar populations may not be a valid metric for determining an appropriate sworn officer staffing ratio. For this reason, the study completed by Matrix Consulting is likely to be the most accurate indicator of an optimal sworn officer ratio for Corvallis.

3. As noted above, the Corvallis Police Department has instituted a “No Written Report” policy, or “O-6” response, for some calls for service as a means of responding to reduced budgets. In general, these types of calls are often related to Part II and Part III crimes, for which simply halting or disrupting a certain nuisance or disorderly behavior is the most that can be accomplished with current staffing levels. When a call for service is “O-6’d”, no citations are issued, and no contact information is collected for future education and outreach. This enforcement approach has been described by the Police Department as “purely reactive triage”, and is frequently applied to relatively low-level violations that have been documented to negatively impact neighborhood livability with increasing regularity. Over the last three years, the Corvallis Police Department has averaged roughly 12,000 “No Written Report” responses, which, for 2012, equates to approximately 44 percent of all calls for service. Given that the Central District is generating the highest percentage of calls for service, it is reasonable to conclude that neighborhoods within the Collaboration Corvallis Project Area are most impacted by this enforcement approach.
4. The City’s land use planning and community visioning documents also speak to the importance and expectation of adequate public safety resources. The 2020 Vision Statement notes several relevant community characteristics, such as:
 - “a continued public safety commitment makes downtown a safe place at any time of day or night”;
 - “OSU and Corvallis are active partners with a range of shared resources and cooperative agreements to support mutual interests in areas such as fire and police protection...”; and
 - “Corvallis residents determine livability by the quality of the schools, the safety and security of citizens and their property...”

Additionally, policies 10.8.1 and 10.8.2 from the Corvallis Comprehensive Plan highlight the expectation of providing expanded public safety services as the city’s population increases and desire for community policing, traffic and crime prevention grows. These expectations are reflected in Table 2.6-1 of Corvallis Land Development Code Chapter 2.6 – Annexations, through the inclusion of a sworn officer staffing ratio of 1.2 per 1,000 as a livability benchmark and possible criterion for determining whether to annex land into the city limits.

5. Finally, the work group has received commentary from the Corvallis Police Department that, given current staffing levels, it will not be possible to effectively implement many of the work group’s recommendations concerning enforcement of certain Municipal Code ordinances, or consistently participate in education and outreach programs proposed in response to Scope of Work Objective 3. Based on research conducted as part of the

Collaboration Corvallis project, and by specific members of the work group, many of these strategies have been implemented in other university communities and were demonstrated to have significant positive impacts on neighborhood livability.

Given these considerations, the work group reiterates its conclusion that increasing the existing police staffing ratio to be consistent with and supportive of the community's own public safety goals is essential for promoting and sustaining livable neighborhoods.

Scope of Work Objective 3 – Develop a funding mechanism to support an enhanced code enforcement and student conduct program.

a. Create outreach and informational programs as key components of the new Program

At the outset of its efforts to address Scope of Work Objectives related to the Neighborhood Livability track, the work group articulated a set of 12 goals that has served as a guide for strategy development and assessment. The six following goals relate to Scope of Work Objective 3.

- Decrease the current amount of high risk drinking.
- Decrease the amount of junk/trash and vandalism.
- Identify resources necessary to establish and/or maintain efficient and effective responses to conduct issues.
- Increase prevention and education.
- Quiet, safe, and clean neighborhoods.
- Create a landlord training and accountability program.

These goals respond to testimony received by the work concerning property maintenance conditions and tenant conduct that can have negative impacts on neighborhood livability. Property maintenance concerns include excessive accumulation of debris and refuse, illegally parked vehicles, general deterioration of a dwelling's exterior (e.g., old paint, cracked and decaying siding, broken windows, unmaintained roofing, etc.), and lack of regular landscape maintenance, all of which can detract from the aesthetics of a neighborhood. Tenant behaviors related to frequent disruptive social gatherings, loud noise, and other forms of disorderly conduct were also repeatedly cited as adversely affecting neighborhood livability. In general, the complaints regarding these issues seemed to be associated with rental housing units more often than not. Of primary concern was a perception that rental property managers and landlords are either not aware of property maintenance issues and tenant behavior, or are not willing to address these issues in order to mitigate impacts on the surrounding neighborhood.

As part of its review of "best-practices" research compiled by Collaboration Corvallis project staff, the work group identified implementation of a Property Maintenance Code and Rental Housing Licensing program as a potential solution for these issues. Six public meetings were held on this concept to assess the effectiveness of similar programs implemented in other university jurisdictions, gain public input from a diverse set of stakeholders, and discuss the associated trade-offs and potential unintended

consequences. Through the course of receiving additional public testimony, the work group became aware of several concerns from local landlords and property managers concerning the equitability of such a program. The work group also gained a fuller understanding of the types of health and safety impacts to various segments of the community's rental housing tenants that can result from inadequate property maintenance practices.

The work group reviewed and considered the effectiveness of existing rental housing and property maintenance codes administered and enforced by the City of Corvallis. In general, the work group found that these existing codes and programs are inadequate to thoroughly address the spectrum of property maintenance issues impacting both tenants and neighborhood residents. Of particular concern was the need for increased staffing to more efficiently respond to a significant increase in code enforcement complaints. In 2012, more than 850 complaints were received by the City of Corvallis related to Land Development Code, Municipal Code, or Rental Housing Code regulations. Approximately 280 of those pertained to habitability issues, but only 170 could be addressed locally through the existing Rental Housing Code. Currently, there is a backlog of more than 600 code enforcement cases.

Another need identified by the work group was an increase in educational and outreach efforts to inform the community about opportunities for resolving property maintenance issues, as well as identify financial resources that might be available to prevent them from occurring. Several programs researched for this topic include a liaison who works to fulfill this need by facilitating communications between property owners, tenants, neighborhood residents, and local government staff. The City of Corvallis Housing Division staff are currently performing many of these tasks. However, the work group concluded that additional resources are necessary to respond to increasing needs within the community as rental housing becomes a greater portion of the overall housing supply.

Recommendations

- 1. The Neighborhood Livability Work Group recommends to the Collaboration Corvallis Steering Committee that the City of Corvallis:**
 - a. Implement a Property Maintenance Code that applies to all properties;**
 - b. Create, through subsequent political process, an equitable funding structure that gives consideration to demands on the complaint-response system;**
 - c. Provide staffing commensurate with the requirements of the code; and**
 - d. Utilize culturally and linguistically appropriate education and outreach strategies to engage community stakeholders to better understand and reduce barriers to complaints**

Basis for Recommendation

Testimony to the Neighborhood Livability Work Group from community stakeholders and local experts has illuminated significant health, safety, and neighborhood livability concerns (e.g., overcrowding, mold, illegal housing units, inadequate exterior maintenance, and solid waste accumulation) that are not adequately addressed by existing, locally-enforced housing codes.

Testimony suggests that such conditions can be the result of tenant and/or landlord actions, and that impacts to neighborhood livability resulting from these conditions have increased over the past several years. In addition, testimony indicates that many community members do not utilize the current complaint-driven rental housing system due to fear of intimidation or eviction, language barriers, and/or lack of awareness.

A Property Maintenance Code (PMC), with adequate staffing and resources, would provide an important and immediate first step in addressing these concerns. Furthermore, culturally and linguistically appropriate, targeted education, outreach to and engagement with community stakeholders are essential in order to better understand and address barriers to the current complaint-driven system. A Neighborhood Liaison position has the potential to assist with these efforts. An equitable funding structure that gives consideration to resource demands on the complaint-response system should be determined by the City Council through subsequent political processes.

- 2. The Neighborhood Livability Work Group recommends to the Collaboration Corvallis Steering Committee that the City of Corvallis utilize a progressive enforcement strategy as part of the process for resolving complaints related to habitability and livability codes.**

Basis for Recommendation

Testimony provided to the work group from the community (including students, at-large renters, landlords, property managers, and City of Corvallis staff) reflects a divided argument between two positions. Renters believe there is a need for additional property maintenance oversight while property managers and landlords disagree. It is estimated that 30% of the approximately 13,000 rental housing units in Corvallis are in need of some type of improvement to comply with locally enforced safe housing codes, Oregon Landlord/Tenant Law, or requirements addressed through a typical Property Maintenance Code. At present, City Code Enforcement Staff are faced with a backlog of over 600 complaints, approximately 75% of which are estimated to be related to rental housing, and 20% are estimated to be associated with property owners who have multiple complaints. The maximum civil penalty for failure to comply with a Notice and Order under the existing Rental Housing Code is \$250 per day, while most violations of the Land Development Code are punishable by a maximum fine of \$500 per day. Staffing limitations aside, the current code enforcement process does not include a progressive enforcement strategy with increasing fines for repeat violations, which, if adopted, could act to diminish the prevalence of livability and habitability issues currently impacting Corvallis neighborhoods; particularly those within the Collaboration Corvallis Project Area.

- 3. The Neighborhood Livability Work Group recommends to the Collaboration Corvallis Steering Committee that the City of Corvallis:**
 - a. Support collaborative efforts to seek additional information and input from diverse stakeholders to develop additional programs and policies to address concerns raised, and**

- b. Review options for additional policies or programs needed to address housing conditions (e.g, a rental licensing program with mandatory inspections, a performance-based inspection model, an enhanced inspection model that focuses on problem areas and/or landlords, self-monitoring by property managers) within two years of implementing a Property Maintenance Code.**

Basis for Recommendation

A number of solutions, such as a rental housing licensing program with mandatory inspections, a performance-based inspection model, an enhanced inspection model that focuses on problem areas and/or landlords, and a system of self-monitoring by property managers, have been proposed as responses to livability concerns. However, the work group believes further investigation and consideration are needed before adopting any particular approach beyond implementation of a Property Maintenance Code. Although qualitative data concerning the conditions of housing stock and barriers to utilizing a complaint-driven system exist and warrant action, more comprehensive, quantitative data are needed to fully understand the scope of these issues.

Therefore, during the first two years of implementation of a Property Maintenance Code accompanied by increased staffing and community outreach, additional information should be collected on: benefits and gaps of the new Property Maintenance Code, conditions of local housing stock, dynamics related to a complaint-driven system, and potential programmatic solutions. Furthermore, during this period of assessment, opportunities exist for continuing to engage diverse community stakeholders (e.g., property owners, managers, and brokers; student groups; housing experts; City and County staff; cultural groups; and the faith community) through participatory public processes (e.g., public meetings, work groups, and/or a health impact assessment) to better understand current conditions and seek solutions.

A commitment to review the issue within two years of implementation provides time to observe the impact of the Property Maintenance Code, seek additional information, work collaboratively with community stakeholders, and ensures that the City is committed to addressing these concerns.

Scope of Work Objective 4 – Evaluate and implement opportunities to utilize students, peers, and neighborhood volunteers in outreach and informational programs

In order to respond to this Scope of Work Objective, the work group has reviewed education and outreach programs from several comparator universities that place an emphasis on assisting students as they transition to living in the community. Included in this review were programs from the following institutions:

- Cornell University
- Michigan State University
- Ohio State University
- Penn State University

- Purdue University
- Texas A&M University
- University of Arizona
- University of California at Davis
- University of Illinois
- University of Wisconsin

Recommendations

1. **The Work Group recommends to the Collaboration Corvallis Steering Committee that OSU, with assistance from the City of Corvallis, develop and provide orientation programs that prepare students for living off campus. Based on models from other universities that were research to develop this recommendation, the following elements should be included:**
 - a. **Education on rental housing, including lease contracts and Oregon’s landlord/tenant laws.**
 - b. **Considerations for selecting roommates and managing household responsibilities.**
 - c. **Process for initiating utilities and refuse collection services**
 - d. **Education on city ordinances concerning on-street parking regulations, nuisance behaviors, noise, alcohol possession and consumption, and others.**
 - e. **Awareness of neighborhood livability issues and effective ways to establish and maintain mutually respectful relationships with neighbors.**

Assuming commensurate staff are available, it is further recommended that OSU and the City of Corvallis strive to implement a pilot program before the end of the Spring 2013 term.

Basis for Recommendation

Currently there is no organized orientation provided for students preparing or desiring to live off campus. Beginning Fall of 2013, all traditional freshman students are required to live on the OSU campus, which will provide focus opportunities for educating students on these matters before transitioning to off-campus housing.

OSU and the City of Corvallis have knowledgeable and experienced personnel who could provide orientation and programming on how to live off campus in a manner that promotes and supports community livability.

2. **The Work Group recommends to the Collaboration Corvallis Steering Committee that the City of Corvallis identify and assign to a city department the responsibility of providing support to neighborhood associations and student living groups in coordination with OSU. The purpose of this recommendation is to:**
 - a. **Improve and foster communication between neighborhood associations, the City of Corvallis, and OSU regarding neighborhood livability issues.**

- b. Assist neighborhood associations with identifying and securing resources that will improve and sustain their ability to manage neighborhood livability at the neighborhood level.**
- c. Provide neighborhood associations and student living groups with a central point of contact for future community initiatives related to improving and sustaining neighborhood livability.**

It is recommended that this strategy be implemented prior to Fall 2013.

Basis for Recommendation

The citizens of Corvallis living in close proximity to Oregon State University have raised significant concerns about neighborhood livability.

Best-practices in other university towns with effective education and outreach strategies include city government support of neighborhood associations and student living groups. This support might consist of providing staff assistance to facilitate constructive communication regarding livability issues between neighbors; developing neighborhood-specific livability goals and communication plans; and securing third party funding for initiatives that promote livable neighborhoods.

- 3. The Work Group recommends to the Collaboration Corvallis Steering Committee that the City of Corvallis and OSU develop and implement a “Community/Neighborhood Welcome” program with assistance from neighborhood associations and other community stakeholders. The expected outcomes of this strategy include:**
 - a. Setting a positive tone at the beginning of each school year to encourage mutually respectful relationships between neighbors.**
 - b. Supporting related efforts to engage students with neighborhood livability education and outreach programs.**
 - c. Working to diminish hostility toward students that has grown in the community.**
 - d. Providing additional opportunities for community leaders to visibly engage in efforts to support livable neighborhoods.**

It is recommended that this strategy be implemented prior to Fall 2013.

Basis for Recommendation

Due to the concentration of rental housing units in neighborhoods surrounding the Oregon State University campus, many permanent residents and students who live in these areas are new neighbors to one another each year. This dynamic can become a disincentive for permanent residents and students to invest time to become acquainted and communicate openly about their respective neighborhood livability expectations. Several university communities researched for the purpose of devising effective education and outreach programs currently hold a “Welcome

Week”. Anecdotal information suggests that these programs are an important aspect of supporting neighborhood livability.

4. **The Work Group recommends to the Collaboration Corvallis Steering Committee that Oregon State University and the City of Corvallis identify, coordinate, and make available to community members a mediation/conflict resolution service.**

It is recommended that this strategy be implemented prior to Fall 2013.

Basis for Recommendation

Many times there are significant conflicts between neighbors that are difficult to resolve. Typical interventions might not always be successful.

Professional mediation has proven to be a viable solution in many college town communities.

A mediation organization and qualified personnel are located in the local community and are available to assist with dispute resolution. The availability of these resources could be coordinated through new staff in the OSU Office of Student Conduct and Community Standards, who might also be certified mediators.

II. Neighborhood Planning Workgroup Recommendations

Scope of Work Objective 2 – Review current development standards, and identify potential measures that would minimize potential impact from the creation of high density housing in or near lower density residential areas.

- a. **Develop and enact Land Development Code (LDC) language that would implement selected mitigation measures (measures to mitigate impacts to neighborhood character, privacy, parking, and other issues, as identified).**

As part of its ongoing efforts to identify and devise possible amendments to the Land Development Code that would facilitate infill development that is compatible with existing neighborhoods, the work group considered several suggestions from the Avery Addition Neighborhood Association. The following recommendations respond to those items which the work group concluded would support neighborhood compatible development.

Recommendations

- 1. The Work Group recommends that the City of Corvallis explore amending the Corvallis Land Development Code so that lots reconfigured through the Lot Line Adjustment process do not contain “unusable area”, as yet to be defined.**

Basis for Recommendation

The Work Group received public testimony that highlighting the potential for the Lot Line Adjustment process to be used in a way that increases the square footage of an existing lot in order to meet minimum area requirements for certain dwelling types of dwelling units, but do so in a way that may result in additional lot area that is, in practical terms, not usable. For example, a common lot line between two properties could be adjusted to transfer enough area to permit construction of a duplex, but the area transferred could be so narrow or oddly connected to the original lot as to make its use impractical. In this scenario, the property owner would have gained the option of potentially constructing a larger dwelling in comparison to the surrounding development pattern, which may negatively impact the character of the neighborhood and not be compatible with the mass and scale of adjacent dwellings. The subject recommendation is intended to balance the transition of existing neighborhoods to potentially higher density with the desire to preserve historic development patterns and the resultant neighborhood character.

- 2. The Work Group recommends that the City of Corvallis amend the Corvallis Land Development Code so that the minimum required side yard setback distance specified for zero lot line, single attached units is the same as that for a duplex, and that the setback distance be consistent for these two dwellings types in each zone in which they are permitted. However, the Work Group also recommends that a minimum side yard setback distance of 10 feet only be required in instances of infill development, as yet to be defined.**

Basis for Recommendation

Duplexes and zero lot line, single attached dwelling units are currently allowed in the RS-5, RS-6, RS-9, RS-9U, RS-12, RS-12U, and RS-20 zones. In each of these zones, the minimum side yard setback distance for zero lot line, single attached units is eight (8) feet, while the minimum side yard setback for a duplex is 10 feet. The Work Group discussed the potential for two zero lot line, single attached units to have a building footprint, mass, and scale that is similar to that of a duplex, to the extent that, when viewed from the street or adjacent properties, one dwelling type might not be distinguishable from the other. Given these similarities and the effects building massing can have on neighborhood character, the work group determined it was appropriate for the current minimum side yard setback distance for zero lot line, single attached units to be increased from eight (8) feet to 10 feet.

- 3. The Work Group recommends that the City of Corvallis amend Chapter 2.14 (Partitions, Minor Replats, and Property Line Adjustments) of the Corvallis Land Development Code, specifically Section 2.14.30.05.b.2(b), by removing the option to calculate density potential by including up to 50 percent of the area of public street right-of-way that fronts a site.**

Basis for Recommendation

In some instances involving existing lots in established residential neighborhoods, the option of adding up to 50 percent of the area of public street right of way abutting a site causes the resultant density calculation to allow an additional unit that would not otherwise be permitted. For example, in the RS-9 zone, the maximum allowed density is 12 units per acre, which results in a maximum density of 1.38 units, or one unit for a 5,000 square foot lot. When half of the corresponding public street right of way area (approximately 1,500 square feet) is added to the lot square footage, the maximum density increases to 1.79 units or two units.

The Work Group received public testimony on the potential for this provision to allow an additional unit as a result of including the public street right-of-way area, and the resultant potential for infill development to be of greater density than what is observed in the surrounding neighborhood. It has been suggested that this difference between existing density and redeveloped density can negatively impact neighborhood character and unnecessarily encourage the demolition of historic homes to facilitate the development of investment properties. For example, it might be possible to redevelop an infill lot with a duplex that was previously developed with a detached single family home. The subject recommendation is intended to balance the transition of existing neighborhoods to potentially higher density with the desire to preserve historic development patterns and the resultant neighborhood character.

- 4. The Work Group recommends that the City of Corvallis amend Chapter 2.12 (Lot Development Option) and Chapter 2.0 (Public Hearings) of the Corvallis Land Development Code, specifically Sections 2.0.50.04(b) and 2.12.30.04(b), to increase the public notice area for Major Lot Development Options to include all owners and occupants of properties within 500 feet of a site.**

Basis for Recommendation

The Major Lot Development Option process can be used to request and receive approval of variations to numerically based development standards that apply to residential lots. Such requests could pertain to increasing maximum building height, reducing minimum setbacks, increasing maximum lot coverage, reducing minimum parking requirements, reducing minimum window coverage, or standards related to public street improvement, among others. There is no limit to which the base standard can be modified (i.e., up to 100 percent).

The Work Group received public testimony that expressed concerns about the potential for a Major Lot Development Option to facilitate infill development in existing residential neighborhoods and negatively alter the existing pattern of development. However, it is noted the review of such requests is conducted through a public hearing process, and relies on subjective assessment of “compatibility criteria” related to site design, landscape buffering, parking, traffic,

noise, odor, lighting, water quality, transportation, and utilities. In order to inform the public, notice of the hearing for a Major Lot Development Option request is currently mailed to owners and occupants of all property within 300 feet of the subject site. After taking into consideration the potential increased costs associated with expanding the notice area to 500 feet, the Work Group determined that it is in the public's best interest for a larger area to be informed of Major Lot Development Option requests, especially due to their potential to significantly alter standards that were implemented to facilitate compatible development in residential zones.

5. The Work Group recommends that the City of Corvallis amend the Corvallis Land Development Code to allow the redevelopment of residential infill properties at densities that are otherwise below minimum required density.

Basis for Recommendation

The Work Group discussed the existing provisions in the Corvallis Land Development Code that permit "rounding up" to the next whole number when the density calculation for a property results in a fraction of 0.5 or greater. For example, if the calculated maximum density for a given parcel of land was 1.5 units, the owner could build up to two units. A request to eliminate this provision was presented to the Work Group through public testimony.

While a recommendation to that affect was not adopted, the Work Group also discussed the merits of facilitating redevelopment of infill properties at densities that may be closer to the original development patterns, particularly in older historic neighborhoods surrounding the Oregon State University campus. Rather than addressing scenarios related to maximum density, the subject recommendation would not require density intensification. For example, if the calculated minimum required density was 1.5, the owner could choose to "round down" to 1 unit. This option is intended to help foster the preservation of original development patterns, particularly in historic neighborhoods.

III. Parking and Traffic Workgroup Recommendations

Scope of Work Objective 3 – Find opportunities to better manage traffic volumes and parking impacts within study area.

The Parking and Traffic Work Group has expended considerable effort to gain a thorough understanding of the dynamics influencing parking, traffic, and transportation trends related to Oregon State University and other civic, commercial, and residential uses within the Project Area. Based on its evaluation of various technical data and professional analyses, the work group forwards the following recommendations regarding neighborhood parking management for consideration by the Steering Committee. These strategies, if implemented, funded, and sustained over time as part of an aligned, systemic, and improved community-wide parking management strategy, are expected to achieve, in part, the following goals.

- Reduce negative neighborhood parking impacts.

- Promote effectiveness of on-campus parking utilization management.
- Promote use of the Corvallis Transit System and other alternate modes.
- Minimize unintended parking impacts outside of the Collaboration Corvallis project area.
- Implementation of financially self-sustaining parking management strategies.
- Creation of parking management strategies that, across neighborhoods, are effectively implemented, enforced, and financially managed; including the promotion of parking citation payment and collection.
- Strategies that are implemented by September 2013.

In addition to these goals, the work group also adopted the following principles to guide development of parking management strategies.

- “Do No Harm” – to homeowners, such that they will consider selling their homes and moving.
- Refrain from actions that could cause further deterioration to existing traditional neighborhoods and the larger city core.
- “One Size Does Not Fit All” – recognize that all neighborhoods surrounding OSU have distinct needs and parking impacts.
- Parking “hot spots” within close-in neighborhoods need special attention and should be addressed at some point, if not in preparation for the March Steering Committee meeting, then during the next round of strategy development.
- Consider the input from City department directors (Police, Public Works, and Finance).

Based on these goals and guiding principles, the work group identified four potential strategies that could be implemented to address neighborhood parking impacts in coordination with recommendations regarding transit that were previously presented to the Steering Committee. These options included:

- Expansion of existing parking districts;
- Implementation of a “pay to park” system in neighborhoods surrounding the OSU campus using parking meters or some other means of fee collection;
- Development of park-n-ride lots; and
- Construction of additional parking structures on the OSU campus, particularly near the north side of campus.

After assessing the merits of these options based on their potential effectiveness; the cost to implement; the time required to implement; the likelihood of a sustainable revenue source; and input from OSU staff, City of Corvallis department heads, and citizen input, the work group identified the expansion of existing parking districts as the best potential strategy. However, it is

noted that implementation of the three remaining options may be necessary to optimally manage parking demand, both on the OSU campus and within the neighborhoods surrounding it.

Several sources of technical data and anecdotal information were reviewed by the work group as part of assessing the likelihood that expanding parking districts would achieve the goals noted above. This information includes:

- February 2012 Oregon State University Base Transportation Model Survey – an annual survey of the transportation modes used by students, faculty, and staff to travel to and from the OSU campus. In addition to the mode used, the survey also asks participants to identify the point of origin and destination for trips to the campus.
- April 2012, Collaboration Corvallis, On-street Parking Utilization Study – a field survey of on-street parking utilization for all public streets within the Project Area. Counts were collected on one day during the week of Spring Break, and then again on two regular school days. Utilization was counted at roughly 90 minute intervals starting at 7:00am and ending at 6:00pm.
- November 2012, Collaboration Corvallis, On-street Parking and Transit Usage Intercept Survey – individuals who were observed to have parked in neighborhoods north and east of the OSU campus were surveyed to ask about their use of on-street parking, the amount of time it typically took to walk to their destination on campus, their willingness to purchase a permit to park on campus, opportunities to use public transit as an alternative to driving, and their perception of the viability of “park-n-ride” lots.
- January 2013, Collaboration Corvallis, Neighborhood Parking Management Survey – notice of this online survey was mailed to all known occupants and owners of property within the Project Area. Roughly 10 percent of notice recipients participated in the survey. Respondents were asked 41 questions about household demographics, use of on-street parking, degree of satisfaction with on-street parking availability, and support for increased on-street parking regulation. Two of the questions allowed respondents to provide open-ended responses, from which over 600 comments were collected.
- Examination of enforcement, budget, and administration practices for existing residential parking districts.
- Input from key staff from the City of Corvallis Public Works, Finance, and Police departments.
- Review and examination of the Oregon State University on-campus parking system, including permit pricing and utilization trends.
- Consideration of residential densities and the distribution of rental housing properties within the Project Area.
- Review of parking permit allocation trends in existing residential parking districts.
- Identification of commercial and civic uses with the Project Area that place demands on on-street parking.
- Comparisons of neighborhood parking management programs in Eugene and Portland.

- Consideration of public testimony on current neighborhood parking dynamics.

The following key findings were made by the work group through its review of this compendium.

1. Based on data collected during the April 2012, On-street Parking Utilization Study, a majority of blocks within the Project Area that allow on-street parking experience average daily utilization of 50% or greater between 7:00am and 6:00pm, particularly when OSU is in session. However, “hot spots”, or blocks within the Project Area experiencing average utilization of 75% or greater, are prevalent in the neighborhoods near Chintimini Park, and along most blocks immediately south of NW Polk Avenue, west of 7th Street, and north of SW Western Boulevard. These “hot spots” are all within half a mile of the campus boundary.
2. The typical block face within the Project Area has the capacity for approximately 10 parking spaces. A utilization rate of 75% or greater would mean that, at most, two parking spaces would be available to satisfy parking needs for residents, guests, customers, contractors, and other service providers.
3. Based on data collected during the April 2012, On-street Parking Utilization Study, the daily net maximum increase to on-street parking utilization related to commuters is estimated to be approximately 10% of total capacity, or around 700 cars.
4. Approximately 68% of parking spaces available on the OSU campus are used during weekdays; however, most lots near the core of campus experience utilization rates of 85-100%.
5. Assuming a majority of commuters who currently park in neighborhoods surrounding the OSU campus are eligible to purchase a permit to park on campus, sufficient parking capacity exists on campus to accommodate the demand generated by weekday peak commute parking loads.
6. Based on data collected through the February 2012, Oregon State University Base Transportation Model Survey; the November 2012, Collaboration Corvallis, On-street Parking and Transit Usage Intercept Survey; and anecdotal information gained from the City of Eugene, most people are willing to walk up to three quarters of a mile if they can park at no cost. The entire Project Area is within three quarters of a mile of the OSU campus boundary.
7. All on-campus parking facilities experiencing average daily utilization rates of less than 70% are within three quarters of a mile of the campus core (i.e., the intersection at SW Campus Way and SW 26th Street).
8. Based on data collected through the February 2012, Oregon State University Base Transportation Model Survey, approximately 29% of trips to campus are made by walking. A majority of these “walk trips” originated at locations within one mile of the campus core. In comparison, it is estimated that roughly 35% of trips to campus are made by private motor vehicle, 25% are made by bicycle, and 7% are made by transit. Approximately 86% of trips to the OSU campus originate within a quarter mile of an active Corvallis Transit System route with direct service to the campus.

9. Responses gathered through the January 2013, Collaboration Corvallis, Neighborhood Parking Management Survey indicate the following about households with the Project Area:
 - 75% have two or fewer cars.
 - 75% are able to park one or two cars at their residence (i.e., off of the street).
 - 91% regularly park one or two cars on the street.
 - 65% have difficulty finding on-street parking when they need it.
 - 78% usually find on-street parking within one block of their residence.
 - A majority (33%) of residents find it most difficult to find on-street parking between 9:00am and noon on weekdays.
 - 50% of residents feel it's difficult for their guests to find on-street parking when they need it.
 - Approximately 38% of respondents were satisfied with existing on-street parking regulations, while 41% were dissatisfied.
 - Approximately 36% of respondents support increased regulation of on-street parking, while 44% are opposed to increased regulation.
10. In general, responses gathered through the January 2013, Collaboration Corvallis, Neighborhood Parking Management Survey concerning satisfaction with existing on-street parking conditions and the need for increased regulations are positively correlated with distance from the OSU campus, i.e., neighborhoods that are closer to campus are less satisfied and desire increased regulation of on-street parking. An exception to this observation was noted for responses from residents and businesses of existing parking districts, where the degree of satisfaction is greater and desire for increased regulation is less.
11. A majority of residences located within Residential Parking Districts 'A' and 'B' have two or fewer parking permits.
12. Parking District 'A' is characterized by detached single family homes, while Parking District 'B' is developed with a mixture of single family and multifamily dwellings. Most dwellings located in these parking districts were constructed prior to 1952.
13. Approximately 75% of the properties within the project area were developed prior to 1952, which is the first year that the Corvallis Land Development Code contained requirements for on-site parking. These provisions were revised in 1975 to require a minimum of two parking spaces for most single family and multifamily dwelling units. Despite this standard being applied well after most properties within the Project Area were developed, results from the January 2013, Collaboration Corvallis, Neighborhood Parking Management Survey suggest most residences have at least one on-site parking space, if not more.
14. A review of GIS data from the City of Corvallis that differentiates various types of impervious surfaces indicates most properties within the Project Area have a driveway that could accommodate vehicle parking.

15. In 2011, approximately 623 permits were issued for all three existing parking districts. The administrative cost for selling these permits was roughly \$12,000. The current \$15 price of a parking permit was not sufficient to pay for the administrative costs of issuing permits in 2011, resulting in a budget deficit of approximately \$2,655.
16. As of 2012, parking district citations were increased by city ordinance from \$25 to \$40, in part to decrease the likelihood of continuing to administer and enforce the districts at a budgetary deficit. Based on information received from City of Corvallis staff, parking citations are actually being imposed at an amount of \$50 by the Municipal Court. However, a decrease in the number of citations issued annually has not been observed since the increased fine was implemented.
17. Historically, the City of Corvallis has not reserved funds from enforcement or permit sales to conduct assessments to determine whether optimal parking availability is being achieved for residents and businesses within parking districts.
18. Anecdotal evidence provided through public testimony and gained through personal observations made by work group members indicates that on-site parking facilities, such as garages connected to multifamily dwelling units, are not always used for the purpose of parking a vehicle. This choice, made across multiple units within the same or several developments, can disproportionately absorb on-street parking in relation to demand generated by other dwelling types found in adjacent areas.
19. In general, portions of the Project Area that are zoned for higher densities have greater concentrations of rental housing units, some of which are occupied by up to five unrelated individuals, who may each have their own car. Until recently, the Corvallis Land Development Code did not require more than 2.5 on-site parking spaces per multifamily dwelling unit. Multifamily units that were developed consistent with this ratio can cause demand for on-street parking to migrate into lower density areas with fewer rental properties, thereby decreasing the available supply.
20. Except for Group Housing, up to three parking permits can be issued per kitchen to each residence within an existing parking district. Based on permit allocation data for these districts and survey responses that indicate a typical household within the Project Area has two or fewer cars, reducing the number of permits issued per household from three to two would continue to satisfy the expected demand for on-street parking experienced by residents of most dwellings within the Project Area, even when no on-site parking is available. This change would also encourage more efficient utilization of available on-site parking.
21. Reducing the number of permits available per dwelling is anticipated to cause an incremental decrease to current on-street parking utilization rates. However, limiting the number of permits available to each household will also impact the potential program revenue generated through permit sales. Increasing the current price of a parking permit may safeguard against operating a neighborhood parking management program at a deficit; especially if parking citation fines are eventually increased to an amount that effectively decreases illegal parking. In the event of surplus revenue, it could be used to assess program effectiveness and/or conduct more frequent maintenance of parking control measures (e.g., signage and yellow curbs) as part of a parking benefit district system.

In order to address the multiple variables encapsulated by a complex parking system involving numerous user groups and stakeholders, the work group’s recommendation to expand existing parking districts has been divided into 11 parts with the following elements.

1. Area of Parking Regulation – In general, on-street parking should be regulated in neighborhoods within one half-mile of the OSU campus boundary (see Attachment B).
2. Parking District Subzone Configuration – The proposed conceptual parking district subzones have been configured primarily based on the underlying land use zoning designations, such that, to the extent practicable, neighborhood areas with the same or similar zoning designations have been grouped together. Documented on-street parking utilization trends have also been taken into account. This configuration is intended to promote neighborhood character resulting from the corresponding dwelling unit densities in each subzone, as well as encourage efficient utilization of available on-site parking.
3. On-street Parking Availability – On-street parking utilization should be managed and enforced from 8:00a.m. to 5:00p.m., Monday through Friday. To the extent practicable, on-street parking should be managed to afford residents and their guests the opportunity to park within one block of their residence. On-street parking should be managed and enforced so that the maximum weekday average utilization is no more than 70 percent within each of the proposed parking district zones.
4. Permit Allocation – The current allocation limit for residential dwellings is three (3) permits per kitchen, while Group Housing facilities are eligible for up to 20 permits. The work group recommends that each residence within a parking district should be limited to no more than two (2) permits per kitchen, except for Group Housing facilities, as currently defined, which should receive no more than 15 permits. The option to purchase a third “hardship permit” should be provided for dwellings that do not have any on-site parking that meets the minimum dimensions currently stipulated in the Corvallis Land Development Code for driveways and garages.

In general, businesses and civic uses located within the proposed parking regulation zones should receive one (1) permit for each 400 square feet of floor area, as is currently the case in existing District ‘C’. Permits assigned to businesses should be non-transferrable, which is currently not the case in District ‘C’. Businesses along Monroe Avenue, as described in the Corvallis Municipal Code, should continue to receive up to three non-transferrable permits.

In addition to these allocations, contractors and other service providers should be allowed to purchase a non-transferable annual parking permit for \$100 that would authorize parking in all zones. Annually, residents should also be allowed up to 20 free, one day “guest permits”, with the option of purchasing up to 20 more for \$1 each. Issuance of guest permits is currently limited to no more than 10 annually.

5. On-street Parking Management for Civic Uses – The work group acknowledges that the proposed conceptual neighborhood parking management subzones might include certain

civic facilities, such as the Corvallis Senior Center, the Benton County Health Department, and the Benton-Corvallis Library. It is recommended that the following parking permit allocation rates be considered for these uses.

- a. *Corvallis Senior Center* – Due to the variability of use and the potential for complications arising from limited mobility, it is recommended that dedicated on-street visitor parking be provided in close proximity to the Corvallis Senior Center. Adequate on-street parking should supplement the existing on-site parking currently available, and be managed in a way that is most convenient for visitors. That could include issuance of transferrable permits or the use of temporary placards issued for the duration of each visit.
 - b. *Benton County Health Department* – It is the work group’s understanding that the existing on-site parking lot is reserved for client and customer use, which results in employees having to park along adjacent neighborhood streets. In order to allow for continuation of this practice, the work group recommends that non-transferrable employee parking permits be allocated at a rate of one per each 400 square feet of gross floor area.
 - c. *Benton-Corvallis Library* – For reasons similar to those noted for the Benton County Health Department, it is recommended that parking permits be allocated to employees and volunteers at a rate of one per each 400 square feet of floor area associated with the administrative functions of the library. This would not include areas open to the general public.
6. Parking Permit Prices – Parking permits for residents and businesses should be increased from the current rate of \$15 annually to \$35 annually. This rate would also apply to civic uses, such as those discussed above in Part 5. The proposed fee increase is intended to ensure full recovery of the administrative costs for implementing an expanded neighborhood parking management program, but may also provide funds for future assessment of and improvements to a neighborhood parking management system.
 7. Parking Duration for Non-permitted Vehicles – The work group recommends retention of the existing limitation of non-permitted vehicles being allowed to park in a district once per day for up to two hours. However, pending additional assessment of initial parking management strategies, the work group has also identified the potential need to designate some parking districts, or portions thereof, as “resident only”, which would prohibit parking of non-permitted vehicles, or to allow non-permitted vehicles to park for a period of less than two hours per day.
 8. Neighborhood Parking Management Enforcement Policies – Based on a review of existing on-street parking enforcement practices, the work group recommends that the City of Corvallis undertake the following actions:
 - a. *Parking along yellow painted curbs at driveways and intersections* – enforcement needs to be enhanced and consistent; yellow paint needs to be re-applied and maintained more frequently.

- b. *Parking across sidewalks and driveway aprons* – enforcement needs to be enhanced and consistent; especially during periods of increased on-street utilization.
 - c. *Parking on non-paved surfaces, e.g., lawns* – enforcement needs to be enhanced and consistent; especially during periods of increased on-street utilization.
 - d. *Electronic ticketing and citation tracking* – initiate a biannual performance audit of the parking citation system and complete a feasibility study for implementing an “E-ticketing” system within 12 months of a neighborhood parking management program.
 - e. *Targeted, seasonal parking enforcement* – explore the feasibility of conducting enhanced, targeted parking enforcement in neighborhoods surrounding the OSU campus at the beginning of each term. It is acknowledged that this may require decreased emphasis on parking management in other portions of the community during these periods.
 - f. *Neighborhood parking management program assessment* – by March 1, 2014, or within one year of implementation, complete an on-street parking utilization study and accompanying neighborhood survey to gauge the effectiveness of initial management strategies in relation to a maximum daily average utilization of 70 percent. Subsequent adjustments should be made to the neighborhood parking management program, including practices implemented by OSU, as needed.
 - g. *Parking fines* – update the existing city ordinance to reflect Municipal Court imposition of \$50 fines as of September 2012, and consider annual, incremental fine increases until such time as fine amount is shown to significantly decrease the prevalence of illegal parking.
9. Parking District Formation Options – As discussed above, the potential need for regulation of on-street parking varies across the Project Area. In general, daily average utilization is higher in those neighborhoods that are closer to the OSU campus. However, a majority of the neighborhoods within the Project Area that are north of NW Harrison Boulevard also appear to be experiencing high utilization (i.e., 70 percent or greater) on a regular basis during weekdays. Periods of high utilization in these neighborhoods tend to coincide with high utilization in areas closer to campus. This correlation is not as strong in neighborhoods north of NW Taylor Street and/or west of NW 31st.

In addition to these considerations, it is noted that while results from the online parking management survey demonstrate a general trend of dissatisfaction with current on-street parking conditions throughout the Project Area, the desire for increased parking regulation is not consistent across neighborhoods that are similar distances from the OSU campus. For these reasons, the work group acknowledges two approaches could be considered to decide whether to create additional parking districts: by petition, on a neighborhood-by-neighborhood basis; or through unilateral, City Council action with public notification.

Given the potential for implementation through petition to result in the relocation of parking impacts from one neighborhood to another, the work group recommends unified implementation across neighborhoods with comparable parking utilization trends through unilateral City of Corvallis approval. This approach should include the following:

- a. Simultaneous implementation of parking districts as generally indicated on Attachment B and consistent with the elements discussed above; or
- b. Phased implementation of parking districts, as generally indicated on Attachment B, that would initially address parking impacts in those neighborhoods currently experiencing frequent high utilization, and subsequent phases if parking impacts materialize in additional neighborhoods;

and,

- c. Public notification of properties within proposed parking management zones and those one quarter-mile beyond the outermost zone boundaries.
- d. Establish criteria for adjustment of subzone boundaries and regulations through a public process involving all affected property owners, residents, and tenants.
- e. Preliminary assessment of an initial parking management program should take place at six months after implementation, and include a report to City Council and/or Steering Committee within 60 days after the assessment is complete.

10. OSU Campus Parking Management – The work group recommends the following parking management strategies be undertaken by OSU to complement and support a concurrent neighborhood parking management program.

- a. Implementation of a variable-cost permit pricing system with increased, customer-based shuttle service to parking facilities located outside of the campus core.
- b. Safety enhancements for on-campus parking facilities, and the pathways connecting them with campus buildings, to reduce barriers to parking in these areas at off-peak times of the day.
- c. An increase to the amount of on-campus bicycle parking facilities, especially weather-protected spaces, commensurate with recent utilization and demand studies.
- d. Within 12 to 24 months after implementation of a neighborhood parking management program, completion of a study on the demand for and feasibility of constructing satellite parking lots that would be made available as “park-n-ride” facilities and/or long term, remote storage for vehicles not used on a regular basis.
- e. Within 12 to 24 months after implementation of a neighborhood parking management program, completion of a study on the demand for and feasibility of constructing additional structured parking facilities (i.e., parking garages) on or near the OSU campus.
- f. Assessment of on-campus parking utilization in relation to Campus Master Plan policy 7.2.6 should be reflective of the actual number of cars parking on campus and not the potential capacity, such that the loss of on-campus spaces through development is not the primary cause of utilization increasing to 85% or greater.
- g. Implementation of a sustained educational campaign to inform students and their parents of the costs and trade-offs associated with bringing a car to school.

- h. Pending analysis of the initial performance of on- and off-campus parking management strategies, consideration of a “no car” policy for freshmen OSU students.
11. On-street Parking Capacity Management Improvements – As part of ongoing efforts to monitor and improve the management of neighborhood parking trends, the work group recommends that the City of Corvallis consider the following:
- a. Increased maintenance of yellow painted curbs at street intersections, and effective means for application of yellow paint along curbs at private driveway aprons.
 - b. Opportunities for educating and promoting motorists to park efficiently.
 - c. Exploration of the trade-offs associated with designating on-street parking spaces through the use of striping.

IV. Summary

The Steering Committee should expect to receive additional recommendations in response to the following Objectives at the next quarterly meeting, which is anticipated to occur near the end of June 2013.

Neighborhood Livability

Objective 5 – Consider the merits of creating an ongoing City and OSU supported group that would monitor achievement of livability goals and make recommendations to the City and OSU.

The next set of recommendations will include feedback the adoption of a property maintenance and rental licensing program, as well as concepts such as a student ambassador program and neighborhood association assistance program. These concepts would respond to Objectives 3 and 4. The final issue to be explored by the Neighborhood Livability Workgroup will address the concept of forming a permanent advisory body to track implemented recommendations and develop new strategies.

Neighborhood Planning

Objective 2 – Review current development standards, and identify potential measures that would minimize potential impact from the creation of high density housing in or near lower density residential areas.

- a. *Develop and enact Land Development Code (LDC) language that would implement selected mitigation measures (measures to mitigate impacts to neighborhood character, privacy, parking, and other issues, as identified).*

Forthcoming recommendations from the Neighborhood Planning Workgroup will focus on the possible creation of additional neighborhood design standards that could be implemented to minimize the impacts of medium and high density development on neighborhoods near the Oregon State University campus.

Parking and Traffic

Objective 3 – Find opportunities to better manage traffic volumes and parking impacts within study area.

Objective 5 – Implement combined solutions to address both traffic and parking as much as practicable.

Additional strategies have been identified by the work group that could further mitigate parking and traffic impacts within the Collaboration Corvallis Project Area. These include additional incentives that could encourage increased participation in organized rideshare and carpooling programs, opportunities for facilitating rapid transit between the campus of Linn-Benton Community College and Oregon State University, and options for better managing event parking.

Attachment 3

Property Maintenance Code and Related Recommendations

Summary of the Proposal

Attachment 2 (pages 6 – 9) provides background and rationale for the recommendations from the Neighborhood Livability Work Group related to implementation of a property maintenance code, associated staffing and related actions. The Work Group determined that the existing rental housing code provisions as well as other existing codes were not sufficient to address the range of property maintenance, housing conditions and livability concerns that impacts both tenants and neighborhood residents. The Work Group conducted several public comment opportunities and considered multiple options including:

1. Implementation of a property maintenance code with a rental housing licensing program and proactive inspection program for rental units and commensurate staffing.
2. Adoption of a property maintenance code with a complaint based code compliance program with commensurate staffing levels.
3. Maintaining existing codes and code compliance efforts.

During the public review process, the Work Group received significant concerns from rental property owners and property managers about the need for and scope of a licensing and inspection program. The Work Group also heard from tenants and others expressing concern about neighborhood livability issues, the condition of rental housing in Corvallis and that a complaint based system was not sufficient to respond to these issues.

After considerable deliberation, the Work Group recommended Option 2 with the following description:

- a. Implement a property maintenance code (a more comprehensive code addressing gaps in existing codes) that applies to all properties.
- b. Create, through subsequent political process, an equitable funding structure that gives consideration to demands on the complaint based system.
- c. Provide staffing commensurate with the requirements of the code.
- d. Utilize culturally and linguistically appropriate education and outreach strategies to engage community stakeholders to better understand and reduce barriers to complaints.

In addition, the Neighborhood Livability Work Group recommended that:

- The City utilize a progressive enforcement strategy as part of the process for resolving complaints related to habitability and livability codes.

- Support collaborative efforts to seek additional information and input from diverse stakeholders to develop additional programs and policies to address concerns raised and to review options for additional policies and programs needed to address housing conditions (e.g. rental licensing program with mandatory inspections, a performance based inspection model, an enhanced inspection model that focuses on problem areas and/or landlords, self monitoring by property managers) within 2 years of implementing a property maintenance code.

Working Assumptions

In moving these recommendations forward, Staff plans to utilize the following as a basis for program design:

- The International Code Council (ICC) Property Maintenance Code, a national code model used by cities in Oregon and across the U.S. will be the base model for developing a local property maintenance code.
- Certain existing code provisions such as the current rental housing code will be subsumed into the property maintenance code in order to eliminate any duplication and/or overlap.
- The City will proceed with the concept of creating a Housing and Neighborhood Services Division that will add code compliance, additional neighborhood support, and OSU coordination functions to the responsibilities of the Community Development's Housing Division. A code compliance position would be added to existing Community Development staffing levels in order to implement the property maintenance code.
- A community liaison position would be created (using existing staffing resources) to provide the neighborhood support and OSU coordination services identified above.
- The proposed Housing and Neighborhood Services Division would include a restoration of the neighborhood empowerment program (\$10k annually).

Staff notes that all of the above points were discussed during the review by the Neighborhood Livability Work Group.

Process to Move Forward

The following outlines key aspects of further developing these particular Collaboration Corvallis recommendations for final action by the City Council:

- The recommendations and assumptions described above will be the basis for program design.
- Staff will form a program design work group to provide advice to staff on details of program design, e.g. fine tuning of the model property maintenance code, public outreach, collaboration opportunities. The advisory group will include rental property owner and property manager, neighborhood and rental housing consumer representatives.

- Program design work group meetings will be public with periodic opportunities for public comment. When the final product is presented to the City Council, there will be an additional opportunity for public comment prior to final consideration by the City Council.
- Community Development will provide the staff support for developing the implementation package for this proposal.

Cost Implications/Strategies

Based on the initial program concept, the budget for this program of enhanced code compliance, neighborhood services and community/OSU liaison work is in the range of \$515k. As discussed with the Neighborhood Livability Work Group, it is anticipated that the existing general fund support of the code enforcement program (approx. \$130k) will be carried forward and the current rental housing fee would be increased to support the expanded program. Based on preliminary estimates, the rental housing fee would be about \$30 -\$35 annually per unit as compared to the \$12 annual fee that would be in place for FY 13-14.

This funding strategy will need to be further evaluated in light of the current demands for code compliance and other services in order to address the recommendation that it be an equitable structure.

Timetable

Assuming Council direction is to move forward with this approach the following outlines key milestones:

June – program design advisory work group formed

July – early September – program design work with recommendations completed by mid- September

Late September/October – Council review of implementation package and final action on proposed ordinance and budgetary adjustments

November – December – Staff work to develop program, recruit staff etc.

January, 2014 – progressive program implementation begins

Requested Action

The Council is requested to review this information and provide direction for Staff to move forward with the development of the property maintenance code implementation package as recommended by Collaboration Corvallis and further described in this information package. This action recognizes that additional refinements will be necessary and that the Council will have final decision making authority on this matter in the future.

Attachment 4

Parking District Recommendations

Summary of the Proposal

Attachment 2 (pages 15 - 24) provides the background and rationale for the recommendations from the Parking and Traffic Work Group related to neighborhood parking management in the Project Area. In developing their recommendations, the Work Group used information gleaned from several sources, including:

- a survey of students, faculty, and staff on the transportation mode used to get to and from campus, February 2012
- a count of on-street parking use for all streets in the Project Area, April 2012
- a survey of individuals who parked in neighborhoods north and east of campus, November 2012
- an on-line survey for property owners and residents within the Project Area, January 2013
- opportunities for public testimony on the current neighborhood parking dynamics

Key findings from this effort informed the Work Group's recommendation.

- A majority of blocks that have on-street parking within the Project Area have use of 50% or greater between 7 am and 6 pm.
- Blocks that have an average use of 75% or greater are those south of Polk Avenue, west of 7th Street, and north of Western Avenue, all within a half-mile of campus.
- Commuter parking contributes only about 10% of the daily net maximum parking increase, or about 700 cars.
- Most people are willing to walk up to three quarters of a mile if they can park at no cost. (The entire Project Area is within three quarters of a mile of the OSU campus boundary and all on-campus parking areas with daily use rates of less than 70% are within three quarters of a mile of the campus core.)
- Properties within current parking districts showed a greater degree of satisfaction with existing conditions and less of a desire for increased regulation than other properties in the Project Area.
- A majority of residences in Parking Districts A and B have two or fewer parking permits.

After considerable deliberation, the Work Group determined that expansion of existing parking districts was the strategy with the best potential to be effective in reducing neighborhood parking impacts in areas within one half mile of the campus boundary. The following table shows a comparison of the current parking district regulations to the Work Group's recommendations.

Component of Residential Parking Program	Current Program	Work Group Recommendation
Number of districts	Three (Figure 1)	Nine (Figure 2)
Hours of enforcement	8 am – 5 pm; Monday – Friday	Same
Permit fees	\$15 a year	\$35 a year
Number of permits		
For single family	3 per kitchen	2 per kitchen Option of third 'hardship' permit if no on-site parking
For group home	Up to 20	Up to 15
For businesses in current District B	Up to three Non-transferrable	Same
For businesses in current District C	1 per 400 sq ft of floor Transferrable	1 per 400 sq ft of floor Non-transferrable
For civic buildings	None	1 per 400 sq ft of floor Non-transferrable
For contractors and service providers	None	1 per vendor (\$100); allows parking in all zones
For 'guests' of residents	Up to 10 (free) for each resident permit	Up to 20 (free) per resident permit; option for up to 20 more (\$1 each)
Parking restrictions for non-permitted vehicles	Once per day for up to two hours	Same

The Work Group also recommended a process change for establishing the parking districts. Traditionally, parking districts have been modified or created through a property-owner petition process. The Work Group recognized the use of the petition process might result in a patchwork of districts, which would further exacerbate the parking pressure in the areas abutting the new districts. Instead, they recommend the nine new parking districts be established at the same time through a City Council directive to achieve a unified implementation across the neighborhoods. Alternatively, they proposed a phased approach, with only those districts roughly within a half mile of the campus implemented together in a first phase.

The Work Group discussed the possibility of tailoring the regulations for each district to the unique characteristics of the neighborhood. In the end, they recommended that consistent regulations be implemented across all the residential parking districts. Staff agrees that this is necessary to minimize confusion for those attempting to park in the neighborhoods and for enforcement to be efficient.

Working Assumptions

For the most part, Staff agrees with the Work Group's recommended changes to the residential parking district program outlined in the table above. The two areas of concern are in the number of parking districts to be implemented and in how that significant change impacts enforcement staffs' ability to be effective. More details are provided in the Cost Implications/Strategies section below.

Perhaps the biggest unknown regarding these changes is the degree of resident and property owner acceptance of adding parking districts. Even though the Work Group conducted public meetings and the on-line survey received a statistically significant 10% response rate, they recognized the need for additional public process. Staff agrees, anticipating many questions and concerns will be raised about the implementation of the recommendations.

It may be prudent to start with a much smaller effort, perhaps expanding only to a pilot area with the most on-street parking use. This would give the community a chance to acclimate to the change and to build to acceptance for a larger expansion.

Process to Move Forward

Key decisions need to be made before Staff can further develop these particular Work Group recommendations for final action by the City Council. In general these include whether the residential parking districts should be expanded, and if so, what should be the design of the program, through what process should the districts be created, and in what manner should the districts be implemented.

Cost Implications/Strategies

Implementing the Work Group's full recommendation would require:

- Public Works to expend approximately \$270,000 in one-time costs for materials (new signs) and labor (sign installation), and \$32,000 in on-going annual costs for materials (vehicle permits) and labor (permit sales). The time commitment for full implementation is estimated at about 3,700 person hours to do the sign installation (or 5 ½ months of a 4-person crew working full time). Staff budgeted \$300,000 in an FY 13-14 Parking Fund Special Project anticipating some type of Council direction on these recommendations.
- Police to add four new parking enforcement officers, with one-time costs of \$480,000 for vehicles and equipment, and on-going annual costs of approximately \$348,000 for labor. The time commitment for full implementation is a minimum of nine months for the staff recruitment and training process. No FY 13-14 budget was set aside for these projected expenditures.

- Finance to experience work-load impacts at Municipal Court to process the expected increase in tickets, but it is difficult to quantify that impact at this time, and the work load may be slightly offset by the move to e-citations.

The major influencing factor on the enforcement costs is the parking restrictions for non-permitted vehicles. The method used to assess accurately whether a non-resident vehicle is in violation of the code is very labor-intensive. It would be impossible to commit to patrolling all the streets contained in the nine proposed districts on a two-hour cycle without more enforcement officers. One way to control these costs is to require all vehicles parked on district streets to have a permit—residents and non-residents alike. If the enforcement staff was able to drive the streets looking only for vehicles without a permit, the two-hour cycle could be completed with a smaller increase in staff. The Work Group discussed and considered this option, but ultimately decided not to pursue it, because it might provide non-residents with the same rights as residents in terms of parking duration. More work would be required to fully vet the consequences of this direction and to determine an appropriate permit fee for non-residents. The pilot area expansion concept, mentioned in the Working Assumptions section above, could provide a test ground for Staff to try out variations on the current program, such as a requirement for all parking to be via permit.

Timetable

It is difficult to establish a timetable for implementation until Council provides direction to staff. Once that occurs, milestone dates can be developed for public outreach efforts, material and vehicle purchases, recruitment processes and implementation.

Requested Action

The Council is requested to review this information and provide direction for Staff on the questions identified below or to refer the item to a Committee for further discussion.

- Should residential parking districts be expanded?
- If yes:
 - should the new districts be created by Council decision or through neighborhood petition?
 - should the residential parking district program be designed as recommended by the Work Group?
 - what size of expansion should be implemented—for example, to within $\frac{3}{4}$ mile of campus, to within $\frac{1}{2}$ mile of campus, or a selected pilot area?

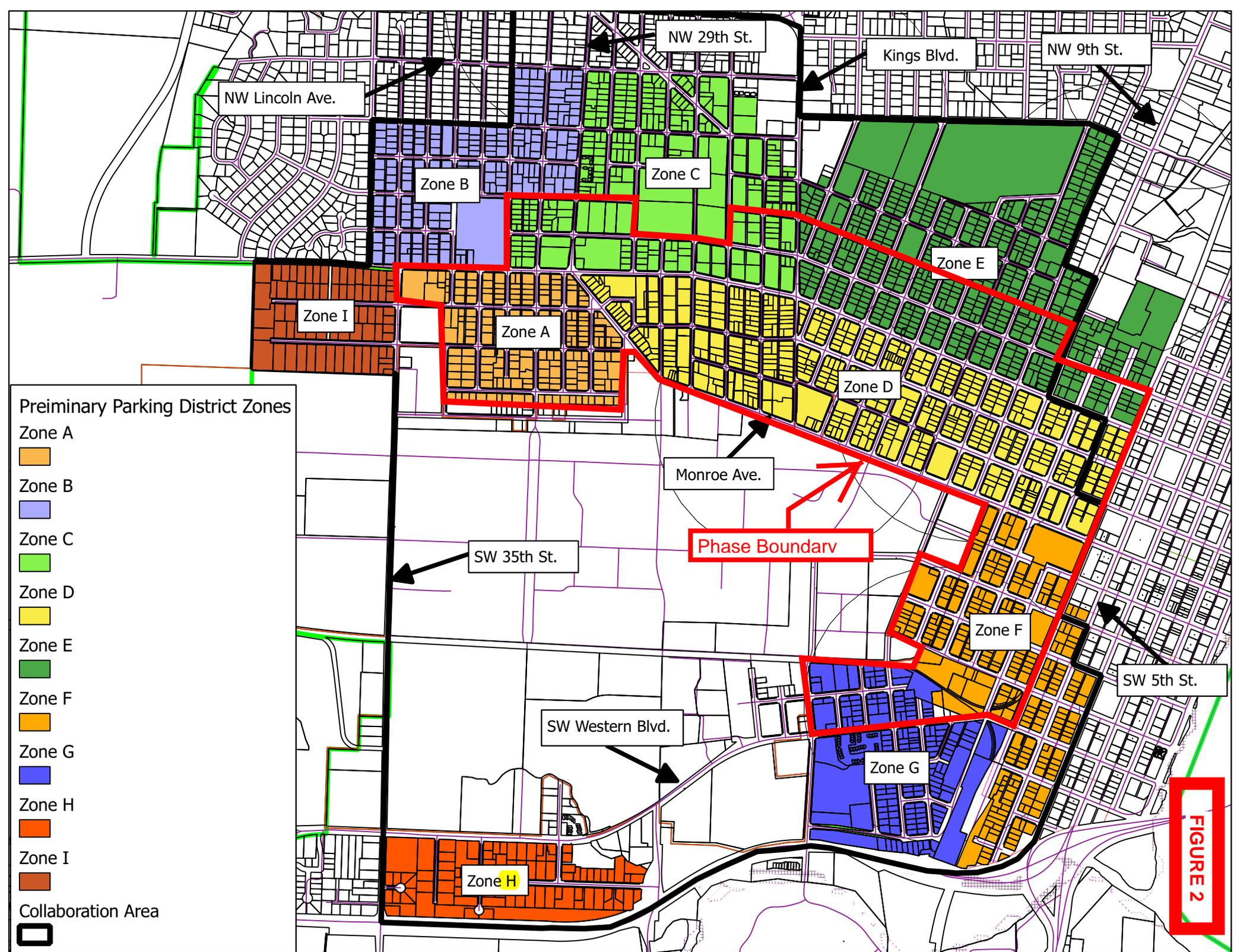


FIGURE 2

* * * MEMORANDUM * * *

MAY 14, 2013

TO: MAYOR AND CITY COUNCIL

FROM: JAMES A. PATTERSON, CITY MANAGER 

SUBJECT: MAY 14, 2013, CITY LEGISLATIVE COMMITTEE WORKING NOTES

1. Call to Order

The meeting was called to order by Mayor Manning at 7:32 am, with Councilors York and Hervey, in attendance; Councilor Brauner was excused. Also present were City Manager Patterson, Community Development Director Gibb, and Development Services Manager Carlson.

2. HB 3145 & SB 582 – Building Code Related Legislation

Development Services Division Manager Carlson shared information about House Bill (HB) 3145 and Senate Bill (SB) 582 (Attachment A). He said the State Building Officials did not currently have a lobbyist working in Salem, so the Bills appeared to be an attempt to legislate an area of local government that could be very troubling. He said SB 3145, while off the table for now, would make the current system even more complex. The State Building Officials organization will be keeping a close eye on the Bill. The Bill was prompted by serious disputes over charges involving a private sector vendor and the City of Junction City.

Regarding SB 582, Mr. Carlson mentioned that this Bill was not on anyone's radar but it very likely may proceed to the Legislature. The State Building Officials organization would not oppose the Bill because the Bill's current content was much better than the original draft. The biggest concern was that the appeals section (Section 13) of the Bill would have all appeals heard at the State level. This would result in a significant loss of local control.

Community Development Director Gibb mentioned that the League of Oregon cities also took a position against the loss of local control and the appeals section.

Councilor Hervey asked if SB 582 was a way for a state agency, also hurting for funding, to find new funding from local jurisdictions. Mr. Carlson said he was not sure, but the issue of losing local control was something that the City Council could take a position on. Mr. Gibb noted that all local jurisdictions were mandated to implement state building codes.

Councilor Hervey suggested that a position statement be forwarded to the City Council for consideration, "The City of Corvallis would strongly oppose any legislation that would negatively impact our ability to predict funding of our building department or result in the loss of local control over our Building Code management process."

Councilors York and Hervey, respectively, moved and seconded to approve the creation of a position statement expressing opposition to legislation that would negatively impact the

City's ability to predict building department funding or result in loss of local control of the City's Building Code management process. The motion passed two to zero.

3. Regional Accelerator and Innovation Network (RAIN) Update

Mayor Manning gave a brief overview of the RAIN Business Concept and asked if the Legislative Committee agreed with the Mayor "continuing to wave the flag with the Ways and Means Committee and the local business community" to the benefits that the City of Corvallis sees in this important project. Councilor York said she supported a continuing effort. Councilor Hervey agreed; however, he had heard others in the community express that Oregon State University should be playing a more prominent role in the project.

4. Next meeting – June 11, 2013

The next Committee meeting is June 11.

Prior to adjournment, Mayor Manning asked Councilor York for an update on Human Services Committee's discussion regarding youth mental health. Councilor York shared that she had communicated with Mitch Anderson of Benton County regarding potential regionalizing of public health. Mr. Anderson indicated in an e-mail (Attachment B) that, because of changes to create eight regions, there was no imminent risk of regionalization at this time. Councilor York said that, as a result of the e-mail, there was no action she would ask of the Legislative Committee at this time.

9. Adjournment

The meeting adjourned at 8:19 am.

Building Code Related Legislation of Concern

This legislative session has been active with regard to a number of initiatives aimed at statewide building codes and code administration.

The Oregon Building Officials Association (OBOA) of which, Corvallis is a member, is actively involved in addressing legislation. Of the dozen or so bills being tracked by OBOA, there are two that *were* of major concern, particularly as they relate to stymieing local control.

HB 3145

The good news is HB 3145 was declared dead by the proponent on Friday, May 3 in a meeting with Rep Val Hoyle, Dan Carlson, and other stakeholders. Even though the legislation is dead, we agreed to circle back with the proponent (trades) this fall when things settle. This bill was a broad brush approach that stemmed from one anecdotal instance in Junction City that uses 3rd party code services. This bill (attached) would have taken any state funded project over \$1 million in any jurisdiction and required all inspection and plan review services to be performed by the State Building Codes Division – a task which they acknowledge they are ill equipped to perform. Aside from obvious customer service impacts of having to do business in Salem for any sizable Corvallis project, this would have had major impacts on gutting the Corvallis Development Services Division because a significant source of projects are from OSU and receive state funding.

While this proposal is no longer in play for the current session, as noted above there will be further discussion in the fall. Therefore, Staff would like to discuss with the legislative committee.

SB 582

This bill was a gut and stuff and has gone through 3 amendments to reach its current form (attached). A hearing on this bill is this Thursday before the Joint Ways and Means committee. While the proponent of this bill advertised that it would help rural and remote jurisdictions, the details of this bill quickly expanded statewide with potential major implications. OBOA has been very active and has strongly objected to this bill. The bill has gone through a number of work sessions. Currently OBOA has not taken an official position on the -3 amendments of this bill.

Perhaps the most challenging section left in the bill to tackle is an appeals section in 13 (2). However, staff feel that if the bill were to pass in its current form it would not be detrimental to the Corvallis program, but does potentially take away local control for appeals on administrative matters of the Building Official. Currently appeals of the administrative decisions of the Corvallis Building Official would be brought before the City Manager and then to Council. If further appeals are desired the legal process would then be engaged. Appeals of technical matters are heard by the Corvallis Building Board of Appeals which can also be heard by the State Building Codes Division before a technical board. This bill allows for local administrative matters to be heard by the state without a local process.

Patterson, Jim

From: Penny York
Sent: Tuesday, May 14, 2013 9:01 AM
To: Julie Manning; Patterson, Jim
Subject: Fwd: City public health question

Julie and Jim,
 My email response from Mitch Anderson.

----- Forwarded message -----

From: ANDERSON Mitchell C
Date: Thursday, May 9, 2013
Subject: City public health question
To: Penny York <york.penny58@>

Hi Penny,

The actual proposal to create 8 regions was changed so there is no imminent risk that I'm aware of. A work group will be established with appointed representatives to make recommendations on regionalization back to the legislature at next year's session. A lot may depend on who gets appointed to the committee and whether there is a hidden agenda by the state or not in making the appointments to support a decision already made.

Best action now is to make sure all our legislators understand what could be lost in a regional approach and get their support to oppose any regionalization that we don't initiate ourselves. Regionalization is a simple way for the State to reduce/contain its costs and shift risk at the expense of local voice and control. Even if regionalization does become a reality it would be insane to create regions that do not line up with our CCO regions as that would just further confuse coordination.

Mitch

From: Penny York [<mailto:york.penny58@>]
Sent: Thursday, May 09, 2013 11:36 AM
To: ANDERSON Mitchell C
Subject: City public health question

Hi Mitch,

The issue of potentially regionalizing public health came up at our Council human services committee Tuesday. You mentioned this at the Saturday breakfast.

Is this a real possibility? If so is there any way that the City Council could help advocate for keeping it local?

Our Legislative Committee us meeting Tuesday. We would discuss it there if we needed to bring anything to the Council.

Let me know,

Thanks.

Penny

--

Penny York, M.S., Ed.D.

House Bill 3145

Sponsored by COMMITTEE ON BUSINESS AND LABOR

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Makes legislative findings regarding merits of state agency administration and enforcement of state building code for capital construction projects receiving state-supplied funding. Reserves administration and enforcement of state building code for capital construction projects receiving or expected to receive more than \$1 million in state-supplied funding to Director of Department of Consumer and Business Services. Applies to projects for which building permit is sought on or after January 1, 2014.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to application of the state building code to capital construction projects; creating new
3 provisions; amending ORS 455.148 and 455.150; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Sections 2 and 3 of this 2013 Act are added to and made a part of ORS**
6 **chapter 455.**

7 **SECTION 2. (1) As used in this section, "capital construction project" and "state-supplied**
8 **funding" have the meaning given those terms in section 3 of this 2013 Act.**

9 **(2) The Legislative Assembly finds and declares:**

10 **(a) The state has a compelling interest in the effective management of state-supplied**
11 **funding provided for capital construction projects;**

12 **(b) It is in the best interest of the state to ensure that capital construction projects re-**
13 **ceiving state-supplied funding proceed in a timely and efficient manner;**

14 **(c) It is appropriate that state government should oversee capital construction projects**
15 **that rely upon state financial resources;**

16 **(d) The efficient coordination of capital construction project requirements between mul-**
17 **tiiple state agencies is best achieved at the state level;**

18 **(e) Predictable administration of the state building code saves time in carrying out capi-**
19 **tal construction projects and better ensures the effective management of state-supplied**
20 **funding; and**

21 **(f) A comprehensive and cost-efficient approach to state building code administration**
22 **should exist for use in state-funded capital construction projects.**

23 **SECTION 3. (1) As used in this section:**

24 **(a) "Capital construction project" means the erection, repair, alteration, remodeling or**
25 **demolition of any building or structure that has an expected useful life in excess of one year.**

26 **(b) "State-supplied funding" means funding provided from any account or fund of the**
27 **State Treasury, funding received by the state from any public or private source as a gift,**
28 **grant or donation, proceeds from any tax, fee or charge imposed by or authorized by the**

NOTE: Matter in boldfaced type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in boldfaced type.

1 state, proceeds from bonds issued by a state agency or moneys obtained by the issuance of
2 any obligation secured by the credit of the state.

3 (2) The Director of the Department of Consumer and Business Services shall administer
4 and enforce the state building code for all capital construction projects that receive, or may
5 reasonably be expected to receive, more than \$1 million in state-supplied funding.

6 (3) The director may take all actions the director considers necessary or expedient to
7 ensure that a capital construction project described in subsection (2) of this section proceeds
8 in a timely, consistent and efficient manner under the applicable conditions and circum-
9 stances, including but not limited to:

10 (a) Notwithstanding ORS 455.148 (1)(b)(H) and 455.150 (1)(b)(H), entering into partnership
11 agreements with public bodies as defined in ORS 174.109;

12 (b) Adopting rules and establishing policies and procedures for carrying out the duties,
13 functions and powers of the director under this section;

14 (c) Developing site-specific dispute resolution and interpretations and rulings regarding
15 state building code requirements;

16 (d) Expediting the coordination of plan review, permitting and inspection services; and

17 (e)(A) Establishing fees for services provided by the director; or

18 (B) Utilizing other available sources of moneys to cover the costs of providing plan re-
19 view, permitting and inspection services.

20 **SECTION 4.** ORS 455.148 is amended to read:

21 455.148. (1)(a) A municipality that assumes the administration and enforcement of a building in-
22 spection program shall administer and enforce the program for all of the following:

23 (A) The state building code, as defined in ORS 455.010, except as set forth in paragraph (b) of
24 this subsection.

25 (B) Manufactured structure installation requirements under ORS 446.155, 446.185 (1) and 446.230.

26 (C) Manufactured dwelling parks and mobile home parks under ORS chapter 446.

27 (D) Park and camp programs regulated under ORS 455.680.

28 (E) Tourist facilities regulated under ORS 446.310 to 446.350.

29 (F) Manufactured dwelling alterations regulated under ORS 446.155.

30 (G) Manufactured structure accessory buildings and structures under ORS 446.253.

31 (H) Boilers and pressure vessels described in rules adopted under ORS 480.525 (5).

32 (b) A building inspection program of a municipality may not include:

33 (A) Boiler and pressure vessel programs under ORS 480.510 to 480.670 except those described
34 in rules adopted under ORS 480.525 (5);

35 (B) Elevator programs under ORS 460.005 to 460.175;

36 (C) Amusement ride regulation under ORS 460.310 to 460.370;

37 (D) Prefabricated structure regulation under ORS chapter 455;

38 (E) Manufacture of manufactured structures programs under ORS 446.155 to 446.285, including
39 the administration and enforcement of federal manufactured dwelling construction and safety stan-
40 dards adopted under ORS 446.155 or the National Manufactured Housing Construction and Safety
41 Standards Act of 1974;

42 (F) Licensing and certification, or the adoption of statewide codes and standards, under ORS
43 chapter 446, 447, 455, 479 or 693; [or]

44 (G) Review of plans and specifications as provided in ORS 455.685[.]; or

45 (H) The administration or enforcement of state building code provisions for a capital

1 **construction project described in section 3 of this 2013 Act.**

2 (2) A municipality that administers a building inspection program as allowed under this section
3 shall do so for periods of four years. The Department of Consumer and Business Services shall adopt
4 rules to adjust time periods for administration of a building inspection program to allow for vari-
5 ations in the needs of the department and participants.

6 (3) When a municipality administers a building inspection program, the governing body of the
7 municipality shall, unless other means are already provided, appoint a person to administer and
8 enforce the building inspection program, who shall be known as the building official. A building of-
9 ficial shall, in the municipality for which appointed, attend to all aspects of code enforcement, in-
10 cluding the issuance of all building permits. Two or more municipalities may combine in the
11 appointment of a single building official for the purpose of administering a building inspection pro-
12 gram within their communities.

13 (4)(a) By January 1 of the year preceding the expiration of the four-year period described in
14 subsection (2) of this section, the governing body of the municipality shall notify the Director of the
15 Department of Consumer and Business Services and, if the municipality is not a county, notify the
16 county whether the municipality will continue to administer and enforce the building inspection
17 program after expiration of the four-year period.

18 (b) Notwithstanding the January 1 date set forth in paragraph (a) of this subsection, the director
19 and the municipality and, if the municipality is not a county, the county may by agreement extend
20 that date to no later than March 1.

21 (5) If a city does not notify the director, or notifies the director that it will not administer the
22 building inspection program, the county or counties in which the city is located shall administer and
23 enforce the county program within the city in the same manner as the program is administered and
24 enforced outside the city, except as provided by subsection (6) of this section.

25 (6) If a county does not notify the director, or notifies the director that it will not administer
26 and enforce a building inspection program, the director shall contract with a municipality or other
27 person or use such state employees or state agencies as are necessary to administer and enforce a
28 building inspection program, and permit or other fees arising therefrom shall be paid into the Con-
29 sumer and Business Services Fund created by ORS 705.145 and credited to the account responsible
30 for paying the expenses thereof. A state employee may not be displaced as a result of using contract
31 personnel.

32 (7) The governing body of a municipality may commence responsibility for the administration
33 and enforcement of a building inspection program beginning July 1 of any year by notifying the di-
34 rector no later than January 1 of the same year and obtaining the director's approval of an as-
35 sumption plan as described in subsection (11)(c) of this section.

36 (8) The department shall adopt rules to require the governing body of each municipality assum-
37 ing or continuing a building inspection program under this section to submit a written plan with the
38 notice required under subsection (4) or (7) of this section. If the department is the governing body,
39 the department shall have a plan on file. The plan must specify how cooperation with the State Fire
40 Marshal or a designee of the State Fire Marshal will be achieved and how a uniform fire code will
41 be considered in the review process of the design and construction phases of buildings or structures.

42 (9) A municipality that administers and enforces a building inspection program pursuant to this
43 section shall recognize and accept the performances of state building code activities by businesses
44 and persons authorized under ORS 455.457 to perform the activities as if the activities were per-
45 formed by the municipality. A municipality is not required to accept an inspection, a plan or a plan

1 review that does not meet the requirements of the state building code.

2 (10) The department or a municipality that accepts an inspection or plan review as required by
3 this section by a person licensed under ORS 455.457 has no responsibility or liability for the activ-
4 ities of the licensee.

5 (11) In addition to the requirements of ORS 455.100 and 455.110, the director shall regulate
6 building inspection programs that municipalities assume on or after January 1, 2002. Regulation
7 under this subsection shall include but not be limited to:

8 (a) Creating building inspection program application and amendment requirements and proce-
9 dures;

10 (b) Granting or denying applications for building inspection program authority and amendments;

11 (c) Requiring a municipality assuming a building inspection program to submit with the notice
12 given under subsection (7) of this section an assumption plan that includes, at a minimum:

13 (A) A description of the intended availability of program services, including proposed service
14 agreements for carrying out the program during at least the first two years;

15 (B) Demonstration of the ability and intent to provide building inspection program services for
16 at least two years;

17 (C) An estimate of proposed permit revenue and program operating expenses;

18 (D) Proposed staffing levels; and

19 (E) Proposed service levels;

20 (d) Reviewing procedures and program operations of municipalities;

21 (e) Creating standards for efficient, effective, timely and acceptable building inspection pro-
22 grams;

23 (f) Creating standards for justifying increases in building inspection program fees adopted by a
24 municipality;

25 (g) Creating standards for determining whether a county or department building inspection
26 program is economically impaired in its ability to reasonably continue providing the program
27 throughout a county, if another municipality is allowed to provide a building inspection program
28 within the same county; and

29 (h) Enforcing the requirements of this section.

30 (12) The department may assume administration of a building inspection program:

31 (a) During the pendency of activities under ORS 455.770;

32 (b) If a municipality abandons or is no longer able to administer the building inspection program;
33 and

34 (c) If a municipality fails to substantially comply with any provision of this section or of ORS
35 455.465, 455.467 and 455.469.

36 (13) A municipality that abandons or otherwise ceases to administer a building inspection pro-
37 gram that the municipality assumed under this section may not resume the administration or
38 enforcement of the program for at least two years. The municipality may resume the administration
39 and enforcement of the abandoned program only on July 1 of an odd-numbered year. Prior to re-
40 suming the administration and enforcement of the program, the municipality must follow the notifi-
41 cation procedure set forth in subsection (7) of this section.

42 **SECTION 5.** ORS 455.150 is amended to read:

43 455.150. (1) Except as provided in subsection (14) of this section, a municipality that assumes the
44 administration and enforcement of a building inspection program prior to January 1, 2002, may ad-
45 minister and enforce all or part of a building inspection program. A building inspection program:

1 (a) Is a program that includes the following:

2 (A) The state building code, as defined in ORS 455.010, except as set forth in paragraph (b) of
3 this subsection.

4 (B) Manufactured structure installation requirements under ORS 446.155, 446.185 (1) and 446.230.

5 (C) Manufactured dwelling parks and mobile home parks under ORS chapter 446.

6 (D) Park and camp programs regulated under ORS 455.680.

7 (E) Tourist facilities regulated under ORS 446.310 to 446.350.

8 (F) Manufactured dwelling alterations regulated under ORS 446.155.

9 (G) Manufactured structure accessory buildings and structures under ORS 446.253.

10 (H) Boilers and pressure vessels described in rules adopted under ORS 480.525 (5).

11 (b) Is not a program that includes:

12 (A) Boiler and pressure vessel programs under ORS 480.510 to 480.670 except those described
13 in rules adopted under ORS 480.525 (5);

14 (B) Elevator programs under ORS 460.005 to 460.175;

15 (C) Amusement ride regulation under ORS 460.310 to 460.370;

16 (D) Prefabricated structure regulation under ORS chapter 455;

17 (E) Manufacture of manufactured structures programs under ORS 446.155 to 446.285, including
18 the administration and enforcement of federal manufactured dwelling construction and safety stan-
19 dards adopted under ORS 446.155 or the National Manufactured Housing Construction and Safety
20 Standards Act of 1974;

21 (F) Licensing and certification, or the adoption of statewide codes and standards, under ORS
22 chapter 446, 447, 455, 479 or 693; *[and]*

23 (G) Review of plans and specifications as provided in ORS 455.685[.]; **and**

24 **(H) The administration or enforcement of state building code provisions for a capital**
25 **construction project described in section 3 of this 2013 Act.**

26 (2) A municipality that administers a building inspection program as allowed under this section
27 shall do so for periods of four years. The Department of Consumer and Business Services shall adopt
28 rules to adjust time periods for administration of a building inspection program to allow for vari-
29 ations in the needs of the department and participants.

30 (3) When a municipality administers a building inspection program, the governing body of the
31 municipality shall, unless other means are already provided, appoint a person to administer and
32 enforce the building inspection program or parts thereof, who shall be known as the building official.
33 A building official shall, in the municipality for which appointed, attend to all aspects of code
34 enforcement, including the issuance of all building permits. Two or more municipalities may combine
35 in the appointment of a single building official for the purpose of administering a building inspection
36 program within their communities.

37 (4)(a) By January 1 of the year preceding the expiration of the four-year period described in
38 subsection (2) of this section, the governing body of the municipality shall notify the Director of the
39 Department of Consumer and Business Services and, if not a county, notify the county whether the
40 municipality will continue to administer the building inspection program, or parts thereof, after ex-
41 piration of the four-year period. If parts of a building inspection program are to be administered and
42 enforced by a municipality, the parts shall correspond to a classification designated by the director
43 as reasonable divisions of work.

44 (b) Notwithstanding the January 1 date set forth in paragraph (a) of this subsection, the director
45 and the municipality and, if the municipality is not a county, the county may by agreement extend

1 that date to no later than March 1.

2 (5) If a city does not notify the director, or notifies the director that it will not administer cer-
3 tain specialty codes or parts thereof under the building inspection program, the county or counties
4 in which the city is located shall administer and enforce those codes or parts thereof within the city
5 in the same manner as it administers and enforces them outside the city, except as provided by
6 subsection (6) of this section.

7 (6) If a county does not notify the director, or notifies the director that it will not administer
8 and enforce certain specialty codes or parts thereof under the building inspection program, the di-
9 rector shall contract with a municipality or other person or use such state employees or state
10 agencies as are necessary to administer and enforce those codes or parts thereof, and permit or
11 other fees arising therefrom shall be paid into the Consumer and Business Services Fund created
12 by ORS 705.145 and credited to the account responsible for paying such expenses. A state employee
13 may not be displaced as a result of using contract personnel.

14 (7) If a municipality administering a building inspection program under this section seeks to
15 administer additional parts of a program, the municipality must comply with ORS 455.148, including
16 the requirement that the municipality administer and enforce all aspects of the building inspection
17 program. Thereafter, the municipality is subject to ORS 455.148 and ceases to be subject to this
18 section.

19 (8) The department shall adopt rules to require the governing body of each municipality to
20 submit a written plan with the notice required under subsection (4) of this section. If the department
21 is the governing body, the department shall have a plan on file. The plan shall specify how coop-
22 eration with the State Fire Marshal or a designee of the State Fire Marshal will be achieved and
23 how a uniform fire code will be considered in the review process of the design and construction
24 phases of buildings or structures.

25 (9) A municipality that administers a code for which persons or businesses are authorized under
26 ORS 455.457 to perform activities shall recognize and accept those activities as if performed by the
27 municipality. A municipality is not required to accept an inspection, a plan or a plan review that
28 does not meet the requirements of the state building code.

29 (10) The department or a municipality that accepts an inspection or plan review as required by
30 this section by a person licensed under ORS 455.457 has no responsibility or liability for the activ-
31 ities of the licensee.

32 (11) In addition to the requirements of ORS 455.100 and 455.110, the director shall regulate
33 building inspection programs of municipalities assumed prior to January 1, 2002. Regulation under
34 this subsection shall include but not be limited to:

35 (a) Creating building inspection program application and amendment requirements and proce-
36 dures;

37 (b) Granting or denying applications for building inspection program authority and amendments;

38 (c) Reviewing procedures and program operations of municipalities;

39 (d) Creating standards for efficient, effective, timely and acceptable building inspection pro-
40 grams;

41 (e) Creating standards for justifying increases in building inspection program fees adopted by a
42 municipality;

43 (f) Creating standards for determining whether a county or department building inspection pro-
44 gram is economically impaired in its ability to reasonably continue providing the program or part
45 of the program throughout a county, if another municipality is allowed to provide a building in-

1 spection program or part of a program within the same county; and

2 (g) Enforcing the requirements of this section.

3 (12) The department may assume administration of a building inspection program:

4 (a) During the pendency of activities under ORS 455.770;

5 (b) If a municipality abandons any part of the building inspection program or is no longer able
6 to administer the building inspection program; and

7 (c) If a municipality fails to substantially comply with any provision of this section or of ORS
8 455.465, 455.467 and 455.469.

9 (13) If a municipality abandons or otherwise ceases to administer all or part of a building in-
10 spection program described in this section, the municipality may not resume the administration and
11 enforcement of the abandoned program or part of a program for at least two years. The municipality
12 may resume the administration and enforcement of the abandoned program or part of a program only
13 on July 1 of an odd-numbered year. To resume the administration and enforcement of the abandoned
14 program or part of a program, the municipality must comply with ORS 455.148, including the re-
15 quirement that the municipality administer and enforce all aspects of the building inspection pro-
16 gram. Thereafter, the municipality is subject to ORS 455.148 and ceases to be subject to this
17 section.

18 (14) A municipality that administers and enforces a building inspection program under this sec-
19 tion shall include in the program the inspection of boilers and pressure vessels described in sub-
20 section (1)(a)(H) of this section.

21 **SECTION 6. Section 3 of this 2013 Act and the amendments to ORS 455.148 and 455.150**
22 **by sections 4 and 5 of this 2013 Act apply to capital construction projects for which a building**
23 **permit application is filed on or after January 1, 2014.**

24 **SECTION 7. This 2013 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
26 **on its passage.**

27

A-Engrossed Senate Bill 582

Ordered by the Senate April 24
Including Senate Amendments dated April 24

Sponsored by Senators ROBLAN, FERRIOLI, PROZANSKI, KRUSE, JOHNSON, GIROD, Representatives HANNA, MCLANE, Senator KNOPP

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Revises language regarding Department of Consumer and Business Services assumption of administration and enforcement of county manufactured dwelling services, building inspection program or part of building inspection program if county ceases administration and enforcement due to budget limitations resulting from reduction or elimination of federal payments made to offset lost county timber harvest revenue from federal forestlands. Requires Director of Department of Consumer and Business Services to adopt rules establishing fees for assumed services equal to fees charged by county prior to assumption by department.]

Makes legislative findings concerning best interests of state with regard to construction-related development and state building code administration and enforcement. Requires that Director of Department of Consumer and Business Services consider construction needs of rural and remote areas when adopting state building code.

Reserves authority to director or local building official to decide whether structure plans and specifications or structure as actually constructed meets fire and life safety standards.

Authorizes Department of Consumer and Business Services employees and building officials and inspectors to provide typical plans and specifications for certain types of structures.

Authorizes director to enter into agreements with one or more municipalities for department to uniformly administer and enforce all or part of building inspection program within geographic area. Authorizes inclusion of certain types of terms in agreement. Provides director with authority to use department or local personnel to ensure administration and enforcement of state building code, including administration and enforcement under terms of agreement. Authorizes use of certain building permit surcharges to carry out state building code administration and enforcement in department administrative region or in area established under agreement.

Authorizes department to charge higher fees of municipality if assuming provision of building inspection program services from municipality.

Provides director with general authority for carrying out agreements with municipalities or to assume provision of building inspection program services from municipality. Provides director with specific authority regarding assuming provision of building inspection program services. Requires director to periodically consult with specialty code advisory boards. Requires director to annually report to Legislative Assembly regarding agreements with municipalities, department assumption of provision of building inspection program services and projected needs of department resulting from agreements or assumption of services.

Declares emergency, effective on passage.

A BILL FOR AN ACT

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Relating to the state building code; creating new provisions; amending ORS 455.148, 455.150 and 455.475; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 to 10 of this 2013 Act are added to and made a part of ORS chapter 455.

SECTION 2. The Legislative Assembly finds and declares that:

(1)(a) It is in the best interests of this state that construction-related development ac-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 activities proceed in a manner that is as quick and efficient as practicable;

2 (b) Ensuring that construction-related development activities proceed quickly and effi-
3 ciently requires a flexible and responsive system for state building code administration and
4 enforcement; and

5 (c) Having a flexible and responsive system for state building code administration and
6 enforcement requires that sufficient staff and resources be available to assist the Director
7 of the Department of Consumer and Business Services as needed.

8 (2) It is in the best interests of this state that state building code regulations encourage
9 economic development, experimentation, innovation and cost effectiveness in construction,
10 especially construction in rural or remote parts of this state.

11 **SECTION 3.** (1) When adopting the state building code, the Director of the Department
12 of Consumer and Business Services shall give special consideration to the unique needs of
13 construction in rural or remote parts of this state.

14 (2) Notwithstanding ORS 476.030, 476.033, 476.035, 476.150 or 476.155, the director or a local
15 building official administering a building inspection program under ORS 455.148 or 455.150
16 may determine whether the structure as set forth in the plans and specifications or as con-
17 structed meets the standards of the state building code, including but not limited to fire and
18 life safety standards. The State Fire Marshal, or a local fire official for a governmental
19 subdivision exempted from State Fire Marshal regulations as described under ORS 476.030,
20 may provide advice to building officials, inspectors or Department of Consumer and Business
21 Services employees concerning state building code standards. A local building official or de-
22 partment employee shall give consideration to advice of the State Fire Marshal or local fire
23 official that does not conflict with the state building code, but shall retain the authority to
24 make final decisions regarding the code.

25 **SECTION 4.** (1) A Department of Consumer and Business Services employee acting within
26 the scope of that employment may provide typical plans and specifications:

27 (a) For structures of a type for which the provision of plans or specifications is exempted
28 under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted under ORS
29 672.060 from the application of ORS 672.002 to 672.325; and

30 (b) Notwithstanding ORS 671.010 to 671.220 and 672.002 to 672.325, for structures that are
31 metal or wood frame Use and Occupancy Classification Group U structures under the
32 structural specialty code.

33 (2) A building official or inspector, as those terms are defined in ORS 455.715, when acting
34 within the scope of direct employment by a municipality, may provide typical plans and
35 specifications for structures of a type for which the provision of plans or specifications is
36 exempted under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted
37 under ORS 672.060 from the application of ORS 672.002 to 672.325.

38 (3) This section does not alter any applicable requirement under ORS 671.010 to 671.220
39 or 672.002 to 672.325 regarding stamps and seals for a set of plans for a structure.

40 **SECTION 5.** (1) Notwithstanding ORS 455.148, 455.150 and 455.153, upon request by one
41 or more municipalities and with the consent of all affected parties, the Director of the De-
42 partment of Consumer and Business Services may enter into an agreement for the Depart-
43 ment of Consumer and Business Services to uniformly administer and enforce all or a
44 portion of a building inspection program within a geographic area. The geographic area may
45 be a municipality, a region comprising parts of more than one municipality or a region

1 comprising multiple municipalities. The geographic area need not correspond to the juris-
2 dictional boundaries of municipalities. The agreement may provide for the department to
3 perform administration and enforcement for a specified period or for carrying out one or
4 more particular projects.

5 (2) The terms of an agreement under this section may specify whether the department
6 is to utilize department resources or combine resources with one or more of the munici-
7 palities to carry out an agreement. An agreement may combine department and local gov-
8 ernment resources in any manner that the parties believe will provide for the efficient and
9 uniform administration of the building inspection program within the geographic area, in-
10 cluding but not limited to full, divided, mutual or joint performance of any of the adminis-
11 trative or enforcement functions by any of the parties to the agreement. A decision by the
12 director regarding whether to enter into an agreement under this section, and the content
13 of any agreement that the director enters into under this section, is not subject to review
14 by the Attorney General or the Oregon Department of Administrative Services and is subject
15 to challenge or appeal under ORS chapter 183 only for failure to comply with an express re-
16 quirement created under sections 5 to 9 of this 2013 Act.

17 (3) An agreement under this section is not an abandonment of a building inspection pro-
18 gram for purposes of ORS 455.148 or 455.150.

19 SECTION 6. (1) An agreement under section 5 of this 2013 Act may provide for the par-
20 ties to the agreement to share any fee revenue generated by the administration and
21 enforcement of the agreement and to expend the fee revenue anywhere within the geographic
22 area covered by the agreement.

23 (2) Notwithstanding ORS 455.210, if an agreement under section 5 of this 2013 Act pro-
24 vides for the Department of Consumer and Business Services to administer and enforce a
25 building inspection program for which one or more municipalities have adopted a fee or
26 hourly rate, subject to subsection (3)(a) of this section the department may charge the
27 municipally adopted fee or hourly rate when providing the building inspection program ser-
28 vices within a municipality.

29 (3) Fees described in subsection (2) of this section that are charged by the department:

30 (a) Are subject to any surcharges described under ORS 455.210, 455.220 or 455.447; and

31 (b) Notwithstanding ORS 455.210, are not subject to Oregon Department of Administra-
32 tive Services approval.

33 (4) Notwithstanding ORS 293.265, moneys from fees described in this section that are
34 collected or received by, or in the possession of, a party to an agreement under section 5 of
35 this 2013 Act and are to be expended by or on behalf of the state shall be turned over to the
36 State Treasurer no later than one business day after the parties to the agreement have de-
37 termined that the moneys are moneys to be expended by or on behalf of the state.

38 SECTION 7. (1) Subject to ORS 293.235 to 293.245, 293.250, 293.260 to 293.280, 293.285 and
39 293.293 and any rules adopted under ORS 293.235 to 293.245, 293.250, 293.260 to 293.280, 293.285
40 and 293.293, and notwithstanding ORS chapter 240, 276, 282, 283, 291 or 292 or other provisions
41 of ORS chapter 293 or the rules adopted under ORS chapter 240, 276, 282, 283, 291 or 292,
42 except as provided under this section the Director of the Department of Consumer and
43 Business Services may take any action the director considers reasonable to ensure that
44 sufficient staff and other resources are available for the administration and enforcement of
45 the state building code. Subject to subsections (2) to (5) of this section, actions that the di-

1 rector may take under this section include, but are not limited to:

2 (a) Utilizing municipal personnel, or hiring former municipal personnel, to carry out the
3 administrative and enforcement duties of the Department of Consumer and Business Ser-
4 vices under an agreement described in section 5 of this 2013 Act;

5 (b) Employing additional Department of Consumer and Business Services staff for car-
6 rying out the administrative and enforcement duties of the department under an agreement
7 described in section 5 of this 2013 Act; and

8 (c) Expending available resources to carry out department responsibilities to provide
9 sufficient staff and other resources under an agreement described in section 5 of this 2013
10 Act.

11 (2) Subsection (1) of this section does not authorize action within a municipality admin-
12 istering and enforcing a building inspection program under ORS 455.148 or 455.150 except as
13 provided in an agreement described in section 5 of this 2013 Act to which the municipality
14 is a party or has consented.

15 (3) The utilization of municipal personnel or hiring of former municipal personnel under
16 subsection (1)(a) of this section is subject to any applicable collective bargaining agreements
17 and may not be used to displace any state employee. Municipal personnel whom the depart-
18 ment utilizes under subsection (1)(a) of this section retain their status as municipal person-
19 nel for purposes of ORS 30.260 to 30.300 while carrying out the administrative and
20 enforcement duties of the department under an agreement.

21 (4) The employment of additional staff under subsection (1)(b) of this section is subject
22 to any limitations established by the Legislative Assembly on the number of total personnel
23 approved for the department. To the extent practicable, the director shall give preference to
24 the use of available state employees to fulfill additional staffing requirements.

25 (5) The employment of additional staff under subsection (1)(b) of this section and the
26 expenditure of available resources under subsection (1)(c) of this section must be predicated
27 upon the availability of adequate revenue, which may include but need not be limited to re-
28 venue derived from municipal sources through an agreement described under section 5 of
29 this 2013 Act. The use of existing revenue and available resources to carry out an agreement
30 under section 5 of this 2013 Act is not an addition to or amendment of the legislatively
31 adopted budget for the department.

32 (6) Notwithstanding ORS 455.230, the director may use moneys deposited in the Consumer
33 and Business Services Fund from fees collected under this section for the purpose of paying
34 the department's costs of carrying out the administrative and enforcement duties of the
35 department within any administrative region established by the director or a geographic re-
36 gion established by an agreement under section 5 of this 2013 Act or for the purpose of as-
37 sisting a local government to carry out an agreement under section 5 of this 2013 Act.

38 **SECTION 8.** (1) If the Department of Consumer and Business Services assumes the ad-
39 ministration and enforcement of a building inspection program that has been surrendered
40 or abandoned by a municipality, and immediately prior to the surrender or abandonment the
41 municipality was charging a fee adopted under ORS 455.210 (3) that was different from the
42 fee authorized under ORS 455.210 (1) for the same services, the department may charge the
43 fee adopted by the municipality for the services that the department provides under the
44 program.

45 (2) Fees described in subsection (1) of this section that are charged by the department:

1 (a) Are subject to any surcharges described under ORS 455.210, 455.220 or 455.447; and

2 (b) Notwithstanding ORS 455.210, are not subject to Oregon Department of Administra-
3 tive Services approval.

4 **SECTION 9.** Notwithstanding any surcharge use described in ORS 455.210 (4), the Direc-
5 tor of the Department of Consumer and Business Services may use moneys from surcharges
6 imposed under ORS 455.210 (4) for the purpose of paying the Department of Consumer and
7 Business Services' costs of carrying out the administration and enforcement of the state
8 building code within an administrative region established by the director or a geographic
9 region established by an agreement that the director enters into under section 5 of this 2013
10 Act.

11 **SECTION 10.** The Director of the Department of Consumer and Business Services:

12 (1) May adopt rules, establish policies and procedures and take other actions the director
13 considers reasonable or expedient for carrying out agreements under section 5 of this 2013
14 Act or under ORS 455.148 (13) or 455.150 (13) and any duties, functions and powers of the di-
15 rector or the Department of Consumer and Business Services under sections 5 to 9 of this
16 2013 Act or ORS 455.148 (13) or 455.150 (13);

17 (2) Shall consult at least annually with appropriate advisory boards regarding any
18 agreements under section 5 of this 2013 Act or actions taken by the director under sections
19 5 to 9 of this 2013 Act or ORS 455.148 (13) or 455.150 (13); and

20 (3) Shall report annually to the Legislative Assembly as provided under ORS 192.230 to
21 192.250 regarding any department activities under sections 5 to 9 of this 2013 Act or ORS
22 455.148 (13) or 455.150 (13). The report shall include, but not be limited to, information re-
23 garding any projected need for an increase in department resources required for carrying
24 out the administration and enforcement of building inspection programs under sections 5 to
25 9 of this 2013 Act or under ORS 455.148 (13) or 455.150 (13).

26 **SECTION 11.** ORS 455.148 is amended to read:

27 455.148. (1)(a) A municipality that assumes the administration and enforcement of a building in-
28 spection program shall administer and enforce the program for all of the following:

29 (A) The state building code, as defined in ORS 455.010, except as set forth in paragraph (b) of
30 this subsection.

31 (B) Manufactured structure installation requirements under ORS 446.155, 446.185 (1) and 446.230.

32 (C) Manufactured dwelling parks and mobile home parks under ORS chapter 446.

33 (D) Park and camp programs regulated under ORS 455.680.

34 (E) Tourist facilities regulated under ORS 446.310 to 446.350.

35 (F) Manufactured dwelling alterations regulated under ORS 446.155.

36 (G) Manufactured structure accessory buildings and structures under ORS 446.253.

37 (H) Boilers and pressure vessels described in rules adopted under ORS 480.525 (5).

38 (b) A building inspection program of a municipality may not include:

39 (A) Boiler and pressure vessel programs under ORS 480.510 to 480.670 except those described
40 in rules adopted under ORS 480.525 (5);

41 (B) Elevator programs under ORS 460.005 to 460.175;

42 (C) Amusement ride regulation under ORS 460.310 to 460.370;

43 (D) Prefabricated structure regulation under ORS chapter 455;

44 (E) Manufacture of manufactured structures programs under ORS 446.155 to 446.285, including
45 the administration and enforcement of federal manufactured dwelling construction and safety stan-

1 dards adopted under ORS 446.155 or the National Manufactured Housing Construction and Safety
2 Standards Act of 1974;

3 (F) Licensing and certification, or the adoption of statewide codes and standards, under ORS
4 chapter 446, 447, 455, 479 or 693; or

5 (G) Review of plans and specifications as provided in ORS 455.685.

6 (2) A municipality that administers a building inspection program as allowed under this section
7 shall do so for periods of four years. The Department of Consumer and Business Services shall adopt
8 rules to adjust time periods for administration of a building inspection program to allow for vari-
9 ations in the needs of the department and participants.

10 (3) When a municipality administers a building inspection program, the governing body of the
11 municipality shall, unless other means are already provided, appoint a person to administer and
12 enforce the building inspection program, who shall be known as the building official. A building of-
13 ficial shall, in the municipality for which appointed, attend to all aspects of code enforcement, in-
14 cluding the issuance of all building permits. Two or more municipalities may combine in the
15 appointment of a single building official for the purpose of administering a building inspection pro-
16 gram within their communities.

17 (4)(a) By January 1 of the year preceding the expiration of the four-year period described in
18 subsection (2) of this section, the governing body of the municipality shall notify the Director of the
19 Department of Consumer and Business Services and, if the municipality is not a county, notify the
20 county whether the municipality will continue to administer and enforce the building inspection
21 program after expiration of the four-year period.

22 (b) Notwithstanding the January 1 date set forth in paragraph (a) of this subsection, the director
23 and the municipality and, if the municipality is not a county, the county may by agreement extend
24 that date to no later than March 1.

25 (5) If a city does not notify the director, or notifies the director that it will not administer the
26 building inspection program, the county or counties in which the city is located shall administer and
27 enforce the county program within the city in the same manner as the program is administered and
28 enforced outside the city, except as provided by subsection (6) of this section.

29 (6) If a county does not notify the director, or notifies the director that it will not administer
30 and enforce a building inspection program, the director shall contract with a municipality or other
31 person or use such state employees or state agencies as are necessary to administer and enforce a
32 building inspection program, and permit or other fees arising therefrom shall be paid into the Con-
33 sumer and Business Services Fund created by ORS 705.145 and credited to the account responsible
34 for paying the expenses thereof. A state employee may not be displaced as a result of using contract
35 personnel.

36 (7) The governing body of a municipality may commence responsibility for the administration
37 and enforcement of a building inspection program beginning July 1 of any year by notifying the di-
38 rector no later than January 1 of the same year and obtaining the director's approval of an as-
39 sumption plan as described in subsection (11)(c) of this section.

40 (8) The department shall adopt rules to require the governing body of each municipality assum-
41 ing or continuing a building inspection program under this section to submit a written plan with the
42 notice required under subsection (4) or (7) of this section. If the department is the governing body,
43 the department shall have a plan on file. The plan must specify how cooperation with the State Fire
44 Marshal or a designee of the State Fire Marshal will be achieved and how a uniform fire code will
45 be considered in the review process of the design and construction phases of buildings or structures.

1 (9) A municipality that administers and enforces a building inspection program pursuant to this
2 section shall recognize and accept the performances of state building code activities by businesses
3 and persons authorized under ORS 455.457 to perform the activities as if the activities were per-
4 formed by the municipality. A municipality is not required to accept an inspection, a plan or a plan
5 review that does not meet the requirements of the state building code.

6 (10) The department or a municipality that accepts an inspection or plan review as required by
7 this section by a person licensed under ORS 455.457 has no responsibility or liability for the activ-
8 ities of the licensee.

9 (11) In addition to the requirements of ORS 455.100 and 455.110, the director shall regulate
10 building inspection programs that municipalities assume on or after January 1, 2002. Regulation
11 under this subsection shall include but not be limited to:

12 (a) Creating building inspection program application and amendment requirements and proce-
13 dures;

14 (b) Granting or denying applications for building inspection program authority and amendments;

15 (c) Requiring a municipality assuming a building inspection program to submit with the notice
16 given under subsection (7) of this section an assumption plan that includes, at a minimum:

17 (A) A description of the intended availability of program services, including proposed service
18 agreements for carrying out the program during at least the first two years;

19 (B) Demonstration of the ability and intent to provide building inspection program services for
20 at least two years;

21 (C) An estimate of proposed permit revenue and program operating expenses;

22 (D) Proposed staffing levels; and

23 (E) Proposed service levels;

24 (d) Reviewing procedures and program operations of municipalities;

25 (e) Creating standards for efficient, effective, timely and acceptable building inspection pro-
26 grams;

27 (f) Creating standards for justifying increases in building inspection program fees adopted by a
28 municipality;

29 (g) Creating standards for determining whether a county or department building inspection
30 program is economically impaired in its ability to reasonably continue providing the program
31 throughout a county, if another municipality is allowed to provide a building inspection program
32 within the same county; and

33 (h) Enforcing the requirements of this section.

34 (12) The department may assume administration **and enforcement** of a building inspection pro-
35 gram:

36 (a) During the pendency of activities under ORS 455.770;

37 (b) If a municipality abandons or is no longer able to administer the building inspection program;
38 and

39 (c) If a municipality fails to substantially comply with any provision of this section or of ORS
40 455.465, 455.467 and 455.469.

41 **(13) If the department assumes the administration and enforcement of a building in-**
42 **spection program under this section, in addition to any other power granted to the director,**
43 **the director may:**

44 (a) **Enter into agreements with local governments under section 5 of this 2013 Act re-**
45 **garding the administration and enforcement of the assumed building inspection program;**

1 (b) Take action as described in section 7 of this 2013 Act to ensure that sufficient staff
2 and other resources are available for the administration and enforcement of the assumed
3 building inspection program; and

4 (c) Charge fees described in section 8 of this 2013 Act for department services provided
5 in administering and enforcing the assumed building inspection program.

6 [(13)] (14) A municipality that abandons or otherwise ceases to administer and enforce a
7 building inspection program that the municipality assumed under this section may not resume the
8 administration or enforcement of the program for at least two years. The municipality may resume
9 the administration and enforcement of the abandoned program only on July 1 of an odd-numbered
10 year. Prior to resuming the administration and enforcement of the program, the municipality must
11 follow the notification procedure set forth in subsection (7) of this section.

12 **SECTION 12.** ORS 455.150 is amended to read:

13 455.150. (1) Except as provided in subsection [(14)] (15) of this section, a municipality that as-
14 sumes the administration and enforcement of a building inspection program prior to January 1, 2002,
15 may administer and enforce all or part of a building inspection program. A building inspection pro-
16 gram:

17 (a) Is a program that includes the following:

18 (A) The state building code, as defined in ORS 455.010, except as set forth in paragraph (b) of
19 this subsection.

20 (B) Manufactured structure installation requirements under ORS 446.155, 446.185 (1) and 446.230.

21 (C) Manufactured dwelling parks and mobile home parks under ORS chapter 446.

22 (D) Park and camp programs regulated under ORS 455.680.

23 (E) Tourist facilities regulated under ORS 446.310 to 446.350.

24 (F) Manufactured dwelling alterations regulated under ORS 446.155.

25 (G) Manufactured structure accessory buildings and structures under ORS 446.253.

26 (H) Boilers and pressure vessels described in rules adopted under ORS 480.525 (5).

27 (b) Is not a program that includes:

28 (A) Boiler and pressure vessel programs under ORS 480.510 to 480.670 except those described
29 in rules adopted under ORS 480.525 (5);

30 (B) Elevator programs under ORS 460.005 to 460.175;

31 (C) Amusement ride regulation under ORS 460.310 to 460.370;

32 (D) Prefabricated structure regulation under ORS chapter 455;

33 (E) Manufacture of manufactured structures programs under ORS 446.155 to 446.285, including
34 the administration and enforcement of federal manufactured dwelling construction and safety stan-
35 dards adopted under ORS 446.155 or the National Manufactured Housing Construction and Safety
36 Standards Act of 1974;

37 (F) Licensing and certification, or the adoption of statewide codes and standards, under ORS
38 chapter 446, 447, 455, 479 or 693; and

39 (G) Review of plans and specifications as provided in ORS 455.685.

40 (2) A municipality that administers a building inspection program as allowed under this section
41 shall do so for periods of four years. The Department of Consumer and Business Services shall adopt
42 rules to adjust time periods for administration of a building inspection program to allow for vari-
43 ations in the needs of the department and participants.

44 (3) When a municipality administers a building inspection program, the governing body of the
45 municipality shall, unless other means are already provided, appoint a person to administer and

1 enforce the building inspection program or parts thereof, who shall be known as the building official.
2 A building official shall, in the municipality for which appointed, attend to all aspects of code
3 enforcement, including the issuance of all building permits. Two or more municipalities may combine
4 in the appointment of a single building official for the purpose of administering a building inspection
5 program within their communities.

6 (4)(a) By January 1 of the year preceding the expiration of the four-year period described in
7 subsection (2) of this section, the governing body of the municipality shall notify the Director of the
8 Department of Consumer and Business Services and, if not a county, notify the county whether the
9 municipality will continue to administer the building inspection program, or parts thereof, after ex-
10 piration of the four-year period. If parts of a building inspection program are to be administered and
11 enforced by a municipality, the parts shall correspond to a classification designated by the director
12 as reasonable divisions of work.

13 (b) Notwithstanding the January 1 date set forth in paragraph (a) of this subsection, the director
14 and the municipality and, if the municipality is not a county, the county may by agreement extend
15 that date to no later than March 1.

16 (5) If a city does not notify the director, or notifies the director that it will not administer cer-
17 tain specialty codes or parts thereof under the building inspection program, the county or counties
18 in which the city is located shall administer and enforce those codes or parts thereof within the city
19 in the same manner as it administers and enforces them outside the city, except as provided by
20 subsection (6) of this section.

21 (6) If a county does not notify the director, or notifies the director that it will not administer
22 and enforce certain specialty codes or parts thereof under the building inspection program, the di-
23 rector shall contract with a municipality or other person or use such state employees or state
24 agencies as are necessary to administer and enforce those codes or parts thereof, and permit or
25 other fees arising therefrom shall be paid into the Consumer and Business Services Fund created
26 by ORS 705.145 and credited to the account responsible for paying such expenses. A state employee
27 may not be displaced as a result of using contract personnel.

28 (7) If a municipality administering a building inspection program under this section seeks to
29 administer additional parts of a program, the municipality must comply with ORS 455.148, including
30 the requirement that the municipality administer and enforce all aspects of the building inspection
31 program. Thereafter, the municipality is subject to ORS 455.148 and ceases to be subject to this
32 section.

33 (8) The department shall adopt rules to require the governing body of each municipality to
34 submit a written plan with the notice required under subsection (4) of this section. If the department
35 is the governing body, the department shall have a plan on file. The plan shall specify how coop-
36 eration with the State Fire Marshal or a designee of the State Fire Marshal will be achieved and
37 how a uniform fire code will be considered in the review process of the design and construction
38 phases of buildings or structures.

39 (9) A municipality that administers a code for which persons or businesses are authorized under
40 ORS 455.457 to perform activities shall recognize and accept those activities as if performed by the
41 municipality. A municipality is not required to accept an inspection, a plan or a plan review that
42 does not meet the requirements of the state building code.

43 (10) The department or a municipality that accepts an inspection or plan review as required by
44 this section by a person licensed under ORS 455.457 has no responsibility or liability for the activ-
45 ities of the licensee.

1 (11) In addition to the requirements of ORS 455.100 and 455.110, the director shall regulate
2 building inspection programs of municipalities assumed prior to January 1, 2002. Regulation under
3 this subsection shall include but not be limited to:

4 (a) Creating building inspection program application and amendment requirements and proce-
5 dures;

6 (b) Granting or denying applications for building inspection program authority and amendments;

7 (c) Reviewing procedures and program operations of municipalities;

8 (d) Creating standards for efficient, effective, timely and acceptable building inspection pro-
9 grams;

10 (e) Creating standards for justifying increases in building inspection program fees adopted by a
11 municipality;

12 (f) Creating standards for determining whether a county or department building inspection pro-
13 gram is economically impaired in its ability to reasonably continue providing the program or part
14 of the program throughout a county, if another municipality is allowed to provide a building in-
15 spection program or part of a program within the same county; and

16 (g) Enforcing the requirements of this section.

17 (12) The department may assume administration **and enforcement** of a building inspection pro-
18 gram:

19 (a) During the pendency of activities under ORS 455.770;

20 (b) If a municipality abandons any part of the building inspection program or is no longer able
21 to administer the building inspection program; and

22 (c) If a municipality fails to substantially comply with any provision of this section or of ORS
23 455.465, 455.467 and 455.469.

24 **(13) If the department assumes the administration and enforcement of a building in-
25 spection program under this section, in addition to any other power granted to the director,
26 the director may:**

27 **(a) Enter into agreements with local governments under section 5 of this 2013 Act re-
28 garding the administration and enforcement of the assumed building inspection program;**

29 **(b) Take action as described in section 7 of this 2013 Act to ensure that sufficient staff
30 and other resources are available for the administration and enforcement of the assumed
31 building inspection program; and**

32 **(c) Charge fees described in section 8 of this 2013 Act for department services provided
33 in administering and enforcing the assumed building inspection program.**

34 ~~[(13)]~~ (14) If a municipality abandons or otherwise ceases to administer all or part of a building
35 inspection program described in this section, the municipality may not resume the administration
36 and enforcement of the abandoned program or part of a program for at least two years. The
37 municipality may resume the administration and enforcement of the abandoned program or part of
38 a program only on July 1 of an odd-numbered year. To resume the administration and enforcement
39 of the abandoned program or part of a program, the municipality must comply with ORS 455.148,
40 including the requirement that the municipality administer and enforce all aspects of the building
41 inspection program. Thereafter, the municipality is subject to ORS 455.148 and ceases to be subject
42 to this section.

43 ~~[(14)]~~ (15) A municipality that administers and enforces a building inspection program under this
44 section shall include in the program the inspection of boilers and pressure vessels described in
45 subsection (1)(a)(H) of this section.

1 **SECTION 13.** ORS 455.475 is amended to read:

2 455.475. (1) [A person aggrieved by] **An applicant for a building permit may appeal** a decision
3 made by a building official under authority established pursuant to ORS 455.148, 455.150 or 455.467
4 [may appeal the decision]. The following apply to an appeal under this [section] **subsection:**

5 [(1)] (a) An appeal [under this section] **regarding the interpretation or application of a par-**
6 **ticular specialty code provision** shall be made first to the appropriate specialty code chief in-
7 spector of the Department of Consumer and Business Services. The decision of the department chief
8 inspector may be appealed to the appropriate advisory board. The decision of the advisory board
9 may only be appealed to the Director of the Department of Consumer and Business Services if codes
10 in addition to the applicable specialty code are at issue.

11 [(2)] (b) If the appropriate advisory board determines that a decision by the department chief
12 inspector is a major code interpretation, then the inspector shall distribute the decision in writing
13 to all applicable specialty code public and private inspection authorities in the state. The decision
14 shall be distributed within 60 days after the board's determination, and there shall be no charge for
15 the distribution of the decision. As used in this [subsection] **paragraph**, a "major code
16 interpretation" means a code interpretation decision that affects or may affect more than one job
17 site or more than one inspection jurisdiction.

18 **(2) Except as provided in subsection (1) of this section, an applicant for a building permit**
19 **may appeal the decision of a building official on any matter relating to the administration**
20 **and enforcement of this chapter to the department. The appeal must be in writing. A deci-**
21 **sion by the department on an appeal filed under this subsection is subject to judicial review**
22 **as provided in ORS 183.484.**

23 (3) If an appeal is made under this section, an inspection authority shall extend the plan review
24 deadline by the number of days it takes for a final decision to be issued for the appeal.

25 **SECTION 14.** This 2013 Act being necessary for the immediate preservation of the public
26 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
27 on its passage.

28

RAIN Business Concept

April 29, 2013

Prepared for:
**Oregon Solutions, Regional Solutions,
and RAIN Stakeholders**

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1 Executive Summary

This report is a business concept for the Regional Accelerator Innovation Network (RAIN), a consortium of government, higher education, and the business community created to advance the formation, growth, and retention of tech-based startups in the South Willamette Valley. The business concept will evolve into a more formal business plan once the larger stakeholder group convenes and acts on this document in late May 2013. RAIN's purpose is to double the current rate of new tech business formation and job creation by 2025. Summarily, this report puts forth a proposal for the function and structure of RAIN in the context of the strengths and goals of the region as well as trends in the market.

Four key questions guided the development of this business concept:

1. What is RAIN?
2. Why is RAIN important?
3. What will RAIN do?
4. How will RAIN operate?

This executive summary briefly addresses each question. The full report answers them in greater detail.

What is RAIN?

RAIN is a network of government, university, and private entities with a vested interest in the economic prosperity of the South Willamette Valley and Oregon as a whole. This network will leverage existing and new assets within the South Willamette Valley region to accelerate the successful development of high growth, innovation-based companies. The emerging accelerators of two of Oregon's largest research universities, the University of Oregon (UO) and Oregon State University (OSU), comprise the core of RAIN. These accelerators will provide needed physical and programmatic resources to nurture and commercialize promising innovations in an environment that supports both product and business development. RAIN will galvanize a variety of business support resources, including entities from universities and community colleges in the South Willamette Valley, chambers of commerce, small business centers, economic development organizations, state and local government resources, entrepreneurs, and sources of funding to support the accelerators and the startups they nurture. As a whole, the RAIN initiative will support emerging businesses and transform the South Willamette Valley's growing research capabilities into commercially viable

products. It will offer the resources and support to retain these emerging companies and products in the region, as well as support the retention of existing companies that would access many of the networks assets. RAIN's ultimate objective is to increase prosperity in the region.

Why is RAIN important?

The development of RAIN is both an evolutionary step that builds on successes experienced in the region, and part of a larger change in approaches to economic development realized more robustly in other states. States such as Arizona, California, North Carolina, Utah, and Washington have developed comprehensive economic development strategies that place emphasis on venture development and commercialization of research. These programs capitalize on the commercialization of research to grow and retain companies and jobs. As these programs in other states grow, they challenge Oregon's competitive edge in the technology, clean energy, and other sectors. RAIN will galvanize the diverse resources and talents in Oregon to support innovation and business development as well as retention. In doing so, RAIN will facilitate job creation and economic prosperity, helping Oregon to stay competitive in this fast-changing market.

What will RAIN do?

RAIN will function as a facilitator and enabler of a pipeline that fosters the transition of research and emerging ideas into commercialized endeavors that bring viable new business and jobs to the region and state. RAIN will achieve these objectives by linking the resources and talents of the OSU and UO business accelerator programs with a range of public and private stakeholders including cities and counties of the region, economic development and business organizations, community colleges, the state, and private capital. RAIN will establish a new brand for the region that captures its abilities to move ideas from incubation to the marketplace, while enhancing the well being of communities that house these new businesses.

To accomplish the objectives described above, RAIN will fulfill six key roles:

1. Strategic planning,
2. Galvanize and institutionalize resource networks,
3. Facilitate access to capital,
4. Promote regional economic development,
5. Market opportunities and successes, and
6. Monitor outcomes.

How will RAIN operate?

This business concept suggests that RAIN will function as an interdependent nonprofit 501(c)(3), one whose success is linked to other entities including the two university accelerators, Oregon Inc., as well as existing economic development programs in the public and private realms, and others. As a nonprofit organization, RAIN will have access to public funding and private donations. A Board of Directors will govern the organization with the support of an Advisory Group. A small, dedicated staff will manage the day-to-day operations. Such staff may be employed directly by RAIN or provided by a combination of stakeholders. As an interdependent entity, RAIN's actions and success will be tied to its relationships to the two university accelerator programs and the performance of committed stakeholders.

2 Overview

2.1 Introduction to the Business Concept

This business concept describes the market for and benefits of the Regional Accelerator Innovation Network (RAIN) and puts forth a proposal for its function and structure. The Governor's South Valley Regional Solutions Center Advisory Committee developed and sponsored the RAIN proposal. The committee includes members from state and local governments, the University of Oregon (UO), Oregon State University (OSU), Linn-Benton Community College, regional economic development organizations, and the private sector. ECONorthwest crafted this model using concept papers and interview data from RAIN stakeholders in conjunction with secondary research on similar entities across the country. The business concept is a starting point: it is intended to spark discussion among RAIN stakeholders and facilitate the development of a more refined RAIN business plan agreed upon by stakeholders, which may vary from the one described in this business concept.

2.2 Mission Statement

RAIN is a consortium of government, higher education, and the business community created to advance the formation, growth, and retention of tech-based startups in the South Willamette Valley. By enhancing partnerships between universities, community colleges, the private sector, and state and local governments, RAIN will help provide the resources necessary to efficiently transition ideas to the marketplace as Oregon-based companies that create jobs and economic prosperity for the region and state.

2.3 Objective

The primary objective of RAIN is to double the current rate of new tech business formation and job creation by 2025 and to retain these firms in the region and state.

2.4 Background

The development of RAIN is part of a larger national movement toward venture development, which aims to generate economic wealth for a region by nurturing and retaining startup firms. Venture development organizations (VDOs) come in all shapes and sizes. The Regional Innovation Acceleration

Network (RIAN), a U.S. Economic Development Administration funded program aimed at supporting the development and success of VDOs, includes nearly 200 VDOs, accelerators, and support agencies in its network.¹ Generally, they share a set of fundamental and organizational characteristics (Table 1). These characteristics and practices are discussed in greater detail later.

Table 1: VDO Characteristics

Fundamental	Organizational
Grounded within a region Built on an existing, evolving innovation system Integrates other economic development activities Offers a diverse portfolio of services Can quickly adapt to changing market needs Has experienced management staff Regularly monitors performance	Organized as a nonprofit Built on strong public-private partnerships Relies on a diverse funding pool Includes stakeholders from the private sector on the board

Source: ECONorthwest with data from the Regional Innovation Acceleration Network.

Like other VDOs, RAIN is a public-private partnership aimed at building the economy of the South Willamette Valley region through the development and retention of technology startups. It will galvanize existing small business development resources available in the region to build on the successes of the region’s existing economic development initiatives.

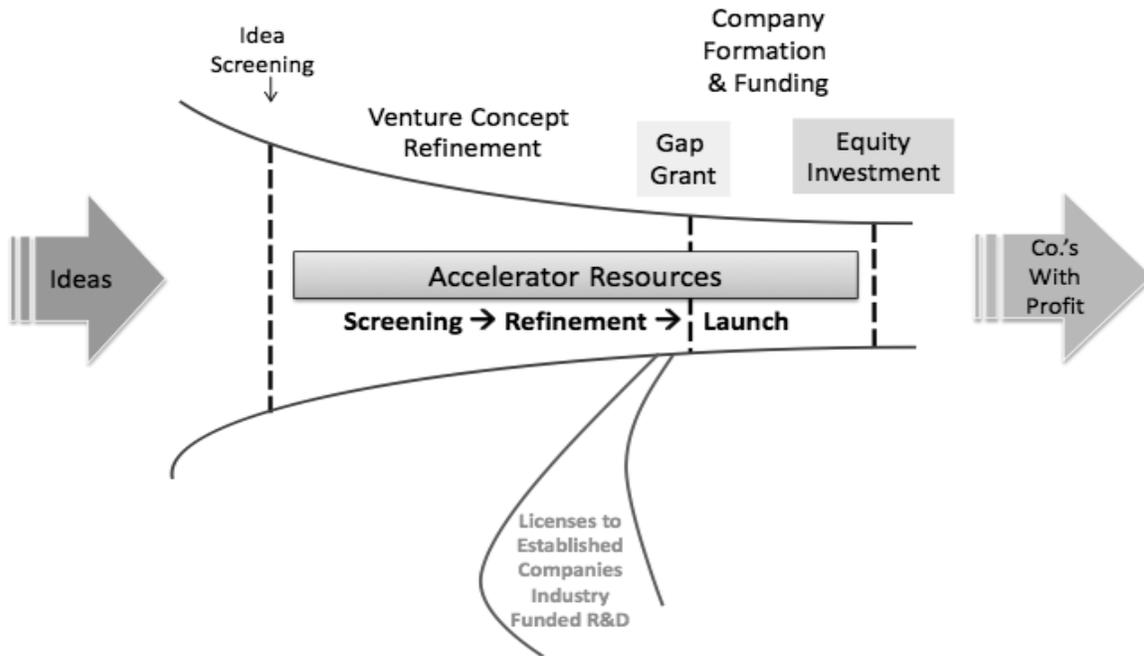
The emerging accelerators of two of Oregon’s largest research universities, UO and OSU, comprise the core of RAIN. The overarching purpose of these accelerators is to facilitate the commercialization of research originating from university faculty and students as well as members of the greater community, enabling the growth of startup companies in the South Willamette Valley region and Oregon as a whole. The accelerators will consist of both “hard” assets (facilities, financing, and equipment) and “soft” assets (programmatically support from mentorship, networking, virtual information, and other sources).

Within the accelerator, concepts and prospective startups will be guided through three commercialization stages. Figure 1 provides a visual illustration of this process. These stages are: (1) **prescreening**, in which participants are provided information and referrals; (2) **refinement**, where

¹ Regional Acceleration Innovation Network, 2013, [VDO Characteristics](http://regionalinnovation.org/content.cfm?article=organizational-characteristics), accessed April 28, 2013 at <http://regionalinnovation.org/content.cfm?article=organizational-characteristics>.

innovators receive assistance with business plan development and launch from trained student interns and community mentors; and (3) **funding**, where students perform due diligence in preparation for investor engagement.²

Figure 1: Accelerator Model



Source: Governor’s South Valley Regional Solutions Center Advisory Committee.

A key component of commercializing ideas is the engagement of the external community as advisors, investors and direct participants, and tapping into existing community organizations, workshops, and events. Alumni, business leaders, entrepreneurs, community members and students will play important roles in moving ideas from concept to commercial reality. Trusted external experts will identify promising early stage technologies from OSU researchers; student participants will perform business, market, competitor, and financial assessments; community mentors and Entrepreneurs-in-Residence will assist with business plan development and execution for start-up companies.

The universities will house technology startups and supportive resources in two incubation facilities, one in Eugene and one in Corvallis. The UO accelerator will be located in 14,000 square feet on the third floor of

² Governor’s South Valley Regional Solutions Center Advisory Committee, 2013, Legislative Concept Paper: South Willamette Valley Regional Accelerator & Innovation Network (RAIN).

PeaceHealth's Sacred Heart Hospital. It will have space for eight resident startups.³ These facilities will include lab space, office space, shared spaces such as emerging business bullpen, conference and training rooms, and space dedicated to community partners, including the Cities of Eugene and Springfield, Lane County Economic Development, the Small Business Development Center, and the private sector.⁴

A Foundation of Success

RAIN builds upon a strong foundation of experience at both OSU and UO in commercializing research. A list of some of the successful ventures to arise from these universities and generate prosperity for the region is below.

NuScale Power has created a new kind of nuclear plant, a smaller, scalable version of pressurized water reactor technology, designed with natural safety features. NuScale is located in the Willamette Valley and has more than 200 employees.

MitoSciences is a leading developer of mitochondrial antibodies and mitochondrial assays. They aim to provide the most comprehensive set of antibodies and assays for studying metabolism and apoptosis.

Electrical Geodesics (EGI) was founded in 1992 with a vision of developing high-density EEG systems for neurological research. In the past 20 years, EGI's dense array EEG systems have come to dominate the field of neurophysiological research and are used by the most prestigious research laboratories in the world. EGI employs more than 80 Oregonians.

Perpetua Power Source Technologies designs, manufactures, and markets renewable energy solutions for wireless sensors. They are focused on offering cost effective and easy-to-integrate power products that last as long as the sensor electronics.

The first phase of the OSU accelerator opened in January 2013. The co-directors and others are located in multiple buildings, as OSU does not yet have a dedicated space for the accelerator. The university plans to create a central location adjacent to campus for the accelerator program. These facilities will have 10,000 square feet of office space, which will provide sufficient room for five startups, resident mentors, students, and other programmatic components. OSU also has access to additional space on the Hewlett Packard (HP) campus. The Microproducts Breakthrough Institute has space to accommodate five startups. There is the opportunity to create 20,000 square feet of lab space in this building, however, this development would require a \$10 million investment and is not within the scope of the initiative at this point in time.⁵

These accelerators build on a strong tradition of research and innovation at the universities. According to testimony from Dr. Kimberly Espy and Rick Spinrad to the State Legislature, UO and OSU collectively brought in nearly \$400 million in research dollars last year that resulted in discovery, innovation, and economic activity for Oregonians. Faculty at Oregon's research universities excel in converting research activity into real world outcomes – solutions, products, new businesses, and jobs. UO and OSU research portfolio companies

³ Eugene Area Chamber of Commerce, 2013, "Business Accelerator," Open for Business April/May: 8-12.

⁴ Governor's South Valley Regional Solutions Center Advisory Committee, 2013.

⁵ ECONorthwest communication with Ron Adams on April 28, 2013.

provide over 600 jobs in Oregon and bring in nearly \$70 million in revenue.⁶

The universities achieved these outcomes by working together, pooling resources and ideas on an ad hoc basis to achieve results. In 2005, the Governor and the Legislature brought together more than 50 leaders from the four research universities (OSU, UO, Portland State University [PSU], and Oregon Health and Science University), the government, and the private sector to design a new way to support and fund economic development. In 2005, they launched Oregon Innovation Council (Oregon InC) and its three Signature Research Centers (SRCs), which focus on nanoscience (ONAMI), biotechnology (OTRADI), and environmental technology (BEST). The purpose of Oregon InC and its three SRCs is to support and commercialize university research. Since 2005,

Oregon InC's six initiatives have captured \$197.5 million in federal and private grants for the state, and are on track to generate more than \$7 for every dollar the Legislature has invested so far. Oregon InC created or retained 666 jobs in the first biennium, and is on track to create or retain 616 jobs in the second biennium.⁷

The RAIN and Oregon InC Collaboration

RAIN will expand the impact of Oregon InC by adding the necessary components at a regional scale to effectively commercialize innovation. These core components include: a broad base program to tie all resources together, a connection with career-ready students, expansion of mentorship and EIR programs, and incubator space.

RAIN will collaborate with the SRCs in technology areas that align with the foci of these centers. RAIN will complement the necessary programmatic components and leverage volunteer and financial resources to assist the SRCs in advancing ideas toward commercial success. Both anchor components of RAIN will build upon a record of partnering with the SRCs in advancing new ventures.¹

Oregon InC's success demonstrates the substantial return on investment achieved when universities collaborate with stakeholders from the private and public sectors to support innovation and business development.

RAIN will build on existing partnerships between public and private entities in the region, such as Oregon InC, to maximize their collective benefit and support regional economic development. This initiative will enable Oregon, and the South Willamette Valley in particular, to compete more effectively with neighboring regions. As will be discussed in Market Analysis section, other states including Arizona, California, Utah, and Washington have robust innovation network initiatives to attract talent and capital to their regions.

⁶ Dr. K. Espy and R. Spinrad, 2013, "Testimony Before the Senate Committee on Business and Transportation," March 7.

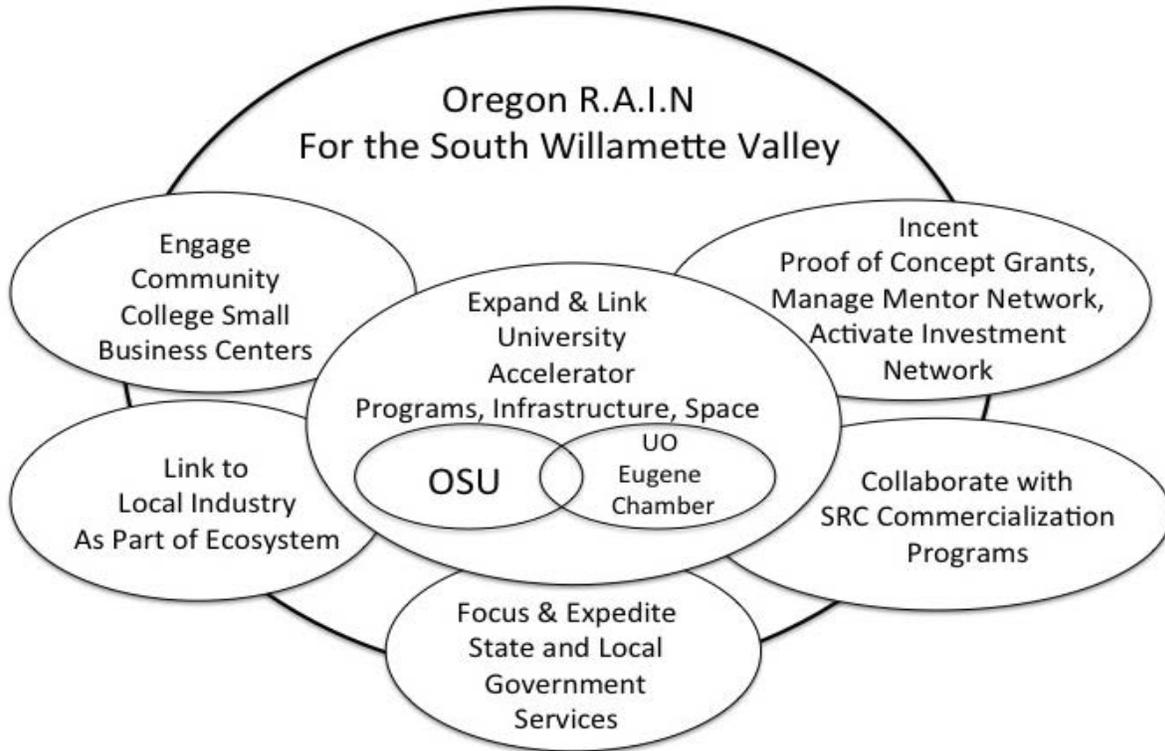
⁷ Oregon InC, "Creating The Next Generation of Oregon Jobs," accessed April 18, 2013 at <http://www.oregon4biz.com/assets/docs/OR-InC-overview.pdf>.

2.5 RAIN Concept

RAIN will leverage existing and new assets within the South Willamette Valley region to accelerate the successful development of high growth, innovation-based companies. The accelerators that anchor RAIN will provide needed physical and programmatic resources to nurture and commercialize promising innovations in an environment that supports both product and business development. RAIN will galvanize a variety of business support resources including universities and community colleges in the South Willamette Valley, chambers of commerce, small business centers, state and local government resources, entrepreneurs, and sources of funding. It will institutionalize partnerships and a network to support emerging businesses, both from the accelerators and the region as a whole, transforming the South Willamette Valley's growing research capabilities into commercially viable products. It will offer the resources and support to retain these companies and products in the region, ultimately increasing the region and state's prosperity.

Figure 2 shows one conceptualization of RAIN, as presented in the Legislative Concept Paper. RAIN's core assets are the linked accelerator programs of OSU and UO. RAIN will facilitate collaboration between these programs and other key resources in the region, allowing both efforts to leverage respective competencies and use overall resources most effectively. To achieve this objective, RAIN will undertake six key roles: (1) strategic planning, (2) galvanize and institutionalize resource networks, (3) facilitate access to capital, (4) promote regional economic development, (5) market opportunities and successes, and (6) monitor outcomes. A Board of Directors composed of key stakeholders from this network will ensure that RAIN carries out its functions effectively and efficiently. The Board will receive support from both an Advisory Group and a small staff. The services provided by RAIN and its governance structure are described in greater detail in the RAIN Model section of this concept report.

Figure 2: RAIN Model



Source: Legislative Concept Paper: South Willamette Valley Regional Accelerator Innovation Network (RAIN).

3 Market Analysis

Described here is the market for RAIN. It expands on the background provided in the previous section to illustrate the need for an entity such as RAIN to build on and harness the economic development achievements and potential of the region. Based on a review of similar programs across the country, it identifies sample best practices for accelerator/incubator programs. Next, it calls out those programs that will compete directly with RAIN for potential startups, stakeholders, and investment. Given this competitive landscape, the section concludes with a discussion of RAIN’s competitive advantage.

3.1 Demand for Services

RAIN will provide the critical connective tissue required to maximize the diverse suite of resources available to technology startups in the South Willamette Valley. Early stage technology startups strongly benefit from: (1)

affordable office and lab space in close proximity to university research, faculty, and students; (2) access to public and private capital as well as personnel resources and expansion facilities; and (3) programmatic support to develop and build a viable business. The university accelerators will provide technology startups with both the “hard” assets (facilities, equipment, and access to capital) and “soft” assets (programmatic support, such as mentorship, networking, and virtual information) required to be successful. Although many of these resources are available through the universities, community colleges, public and private economic development agencies, and other business support entities in the region, they are not packaged in a way that optimizes the potential to expeditiously and collaboratively grow research into viable business ventures. RAIN completes this missing link – it connects resources, further enhances collaboration among public and private entities, and increases the probability that these efforts are utilized in an effective manner that benefits to the region as a whole through business formation, job creation, and an increased tax base.

3.2 Best Practices

Commercialization leaders have identified a number of best practices that contribute to strong business incubation programs and innovation networks. This section highlights characteristics and practices that pertain to the RAIN entity (as opposed to the individual accelerators): (1) nonprofit management structure, (2) strong public-private partnerships, (3) clear and communicated goals, and (4) monitoring and marketing outcomes.

3.2.1 Nonprofit Management Structure

Both innovation networks and incubators are often structured as nonprofits. RIAN cites a nonprofit structure as one “fundamental” characteristic of successful innovation networks.⁸ Similarly, in a report for the U.S. Department of Commerce, titled *Incubating Success*, researchers determined that 93 percent of high-performing incubators are structured as nonprofits.⁹ The nonprofit model offers two key advantages: (1) it provides access to both

⁸ Regional Acceleration Incubation Network, 2013.

⁹ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012, *Incubating Success: Incubation Best Practices that Lead to Successful New Ventures*, prepared for the U.S. Department of Commerce Economic Development Administration.

public and private funding sources, and (2) it ensures that program revenues continue to be reinvested in the project.¹⁰

A board of directors governs a nonprofit. Incubator or innovation network boards often consist of stakeholders from both the private and public sector.¹¹ Stakeholders from state and local governance can provide the public funding and legislative support required to grow incubator projects in their startup years.¹² Stakeholders from the private sector offer a pragmatic perspective on how to best grow startups during each stage of development and can help introduce capital providers to these companies. Acting as a non-profit entity, these stakeholders are responsible for developing clear goals for the organization, implementing an action plan to achieve them, and monitoring outcomes.

3.2.2 Strong Public-Private Partnerships and Sustained Support

Innovation networks are successful when they have the participation and support of both private and public sector entities. Individually, stakeholders can support innovation networks by providing resources, participating in governance, and enacting beneficial policy. Collectively, these stakeholders form networks that support the flow of knowledge and resources necessary for supporting new startups and retaining them in the region.¹⁴

Strong networks “provide the gel that binds success over time. Access to tacit knowledge can support collective learning and more competitive performance.”¹³

Private sector participation on innovation network boards is essential: it gives the organization credibility among the business community and provides access to a range of resources from financing to personnel. These stakeholders can utilize their experience in the business community to support both the innovation network as a whole and the startups that grow

¹⁰ Regional Acceleration Innovation Network, 2013; SRI International, 2012, [Overview of SRI: A Community of Innovation](#).

¹¹ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012.

¹² Innovate Washington, 2012, [Business Plan: 2013-17](#), accessed April 9, 2013 at <http://www.innovatewashington.org/sites/default/files/IWABusinessPlan11.30.12.pdf>; N. Bowditch, 2009, “Leadership, Partnerships, and Networks: Navigating 50 Years of Dynamic Growth in the Research Triangle Park,” paper presented at the XXVI IASP World Conference on Science and Technology Parks.

¹³ Ecotec Research & Consulting, no date, [A Practical Guide to Cluster Development](#), prepared for the Department of Trade and Industry and the English RDAs, p. 22.

¹⁴ Ecotec Research & Consulting, no date.

within it. Their management knowledge and experience as well as abilities to identify emerging talent are valuable resources. They bring financing, management experience and the benefits of previous trials, errors and successes to the table.

Frequent inclusion of public stakeholders on nonprofit boards indicates the importance of broad and consistent support among public leaders to the success of innovation network projects. Not only is public sector support desirable, it is often necessary. Weak coordination among local jurisdictions can challenge the success of otherwise strong incubation programs.¹⁵

State and local governments can support accelerator endeavors in a number of ways. Two that are often effective are: (1) investing directly in a VDO or innovation network, and (2) forming complementary policies that support these programs over the longer term such as tax incentives to attract private investment. In doing so, the public sector can help ensure that incubation/acceleration programs are successful in early years and that their benefits flow to the regional economy over time.

The Seven-Year Itch

Experience demonstrates that there is a lag of about seven years from when an initial investment is made in an innovation network and when substantial benefits flow to the economy. Ongoing and sustained investment from stakeholders is critical to ensure the success of new initiatives. The history of North Carolina's Research Triangle Park (RTP), a science and technology park founded in 1959 through a partnership between government, university, and business leaders, demonstrates the importance of on-going public support to program success. Public leaders in North Carolina contributed both financial support and time to development of the RTP. These efforts provided the project with the necessary funding and cohesive vision to develop as planned, though it was not expected to be financially viable until the seventh year of operations. The investment paid off: by 2007, the RTP consisted of 22.5 million square feet, housed 170 R&D organizations, and employed more than 42,000 full-time workers with annual salaries totaling more than \$2.7 billion.¹⁴

In terms of non-monetary support, state and local governments can facilitate ongoing program success by developing complementary policy frameworks.¹⁶ *Incubating Success* recommends forming public policies around providing seed funding, offering graduate space as companies expand, and developing tax credits for participants.¹⁷ Oregon's northern neighbor has created Innovate Washington, whose business plan calls for a similar public

¹⁵ E. Porter, 2001, Research Triangle: Clusters of Innovation Initiative, Washington D.C.: Council on Competitiveness.

¹⁶ E. Porter, 2001.

¹⁷ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012.

policy agenda.¹⁸ These policies will support business retention in the target region, thus creating jobs and generating tax revenues.

3.2.3 Clear and Communicated Goals

Setting clear goals and communicating them to internal stakeholders and external constituents (the public) is integral to the success of any incubator or accelerator program.¹⁹ Goals may be broad (i.e., long-term industry development targets for the region) or specific (i.e., expected outcomes or exit policies for startups). They should reflect the mission statement of the incubation/acceleration organization. Innovate Washington and the North Carolina Research Triangle, for example, both have broad missions to improve the regional economy. Therefore, each developed goals and an action plan for its program aimed at advancing regional economic development.²⁰

In addition to broad goals for the regional economy, *Incubating Success* found that most successful incubators also set specific goals for participating startups, which often include acceptance and exit benchmarks.²¹ In a network environment many of the more specific goals can be set by the individual incubation/acceleration operators but should be agreed upon by the network as a whole.

Strategic Planning for Innovation Networks

A strategic plan is one mechanism incubator and innovation network programs may use to develop and communicate program goals. A strategic plan creates vision and direction for an organization -- it sets goals and establishes a framework to accomplish them. Innovation networks that receive funding from the Department of Commerce Economic Development Administration must complete a specific type of strategic plan, known as a comprehensive economic development strategy (CEDS). The purpose of the CEDS is to analyze the regional economy and develop an organizational action plan that furthers regional economic development goals.²² Although

¹⁸ Innovate Washington, 2012.

¹⁹ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012; T. Gillotti and R. Zeigelbauer, 2006, "Seven Components of a Successful business Incubator," Let's Talk Business 119.

²⁰ Research Triangle Regional Partnership, 2009; Innovate Washington, 2012.

²¹ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012.

²² U.S. Department of Commerce Economic Development Administration, Comprehensive Economic Development Strategies Summary of Requirements, accessed April 27, 2013 at http://www.eda.gov/pdf/CEDS_Flyer_Whit_Background.pdf.

all innovation networks do not produce a formal CEDS, the framework provides useful guidance for strategic planning.

The Research Triangle, one of the nation's most well known innovation networks, completes a comprehensive strategic plan for regional economic development every five years. The most recent strategic planning process took place in 2008 and included:

- A comprehensive literature review on economic development trends and best practices,
- Hosting meetings with institutional partners and community leaders to discuss regional needs and priorities,
- The development of growth and planning scenarios,
- A one-day session with 300 stakeholders to discuss scenarios for addressing growth issues in coming decades, and
- The formation of a 56-member steering committee consisting of members from the business community and higher education to develop the new strategic plan.

The resulting strategic plan titled, *The Shape of Things to Come*, (1) discusses the economic and competitive climate in the region, (2) describes the Research Triangle's competitive advantages, (3) calls out areas of opportunity for future industry development, (4) sets forth an action plan to realize these opportunities, and (5) provides a clear timeline and system for measuring results.²³

3.2.4 Monitoring and Marketing Outcomes

Ongoing monitoring, both of startups and of the program as a whole, is an important management practice. *Incubating Success* reports that two thirds of top-performing incubators collect outcome data on the performance of their accelerators and graduates. Conducting regular reviews of outcomes with respect to strategic plan goals can ensure that the program moves forward in a positive direction that meets the needs of both stakeholders and the community at large. Key metrics include: the survival rate of graduate firms, jobs created by business currently in or graduated from the accelerator, client and graduate revenues, the retention rate of graduate firms in the region, and feedback on services offered by the accelerator.²⁴

²³ Research Triangle Regional Partnership, 2009, [The Shape of Things to Come: The Economic Development Strategy for the Research Triangle Region, North Carolina.](#)

²⁴ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012.

Communicating the results of the review process is equally important. It serves three key purposes. First and foremost, it strengthens confidence among startups, investors, and stakeholders in the organization.²⁵ Second, the organization may use the results to market its achievements to future investors. Finally, for entities that receive public funding, it demonstrates that tax dollars generate a positive return on investment to the community.²⁶

3.3 Competing Organizations

This section briefly describes organizations that will compete with RAIN for both startup talent and funding. It focuses on the most prominent entities located in RAIN's target market, which this business concept defines as the western United States. It discusses programs that are within RAIN's geographic area (the Pacific Northwest and Northern California): the Governor Gray Davis Institutes for Science and Innovation and Prescience International, both in the Bay Area; Innovate Washington, a statewide public-private partnership in Washington State; and C4C New Ventures Facility, University of Washington's new technology incubator. It also looks at programs in Utah and Arizona, the two states in the western U.S. that are excelling at innovation network development. The list is not exhaustive; it highlights key initiatives from each state. While the amount of information on each endeavor varies and no two efforts are alike, as a whole, this section provides a picture of the competitive environment.

3.3.1 Arizona

Arizona Center for Innovation

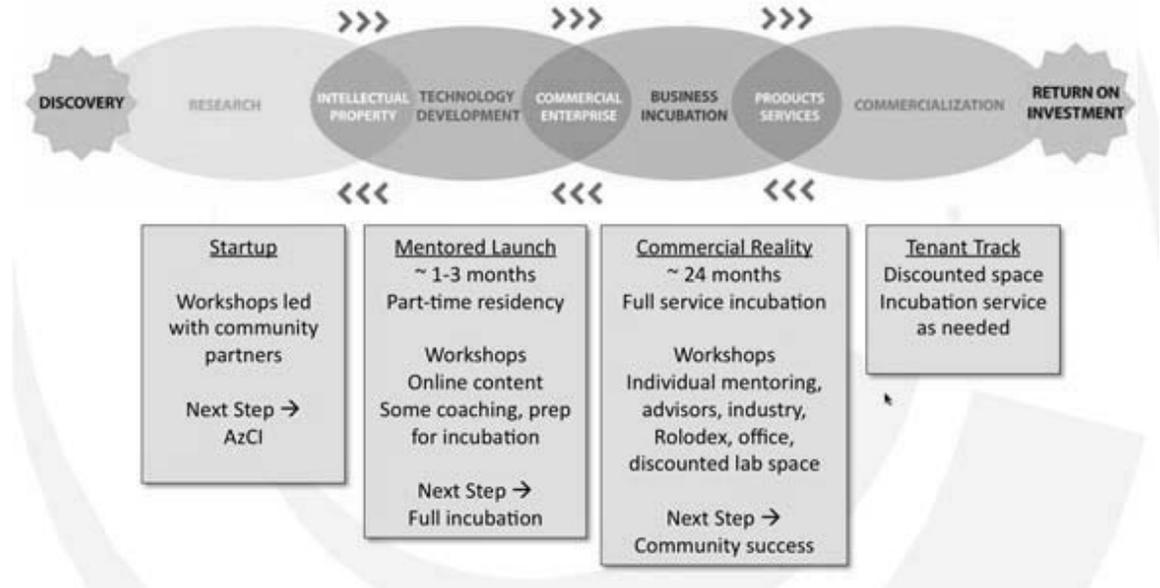
The Arizona Center for Innovation (AzCI) is part of the University of Arizona Office of University Research Parks. The program is structured as an incubator and provides startups with business support from idea discovery through commercialization. Although AzCI is part of the University of Arizona, half of the startups it serves are from the Tucson area and not affiliated with the University. It offers a suite of services including lab and office space, access to university resources, mentorship opportunities, business planning services, leadership development, fundraising assistance, and product development support. Businesses that graduate from the

²⁵ T. Gillotti and R. Zeigelbauer, 2006.

²⁶ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012.

incubator may locate at the UA Tech Park, which supports business retention.²⁷

Figure 3: AzCI Innovation Consortium



Source: Arizona Center for Innovation.

Northern Arizona Center for Entrepreneurship and Technology

Northern Arizona Center for Entrepreneurship and Technology (NACET) is a venture development organization and technology incubator that brings together a variety of business development resources in Northern Arizona to support new business development and retention. NACET offers a suite of services including business management and support, mentoring, access to capital, university resources, educational events and seminars, and a network of public and private partners. It houses resources in a 10,000 square foot facility, which includes 6 labs and 24 office suites.²⁸

The history and organization of NACET is similar to that of other innovation networks. Community and business leaders in the Flagstaff area founded NACET in 2001 with funds from the City of Flagstaff, the Arizona Department of Commerce, and community investors, including Northern

²⁷ Arizona Center for Innovation, 2013, [Arizona Center for Innovation](http://azinnovation.com/index.php/about), accessed April 29, 2013 at <http://azinnovation.com/index.php/about>.

²⁸ Northern Arizona Center for Entrepreneurship and Technology, 2013, [Northern Arizona Center for Entrepreneurship and Technology](http://www.nacet.org), accessed April 29, 2013 at <http://www.nacet.org>.

Arizona University, Coconino Community College, the Flagstaff Chamber of Commerce, the Coconino County Board of Supervisors, Arizona Public Service, Bank of America, McCoy Motors, LNN Enterprises, and others. The group organized as a nonprofit organization. A Board of Directors composed of stakeholders from the business community and state and local governments sets the policy for NACET and a small staff of seven manages the activities of the organization.²⁹

3.3.2 Washington

Innovate Washington

In 2011, the Washington State Governor's office launched Innovate Washington, a statewide public-private partnership to catalyze growth in target economic sectors. Innovate Washington has four goals:

1. Attract R&D dollars, specifically from Federal programs and other non-State sources;
2. Provide accelerator services including more than 130,000 square feet of lab and office space (12,000 square feet at the Innovate Washington Building in Spokane, 90,000 square feet at the Applied Process Engineering Laboratory in Richland, and 28,000 square feet at the Spokane Technology Center), mentoring, consulting, networking, marketing, and access to capital to promising small and medium sized companies in target economic sectors;
3. Align State policy and leadership with the economic development goals of Innovate Washington; and
4. Maximize the impact of state programs through identifying and aligned key resources.³⁰

The Innovate Washington entity consists of both a state agency called Innovate Washington and a nonprofit, Innovate Washington Foundation (IWF). A Board of Directors oversees Innovate Washington. The Governor chairs the Board, which consists of four legislative members, the presidents of Washington State University and University of Washington, the director of the Department of Commerce, the chairs of sector advisory committees, and seven individuals from the private sector appointed by the Governor. This Board sets the policy for the initiative and contracts IWF to implement this

²⁹ Northern Arizona Center for Entrepreneurship and Technology, 2013.

³⁰ Innovate Washington, 2012, *Business Plan: 2013-17*, accessed April 9, 2013 at <http://www.innovatewashington.org/sites/default/files/IWABusinessPlan11.30.12.pdf>.

policy. IWF is, therefore, responsible for the initiative's performance, operation, implementation, and advancement.

In its first seventeen months of operation, Innovate Washington worked with 38 companies and 5 partners in its business acceleration program. IWF leveraged \$10.8 million in non-state investment and its client companies obtained nearly \$85 million in funding. These investments supported 398 jobs and \$9.26 million in wages. To build off the successes of its first operational year and support the implementation of Innovate Washington's agenda, the entity developed a five-year investment plan, which reflects the fact that ongoing development of this new initiative requires sustained funding.³¹

C4C New Ventures Facility

In February 2012, the University of Washington launched the C4C New Ventures Facility, an incubator for UW-affiliated technology startups. The incubator facility will initially host up to 15 companies. Once renovations are complete, the facility will have space for up to 25 companies. It will consist of 11,500 square feet of wet lab space and 11,500 feet of office space. In addition to offering dedicated space in its facilities, the incubator will provide other business development support, such as training events and networking opportunities, to startups.³²

3.3.3 California

Governor Gray Davis Institutes for Science and Innovation

The Governor Gray Davis Institute for Science and Innovation (ISI) is a statewide partnership between the state of California, the University of California (UC), and the private sector. The initiative was founded in 2000 to develop the "next New Economy," specifically California's high-tech and biotechnology sectors.

The ISI consists of four independently governed and managed institutes: (1) California Institute for Quantitative Biosciences (CB3), (2) Center for Information Technology Research in the Interest of Society (CITRIS), (3) California Institute for Telecommunications and Information Technology (Calit2) and (4) California Nanosystems Institute. CB3 and CITRIS are located

³¹ Innovate Washington, 2011, *Inaugural Report: 2011-12*, accessed April 18, 2013 at http://www.innovatewashington.org/sites/default/files/docs/IWA_Annual_Report_Final_Screen_View.pdf.

³² University of Washington Center for Commercialization, 2012, "New Ventures Facility," accessed April 9, 2013 at <http://depts.washington.edu/uwc4c/start-ups/new-ventures-facility/>.

in the San Francisco Bay Area and may compete with RAIN for talent and funding. Calit2 and the California Nanosystems Institute are both located in southern California and are a degree or so removed from RAIN's target market.

CB3 is a research institute that provides a suite of goods and services to help researchers in the "quantitative biosciences" sector commercialize their work. These services include an incubator network, lab and office space, and access to venture capital funding. UC San Francisco heads the network with support from UC Berkeley and UC Santa Cruz. The 62 companies in the CB3 system have attracted more than \$230 million in investment and created more than 280 jobs.³³

The purpose of CITRIS is to develop information technology solutions for social and environmental challenges. The center provides UC faculty and students with 14,000 square feet of lab and office space, business development resources, and access to capital to accelerate the creation of startups.³⁴

Prescience International

Prescience International differs from other competitors in that it is a private firm. Located in the Bay Area, it provides early stage companies with access to infrastructure, education, and capital to accelerate their development. It specializes in the bio- info- and nano-technology sectors. Prescience International functions like an innovation network. It brings together stakeholders and investors from the public and private sector to create and manage incubators, research centers, and institutes in California. As a private firm, Prescience International has a hierarchical management structure including a CEO and a small team of employees. Each of its incubator and research center programs has its own management group. In the past 10 years, the firm has supported more than 200 companies, which have created nearly 1,500 jobs and over \$2 billion of growth capital.³⁵

³³ California Institute for Quantitative Biosciences, 2013, "About," accessed April 9, 2013 at <http://www.qb3.org/about>.

³⁴ Center for Information Technology Research in the Interest of Society, 2013, accessed April 9, 2013 at <http://citris-uc.org/about>.

³⁵ Prescience International, 2013, accessed April 9, 2013 at <http://www.prescienceintl.com/index.html>.

3.3.4 Utah

Miller Business Resource Center

Salt Lake Community College's Miller Business Resource Center (MBRC) is the largest publicly-funded business incubator in Utah. It offers incubation and acceleration services for a variety of enterprises with high growth potential. Services offered include office space, business development support, seminars and workshops, workforce development, access to network stakeholders, managerial training, and global business development.

MBRC tailors its resources to reach a maximum number of clients. It offers several types of service packages, including traditional incubation, "soft landing incubation," and virtual incubation. Soft landing incubation is for international businesses entering or expanding into the U.S. market. MBRC provides these businesses with on-site office space, communication and business services, market research and entry assistance, access to capital investors, and assistance with import/export laws. The virtual incubator service offers an office presence for businesses that do not need a dedicated office space.³⁶

MBRC also offers unique formal networking programs. It sponsors BizNet Connect, a statewide networking group dedicated to helping small businesses develop and thrive. The group hosts monthly events, including business expos, conferences, workshops, and speakers. MBRC's second program, the Entrepreneur Launchpad, provides a weekly forum for startups to meet and discuss issues that affect their businesses.³⁷

3.4 Competitive Advantage

RAIN stakeholders, in recent interviews, identified a number of advantages that RAIN and the region as a whole have in the market. RAIN's primary competitive advantage lies in its ability to connect and maximize the myriad of resources that already exist in the region. By effectively galvanizing, packaging, and marketing these connections, RAIN can demonstrably

³⁶ Miller Business Resource Center, 2011, [Business Services: Miller Business Resource Center](http://centralpt.com/upload/482/13369_MBRCServicesCatalog2011V11FINAL.pdf), accessed April 29, 2013 at http://centralpt.com/upload/482/13369_MBRCServicesCatalog2011V11FINAL.pdf.

³⁷ Miller Business Resource Center, 2013, [Miller Business Resource Center](http://www.mbrclcc.com/index), accessed April 29, 2012 at <http://www.mbrclcc.com/index>.

expand and expedite the commercialization of research and capture associated business creation, jobs, and fiscal impacts on the regional economy as a whole.

- **Oregon is a leader in the high technology sector.** From Tektronix in the 1960s, to Mentor Graphics in the 1970s, Intel in the 1980s, and the hundreds of spin-offs associated with each company, Oregon has earned a global reputation as a hub for high-tech industry development.
- **Oregon is a pioneer in clean technology.** Within this industry, Oregon has a competitive advantage in several sectors: solar energy, wind energy, energy efficiency and green building, and wave energy. The robust development of the industry is largely due to the collaboration of state and local governments, universities, and private industry. Through SRCs, the state has invested in university research and business development in these sectors. The promotion of legislation supporting clean technology helps ensure that new technology will be adopted. The success of this endeavor exemplifies the role that strong public-private partnerships have in economic development.
- **State and local governments have a history of partnering with higher education to commercialize research and retain businesses.** As mentioned in the previous point, Oregon InC and its SRCs have and will continue to play a key role in developing Oregon's technology and clean energy sectors. These agencies exemplify the success that results when state and local governments collaborate with academia and the private sector to support innovation and business development.
- **OSU and UO extend their applied research reach throughout the state.** Both OSU and UO have community partnership programs that have forged strong links between the universities and their surrounding regions. The OSU Extension Service is an educational outreach program. Its purpose is to convey research-based knowledge in a way that helps people improve their lives, homes, and communities. Extension educators work with OSU scientists to

Oregon and the South Willamette Valley have several key competitive advantages that will support RAIN's success: Today, Oregon is home to nearly 8,000 firms in the high-tech industry. These firms generated more than 84,000 high wage jobs.

³⁸ Business Oregon, 2013, "High Technology," accessed April 18, 2013 at <http://www.oregon4biz.com/The-Oregon-Advantage/Industry/High-Technology/>.

develop solutions to real issues important to the community, such as improving food processing, forest products, pesticide use, and agricultural production.³⁹ UO serves the greater community through its Community Service Center, an interdisciplinary organization that provides planning and technical assistance to help solve local issues for Oregon residents. The program brings together students, planning/public policy professionals, and community members in its endeavors. In 2011, the Community Service Center served 34 counties through its four programs.⁴⁰



- **Oregon has a competitive tax structure.** According to a study by Ernst & Young, Oregon has the second lowest taxes on new investments and the 5th lowest business rate. Unlike many other states, Oregon does not have: general use and sales tax, receipts/revenue tax, inventory tax, worldwide unitary tax, motor vehicle excise tax, state capital tax on asset value, or direct levies on stocks and bonds. In addition to these benefits, the state offers tax exemptions and cash incentives for new projects.⁴¹
- **The average cost of running a small business in Oregon is relatively low.** Business Oregon compared the cost of running small and large manufacturing firms in Oregon, California, and Washington and found that businesses in Oregon have significantly lower operating costs. The cost savings for a large business are similarly proportioned.⁴²
- **The Region and State are leaders in sustainable practices.** Private entities from design firms to manufacturers and public agencies from local governments to educational institutions at all levels have embraced sustainable building and operational models that are now being exported to others.
- **The South Willamette Valley has a rich abundance of natural resources and a high quality of life.** The region is uniquely located near both the mountains and sea. The Cascade Range to the east and the Pacific Ocean to the west both provide ample opportunities for

³⁹ Oregon State University, 2013, [Oregon State University Extension Service](http://extension.oregonstate.edu), accessed April 29, 2013 at <http://extension.oregonstate.edu>.

⁴⁰ University of Oregon, 2013, [Community Service Center](http://csc.uoregon.edu), accessed April 29, 2013 at <http://csc.uoregon.edu>.

⁴¹ Business Oregon, 2013, "The Oregon Advantage," accessed April 18, 2013 at <http://www.oregon4biz.com/The-Oregon-Advantage/>.

⁴² Business Oregon, 2013.

recreation that help attract talent to live and work in the region. The valley floor is road, flat, and fertile and is prime land for agriculture.

4 RAIN Model

This section provides an overview of the products and services offered by RAIN as well as its organizational and governance structures.

4.1 Products and Services Offered

RAIN will function as a facilitator and enabler of a pipeline that fosters the transition of research and emerging ideas into commercialized endeavors that bring viable new business and jobs to the region and state. RAIN will achieve these objectives by linking the resources and talents of the OSU and UO business accelerator programs with a range of public and private stakeholders, including cities and counties of the region, economic development and business organizations, community colleges, the state, and private capital. RAIN will establish a new brand for the region that captures its abilities to move ideas from incubation to the marketplace, while enhancing the well being of communities that house these new businesses.

To accomplish the objectives described above, RAIN will fulfill six key roles: (1) strategic planning, (2) galvanize and institutionalize resource networks, (3) facilitate access to capital, (4) promote regional economic development, (5) market opportunities and successes, and (6) monitor outcomes. This section describes how RAIN will fulfill each role.

4.1.1 Strategic Planning

A strategic plan creates vision and direction for an organization -- it sets goals and establishes a framework to accomplish them. As the entity responsible for engaging and connecting a diverse group of stakeholders, each with its own objectives and resources to offer, RAIN will need to clearly articulate the network's common goals and objectives. By establishing a strategic plan that highlights common objectives, expected outcomes, and a path to reach these targets, RAIN can ensure that the accelerator and stakeholders collaborate effectively and improve their chances in growing new businesses and jobs in the region.

A Board of Directors and an Advisory Group composed of stakeholder members will craft RAIN's strategic plan. The plan will further clarify

RAIN's mission and vision, and state its operating principles. It will align these organizational elements with existing economic development strategies of the region to ensure that RAIN moves in a direction that benefits the communities in the South Willamette Valley. The plan will conclude with action steps for RAIN to achieve its desired outcomes.

Once both university accelerators have operated for one year, RAIN's Board of Directors will conduct an internal and external assessment of the collaborative accelerator and business development programs to identify what is working well, what needs to change, and where there are other areas of opportunity. If needed it will amend the strategic plan to reflect new findings. The Board will continue to conduct both an internal and external assessment of RAIN annually.

4.1.2 Galvanize and Institutionalize Resource Networks

RAIN is the connective tissue that marries university accelerators and the emerging business ventures they incubate with a range of resources provided by public and private stakeholders, including cities, counties, community colleges, private investors, and others. RAIN would work closely with both accelerator programs to foster the most effective integration of resources. RAIN will facilitate collaboration and avoid the duplication of efforts by the individual accelerators. It will build on efforts among existing partners to identify additional potential stakeholders, match their contributions with the accelerators and their participants, and ensure that these relationships are mutually beneficial. RAIN will assume three distinct roles to achieve this goal.

1. **RAIN will enhance connections among stakeholders.** Building on the base of committed stakeholders, RAIN will continue to develop its resource network. It will identify new stakeholders and connect them with the accelerators and appropriate startups. Once these connections are made, the accelerators and their governing bodies will manage the programmatic aspects of these relationships. RAIN will work closely with Oregon InC in this endeavor, building on the experience and success of Oregon InC in galvanizing resources around venture development.
2. **RAIN will facilitate the packaging of resources for emerging businesses.** It will ensure that accelerator startups understand and have links to the resources available to them while they are in the accelerator and as they exit the accelerator. It may sponsor seminars and conferences offered by stakeholders on what resources are available and how to utilize them effectively. As businesses exit the

accelerators, RAIN will ensure that they understand the availability of incentives offered by state and local governments, community colleges and other private and public resources for small businesses.⁴³ RAIN will focus on creating packages and connections that merge available resources from across the region, so participants in the UO accelerator area are connected with resources in the OSU area and vice versa. RAIN will also ensure startups have access to resources that support business retention.

3. **RAIN will align regional economic development objectives through enhanced stakeholder collaboration.** RAIN will survey these entities to assess the extent of and satisfaction with benefits received from RAIN's efforts and will recommend improvements as necessary.

RAIN will bring together a variety of entities by working with them to align objectives and provide resources that support the accelerators, businesses incubating in them, and community assets needed to retain the firms that emerge. RAIN's services can include advocacy, marketing, facilitation, and sponsorships of trainings, among other roles. Key entities include:

- **The accelerators, University of Oregon and Oregon State University, and university programs that support them (e.g., business, engineering, and law schools);**
- **Other Oregon innovation networks,** Oregon InC and the PSU Business Accelerator among others;
- **Signature Research Centers,** such as ONAMI, BEST, OTRADI;
- **State and local governments,** which can offer various types of business assistance including leveraged financing;

PSU Business Accelerator

The PSU Business Accelerator is Oregon's largest accelerator for tech startups. In the past five years, these startups have raised \$106 million in private funding, secured more than \$11 million in public grants, and generated \$36 million in revenue.⁴⁴

PSU's initiative will have a unique relationship with RAIN. Both are integral to Oregon's economy, specifically its growing tech sector. They will work collaboratively to further regional and state economic development goals. At the same time, the two entities will be competitors as they vie for funding and talent.

⁴³ Although this plan does not list specific incentives that state and local governments may offer new businesses to encourage a higher retention rate, they can be identified in RAIN's strategic plan and will be a critical factor in determining RAIN's success in achieving regional economic development outcomes.

⁴⁴ Portland State University, 2012, Business Accelerator, accessed April 9, 2013 at <http://www.pdx.edu/accelerator/>.

- **Federal government resources including various grants and loans, SBDC and Score;**
- **Community Colleges**, which provide workforce training, business planning and other supportive dimensions;
- **Investors and capital resources**, particularly from angel and venture funds;
- **Business development and support organizations** such as chambers of commerce, Microproducts Breakthrough Institute, Technology Association of Oregon, Oregon Entrepreneurs Network, and Willamette Innovator Network, which can offer a range of services including technical and mentoring support, as well as access to seed funds and angel capita; and
- **Successful entrepreneurs and RAIN graduates** who can provide emerging firms with the management talent and experience necessary to craft and implement viable business plans.⁴⁵

4.1.3 Facilitate Access to Capital

RAIN will work with stakeholders to streamline processes and access to capital resources to grow and retain viable businesses in the region on a long-term basis. The Legislative Concept Paper for RAIN suggests initially developing a legislative funding package to foster investment in startups through grants, loans, angel investment, and venture capital. Near term strategies to advance this effort include:

1. Restructuring the existing University Venture Development Fund feasibility study grant program as an “Innovation Development Fund,” thus simplifying the tax credit plan and terminating the Treasury repayment;

⁴⁵ RAIN may engage its graduates as Entrepreneurs in Residence. This program would be modeled after the Oregon BEST Entrepreneurs-In-Residence program. According to the program website, “Oregon BEST has two seasoned entrepreneurial executives who help small businesses and university researchers navigate the challenging path from lab prototype to commercialized product . . . These experienced Entrepreneurs-in-Residence expand Oregon BEST’s range of support available to clean-tech innovators by providing consulting in business strategy, business development, and raising capital to startup teams affiliated with Oregon BEST.”

2. Developing a side-car state co-investment program of angel and later stages of funding to attract capital from both inside and outside the region; and
3. Coordinating with state and local governments to develop a suite of tax and other incentives that encourage accelerator graduations to locate in the South Willamette Valley.

Providing ongoing and effective public incentives and private investment pools to plant and grow companies in the South Willamette Valley will accelerate the growth of Oregon’s high tech and other emerging and targeted traded sectors, allowing the state to enhance its competitive advantage and develop key clusters.

4.1.4 Promote Regional Economic Development

One of the key roles that RAIN will undertake is to promote regional economic development by supporting business retention. Once startups graduate from the accelerators, they will need access to a suite of resources to continue to grow and develop. These resources may include:

- Access to equity pools,
- Low interest loans,
- A location for company headquarters and operations,
- Access to seasoned managers,
- A trained workforce,
- Ongoing business development support,
- A strong community and network to continue the transfer knowledge.

RAIN will not provide these services directly; it will galvanize the resources of its stakeholders. By marketing its achievements,

Why Business Retention is an Important Objective

Home Dialysis Plus (HDP) developed a portable kidney dialysis machine for home use with the support of several RAIN stakeholders. HDP was founded in 2004 with support from HP, OSU, the PSU Business Accelerator, and a \$170,000 grant from ONAMI.⁴⁶

HDP left Oregon and relocated to the Bay Area due to a lack of business development resources in the Willamette Valley. The region does not have a talent pool of seasoned managers to grow companies past their initial phase of development. Without this resource – a resource RAIN will strive to provide – startups will likely relocate out of the region once they pas their initial growth phase.

⁴⁶ M. Rogoway, 2010, “Home Dialysis Plus lands \$50 million investment, boosting Oregon medical technology,” *The Oregonian*, June 15, accessed April 26, 2013 at http://www.oregonlive.com/business/index.ssf/2010/06/home_dialysis_plus_lands_50_mi.ht ml.

RAIN can draw the attention of capital investors to support new businesses. By working with state and local governments, RAIN can help businesses navigate the world of public finance and support. RAIN will work with economic development agencies to ensure that new businesses have access to office and lab space following graduation from the accelerators. RAIN will solicit the participation of the community colleges, which have the capability to provide a trained workforce. Collectively, RAIN's work will serve to build the regional network of business support resources, thus helping to ensure that new startups locate and stay in the South Willamette Valley area or the state of Oregon.

4.1.5 Market Opportunities and Successes

Branding this regional endeavor and marketing its successes to potential investors and startups is key to long-term program development and success.⁴⁷ In interviews with Oregon Solutions and Regional Solutions staff, some stakeholders suggested there exists a misconception that the region is not a good place to start a business. Addressing this challenge will require an overarching marketing strategy directed and managed by RAIN that illustrates the successes of the program at both the individual business development level (e.g., showcasing graduate startups that have located in the region), and the regional level (e.g., new jobs and tax revenues). By demonstrating RAIN's visible successes, it and its stakeholders can change the perception of and culture within the region. As the region gains recognition as a center for innovation and business development, momentum will build to attract new resources and investors.

4.1.6 Monitor Outcomes

Ultimately, RAIN is accountable to its stakeholders. If stakeholders are not satisfied with the results of the accelerators and RAIN, they may choose to withdraw their support. To ensure that stakeholders are satisfied, RAIN will need to monitor its performance at regular intervals.

As the governance body for the RAIN entity, the Board of Directors will be responsible for monitoring the performance of RAIN with respect to its strategic plan.⁴⁸ It will collect data from the accelerators and their graduates

⁴⁷ D. Lewis, E. Harper-Anderson, and L. Molnar, 2012; J. Christiansen, 2009, [Copying Y Combinator: A framework for developing Seed Accelerator Programmes](#), University of Cambridge.

⁴⁸ Research indicates that regular evaluation of program effectiveness correlates with incubation success. In a study of successful incubators around the country, the U.S. Department of Commerce Economic Development Administration determined that regularly

on key metrics (to be defined by the Board), which may include: patent activities, job creation, payroll and tax base impacts, capital formation, and revenue of all client companies. By regularly tracking accelerator performance, the Board can identify any areas for improvement, which it may then address with the accelerator management bodies. It will disseminate its findings in annual reports to RAIN stakeholders and the public at large as part of its marketing strategy.

4.2 Structure and Governance

There are a number of governance structures under which RAIN might operate. These range from a loosely knit coalition of stakeholders to one of many types of more formal organizations. This business concept suggests that RAIN will function as an interdependent nonprofit 501(c)(3).⁴⁹ As a nonprofit organization, RAIN will have access to public funding and private donations. A Board of Directors will govern the organization with the support of an Advisory Group. A small, dedicated staff will manage the day-to-day operations. As an interdependent entity, RAIN actions and success will be tied to its relationships to the two university accelerator programs and the performance of committed stakeholders. This section describes the RAIN governance structure and staff in greater detail.

4.2.1 Governance

The purpose of RAIN's governing body is to define the strategic plan for RAIN, provide direction to the RAIN Executive Director in implementing action steps, monitor the performance of RAIN, and communicate its achievements to the public as well as current and potential future stakeholders. The governance structure will consist of two tiers: a Board of Directors and an Advisory Group.

The Board of Directors is legally responsible for the overall management of RAIN. The Board will set policies for RAIN and have ultimate decision-making authority. It will seek input from the Advisory Group and give direction to the RAIN Executive Director. While such boards come in many sizes it's suggested that RAIN's consist of 12 representatives from key

evaluating incubation program effectiveness, collecting graduate data for longer periods, and showcasing these outcomes in the region correlated with improved firm outcomes most often. D. Lewis, E. Harper-Anderson, and L. Molnar, 2012.

⁴⁹ A study for a technology incubator in Lane County recommended structuring the incubator as a nonprofit to maximize access to capital. Business Plan for Technology Incubator.

stakeholder groups.⁵⁰ Each group would elect its own representative to the Board. Board composition could draw on representatives from the following entities:

- The UO and OSU entities responsible for their respective accelerators;
- Business Oregon;
- Benton County and Lane County;
- The cities of Corvallis and Eugene;
- Linn-Benton Community College and Lane Community College; and
- Three private sector representatives, at least one of whom should be an entrepreneur.

The Advisory Group will consist of representatives from organizations and entities that have a vested interest in the outcome of RAIN. The Advisory Group will serve as RAIN conduits to organizations they represent, ambassadors for the larger RAIN agenda, and assistants in fundraising and marketing efforts. At least one of the Board members should also be on the Advisory Group to serve as a conduit and expeditor of information between the two.

4.2.2 Staff

RAIN will have a small, dedicated staff to manage the day-to-day operations of the organization and carry out directives from the Board. At minimum, this staff will consist of a full time Executive Director and an Executive Associate. These positions could be direct hires of the Board or they could be staff provided by stakeholders who then function in the Executive and Associate positions. The latter approach may be more appropriate as RAIN begins to function. The key, however, is that RAIN have dedicated staff who are able to implement the policies and directives of the Board.

The Executive Director reports to the Board, and is responsible for the organization's consistent achievement of its mission and financial objectives. The responsibilities of the position may include:

- Ensuring that RAIN and its stakeholders are making progress towards the objectives set forth in the Strategic Plan;

⁵⁰ According to the U.S. Department of Commerce, the average incubator advisory board has 12 members. This concept proposes an odd number of board members to avoid deadlock. The actual number of RAIN Board of Director members may vary based on stakeholder input. D. Lewis, E. Harper-Anderson, and L. Molnar, 2012.

- Managing the development and implementation of a marketing strategy;
- Managing the annual monitoring of RAIN; and
- Overseeing daily operations, staff, and contracts for services.

The Executive Associate would assist the Executive Director.

5 Operating Forecast

This section is a work in progress and awaits further input on the state's budget process as well as input from initial stakeholder review. The section, once informed by the budget process and stakeholder deliberations, will propose an operating forecast for RAIN that includes an implementation plan and proposed budget based on the model described in the refined plan. Both the timeline and budget are subject to change based on the development timelines for the UO and OSU accelerators as well as stakeholder funding.

5.1 Possible Operating Principles

The following list of possible operating principles. These would be discussed and adjusted by the stakeholders at the end of May, and further refined by the RAIN Board. This refinement would be the basis of crafting an initial budget as well as programming longer term operating commitments and funding strategies.

- RAIN's ability to launch and succeed is contingent on start up resources committed by the state, and a range of private and local public partners
- RAIN's governance structure should be one that inspires stakeholders and binds their commitment to performance
- Achieving RAIN's mission is a long term agenda requiring committed leadership among its stakeholders and sustainable resources both financial and human
- RAIN's goals and objectives will be integrated with the larger regional economic development policies and strategies of its public partners
- RAIN needs to institutionalize relationships among its public and private partners
- RAIN will be a vigorous proponent of collaboration among its stakeholders and leader in enhancing the Region's competitive advantages

**HUMAN SERVICES COMMITTEE
MINUTES
MAY 7, 2013**

Present

Councilor Penny York, Chair
Councilor Bruce Sorte
Councilor Mike Beilstein

Staff

Jim Patterson, City Manager
Steve Deghetto, Parks and Recreation Assistant Director
Tony Krieg, Customer Services Manager
Carrie Mullens, City Manager's Office

Visitors

Anne Schuster, Corvallis School District 509J Board Chair

SUMMARY OF DISCUSSION

	<u>Agenda Item</u>	<u>Information Only</u>	<u>Held for Further Review</u>	<u>Recommendations</u>
I.	Liquor License Annual Renewals			Approve all liquor license renewal applicants and submit a favorable recommendation to the Oregon Liquor Control Commission.
II.	Youth Mental Health Issues	***		
III.	Other Business	***		

Chair York called the meeting to order at 12:00 pm.

CONTENT OF DISCUSSION

I. Liquor License Annual Renewals

Mr. Krieg explained that the City conducts an annual review of local establishments applying for liquor license renewal with the Oregon Liquor Control Committee (OLCC). OLCC provides the list of establishments and gives the City 60 days to forward a recommendation. The review is conducted by the Fire Department (fire code), Community Development (building/sign code), and Police Department (criminal/alcohol related issues). This year, no ongoing problems were reported and every establishment received a positive review. Staff recommends Council submit a favorable recommendation to the OLCC for all local renewals.

In response to Councilor Sorte's inquiry, Mr. Krieg acknowledged that the liquor license type definitions are missing from the staff report and will be added to the minutes (Attachment A).

Mr. Krieg confirmed that, in the past, the Police Department has requested non-favorable recommendations be sent to OLCC due to continual alcohol-related issues at some establishments. Amendments to the ordinance and additional work throughout the year with those establishments resulted in positive recommendations.

Councilor Beilstein added that The Partnership (reduce underage and excessive drinking) has helped to bring issues under control.

In response to Councilor Beilstein's inquiry, Mr. Krieg said the \$35 annual renewal fee is mandated by the State. Councilor Beilstein said it would be preferable if the fee covered the City's cost to conduct the renewal. He understands that the City is not required to license establishments; however, it is in the City's best interest to go through the licensing process to easily address any problems that may occur.

Mr. Krieg clarified that the City is not required to make a recommendation to OLCC. If the City does not offer any recommendation, OLCC interprets that as favorable. This renewal process is an opportunity for the City to identify issues with specific establishments. The benefit for the City is the knowledge that establishments are in compliance with City codes and policies. The same review process by all three City Departments is conducted when a new application is received.

Councilor Sorte said, as long as students drink responsibly, this renewal process is an economic benefit to the community and students who earn wages as service workers. The small amount of annual revenue is a good investment and allows the City to monitor liquor establishments.

The Committee unanimously recommends Council approve all liquor license renewal applications and submit a favorable recommendation to the Oregon Liquor Control Commission.

II. Youth Mental Health Issues

Chair York announced that she asked Ms. Schuster to provide a report following a community discussion initiated by Corvallis School District 509J (509J) and Good Samaritan Health Services (GSHS) about youth mental health issues. Chair York facilitated the community discussion that was also attended by Mayor Manning and Councilor Hirsch. She noted that the group did not have time to discuss how to involve partners.

Mr. Schuster reported that 40 community leaders met on April 24 to address youth mental health in Benton County. The following questions were discussed:

- What is wrong with the system?

- What needs to be fixed?
- What can partners contribute?

Ms. Schuster noted that 509J is very open to partnering with agencies and allowing people to come into their facilities to help students in need. The issue reaches beyond 509J and includes the justice system, private practice professionals, Oregon State University, and the entire community. Beginning next year, 509J will institute behavioral screening for students kindergarten through eighth grade. Teachers will be trained to distinguish internalizers, externalizers, and odd behaviors so those children and their families can obtain assistance. Students with behavioral issues would be placed in a non-academic setting for 45 days to obtain the tools and strategies needed to cope in a regular classroom. Dr. Carolyn Fisher, GSHS Child Psychologist, is leading the way for these discussions and assisting 509J.

Ms. Schuster confirmed for Councilor Beilstein that the focus is on wellness and Dr. Fisher has many simple strategies that teachers can utilize to help students.

Ms. Schuster said Hillary Harrison from Benton County Family Services Network recently held a related forum for parents and care givers (Attachment B). Care givers spoke about the ignorance of educators related to mental health and the stigma related to being identified as having behavioral or mental health issues. Comments by care givers were validated by what had been heard during the community discussion. Many parents and care givers do not have a support system and are overwhelmed by issues they deal with on a daily basis. During the meeting, Love INC offered to help with related respite care. Ms. Schuster added that there are many things that can be accomplished with goodwill and networking without large financial burdens.

Next steps include identifying available resources and developing a plan. Approximately 40 percent of youth suffer from some type of mental illness and it is better to recognize and treat it early. Linn County has a team that visits homes of children having issues and offers resources for families.

Ms. Schuster said many people and agencies want to be a part of this effort. The goal is to provide a collaboration between providers. Links to the 2-1-1 resource network can be added. The Corvallis Clinic and OSU are discussing steps they can take.

In response to Councilor Beilstein's inquiries, Ms. Schuster said last year, 509J learned that GSHS wanted to open a youth mental health center since the only immediate services available are through the emergency room and it takes several weeks to get an appointment with a child psychologist. 509J was interested since they had recently experienced two suicides by high school aged students. The

shooting at Sandy Hook Elementary School was coincidental to these discussions. When Dr. Carolyn Fisher was hired to run the youth mental health center, she asked for services instead of facilities.

Councilor Beilstein said he has some civil rights concerns with this move to provide better quality service to children. The National Association for the Advancement of Colored People (NAACP) is concerned about the disparity of discipline between black and white students, and students with disabilities are singled out even more than students of color. Identifying students with problems and placing them into specialized programs is not necessarily good for the students and may, in fact, make some problems worse. NAACP has been working on this issue locally and statewide.

Ms. Schuster said the parents and care givers who attended Ms. Harrison's meeting welcomed early recognition and support training teachers and school staff to identify certain behaviors. Teachers and staff do not understand these issue now and have no tools to help students (and families) obtain the assistance they need. Parents frequently refer to mental illness as an invisible disability due to the lack of understanding and care. Training will benefit children and families.

Councilor Beilstein said he is an advocate for school resource officers. The City may be able to participate in this again in the future. A good resource officer helps youth socialize appropriately. Ms. Schuster agreed and said care givers requested police training in a preventative nature so behaviors do not perpetuate as children get older.

Councilor Beilstein said the City's Social Services Fund provides grants for agencies providing emergency and transitional care. This competitive funding process is administered through United Way of Benton and Lincoln Counties (UWBLC). UWBLC also has a funding program separate from the City. Some youth mental health programs may be eligible for funding.

Chair York noted that one item the group looked at was how to build a system of partners who work well together. Agencies currently being funded might be able to provide expertise, service, and assistance to other agencies.

Ms. Schuster added that Mayor Manning also indicated that GSHS may be able to assist with grant writing.

Councilor Sorte said he views this as rearranging resources, not creating new funds. The agencies participating in these discussions are not bringing forth resources. There are proven methods for holistic mental health, but no one will provide the funding to support the programs. If private providers really want to help they need

to visit the dental services provided at the Corvallis Boys and Girls Club and make a commitment to provide at least half of what that program is providing.

Councilor Sorte opined that kindergarten through 12th grade educators are trained to teach concepts, not work with parents and evaluate students for mental health behaviors. Teachers do not have the necessary training and should not be evaluating students in this setting.

Councilor Sorte noted that Corvallis used to have a Victim/Offender Reconciliation Program that worked mostly with juveniles. Participants were trained in how to work with at-risk youth without diagnosing issues. The City could consider encouraging UWBLC to rebuild this successful mediation program that was partially funded by the City. The Bridges Program in Pendleton, Oregon, provides a successful at-risk youth program sponsored by the church community.

Councilor Sorte commented that the City could gather data more effectively than some other agencies; however, more conversations need to be held so that resources are being utilized effectively. He suggested the City partner with the schools to hire an evaluator who can determine who can work together to address these issues.

Ms. Schuster added that Dr. Fisher understands the gaps that exist in the community and beyond the schools. These conversations and discussions are being held to try to determine the best way to address these issues and gaps. Ms. Schuster said the team working on these efforts is very effective and committed. They recently reviewed a local pilot program that provided depression screening for seventh graders. Of the 60 students who opted into the program, 10 had mental health issues. The students received help and the parents were grateful for the assistance.

In response to Chair York's inquiry about next steps for the City, Councilor Sorte suggested the City's Legislative Committee and 509J review the proposal to centralize county health departments. It may be helpful to understand the pros and cons of the legislation and how it will impact mental health care. Chair York agreed.

Ms. Schuster said Linn County is ahead of Benton County in respect to dealing with mental health issues. Obtaining input from Linn County could occur through collaboration with the Education Service District.

Councilor Sorte offered to speak to Police Chief Sassaman about the victim offender program.

Ms. Schuster added that District Attorney Haroldson is forming a committee of stakeholders to address gun violence prevention.

Chair York noted that Councilor Beilstein is the Council Liaison to the Willamette Criminal Justice Council (WCJC). The WCJC is focusing on school safety and mental health issues.

IV. Other Business

Councilor Sorte noted that the Committee will be discussing non-smoking regulations for transit facilities and bike shelters at the next meeting. He expressed concern about where smokers will move to if they cannot smoke in bus shelters.

Mr. Patterson announced that the Police Department has opened a satellite office near the emergency room at Good Samaritan Hospital (North Precinct). On average, the Department is dealing with one mental health patient per day. It is important for officers to obtain additional and necessary training to deal with the mental health issues that are prevalent in the community.

Ms. Schuster announced that GSHS is interested in providing mental health training and there is a good possibility that a train-the-trainer program will be developed for mental health first aid.

In response to Chair York's inquiry about eliminating non-mandatory training in the City's budget, Mr. Patterson said this type of proposed training would be considered essential and mandatory for officers.

Mr. Patterson said the issue is whether enough is being done. He agreed with Councilor Sorte's comments about moving resources instead of adding resources. Mental health issues are the responsibility of counties. Council can politely ask Benton County leaders questions and make it clear that the City and community expects and needs more in this area. Dr. Fisher made it clear that she wants to move forward without bureaucracy. The community should do what it takes to save a child.

Mr. Patterson added that he has regularly scheduled meetings with the County Administrator and this discussion will provide him more impetus to work with the County Administrator on the issues, explain how the City and 509J are being impacted, and encourage development of a solution.

Ms. Schuster noted that Benton County Commissioner Dixon agreed to help and suggested that a meeting with the County Administrator was appropriate. In response to her concern about bringing these issues forward without alienating

others, Mr. Patterson said these are important issues for the community and political correctness should not be the first concern.

Chair York opined that the system needs to be improved in addition to having more resources. Mr. Patterson agreed and said this is another important piece to justify a public safety levy and the value of having school resource officers. The connection needs to be made so the community understands that resources are being strategically placed in our educational facilities where it is clear they can make a difference with early intervention. Chief Sassaman has been working in this community for 25 years, is a person of action, and understands the issues. Mr. Patterson encouraged Councilor Sorte to meet with Chief Sassaman to discuss the victim offender program. He noted that the Mayor and Council also recognize this as an important issue and said it was appropriate to begin the conversation with this Committee.

Councilor Beilstein said he would support Dr. Fisher making a presentation to this Committee or the full Council. He noted that the Community Policing Forum (CPF) meets monthly and is currently setting their agenda for next year. He invited Ms. Schuster to attend and encouraged her to speak with Stewart Wershow, CPF Chair.

Chair York announced that she will recommend Dr. Fisher make a presentation to the full Council.

The meeting adjourned at 3:13 pm.

The next Human Services Committee meeting is scheduled for 2:00 pm on Tuesday, May 21 in the Madison Avenue Meeting Room.

Respectfully submitted,

Penny York, Chair

Code	License Type	Annual Fee	License Privileges
BP	Brewery-public house		Allows the manufacture and sale of malt beverages to wholesalers, and the sale of malt beverages, wine and cider for consumption on or off the premises. [ORS 471.200]
BRW BRWNC	Brewery		Allows the manufacture, importation, storage, transportation and wholesale sale of malt beverages to OLCC licensees. Malt beverages brewed on the premises may be sold for consumption on the premises and sold in kegs to the public. [ORS 471.220] BRWNC designates a licensee that does not allow tastings or other on premises consumption.
CERA	Certificate of Approval		This certificate allows an out-of-state manufacturer, or an importer of foreign wine or malt beverages, to import wine and malt beverages to Oregon licensees. [ORS 471.289]
DIST	Distillery		Allows the holder to import, manufacture, distill, rectify, blend, denature and store distilled spirits. A distillery that produces brandy or pot-distilled liquor may permit tastings by visitors. [ORS 471.230]
DS	Direct Shipper Permit		Allows manufacturers and retailers to ship wine and cider directly to Oregon residents for their personal use. [ORS 471.282]
F	Full On Premises Sales		Allows the sale and service of distilled spirits, malt beverages and wine for consumption on the licensed premises. Also allows licensees who are pre-approved to cater events off of the licensed premises [ORS 471.175] license sub-type designates the type of business licensed: F-CAT- caterer; F-CLU- private club; F-COM - commercial establishment; F-PC - passenger carrier; F-PL - other public location.
GSP GSPNC	Grower's Sales Privilege		Allows the importation, storage, transportation, export, and wholesale and retail sales of wines made from fruit or grapes grown in Oregon [ORS 471.227] GSPNC designates a licensee that does not allow tastings or other on premises consumption.
L	Limited On Premises Sales		Allows the sale of malt beverages, wine and cider for consumption on the licensed premises and the sale of kegs of malt beverages for off premises consumption. Also allows licensees who are pre-approved to cater events off of the licensed premises [ORS 471.178].
O	Off Premises Sales		Allows the sale of malt beverages, wine and cider in factory sealed containers for consumption off the licensed premises and allows approved licensees to offer sample tasting of malt beverages, wine and cider. [ORS 471.186]
WH	Warehouse		Allows the storage, importing, exporting, bottling, producing, blending and transporting of wine and malt beverages. [ORS 471.242]
WMBW	Wholesale Malt Beverage and Wine		Allows the importation, storage, transportation and wholesale sale of malt beverages and wine to OLCC licensees and limited retail sales to the public (dock sales). [ORS 471.235]
WSD	Wine Self Distribution Permit		Allows manufacturers to sell and ship wine and cider produced by the manufacturer directly to Oregon retailers for resale to consumers. May ship to businesses which have an OLCC endorsement to receive the shipments.[ORS 471.274]
WY WYNC	Winery		Allows the licensee to import, bottle, produce, blend, store, transport and export wines, and allows wholesale sales to OLCC and licensees, and retail sales of malt beverages and wine for consumption on or off the licensed premises. [ORS 471.223] WYNC designates a licensee that does not allow tastings or other on premises consumption.

35 caregivers

Participants - Anne Schuster - Corvallis School Board, Caroline Fisher- psychiatrist Good Sam/Old Mill, Kim Whitley - IHN-CCO

Feedback

What made a difference?

Professionals believing / validating parents

Early identification – for both mental health & educational issues

A champion / navigator / advocate

- OFSN – Hilary Harrison
- Probation
- ACIST - Wraparound
- School / District staff – Sue Holmberg
- Physician team

Getting a good diagnosis – leading to appropriate treatment & parent education

- CDRC
- ADHD – Kim Golletz
- Dr. Blumer

School reaching out to parent

Connection with other parents

Coordination of care

Parent education – Collaborative Problem Solving

Finally getting a child psychiatrist

Therapist with the correct bag of tricks

- EMDR, PTSD, RAD

Support group

Personal commitment by parent to making things better for their child

What could make things better?

Talk to the parents! They know their child. Respect parental input. We are often not believed.

Don’t blame the child or the family

Coordination of care

- Anyone should be able to be the gateway / coordinator of services for any family eg police/DHS / school counselor or therapist – one person / the first person hold your hand
- knowing & able to connect with other resources

Central hub for referrals / resources

Community education

- resources - especially train/provide to police
- “invisible disabilities”

Deal with networking issues that are blocked by confidentiality

More Family Support meetings & consistent funding – Requirement= food & child care

Communication

- Better outreach to parents & networking
- Improve communication between services/systems / providers

Respite – for benefit of child & parents.

- DD - Add more hours rather than place in foster care. Need a bigger pool of good providers. An agency needs to train respite providers and build skill sets
- DD – deal with different pay rates for respite clients so equitable system
- Community child care – needs to increase understanding of disabilities

Health care / Insurance

Issue with county lines & Linn versus Benton service array & access especially for specialists

- Needed connections & resources

Insurance that works to cover services, including medication costs

Help families keep secondary insurance longer for high needs children

OHP needs to be accepted at more places / more providers

Mental health

- Split comments around the benefits of a hub versus free choice model
- Early Intervention – more services for 6 and under
- Better early intervention eg Reconnecting Youth to identify at risk kids
- Flexible appointment times that work for kids & families – afternoons / Saturday / afterschool
- Child mental health center with multiple services all in one place
 - o Example CDRC model at OHSU
 - o Work with child over time to evaluate- not “best behavior” situations
- Outreach for mental health—on-line forum - OSU model
- In-home crisis prevention – people able to really help
- Mental health responders – not police
- More choice & more specific services – PTSD /trauma, RAD. Eg EMDR
- Decrease therapists moving frequently / changing, especially for OHP, is a barrier to progress, especially if they are an expert in a therapy
- Decrease wait time for therapists & psychiatry
- Longer time for diagnosis – not just 15 minute slots
- Services for young adults as they come off OHP at 18.
- Tell people about OFSN / family support specialist
- Transition program for return from residential stays
- Provide mental health services in rural areas for families – Monroe & Alsea
- Need ability to get consistent intensive support
- More day treatment options
- Full continuum of care
- Educate/ train ER
 - o ER doctors – blocking access to psych consult unless hospitalized (young adult)
 - o ER staff appear afraid of MH patients- dangerous / weird

School System

Early intervention

- Prevention & intervention groups based on grade and attendance (research based)
- Behavioral Response To Intervention (RTI) should include outside resources
- Training for ALL school staff on “hidden” disability / mental health
- Yearly adequate trainings for school personnel because new things are developed & for multi-agency people
- Mentoring within school system – Middle & Elementary & especially for kids returning from residential stays
- Use school psychologists differently – so they get to know kids over time – not just for the test
- Better training for school
 - o Accommodations can help all kids
 - o Accommodations are mandatory not optional
- Mentoring in HS
- Improve Transition out of high school
 - o Mentors for kids transitioning out of HS
- Increase school counselors
- Ensure education/academics are available to all
- Include children, not isolate them
- Schools need to work with 504 plans and not over-discipline, avoiding inequitable suspensions
- Rectify big gap between MS & HS “behavior” programs
- Disability awareness at school for all children

MEMORANDUM

TO: Human Services Committee

FROM: Nancy Brewer, Finance Director *NB*

DATE: April 4 , 2013

SUBJECT: Annual Liquor License Renewals

I. ISSUE

Annual review and approval of local establishments applying for liquor licenses with the Oregon Liquor Control Commission (OLCC).

II. BACKGROUND

The OLCC conducts an annual renewal process for all liquor licenses issued in the state. OLCC sends a list of licensees that are eligible for renewal to the City in March. The City has sixty days to make a recommendation to OLCC concerning renewal of the licenses. At the end of sixty day period, if there is not a recommendation for a license, OLCC processes the renewal as if it received a favorable recommendation.

OLCC mails license renewal applications to licensees approximately two months before the license expires. The license applicant must return the completed application to OLCC at least twenty days before the license expires. As part of the City renewal process, licensees must provide a copy of their completed OLCC application, a completed City renewal application and pay a \$35 renewal fee to the City. Applicants cannot legally sell or serve alcohol after the license expires.

The City conducts an investigation on all renewal applications which includes review by the Fire Department (CFD) for compliance with fire code and by Community Development (CD) for compliance with building and sign codes. The Corvallis Police Department (CPD) investigates each applicant for any criminal activity or alcohol related problems associated with the business during the prior year. CPD submits an internal report to Finance addressing any outstanding issues and makes their recommendation going forward (report attached). Finance staff compile the recommendations and report to the Human Services Committee (HSC).

Even though Council is requested to review license applications, Council has limited authority in the actions it can take. Actions available to Council and responses available to the OLCC are detailed in the table below. The OLCC is not required to abide by Council's recommendations, but the OLCC does carefully consider Council's recommendations.

Actions available to the City Council	Responses available to the OLCC
No recommendation on licenses	Process as a favorable recommendation
Favorable recommendation	Accept recommendation
Recommend granting licenses with restrictions	Accept recommendation; renew without restrictions; deny
Recommend licenses not be granted unless applicant demonstrates commitment to overcome concerns	Accept recommendation; renew without restrictions; renew with restrictions; deny
Recommend denial of the licenses	Accept recommendation; renew without restrictions; renew with restrictions.

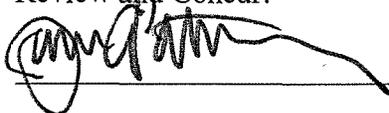
III. DISCUSSION

Upon review and investigation of the applicants, CPD, CFD and CD reported no ongoing problems. All applicants (list attached) are approved for liquor license renewal.

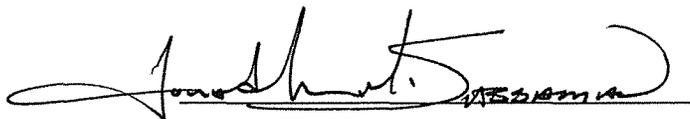
IV. REQUESTED ACTION

Staff requests HSC recommend City Council approve all applicants for the annual liquor license renewal and submit a favorable approval recommendation to the OLCC.

Review and Concur:



City Manager



Chief of Police

Dist. #	License #	Tradename	Participant	License	Premises Address
Local Government: CORVALLIS					
3	171647	26TH STREET SUPERETTE	YIM, BROOKE Y	O	2531 MONROE ST NW, CORVALLIS, OR
	172363	7-ELEVEN STORE #2363-14520E	BALLY ENTERPRISES INC	O	746 NW KINGS BLVD, CORVALLIS, OR
	172355	7-ELEVEN STORE #2363-17105E	NOOR ENTERPRISES INC	O	2641 NW 9TH, CORVALLIS, OR
	172369	7-ELEVEN STORE #2363-22935C	ARMAAN ENTERPRISES INC	O	2405 SE THIRD ST, CORVALLIS, OR
	172484	ALBERTSON'S #514 <i>closed</i>	NEW ALBERTSON'S INC	O	2005 NW CIRCLE DR, CORVALLIS, OR
	171367	AMERICAN DREAM PIZZA	SCOTIAN INC	L	2525 MONROE ST NW, CORVALLIS, OR
	170890	AMERICAN DREAM PIZZA & CROWBAR	MAGELA INC	F-COM	214 SW 2ND, CORVALLIS, OR
	173257	AOMATSU JAPANESE RESTAURANT	AHN, GUYOUNG AHN, INSEON	L	122 NW 3RD ST, CORVALLIS, OR
	177457	APPLEBEE'S NEIGHBORHOOD GRILL & BAR	APPLE OREGON LLC	F-COM	1915 NE FOUR ACRE PL, CORVALLIS, OR
	172685	AQUA SEAFOOD RESTAURANT & BAR	AQUA SEAFOOD RESTAURANT & BAR LLC	F-COM	151 NW MONROE ST #102, CORVALLIS, OR
	169892	AVALON WINE & GOURMET	AVALON WINE INC	O	201 SW 2ND ST, CORVALLIS, OR
	170121	BAJA FRESH	CORVALLIS FRESH LLC	L	845 NW 9TH ST, CORVALLIS, OR
	176858	BELLA VINO GIFT BASKETS	GRIFFITH, JOHN G GRIFFITH, LEIGH C	O	5095 SW HILLVIEW AVE, CORVALLIS, OR
	170033	BI-MART #804	BI-MART CORP	O	2045 N 9TH ST, CORVALLIS, OR
	170051	BI-MART #639	BI-MART CORP	O	1555 SW 53RD ST, CORVALLIS, OR
	170900	BIG RIVER RESTAURANT & BAR	MALMAC INC	F-COM	101 NW JACKSON ST, CORVALLIS, OR
	169985	BLOCK 15	BLOCK 15 BREWING COMPANY INC	F-COM	300 SW JEFFERSON, CORVALLIS, OR
	172042	BLOCK 15	BLOCK 15 BREWING COMPANY INC	BP	300 SW JEFFERSON ST, CORVALLIS, OR
	177431	BLUE SKY CHINESE RESTAURANT	BLUE SKY RESTAURANT LLC	L	5275 SW PHILOMATH BLVD, CORVALLIS, OR
	173401	BOMBS AWAY CAFE	MANHATTAN PROJECT INC	F-COM	2527 NW MONROE AVE, CORVALLIS, OR
	172677	BREW BQ	DFZ LLC	F-COM	150 SW MADISON AVE, CORVALLIS, OR
	171638	BREW STATION	WYLIE VENTURES LLC	L	2305 NW MONROE, CORVALLIS, OR
	180941	BUFFALO WILD WINGS GRILL & BAR	WINGMEN V LLC	F-COM	1820 NW 9TH ST, CORVALLIS, OR
	170936	CAFE YUMM #100007	NAMASTE CUISINE LLC	L	2001 NW MONROE AVE #109, CORVALLIS, OR
	170790	CAVES	LES CAVES INC	F-COM	308 SW 3RD ST, CORVALLIS, OR
	177062	CAVES	LES CAVES INC	O	308 SW 3RD ST, CORVALLIS, OR
	170577	CHINA BLUE RESTAURANT	HEALTHY FOOD INC	L	2307 NW 9TH ST, CORVALLIS, OR
	171362	CHINA DELIGHT RESTAURANT	SPRING K INC	F-COM	325 NW 2ND ST, CORVALLIS, OR

Dist. License #	Tradename	Participant	License	Premises Address
Local Government: CORVALLIS				
3	170087	CHIPOTLE MEXICAN GRILL #1199	CHIPOTLE MEXICAN GRILL INC	F-COM 2501 NW MONROE AVE, CORVALLIS, OR
	174143	CIBELLI'S PIZZA	CIBELLI'S INC	L 820 NW 9TH ST #101, CORVALLIS, OR
	172779	CIRCLE K STORE #1022	CIRCLE K STORES INC	O 1900 SW THIRD, CORVALLIS, OR
	172780	CIRCLE K STORE #292	CIRCLE K STORES INC	O 1467 NW MONROE, CORVALLIS, OR
	171402	CIRELLO'S PIZZA	SAJ INC	L 919F NW CIRCLE BLVD, CORVALLIS, OR
	172006	CLODFELTER'S	C D E LTD	F-COM 1501 NW MONROE, CORVALLIS, OR
	173349	CLOUD & KELLY'S PUBLIC HOUSE	CLOUD 9 LLC	F-COM 126 SW FIRST ST, CORVALLIS, OR
	171060	COFFEE CULTURE	FAMILY COFFEE COMPANY LLC	L 1195 NW KINGS BLVD, CORVALLIS, OR
	172698	COFFEE CULTURE	FAMILY COFFEE COMPANY LLC	O 1195 NW KINGS BLVD, CORVALLIS, OR
	171927	CORVALLIS COUNTRY CLUB	CORVALLIS COUNTRY CLUB INC	F-COM 1850 SW WHITESIDE DR, CORVALLIS, OR
		GOLF ENTERPRISES INC		
	173974	CORVALLIS GROCERY OUTLET	NEUMANN LTD	O 1755 NW 9TH ST #110, CORVALLIS, OR
		GROCERY OUTLET INC		
	181032	CORVALLIS MARKET #2	CORVALLIS MARKET #2 INC	O 1621 NW 9TH ST, CORVALLIS, OR
	170198	CORVALLIS SPORTS PARK	CORVALLIS SPORTS PARK LLC	L 175 SW TWIN OAKS CIR, CORVALLIS, OR
	170231	DARI MART STORE #13	DARI-MART STORES INC	O 440 SW WESTERN BLVD, CORVALLIS, OR
	170538	DARRELL'S	HUBLER RESTAURANT INC	F-COM 2200 NW 9TH ST, CORVALLIS, OR
	172530	DEDE'S	CJ EATERIES LLC	L 1786 NW 9TH, CORVALLIS, OR
	170154	DEL ALMA	CRAZY MOON HOSPITALITY GROUP LLC	F-COM 136 SW WASHINGTON #102, CORVALLIS, OR
	170352	EL PRESIDENTE MEXICAN REST/CANTINA	EL PRESIDENTE OF CORVALLIS INC	F-COM 1110 NW SECOND ST, CORVALLIS, OR
	170312	EL SOL DE MEXICO	DE LA CRUZ & MAGANA INC	F-COM 1597 NW 9TH ST, CORVALLIS, OR
	170844	EL SOL DE MEXICO #3	MARAVILLAS INC	F-COM 1845 NW CIRCLE BLVD, CORVALLIS, OR
	170368	ELKS LODGE #1413 CORVALLIS	ELKS LODGE #1413, CORVALLIS	F-CLU 1400 NW 9TH ST, CORVALLIS, OR
	170779	ELMER'S BREAKFAST LUNCH DINNER	LUPA INC	L 1115 NW 9TH ST, CORVALLIS, OR
	169950	ENOTECA WINE BAR	BMRCMC LLC	O 136 SW WASHINGTON #101, CORVALLIS, OR
	173259	ENOTECA WINE BAR	BMRCMC LLC	F-COM 136 SW WASHINGTON #101, CORVALLIS, OR
	172565	EPIC DAY SPA	EPIC SPA LLC	L 517 SW 2ND ST, CORVALLIS, OR
	170345	EVERGREEN SO & NO INDIAN CUISINE	EVERGREEN S & N INDIAN CUSN LLC	L 136 SW 3RD STREET, CORVALLIS, OR
	172423	FIRE WORKS RESTAURANT & BAR	NATURAL GOURMET EATERY INC	F-COM 1115 SE 3RD, CORVALLIS, OR
	173454	FIRST ALTERNATIVE COOPERATIVE	FIRST ALTERNATIVE COOPERATIVE	O 1007 SE THIRD ST, CORVALLIS, OR

Dist. #	License #	Tradename	Participant	License	Premises Address
Local Government: CORVALLIS					
3	173455	FIRST ALTERNATIVE COOPERATIVE NORTH	FIRST ALTERNATIVE COOPERATIVE	O	2855 NW GRANT, CORVALLIS, OR
	173722	FLAT TAIL BREWING	S & J CORVALLIS LLC DK3 LLC	BP	202 SW 1ST ST SUITE B, CORVALLIS, OR
	172686	FLAT TAIL PUB	DK3 LLC	F-COM	202 SW 1ST ST SUITE A, CORVALLIS, OR
	172606	FORKS AND CORKS CATERING	FORKS AND CORKS CATERING LLC	F-CAT	1324 NW 9TH ST, CORVALLIS, OR
	170433	FRED MEYER #70	FRED MEYER STORES INC	O	777 NW KINGS BLVD, CORVALLIS, OR
	171644	HARRISON BAR & GRILL	YEUNG'S INVESTMENT INC	L	550 HARRISON BLVD NW, CORVALLIS, OR
	171645	HARRISON BAR & GRILL	YEUNG'S INVESTMENT INC	F-COM	550 HARRISON BLVD NW, CORVALLIS, OR
	171425	HIGHLAND BOWL	S & J BOWLING LLC	F-COM	2123 NW 9TH ST, CORVALLIS, OR
	174277	HILTON GARDEN INN / STADIUM GRILL	CORVALLIS HOSPITALITY LLC	F-COM	2500 SW WESTERN BLVD, CORVALLIS, OR
	174298	HILTON GARDEN INN / STADIUM GRILL	CORVALLIS HOSPITALITY LLC	O	2500 SW WESTERN BLVD, CORVALLIS, OR
	172773	IMPULSE BAR & GRILL	GALLEGOS, SEBASTIAN GARCIA, MARCELA	F-COM	1425 NW MONROE AVE SUITE M, CORVALLIS, OR
	173248	IOVINO'S RISTORANTE - <i>closed</i>	RIRC LLC	F-COM	1835 SE 3RD ST, CORVALLIS, OR
	170627	IZZY'S PIZZA BAR CLASSIC BUFFET	JANSEN ENTERPRISES INC	L	2475 NW 9TH ST, CORVALLIS, OR
	172901	JACK OKOLE'S	NAILS LIKE JUSTUS INC	F-COM	140 NW THIRD ST, CORVALLIS, OR
	170656	JACKSONS FOOD STORES #111	JACKSONS FOOD STORES INC	O	1334 NW NINTH ST, CORVALLIS, OR
	170181	JADE GARDEN	CHEN'S JADE INC	F-COM	503 SW 3RD ST, CORVALLIS, OR
	170716	KING TIN RESTAURANT	KING TIN CORP	L	1857 NW 9TH ST, CORVALLIS, OR
	172109	LA ROCKITA	PARMELEE, ELSA N	F-COM	2309 NW KINGS BLVD, CORVALLIS, OR
	173593	LA ROCKITA MEXICAN RESTAURANT	GARCIA NUNEZ, MARX	F-COM	370 A SW WESTERN BLVD, CORVALLIS, OR
	170739	LAUGHING PLANET CAFE	LAUGHING PLANET CAFE LLC	F-COM	127 NW 2ND ST, CORVALLIS, OR
	172570	LE PATISSIER	LE PATISSIER LLC	L	956 NW CIRCLE BLVD, CORVALLIS, OR
	172728	LUC	LUC LLC	O	134 SW 4TH ST, CORVALLIS, OR
	172751	LUC	LUC LLC	F-COM	134 SW 4TH ST, CORVALLIS, OR
	170532	MAGENTA RESTAURANT & CATERING	HOANG, KIMBER THI	F-COM	137 SW 2ND, CORVALLIS, OR
	170535	MAGENTA RESTAURANT & CATERING	HOANG, KIMBER THI	O	137 SW 2ND, CORVALLIS, OR
	172499	MAJESTIC THEATRE	MAJESTIC THEATRE MANAGEMENT INC	L	115 SW 2ND ST, CORVALLIS, OR
	170815	MARKET OF CHOICE #7	MARKET OF CHOICE INC	O	922 NW CIRCLE BLVD #110, CORVALLIS, OR
	170917	MARKET OF CHOICE #7	MARKET OF CHOICE INC	L	922 NW CIRCLE BLVD #110, CORVALLIS, OR

Dist.	License #	Tradename	Participant	License	Premises Address
Local Government: CORVALLIS					
3	170882	MCGRATH'S PUBLICK FISH HOUSE	MCGRATH'S PUBLICK FISH HOUSE INC	F-COM	350 NE CIRCLE BLVD, CORVALLIS, OR
	170814	MCMENAMIN'S	MCMENAMIN'S INC	O	420 NW 3RD ST, CORVALLIS, OR
	170816	MCMENAMIN'S	MCMENAMIN'S INC	F-COM	420 NW 3RD ST, CORVALLIS, OR
	170904	MCMENAMIN'S ON MONROE	MCMENAMIN'S INC	BP	2001 NW MONROE AVE #106, CORVALLIS, OR
	170909	MCMENAMIN'S ON MONROE	MCMENAMIN'S INC	F-COM	2001 NW MONROE AVE #106, CORVALLIS, OR
	170862	MEXICO LINDO RESTAURANT	MEXICO LINDO INC	F-COM	5228 SW PHILOMATH BLVD, CORVALLIS, OR
	170842	MR D'S MARKET LLC	MR D'S MARKET LLC	O	300 SW FOURTH ST, CORVALLIS, OR
	173066	MURPHY'S RESTAURANT & LOUNGE	DRAGONFLY PACIFIC INC	F-COM	2740 SW 3RD ST, CORVALLIS, OR
	173019	NATALIA & CRISTOFORO'S	LEYTEM, GREG A LEYTEM, REGINA A	O	351 NW JACKSON ST #2, CORVALLIS, OR
	170956	NEARLY NORMAL'S GONZO CUISINE	NEARLY NORMAL'S GONZO CUISINE INC	F-COM	109 NW 15TH ST, CORVALLIS, OR
	172236	NEW CHINA BUFFET	ZHENG'S INC	F-COM	1720 NW 9TH ST, CORVALLIS, OR
	173922	NEW MORNING BAKERY	NEW MORNING BAKERY INC	L	219 SW 2ND ST, CORVALLIS, OR
	173923	NEW MORNING BAKERY	NEW MORNING BAKERY INC	O	219 SW 2ND ST, CORVALLIS, OR
	177212	NIRVANA INDIAN RESTAURANT	KAUL, GURMEET L	L	1945 NW NINTH, CORVALLIS, OR
	171004	OLD WORLD DELI	OWD INC	L	341 SW SECOND ST, CORVALLIS, OR
	173546	OREGON STATE UNIVERSITY CATERING	OREGON STATE UNIVERSITY	F-CAT	140 ARNOLD CENTER, CORVALLIS, OR
	172993	OREGON TRAIL BREWERY	BREWING NORTHWEST LTD	BP	341 SW SECOND ST, CORVALLIS, OR
	172967	OSU DEPT OF FOOD SCIENCE & TECHNOLOGY	OSU DEPT OF FOOD SCIENCE & TECHNOLOGY	BP	100 WIEGAND HALL, CORVALLIS, OR
	171112	PAPA'S PIZZA PARLOR #4	THE PAPA'S GROUP INC	L	1030 SW THIRD, CORVALLIS, OR
	171204	PASTINI PASTARIA	PASTINI CORVALLIS LLC	F-COM	1580 NW 9TH ST SUITE 101, CORVALLIS, OR
	177073	PASTINI PASTARIA	PASTINI CORVALLIS LLC	O	1580 NW 9TH ST SUITE 101, CORVALLIS, OR
	171187	PIZZA HUT	PIZZA HUT OF SE KANSAS INC	L	2575 NW KINGS BLVD, CORVALLIS, OR
	173860	QDOBA MEXICAN GRILL	QMEXCOR LLC	F-COM	2001 NW MONROE, CORVALLIS, OR
	171254	QUEEN'S CHOPSTICK ASIAN CUISINE	QUEEN'S CHOPSTICK ASIAN CUISINE INC	F-COM	2329 NW KINGS BLVD, CORVALLIS, OR
	171707	RICE & SPICE	KIM, PETER P	O	1075 NW VAN BUREN AVE, CORVALLIS, OR
	171484	RITE AID #5386	THRIFTY PAYLESS INC	O	2080 NW 9TH ST, CORVALLIS, OR
	173787	RIVERVIEW MONGOLIAN GRILL	MONGOLIAN GRILL CORVALLIS LLC	L	230 NW 1ST, CORVALLIS, OR
	172500	ROXY DAWGS	ROXY DAWGS LLC	L	1425 NW MONROE SUITE G, CORVALLIS, OR
	171296	RUBY TUESDAY	RT PORTLAND FRANCHISE LLC	F-COM	1895 NW 9TH ST PLAZA 9, CORVALLIS, OR

Dist. #	License #	Tradename	Participant	License	Premises Address
Local Government: CORVALLIS					
3	173453	SADA'S SUSHI & IZAKAYA	SAKAMOTO HOLDINGS INC	F-COM	151 NW MONROE ST #101, CORVALLIS, OR
	171761	SAFEWAY STORE #1690	SAFEWAY INC	O	590 NE CIRCLE BLVD, CORVALLIS, OR
	171763	SAFEWAY STORE #1765	SAFEWAY INC	O	5270 SW PHILOMATH BLVD, CORVALLIS, OR
	171766	SAFEWAY STORE #4333	SAFEWAY INC	O	450 SW THIRD ST, CORVALLIS, OR
	172772	SANCHO'S MEXICAN GRILL & BAR	GALLÉGOS, SEBASTIAN GARCIA, MARCELA	F-COM	1425 NW MONROE ST #A, CORVALLIS, OR
	171437	SHARI'S OF CORVALLIS	SHARI'S MANAGEMENT CORP	L	1117 NW 9TH, CORVALLIS, OR
	173736	SKY HIGH BREWERY	CORVEGAS INC	BP	160 NW JACKSON AVE, CORVALLIS, OR
	172280	SODEXO	SODEXO AMERICA LLC	F-CAT	RESER STADIUM, CORVALLIS, OR
	172494	SODEXO	SODEXO AMERICA LLC	L	430 SW LANGTON PL, CORVALLIS, OR
	173527	SPICE & ICE ASIAN CUISINE & GELATO	SPICE & ICE ONE INCORPORATED	L	215 SW 3RD ST, CORVALLIS, OR
	171709	SQUIRRELS	SQUIRRELS INC	O	100 SW SECOND ST, CORVALLIS, OR
	171781	SQUIRRELS	SQUIRRELS INC	L	100 SW SECOND ST, CORVALLIS, OR
	171803	SQUIRRELS	SQUIRRELS INC	F-COM	100 SW SECOND ST, CORVALLIS, OR
	172197	SUBZERO	DAS MASCHINE ENTERTAINMENT LLC	F-COM	126 SW 4TH ST, CORVALLIS, OR
	169976	SUNNYSIDE UP	BARKING COW ENTERPRISES INC	F-COM	116 NW 3RD ST, CORVALLIS, OR
	171805	TAQUERIA ALONZO	GUTIERREZ, ALONZO	F-COM	922 NW KINGS BLVD, CORVALLIS, OR
	172596	TERMINUS	LI VI LLC SECOND HOME BREWING COMPANY LLC	F-COM	603 NW 2ND ST, CORVALLIS, OR
	171951	THE BEANERY	ALLANN BROS COFFEE COMPANY	O	922 NW CIRCLE BLVD #130, CORVALLIS, OR
	171961	THE BEANERY	ALLANN BROS COFFEE COMPANY	L	922 NW CIRCLE BLVD #130, CORVALLIS, OR
	177166	THE BROKEN YOLK CAFE	DALE, BROOKE DALE, BRANDON	F-COM	119 SW 3RD ST, CORVALLIS, OR
	173213	THE RETREAT DAY SPA & SALON	THE RETREAT DAY SPA & SALON INC	L	777 NW 9TH ST #200, CORVALLIS, OR
	171498	TIMBERHILL ATHLETIC COURT CLUB	TIMBERHILL ATHLETIC/COURT CLUB INC	L	2855 NW 29TH ST, CORVALLIS, OR
	170540	TOKYO JAPANESE STEAK HOUSE & SUSHI BAR	HAPPY TOKYO INC	F-COM	250 SW 3RD ST, CORVALLIS, OR
	171350	TOM'S PEACOCK BAR & GRILL	SMRK LLC	F-COM	125 SW 2ND ST, CORVALLIS, OR
	169992	TOMMY'S 4TH STREET BAR & GRILL	BUDTIG INC	F-COM	350 SW 4TH ST, CORVALLIS, OR
	171518	TRADER JOE'S #154	TRADER JOE'S CO	O	1550 NW 9TH ST #102, CORVALLIS, OR
	176389	TRI VALLEY FOOD MART #102	SINGH, JATINDER P	O	5500 SW PHILOMATH BLVD, CORVALLIS, OR

Dist. License #	Tradename	Participant	License	Premises Address
Local Government: CORVALLIS				
3 171061	UNIVERSITY HERO	VV ENTERPRISES LLC	L	211 SW FIFTH, CORVALLIS, OR
173203	UNIVERSITY MARKET	EPOCH GROUP LLC	O	1149 NW VAN BUREN ST, CORVALLIS, OR
171555	US MARKET #145	US MARKET #145 LLC	O	1450 NW 9TH ST, CORVALLIS, OR
184577	WALMART MARKET #3146	WAL-MART STORES INC	O	1840 NW 9TH ST, CORVALLIS, OR
174065	WASHINGTON STREET LIQUOR / DEB'S MIXERS	WASHINGTON ST LIQUOR / DEB'S MIXERS LLC	O	575 SW WASHINGTON AVE, CORVALLIS, OR
171634	WESTERN MARKET	WESTERN MARKET LLC	O	2875 WESTERN, CORVALLIS, OR
171705	WHITESIDE'S BEER & WINE	CORVALLIS BREWING SUPPLY INC	O	119 SW 4TH ST, CORVALLIS, OR
171641	WINCO FOODS #03	WINCO FOODS LLC	O	2335 NW KINGS BLVD, CORVALLIS, OR
172445	WINE STYLES CORVALLIS	GWINTRAY LLC	O	2333 NW KINGS BLVD, CORVALLIS, OR
172506	WINE STYLES CORVALLIS	GWINTRAY LLC	L	2333 NW KINGS BLVD, CORVALLIS, OR
173673	WINEOPOLIS	LARSON, JERALD N	O	151 NW MONROE #103, CORVALLIS, OR
171572	WOODSTOCK'S PIZZA PARLOR	WOODSTOCK'S ENTERPRISES INC	L	1045 NW KINGS BLVD, CORVALLIS, OR
171253	YOUNG'S KITCHEN	QNAM INC	F-COM	2051 NW MONROE AVE, CORVALLIS, OR

Community Leader Discussion: Youth Mental Health

What should our system look like?

- **Vision: Be clear with what we want to build**
 - We need a total system redesign
 - Don't want to see a two tiered system
 - Mental illness or mental health?
 - Clinic based or school based?
- **Social determinates of health**
 - Most effective methods are not mental health issues
 - Deal with poverty
 - Deal with what is putting the pressure on our kids and families
 - Deal with social, economic issues – don't wait for problem
- **Prevention is the key**
 - Early identification of risk factors
 - Prevention and early intervention at pregnancy and before
 - Prevention and outreach are important
 - Early identification and intervention
 - Early crisis intervention
 - How do we support healthy kids?
 - Early adolescence intervention to help parents and the children
 - Multi-disciplinary model for early prevention and intervention
 - Metro has models of prevention
- **Delivery/program models**
 - *Children*
 - Getting the children to see a counselor in a timely fashion
 - Mentors for these children
 - Get attention prior to breaking the law
 - Identity: adopted internationally, bi-racial and bi-cultural children, immigrants
 - Get children into medical care quickly
 - *Families*
 - Parent involvement “with us not to us”
 - Helping parents getting kids off to school
 - Have a center person that is a resource to families
 - Families as the experts and the primary change agent for the child's behavior
 - Respite is important for the parents, with therapeutic support
 - Parents administer treatment
 - Outreach to parents
 - Linn County Family Support Connectors is an effective model
 - Need more parental support and advocacy
 - Fear around the issue for parents
 - *Schools*
 - Screening
 - We need counselors and social workers, especially at elementary level
 - School based outpatient/prevention
 - Open doors to more agencies come in and observe, see them in action
 - 45 day review wrap around service
 - Linn County working on transitioning middle school students to high school students

- School personnel need training and support from other agencies
 - School coordination with primary care providers
 - Early intervention in schools – lack of personnel to coordinate services
 - *Agencies and providers*
 - Don't rush to over diagnose or over designate onto a path they may not need to be on; new DSM will have more categories, be cautious.
 - Have case workers that visit homes like Linn county
 - Need more counselors in the area
 - Well- trained foster care parents locally
 - Therapeutic foster care
 - Crisis responders in the district
 - Psychiatry more available and quickly
 - Drop-in center with someone that they could talk to, professional but not formal
 - Consistent intake
 - Staff- mentor training
 - Designated case manager to coordinate wrap around services
 - Therapeutic groups
 - Tele-psychiatry
 - Providers who are bilingual and culturally competent
 - Culturally appropriate evaluation tool
 - *System*
 - Improve emergency services
 - Offer an array of services from prevention to crisis
 - A way to transport kids that are out of control
 - Prevent smaller crises
 - Easier way to access necessary services
 - Need a central coordination of this effort
 - More consumer choice will create a better system
 - Come in prior to the crisis
 - More private competition
 - Integration of mental/physical/dental health
 - Continuum of services
- **Partnerships**
 - Collaboration is critical
 - Coordination with school counselors
 - better access and communication between the school district and providers
 - Wrap around services that are aligned and articulated
 - Invite agencies and providers into our schools
 - How do we improve the relationship between primary care providers and psychiatrist?
 - More efficient methods of working together using technology
 - Insurance and health care providers need to work together
 - Coordination at delivery systems level
- **Communication and training**
 - Dialogue model
 - Community education and forums
 - Share information
 - Training communities
 - Need outreach program for training
- **System sustainability**
 - Financial oversight
 - Clearinghouse of information for private and public providers

- OHP and private, provide the same thing regardless of who the payer is

A beginning to develop real change

- **Right now is a moment in time to change the system.**
 - Don't meet just to meet; act it out; continue meeting, it's not enough to talk about this, we need to do something
 - Need to walk away with a plan to put this in place
 - Sustain the conversation and move to action
 - Focus on solutions
 - Articulate the messaging
 - Facilitated leadership and prioritization
 - Prioritize the next steps using a facilitator
- **Community support - these are our kids**
 - Shift the way we think about our children that this can be something that we can resolve
 - This is something that is normal and can work through
 - Cultural piece
 - How can the arts and creativity help?
 - As a society look at mental illness in a different way
 - Happy health index
 - Model after smaller communities that have success and are culturally aware
 - Community connectedness for the youth will be successful and have a support system
 - We are all in this together as a community
 - We all have the same hopes and the same problems
- **Who can help? Be the champion for change** (note: limited to representatives in the room and short amount of time)
 - OSU Center for Latino Studies – outreach to multicultural families
 - Early Learning Council, Regional hub
 - Boys and Girls Club: 350-400 kids a day - next to schools, the largest provider, have young staff eager to make a difference; we can help with social development
 - Trillium – child psychiatry, prevention models, school-based outpatient, community education
 - District Attorney – communication based model, goal to intervene
 - Love INC - volunteers, places, people - support group for parents, parents night out, provide childcare
 - OSU – facilitate the prioritization and make choices, then create an action plan
 - SHS can provide research study design and grant writing
 - Linn, Benton, Lincoln ESD: behavior consultants, develop good Functional Behavioral Support Plans; implementing a county wide family support model experience; PBIS training and support
 - IHN-CCO: share the pilots that are successful and then replicate
 - Multicultural Literacy Center – meet with groups to provide services and supports for parents, focus groups meet and then bring ideas to the table
 - Corvallis School District – proactive approach – open our doors to wrap around services, liaison to pull services together
 - School Board Chair – will present to City Council subcommittee
 - County Juvenile: more presence in the schools, prevention, teaching some classes
- **Identify the brave things we can do -**
 - Opportunity might lie in the early childhood emphasis from the office of the governor
 - What innovative early childhood project can we put forward together?
 - Develop a pilot project

- We will talk with you soon asking for your help. Be willing to step up...we can come together to solve this!

We are here today to work on our broken system (what does it look like now?)

- **Children**
 - When we have a child in crisis, the wait can be weeks in this town. This is unacceptable.
 - For a long time we have been hearing that we have known or had a mental health concern since this child was 3. I think we can only stand for one year of that!
 - Our kids are suffering (serious thoughts of suicide percentage too high!)
 - Multiple suicide attempts prior to admittance
- **Families**
 - How do we support parents if we know they are at risk
 - Have a difficult time getting kids services
 - What about the financial burden?
- **Schools**
 - Teachers are not trained as mental health professionals but they are dealing with these issues. How do we ensure that these children are getting the right amount of services and that communication to parents is happening.
 - Financial burden on the districts, no longer have counselors
 - The nature of our current economic times and loss of counseling at elementary schools
 - Schools are not providing the proactive portion
- **Agencies/providers**
 - Emergency room as vehicle in crisis may not be the best avenue
 - Higher level of care because Trillium has limited abilities
 - Emergency access when a child is sent to the ER then another process evolves from that visit
 - Need more providers who speak Spanish and are culturally competent
 - Instruments used to evaluate should be culturally responsive
 - Groups are proven helpful ways to work with families and kids but they are not available in this community
 - Physicians and drug stores aren't communicating - some children are prescribed drugs that don't interact well together
- **System/community**
 - Have ability to serve only 1000
 - Access issues are a concern and where/who are resources; what is available? crisis, substance abuse, etc
 - Kids grow up and law enforcement sees them - jails have become de facto mental health system
 - CPD shouldn't be the first responder
 - This is a very serious problem in Oregon; an inefficient use public funds
 - Some kids have intensive needs and we have to send them out of county into therapeutic homes
 - Relationship between education and providers needs to be improved
 - Stigma.our labels reflect us, parents are afraid of the stigma
 - Too much focus on physical health

**URBAN SERVICES COMMITTEE
MINUTES
May 7, 2013**

Present

Richard Hervey, Chair
Dan Brown
Roan Hogg

Staff

Mary Steckel, Public Works Director
Emely Day, City Manager's Office

Visitors

Patricia Benner
James Day, *Corvallis Gazette-Times*
David Eckert
Liz Frenkel
Betty Griffiths
Tony Howell
Robert Wilson

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Total Maximum Daily Load (TMDL) Update			<ul style="list-style-type: none"> • Suspend work on the compliance project until new temperature water quality standards are known • Approve funding in the Fiscal Year 2013-2014 budget to resume TMDL work when new requirements are known
II. Municipal Code Review: Chapter 6.10, "General Traffic Code" (Weight Restrictions)			Amend Corvallis Municipal Code Chapter 6.10, "General Traffic Code," Section 6.10.060.020, Weight Restrictions, by means of an ordinance to be read by the City Attorney
III. Other Business			

CONTENT OF DISCUSSION

Councilor Hervey called the meeting to order at 5:00 pm.

I. Total Maximum Daily Load (TMDL)

Public Works Director Steckel directed the Committee's attention to new public testimony from John Detweiler (Attachment A), Betty Griffiths (Attachment B), and Patricia Benner (Attachments C, D, and E).

Ms. Steckel reviewed staff's work in response to the Committee's April 2 directions.

- Staff added a column to the alternatives analysis matrix and renamed a column.

- Staff developed a cost estimate for the North Alternative. The staff report included the consultant's explanation of how it determined the cost cited in the matrix and staff report. The North Alternative included options to 1) pump cooled wastewater to the Wastewater Reclamation Plant (WWRP) for discharge at the City's current outfall or 2) pump cooled wastewater to a new outfall downstream along the Willamette River.

Ms. Steckel reported that a decision was rendered in the Federal District Court lawsuit involving Northwest Environmental Advocates (NWEA) and the Environmental Protection Agency (EPA). The Court directed the EPA, within 120 days, to take one of two actions:

1. Create a temperature standard and submit it to the Department of Environmental Quality (DEQ) for adoption or
2. Direct the DEQ to create a temperature standard for adoption. Staff did not know what action the EPA would take. It would likely be mid-August before staff would have definite information regarding the EPA's action.

Ms. Steckel said staff sought Council direction on two issues:

1. What action, if any, staff should pursue regarding the North Alternative.
2. What action staff should take while awaiting the EPA's response to the lawsuit ruling.

Ms. Steckel said staff could continue investigating and evaluating the various options on the matrix or could postpone further work until the EPA's and DEQ's actions were known.

Ms. Steckel noted from a recent Budget Commission meeting a carry-over of \$580,000 to the Fiscal Year 2013-2014 budget to ensure funding for pursuing activities, now or after the EPA's and DEQ's responses to the lawsuit. She estimated that an additional \$200,000 would be needed in the upcoming budget to complete analyses of the East and North Alternatives and the tree-planting alternative. She added that the \$200,000 was available from recent re-financing of a DEQ loan.

Ms. Steckel summarized that staff recommended postponing additional work until the EPA's and DEQ's responses to the lawsuit were known. After that, staff could continue evaluating the alternatives with a goal of reaching a decision about the preferred alternative.

Councilor Hervey surmised that, based upon the lawsuit, it was likely that more-stringent requirements would be issued. Referencing previous testimony, he questioned whether the East Alternative could be expanded.

Ms. Steckel responded that staff presumed that all of the treated wastewater would be cooled via the East Alternative; during summer months, the wastewater discharge would be 7 million to 10 million gallons per day. Staff believed there was enough acreage at the East Alternative Site (Orleans Natural Area [ONA]) to accommodate up to 10 million gallons per day. Staff hoped that the re-use aspect of the treated wastewater program would increase, with more water destined for irrigation purposes, thereby reducing the needed capacity at the East Alternative wetlands.

Councilor Hervey noted that Benton County was working on a voluntary compliance approach to meet its TMDL heat requirements on the Marys River. He questioned whether the County's efforts could affect the City's prospects of riparian shading.

Ms. Steckel said she was not aware of any conflicts, but she presumed that the Marys River Watershed Council was involved with the County, as it was with the City, and was aware that the two governmental bodies could not plant trees for shading in the same areas.

Patricia Benner opined that, based upon the due diligence report, the East Alternative was not hydrologically sufficient as a TMDL solution, unless the number of days treated wastewater would remain in the wetlands was reduced. She said the due diligence report included multiple references to 7 million gallons of treated wastewater per day. The City's consultant recommended placing up to 7 million gallons of treated wastewater per day on ONA because that was estimated to be the maximum amount the site could process without compromising the quality of the water ultimately discharged to the Willamette River. She believed the future, and even the current, wastewater production volume was at the maximum capacity for the ONA site.

Ms. Benner said she was not certain whether the North Alternative was the best solution, and she had not been able to consider other TMDL solution treatment sites. She referenced her handout regarding the North Alternative (Attachment E) and said the North Alternative "Bean Field" site and the property across the highway from it comprised one 92-acre tax lot. She said the total North Alternative tax lot property could provide more area for cooling treated wastewater now and into the future and have pedestrian and recreational amenities. She suggested that, since the portion of the tax lot referred to as the North Alternative was farmed, treated wastewater could be used to irrigate the crops on the site. Hewlett-Packard (HP) previously indicated interest in using treated wastewater for irrigation purposes on its campus.

Ms. Benner noted that, according to the due diligence report, the ONA site would only receive treated wastewater seasonally; however, the North Alternative site could receive treated wastewater all year.

The Benton County Assessor's Office Web site indicated that the entire North Alternative site tax lot had a total real market value of \$675,991. According to the County's Planning Division staff, the proposed wastewater cooling development would be an allowed use on the North Alternative site; the design must be approved by the planning director or through another planning process.

Ms. Benner added that approximately four wells would be at risk, if treated wastewater unintentionally entered the groundwater at the North Alternative site. Clay-lined wetlands might minimize leakage.

Ms. Benner said she spoke with groundwater experts at Oregon State University (OSU) and with DEQ staff regarding the East Alternative ONA site. The site, immediately adjacent to the Willamette River, was proposed for development of infiltration ponds within 300 feet of the riverbank. Dye studies indicated that water would travel the 300-foot distance within a few days. An OSU groundwater expert estimated that the ground sub-strait would reach thermal equilibrium within one week of treated wastewater entering the ground. DEQ staff acknowledged that the mixing zone would be changed from outside the river channel to within the hyporheic zone. Even though the treated wastewater would be mixed with cooler river water, the kilocalories would reach the river fairly quickly. An OSU expert told her that hyporheic zones did not cool water; they merely mixed existing water with incoming water. She expressed concern that the East Alternative would not meet DEQ's objectives. Unless treated wastewater was significantly cooled in wetlands, the City could indirectly discharge into the river water hotter than was permitted. The City was currently permitted to discharge warm water into the Willamette River. The East Alternative site was constrained without potential for expansion.

Ms. Benner asserted that it was not too late to change strategies for cooling treated wastewater, and she questioned why staff was pursuing the East Alternative proposal.

In response to Councilor Hervey's inquiry regarding Attachment C, page 3, Ms. Benner explained that a DEQ staff member who managed the City's discharge permit told her that establishing a new discharge point downstream from the current outfall location would probably not be a problem.

Betty Griffiths acknowledged that all of staff's recommendations were possibilities. However, she believed the City should stop pursuing the East Alternative, based upon the substantial information submitted by many sources. She also believed the City should not pursue the North Alternative. Rather, she believed the City should pursue tree planting, working with Freshwater Trust, Marys River Watershed Council, and perhaps Calapooia Watershed Council. She referenced Attachment B regarding a project in Medford and some of its benefits. Even if tree planting was not determined to be the ultimate solution, knowing that it would not address the issue of pollutants, tree planting would provide benefits of water cooling, riparian shading, river-/streambank stabilization, carbon reduction, and wildlife shelter. Tree planting outside Corvallis could still provide direct and in-direct benefits to the City in terms of water cooling.

Regarding purchase of the North Alternative property, Ms. Griffiths suggested that the City have an agent contact the McFadden Trust, which owned the property. She suggested that no additional funding be spent on the North Alternative, other than having an agent inquire about purchasing the property. She questioned why the City would spend more money investigating the North Alternative if the property was not available.

Ms. Griffiths asked the Committee to respond to previously raised questions regarding how the ONA site would be managed and what financial benefit the City might derive from the project. While the City owned the site, using it to cool treated wastewater would

dramatically change the nature of the site; the "cost" of replacing ONA as a natural area should be considered.

Councilor Hervey referenced footnote k on staff's alternatives analysis matrix. He said he would not adopt Ms. Griffiths' request to pursue only the riparian shading solution, as it appeared it would be as likely as any other solution to be denied by the DEQ.

Ms. Griffiths said she was not sure whether riparian shading could be done without temperature trading.

Councilor Hervey referenced Ms. Benner's testimony regarding the due diligence report recommendation of limiting treated wastewater discharge to the ONA site at 7 million gallons per day.

Ms. Steckel clarified that 7 million gallons per day was estimated to increase to 10 million gallons per day in 20 years. The due diligence report indicated that the City would not discharge 10 million gallons per day during the summer in 2028.

Councilor Hervey referenced Attachment D regarding the Talking Water Gardens (TWG) and said he understood that the Gardens was sited on a smaller acreage because it had hotter water (73°F) entering the system.

Ms. Steckel said she did not know the temperature of treated wastewater Corvallis discharged. She recalled that the TWG received water from ATI Wah Chang that was significantly hotter than expected from a domestic source. She added that the North Alternative cost estimate did not include amenities, other than paths for maintenance. She confirmed that transferring treated wastewater to the Trysting Tree Golf Course would require a tertiary treatment at the WWRP, and that treatment was included in the cost estimate.

Councilor Hervey said he did not want the City to undertake more work immediately, but he would like to know the consultant's response to testimony regarding the time water would be in the hyporheic zone. He questioned whether the project could comply with the DEQ's requirements but still fail.

Ms. Steckel explained that the City must prove, via report data, compliance with the DEQ's requirements. She expected a requirement for water temperature monitoring.

In response to Councilor Hervey's further inquiry regarding a 2009 technical memorandum, Ms. Steckel recalled that HP was not interested in using treated wastewater for irrigation purposes on its campus. Therefore, the North Alternative did not include a water re-use option.

Ms. Steckel said staff contacted the McFadden Trust's real estate agent regarding the possibility of purchasing the North Alternative property; meetings were scheduled but

canceled. Staff continued seeking contact, understanding that, if the Trust was not interested in selling the land, there was no reason to pursue the North Alternative. She confirmed that the North Alternative "Bean Field" property was outside the City Limits, so the City could not obtain the property by condemnation.

In response to further inquiry, Ms. Steckel said staff had not checked whether the proposed wastewater cooling project would be a permitted use under the County's zoning designation for the North Alternative property.

Committee members concurred with staff's recommendation to suspend action on the TMDL project. Ms. Steckel requested formal Council direction.

Based upon a motion moved and seconded by Councilors Hogg and Brown, respectively, the Committee unanimously recommends that Council direct staff to suspend work on the total maximum daily load (TMDL) requirement compliance project until the outcome of the Environmental Protection Agency/Department of Environmental Quality process to develop the new temperature water quality standards is known and approve funding in the Fiscal Year 2013-2014 budget to resume TMDL work when the new requirements are known.

Ms. Steckel confirmed that staff would update the Committee.

II. Municipal Code Review: Chapter 6.10, "General Traffic Code" (Weight Restrictions)

Ms. Steckel explained that the Corvallis Municipal Code specified vehicle weight limits on specific streets; she distributed a City street map marked with the weight limits (Attachment F). Weight limits of 12,000 pounds were established for specific streets primarily because of concerns that heavy vehicles would use Corvallis as a route to Interstate 5 or the Coast; the restrictions were established before the Oregon State Highway 34 bypass was constructed and were intended to keep heavy vehicles on highways. Restrictions of 6,000, 8,000, and 10,000 pounds were established for bridges with structures insufficient to support heavier vehicles.

Ms. Steckel said staff requested an amendment to the Municipal Code to allow staff to provide a variance for local heavy truck traffic (e.g., construction truck traffic) to use local streets with weight restrictions. This would allow construction truck traffic to use street routes that would minimize conflicts with pedestrians, transit users, and bicyclists. The Code requirement would include criteria for the variance.

Ms. Steckel noted that City maintenance vehicles would exceed the weight limits specified in the Municipal Code, preventing maintenance on restricted streets. Staff recommended amending the Code to exempt City maintenance vehicles and transit buses. The Morris Avenue bridge had a weight limit of 36,000 pounds but deteriorated to the point that Oregon Department of Transportation established a limit of 10,000 pounds. The bridge was scheduled for re-construction during 2015, after which the weight restriction would be removed via an ordinance amending the Code. In the meantime, the bridge was specified

in the Code to provide a legal means of keeping heavy vehicles off a bridge that could not safely support their weight.

In response to Councilor Brown's inquiry, Ms. Steckel said current Public Works Department staff did not know why weight restrictions were placed on NW 13th, NW 14th, NW Garryana, and NW 17th Streets. Staff surmised that the neighborhoods did not want drivers to use the streets to travel between NW Circle and NW Walnut Boulevards. The weight limits were established to restrict traffic, rather than to protect streets. City streets were constructed to accommodate heavy vehicles over a period of time. Arterial and collector streets were built to a different standard than local streets, as the former would have more traffic with heavier vehicles.

In response to Councilor Hogg's inquiry, Ms. Steckel said the variance to allow heavy trucks could be limited to specific days and hours.

Councilor Hervey inquired whether the Council should take action to protect street infrastructure.

Ms. Steckel said it was difficult to determine what types of vehicles caused what nature of damage at what level of intensity. Public and private utility vehicles were getting heavier and must be able to provide services to properties abutting streets with weight restrictions. The current legislation allowed these vehicles to access the properties to provide services. She said it would be difficult to specify one weight limit that would accommodate all vehicles that might need to travel a street to provide services.

Councilor Hervey noted that some communities hoping to protect streets had axle limits, rather than vehicle weight limits.

Based upon a motion moved and seconded by Councilors Hogg and Brown, respectively, the Committee unanimously recommends that Council amend Corvallis Municipal Code Chapter 6.10, "General Traffic Code," Section 6.10.060.020, Weight Restrictions, **by means of an ordinance to be read by the City Attorney.**

III. Other Business

- A. The next regular Urban Services Committee meeting is scheduled for May 21, 2013, at 5:00 pm, in the Madison Avenue Meeting Room.

Councilor Hervey adjourned the meeting at 5:50 pm.

Respectfully submitted,

Richard Hervey, Chair

5/3/13 - From John Seitzinger/ka

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May 3, 2013

After reviewing the Public Works Director Memorandum dated April 22, 2013, on the Willamette River Temperature Total Maximum Daily Load Project, I have several comments.

Looking at the updated matrix of alternatives, the east alternative is still the best. Moreover, I doubt that more study of the north alternative will do anything other than waste money

Looking at the discussion of the lawsuit remedy I don't see anything that would preclude your starting work on the east alternative.

Again, it is time to make a decision - which should be to go with the east alternative, borrow the money and start the detailed design work. Interest rates on municipal bonds started increasing last December. Right now the interest rate increase rate has dropped a bit - which is good. Moreover, it appears that the Federal Reserve is keeping interest rates low and that inflation is not unduly high. However, if we continue to dawdle, the voter-taxpayers will still end up paying more to complete this project than necessary. And, as of today, the dawdle cost is roughly \$8000/day.

I will not be at the USC meeting on May 7th. I will be out of town.

5/6/13 - Rec'd from Betty Griffiths / PC



OregonLive.com

Everything Oregon

A shady deal cools the Rogue River, and earns national attention as water quality model

Published: Tuesday, August 28, 2012, 4:27 PM Updated: Tuesday, August 28, 2012, 5:17 PM



By Eric Mortenson, The Oregonian

It was a costly choice, either way. To improve endangered salmon habitat, Medford's wastewater treatment plant was required by the state Department of Environmental Quality to reduce the temperature of water it released to the Rogue River.

The solution that emerged is being hailed as a national model, and the U.S. Department of Agriculture just announced a \$1.5 million grant that will coordinate similar work in Oregon, Washington and Idaho.

In Medford's case, the estimate for mechanically chilling the water was \$20 million. A lagoon system to hold treated water and release it when salmon weren't running would cost about \$16 million.

In 2010, an engineer working for the city approached Portland's Freshwater Trust to ask about using streamside habitat restoration as a substitute for concrete and steel capital projects. Planting trees, in other words, to accomplish the river cooling mandated by the DEQ's new standards.

It's called "water quality trading," and its DEQ approval came only after Freshwater Trust and a fellow non-profit, the Willamette Partnership, calculated and quantified the benefit of shade. In Medford's case, the DEQ approved a plan in which 30 to 35 miles of Rogue River streambank will be planted with native cottonwood, alder and pine trees to offset the warm water flowing from the treatment plant. The work begins this fall, and will cost an estimated \$8 million.

The process has worked elsewhere. Since 2004, Clean Water Services in Washington County has planted more than 4 million native plants and shrubs along the Tualatin River and its upper tributaries, approximately 50 miles of river. The work has cost about \$4.5 million, compared to the estimated \$60 million it would have cost to buy refrigeration units to cool treated wastewater.

In the Medford project, the money comes from ratepayers. With it, Freshwater Trust leases riverbank from private property owners and pays restoration crews to plant trees. The 20-year leases are recorded with the county, so the buffer zones remain in place even if the property changes hands.

The grant announced by the USDA last week will fund staff work by the Freshwater Trust, Willamette

Partnership and the Oregon, Washington and Idaho environmental departments. The agencies and non-profits will develop regional standards for restoration projects. The goal is to establish procedures and accounting methods for water quality trading projects involving temperature and the presence of nutrients such as nitrogen and phosphorus.

"We want to make it bonafide and trustworthy to the public," said Alan Horton, managing director of Freshwater Trust.

The grant was among \$26 million in Conservation Innovation Grants awarded in 47 states. Twelve of the grants involve water quality trading projects, the first time such work has been funded.

"We believe there are states around the nation that are on the cusp of having thriving water quality trading markets," USDA Secretary Tom Vilsack said in a news release. "These grant awards will help develop projects that create new revenue streams for farmers and ranchers while they are helping to improve water quality."

Supporters say other benefits extend from the work. In addition to reducing stream temperature, trees stabilize the bank, sequester carbon, and provide shelter and food for wildlife. Crews planting trees often are made up of displaced timber industry workers, and local nurseries provide trees for the work, said Horton and Bobby Cochran, executive director of Willamette Partnership.

"It's got some nice multipliers," Horton said. "We hope it's the beginning of a restoration economy."

--Eric Mortenson

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A Chilling Effect

Efforts to make Rogue River Basin more welcoming to salmon go the extra mile

By Mark Freeman

Mail Tribune

November 13, 2011 2:00 AM

The city of Medford is going green while saving some green at its wastewater-treatment plant as it prepares to comply with new standards meant to help make the Rogue River Basin more friendly to wild salmon.

Over the next two decades, the city wants to rehabilitate and enhance 38 miles of stream-cooling riparian lands to more than make up for the too-warm treated effluent water its Regional Water Reclamation Facility releases into the Rogue.

But Medford's proposal goes one step further than past mitigation programs, in which agencies and businesses got credit for projects completed whether they survived or not.

These new projects must be proven to cool the basin's water, must be verified as effective by a neutral third party and be maintained for up to 20 years.

In doing so, the city would earn thermal "credits" to offset warm effluent, which is harmful to fish. Medford's plant does not have the capability to cool the effluent as required by Department of Environmental Quality standards.

At an estimated \$8.3 million, the program would cost almost half of what it would to install two large "chillers" to cool the effluent to needed levels. And it wouldn't use electricity or add to greenhouse emissions.

"We've analyzed just about every alternative and this was the most cost-effective and the most practical," says Cory Crebbin, manager of the city's public works department. "If you can do something naturally, then it's better than engineering it.

"Nature's more resilient," he says.

The Thermal Credit Trading Program is offered as part of a permit renewal for the facility off Kirtland Road now up for consideration by the DEQ.

Patterned after a similar pilot project along the Tualatin River in 2004, this program is the first created under the state's new and more rigid rules about creating such mitigation programs — many of which carried no maintenance requirements in the past.

The city of Ashland also is in the process of putting together a similar program for a new permit to operate its water-treatment plant in the Bear Creek Basin, a major Rogue sub-basin, says Jon Gasik, a DEQ senior engineer working on both projects.

As water-treatment facilities in the basin come up for new operating permits, the DEQ is systematically setting lower temperature targets for the treated effluent releases. The reason is how warmer-than-natural water affects incubating chinook salmon eggs in gravel nests, called redds, through fall and winter.

Water temperatures dictate how fast the eggs incubate. If they incubate too quickly from warmer water, they hatch too early into the Rogue when food availability for them is low.

The Medford plant releases up to 20 million gallons of treated water per day into the Rogue at river mile 130.5 just downstream from TouVelle State Park. The new DEQ standard allows the treated effluent to raise the river's temperature by a fraction of 1 degree Celsius, and the current plant's configuration cannot achieve that during low-flow periods in the fall with mid-October the worst, according to DEQ documents.

Knowing these new standards were coming, the city has looked the past six years at various ways to cool that effluent, with such options as holding it in large ponds to trading it for agricultural water to building large chillers that mechanically cool the water.

Instead, it has settled on the new program that focuses on restoring riparian lands to provide shade against the sun on tributaries or the main-stem Rogue.

The city plans to hire the Freshwater Trust to operate this program, focusing on private lands along south stream banks to take full advantage of the shading capability of foliage.

The DEQ has developed a computer program called "Shade-a-later" to calculate how much shade and temperature reduction that specific riparian plantings will provide in specific areas. Then the city gets credit for that cooling effect to offset the treatment plant's warming effect, Gasik says.

It is also on a 2-to-1 ratio, so the projects must create twice the cooling effect for each thermal credit the city receives, Gasik says.

But this is not your father's mitigation program.

Old reforestation projects and the building of wetlands to offset those lost to development carried requirements just to build them, not ensure their survival.

This program has built-in maintenance budgets and specific standards to garner those credits during the life of the projects, Gasik says.

"If they walk away, they lose the credits," Gasik says.

The DEQ is taking public comment on this and other aspects of the permit, which could be authorized as early as mid-December, Gasik says.

Then the Freshwater Trust will start recruiting private landowners to join the program, with projects primarily focusing on 60-foot-wide strips of streamside land, says David Primozich, the trust's director of ecosystem services.

Possible projects could be from the mouth of the Illinois River near river mile 62 up to the treatment plant and include the Bear Creek Basin, according to the program draft.

The trust will even pay landowners for control of the riparian zone for 20 years, Primozich says.

That caveat likely will cause many landowners to at least listen to the trust's pitch, says Frances Oyung, coordinator of the Bear Creek Watershed Council.

"In our system, money talks," Oyung says.

If the DEQ issues Medford its treatment facility permit with this program, other utilities could use it as a blueprint for how to create similar programs to offset thermal problems now, Primozich says. Communities that don't yet have thermal issues with their treated effluent also could start riparian projects now to bank thermal credits for when their needs arise, he says.

"This is really an opportunity to save utilities a bunch of money while restoring riparian vegetation and create more environmental benefits," Primozich says.

"There are a lot more opportunities to achieve temperature reduction by restoring riparian vegetation than there is at the end of a pipe," he says.

Reach reporter Mark Freeman at 541-776-4470, or email mfreeman@mailtribune.com.

Have your say

Comments on the proposed Regional Water Reclamation Facility permit and the proposed Thermal Credit Trading Program are due by 5 p.m. Nov. 25. They may be sent by mail to Carrie Everett, permit coordinator, DEQ-Salem Office, 750 Front St. N.E., Suite 120, Salem, OR, 97301-1039; by email to everett.carrie@deq.state.or.us; or by fax to 503-373-7944.

May 7, 2013

Corvallis Urban Services Committee
City of Corvallis
501 Madison St.
Corvallis, OR 97333

Re: Several citizens' contributions to the *Evaluation Matrix* with the April 22, 2013 Memorandum for the Corvallis TMDL project (temperature).

Dear Committee Members:

A group of citizens who are interested in the TMDL project met and created a list of ideas and information to contribute to the TMDL *Evaluation Matrix*. This is the *Matrix* with the April 22, 2013 Memorandum from Mary Steckel, Public Works Director, that compares the North and East Alternatives for the TMDL (temperature) project.

We have used this *Matrix* as a format for our thoughts, but have also included all of the Staff's comments as well in our print-out. The text that is in red are our comments, and Staff's text is capitalized and in black.

Many of the comments that we added to the Matrix we have raised in previous written and oral testimony. There are also a number of thoughts and details that are at least new for us, as a part of the discussion at the City Council and at the Urban Services Committee. At the end is a list of the references that we cited; you will find the reference to the citations in the body of our text. Please refer to Staff's copy for their end notes.

We would like to thank staff for preparing this tool that aided us in synthesizing our thoughts. We hope that our efforts to create this product will help you as well.

Sincerely, for the group,



Patricia Benner
541-753-318

SECTION I: Costs [Staff text in black & "CAPITALS" from 4-27-13 Matrix from staff includes cost estimates; Testimony comments in red]					
Staff Report Matrix Categories:	Capital (and some capacity discussion)	20-year Life cycle (and comments)	50-year Life cycle	Potential Outside Funding	Additional Comments & Questions
East Alternative (at the Orleans Natural Area)	\$13,600,000 (with 30% contingency) Limited current & future treatment options: 1. Maximum of 7 MGD (Due Diligence report, 2011) 2. Use limited to from May through October	\$16,480,000 (30% contingency) 1. Risk of flood damage 2. Loss of use in ODOT's right of way. 3. Larger problem with invasive species within frequently flooded areas.	\$18,120,000 (30% contingency) Same concerns as a 20-year life-cycle	"UNKNOWN"	1. The larger estimated cost of Bean Field can be paired with the expanded water treatment opportunities at the North Alternative site. 2. The North Alternative could be an attractive Gateway Amenity. 3. Question: Why does Talking Water Gardens [TWG] require only 37 acres to treat up to 12.6 MGD, but the North Alternative site wetland area estimate is for 65 acres for 7-10 MGD? <i>Source: Albany –MillersburgTalking Water Gardens (Aug, 2010)</i> TWG also treats for other pollutants. 4. East Alternative includes two pipes under the river; one to Orleans facility & one to TTGC; with two ODOT easements. So, piping length for the North and East Alternatives are more similar than is first apparent; the cost tables illustrate that.
North Alternative (wetland surface cooling) Pump back to treatment plant New outfall at wetland	1. Can accommodate well over 7 MGD. 2. Year-around "polishing" water treatment \$25,100,000 (30% contingency) \$22,600,000 (30% contingency)	1. With about 92 acres to parcel to the east of Hwy 20, can have room to expand, if necessary. Could also possibly use the rest of this tax lot 1600 that is on west side of Hwy. 20. \$28,400,000 (30% contingency) \$25,100,000 (30% contingency)	Same benefits as 20-year life-cycle \$30,300,000 (30% contingency) \$26,600,000 (30% contingency)	"UNKNOWN"	
Riparian Shading (stand-alone)	\$4,269,069 (30% contingency??)	\$7,360,404 (30% contingency??)	\$21,245,976 (30% contingency??)	"UNKNOWN"	
Mechanical Cooling (Chiller)	\$14,900,000 (30% contingency??)	\$20,200,000 (30% contingency??)	\$35,100,000 (30% contingency??)	"UNKNOWN"	

SECTION II: Permitting and Land Use [Staff text in black & "CAPITALS" from 4-27-13 Matrix; Testimony comments in red]

Staff Report Matrix Categories:	Capacity (Meets target alternative discharge capacity of 7-10 MGD)	Permit compliance	DEQ – Approvable Under <i>Existing</i> Regulations	Temperature Offsets (Allows thermal credits to offset thermal loads for river outfall)	Approved Land Use (Allowed for Site)	Requires Land Acquisition	Requires Easement Acquisition
East Alternative	<p>"YES"</p> <p>No -- Maximum of 7 MGD/day (with 20 acres of wetlands and 6 acres of infiltration ponds). Source: Due Diligence (2011) report, with 10+ 7 MGD references.</p>	"YES"	<p>"YES"</p> <p>"INDIRECT DISCHARGE /MG (DEQ 2007)"</p> <p>Concern facility will still deliver heat to the river</p>	<p>"YES"</p> <p>"DISCHARGE OF COOLED WATER IS UPSTREAM OF RIVER OUTFALL"</p>	<p>"YES"</p> <p>Facility in conflict with City Council Resolution 94-13 that excludes utilities, adopted Master Plan, and the PNARB August 7, 2012 recommendation.</p>	<p>"NO"</p> <p>The Orleans land is owned by City, but has been designated by a City Council as an Open Space Natural Area.</p>	"YES"
<p>North Alternative (wetland surface cooling only)</p> <p>Pump back to treatment plant</p> <p>New outfall at wetland</p>	<p>[BLANK]</p> <p>Yes -- 92 acres (East of Hwy 20, a subset of tax lot 1600 with 158.7 acres, total) (Assessor's office) (Talking Water Gardens processes 12.6 MGD in 37 acres of constructed wetlands .</p>	"YES"	<p>[BLANK]</p> <p>Very likely Talking Water Gardens uses the same approach. Surface-only clay-lined wetland treatment may reduce risk to area wells.</p>	<p>"UNKNOWN -- DISCHARGE OF COOLED WATER WOULD BE DOWNSTREAM OF RIVER OUTFALL IF DISCHARGED FROM N. ALTERNATIVE PROPERTY"</p> <p>Conversation w/ DEQ – appears downstream outfall would likely be fine, with usual review process.</p>	<p>[BLANK]</p> <p>Benton County Code allows "wetland waste treatment facilities" on EFU land; subject to review by the Planning Official. Code 55.106(4) Does not prohibit this use.</p>	<p>"YES"</p> <p>Size of both east & west portions of tax lot 1600 totals 158.43 acres (Hwy 20 divides lot into two areas.) "Bean Field" is east half; is about 92 acres. Market land value for the 158.43 acres – the entire tax lot = \$657,431 Assessed at \$300,000</p>	"NO"

SECTION II: Permitting and Land Use [Staff text in black & "CAPITALS" from 4-27-13 Matrix; Testimony comments in red]							
Staff Report Matrix Categories:	Capacity (Meets target alternative discharge capacity of 7-10 MGD)	Permit compliance	DEQ – Approvable Under <i>Existing</i> Regulations	Temperature Offsets (Allows thermal credits to offset thermal loads for river outfall)	Approved Land Use (Allowed for Site)	Requires Land Acquisition	Requires Easement Acquisition
Riparian Shading (stand-alone)	[BLANK]	"YES"	[BLANK] Medford's temperature abatement accepted by DEQ	[BLANK] likely	[BLANK]	"NO"	"YES"
Mechanical cooling (Chiller)	"YES"	"YES"	"YES"	"YES" "WATER WOULD BE COOLED PRIOR to DISCHARGE" through RIVER "OUTFALL"	"YES"	"NO" "WOULD BE LOCATED on CITY of CORVALLIS on WWRP PROPERTY"	"NO"

SECTION III: Additional Value [Staff text in black & "CAPITALS" -- from 4-27-13 Matrix; Testimony comments in red]

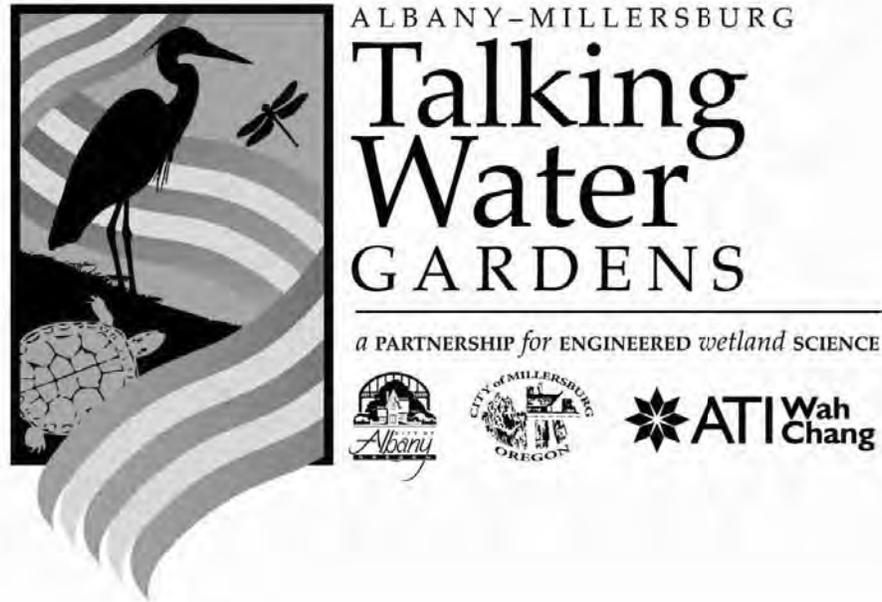
Staff Report Matrix Categories:	Alternative Provides Additional Treatment beyond Temperature	Creates Public Amenity	Opportunity for Re-use	Risks Associated with Alternative Implementation	Additional Risks, then Comments
East Alternative	<p>"YES"</p> <p>But, operational only during the months that water goes to Orleans Natural Area (May-October), so additional treatment would be seasonal. (Due Diligence report (2011). Example citation on p. 4-38.</p>	<p>"YES"</p> <p>"CONSTRUCTED WETLAND WILL BE DESIGNED AND MANAGED FOR PUBLIC ACCESS"</p> <p>But, potential loss of ODOT right of way land, with accompanying loss of about 50% of public recreational paths planned for the East Alternative facility.</p>	<p>"YES"</p> <p>"1-2 MGD IRRIGATION of TRYSTING TREE GOLF COURSE USING RECYCLED WATER WOULD SUPPLANT CURRENT USE OF GROUND WATER WELL"</p> <p>Note: Requires a tertiary treatment facility at WWRP & separate delivery pipe under river.</p> <p>TTGC water use was estimated at 0.38 MGD (existing well water availability) up to 1.07 MGD in the summer. Source: Option 1 in <i>TTGC Technical Memorandum</i>, Jan. 10, 2013, p. 3.</p>	<p>1. PIPELINE EASEMENTS AND RECYCLED WATER USE AGREEMENTS REQUIRED FROM OSU.</p> <p>2. Thermal mixing zone will be transferred to the hyporheic gravels. But, closeness of the facility to river channel may minimize opportunity for ground detention of enough thermal Kcal to meet permit objectives. Chance of success seems less likely since dye study results show prompt groundwater movement, and gravels are likely to reach thermal equilibrium within days.</p> <p>3. Flood damage amount.</p>	<p>4. Hyporheic treatment is not a proven technology; City could be subject to future lawsuits/DEQ expectations.</p> <p>5. Loss of public trust due to requisitioning a park natural area for a non-park use.</p> <p>6. Inability to increase capacity beyond 7 MGD, or to do year-around pollutant treatment in response to future temperature or other pollutant requirements.</p> <p>7. TTGC could withdraw agreement or reduce volume accepted.</p>
North Alternative (wetland surface cooling)	<p>"YES"</p> <p>Site could accept WWRP water for all 12 months of the year, and so remove trace pollutants for all 12 months.</p>	<p>[BLANK]</p> <p>Yes -- Could include the same type of recreational infrastructure as East Alternative, but with larger area to implement a more creative layout.</p>	<p>[BLANK]</p> <p>Farm fields in immediate area. Tech. Memorandum 02, 2009, (p. 4-7) indicates potential to irrigate areas such as the HP campus that would use "0.05-0.47 MGD in the months of May & July."</p>	<p>1. PROPERTY OWNER NOT WILLING TO SELL PROPERTY.</p> <p>2. PROPERTY SALE PRICE IS TOO HIGH.</p> <p>3. LAND USE REGULATIONS DO NOT ALLOW FOR TREATMENT FACILITY ON EFU-ZONED LAND.</p> <p>4. BENTON COUNTY DOESN'T APPROVE USE (LAND US OUTSIDE THE UGB).</p> <p>[see prior clarifications of these concerns]</p>	<p>5. Area well contamination is probably a much lower risk with surface water wetland treatment.</p>

SECTION III: Additional Value [Staff text in black & "CAPITALS" -- from 4-27-13 Matrix; Testimony comments in red]

Staff Report Matrix Categories:	Alternative Provides Additional Treatment beyond Temperature	Creates Public Amenity	Opportunity for Re-use	Risks Associated with Alternative Implementation	Additional Risks, then Comments
Riparian Shading (stand-alone)	<p>"NO"</p> <p>Yes –</p> <p>The Corvallis watershed could deliver improved drinking water quality to the City, resulting from reduced non-point source pollution from upstream.</p> <p>The community supports stewardship (Vision Statement).</p> <p>Downed trees in stream channels reduces amount of sediment that comes downriver as well as providing habitat.</p>	"NO"	"NO"	<p>"1. RIPARIAN SHADING MAY NOT BE ALLOWABLE OPTION FOR MEETING TMDL REQUIREMENTS (MEDFORD NPDES PERMIT CHALLENGED by NWPA THROUGH EPA REQUEST TO REVIEW OVERALL OREGON TRADING PROGRAM)."</p> <p>"2. THERE MAY NOT EXIST ENOUGH PROPERTY TO PLANT THE NUMBER OF TREES NEEDED TO ACHIEVE LEVEL OF SHADING THAT WOULD MEET TMDL REQUIREMENTS.</p> <p>3. THERE MAY NOT BE ENOUGH PROPERTY OWNERS WILLING TO GRANT EASEMENTS FOR THE CITY TO USE FOR SHADING.</p> <p>4. PROPERTY OWNERS MAY NOT COMMIT TO PARTICIPATING INTO PERPETUITY (TEMPERATURE CREDITS NEED TO BE RENEWED EVERY 20 YEARS)."</p>	<p><u>Comments</u></p> <p>1. How we manage water and its landscape, is critical for not only ourselves, but is especially critical for our children's future.</p> <p>Our culture is changing, as knowledge and understanding of the natural landscape increases.</p> <p>2. Riparian shading is a recreational amenity for the community.</p>
Mechanical cooling (Chiller)	"NO"	"NO"	"NO"	<p>"1. ENERGY COSTS ARE UNPREDICTABLE INTO THE FUTURE.</p> <p>2. PUBLIC TRUST IN PROCESS THAT DETERMINED COMMUNITY DESIRE FOR NATURAL SOLUTION."</p>	

Primary References for citizen comments in the *Evaluation Matrix*:

- 1. *Albany –Millersburg Talking Water Gardens* (Aug, 2010). 19 pages.**
- 2. *Due Diligence Evaluation, Willamette River TMDL East and West Alternatives* (November, 2011). Prepared by Kennedy/Jenks Consultants**
- 3. Willamette River TMDL Alternatives Evaluation Project, Technical Memorandum 01: Regulatory Requirements and Economic Impacts Evaluation 2009).**
- 4. Willamette River TMDL Alternatives Evaluation Project, Technical Memorandum 02: TMDL Alternatives Evaluation (2009).**
- 5. *Trysting Tree Golf Course Technical Memorandum* (January 10, 2013)**



Summary

Located on the banks of the central Willamette River, an American Heritage River, the Cities of Albany and Millersburg are invigorated by the important role the river has in the history and culture of their communities. In an effort to restore the Willamette River and the threatened salmonid species, the Oregon Department of Environmental Quality (DEQ) adopted a total maximum daily load (TMDL) for temperature along with bacteria and mercury. The discharge from the Albany-Millersburg Water Reclamation (WRF) facility did not meet the thermal load allocation set by the TMDL. In addition, local industry was required to relocate its point of discharge from a tributary stream to the Willamette River in the same proximity of the Albany-Millersburg WRF outfall diffuser. This requirement created a situation where yet another effluent diffuser would need to be permitted, constructed, operated, and maintained in the Willamette River.

In contrast with the typical engineering approach that focuses on identifying the least cost treatment technology solution to address the needs of individual dischargers to meet new regulatory water quality challenges, the Cities preferred to take a “value-focused” approach. The Cities saw an opportunity for a combined municipal-industrial solution that would produce greater overall environmental benefits for the area. This approach met an important economic goal of the Cities to create and sustain family wage through the retention and expansion of existing businesses and industries in the area. The development of socially, economically, and environmentally sustainable water and wastewater solutions for business and industries is a critical component to achieving this economic goal.

Assisted by CH2M HILL, the Cities of Albany and Millersburg, and local industry collaboratively developed a water reuse project that will in the first phase create 39 acres of new emergent wetlands on a 50-acre site, adjacent to the historic oxbow of the Willamette River and the combined water will be returned to the Willamette River with the existing Albany-Millersburg outfall diffuser. The water reuse project will be a significant public amenity and education opportunity in the Willamette Valley.

The Willamette Valley and Its River

Located on the banks of the Willamette River, the Cities of Albany and Millersburg are rich with history and culture. Albany and Millersburg are located about half way up the length of the 300-mile-long Willamette River, 118 miles from the confluence of the Willamette River and the Columbia River. The Willamette Valley watershed that feeds the mighty river includes 1,200 square miles of forest, meadows, lakes, and wetlands. The wetlands and river have been a lifeline in the Willamette River Basin for thousands of years. Prior to European settlement, the river and its lush riparian floodplain were an abundant source of food for the native Calapooya people. Then, as European settlers discovered the bounty and beauty of the area, river water was diverted into meadows to sustain crops and livestock.

Later, the industrial revolution enabled the Cities to become centers of productivity and manufacturing which were heavily dependent on the river for transport and water. The tremendous quantity of Douglas fir trees growing on the hillsides around the townships provided a seemingly endless source of timber, sustaining a thriving economy for many decades. More and more people came to settle the Willamette River Valley. Given all the timber needed for construction in the valley, it isn't a surprise that Albany became a hub for mills and river transport.

Water sustained life in the river basin through all these stages of development. Now, past the time of the Calapooya settlements, past the heyday of the logging community, the river's health is challenged. Channels straightened to facilitate the passage of larger ships and to protect riverside settlements from flooding contribute to the distress of ocean-going salmon and other aquatic animals. Impoundments provide drinking water, recreation, and hydropower but impede natural river flow, leaving oxbow meanders cut off and disjointed. The discharge of treated wastewater from human endeavors is causing the river to run warmer in some locations, which further impacts river habitat.

In an effort to restore the Willamette River, DEQ adopted a TMDL order. The TMDL includes limits on heat and other constituents carried by point-source discharges.

Development of the Concept

Development of Talking Water Gardens is driven by the need to meet TMDL requirements. The TMDL limits the Albany-Millersburg WRF waste heat load to an average of 111 million kilocalories per day (Mkcal/day) during low Willamette River flow conditions. The WRF effluent without any cooling carries approximately 10 percent more heat than allowed for discharge by the TMDL. Local manufacturers that discharge treated industrial wastewater to the river are also faced with TMDL limits on heat and other constituents.

In contrast with the typical engineering approach focused only on least cost technology selection to address new regulatory challenges, the adjacent Cities of Albany and Millersburg, preferred to take a value-focused approach. This approach started with identification of the Cities' own desired outcomes, followed by identification of other stakeholder desired outcomes, and the needs of the environment, culminating in creation of solutions to achieve the greatest environmental and community benefits.

The Cities saw an opportunity to combine resources with local industries to create a sustainable solution that produces greater overall economic, social, and environmental benefits for the area. The approach helped meet the Cities' important economic goals to support the retention and expansion of existing businesses and industries.

The Cities' explored many options including technologies such as treatment plant upgrades, storage and cooling towers, refrigeration, land application reuse, new outfall diffusers, and treatment wetlands. Based on a screening of these technologies and alternatives, which included a preliminary cost comparison of individual wetland treatment systems with an integrated wetland treatment system, an integrated wetland treatment system was identified as the alternative that delivered the greatest benefits for the community.

Selection of a wetland treatment system afforded the opportunity for the Cities and industries to achieve discharge limits while simultaneously offering the community ancillary benefits. The natural environment of a wetland can be enhanced to include recreational and educational opportunities for area residents and visitors while also providing wildlife habitat.

Synergistic Effects of a Combined Discharge

In addition to the Albany-Millersburg WRF, two local manufacturers were assigned waste heat load allocations by the TMDL. These were ATI Wah Chang, which produces specialty metals, and the Weyerhaeuser paper mill. The waste heat load allocation varies according to the river flow at the point of discharge. The amount by which point source discharge must be cooled depends on the point source temperature, river temperature, and the point source flow.

Analysis of the WRF, Wah Chang, and Weyerhaeuser flows showed that peak effluent flows and temperatures occurred at different times of the day for each of the three point sources. This suggested an opportunity to combine effluents and therefore heat load allocations into one point source discharge, allowing a discharge of at single point source at a relatively constant temperature. Combining the effluents could also have synergistic effects on treatment of other constituents. Since the time of the initial evaluations, the Weyerhaeuser paper mill was purchased by International Paper, which closed the facility. The project concept was then adjusted to manage flows from the WRF and ATI Wah Chang.

Effective Cooling and Tertiary Treatment with Constructed Wetlands

The Talking Water Garden is designed to be a reliable, adjustable wastewater treatment process unit like the rest of the processes in the WRF. The 9.6 million gallons per day (mgd) of Albany/Millersburg effluent and the 3 mgd of Wah Chang effluent are both fully treated to meet river discharge standards and could be blended and discharged directly to the outfall if they were cooler. The wetland system is designed for the primary function of cooling. However, it has a huge capacity to provide additional treatment functions even beyond what is required for river discharge. In addition to cooling, wetlands provide a tertiary level of effluent treatment for both Albany/Millersburg and Wah Chang by removing thousands of pounds per year of nutrients and other elements that could by permit be discharged to the river. Because the Talking Water Gardens treatment unit is a complex of wetlands it also creates or enhances a host of natural wetland ecosystem functions as an ancillary benefit. Electricity is required to pump water from the WRF to the Talking Water Garden but the rest of the treatment processes are entirely natural. In wetlands the energy for operation comes from the sun, the wind, the soil, and the topography of the site.

Sun

Sun energy drives the photosynthesis that is the basis of plant life in the wetlands. A healthy plant system is required to support the rest of the organisms that provide the treatment. The plants are the superstructure that most other organisms live on. The immense surface area of a wetland full of plants that organisms can attach to and grow on can be over 10 times greater than the surface area of the pond bottoms and sides. The plants themselves consume large amounts of nitrogen, phosphorus, and potassium. However, plants also require 13 other basic elements: calcium, magnesium, sulfur, zinc, iron, manganese, copper, boron, molybdenum, chlorine, carbon, hydrogen, and oxygen. These elements are the basic building blocks of plant cells when captured by plant uptake to provide growth but are considered pollutants if they are dissolved in water above very low concentrations. When plant material dies and breaks down according to its natural cycle, these same elements are sequestered in the organic material that settles to the bottom of the wetland. This organic layer in turn supports another layer of life as a food source for decomposing organisms. This is the same growth and decay process that happens naturally in wetlands and along stream banks throughout the watershed.

The tall emergent wetland plants, floating aquatic plants, and trees on islands and around the perimeter create shade that blocks the sunlight and heat energy from warming the water during the day. The large surface water area of the wetlands allows for very efficient long wave radiant heat transfer to the atmosphere at night when ambient temperatures are coolest. The climatic conditions in western Oregon are ideal for cooling even during the hottest periods of summer. The night time air temperature is significantly lower than the daytime peak temperature, providing an average air temperature that is cooler than WRF effluent.

Evaporation of water is another mechanism of heat transfer from the wetlands to the atmosphere.

In a densely vegetated wetland, the plants shade the water and reflect or consume the sun's heat energy so that the amount of heat transferred into the water during the day is less than the amount of heat lost from the water surface during the night. On average, with 2 nights of detention time through a densely vegetated wetland, effluent temperatures can be reduced to approximately average daily air temperatures during the summer months. This means the water temperature will drop by as much as 5°F in July and August, making it suitable for discharge into the Willamette River when cold water fish species are present. This is the same natural shading benefit that cools small streams and wetlands in the dense canopy of a forest or riparian area. The heat energy removed from the combined effluent flow is about 80 Mkal/day in July and August when ambient temperatures are highest, and about 150 million kilo-calories per day in October when ambient temperatures have cooled. During the cooler weather in the fall the temperature of the water discharging from the wetlands will be up to 10°F cooler than the water from the treatment facilities.

The water entering the Albany-Millersburg WRF is warm primarily because of hot water heaters and is about 72°F in summer. The biological process and energy added with pumped air increases the effluent temperature by another 1°F so that the water entering the wetland from the WRF will be about 73°F in summer. The flow discharged to the wetlands from Wah Chang will have a similar temperature. The summer fish passage water temperature criteria that DEQ established in the TMDL for the Willamette River at Albany is 68°F.

The ability of constructed wetlands to effectively reduce effluent temperature in the Willamette Valley was documented at the Salem Wastewater Treatment Plant (WWTP) wetlands approximately 25 miles north of Albany. Analysis of these constructed treatment wetlands indicated that six acres of fully vegetated wetlands with a water depth of one foot cooled a flow of 1 mgd from 73°F to 64°F during the hottest month of July. More cooling was measured in other months when the air temperature is lower.

Wind

Wind energy moves the evaporated water away from the air/water interface to allow more water vapor to escape and more latent heat of evaporation to transfer heat energy from the water body to the atmosphere and off across the landscape. The dry winds of the Oregon summer drive high rates of evapo-transpiration, which remove heat from the water and plant leaf surfaces.

Wind also creates movement of the millions of tall emergent plants and creates a very efficient mixing zone around the submerged stems as they are pushed back and forth through the water like mixing spoons in a large bowl of soup. Mixing brings the food in the water into contact with the biofilm of organisms attached to plant stems and living at the bottom of the marsh.

Soil

Soil supports the plants and provides the nutrients that plants consume that may not be available in the water. Soil on a microscopic inspection is very much like a wetland, thriving with life of many forms from fungi to arthropods. Soil, like plant stems, is a superstructure matrix that life can attach to and draw sustenance from. The minerals in the Willamette silt loam that makes up much of the soil in the Talking Water Gardens wetlands footprint are the same as the minerals throughout the watershed. Some of these minerals are dissolved as water passes through these soils. The water gains a mineral signature similar to that of a natural wetland anywhere along the Willamette. The mineral signature is one of the mechanisms that fish sense as they work their way up a watershed passing many tributaries remembering the signature of the place where they were born. The water is further transformed to be more like the water in the river as it contacts the soil of the watershed in the wetland before discharging to the river.

Wetlands are great incubators for many levels of the aquatic food chain. The food currently discharged from the WRF outfalls is near the bottom of the food chain and is not readily available for fish. Much of the food that discharges from a wetland is far enough up the food chain that it is a direct source of food for fish. The water discharging from the wetlands will contain many levels of the aquatic food chain and will be transformed to be more like the water in the river.

Topography

Topography of the Talking Water Garden wetlands adds an additional dimension that most wetlands lack. Cascades and waterfalls provide added cooling and aeration. Many of the processes in the conventional WRF are rate limited by the amount of oxygen that can be provided to the bacteria that consume the waste. A large amount of energy is required to pump air into WRF tanks to support the biological treatment process. In wetlands with natural topography the drop from pool to pool can be utilized to increase the oxygen available for supporting biological growth and thereby increasing the treatment rate. Water falling and cascading from one wetland cell to another will dissolve air into the water which is needed by

aquatic life. The turbulence of the rushing waterfalls and drops will mix the water like a mountain stream further dispersing nutrients and food throughout the aquatic food chain.

The Talking Water Garden has nine waterfalls ranging in height from 2 feet to 20 feet with an average drop of just under 10 feet and an average flow of about 4 mgd. Waterfalls are similar to small cooling towers where a cascade of water in a fine layer is dropped through a moving air column. The water discharged from the wetland will be cooled by natural processes to be more like the water in the river.

Why spend so much to cool the water when the river is so large and the effects of cooling the combined effluent won't cool the whole river very much? The wetlands project is located at the point where the combined temperature impact from all of the municipal and industrial discharges in the entire watershed is at its maximum. The wetlands project will discharge a plume of much cooler and cleaner water into the river. The cooler Albany wetlands water can provide a critical stepping stone that enhances fish passage from the cool waters at the confluence of the Santiam River downstream to the cool waters at the confluence of the Calapooia River upstream.

Technical Documentation to Support the Municipal/Industrial Partnership

Three analyses were undertaken to document the technical efficacy and net environmental benefits of the wetland treatment system. These analyses included a thermal reduction analysis, a wetland treatability test for reduction of waste constituents other than heat, and a net environmental benefits analysis to compare the wetland treatment system to a more conventional treatment system. These analyses were prepared assuming participation by the Albany-Millersburg WRF, Wah Chang, and Weyerhaeuser (the three entities).

Thermal Reduction Analysis

Several factors affect the thermal treatment capacity of a wetland system including hydraulic retention time, emergent vegetation density, climatic conditions, topographic and bank vegetation shading, channel cross section geometry, and influent temperatures. In order to account for all of these site specific factors, an existing stream temperature model, Heat Source version 7, was modified for this application and was used to evaluate the thermal treatment capacity of the proposed wetland complex.

Thermal Model Calibration

Heat Source version 7 is a numerical mass and energy transfer surface water model that has been validated extensively for prediction of stream temperature dynamics. However, before this effort, the model had not been validated for wetland temperature dynamics. As part of this work, the Heat Source version 7 code was modified to account for thermal dynamics within a wetland dominated by emergent vegetation. Using raw water temperature and flow monitoring data provided by the City of Salem for the Salem natural treatment wetlands, CH2M HILL and Watershed Sciences worked together to modify the Heat Source version 7 code and calibrate the model to reproduce measured wetland effluent temperatures. After calibration, the model predicted hourly wetland effluent temperatures over 20 months of data and under dramatically varied conditions of influent flow rates, temperatures, open water area, and climatic conditions

with an correlation coefficient of 0.95 to 0.96 and a root mean square error (RMSE) of 1.0 to 1.3°C.

Thermal Loading Evaluation

Six separate wetland physical configuration models were modeled to account for all effluent flow stream combinations. All wetland models predicted cooling of effluent throughout the entire year as expected.

Wetland effluent temperatures predicted by Heat Source were checked against TMDL waste load allocations using a spreadsheet tool provided by DEQ to the City of Albany. Results of this analysis indicated that the proposed wetlands are sufficient to meet the permit requirements of all three entities under the most conservative excess thermal load (ETL) analyses.

Results of the Heat Source model for the Phase 1 wetlands are shown in Figures 1 and 2. The Phase 1 wetlands will treat combined effluent from the Albany-Millersburg WRF and ATI Wah Chang; these are discussed in further detail in a later section of this case study.

Figure 1 shows the difference in temperature between wetland influent and wetland effluent.

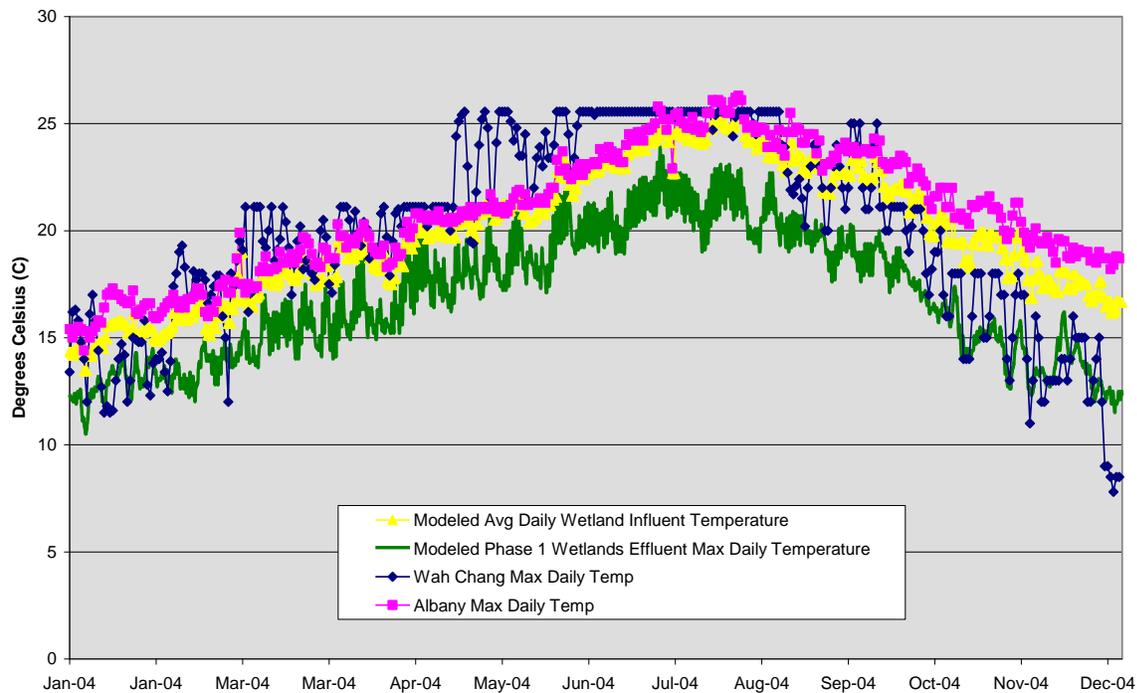


Figure 1. Results of Thermal Modeling of the Phase 1 Wetlands

The solid colored lines in Figure 2 show the thermal waste load allocation allowed by the TMDL for each year between 2001 and 2006. The dotted lines represent the excess thermal load carried by the combined Albany/Wah Chang effluent in 2004 without cooling in wetlands (light green line) and with cooling (light blue line). 2004 was used as a reference benchmark year because of

the record high temperatures experienced in July. The figure shows that the Phase 1 wetlands effectively cool the combined effluent below TMDL limits, even in the hottest year on record.

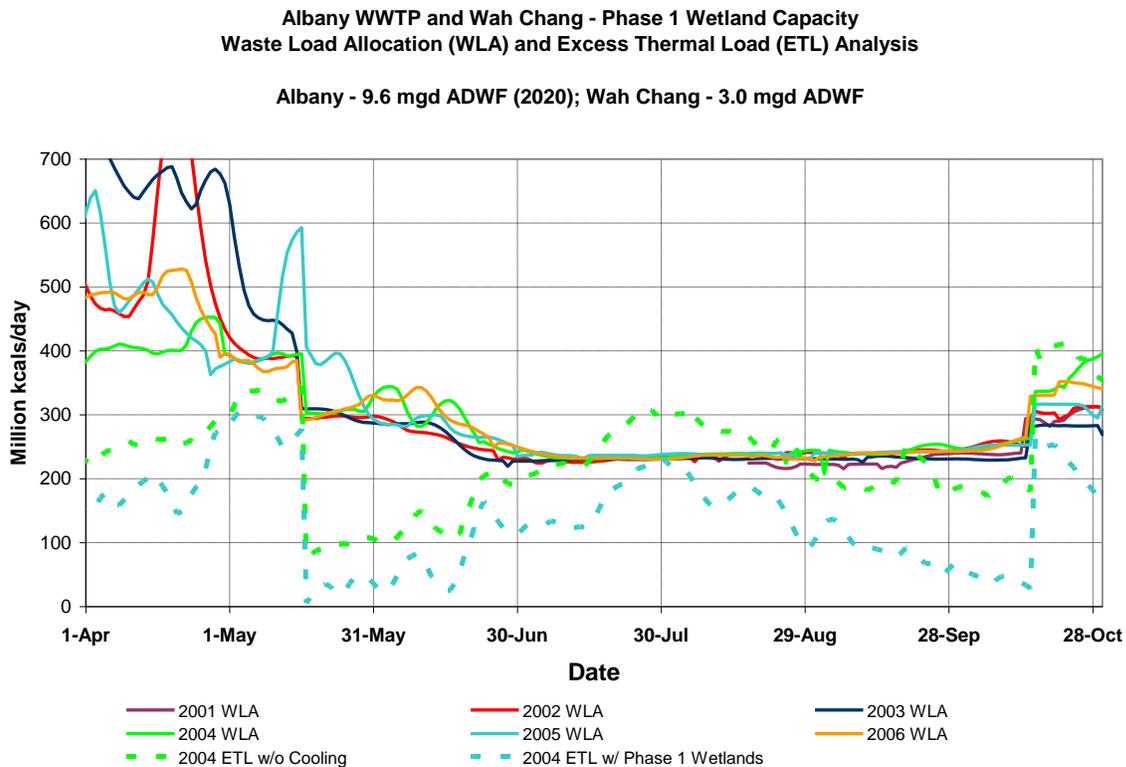


Figure 2. Results of Thermal Modeling of the Phase 1 Wetlands Compared to TMDL Limits

Overall, the thermal evaluation concluded that wetlands can provide a significant cooling benefit for effluent discharged by the three entities and can be used to comply with the new permit requirements for thermal discharge to the Willamette River.

Wetland Treatment of Other Constituents

Wetland Mesocosm Pilot Study

In order to test the treatment effectiveness of an integrated wetland system for waste constituents other than heat, a wetland mesocosm test was carried out at the Albany-Millersburg WRF.

The tests involved setting up a series of nine treatment cells containing mesocosms of wetland soil and plants. The cells were established at the WRF in empty open-top polyethylene shipping totes (3 × 3 x 3 foot cubes) with a volume of approximately 1 cubic yard. Different mixtures of wastewater from the three entities were added as batches to the treatment cells and water samples were collected over time to test the ability of wetlands to remove pollutants. Wastewater samples were tested for analytes such as biochemical oxygen demand (BOD), ammonia, nitrate, metals, total dissolved solids (TDS), and methyl isobutyl ketone. Tests were conducted in three separate runs with wastewater from the previous run drained before initiating the next run.

The mesocosms were set up to represent the range of scenarios for treatment wetland operations including each wastewater being treated individually and potential combinations of wastewater from possible combined treatment schemes.

Table 1 describes the source of the wastewater in each tote and test duration during the three test runs.

TABLE 1. *Source of Wastewater added to Treatment Wetland Mesocosms*

Tote	Run 1 6/7/06 → 6/13/06	Run 2 7/10/06 → 7/13/06	Run 3 High BOD 7/25/06 → 8/1/06
1.	Control (potable water from Santiam River treatment plant)		
2. Albany-Millersburg only	100% Albany Wastewater		
3. Wah Chang only	100% Wah Chang Wastewater		
4. Weyerhaeuser only	100% Weyerhaeuser Wastewater		
5. Albany-Millersburg & Wah Chang	70% Albany-Millersburg/ 30% Wah Chang	80% Albany-Millersburg / 20% Wah Chang	
6. Albany-Millersburg & Weyerhaeuser	41% Albany-Millersburg / 59% Weyerhaeuser	55% Albany-Millersburg / 45% Weyerhaeuser	
7. Wah Chang & Weyerhaeuser	23% Wah Chang / 77% Weyerhaeuser		
8. & 9. (replicates) Albany-Millersburg, Wah Chang & Weyerhaeuser	35% Albany-Millersburg / 15% Wah Chang / 50% Weyerhaeuser	49% Albany-Millersburg / 12% Wah Chang / 40% Weyerhaeuser	

Wetland Mesocosm Construction and Testing

The wetland mesocosms were constructed from clean, open-top polyethylene totes in wire support frames capable of being moved with a fork lift when full of fluid. Topsoil from one of the potential full-scale wetland sites was used for the base 1 foot of soil in each of the nine mesocosms. The topsoil used came from the top 1 foot of the proposed full-scale wetland site but did not include significant vegetation such as grass and shrubs, although roots and organic matter were allowed. The mesocosm wetlands were inoculated with a 2-inch layer of wetland sediment from a municipal effluent treatment wetland at nearby “The Oregon Garden” to provide immediate availability of micro and macro organisms acclimated to wastewater effluent.

Approximately 10 mature cattail tubers were planted in each mesocosm tote amongst other wetland plants such as hydrocotyle, duck weed, and Mexican water fern to provide approximately 80 percent cover of the water surface for shade. Water from the treatment wetland was added to saturate the soil and provide 1 inch of depth.

The totes were placed in a full sun location where they remained undisturbed for the duration of the three test runs. The totes were allowed to stand for 2 days before effluent was added to allow consolidation of the sediment and soil. Approximately 18 inches of effluent was added to each tote at the beginning of each run. Water level was measured daily to track evaporation losses. Figure 3 illustrates the primary features of each of the nine wetland mesocosm cells used in the test.

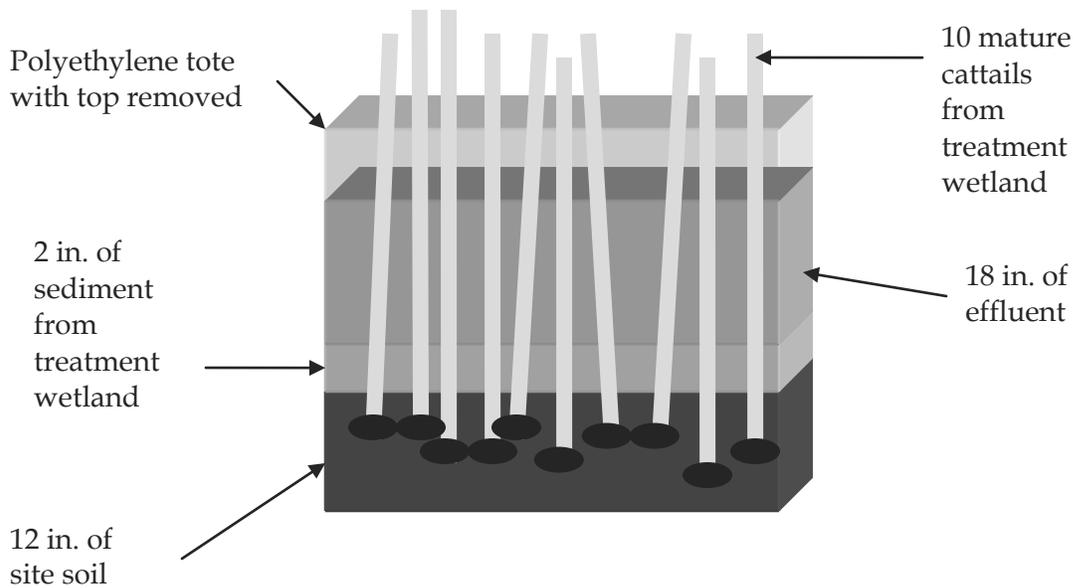


Figure 3. Wetland Mesocosm Test Unit Schematic

Primary samples were analyzed for TDS, electrical conductivity, total suspended solids (TSS), BOD, total Kjeldahl nitrogen (TKN), $\text{NH}_4\text{-N}$, $\text{NH}_3\text{-N}$, $\text{NO}_2\text{-N}$, $\text{NO}_3\text{-N}$, total phosphorus (P), temperature, dissolved oxygen (DO), pH, chloride, sulfite, sulfate, and total residual chlorine. Some analyses were not completed for every test and many results were below detection limits. However, the resulting data provide a much improved understanding of the treatability of the effluents individually and combined in likely mixes.

Some samples were additionally analyzed for *Escherichia coli*, total residual chlorine, lead, copper, silver, mercury, fluoride, and zinc. The samples containing any amount of Wah Chang effluent were analyzed for ammonium thiocyanate, methyl isobutyl ketone, and free and total cyanide at these same time intervals. The sampling and analysis methods and procedures match the methods and procedures currently used for DEQ permit compliance reporting.

Results of the Wetland Mesocosm Tests

The resulting removal rate constants for BOD, ammonia, and nitrate were higher than predicted from a national data base of representative treatment wetland performance, as summarized in Table 2.

Table 2. Removal Rates

	BOD	$\text{NH}_4\text{-N}$	$\text{NO}_{2-3}\text{-N}$
Pilot areal rate constant, 20°C	143	51	42
Literature areal rate constant, 20°C	34	18	35
Effluent concentration (mg/L) with pilot K	6.5	1.1	2.2
Effluent concentration (mg/L) with literature K	12.3	1.9	2

The removal rate for the combined wastewaters was significantly greater than predicted and was greater than any of the individual wastewaters. This symbiosis of combined wastewaters indicates a reaction between wastewater constituents and a more balanced ratio of constituents available for higher-rate microbial consumption. These findings are illustrated in the nitrate removal curve shown in Figure 4.

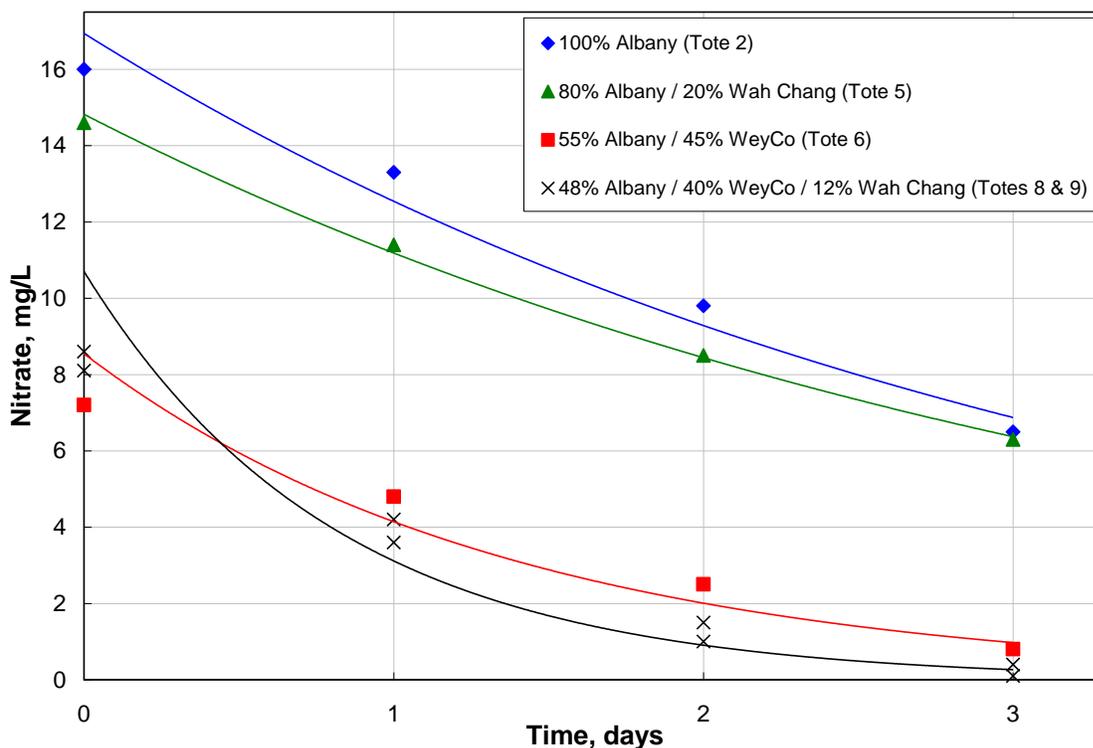


Figure 4. Nitrate Removal in Blended Effluent

Wetland Treatment Model Predicts Removal of Priority Pollutants and Other Constituents

A proprietary treatment model based on current wetland science was used to estimate removal of a wide variety of pollutants. Removal constants used in the model for BOD, ammonia (NH₄), and nitrate and nitrite (NO_{2/3}), were derived from data developed in the wetlands mesocosm pilot study. The model estimated that the Phase 1 wetlands will reduce the concentration of several constituents below the most stringent regulatory limit. These include removal of the priority pollutants copper, cyanide, and lead below the Oregon Water Quality Toxic Criteria. The excess percent removal above the most restrictive limit is summarized in Table 3.

Table 3. Phase 1 Talking Water Gardens Excess Percent Removal over Most Restrictive Limit

	BOD	TSS	NH ₄	Pb	Ni	Zn	Cu	Cr	Hg	Oil & grease	Sb	Cd
Excess % Removal	60%	16%	18%	81%	94%	52%	31%	73%	51%	84%	100%	56%
Most Restrictive Limit, mg/L	10	10	2.5	0.0032	0.16	0.11	0.012	.011	0.000012	10	0.146	0.0011

The percent removals shown in Table 3 translate to thousands of pounds of waste material being kept out of the river on an annual basis. Annual load reductions for BOD, TSS, and NH₄-N are summarized in Table 4.

Table 4. Comparison of Loads Before and After Wetland Treatment

	CBOD₅	TSS	NH₄-N
Before treatment (lb/day)	528	1,066	322
After treatment (lb/day)	337	715	159
Reduction in Load (lb/day)	191	351	162
Annual Reduction in Load (lb/yr)	69,563	127,984	59,296

Net Environmental Benefit Analysis

The project area historically contained braided channels, back waters, and alcoves. Before 1850, the river had more secondary channels, sloughs, islands, and riparian forests than there are today. A reconnaissance study of the river by the U.S. Army Corps of Engineers done at periodic intervals since 1850 indicates that the mainstem of the river has not strayed far from its original oxbow channel just north of Albany, although there has been a loss of perennial surface water connection to many sloughs and side channels just east of the river including Cox Creek Slough, and Second, Third, and Fourth Lakes in the intervening years (Willamette River Basin Atlas, 2nd Edition). Creating and restoring wetlands can greatly benefit the ecosystem proximate to the Albany-Millersburg WRF, Wah Chang, and Weyerhaeuser, and adjacent to the Willamette River and tributary lakes.

A preliminary Net Environmental Benefits Analysis (NEBA) was performed to compare the relative ecological performance of constructed wetlands treatment versus conventional wastewater treatment. NEBA quantitatively estimates the losses and gains of valued ecosystem services, and is a tool for selecting and defending the preferred treatment alternative. The analysis was based on the following attributes of the existing (baseline) landscape and the future landscape under each of the two treatment alternatives:

- Wetland acres
- Hydrology
- Horizontal interspersion or diversity of habitat
- Connectivity to river system
- Sediment removal
- Primary production and organic export
- Native plants
- Vertical stratification
- Groundwater recharge
- Habitat disturbance

The NEBA did not attempt to value other important performance objectives such as water quality and aquatic habitat improvements or construction costs, among alternatives; instead, these values were assumed to be equal among the considered options.

Comparative analysis showed that the constructed wetlands treatment alternative would provide about a 2.5 times greater amount of valued ecological services than the conventional wastewater treatment alternative. The implication of the analysis is that landscape changes under the constructed natural wetlands treatment option would produce more ancillary environmental benefits than conventional treatment would, at least for the ecological functions and assigned values used in the analysis. Because of high value forests identified in the NEBA, the original wetland footprint was relocated to preserve both riparian and oak savannah forest habitat.

This integrated wetland project is expected to provide greater overall environmental benefits than traditional approaches. It will function to educate and inform the public and the regulatory community about the benefits of wetlands treatment to reduce thermal loads and other pollutants. It will also demonstrate the overall environmental benefits that can be realized when several dischargers in a watershed work together to develop more effective treatment solutions.

Combining Effective Treatment with a Public Amenity: Phase 1 Treatment Wetlands

Based on the wetland treatability tests for reduction of heat and other waste constituents and the net environmental benefits analysis, the integrated wetland system emerged as the most sustainable, effective long-term solution. Further development of the idea resulted in the first phase Talking Water Gardens at Simpson Park.

The first phase will treat combined effluent from the Albany-Millersburg WRF and ATI Wah Chang. The Phase 1 wetlands are projected to provide capacity for thermal load compliance through 2020 with an average dry weather flow of 12.6 mgd. The Phase 1 wetlands provide approximately 1.6 days of detention time for effluent cooling.

Operational factors important to providing wetland performance to meet these projections include the following:

- Flows must be well balanced through all wetland cells to provide uniform HRTs across the site especially during peak ETL periods.
- Open water surfaces need to be maintained at 10 percent or less through ongoing vegetation management.

The natural treatment system will be developed on 50 acres surrounding the old Simpson Lumber Mill site, providing a direct connection to the history and culture of the Cities. Complete design criteria for the Phase 1 wetlands are provided in Table 5.

Table 5. Design Criteria

Item	Description	2010	2020	2030
Flow Summary				
	Albany-Millersburg WRF Peak Hour (mgd)	14	14	21
	Albany-Millersburg WRF Minimum Hour (mgd)	3	-	-
	Albany-Millersburg WRF Avg. Dry Weather (mgd)	8.6	9.6	12.3
	Wah Chang Effluent Peak Hour	6	6	6
	Wah Chang Effluent Minimum Hour (mgd)	0.7	0.7	0.7
	Wah Change Effluent Average (mgd)	3	3	3
Design Storms				
	Temperature Compliance	2 yr		
	Conveyance	25 yr		
	Check Storm	100 yr		
Berms/Trail System				
Primary Pedestrian Trails				
	Side Slope	3: 1 H:V		
	Top Width	8 ft		
	Maximum Longitudinal Slope	5%		
Pedestrian Trail to Southern Influent Mound				
	Side Slope – Bound by Handrails	2: 1 H:V		
	Top Width – 2' buffer edges @5%	8 ft (12 ft total w/ buffers)		
	Maximum Longitudinal Slope	5%		
Maintenance Access Pathways				
	Side Slope	2: 1 H:V		
	Top Width	8 ft		
	Maximum Longitudinal Slope	30%		
Pressure Pipe from WRF to Wetland				
	Maximum Velocity	7 ft/s		
	Minimum Diameter	30 inches		
All Other Influent Conveyance Pipes				
	Flow	Convey maximum flow with available head pressure only		
	Maximum Velocity	≤ 8 ft/s		
Stilling Basins/Inlet Control Weirs				

Table 5. Design Criteria

Item	Description	2010	2020	2030
	Approach Velocity	< 3 ft/s		
Outlet Weirs for Water Surface Control				
	Limit diurnal fluctuation to 3 inches			
	Maintain adequate freeboard during conveyance storm			
GENERAL NOTES AND CONSTRUCTION INFORMATION				
Earthwork				
	Wetland Grading Tolerance	+/- 0.15ft		
	Berm Grading Tolerance	+ 0.3 ft, - 0 ft		
	Berm Compaction	95% of maximum at optimal moisture		
	Berm Compaction Tolerance	+/- 2%		

Phase 1 of the project includes 37 acres of constructed wetlands, linked by a series of interpretive trails enhanced by the presence of educational signs and local art. Trails of various lengths are designed to accommodate a wide range of visitors, including toddlers, senior citizens, and wheelchair assisted individuals. New trails at the Gardens tie into the existing Waverly Lake and Simpson Park trails. Later phases will include more wetland area and more trails.

Several wildlife species are expected to find a home in the varied habitats. Throughout the site, willow trees provide shade over open water areas, while dense wetland vegetation provides shade as well as nesting habitat for migratory and resident birds. The variety of vegetation that will be used at Talking Water Gardens is shown on the landscaping plan in Figure 5.



Figure 5. Landscaping Legend for Talking Water Gardens Phase 1 Treatment Wetlands

Natural topography of the site adds visual interest and a variety of overlooks and viewpoints. Wetland berms are more sinuous than those typically found at constructed wetlands to provide a more natural feel to the park. Cool Creek, a naturally shaped constructed channel, moves water out of the wetland system and back to the WRF river diffuser outfall. Cool Creek runs parallel to a trail, above the Cox Creek Slough and Willamette River. Eventually the creek will connect directly to Cox Creek Slough.

A 3-D earthwork model was developed during the design phase. Figure 6 shows a computerized rendering of how the wetlands will look after the vegetation is fully established. This rendering was generated by superimposing a colored pencil overlay on the 3-D earthwork model to accurately illustrate the design topography and plant communities.



Figure 6. A colored-pencil overlay on the 3-D earthwork model shows variation in topography at the Gardens.

Talking Water Gardens is named for the sound of the influent waterfall, a focal point of the landscape, which provides aeration as the water cascades over rocks. The influent waterfall, as conceptualized by the landscape architect who will oversee the building of the waterfall, is shown in Figure 7.



Figure 7. The Influent Waterfall as Envisioned by the Landscape Architect, Kurisu International

Eventually, a visitor's center will provide an opportunity for visitors to learn about the Gardens, the Willamette River, the water cycle, and the way that water and history are intertwined in the basin.

Water Blending and Monitoring

Storage and flow pacing of the treated water from Wah Chang, which is produced at a relatively constant rate of 3 mgd, will allow delivery to the wetlands to be at a variable rate that matches the diurnal flow rate of the WRF. The WRF flow rate can fluctuate from 3 to 10 mgd even on an average day, with low flows at night and high flows during the day. Delivering water from both treatment facilities at rates that fluctuate together allows the waters to be blended at a relatively constant ratio. Monitoring for permit compliance for the Wah Chang water will be at the Wah Chang WWTF. Compliance will be met for all discharge parameters except temperature and TDS before delivery to the wetlands. The Albany-Millersburg WRF water will be monitored for all discharge permit parameters and meet discharge standards for all monitored parameters except temperature before discharging to the wetlands. The Wah Chang water contains TDS or salt that can be easily monitored and used as a tracer to control blending rates. The Wah Chang water has about 5,000 mg/L of TDS and the WRF water has about 400 mg/L TDS.

The wetland complex includes nine wetlands cells connected as three parallel treatment trains so that three different blends of Wah Chang and WRF water can be used. The target blend ratios will result in the northern wetlands having a TDS concentration of 2,500 mg/L, the central wetlands having a TDS concentration of 1,500 mg/L, and the southern wetlands having a TDS concentration of about 800 mg/L. All of the water is blended together after wetlands treatment before discharging to the river through the existing WRF outfall diffuser, which provides over 500:1 dilution in the mixing zone of the river.

Project Cost and Funding

Talking Water Gardens total project cost for Phase 1 is \$13.75 million. This includes engineering design and construction management, land acquisition, and the construction of the wetlands including the internal pipelines and earthwork, pump stations and pipelines required to transport water, plantings, and flow control structures. The project received \$8 million in federal funding via the American Resource and Recovery Act of 2009, administered in Oregon via the Clean Water State Revolving Fund. The Cities contributed \$2.5 million and ATI Wah Chang contributed \$3.25 million for its share of the project. The company is also making other significant improvements to its treatment facilities.

Recreational amenities, public art, kiosks, additional landscaping, and a potential visitor's center are planned to be added in the future as funding becomes available, and are expected to cost an additional \$5 million.

Project Status

The groundbreaking ceremony for the Phase 1 wetlands was on February 12, 2010. The project is currently under construction and is expected to be completed by May 2011. The wetland vegetation is expected to be fully grown and providing maximum benefit by May 2012. The Talking Water Garden will use treated effluent during construction for compaction and plant establishment. Flow at a reduced capacity will be introduced to the wetlands on a regular basis

starting in May 2011 to grow healthy plants. WRF water will continue to irrigate about 13 acres of upland landscaping on the wetlands perimeter as a beneficial reuse for urban park irrigation. In 2012, the natural treatment system will perform at full capacity and Talking Water Gardens will be opened to the public.

The Connection to Community

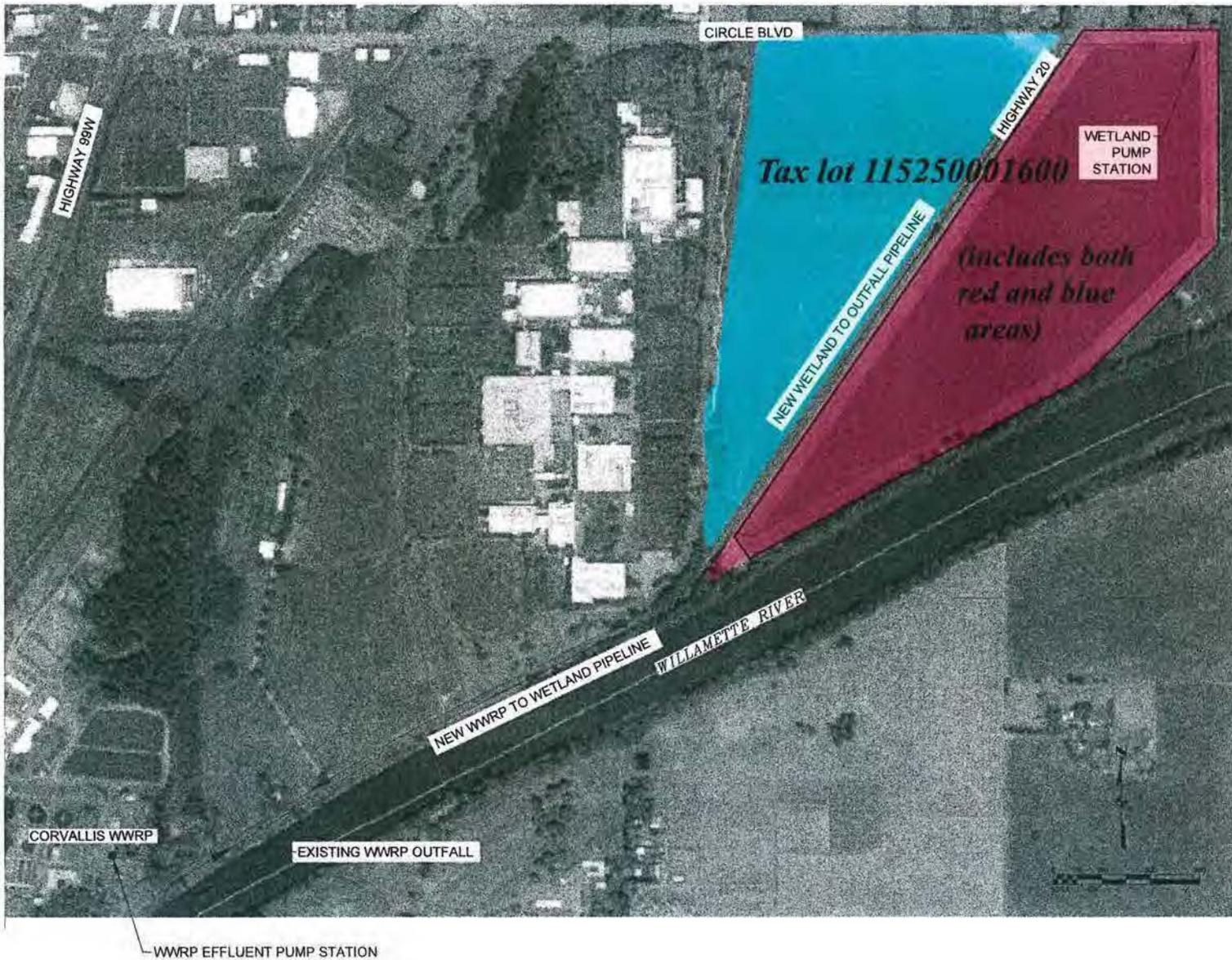
The Talking Water Gardens at Simpson Park reconnect the Cities to their common water heritage. The Gardens revitalize the Simpson Lumber Mill site and connect to the existing park and trail system.

This project is exceptional in several ways. It is original in concept, it employs new techniques in modeling of treatment wetlands for temperature reduction, it incorporates and turns to advantage the natural complexity of the topography and oxbow lakes adjacent to the various facilities, it forges a mutually beneficial partnership between two municipalities and industry, and it results in a treatment system that effectively addresses new regulatory challenges while creating ancillary social, environmental, and economic benefits.

Project Acknowledgements

This project reflects years of collaboration and cooperation amongst a diverse group of participants. Thanks for the successful design and implementation of this project goes to:

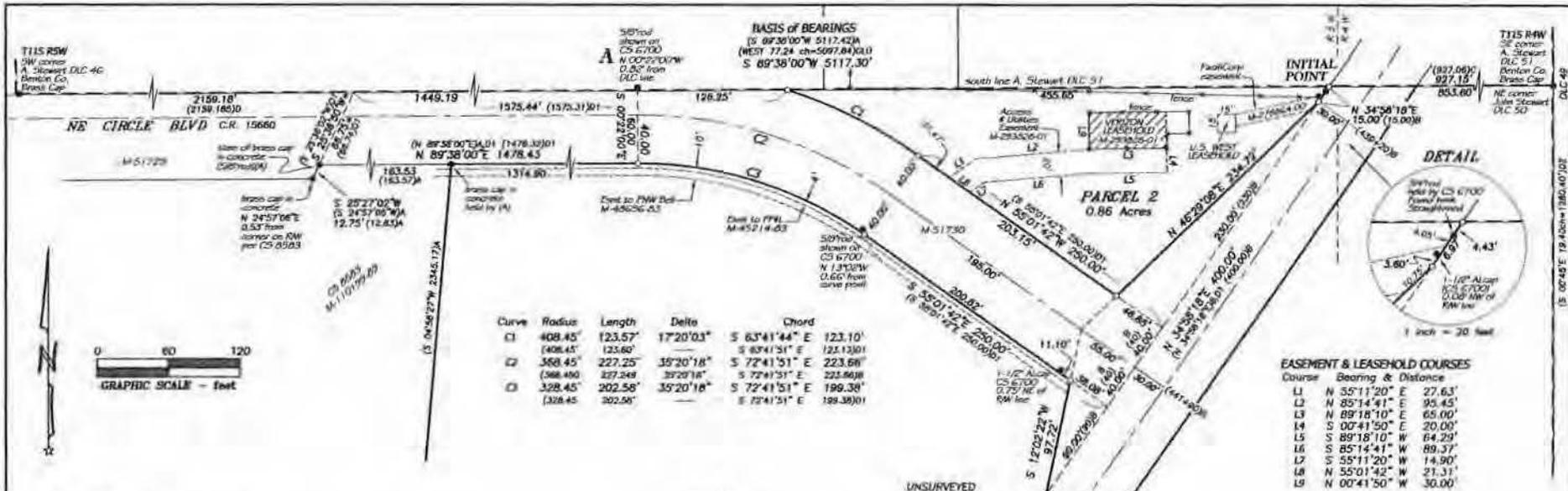
- Joint City Councils of Albany and Millersburg, under the leadership of Albany Mayor Sharon Konopa and Millersburg Mayor Clayton Wood;
- Joint Water and Wastewater Committee, under the leadership of Millersburg City Councilor Barry Hollsworth, Chair and Albany City Councilor Ralph Reid, Jr., Vice-Chair;
- City of Albany Department of Public Works staff Mike Wolski, Peter Harr, Chip Ullstad, and Irene Mann, under the leadership of Public Works Director Diane Taniguchi-Dennis;
- ATI Wah Chang;
- Weyerhaeuser;
- The Confederated Tribes of Grande Ronde;
- CH2M HILL;
- Watershed Sciences;
- C&M Construction;
- Kurisu International, Inc.;
- Oregon DEQ;
- United States Environmental Protection Agency;
- American Resource and Recovery Act.



Kennedy/Jenks Consultants
 CITY OF CORVALLIS
 TMDL - NORTH ALTERNATIVE
 CORVALLIS, OREGON

OPTION #1 -
 EXISTING OUTFALL AT WWRP

FIGURE 1



NARRATIVE

This plat is the result of Benton County Community Development Department File No. LU-12-013. It affects the partitioning of a portion of the land described and conveyed by deed recorded as M-118812-89, Benton County Deed Records.

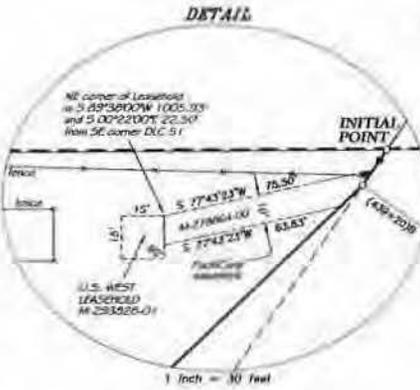
The parent property consists of 3 areas physically separated by Highway 20 and NE Circle Boulevard. The purpose of this plat is to make the annulment of these areas, 0.86 acres West of Hwy 20 and North of Circle Blvd, a legally separate Parcel. The balance of the approximately 158.7 acres of land remains as a single legal Parcel (Parcel 1) but, physically, is 2 areas separated by the highway. Since Parcel 1 is greater than 10 acres, it was not required to be surveyed by this Plat. It should be noted that the deed, M-118812-89, has a bearings error in the first course of the description: "South 45° East" should read "South 00°45' East".

The north line of Parcel 2 is the south line of the Archimedes Stewart Donation Land Claim (#51 in Township 4 West and #46 in Township 5 West). I located the SE and SW corners of the Claim and held the bearing of the line as S 89°38'00"W per the plat of WILLAMETTEDALE FARM and CS 8215. The portion of NE Circle Blvd in the vicinity of Parcel 2 was described and conveyed to Benton County for road purposes by deed recorded as M-51730. James Blair apparently surveyed this road in 1975 as he developed a "Route 15660 Plan & Profile" drawing. C.O. Fredrickson followed with CS 6700 in 1978 and based his work on several found monuments, presumably set by Mr. Blair. Mr. Fredrickson also set monuments to define the widening of the intersection of Circle Blvd with Highway 20. I found several of these monuments but most were not in acceptable position relative to deed data. I found monument "A" to be off the DLC line but at good distance from the Southwest corner of the Archimedes Stewart D.L.C. relative to deed data from M-51730 (the deed for this portion of the Circle Blvd right-of-way). I computed the beginning point of curvature for the southerly right-of-way (R/W) line as the point opposite (at 90°) the S/B' rod and 60 feet from the DLC line (measured perpendicular). I then held data from M-51730 (curve radius, bearings and distances) to compute the 80 foot Circle Blvd R/W. My resulting bearing to the 3/4" rod found by CS 6700 and the distance to the DLC line shown on the Route 15660 (Circle Blvd) Plan & Profile match surprisingly well. I computed the R/W of Highway 20 between stations 439+20 and 443+20 from the deed, M-89140. I calculated the area of Parcel 1 using record data and forcing mathematical closure for the courses along the highway. This area is approximate.

The PacifiCorp Easement (M-278864-00) references Utility Pole #300720 and the 15'x15' US West project area. I found the utility pole and computed the project area from the deed description. I held the pole as being on the centerline of the 10 foot-wide easement and held the NE corner of the project area as being the NE easement corner.

The Verizon Leasehold, with the Access & Utilities Easement shown on Parcel 2, was created by M-302240-01, but that document's map only gave the dimensions of the Leasehold (30'x65'). There is an existing communications tower facility surrounded by a fence, and a gravel driveway leading to it. I used these physical features to develop my map.

Curve	Radius	Length	Delta	Chord
C1	408.45'	123.57'	17°20'03"	S 63°41'44" E 123.10'
C2	368.45'	227.25'	35°20'18"	S 67°41'51" E 123.12(01)
C3	328.45'	202.58'	35°20'18"	S 72°41'51" E 223.68'
				S 72°41'51" E 199.38(01)



REGISTERED PROFESSIONAL LAND SURVEYOR

W. L. LAUER
OREGON
JULY 21, 1992
W. L. LAUER
8560
RENEWS 12/31/2012

I HEREBY CERTIFY THAT THIS DRAWING IS AN EXACT COPY OF THE ORIGINAL PLAT

NORTHSTAR SURVEYING, INC.
720 N.W. 4th Street
Corvallis, Oregon 97330
Phone: 541-757-9050

LEGEND

- Found survey monument as noted
- Set monument: 5/8" x 30" rebar with red plastic cap stamped "NORTHSTAR SURVEYING"
- (A) Record data from CS 8583
- (B) - - - - - Route 15660 Plan & Profile (1975)
- (C) - - - - - CS 5752
- (D1) - - - - - Deed M-51730 (1974)
- (D2) - - - - - Deed M-118812-89
- (D3) - - - - - Deed M-89140 (1977)

PARTITION PLAT 2012-013
for
ARTHUR McFADDEN
in
WEST HALF of SECTION 30
T 11 S, R 4 W, W.M.
EAST HALF of SECTION 25
T 11 S, R 5 W, W.M.
BENTON COUNTY, OREGON

MARCH 26, 2012
SHEET 1 of 2



Benton County, Oregon

Making Benton County a Better Place to Live

http://www.co.benton.or.us/assess/property_detail.php?id=057756

Printed on May 05, 2013 @ 9:50 PM

Benton County Assessor's Office – Property Account Detail

REAL PROPERTY

Account Information

Account #:	057756	LAST CERTIFIED VALUES	
Map/Tax Lot:	115250001600	Market Land:	\$ 657,431
Acreage:	158.43	Market Structure:	\$ 18,560
Property Class:	559	Specially Assessed Land:	\$ 147,380
Tax Code Area:	0905	Total Real Market Value:	\$ 675,991
		Assessed:	\$ 300,441
		Exemption:	\$ 0
		Net Taxable:	\$ 300,441

Situs Address: 1521 NE HWY 20
CORVALLIS, OR 97330

Owner Information

Owner ARTHUR L MCFADDEN LIVING TRUST
401 SW ALDER ST PORTLAND, OR 97204 USA

Owner MCFADDEN ARTHUR L,TR
401 SW ALDER ST PORTLAND, OR 97204 USA

Taxpayer MCFADDEN ARTHUR L,TR
401 SW ALDER ST PORTLAND, OR 97204 USA

Improvement Information

RESIDENTIAL DWELLINGS

Dwell Type
Year Built
Room Count
BR Count
Bath Count
Heating
Cooling

SQUARE FOOTAGE CALCULATIONS

Total Area SF
Main Lvl
2nd Lvl
Upper Lvl
Bsmt
Bsmt Fin
Attic Fin
Total Fin

RESIDENTIAL FEATURES

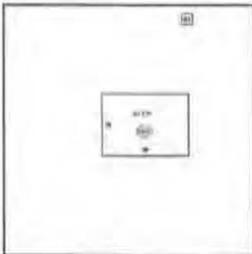
Type	ICP
Year Built	2002
SQ Footage	560

SKETCHES

Click thumbnail to view larger image. Larger images will open in a new window.

Sales Information

Sales Date	Deed Ref Number	Sale Price
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09/12/2012

M496653-12

\$ 0

Discharge Volume from the WWRP – TMDL Discussion
Patricia Benner, May 7, 2013

Table 4.2: 2028 Orleans NA CW Design Flows and Water Balance

	Monthly Max of 7-day Avg. Flow ^(a) (MGD)	Design Flow to Wetlands (MGD)	Class A RW to TTGC (MGD)	Direct Discharge or Other Uses (MGD)
May 1-15	11.90	7.00	0.00	4.90
May 16-30	10.50	7.00	0.00	3.25
June	10.20	7.00	0.25	2.95
July	9.60	7.00	0.25	2.35
August	9.20	7.00	0.25	1.95
September	8.90	7.00	0.25	1.65
October 1-15	10.90	7.00	0.25	3.65
October 16-31	11.00	7.00	0.00	4.00

Notes:

- a. Based on Corvallis WWRP 2008 Discharge Monitoring Reports (DMRs) and anticipated annual growth as summarized in the City's Wastewater Utility Master Plan.

Due Diligence Evaluation, 2011; page 4-12

Figure 1. The right column (in blue) lists the number of millions of gallons per day (MGD) that **are in excess of what can be sent** to the Orleans Natural Area facility by the **year 2028**. In the Due Diligence Evaluation report, in Section 4.52, **"the consultant recommends that 7 million gallons per day is the most water that should be sent to the facility to provide for better pollutant removals."**

Table 4.3: 2058 Orleans NA CW Design Flows and Water Balance

	Monthly Max of 7-day Avg. Flow ^(a) (MGD)	Design Flow to Wetlands (MGD)	Class A RW to TTGC (MGD)	Direct Discharge or Other Uses (MGD)
May 1-15	17.10	7.00	0.00	9.30
May 16-30	15.10	7.00	0.00	6.10
June	14.60	7.00	2.00	5.60
July	13.80	7.00	2.00	4.80
August	13.20	7.00	2.00	4.20
September	12.90	7.00	2.00	3.90
October 1-14	15.70	7.00	1.00	7.70
October 15-31	15.80	7.00	0.00	8.80

Notes:

- a. Based on Corvallis WWRP 2008 Discharge Monitoring Reports (DMRs) and anticipated annual growth as summarized in the City's Wastewater Utility Master Plan.

from: Due Diligence Evaluation, 2011; page 4-13

Figure 2. The right column (in blue) lists the number of millions of gallons per day (MGD) that **are in excess of what can be sent** to the Orleans Natural Area facility by the **year 2058**. The increases range from roughly 47% to 54% increase in volume, depending on the month.

Documentation of Seasonal-only Use of the East Alternative from May through October

"The Orleans NA SED system **will also only be operated seasonally from May through October**. The corresponding seasonal cessation of SED system

operation at the East Alternative site is expected to be beneficial for two reasons:

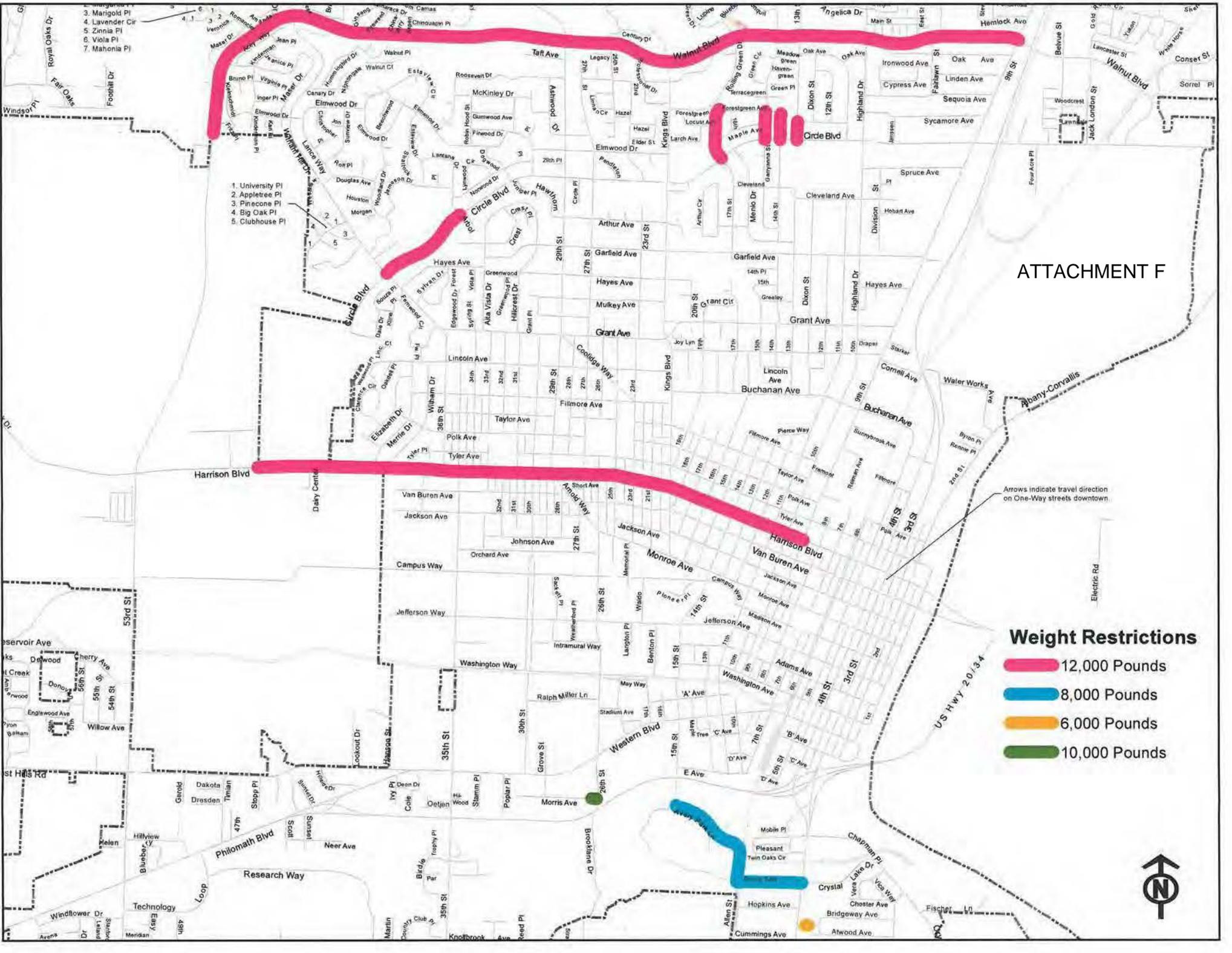
a) Additional cooling of warmer water in shallow, unconfined aquifer systems can occur by infiltration of precipitation (recharge) and by thermal conductance of the upper aquifer system from cooler atmospheric conditions. Because the SED system downtime will occur primarily in the colder, wetter period of the year, both of these potential aquifer cooling processes could significantly reduce latent heat in the aquifer associated with the previous subsurface discharge season.

b) It has been demonstrated that for periods in the winter months, the Willamette River is losing (discharging) to the shallow aquifer system, which is manifested at a generally eastward/landward groundwater flow direction. The groundwater flow reversal likely introduces colder Willamette River water into the hyporheic zone, which would also tend to reduce any residual heat from the previous season of SED system operation.

c) It is possible that ongoing inflow of regional groundwater will provide additional cooling of local site groundwater. Simply put, the anticipated seasonal operation of an Orleans NA SED system is expected to result in some periodic "resetting" of the overall heat capacity of the aquifer system on an annual basis.

from: *Due Diligence Evaluation, Willamette River TMDL East and West Alternatives* (2011) pp. 4-38 to 4-39.

ATTACHMENT F



Arrows indicate travel direction on One-Way streets downtown

Weight Restrictions

- 12,000 Pounds
- 8,000 Pounds
- 6,000 Pounds
- 10,000 Pounds



MEMORANDUM

April 22, 2013

TO: Urban Services Committee

FROM: Mary Steckel, Public Works Director 

SUBJECT: Willamette River Temperature Total Maximum Daily Load Project Update

I. Issue Statement

Staff is providing the Urban Services Committee (USC) an update on the Temperature Total Maximum Daily Load (TMDL) compliance project as directed at the USC April 2, 2013 staff briefing.

II. Urban Services Committee Direction

At the April 2nd meeting, USC directed staff to do the following:

1. Update the Matrix of TMDL Alternatives based on their requested modifications.
2. Develop a cost estimate for the North Alternative that considers wetlands treatment only (no hyporheic, or subsurface flow treatment component as was included in the original estimate).
3. Provide an update on the federal judge's decision on the Northwest Environmental Advocates (NWEA) vs. EPA lawsuit regarding some of the technical aspects of the DEQ temperature TMDL standard.

III. Discussion

1. Updated alternatives matrix. The TMDL Alternatives matrix (Attachment #1) has been updated per USC direction to add a Risk column, and to rename the Multi-solution option column to read: Provides some level of additional treatment. The North Alternative cost estimate cells are now filled in based on the Kennedy-Jenks estimated costs for capital construction and 20 and 50 year lifecycle costs.
2. North Alternative cost estimate. Attachment #2 contains the detailed cost estimate for wetlands only treatment. The total costs are shown below for two alternatives for discharge of the treated water to the Willamette River: Option 1 is by constructing a pumping station and pipeline for transporting the water back to the Wastewater Reclamation Plant for discharge through the existing outfall structure, and Option 2 is by constructing a new outfall pipe to the river in the vicinity of the wetlands.

Constructed Wetlands	Option #1	Option #2
Capital Cost	\$25,100,000	\$22,600,000
20 Year Lifecycle Cost	\$28,400,000	\$25,100,000
50 Year Lifecycle Cost	\$30,300,000	\$26,600,000

3. NWEA vs. EPA lawsuit remedy. Attachment #3 contains the April 8, 2013 Stipulated Order in the NWEA vs. EPA lawsuit regarding the validity of the Oregon Natural Conditions Criteria (NCC) in the state's temperature water quality standard. As was anticipated, the federal judge has set aside the NCC and remanded it to EPA. Within 120 days, EPA is required to take action on the temperature TMDL regulations consistent with the requirements of the federal Clean Water Act and the pertinent EPA regulations.

From discussions with DEQ staff, it is not clear what actions EPA will take. Their actions could range from writing a new Oregon temperature standard to instructing DEQ on what DEQ will need to include in a new state standard that they will prepare and then take through the Oregon rule making process.

The time line for either EPA or DEQ action is also unknown at this time. EPA could take the full 120 days to develop the requirements/elements they want DEQ to include in the new standard, DEQ would then need time to develop standard language and run it through the Oregon rulemaking process, which could take up to two years to complete. Whatever the process EPA and DEQ pursue, it is still likely that the City's temperature TMDL compliance requirements will be more stringent.

IV. Next Steps

Staff seeks USC and City Council direction on:

1. The North Alternative. Based on the revised cost estimate information, should this alternative continue to be considered?
2. It is unlikely any substantive information about EPA/DEQ actions will be known until the end of the 120 day time period (mid-August). In the meantime, work can be suspended or staff can continue vetting the compliance options.

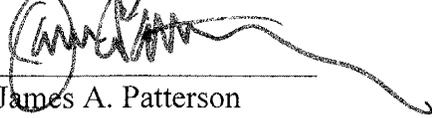
Work that could be done includes: 1) on the East Alternative- approximately \$200,000 is needed to complete the technical feasibility analysis work. Work done to-date indicates the site is a viable option; 2) on the North Alternative- approximately \$500,000 will need to be spent to determine the technical

feasibility of constructing the treatment wetlands at this site; 3) Tree planting. Some staff time and consultant time will be needed to continue evaluating tree planting options (Fresh Water Trust proposal and Marys River Watershed Council analysis of local options).

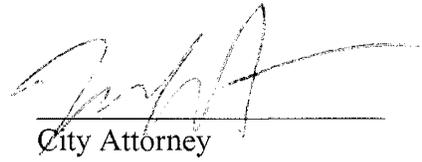
V. **Recommendation**

Staff recommends that work be suspended on the project until the outcome of the EPA/DEQ process to develop the new temperature water quality standards is known, and that approval be given to include funding for TMDL work in the fiscal year 2013-2014 budget to commence once the new requirements are known.

Reviewed and concur:



James A. Patterson
City Manager



City Attorney

Attachments

Matrix of TMDL Alternatives

	Costs ^(a)			Potential outside funding	Capacity (Meets target alternative discharge capacity of 7-10 MGD)	Permit Compliance	Permitting and Land Use					Additional Value			Risk Risks Associated with Alternative Implementation
	Capital	20-yr Lifecycle	50-yr Lifecycle				DEQ-Approvable Under Existing Regulations	Temperature Offsets (Allows thermal credits to offset thermal loads for river outfall) ^(d)	Approved Land Use (Allowed for site)	Requires Land Acquisition	Requires Easement Acquisition	Alternative Provides Additional Treatment beyond Temperature	Creates public amenity	Opportunity for Reuse	
East Alternative	\$13,600,000	\$16,480,000	\$18,120,000	Unknown	Yes ^(e)	Yes	Yes Indirect Discharge IMD (DEQ 2007) ^(f,g)	Yes Discharge of cooled water is upstream of river outfall	Yes ^(h)	No ⁽ⁱ⁾	Yes ^(j)	Yes ^(m)	Yes Constructed wetland will be designed and managed for public access	1-2 MGD Irrigation of Trysting Tree Golf Course using recycled water would supplant current use of groundwater well.	1. Pipeline easements and recycled water use agreements required from OSU
North Alternative (Wetlands)				Unknown		Yes		Unknown Discharge of cooled water would be downstream of river outfall if discharged from North Alternative property.		Yes	No	Yes ⁽ⁿ⁾			<ol style="list-style-type: none"> 1. Property owner not willing to sell property. 2. Property sale price is too high. 3. Land use regulations do not allow for treatment facility on EFU-zoned land. 4. Benton County doesn't approve use (land is outside the UGB). 5. DEQ does not approve alternative for meeting TMDL compliance.
Pump back to treatment plant	\$25,100,000	\$28,400,000	\$30,300,000												
New outfall at wetland	\$22,600,000	\$25,100,000	\$26,600,000												
Riparian Shading (Standalone)	\$4,269,069	\$7,360,404	\$21,245,976	Unknown ^(b)		Yes ^(k)				No	Yes ^(l)	No	No	No	<ol style="list-style-type: none"> 1. Riparian shading may not be allowable option for meeting TMDL requirements (Medford NPDES Permit challenged by NWEA through EPA request to review overall ORegon Trading Program). 2. There may not exist enough property to plant the number of trees needed to achieve level of shading that would meet TMDL requirements. 3. There may not be enough property owners willing to grant easements for the City to use for shading. 4. Property owners may not commit to participating into perpetuity (temperature credits need to be renewed every 20 years).
Mechanical Cooling (Chiller)	\$14,900,000 ^(c)	\$20,200,000	\$35,100,000	Unknown	Yes	Yes	Yes	Yes Water would be cooled prior to discharge through river outfall	Yes	No Would be located on City of Corvallis WWRP property	No	No	No	No	<ol style="list-style-type: none"> 1. Energy costs are unpredictable into the future. 2. Public trust in process that determined community desire for natural solution.

Notes:

Costs

- a Costs associated with the East Alternative are from the 2011 Due Diligence Evaluation (Kennedy/Jenks 2011) and are assumed to be accurate within -20% to +30%. Costs associated with the North Alternative are based on the North Alternative Cost Estimate for a wetlands-only system with direct river discharge from the Technical Memo prepared by Kennedy/Jenks and dated 19 April 2013. The range of North Alternative costs is for the range of costs between the two direct discharge options: 1)Return to WWTP; and 2)new river outfall. Mechanical Cooling costs are from the 2009 TMDL Alternatives Evaluation Project (Kennedy/Jenks 2009). Costs for the North Alternative and the Mechanical Cooling options are assumed to be accurate within -30% to +50%. Costs associated with the Riparian Shading Alternative are from a proposal received from The Freshwater Trust in January 2013.
- b Temperature credits sold or traded through an ecosystem marketplace may offset some project costs.
- c Requires an additional capital investment of approximately \$8,000,000, which is included in the 50-year lifecycle cost of \$35,100,000 .

Permitting and Land Use

- d U.S. Environmental Protection Agency's Final Water Quality Trading Policy states that water quality benefit must be shown at the outfall (EPA, 13 January 2003).
- e Capacity of 7-10 MGD confirmed through 2012 Subsurface Investigation (Orleans Natural Area Subsurface Investigation Results, Kennedy/Jenks, 11 March 2013)
- f Oregon Department of Environmental Quality. Disposal of Municipal Wastewater Treatment Plant Effluent by Indirect Discharge to Surface Water via Groundwater or Hyporheic Water. Internal Management Directive. September 2007.
- g Oregon Department of Environmental Quality (DEQ) has already voiced their support for the East Alternative.
- h Meetings with Linn County Planning Department and the Oregon Department of State Lands have indicated that the East Alternative would be an approved land use at the site. A variance may be required for the pipeline, but conversations with Linn County Planning Department have indicated that this will not be problematic. The constructed wetland at Orleans Natural Area would most likely be permitted as a utility.
- i Proposed wetland location is already owned by City, and water reuse is approved on OSU's TTGC.
- j Easement acquisition required only for the pipeline through Oregon State University property.
- k Northwest Environmental Advocates has issued a letter to EPA Region 10 requested full review of the Oregon Trading Program and specifically the temperature trade included in the City of Medford NPDES Permit.
- l Riparian Shading alternative would require long-term easements and/or long-term lease agreements for multiple riparian properties with various landowners.

Additional Value

- m Wetland provides polishing treatment for nutrients, metals, contaminants of emerging concern (CECs). Hyporheic discharge provides additional treatment for contaminants and temperature.
- n Wetland provides polishing treatment for nutrients, metals, CECs.

Kennedy/Jenks Consultants

29 April 2013

Technical Memorandum

To: Tom Penpraze and Dan Hanthorn, City of Corvallis Public Works

From: Preston Van Meter and Rebecca Brosnan

Subject: North Alternative Cost Estimate
Willamette River TMDL Alternatives Project
K/J 0791027.40

Kennedy/Jenks Consultants (Kennedy/Jenks) was retained by the City of Corvallis (City) to estimate the cost of constructing a modified version of the "North Alternative" concept developed as part of the Willamette River Total Maximum Daily Load (TMDL) Alternatives Evaluation Project (Kennedy/Jenks 2009). As directed by the City's Urban Services Committee (USC), the North Alternative in its revised form would consist of a wetland only, and not include subsurface (hyporheic) discharge.

Background

The City is implementing a public engagement process (public process) that involves working with the community to develop a long-term plan for current and future Willamette River water quality regulations anticipated to impact the Wastewater Reclamation Plant (WWRP) effluent discharge. Alternatives to address these water quality regulations are described in the 12 February 2009 Willamette River TMDL Alternatives Evaluation Project final report (2009 TMDL Alternatives Report) prepared by Kennedy/Jenks. The TMDL Alternatives Report presented alternatives in a very conceptual nature with associated conceptual-level alternative costs.

The 2009 TMDL Alternatives Report identified the potential long-term cost of addressing current and future pollutants at the WWRP and continuing to discharge effluent to the Willamette River. Alternatives to effluent discharge were evaluated in the TMDL Alternatives Report. Three alternatives (North, South and East) combining a natural treatment system and recycled water uses were presented for consideration in the 2009 TMDL Alternatives Report. A fourth alternative, the West Alternative, was presented for consideration by a group of Oregon State University (OSU) students and was added during the initial public engagement process being led by the City's USC. Through the public involvement process, the North Alternative was dropped from further consideration by the USC, and the East Alternative was recommended for implementation.

Recent renewed stakeholder interest in the North Alternative prompted the USC to request City staff provide additional information summarizing the original evaluation of the North Alternative. Kennedy/Jenks provided the "Summary of North Alternative Evaluation" technical memorandum, dated 19 December 2012, which provided a summary of the North Alternative,

Technical Memorandum

Tom Penpraze and Dan Hanthorn, City of Corvallis Public Works

29 April 2013

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pertinent regulatory issues, recycled water demand for potential customers, and carbon footprint and triple bottom line (TBL) scoring.

The purpose of the current technical memorandum is to provide a conceptual-level cost estimate for a modified version of the North Alternative. Due to concerns about hyporheic discharge, the USC asked Kennedy/Jenks to prepare a cost estimate for the North Alternative that includes a constructed wetland and no subsurface discharge. Instead of indirect subsurface discharge through the hyporheic zone to the Willamette River, the constructed wetland would be underlain with an impermeable lining, and water would be discharged directly to the Willamette River by one of two options: 1) by pumping back to the WWRP; or 2) through a new Willamette River outfall constructed at the North Alternative site. This memo summarizes the costs, contingencies and risks associated with these two discharge options. All estimates and calculations assume an effluent flow rate of seven (7) MGD.

Wetlands Sizing

Kennedy/Jenks' Due Diligence Evaluation (Kennedy/Jenks 2011) recommended a hydraulic retention time (HRT) of 3.5 days in the East Alternative natural treatment system to achieve effluent cooling and provide additional water quality polishing. This cooling and polishing was provided by a combination of a constructed treatment wetland with two deep ponds (approximately 15-20 feet in depth) that also function to discharge water hyporheically from the site to the Willamette River. With a wetlands-only system, such deep ponds would not be constructed, and the treatment wetlands would need to have a larger footprint to provide the same 3.5-day HRT.

The required size of the North Alternative's constructed wetland was calculated using the following equation:

$$\text{Area (ac)} = \frac{\text{HRT (days)} \times \text{Flow Rate (gpd)}}{\text{Depth (ft)} \times 7.48 \text{ gal / ft}^3 \times 43560 \text{ ft}^2 / \text{ac}}$$

A 65-acre wetland would be required to achieve a 3.5-day HRT, assuming an average wetland depth of 14 inches and a flow rate of 7 MGD. The design of the wetland would feature shallow areas to provide water quality polishing via wetland processes, as well as deeper pools (approximately three to five feet in depth) to provide denitrification (biological nitrate removal) and also help reduce water temperatures.

North Alternative Direct Discharge Options

As previously stated, construction of the North Alternative without indirect (hyporheic) river discharge would require water that has flowed through the treatment wetland system to be

Technical Memorandum

Tom Penpraze and Dan Hanthorn, City of Corvallis Public Works

29 April 2013

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discharged directly to the Willamette River. Cost estimates have been prepared for two potential direct discharge options:

North Alternative Direct Discharge Option 1 - pump water from the downstream end of the treatment wetland system back to the WWRP to be discharged through the existing WWRP or CSO outfall. This option would require pipelines running both to and from the North Alternative site within Oregon Department of Transportation (ODOT) Highway 20 right-of-way. It is also assumed two pump stations would be required to pump water to the upstream end of the treatment wetland and then return it back to the WWRP from the downstream end of the treatment wetland.

North Alternative Direct Discharge Option 2 – water from the downstream end of the treatment wetland system would be discharged through a new Willamette River outfall. This option would require significant permitting and perhaps a new National Pollutant Discharge Elimination System (NPDES) waste discharge permit, since the site is located approximately 1.5 miles downstream of the existing WWRP outfall.

Basis of North Alternative Cost Estimate

Following is a summary of the basis of cost estimating used to develop a more detailed conceptual-level cost estimate for the North Alternative.

Wetlands Sizing

As stated previously, the estimated size of the treatment wetlands used in the evaluation is based on providing a system with 3.5-day HRT, as proposed for the current East Alternative, in a treatment wetland system with an average depth of 14". This equates to a 65-acre treatment wetland that was used for cost estimating purposes.

Earthwork and Wetlands Liner

The proposed North Alternative site is generally flat, with an estimated cross slope of approximately one percent (1%) in the southwest-to-northeast direction. While no specific conceptual-level wetlands designs have been prepared for the North Alternative site, the average depth of the wetlands was assumed to be approximately 14", providing for shallow and deep areas in the wetland that provide different treatment benefits. It was assumed the wetlands would have a bentonite clay liner. The clay liner would be backfilled with 12" topsoil over the liner for establishment of wetlands plantings.

Technical Memorandum

Tom Penpraze and Dan Hanthorn, City of Corvallis Public Works

29 April 2013

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Infrastructure

Discharge Options 1 and 2 would each require the construction of new pipelines from the WWRP, northeast along the Willamette River, to the North Alternative site. These pipelines would be installed primarily in ODOT Highway 20 right-of-way. Discussions with ODOT would be needed to identify specific requirements and allowances regarding work in the right-of-way. Accommodations for traffic control and protection of existing infrastructure, such as underground electrical, natural gas, communications or water mains, or overhead electrical or communications lines, may make installation of the pipelines challenging in portions of the Highway 20 right-of-way.

For both discharge options, the pipeline delivering water to the upstream end of the treatment wetland has a total length of approximately 4,650 feet, of which approximately 4,125 feet is located within ODOT Highway 20 right-of-way. For Discharge Option 1, involving pumping water from the downstream end of the treatment wetland to the WWRP for discharge, the return pipeline has a total length of approximately 8,950 feet, of which 7,750 feet is within ODOT Highway 20 right-of-way. For Discharge Option 2, involving construction of a new Willamette River outfall at the treatment wetland site, the discharge pipeline length is approximately 2,475 feet, which includes the new river outfall.

Discharge Option 1 would have two new pump stations: one at the WWRP to pump water to the treatment wetlands, and a second to return flows back to the WWRP for discharge through the existing outfall. Discharge Option 2 would have a single pump station at the WWRP. For planning purposes, it is assumed the pump stations will be housed in pre-fabricated metal buildings with one 2-MGD pump and two 5-MGD pumps to achieve the design flow rate of 7 MGD with redundancy as required by EPA reliability requirements.

North Alternative Conceptual-Level Cost Estimates

Table 1 below presents the approximate costs for each of the two potential North Alternative direct discharge options. For comparison purposes, the estimated North Alternative cost from the 2009 TMDL Alternatives Evaluation Final Report (Kennedy/Jenks 2009) was a capital cost of \$24.1 million with a 50-year lifecycle cost of \$25,900,000.

Technical Memorandum

Tom Penpraze and Dan Hanthorn, City of Corvallis Public Works

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Table 1. North Alternative Option 1 and Option 2 Conceptual Cost Summary⁽¹⁾

Cost Criteria	Option 1	Option 2
ESTIMATED CONSTRUCTION COSTS		
Division 2 – Sitework	\$7,409,000	\$6,606,000
Division 3 – Concrete	\$98,000	\$198,000
Division 4 - Masonry	\$337,000	\$181,000
Division 7 – Architectural	\$49,000	\$25,000
Division 11 – Equipment	\$448,000	\$229,000
Division 15 – Piping	\$1,362,000	\$789,000
Division 16 – Electrical	\$1,455,000	\$1,204,000
ADDITIONAL COSTS		
Contractor General Conditions ⁽²⁾	\$2,338,700	\$1,935,100
Project Contingency	\$4,049,000	\$3,350,100
Environmental Permitting	\$1,754,600	\$2,903,400
Engineering, Legal and Administration	\$5,790,100	\$5,226,200
ESTIMATED PROJECT COST⁽³⁾	\$25,100,000	\$22,600,000
Annual O & M Cost ⁽⁴⁾	\$243,300	\$184,200
20 YEAR LIFECYCLE COST	\$28,400,000	\$25,100,000
50 YEAR LIFECYCLE COST	\$30,300,000	\$26,600,000

Notes:

- 1 North Alternative costs do not include land acquisition or potential condemnation.
- 2 Includes Contractor Overhead and Profit based on standard percentage of construction costs.
- 3 Cost estimates are AACE Level 5 conceptual level estimates with a range of accuracy of -30% to +50%.
- 4 Operation and Maintenance (O&M) Costs include pumping energy costs, operations at 0.5 full-time employees (FTE) and maintenance.

Cost Estimate Contingencies

While the cost estimates for the North Alternative included with this technical memorandum provide greater detail than the previous conceptual-level cost estimates, no real due diligence investigations of the North Alternative have been completed as they were for the East Alternative. Due diligence investigations would be the next step if the City desires to fully investigate the North Alternative. As a result of the limited due diligence investigation completed to date on the site, contingences in the cost estimates have been set to 30% for each option. In

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addition, environmental permitting costs have been included in the cost estimates as summarized below.

Environmental permitting for Discharge Option 1 - In Option 1, the treatment wetlands at the North Alternative site would be used for cooling and polishing, after which the water would be returned by a pump station and pipeline back to the WWRP for discharge through one of the plant's existing outfalls. While no discussions with DEQ have been completed, it is anticipated that this is a viable discharge option, so a 10% environmental permitting contingency is included in the cost estimate for Discharge Option 1.

Environmental permitting costs for Discharge Option 2 – Option 2 would likely require the City to obtain a new NPDES outfall permit on the Willamette River, which could pose a significant regulatory challenge. Constructing a new outfall as part of Option 2 would also require in-water work periods, involving specialized construction needs with coffer-dam construction, along with stringent regulations to protect endangered fish species and water quality. As a result of these challenges, a 20% environmental permitting contingency is included in the cost of Option 2.

References

- Kennedy/Jenks Consultants. 2009. Willamette River TMDL Alternatives Evaluation Project. Technical Memorandum 02: TMDL Alternatives Evaluation. 10 February 2009.
- Kennedy/Jenks Consultants. 2010. Lagoon 4 Water Temperature Evaluation for the Dundee Wastewater Treatment Plant Effluent Management Plan. 10 March 2010.
- Kennedy/Jenks Consultants. 2011a. Willamette River TMDL East and West TMDL Alternatives Due Diligence Evaluation. 15 November 2011.
- Kennedy/Jenks Consultants. 2012. Summary of North Alternative Evaluation. 19 December 2012.
- Kennedy/Jenks Consultants. 2013. Orleans Natural Area Subsurface Investigation Results. City of Corvallis East Alternative TMDL. 11 March 2013.

Attachments: Figures 1 and 2

ENGINEER'S ESTIMATE OF PROBABLE COST

KENNEDY/JENKS CONSULTANTS

Project: Corvallis TMDL Alternatives Evaluation - North Alternative Option 1

Prepared By: PLVM/JEC/TJA

Level of Estimate: Conceptual
Range of Accuracy: -30%/+50%

Date Prepared: 29-Apr-13
K/J Proj. No.: 079102740

Description	Qty	Units	Materials		Installation		Total
			\$/Unit	Total	\$/Unit	Total	
DIV 02 - Sitework							
Wetland Plantings	1	LS	\$325,000	\$325,000	\$704,167	\$704,167	\$1,029,167
Landscape Site Improvements	1	LS	\$595,833	\$595,833	\$975,000	\$975,000	\$1,570,833
Finish Grading	65	Acre	\$0	\$0	\$11,500	\$747,500	\$747,500
Bentonite Clay Liner	8800	CY	\$105	\$924,000	\$6.0	\$52,800	\$976,800
SED Distribution Piping	2000	LF	\$13	\$26,000	\$8.0	\$16,000	\$42,000
General Excavation (On Site Disposal)	35000	CY	\$0	\$0	\$4.0	\$140,000	\$140,000
Excavation and Berm Compaction	39225	CY	\$8	\$313,800	\$20.0	\$784,500	\$1,098,300
RipRap	1083	CY	\$22	\$23,833	\$18.0	\$19,500	\$43,333
Base Rock	1500	CY	\$15	\$22,500	\$15.0	\$22,500	\$45,000
Trench Excavation and Granual Backfill	12635	LF	\$15	\$193,947	\$30	\$375,891	\$569,839
Trench Excavation and Native Backfill	950	LF	\$8	\$7,458	\$26	\$24,501	\$31,958
AC Demolition	17222	SY	\$0	\$0	\$7	\$120,556	\$120,556
AC Paving	17222	SY	\$30	\$516,667	\$19	\$327,222	\$843,889
Traffic Control	1	LS	\$0	\$0	\$150,000	\$150,000	\$150,000
Subtotal Div 02							\$7,409,000
DIV 03 - Concrete							
WWRP - CCC Control Structure	40	CY	\$250	\$250	\$200	\$8,000	\$8,250
Control Structures	200	CY	\$250	\$50,000	\$200	\$40,000	\$90,000
Subtotal Div 03							\$98,000
DIV 04 - Masonry							
WWRP Effluent Pump Bldg - Prefabricated Metal Building	1200	SF	\$100	\$120,000	\$30	\$36,000	\$156,000
Wetland Effluent Pump Bldg - Prefabricated Metal Building	1200	SF	\$100	\$120,000	\$30	\$36,000	\$156,000
Misc. Metals	1	LS	\$15,000	\$15,000	\$10,000	\$10,000	\$25,000
Subtotal Div 04							\$337,000
DIV 07 - Architectural							
Insulation	1	LS	\$3,500	\$3,500	\$3,500	\$3,500	\$7,000
Metal Roofing	2400	SF	\$5	\$12,000	\$5	\$12,000	\$24,000
Misc. Thermal and Moisture Protection	1	LS	\$1,500	\$1,500	\$1,000	\$1,000	\$2,500
Doors and Hardware	4	EA	\$1,000	\$4,000	\$500	\$2,000	\$6,000
Overhead Door (12')	2	EA	\$2,500	\$5,000	\$1,500	\$3,000	\$8,000
Flashing and Sealants	1	LS	\$1,000	\$1,000	\$500	\$500	\$1,500
Subtotal Div 07							\$49,000
DIV 11 - Equipment							
Effluent Pumps (5MGD)	4	EA	\$72,500	\$290,000	\$14,500	\$58,000	\$348,000
Effluent Pumps (2MGD)	2	EA	\$37,500	\$75,000	\$7,500	\$15,000	\$90,000
5' Overflow Control Gate	1	EA	\$8,000	\$8,000	\$1,600	\$1,600	\$9,600
Subtotal Div 11							\$448,000
DIV 15 - Piping							
24" DI Pipe	150	LF	\$110	\$16,500	\$32	\$4,800	\$21,300
24" PVC Pipe	13030	LF	\$30	\$384,385	\$64	\$833,920	\$1,218,305
24" Actuated Butterfly Valve	2	EA	\$16,000	\$32,000	\$5,000	\$10,000	\$42,000
Misc. Mechanical Piping, Valves and Fittings	1	LS	\$40,000	\$40,000	\$40,000	\$40,000	\$80,000
Subtotal Div 15							\$1,362,000
DIV 16 - Electrical							
Electrical & Instrumentation @ 15%	1	LS					\$1,455,000
Subtotal Div 16							\$1,455,000
TOTALS							
Subtotal							\$11,158,000
Contractor Mobilization @	8%						\$892,600
Subtotal							\$12,050,600
Contractor OH&P @	12%						\$1,446,100
Subtotal							\$13,496,700
Contingency @	30%						\$4,049,000
Subtotal							\$17,545,700
Environmental Permitting Allowance @	10%						\$1,754,600
Subtotal							\$19,300,300
ELA @	30%						\$5,790,100
Estimated Construction Cost							\$25,100,000

Notes:

¹ Land Acquisition costs not included in this cost estimate

Estimated Annual O&M Cost		
Energy Costs (Pumps)		\$118,300
Operations @ 0.50 FTE		\$25,000
Maintenance		\$100,000
20 Year Lifecycle Cost		\$28,400,000
50 Year Lifecycle Cost		\$30,300,000

ENGINEER'S ESTIMATE OF PROBABLE COST

KENNEDY/JENKS CONSULTANTS

Project: Corvallis TMDL Alternatives Evaluation - North Alternative Option 2

Prepared By: PLVM/JEC/TJA

Level of Estimate: Conceptual
Range of Accuracy: -30%/+50%

Date Prepared: 29-Apr-13
K/J Proj. No.: 0791027*40

Description	Qty	Units	Materials		Installation		Total
			\$/Unit	Total	\$/Unit	Total	
DIV 02 - Sitework							
Wetland Plantings	1	LS	\$325,000	\$325,000	\$704,167	\$704,167	\$1,029,167
Landscape Site Improvements	1	LS	\$595,833	\$595,833	\$975,000	\$975,000	\$1,570,833
Finish Grading	65	Acre	\$0	\$0	\$11,500	\$747,500	\$747,500
Bentonite Clay Liner	8800	CY	\$105	\$924,000	\$6.0	\$52,800	\$976,800
SED Distribution Piping	2000	LF	\$13	\$26,000	\$8.0	\$16,000	\$42,000
General Excavation (On Site Disposal)	35000	CY	\$0	\$0	\$4.0	\$140,000	\$140,000
Excavation and Berm Compaction	39225	CY	\$8	\$313,800	\$20.0	\$784,500	\$1,098,300
RipRap	1083	CY	\$22	\$23,833	\$18.0	\$19,500	\$43,333
Base Rock	1500	CY	\$15	\$22,500	\$15.0	\$22,500	\$45,000
Wetland Effluent Manhole	3	EA	\$7,000	\$21,000	\$7,000.0	\$21,000	\$42,000
Trench Excavation and Granular Backfill	4525	LF	\$15	\$69,459	\$30	\$134,619	\$204,078
Trench Excavation and Native Backfill	2640	LF	\$8	\$20,724	\$26	\$68,086	\$88,810
AC Demolition	9167	SY	\$0	\$0	\$7	\$64,167	\$64,167
AC Paving	9167	SY	\$30	\$275,000	\$19	\$174,167	\$449,167
Traffic Control	1	LS	\$0	\$0	\$65,000	\$65,000	\$65,000
Subtotal Div 02							\$6,606,000
DIV 03 - Concrete							
WWRP - CCC Control Structure	40	CY	\$250	\$250	\$200	\$8,000	\$8,250
Control Structures	200	CY	\$250	\$50,000	\$200	\$40,000	\$90,000
Outfall Diffuser	1	LS	\$50,000	\$50,000	\$50,000	\$50,000	\$100,000
Subtotal Div 03							\$198,000
DIV 04 - Masonry							
WWRP Effluent Pump Bldg - Prefabricated Metal Building	1200	SF	\$100	\$120,000	\$30	\$36,000	\$156,000
Wetland Effluent Pump Bldg - Prefabricated Metal Building	0	SF	\$100	\$0	\$30	\$0	\$0
Misc. Metals	1	LS	\$15,000	\$15,000	\$10,000	\$10,000	\$25,000
Subtotal Div 04							\$181,000
DIV 07 - Architectural							
Insulation	1	LS	\$1,750	\$1,750	\$1,750	\$1,750	\$3,500
Metal Roofing	1200	SF	\$5	\$6,000	\$5	\$6,000	\$12,000
Misc. Thermal and Moisture Protection	1	LS	\$750	\$750	\$500	\$500	\$1,250
Doors and Hardware	2	EA	\$1,000	\$2,000	\$500	\$1,000	\$3,000
Overhead Door (12')	1	EA	\$2,500	\$2,500	\$1,500	\$1,500	\$4,000
Flashing and Sealants	1	LS	\$500	\$500	\$250	\$250	\$750
Subtotal Div 07							\$25,000
DIV 11 - Equipment							
Effluent Pumps (5MGD)	2	EA	\$72,500	\$145,000	\$14,500	\$29,000	\$174,000
Effluent Pumps (2MGD)	1	EA	\$37,500	\$37,500	\$7,500	\$7,500	\$45,000
5' Overflow Control Gate	1	EA	\$8,000	\$8,000	\$1,600	\$1,600	\$9,600
Subtotal Div 11							\$229,000
DIV 15 - Piping							
24" DI Pipe	150	LF	\$110	\$16,500	\$32	\$4,800	\$21,300
24" PVC Pipe	6910	LF	\$30	\$203,845	\$64	\$442,240	\$646,085
24" Actuated Butterfly Valve	2	EA	\$16,000	\$32,000	\$5,000	\$10,000	\$42,000
Misc. Mechanical Piping, Valves and Fittings	1	LS	\$40,000	\$40,000	\$40,000	\$40,000	\$80,000
Subtotal Div 15							\$789,000
DIV 16 - Electrical							
Electrical & Instrumentation @ 15%	1	LS					\$1,204,000
Subtotal Div 16							\$1,204,000
TOTALS							
Subtotal							\$9,232,000
Contractor Mobilization @	8%						\$738,600
Subtotal							\$9,970,600
Contractor OH&P @	12%						\$1,196,500
Subtotal							\$11,167,100
Contingency @	30%						\$3,350,100
Subtotal							\$14,517,200
Environmental Permitting Allowance @	20%						\$2,903,400
Subtotal							\$17,420,600
ELA @	30%						\$5,226,200
Estimated Construction Cost							\$22,600,000

Notes:

¹ Land Acquisition costs not included in this cost estimate

Estimated Annual O&M Cost		
Energy Costs (Pumps)		\$59,200
Operations @ 0.50 FTE		\$25,000
Maintenance		\$100,000
20 Year Lifecycle Cost		\$25,100,000
50 Year Lifecycle Cost		\$26,600,000



LEGEND:

- PROPERTY BOUNDARY
- ▨ CONSTRUCTED WETLAND - 65 ACRES
- WWRP EFFLUENT PUMP STATION
- NEW WWRP TO WETLAND PIPELINE
- NEW WETLAND TO OUTFALL PIPELINE
- ⊙ MANHOLE
- ⊞ DIFFUSER

NOTE:
 PIPELINE UNDER HIGHWAY 20
 WOULD BE INSTALLED IN ODOT
 RIGHT-OF-WAY

Kennedy/Jenks Consultants

CITY OF CORVALLIS
 TMDL - NORTH ALTERNATIVE
 CORVALLIS, OREGON

OPTION #2 -
 NEW OUTFALL AT NORTH
 ALTERNATIVE SITE

FIGURE 2

C:\Projects\00101017 AL Corvallis_TMDL\WorkArea\Corvallis\TMDL\Map\Map2.mxd
 TUES 10/26/2011 11:07 AM
 TERRY ANDERSON

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

NORTHWEST ENVIRONMENTAL
ADVOCATES, a non-profit corporation,

Case No: 3:05-cv-1876-AC

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, a United States
Government Agency, NATIONAL
MARINE FISHERIES SERVICE, a part of
the National Oceanic and Atmospheric
Administration, a part of the United States
Department of Commerce, and UNITED
STATES FISH AND WILDLIFE
SERVICE, a part of the United States
Department of the Interior,

**STIPULATED ORDER ON
NARRATIVE WATER QUALITY
CRITERIA AND
ANTIDegradation INTERNAL
MANAGEMENT DIRECTIVE**

Defendants, and

THE STATE OF OREGON, and
NORTHWEST PULP AND PAPER
ASSOCIATION,

Intervenor-Defendants.

ACOSTA, Magistrate Judge:

On February 28, 2012, this Court issued an Opinion and Order granting in part and denying in part the parties' cross motions for summary judgment. Docket No. 290. On January 7, 2013, the Court entered a Stipulated Order, on the motion of all the parties, that established remedies for the Endangered Species Act and Clean Water Act Nonpoint Source issues in the case. Docket No. 351. Plaintiff Northwest Environmental Advocates

("NWEA") and Defendant United States Environmental Protection Agency ("EPA") have reached agreement on the remedies for all remaining claims in this case. NWEA and EPA believe, and the Court agrees, that the agreement will avoid additional prolonged litigation and that the agreement is fair, reasonable and in the public interest. The Court enters the following Order adopting the agreement NWEA and EPA have reached, as set forth below:

A. Narrative Water Quality Criteria

1. EPA's approval of Oregon's Natural Conditions Criterion at OAR 340-041-0028(8) ("NCC") is set aside and remanded to EPA. Within 120 days of entry of this Order, EPA shall, consistent with this Court's Order on Summary Judgment and the requirements of the Clean Water Act and EPA's implementing regulations, take action pursuant to 33 U.S.C. § 1313(c)(3) on the NCC.

2. EPA's approval of Oregon's Statewide Narrative Criterion at OAR 340-041-0007(2) ("SNC") is set aside and remanded to EPA. Within 120 days of entry of this Order, EPA shall, consistent with this Court's Order on Summary Judgment and the requirements of the Clean Water Act and EPA's implementing regulations, take action pursuant to 33 U.S.C. § 1313(c)(3) on the SNC.

B. Antidegradation Implementation

EPA shall review those portions of the Oregon's Internal Management Directive for antidegradation implementation ("IMD") that were not incorporated into Oregon's water quality standards to ensure that the IMD describes the required elements and complies with federal antidegradation regulations such that it does not circumvent the purpose of Oregon's antidegradation policy. Within 120 days of entry of this Order, EPA

will set forth its conclusions from this review in a letter to the State of Oregon, which shall not constitute a formal approval or disapproval decision pursuant to 33 U.S.C. § 1313(c)(3).

C. Preclusion

Nothing in this order shall preclude NWEA from challenging any final agency actions taken pursuant to this Order. Should NWEA choose to challenge any final agency actions taken pursuant to this order, it shall file any such challenges in a separate action.

D. Final Agreement, Scope and Effect of Order, and Subsequent Remedies

1. This Stipulated Order constitutes the final, complete, and exclusive agreement and understanding between EPA and NWEA regarding the settlement embodied in this Order.

2. Except as expressly provided in this Stipulated Order, none of the parties waives or relinquishes any legal rights, claims, or defenses it may have. Nothing in the terms of this Stipulated Order shall be construed to limit or modify the discretion accorded EPA under the Clean Water Act, or by general principles of administrative law.

3. No provision in this Stipulated Order shall be interpreted as or constitute a commitment or requirement that EPA take action in contravention of the Administrative Procedure Act, 5 U.S.C. §§ 551-559, 701-706, the Clean Water Act, 33 U.S.C. § 1251, *et seq.*, or any other federal law or regulation, either substantive or procedural. No provision of this Order shall be interpreted to constitute a commitment or requirement that EPA obligate or pay funds in contravention of the Anti-Deficiency Act, 31 U.S.C. § 1341, or any other applicable law or regulation.

4. In the event that EPA fails to meet a deadline set forth in section A or B above, NWEA's first remedy shall be a motion to enforce the terms of this Stipulated Order. This Stipulated Order shall not, in the first instance, be enforceable through a proceeding for contempt of court.

IT IS SO ORDERED.

DATED this ____ day of _____, 2013.

John V. Acosta
United States Magistrate Judge

MEMORANDUM

TO: Urban Services Committee

FROM: Mary Steckel, Public Works Director 

DATE: April 19, 2013

SUBJECT: Municipal Code Changes for Weight Restrictions on City Streets

ISSUE

The Corvallis Municipal Code (CMC) restricts vehicle weights on certain City streets, with the result of limiting navigation options for construction traffic that are safest for the community.

DISCUSSION

Vehicle weight limits for several arterial and collector streets were set primarily to discourage the use of Corvallis streets by regional, heavy truck traffic (i.e. vehicles traveling between the coast and Interstate 5). The intent of these restrictions is to keep those heavy vehicles primarily on highways.

While this is a good practice for traffic that is passing through the Corvallis area, it does limit the options for construction projects in the city, making it difficult to find safe routes that reduce the overall impact of heavy vehicle traffic on the community. One recent example occurred during the construction of the Tyler Townhomes on NW 29th Street. The weight restrictions on Harrison Boulevard eliminated the use of this arterial street as a haul route for that project's construction traffic. The alternative routes were 29th and 30th Streets, and Monroe Boulevard by the Oregon State University campus. These alternative routes were significantly more congested and presented a greater potential for conflicts with transit users, pedestrians and bicyclists. The ability to issue a variance to the Harrison Boulevard weight restrictions for this particular construction project would have been in the best interest of the safe and efficient use of Corvallis streets.

Staff is recommending a change to the Municipal Code to give the City Manager or designee the authority to issue a variance to the weight restrictions, provided certain criteria are met. Those include that the proposed route would have to result in a lesser impact on the operation of the street system, area businesses, and/or local neighborhoods and not result in additional public safety concerns. The City Manager or designee would have the ability to impose conditions on the permit, including limiting the hours of use for a particular route.

While reviewing the Weight Restriction code language, staff identified two other minor changes. One is to include transit buses in the vehicles that are allowed to use any City street. The other is to change the current 36,000 pound weight limit on the Morris Avenue bridge to 10,000 pounds to align with a new assignment for that bridge by the Oregon Department of Transportation.

REQUESTED ACTION

Staff requests that the Urban Services Committee recommend that the City Council approve the suggested changes to Municipal Code Section 6.10.030.020 Weight Restrictions.

Reviewed and concur:


James A. Patterson, City Manager


City Attorney

Attachment: Proposed ordinance changes

ORDINANCE 2013-____

AN ORDINANCE RELATING TO WEIGHT RESTRICTIONS ON CITY STREETS AMENDING CORVALLIS MUNICIPAL CODE CHAPTER 6.10, "GENERAL TRAFFIC CODE," AS AMENDED.

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. Municipal Code Chapter 6.10 is hereby amended as follows:

Section 6.10.060.020 Weight restrictions.

1) No person shall operate a vehicle or combination of vehicles, other than a school bus or transit bus, **having a loaded weight as defined in** ORS 801.195 and 801.330 of 12,000 pounds or more upon:

a) NW 13th, 14th, 17th or Garryanna Streets lying north of NW Circle Boulevard and south of Timberhill Southeast Addition.

b) Harrison Boulevard between Ninth Street and the westerly City limit line of Corvallis.

c) NW Circle Boulevard between NW Witham Hill Drive and NW Lantana Drive.

d) NW Walnut Boulevard between NW 9th Street and the westerly City limit line of Corvallis.

1) It shall be a defense to any complaint alleging violation of this provision that the purpose of such operation was to serve premises fronting upon an above-restricted street or to serve premises on a street within the City limits for which there is no other access than via one of the above-restricted streets, with the exception of Harrison Boulevard, for which the only defense shall be to serve premises on Harrison Boulevard, or to serve premises on a street in the vicinity of 35th or 36th Streets, wherein it is necessary to traverse the one block of Harrison Boulevard between 35th and 36th Streets.

2) No person shall operate a vehicle or combination of vehicles having a loaded weight as defined in ORS 801.195 and 801.330 of 8,000 pounds or more upon Avery Lane between 15th Street and Avery Avenue and upon Avery Avenue from Avery Lane to US Highway 99W (S Third Street).

a) It shall be a defense to any complaint alleging violation of this provision that the purpose of such operation was to serve premises fronting upon an above-restricted street or to serve premises on a street within the City limits for which there is no other access than via one of the above-restricted streets.

3) No person shall operate a vehicle or combination of vehicles having a loaded weight as defined in ORS 801.195 and 801.330 of 6,000 pounds or more upon Bridgeway Avenue Bridge crossing the Mill Race.

4) No person shall operate a vehicle or combination of vehicles having a loaded weight as defined in ORS 801.195 and 801.330 of ~~36,000~~ **10,000 pounds or more upon Morris Avenue** Bridge crossing Oak Creek.

5) Construction activity variance:

a) A variance to this section is permissible for vehicles used in utility or street repair or maintenance activities.

b) The City Manager or designee may issue a permit authorizing travel routes otherwise prohibited by this Section for construction vehicles, provided the City Manager or

designee determines that:

1] The proposed route results in a lesser impact on the operation of the street system, area businesses, and/or local neighborhoods; and

2] The proposed route will not result in additional public safety concerns.

c) The City Manager or designee may impose any reasonable conditions on the permit, including limiting the hours of use for a particular route.

(Ord. 2013- § , 2013; Ord. 92-16, § 1 (part.), 1992; Ord. 88-31 § 1, 1988)

PASSED by the City Council this _____ day of _____, 2013.

APPROVED by the Mayor this _____ day of _____, 2013.

EFFECTIVE this _____ day of _____, 2013.

Mayor

ATTEST:

City Recorder

**ADMINISTRATIVE SERVICES COMMITTEE
MINUTES
May 8, 2013**

Present

Councilor Joel Hirsch, Chair
Councilor Hal Brauner
Councilor Biff Traber

Staff

Jim Patterson, City Manager
Mary Steckel, Public Works Director
Kris De Jong, Public Works Admin Division Manager
Adam Steele, Franchise Utility Specialist
Carla Holzworth, City Manager's Office

Visitors

Gary Blake, Republic Services
Julie Jackson, Republic Services

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Republic Services Annual Report	*		
II. Republic Services Franchise Agreement Extension			Extend Republic Services' Franchise Agreement as recommended by staff, by means of an ordinance to be read by the City Attorney.
III. Other Business			

Chair Hirsch called the meeting to order at 3:35 pm.

CONTENT OF DISCUSSION

I. Republic Services Annual Report

Mr. Steele reviewed the staff report.

In response to Councilor Traber's inquiry about the drop in customers receiving industrial services, Mr. Blake noted the high number in 2011 was an anomaly and it was tied to construction work, primarily at Oregon State University. Ms. Jackson added that the term industrial describes the type of container used (very large) rather than the type of business receiving the service.

In response to Councilor Traber's inquiry about the lack of growth in restaurants signing up for food waste collection, Ms. Jackson said initially the service was free, but now there is a charge. Republic recently sent a few hundred surveys to food-related businesses seeking their input about ways to make the program better. About 40 responses have been received thus far and Republic is hoping more will be returned. Mr. Blake said other communities are experiencing the same phenomenon with regard to participation in food waste collection.

In response to Chair Hirsch's inquiry, Mr. Blake said when Republic explored switching its fleet to compressed natural gas (CNG), other alternatives such as biodiesel were also considered. Mr. Blake said CNG has substantial advantages. It is better for the environment, the fuel source is produced domestically, the cost is more stable, and the trucks are quieter. He noted that each Republic truck switched to CNG equates to reduced emissions from about 325 vehicles.

In response to Councilor Brauner's inquiry, Mr. Blake said Republic is designing its CNG infrastructure to accommodate future partners, which could include the City's buses if desired. Construction is expected in August, with half of Republic's fleet being converted this year. Remaining vehicles will be converted over the next few years.

The report is for information only.

II. Republic Services Franchise Agreement Extension

Mr. Steele reviewed the staff report, noting Republic has requested a five-year extension of their current solid waste franchise agreement.

In response to Chair Hirsch's inquiry, Mr. Steele confirmed that as proposed, Republic could raise rates up to four percent annually without the consent of Council as long as it is justified by the Refuse Rate Index (RRI).

Councilor Traber said tying increases to an index makes sense, but he expressed concern about automatic rate increases without Council or staff review.

Mr. Steele cited an example in the meeting packet that shows the worst case scenario that would get to a four percent increase. He also distributed copies of a chart that compares the rate increase history with the Consumer Price Index (CPI) (Attachment 1). The chart shows that if the CPI would have been used since 1999, rates would have actually been lower.

Councilor Brauner said he favors tying automatic rate changes to good indexes and he believes what is being proposed is reasonable.

Councilor Traber observed Republic is a third party vendor who is responsible for managing rates based on an index and that is reasonable. He noted the City does not tie its utility rates to an index, with the exception of the transit fee. Councilor Traber said there is no provision to revisit the automatic rate increase up to four percent during term of agreement. Ms. De Jong noted if Republic proposes to increase rates more than four percent, it triggers a review by staff and Council.

Councilor Brauner said if there is a change in required service levels, the City has the ability to revisit the agreement. He said he feels there are enough protections in the proposed agreement and in the extreme, the City could always cancel.

In response to Councilor Traber's inquiry, Mr. Steele clarified there would be no increase in 2013. The next possible rate adjustment could occur in 2014.

Ms. De Jong noted Republic will be making a significant investment in CNG over the next six months. Mr. Steele said delays in filling vacant positions or delays in equipment deliveries can impact net income in a given fiscal year. For example, if a new truck is expected in December 2012, but it arrives in January, the expense would be reflected in 2013 and 2012 income would be higher than it otherwise would have been.

Councilor Brauner noted that Republic will still be required to provide an annual report to the Council.

Mr. Patterson thanked Mr. Steele and Ms. De Jong for their thorough review and their efforts to protect the City's interests. He added that Republic's willingness to make a significant investment in Corvallis is beneficial to the community.

In response to Chair Hirsch's inquiry about increasing rates at their disposal sites, Mr. Steele said Republic is vertically integrated in the Willamette Valley, but he does not anticipate the company would game the rates at disposal sites. Corvallis and other communities who use Republic Services would look elsewhere for disposal needs.

In response to Chair Hirsch's inquiries, Mr. Blake said the name change from Allied Waste to Republic Services relates to a 2008 merger. Republic is catching up on its re-branding. Mr. Blake said Republic's largest competitor is Waste Management.

Chair Hirsch said he appreciates that Republic has been a community partner. In response to Chair Hirsch's inquiry, Mr. Blake said earnings from all of Republic's small hauling companies are consolidated at corporate. There are three regional offices across the United States whose primary purpose is to house functional experts that identify best practices and assist the small hauling companies in their region with implementation. Expenses associated with that function are direct charged out to the hauling companies at cost. Mr. Blake said the services provided by the regional offices have proven to be beneficial for improving safety and efficiency. In response to Chair Hirsch's inquiry, Mr. Blake said the expense is tracked in the company's annual report.

Chair Hirsch wondered whether it would be appropriate as part of the agreement to require Republic to contribute to local non profits. Mr. Blake said Republic is already

active in the community, providing both cash contributions and donation of services to charities and events, and they support the same causes year after year. The company has established a budget for those contributions and if they are having a difficult year, they may have to cut back, but conversely they may contribute more in good years.

The Committee unanimously recommends Council adopt an ordinance extending Republic Services' Franchise Agreement as recommended by staff.

Ms. Jackson distributed additional materials of interest (Attachments 2-4).

[An updated copy of the Ordinance was provided by staff after the meeting (Attachment 5.)]

III. Other Business

The next Administrative Services Committee meeting is scheduled for 3:30 pm, Wednesday, May 22, 2013 in the Madison Avenue Meeting Room.

Respectfully submitted,

Joel Hirsch, Chair

MEMORANDUM

TO: Administrative Services Committee
FROM: Mary Steckel, Public Works Director *MS*
DATE: March 22, 2013
SUBJECT: 2012 Republic Services of Corvallis Annual Report

ISSUE

The solid waste franchise agreement between the City of Corvallis and Republic Services of Corvallis (Republic), formerly Allied Waste of Corvallis, requires that an annual report be submitted to the City by March 1st of each year. This Annual Report (Attachment A) is a summary of the company's operations for the year ending December 31, 2012.

BACKGROUND

The 10-year franchise agreement with Republic gives the company exclusive rights to collect and transport solid waste within the city limits and to earn a reasonable rate of return. The agreement requires specific services, including garbage collection, curbside recycling, public education on recycling or reuse issues, and special collection events. Republic pays the City a franchise fee equal to 5% of the company's annual cash receipts for customers within the city limits.

DISCUSSION

Report Review

Public Works reviewed the Annual Report to ensure that it contains all of the information required by the franchise agreement. In addition, the Finance Department performed an unaudited evaluation (Attachment B) of the financial information presented in the report.

In 2012, Republic's cost of operations decreased \$185,000 compared to 2011. This is attributed mainly to a reduced number of major fleet repairs such as truck engines and transmissions. A change in management structure and vacant positions resulted in a decrease of over \$200,000 in Salaries, General, and Administrative (SG&A) expenses. With these lowered expenses, Republic was able to derive a 7.9% net income as a percent of sales (NIPS) for 2012. This compares to 5.6% for 2011.

In 2012, Republic approached the City and requested a rate increase of 9%. Staff could not support an increase of 9%, but supported a 6% increase based on increased diesel fuel prices since the last rate increase in 2009. From the financial projections Republic provided (Attachment C) during the 2012 rate increase review, the 6% rate increase would result in an NIPS of 4.9% for 2012. Republic's actual 2012 NIPS of 7.9% represents an increase of over 60% compared to their projection. For the last 12 years, Republic's average NIPS is 7.8%.

Net Income as a Percentage of Sales

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Ave.
8.7%	8.3%	9.6%	6.9%	7.1%	8.4%	8.3%	8.5%	7.4%	6.5%	8.3%	5.6%	7.9%	7.8%

The projection vs. actual situation is difficult for staff to reconcile after a rate increase has occurred. Even though Republic's actual NIPS for 2012 is within historical ranges, staff is concerned about the lack of accuracy in Republic's projections. This, along with other reasons, has prompted staff to work with Republic to develop a different process for rate increases. The new proposed system that will be taken to the City Council involves an automatic increase based on the Consumer Price Index (CPI) and price increases at solid waste disposal sites. A similar process has been adopted by the City of Albany and is being considered by Benton County.

Recycling Highlights

The State has established waste recovery goals for each watershed. For Benton County, the goal is 50%. The most recent recycling rate for Benton County reported by the Oregon Department of Environmental Quality (DEQ) is 44.3% for 2011, a 1.2% decrease compared to 2010. This number includes the recycling reported by Republic along with data from other recyclers (i.e., scrap metal and bottle deposits) and various disposal sites. The official calculation for 2012 will be available from the DEQ in late Fall 2013 or early 2014.

Detailed recycling reporting on pages 18-23 of the annual report provides baseline information by material type to help guide future program enhancements or changes.

Plastic Film

The addition of plastic film to the recycling depot in 2008 has provided residents of Corvallis another place to recycle plastic grocery bags in addition to all other forms of plastic film such as bread bags and shrink wrap. In 2012, 34 tons (68,000 lbs) of plastic film was collected at the recycling depot, the most since the program was started. That's equivalent to over six million plastic grocery bags. Since 2008, a total of 96.52 tons has been collected, or 17.5 million plastic grocery bags.

Yard Debris and Food Waste

In June 2010, Republic enhanced the vegetative food waste program to allow all food waste, including proteins (meat, eggs, dairy), resulting in full organics collection. Residential tonnage from organics collection rose again in 2012 to 9,009 tons, a 4.8 increase compared to 2011. Food waste collection from commercial locations such as restaurants was flat in 2012 with 359 tons collected, a 1% decrease compared to 2011. Staff, Republic, Benton County, and OSU have met several times to brainstorm ways to increase the local recovery rates and increasing commercial food waste collection was identified as an accessible opportunity. Republic has done the following outreach and activities to increase participation in commercial food waste recovery:

2010

- Letters went to 50 commercial food waste generators who would be likely participants.
- Follow-up calls were made to the generators.

2011

- Valley Catering, Coffee Culture & some restaurants in the Memorial Union joined the program.
- Additional carts were delivered to OSU Catering to handle larger amounts of food waste.
- Food waste and compostables were collected from large events at the CH2MHill Alumni Center. Republic Services & the Corvallis Sustainability Coalition worked together to provide guidelines for collecting food scraps in the kitchen.
- Market of Choice became one of the largest providers of food waste.

2012

- Waste Audits at Benton County locations facilitated collection of food scraps from those buildings.
- Downtown waste audit in the blocks surrounding American Dream Pizza, Francescos, and Spice and Ice helped determine a need for participation.
- Continued work with the Corvallis School District making it possible for three schools to participate in the program. Republic anticipates more schools coming on in the Fall of 2013.

2013

- Survey postcards will go to all restaurants and grocery stores in April.
- Republic's Recycling Coordinator will follow-up with survey respondents in summer 2013.

Spring Recycling Event

Participation in the Spring Recycling Event has decreased in the last few years and the trend continued in 2012. Republic believes this may be due to the additional materials such as scrap metal and electronics being collected at their recycling depot and the implementation of weekly organic debris service.

Household Hazardous Waste (HHW) Events

The four 2012 HHW events saw a large 36% decrease in customer attendance resulting in 5% less material collected when compared to 2011. A breakdown of the types and amounts of materials is provided on page 23 of the Annual Report.

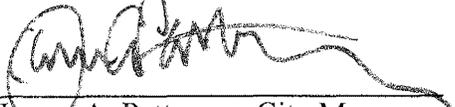
Coming in 2013

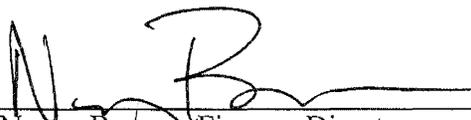
Republic wants to convert its truck fleet from diesel to compressed natural gas (CNG). CNG has many advantages over diesel such as lower cost, less emissions, and quieter engines. To convert to CNG, Republic has asked for an extension of the current franchise agreement for an additional five years to allow them to recoup planned conversion costs. Staff will be bringing a proposed extension to the City Council including new language for the rate adjustment process. Republic also plans to continue investigating the feasibility of incorporating new materials into commingled recycling.

RECOMMENDATION

No action is necessary; this report is for information only.

Reviewed and Concur:


James A. Patterson, City Manager


Nancy Brewer, Finance Director

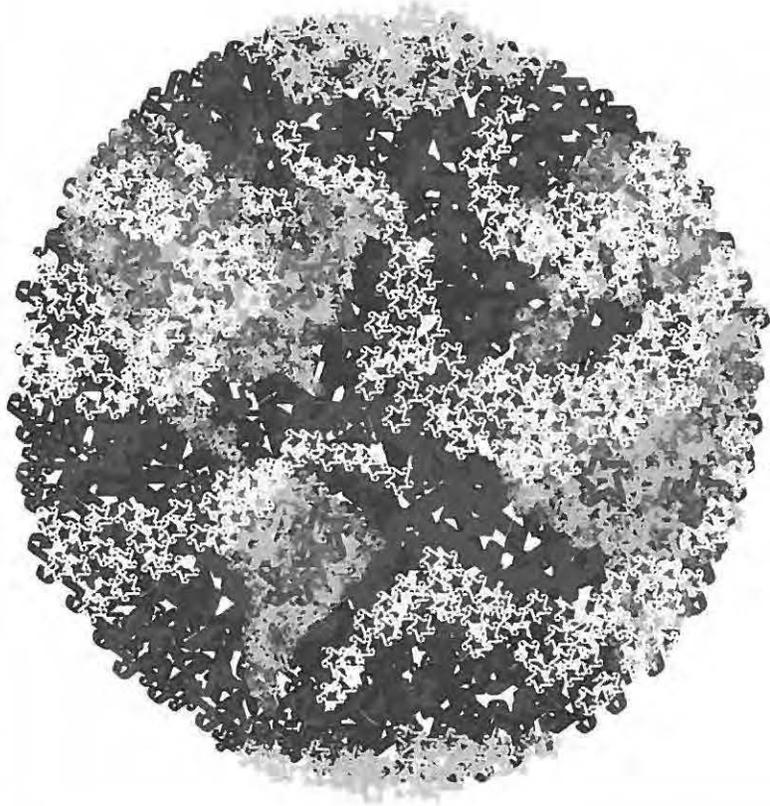
Attachments:

Attachment A - 2012 Republic Services of Corvallis Annual Report

Attachment B - Finance Review of Annual Report

Attachment C - Republic Services 2012 Rate increase submittal

2012
Annual
Report ~
Corvallis



Enclosed is the Annual Report for Republic Services of Corvallis outlining the services provided to the City of Corvallis.





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LETTER FROM MANAGEMENT

March 1, 2013

Mayor Julie Manning
Members of the
Corvallis City Council
City of Corvallis Staff



I am pleased to present the annual report for Republic Services within the City of Corvallis.

Here are a few highlights from 2012:

- In 2012 we began the transition to the Republic Services brand which will continue into 2013.
- *Collaboration Corvallis* brought to our attention the need to respond to the accumulation of discarded materials littering neighborhoods surrounding the OSU campus, particularly during student move in and move out. By empowering drivers to become our eyes and ears, we were able to identify and remove discards promptly. Over 12 tons of discards were removed from Corvallis streets as a result. We pride ourselves in being able to respond quickly with solutions in partnership with the City of Corvallis.
- 2012 marked the seventh year of coordinating the Master Recycler program. Over 120 people have completed this free program. Graduates are now "paying back" to the community by volunteering and developing programs to reduce waste.
- During 2012, we embarked on a mission to improve the customer experience by tracking various categories of inbound calls. With a better understanding of the types of requests our customers make, we can proactively provide information and solutions to our customers.
- While maintaining an excellent safety record, we continued to improve in all of our efficiency metrics in 2012. More residents were serviced for each hour worked, more commercial waste was collected for each hour worked and each drop box was hauled in less time than in 2011. Efforts to maintain and improve efficiency help us to provide quality service at a reasonable price, benefiting the citizens of Corvallis.

We are proud of our partnership with Corvallis and look forward to our continued excellence together. I appreciate your comments and suggestions as you review this report. Feel free to contact me anytime at 541-754-0445.

Best Regards,

Gary Blake
General Manager
Republic Services of Corvallis



SUMMARY OF SERVICES

FIGURE 1 – NUMBER OF CUSTOMERS RECEIVING SERVICE INDICATED

	2011	2012
Residential		
Cans	68	56
20 Gal Cart	421	383
35 Gal Cart weekly	8,103	8,143
35 Gal Cart bi-weekly	998	1,061
64 Gal Cart	1,942	1,917
90 Gal Cart	801	771
On-Call	179	172
Total Residential	12,512	12,503
Commercial	1,209	1,249
Industrial	136	82

*Residential recycling customers in city limits: 12,483

*Residential mixed organic waste customers in city limits: 11,930

*Solid Waste Disposal Site – Coffin Butte Landfill





FRANCHISE FEES & PAYMENTS

**rounded to nearest dollar for presentation*

FIGURE 3 – 2012 & 2011 RECEIPTS & FRANCHISE FEE PAYMENTS

CURRENT YEAR 2012			PRIOR YEAR 2011		
Month	Receipts	Fee Paid	Month	Receipts	Fee Paid
Jan-12	\$537,626	\$26,881	Jan-11	\$566,222	\$28,311
Feb-12	\$603,198	\$30,160	Feb-11	\$582,565	\$29,128
Mar-12	\$569,505	\$28,475	Mar-11	\$593,368	\$29,668
Apr-12	\$609,852	\$30,493	Apr-11	\$597,605	\$29,880
May-12	\$572,763	\$28,638	May-11	\$570,687	\$28,534
Jun-12	\$622,598	\$31,130	Jun-11	\$625,015	\$31,251
Jul-12	\$580,522	\$29,026	Jul-11	\$578,466	\$28,923
Aug-12	\$631,616	\$31,581	Aug-11	\$639,200	\$31,960
Sep-12	\$594,444	\$29,722	Sep-11	\$585,556	\$29,278
Oct-12	\$624,826	\$31,241	Oct-11	\$623,516	\$31,176
Nov-12	\$588,542	\$29,427	Nov-11	\$590,367	\$29,518
Dec-12	\$645,388	\$32,269	Dec-11	\$632,547	\$31,627
TOTAL	\$7,180,878	\$359,044	TOTAL	\$7,185,115	\$359,256

FIGURE 4 – 2012 & 2011 RECYCLE RECEIPTS & FRANCHISE FEE PAYMENTS

CURRENT YEAR 2012			PRIOR YEAR 2011		
Month	Receipts	Fee Paid	Month	Receipts	Fee Paid
Jan-12	\$29,892	\$1,495	Jan-11	\$36,829	\$1,841
Feb-12	\$23,381	\$1,169	Feb-11	\$36,634	\$1,832
Mar-12	\$28,208	\$1,410	Mar-11	\$42,270	\$2,113
Apr-12	\$31,610	\$1,580	Apr-11	\$45,336	\$2,267
May-12	\$29,377	\$1,469	May-11	\$41,940	\$2,097
Jun-12	\$26,450	\$1,322	Jun-11	\$45,283	\$2,264
Jul-12	\$22,769	\$1,138	Jul-11	\$39,705	\$1,985
Aug-12	\$15,034	\$752	Aug-11	\$46,177	\$2,309
Sep-12	\$10,109	\$505	Sep-11	\$42,162	\$2,108
Oct-12	\$33,639	\$1,682	Oct-11	\$44,107	\$2,205
Nov-12	\$30,506	\$1,525	Nov-11	\$31,290	\$1,565
Dec-12	\$22,906	\$1,145	Dec-11	\$31,237	\$1,562
TOTAL	\$303,880	\$15,194	TOTAL	\$482,970	\$24,149

**reductions in commodity pricing is reflected in a decreased total for 2012*



FIGURE 5 – 2012 & 2011 MEDICAL RECEIPTS & FRANCHISE FEE PAYMENTS

CURRENT YEAR 2012			PRIOR YEAR 2011		
Month	Receipts	Fee Paid	Month	Receipts	Fee Paid
Jan-12	\$7,974	\$399	Jan-11	\$3,421	\$171
Feb-12	\$7,033	\$352	Feb-11	\$10,556	\$528
Mar-12	\$8,227	\$461	Mar-11	\$7,774	\$389
Apr-12	\$6,940	\$347	Apr-11	\$9,766	\$488
May-12	\$7,484	\$374	May-11	\$6,467	\$323
Jun-12	\$6,870	\$343	Jun-11	\$9,193	\$460
Jul-12	\$9,006	\$450	Jul-11	\$7,199	\$360
Aug-12	\$7,501	\$375	Aug-11	\$5,951	\$298
Sep-12	\$6,421	\$321	Sep-11	\$7,685	\$384
Oct-12	\$6,572	\$329	Oct-11	\$7,645	\$382
Nov-12	\$6,525	\$326	Nov-11	\$7,259	\$363
Dec-12	\$6,619	\$331	Dec-11	\$5,627	\$281
TOTAL	\$87,173	\$4,409	TOTAL	\$88,542	\$4,427

FIGURE 6 – COMPARISON OF FRANCHISE FEES PAID

Years	City of Corvallis Receipts	Franchise Fee Paid	Percent Change
1997-98	\$4,361,494	\$218,075	
1999*	\$4,502,824	\$225,144	3.2
2000	\$5,158,146	\$257,921	14.6
2001	\$5,217,607	\$260,880	1.15
2002	\$5,246,287	\$262,314	0.6
2003	\$5,271,952	\$263,598	0.5
2004*	\$5,264,319	\$263,216	-0.1
2005*	\$6,089,698	\$304,485	15.7
2006*	\$6,668,284	\$333,360	9.5
2007*	\$6,804,766	\$340,238	2.1
2008	\$6,860,594	\$343,030	0.8
2009*	\$6,910,493	\$345,523	0.7
2010	\$7,015,709	\$366,939	6.2
2011	\$7,756,627	\$387,831	5.7
2012*	\$7,571,932	\$378,597	-2.4

*Indicates rate increases 7/1999, 9/2004, 9/2005, 10/2006, 11/2007, 5/2009, & 10/2012

**Prior to 2011 fees paid on recycling receipts were not included



FINANCIAL OVERVIEW

REVENUE, EARNINGS, & EXPENSES

SUMMARY

In 2012, operations within the City of Corvallis improved margin despite having to overcome a significant fall in commodity prices. An October price increase along with cost management in key functional areas drove the improvement in financial performance. In total, operating margin improved 230 basis points to 7.9%. Though current profitability levels remain below our historic operating range, we are striving to do all we can to improve our operating efficiencies and reduce costs.

REVENUE

Revenues in 2012 declined 1.7% due to weakening commodity prices. The 6% price increase implemented in October helped offset some, but not all, of the commodity decline.

OPERATIONS EXPENSE

The total cost of operations decreased 3.3% versus 2011. Significantly improved maintenance spend and labor management accounted for the majority of the improvement.

- Labor costs decreased 6%, driven by productivity improvements in all three lines of business.
- Repairs and maintenance costs decreased 22%. The decrease is mostly a product of significant major repairs that occurred in 2011. We experienced a more typical year in 2012 with respect to engine and transmission rebuilds.
- Vehicle operating costs increased 6%. Fuel is the primary cost driver in this category. Our average fuel rate in 2012 was \$3.51 compared to \$3.40 per gallon in 2011.
- Facility expenses decreased \$6k or 3% due to consolidation of operations with the City of Dallas operations. The consolidation resulted in charging a portion of fixed overhead to Dallas operations.

COST MANAGEMENT

Productivity improvements in all three lines of business drove a 6% decrease in labor.

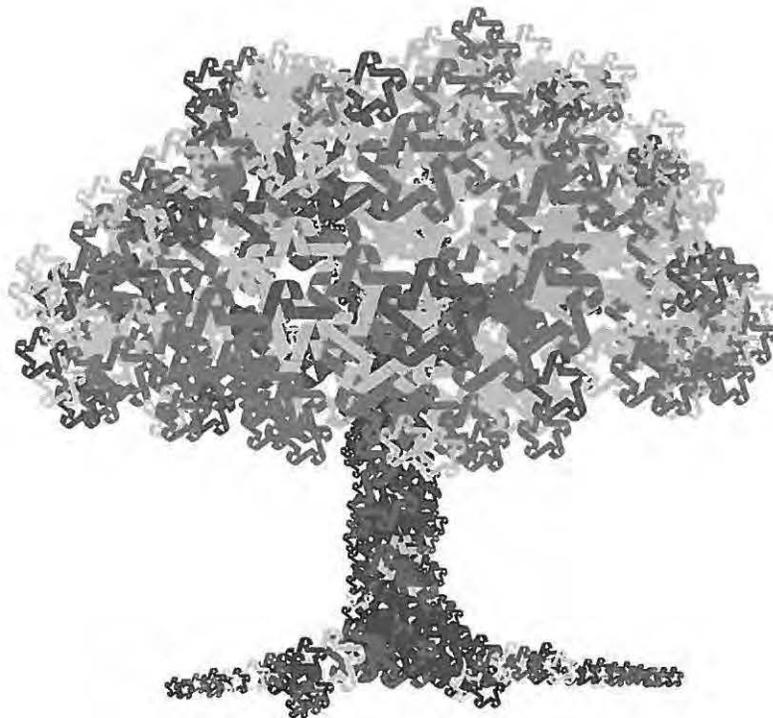
Maintenance expense decreased 22% year over year, due to the



- Safety, insurance and claims increased 20% from prior year. In 2012 we experienced an increase in number of claims, driving costs up \$50k compared to 2011. This will be an area of continued focus in 2013.
- Disposal/Recycling costs increased 2%, driven mostly by CPI adjustments at Coffin Butte.
- Franchise fees declined \$9k or 2%, consistent with the decline in revenue.
- Depreciation decreased \$23k as some collection vehicles became fully depreciated before the end of the year.

SALARIES & GENERAL ADMINISTRATIVE EXPENSE

Salaries and administrative expenses decreased 19% when compared to 2011. Much of this decrease is attributed to the absence of a General Manager for the first half of the year and the elimination of an assistant general manager position. Rent and office expense also decreased as a result of sharing the administrative facility costs with the City of Dallas. Professional fees decreased due to the absence of any recruiting expenses in 2012. In 2013, with a General Manger employed for a full year, SG&A expense is expected to return to near 2011 levels.





BALANCE SHEET



FIGURE 6.1 – COMPANY TOTAL- ASSETS – AS OF DECEMBER 31, 2012

	2012	2011
ASSETS		
Current Assets		
Cash	-	-
Net Trade Receivables	904,347	773,368
Other Receivables	637	2,500
Prepaid Expenses	52,565	59,091
Inventories	70,856	46,703
Deposits	-	-
Total Current Assets	1,028,405	881,662
Property & Equipment		
Buildings & Improvements	-	-
Vehicles & Equipment	5,447,111	3,937,497
Containers & Compactors	2,129,668	1,467,432
Furniture & Fixtures	41,871	36,087
Computer Equipment	34,823	34,733
Accumulated Depreciation	(3,672,974)	(2,096,497)
Total Property & Equipment	3,980,499	3,553,521
Goodwill		
Total Assets	5,008,904	4,260,915



FIGURE 6.2 – COMPANY TOTAL – LIABILITIES & EQUITY – AS OF DECEMBER 31, 2012

	2012	2011
LIABILITIES & EQUITY		
Current Liabilities		
Accounts Payable	161,700	111,642
Accrued Liabilities	185,091	207,359
Unearned/Deferred Revenue	-	-
Total Liabilities	346,791	319,002
Stockholder's Equity		
Intercompany Accounts ¹	(1,177,403)	(2,771,681)
Common Stock	-	-
Additional Paid-in Capital	-	-
Retained Earnings (Beginning)	3,941,914	5,007,548
Current Year Earnings	1,897,603	1,706,047
Other Inc. (Dec) - R/E	-	-
Total Stockholder's Equity	4,662,113	3,941,914
Total Liabilities & Equity	5,008,904	4,260,915





INCOME STATEMENT

FIGURE 7 – OPERATIONS RELATED TO THE CITY OF CORVALLIS – YEAR ENDING DECEMBER 31, 2012

	2012	2011
Revenue	\$7,377,812	\$7,501,760
Cost of Operations	\$5,458,652	\$5,644,205
Gross Profit	\$1,919,160	\$1,857,555
Salaries, General and Administrative	\$942,268	\$1,161,031
Operating Income	\$ 976,891	\$ 696,524
Provision for Income Taxes	\$ 390,757	\$ 278,610
Net Income	\$ 586,135	\$ 417,914
Net Income as a Percent of Sales	7.9%	5.6%





FIGURE 8 – SCHEDULE OF DIRECT EXPENSES

	2012	2011
COST OF OPERATIONS		
<i>Labor</i>	1,611,637	1,717,246
<i>Repairs and Maintenance</i>	441,402	568,365
<i>Vehicle Operating Costs</i>	567,269	536,639
<i>Equipment Rent</i>	-	-
<i>Facility Operating</i>	189,988	195,755
<i>Safety, Insurance and Claims</i>	299,409	249,082
<i>Disposal / Recycling Purchases</i>	1,378,614	1,349,361
<i>Franchise Fees</i>	374,238	383,790
<i>Other Operating Costs</i>	96,607	121,503
<i>Depreciation</i>	499,487	522,464
TOTAL COST OF OPERATIONS	\$ 5,458,652	\$ 5,644,205
SALARIES, GENERAL & ADMINISTRATIVE		
<i>Salaries</i>	238,550	357,840
<i>Rent and Office Expense</i>	157,690	224,730
<i>Travel and Entertainment</i>	21,882	31,248
<i>Professional Fees</i>	46,177	74,989
<i>Bad Debt Expense</i>	47,406	29,969
<i>Management Services</i>	276,292	272,064
<i>Other Expenses</i>	154,270	170,192
<i>Depreciation</i>	-	-
TOTAL SALARIES, GENERAL & ADMINISTRATIVE	\$942,268	\$ 1,161,032

**Does not include franchise fees paid from Bio-Med of Oregon. This will be the difference from the franchise fee summary table on page 6.*





STATEMENT OF CHANGES IN FINANCIAL POSITION

FIGURE 9 – COMPANY TOTAL – STATEMENT OF CASH FLOWS – YEAR ENDING DEC. 31, 2012

Cash provided from (used for) Operations:

Net Income		1,897,603
Non-cash operating expenses:		
Depreciation & Amortization	944,430	
Allowance for doubtful accounts	85,427	
Add: Total non-cash operating expenses		1,029,857
Change in operating Assets & Liabilities		
Accounts Receivable	130,978	
Other Receivable	(1,863)	
Prepaid Expenses	(6,526)	
Inventories	24,153	
Payables	(50,057)	
Accrued Liabilities	22,268	
Deferred Revenue	-	
Add: Total change in operating assets & liabilities		118,953
Cash provided by net operating activities		3,046,413

Cash provided from (used for) Investing Activities:

Fixed Assets		(283,140)
Goodwill		-
Intercompany Obligations		(2,763,273)
Cash provided from (used for) investing activities		(3,046,413)

Cash provided by (used for) Financing Activities:

(Prior period adjustment associated with Republic purchase of Allied Waste)

Increase (Decrease) in cash

* The Cash Flow Statement represents Cash Flows from all operations of Republic Services of Corvallis, not just the City of Corvallis



2012 TRENDS

OPERATIONS

The operations team focused on several areas in 2012:

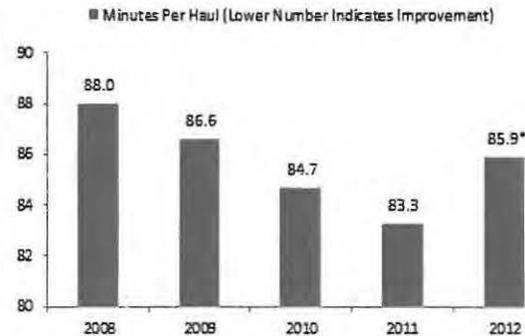
- Safety is always the top priority for Republic Services. Employees receive more than 13 hours of formal training each year, including a monthly tail-gate meeting focusing on one of the Focus 6 safety priorities. Supervisors conduct regular route audits to observe drivers on the job. All employees from the top down are reminded of the need to put safety first.



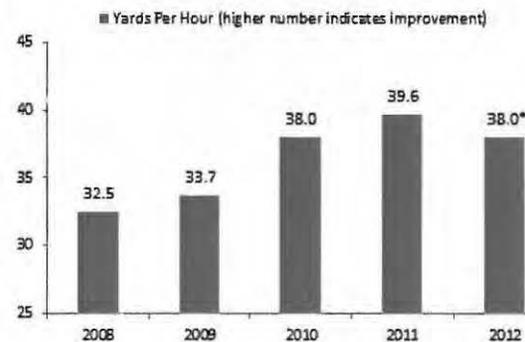
- Efficiency Improvement – Republic Services is dedicated to providing the most efficient service possible, always keeping safety, customer service and collection costs in mind for the communities we serve. In 2012, more customer carts were picked up, more yards per hour were collected and drop boxes were hauled in fewer minutes than in 2011.

OPERATIONAL EFFICIENCY PERFORMANCE

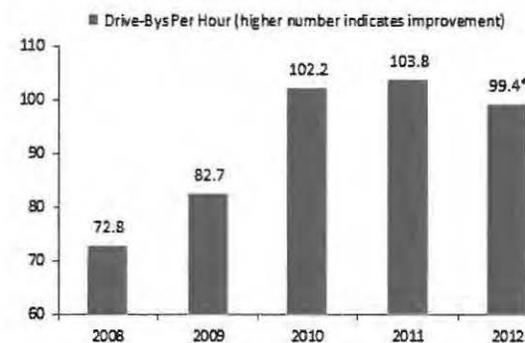
Industrial Minutes / Haul



Commercial Yards / Hour



Residential Drive-Bys / Hour



* Customers and routes from AW of Dallas were merged with Corval operations in 2012 driving productivity numbers down but actually increasing operations efficiencies



- **Facility** – We maintained the knowledgeable and courteous staff at the recycle center located on the back of our lot. It is open from 7 a.m. to 7 p.m. daily. Staff is available to assist residents with bulky items and insure an uncontaminated recycle stream. Customers appreciate the many materials that can be dropped off at the center, including the addition of holiday light strings in 2011 & 2012. A 2013 Calendar of events is displayed on the informational kiosk at the recycle center.
- **Fleet Maintenance** – We continue to employ earth friendly tactics to reduce our impact on the environment. Utilizing biodegradable hydraulic fluids to eliminate pollution from roads to waterways, installing automatic five-minute idle shut off mechanisms and diesel oxidation catalysts to reduce particulates are a few of the ways we work to reduce pollutants.

CUSTOMER SERVICE

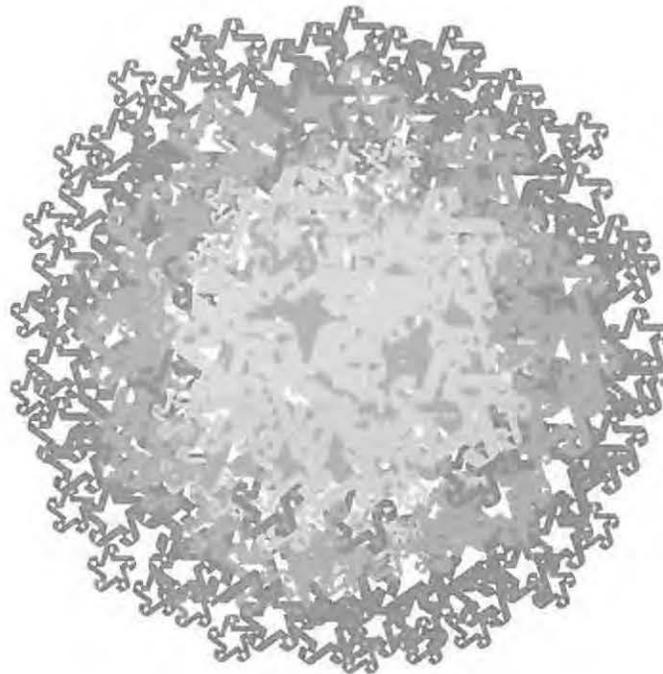


We pride ourselves on being able to help each and every customer in a convenient and helpful way. Customers are able to contact us in a variety of ways designed to accommodate their needs. Each phone call is answered by a live and local customer service representative. Emails are also answered by local CSR's and additional information is available through our website. Payment options are available by phone and online 24/7. The option to receive paperless invoices is now available which is appreciated by our local customers. On a monthly basis, Customer Service Representatives are "secret shopped" over the phone via recorded conversations that ensure service quality and tone remains at the highest standards. They are graded on approximately 30 different criteria and are trained to provide the best customer service possible. Our local CSR's had an average score of 98% during 2012 and were ranked sixth out of the 100 Republic Services call centers nationwide. In addition, Republic customers are randomly surveyed over the phone or by email.



FOCUS FOR 2013

- Safety is and will always be a top priority for us. We dedicate many hours for each employee to receive formal safety training including defensive driver training, monthly focus on preventing the top 6 most frequent accidents and supervisor observations with each driver multiple times per year to assess and coach safety improvements.
- Route efficiency improvement challenges us to identify routes that have become less efficient and through re-routing we are able to improve productivity. This ongoing scrutiny ensures that we are operating in the most efficient manner possible, ensuring our operating costs are as low as possible.
- Improving the customer experience will be a large area of focus for us in 2013. By analyzing the reasons for customer calls, we've been able to identify some trends that will allow us to proactively provide the best customer service possible.
- We will continue to work with the City of Corvallis and Benton County to evaluate opportunities to improve our watershed's recovery rate and achieve the goal of 50% and beyond.
- Continued promotion of organic waste composting and related customer education remains a focus item for 2013.





CAPITAL EXPENDITURES AND INVESTMENT IN CORVALLIS

FIGURE 10 – CAP-EX – 2012 ACTUAL & 2013 BUDGETED

2012 Capital Items and Descriptions	Cost
Industrial Drop Boxes & Commercial Containers	\$116,500
MSW, Recycling, & Yard Debris Carts	\$75,500
Truck Scales for DOT Compliance	\$33,500
Container Trailer	\$15,000
Shop Equipment	\$11,000
Recycle Glass Bins	\$7,000
Leaf Collection 'Clam Shell' attachment for loader	\$4,500
Driver Communication Radios	\$2,500

2013 Budgeted Capital Items and Descriptions	Cost
Collection Trucks <i>Industrial Roll-off, Commercial Front Load, & Residential Side Load</i>	\$4,172,224
Industrial Drop Boxes & Commercial Containers	\$85,325
MSW, Recycling, & Yard Debris Carts	\$79,364
Network Telephone Equipment	\$74,260
On Site CNG Filling Facility and Infrastructure	TBD





RECYCLING

FIGURE 11 – TONS RECYCLED BY COMMODITY TYPE

COMMODITY	Total 2011	2012 Curbside	2012 Depot/ Commercial	Total 2012	Change (%)
Wood Waste	756	-	435	435	-42
Yard Debris (including leaves)	11,291	9,009	2,453	11,462	2
Cedar Shavings	163	-	179	179	10
Cardboard	3,207	-	3,370	3,370	5
Office Paper ¹	185	-	60	60	-68
Newspaper	-	-	-	-	-
Commingled ²	6,692	5,320	1,898	7,218	8
Electronics	149	-	126	126	-15
Food Waste ³	362	-	359	359	-1
Plastic Film	29	-	34	34	18
Container Glass	1,160	575	527	1,102	-5
Scrap Metal	289	-	255	255	-12
Motor Oil (truck fuels)	11	-	31	31	182
Batteries ⁴	17	-	9	9	-47
Concrete	603	-	99	99	-84
Construction & Demolition (C&D)	514	-	292	292	-43
Total Recycle Tons	25,429	14,904	9,905	25,031	-1.6%
Total Landfill Tons	46,467			39,759	-14.4%
TOTAL WASTE	71,895			64,790	-9.9%

1. The ease of commingling office paper in commercial settings amounts to a reduction in office-paper only collection.
2. Presentations by Recycling Coordinator, Emily Phillips, increasing awareness in the community.
3. Anticipate growth in 2013 commercial food waste as Philomath and other jurisdictions make this service available.
4. Additional drop-off locations for household battery recycling contribute to a lower total this year.





FIGURE 12 – RESIDENTIAL CURBSIDE MSW & RECYCLE TONS BY MONTH

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Woodwaste (WW)													
Cedar Shavings (CS)													
Municipal Solid Waste (MSW)	1,484	1,455	1,070	1,089	1,030	887	1,114	1,099	1,016	1,151	1,173	1,059	13,626
Leaves	183									80	1,630	560	2,453
Yard Debris (YD)	428	391	441	1,042	1,365	982	883	618	539	640	780	473	8,582
Food Waste (FW)													
Cardboard (CB)													
Office Paper (OP)													
Newsprint (NP)													
Comingle (CO)	548	404	429	436	353	417	488	479	459	527	524	504	5,568
Glass (GL)	55	56	42	43	53	38	40	55	44	42	48	54	569
Metal													
e-Waste													
Motor Oil (MO)	5.97	6.0	5.0			1.17	2.39	0.48	0.8	3.0	2.0	3.0	31.1
Household Hazardous Waste (HHW)													
Batteries (Batt)													
Concrete													
Paint													
Plastic Film (PF)													
Total - All Tons	2,703	2,311	1,987	2,611	2,802	2,325	2,528	2,251	2,058	2,443	4,157	2,654	30,829

Disposal Sites

- GL = glass Coffin Butte Landfill (roadbase)
- Metal Cherry City / Metro Metals
- MSW = municipal solid waste Coffin Butte Landfill
- CB = cardboard Source Recycling
- OP = office paper Source Recycling
- NP = newsprint Source Recycling
- CO = commingle Source Recycling
- e-Waste ECS, Reganysis
- Paint Habitat ReStore
- PF= PlasticFilm SP Recycling
- CS = cedar shavings Heeter Farm
- MO = motor oil Safety Kleen
- Concrete Knife River
- WW = wood waste PRC
- FW = food waste PRC
- YD = yard debris PRC
- HHW = Household hazardous waste PCS





FIGURE 13 – RECYCLE DEPOT TONS BY MONTH

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Woodwaste (WW)													
Cedar Shavings (CS)													
Municipal Solid Waste (MSW)													
Yard Debris (YD)				59									59
Food Waste (FW)													
Cardboard (CB)	21	26	12	12	14	14	18	18	20	28	10	21	214
Office Paper (OP)													
Newsprint (NP)													
Comingle (CO)	19	16	28	28	18	33	38	31	36	35	28	34	344
Glass (GL)	44	43	44	42	45	49	58	52	47	58	26	24	532
Metal	19	7	10	29	24	29	16	23	16	67	14	-	255
e-Waste	10	10	10	19	11	8	13	5	7	11	9	12	125
Motor Oil (MO)													
Household Hazardous Waste (HHW)	-	11			17			32			32		92
Batteries (Batt)					4						5		9
Concrete													
Paint													
Plastic Film (PF)	3	3	2	3	4	1	5		5		4	5	34
Construction & Demo													
Total - All Tons	116	16	106	192	137	134	148	160	140	198	128	96	1,671

*Commercial Glass is mixed with Depot Glass – All volume is on the depot chart

FIGURE 14 – COMMERCIAL RECYCLE TONS BY MONTH

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Woodwaste (WW)	52	58	47	51	53	32	23	55	13	13	18	22	435
Cedar Shavings (CS)	5	5	7	7	9	6	10	12	6	35	49	28	179
Yard Debris (YD)	50	43	44	32	28	20	38	29	11	40	13	10	368
Municipal Solid Waste (MSW)	2,016	1,875	2,115	2,591	2,403	2,338	2,346	2,282	1,920	2,245	2,121	1,882	26,134
Food Waste (FW)	28	25	41	33	33	30	23	32	24	28	39	23	359
Cardboard (CB)	284	262	282	287	256	212	242	233	225	283	314	277	3,158
Office Paper (OP)	8	6		7	7		7	5	6	6	8		60
Newsprint (NP)													
Comingle (CO)	77	105	106	95	82	106	100	104	109	132	156	134	1,306
Glass (GL)													
Metal													
e-Waste													
Motor Oil (MO)													
Household Hazardous Waste (HHW)													
Batteries (Batt)													
Concrete		11		3	25	5				16	10	29	99
Paint													
Plastic Film (PF)													
Construction & Demo	21	30	18	37	58	37	33	28	-	-	16	13	291
Total - All Tons	2,541	2,420	2,661	3,143	2,954	2,786	2,822	2,780	2,314	2,798	2,644	2,418	32,281



ANNUAL EVENTS SPRING RECYCLE EVENT



Totals below reflect yard debris, wood waste, and scrap metal at the 2012 Spring Recycle Event. Nearly 99% of the inbound volume was recycled or collected for reuse. Habitat for Humanity was on site during the Spring Recycle Event to collect usable household furnishings and building materials. This event is promoted in customer newsletters, on billing statements, on the Republic Services web site and in the Gazette Times.

FIGURE 15 – SPRING RECYCLE EVENT CUSTOMER NUMBERS

Locations	2011 Customer Count	2012 Customer Count	% Change
CDC South Lot	864	862	6%
CDC North Lot	400	N/A	-100%
Total	1,264	862	-30%

Material Collected	2011 Tons	2012 Tons	% Change
Metal	35	16	-55%
Yard Debris/ Wood	139	59	-42%
Electronics	N/A*	N/A	N/A
Total	174	75	-46%

Implementation of the Oregon e-Cycles program in 2009 has decreased the electronic waste collected at events. Electronic waste is collected seven days a week at the Waste Recycle Depot, making it more convenient for area residents to recycle these materials throughout the year. For this reason we no longer track e-waste at events.



COMPOST WORKSHOPS

Republic Services held two Compost Workshops in 2012. The first workshop took place in May and the second in September. Both workshops were held at the Saturday Farmers Market. Many stopped by to ask compost questions at both Compost Workshops, where approximately 250 people were served. People came to learn about and discuss composting as well as the residential mixed organics program. Informational handouts regarding the do's and don'ts of residential mixed organics program were distributed at the booth. Both events were staffed by Republic Services and Linda Brewer, OSU Extension Service Compost Specialist.



LEAF AND CHRISTMAS TREE COLLECTION

Leaves were collected October through December. 2,453 tons of leaves and were collected and delivered to area residents and farms upon request for composting. Christmas trees were picked up curbside and at a drop off box at the Republic Services office and were processed at Pacific Region Compost.

Household Hazardous Waste Collection

We held four collection events in 2012. We promote these events in our customer newsletters, on billing statements, on our web site and in the Gazette Times. We've coordinated our quarterly newsletters to reach the customers just prior to these events in an attempt to better publicize them and encourage greater participation.

FIGURE 16 – HHW CUSTOMER COUNT

Yr.	Feb.	May	Aug.	Nov.	TOT.	YOY Change
2009	567	527	862	676	2,632	
2010	1116	886	924	701	3,627	37.8%
2011	515	822	1049	1033	3,419	-5.7%
2012	202	576	673	737	2,188	-36.0%

The table to the left shows the number of customers served at our household hazardous waste disposal events this year as compared to the previous three years.



FIGURE 17 – HHW MATERIAL TOTAL

Hazardous Material	2011	2012
Latex Paint	33	29
Paint	21	23
Flammable Liquids	8	7
Toxic Liquids	7	8
Toxic Solids	3	3
Corrosive Liquids	1	1
Caustic Liquids	2	2
Oxidizing Liquids	0.52	0.03
Oxidizing Solids	0.75	0.09
Hypochlorite Solutions	0.69	0.75
Aerosols, Flammable	2	2
Insecticide Gases	1	1
Compressed Gas	0.52	0.46
Batteries, Wet	0	0
Batteries, Dry	15	15
Lithium Batteries	0.04	0.15
Flammable Solids	0.02	0.02
Water Reactive Solids	0.002	0.004
Self-Heating Solids	0.02	0.02
Mercury	0.02	0.10
Organic Peroxide	0.010	0.002
Hydrogen Peroxide	0.000	0.106
Light Ballasts	0.72	0.51
Asbestos	0	0
Nitric Acid	0.000	0.004
Perchloric Acid	0	0
Potassium Cyanide	1	0
TOTAL TONS	97.18	92.21



SUMMARY OF RESEARCH RELATED TO RESOURCE RECOVERY SYSTEMS



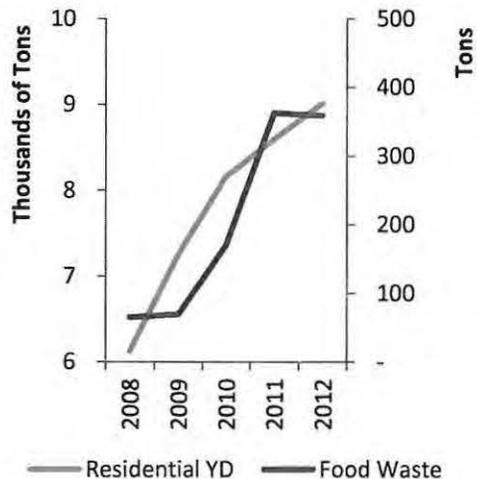
In April 2010, our composting operation, Pacific Region Compost (PRC), received Oregon’s first permit to compost type 3 feed stock including all food waste.

This facility enabled The City of Corvallis to become the first municipality in Oregon to allow commercial and residential customers to add all food wastes to the organic materials formerly collected as “yard waste.” We have been researching and implementing processes to create higher quality compost. We have invested in heavy machinery specifically designed for composting such as a turner and a grinder which give us a product with more consistent quality. We have tested varying ways to remove contaminants from our product, such as ‘picking stations,’ otherwise known as a ‘mobile sort line,’ which can be used for many different applications including commingle recycle and construction and demolition materials.

We appreciate the support we received from the City of Corvallis that enabled Republic Services to make this investment. The city’s commitment to be a leader in this new frontier of recycling has put Corvallis “on the map” and given it much deserved recognition as other cities follow suit.

FIGURE 18 – FOOD WASTE & YARD DEBRIS TONS

	2009	2010	2011	2012
Food Waste	69	170	362	359
YOY % Inc./Dec		146.4%	113.2%	-.09%
Residential YD	7,251	8,158	8,596	9,009
YOY % Inc./Dec		12.5%	5.4%	4.8%





EDUCATION AND COMMUNITY OUTREACH

ACTIVITIES THROUGHOUT 2012

Republic Services employs a Recycling Specialist to provide recycling and waste reduction education in area schools and the community.

SCHOOL PRESENTATIONS

14 presentations made by Republic Services

Hands-on presentations of what can and cannot be recycled at school and at home are included in our outreach to Corvallis schools. Students learn how their efforts conserve resources, reduce air and water pollution, and how waste prevention contributes to a better place to live for all of us. School presentations also include a discussion of the composting process and its importance in waste reduction efforts. Our overall goal in talking with students is to educate, empower and inspire them to be sustainability minded citizens.

School Outreach & Education
2 High Schools, 2 Middle Schools, 7
Grade Schools, & 3 Pre-Schools

SCHOOL WASTE AUDITS

6 – Our recycling specialist worked with Benton County to sort through samples of office trash and recyclables, reusable materials, food, and garbage at three county buildings. The Avery Building, Environmental & Public Health offices, and the Sunset Building were Audited. This helped staff learn the percent of the trash that could have been recycled and reused. This information was presented to County staff to aid in decision making on sustainable practices at County buildings and in the development of a “Green Office Guide.”



School Visits – 14

We frequently visit schools to monitor the quality of recycled materials and address any issues related to collection, sorting, and progress on waste reduction goals.



OREGON GREEN SCHOOL PROGRAMS (OGS)

Schools receive one of the three different levels of recognition for their waste reduction efforts through the Oregon Green Schools Program. Entry Level schools must recycle at least three materials; provide training to students and staff on how to participate in the recycling and waste reduction program; conduct a school waste audit and establish waste reduction goals; demonstrate a reduction in the purchase or consumption of a product; and demonstrate the reuse of materials at school. Our recycling specialist serves as the Oregon Green School Coordinator for our area as well as a board member for OGS.

There are seven schools in Corvallis that have been designated as an Oregon Green School, with two others working on Green School certification. Crescent Valley High School and area Master Recyclers were trained to assist Corvallis schools in their efforts to become Oregon Green Schools.

Displays

Recycling, reuse, composting, and safer alternatives to hazardous waste displays were set up at daVinci Days, Saturday Farmers Market, OSU Earth Day Fair Benton County Fair, the Corvallis Sustainability Town Hall and Kids Day for Conservation

COMMUNITY PRESENTATIONS

25 – Presentations to community groups, on the importance of recycling as well as what and how to recycle and compost in our curbside system were conducted regularly. We also offer waste audits to area businesses. Republic Services was a sponsor and participant in Kids Day for Conservation, with an attendance of over 3,000 people.





MASTER RECYCLER PROGRAM



Republic Services is in its seventh year cofacilitating the Master Recycler Program for Benton and Linn Counties. Over 120 participants have completed the eight week class and have volunteered over 1,000 hours in the community to-date.

2012 marked the sixth year of our sponsorship of the Master Recycler program. Together with OSU Campus Recycling, this course is offered free to community participants. The class provides an in-depth education on waste reduction at all levels. Master Recyclers each use the knowledge they gain to “pay forward” 30 hours of volunteer time in a wide variety of waste reduction efforts.

COMMUNITY INVOLVEMENT – CORVALLIS SUSTAINABILITY COALITION

Republic Services is an active partner of the Corvallis Sustainability Coalition, serving on task and action groups. Our recycling specialist is a member of the Waste Prevention Action Group and Food Waste Composting Committee. The goals of the coalition, as adopted by council help to shape our long-range program planning.

Republic Services and its employees have a strong commitment to supporting the community. Employees are involved with United Way of Benton County, Corvallis Rotary and Corvallis Little League. Our company this year, made contributions of cash or service to the following groups:

- | | | |
|------------------------------------|------------------------------|------------------------------------|
| City of Corvallis | Philomath Classic Car Show | Corvallis Assistance League |
| Kiwanis Club of Corvallis | Fall Festival | OSU Dept of Human Development |
| Red, White & Blues Festival | Benton Co. Sheriff's Office | United Way Day of Caring |
| Corvallis Cub Scouts | daVinci Days | Benton Co. Fairgrounds |
| City of Monroe | Philomath Baseball | OSU Horticulture Program |
| Wren Mobile Recycling | Kids Day for Conservation | |
| City of Tangent | Benton County Fair and Rodeo | Corvallis Chamber – Bite of Benton |
| Mary's River Park | Triangle Park | Benton County Master Gardeners |
| First Alternative Co-op | Alsea Recycling Center | United Way |
| Tangent Harvest Festival | Crescent Valley HS Baseball | Safe Haven Human Society |
| City of Philomath | Winters Eve Corvallis | Crescent Valley HS |
| Rotary Club of Corvallis | OSU Family Garden | OSU Agriculture Program |
| Chedlelin Middle School | OSU Master Gardens | Peanut Park |
| Old Mill Center | Special Olympics | Greek Food Festival |
| Corvallis Sustainability Coalition | | |



FIRST ALTERNATIVE CO-OP COMMUNITY RECYCLE CENTER PARTNERSHIP



Republic Services partners with the First Alternative Co-op to provide a recycle depot in the South Corvallis. We assist them with commingle, cardboard, glass, trash, and organics collection and also participate in an earth fair held at the Co-op.



OUTREACH

Republic Services uses customer newsletters, local newspaper, radio public service announcements and a website to promote our services. The following media was used:

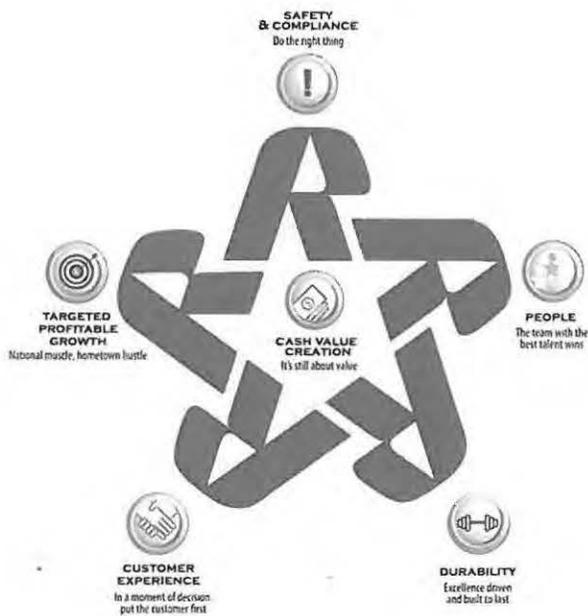
- The Republic Services website was overhauled in 2010 to include more information and links to other waste reductions businesses and programs for customers. A new website will go live early 2013.
- Four customer newsletters were direct mailed to every address within the City of Corvallis.
- Information ran in the F.Y.I. section of the Gazette Times prior to each of the quarterly household hazardous waste events.



APPENDIX A

FIGURE 19 – CUSTOMER COMPLAINTS & COMPLIMENTS

Type of Complaint	Number of Complaints	Number of Complaints Resolved	Number of Compliments Received
Billing Issues	9	9	-
Container Placement/Replacement	6	6	-
Property Damage	-	-	-
Trash/Recycling on Ground	2	2	-
Recycling Issues	1	1	-
Containers Missed	4	4	-
Customer Service Issues	5	5	-
Partially Emptied	-	-	-
Driver Issue	-	-	-
Customer Service	-	-	2
Driver Extra Effort	-	-	7
Overall Service Levels	-	-	3
Recycling	-	-	-
Total	27	27	12





APPENDIX B

FIGURE 20 – COMMERCIAL / INDUSTRIAL CUSTOMER COUNT

Commercial	2012	2011	Industrial	2012	2011
90 Gal Cart weekly	211	219	10 yd on call	1	-
90 Gal Cart on call	-	-	20 yd on call	2	1
1 yd on Call	28	-	20 yd compactor on call	8	6
1 yd x 1	81	101	25 yd compactor on call	2	2
1 yd x 2	-	3	25 yd compactor x 2	1	1
1 yd x 3	-	3	27 yd compactor on call	1	1
1 yd x 4	-	-	30 yd lidded on call	11	12
1 yd x 5	-	-	30 yd on call	54	45
1.5 yd on call	36	173	30 yd compactor x 2	1	1
1.5 yd x 1	104	108	30 yd compactor on call	3	-
1.5 yd x 2	17	19	40 yd on call	2	1
1.5 yd x 3	-	-	40 yd compactor on call	11	8
1.5 yd x 4	-	1	Total Industrial	97	78
1.5 yd x 5	-	-			
2 yd on call	17	10			
2 yd x 1	129	142			
2 yd x 2	46	60			
2 yd x 3	8	12			
2 yd x 4	-	2			
2 yd x 5	-	-			
3 yd on call	14	9			
3 yd x 1	124	100			
3 yd x 2	59	35			
3 yd x 3	24	15			
3 yd x 4	1	-			
3 yd x 5	2	-			
4 yd on call	7	4			
4 yd x 1	90	84			
4 yd x 2	36	27			
4 yd x 3	13	5			
4 yd x 4	-	-			
4 yd x 5	2	1			
6 yd on call	5	5			
6 yd x 1	86	79			
6 yd x 2	35	19			
6 yd x 3	28	11			
6 yd x 4	3	-			
6 yd x 5	1	-			
Rear Load on Call	83	-			
Total Commercial	1,290	1,247			



APPENDIX C

TOTAL COMPANY ASSET LIST – COLLECTION EQUIPMENT AND RECEPTACLES

Asset	Asset Group	Description	In Service Date	Life	Life Rmng	Book Basis	BOOK-VALUE	YTD Depr.	LTD Depr.
306477	1022	#1022 2010 Autocar/McNeilus	7/27/2010	120	91	220021.43	166,850	22,002	53,172
187392	1026	1996 VOLVO W/ HEIL 4000 16 CY	11/30/2008	24		1000	-	-	1,000
187130	1045	1996 VOLVO W/ 20YD HEIL	11/30/2008	24		1600	-	-	1,600
187201	1045	CI 05/05 ENGINE REBUILD	11/30/2008	12	9	0	-	-	-
187131	1046	1996 VOLVO W/ 20YD HEIL	11/30/2008	24		1600	-	-	1,600
187220	1047	2005 AUTOCAR /W-MCNEILUS	11/30/2008	88	39	120000	53,182	16,364	66,818
335407	1047	Air Weigh Truck Scale	6/1/2012	60	54	3212	2,891	321	321
185194	1218	1998 VOLVO WX64	11/30/2008	24		910	-	-	910
185195	1218	38YD WITKE FLEETPACK SN	11/30/2008	12		1100	-	-	1,100
185338	1218	HYDRO ENGINEERING HE/S1 FILTRA	11/30/2008	24		610	-	-	610
334381	1221	truck scale on truck 1221	5/16/2012	60	53	2772	2,449	323	323
187211	1236	2006 AUTOCAR WXL FL	11/30/2008	85	36	130000	55,059	18,353	74,941
293614	1243	2009 AUTOCAR MCNEILUS	8/10/2009	96	56	229511.08	133,881	28,689	95,630
342762	1420	Container Trailer	12/31/2012	96	96	15853.6	15,854	-	-
337723	1422	2 CuYd FL Flat top containers	8/1/2012	180	176	5090	4,977	113	113
337724	1422	6 CuYd FL Flat top containers	8/1/2012	180	176	801.5	784	18	18
337725	1422	4 CuYd FL Flat top containers	8/1/2012	180	176	6830	6,678	152	152
337726	1422	2 CuYd FL slope top containers	8/1/2012	180	176	7392	7,228	164	164
337727	1422	3 CuYd FL slope top containers	8/1/2012	180	176	8304	8,119	185	185
337728	1422	4 CuYd FL slope top containers	8/1/2012	180	176	6600	6,453	147	147
337729	1422	6 CuYd FL slope top containers	8/1/2012	180	176	8688	8,495	193	193
337730	1422	Auto Lock Lids	8/1/2012	180	176	810	792	18	18
337731	1422	30 YD x 20' chain lift roll of	8/1/2012	180	176	65109	63,662	1,447	1,447
337732	1422	reversible 16ga metal RO roofs	8/1/2012	180	176	6785	6,634	151	151
339352	1422	90 RCY	10/1/2012	120	118	22361.25	21,989	373	373
340645	1424	Loader Attachment - Clam Shell	11/1/2012	84	83	4830	4,773	58	58
338072	1440	65 gal light tan rcy carts	8/31/2012	120	116	16782.49	16,223	559	559
338074	1440	90 gallon light gray yrd carts	8/31/2012	120	116	8266.47			



							7,991	276	276
304250	2401	#2401 2010 Autocar/McNeilus	5/28/2010	96	65	255703.33	173,132	31,963	82,571
304251	2403	#2403 2010 Autocar/McNeilus	5/28/2010	96	65	251075.33	169,999	31,384	81,076
305488	2404	#2404 2010 Autocar/McNeilus	6/28/2010	96	66	256483.73	176,333	32,060	80,151
187329	2406	2008 AUTOCAR WX64 SL W/MCNEILU	11/30/2008	117	68	220000	127,863	22,564	92,137
187331	2406	AUTO-LUBE SYSTEM FOR UNIT 2406	11/30/2008	117	68	2700	1,569	277	1,131
298854	2406	Truck Scales	12/28/2009	96	60	2985	1,866	373	1,119
187365	2407	2009 AUTOCAR ACX64 W/MCNEILUS	6/10/2009	96	54	231698.39	130,330	28,962	101,368
293503	2407	AUTO LUBE SYSTEM	6/30/2009	96	54	5563.73	3,130	695	2,434
298855	2407	Truck Scales	12/28/2009	91	55	2985	1,804	394	1,181
298865	2407	Grabber Arms	12/22/2009	91	55	3321.49	2,007	438	1,314
329944	2408	2012 Peterbuilt	12/31/2011	96	84	157606	137,905	19,701	19,701
187529	2430	2006 AUTOCAR SLFA	11/30/2008	86	37	150000	64,535	20,930	85,465
187530	2431	2006 AUTOCAR AUTOMATED RES SL	11/30/2008	98	49	140000	70,000	17,143	70,000
335429	2432	Air Weigh truck scale 2432	6/1/2012	60	54	3176	2,858	318	318
305047	2433	#2433 2010 Autocar/McNeilus	6/14/2010	96	66	255254.85	175,488	31,907	79,767
187262	2480	2003 MACK RESIDENTIAL	11/30/2008	72	23	90000	28,750	15,000	61,250
187263	2480	PMT DISPUTE LABOR CHARGE	11/30/2008	72	23	1500	479	250	1,021
187136	3065	1997 VOLVO EXPEDITOR	11/30/2008	24		1200	-	-	1,200
187138	3065	L&M TILT FRAME	11/30/2008	12		290	-	-	290
187160	3065	1998 ROLL-OFF / L&M WELDING	11/30/2008	12		170	-	-	170
187221	3065	CI 03/06 (ENGINE)	11/30/2008	17	14	0	-	-	-
335402	3065	Air Weigh Truck Scale	6/1/2012	60	54	3212	2,891	321	321
335430	3066	Air Weigh truck scale 3066	6/1/2012	60	54	2909.1	2,618	291	291
187261	3068	2007 AUTOCAR WX64 RO	11/30/2008	101	52	130000	66,931	15,446	63,069
298853	3068	Truck Scales	12/28/2009	89	53	2985	1,778	402	1,207
187139	3069	1998 L&M TILT FRAME	11/30/2008	12		290	-	-	290
187141	3069	1997 VOLVO ROLL OFF TRUCK	11/30/2008	24		1100	-	-	1,100
334380	3069	truck scale on truck 3069	5/9/2012	60	53	2772	2,449	323	323
329941	3070	2012 RO truck	12/15/2011	144	132	224285.52	205,595	18,690	18,690
187520	3074	1987 GRIZZLEY 215C LOADER	11/30/2008	12		560	-	-	560
187119	4023	1999 FREIGHTLINER W/ 30YD LABR	11/30/2008	24		1500	-	-	1,500
187120	4023	1999 FREIGHTLINER W/ LABRIE	11/30/2008	14		18000	-	-	18,000



187202	4024	Freightliner FL70	11/30/2008	36	33	0	-	-	-
187121	4028	2003 PETERBUILT 320 W LABRIE E	11/30/2008	34		74000	-	-	74,000
187314	4123	2008 RESI FULLY AUTOMATED SIDE	11/30/2008	111	62	190000	106,126	20,541	83,874
335405	4123	Air Weigh Truck Scale	1/1/2012	60	49	3212	2,623	589	589
187315	4124	2008 RESI FULLY AUTOMATED SIDE	11/30/2008	111	62	190000	106,126	20,541	83,874
335408	4124	Air Weigh Truck Scale	6/1/2012	60	54	3212	2,891	321	321
187316	4125	2008 RESI FULLY AUTOMATED SIDE	11/30/2008	111	62	190000	106,126	20,541	83,874
335396	4125	Air Weigh Truck Scale	6/1/2012	60	54	3212	2,891	321	321
187317	4126	2008 RESI FULLY AUTOMATED SIDE	11/30/2008	111	62	190000	106,126	20,541	83,874
335406	4126	Air Weigh Truck Scale	6/1/2012	60	54	3212	2,891	321	321
187381	6011	1990 TOYOTA 5FDU30-785064	11/30/2008	24		2100	-	-	2,100
187171	6061	2004 GEHL LOADER	11/30/2008	12		7600	-	-	7,600
187142	7075	1987 L/M CONTAINER TRAILER	11/30/2008	12		10	-	-	10
187143	7076	1995 L&M UTILITY TRAILER	11/30/2008	24		100	-	-	100
187144	7077	1993 L&M TRAILER R/O	11/30/2008	12		510	-	-	510
327059	44530	2011 Roll off	10/3/2011	144	130	207972.98	187,753	17,331	20,220
147104	4294304	1999 INT'L 4900 W/25YD MCNEILL KENWOOD 2 CHANNEL/25 WATT	11/30/2008	19		15000	-	-	15,000
187389	4299150	MOBI	11/30/2008	12		40	-	-	40
186685	4321488	THINLINE CART DUMPER UNIT	11/30/2008	24		430	-	-	430
186689	4321492	ROLL CAN DUMPERS (12)	11/30/2008	12	9	0	-	-	-
186691	4321494	ECCO TRUCK CAMERAS (25)	11/30/2008	24		310	-	-	310
186759	1 YD F/L	35-1YD F/L S/ COMP LIDS NO CAS	11/30/2008	60	11	100	18	20	82
186760	1 YD F/L	24-1YD F/L TAPERED	11/30/2008	60	11	70	13	14	57
186761	1 YD F/L	10-1YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	3	1	1	2
186762	1 YD F/L	45-1YD F/L W/ COMP LIDS CASTER	11/30/2008	60	11	150	28	30	123
186765	1 YD F/L	20-1YD F/L W/COMP LIDS	11/30/2008	60	11	80	15	16	65
186766	1 YD F/L	20-1YD F/L W/COMP LIDS	11/30/2008	60	11	80	15	16	65
186767	1 YD F/L	20-1YD F/L W/COMP LIDS, NO CAS	11/30/2008	60	11	17.5	3	4	14
187304	1 YD F/L	10-1YD FLAT TOP REFUSE CONTAIN	11/30/2008	108	59	4200	2,294	467	1,906
318388	1 YD F/L	15 - 1YD F/L CONTAINERS	4/1/2011	180	160	7173	6,376	478	797
336620	1 YD F/L	10-1YD LEACH W/HEIL	11/30/2008	60	11	4	1	1	3
187242	1 YD MSW	4-1YD PLASTIC TUB	11/30/2008	35		520	-	-	520
187350	1 YD MSW	45-200GAL RESI CONTAINERS	11/30/2008	12		0.45			



							-	-	0
308275	1 YD MSW	6-1 Yd Tubs	8/31/2010	120	107	0.06	0	0	0
186742	1 YD R/L	5-.82YD OLD STYLE SLANT TOP R/	11/30/2008	12		8	-	-	8
186743	1 YD R/L	16-.85YD R/L W/WELD ON CASTERS	11/30/2008	60	11	60	11	12	49
186769	1 YD R/L	10-1YD SELF DUMPING HOPPER MOD	11/30/2008	60	11	110	20	22	90
187343	1 YD R/L	10-1YD RL CONTAINERS	11/30/2008	12		0.1	-	-	0
187372	1 YD R/L	1-1 YD REAR LOAD CONTAINER	11/30/2008	60	11	10	2	2	8
187373	1 YD R/L	1-1 YD REAR LOAD CONTAINER	11/30/2008	60	11	10	2	2	8
187398	1 YD R/L	7-1YD R/L CONTAINERS W/ LIDS &	11/30/2008	26		210	-	-	210
187421	1 YD R/L	6-.75YD CONT	11/30/2008	12	9	0	-	-	-
187424	1 YD R/L	2-.75YD HEIL SPECIAL	11/30/2008	12	9	0	-	-	-
187450	1 YD R/L	10-1YD R/L CONT (CDC)	11/30/2008	60	11	10	2	2	8
294057	1 YD R/L	7-1YD RL CONTAINERS	2/16/2009	12	3	0.07	0	-	0
308274	1 YD R/L	18-1Yd RL Containers	8/31/2010	180	167	0.18	0	0	0
318389	1 YD R/L	10 - 1 YD R/L CONTAINERS	4/1/2011	180	160	3972	3,531	265	441
186744	1.5 YD F/L	55-1.5 TD F/L W/LIDS NO CASTER	11/30/2008	60	11	170	31	34	139
186745	1.5 YD F/L	33-1.5YD F/L CONT	11/30/2008	12		81.25	-	-	81
186746	1.5 YD F/L	20-1.5YD F/L FLAT TOP W/COMP LI	11/30/2008	60	11	80	15	16	65
186748	1.5 YD F/L	40-1.5YD F/L TAPERED	11/30/2008	60	11	150	28	30	123
186749	1.5 YD F/L	10-1.5YD F/L TAPERED W/COMP LI	11/30/2008	60	11	40	7	8	33
186750	1.5 YD F/L	2-1.5YD F/L W/COMP LIDS	11/30/2008	60	57	0	-	-	-
186757	1.5 YD F/L	70-11/2YD F/L W/ LIDS & CASTER	11/30/2008	60	11	240	44	48	196
187083	1.5 YD F/L	20-1.5YD F/L	11/30/2008	60	11	90	17	18	74
187091	1.5 YD F/L	4-1.5YD FEL CONTAINERS	11/30/2008	62	13	450	94	87	356
187180	1.5 YD F/L	10-1.5 YD FL CONTAINERS	11/30/2008	74	25	1100	372	178	728
187010	1.5 YD MSW	104-300GAL PLASTIC TUBS	11/30/2008	60	11	224.31	41	45	183
187243	1.5 YD MSW	13-1.5YD PLASTIC TUB	11/30/2008	35		2000	-	-	2,000
187367	1.5 YD MSW	20-300GAL EL MONTE PLASTIC TUB	4/12/2009	120	76	5837.1	3,697	584	2,140
186747	1.5 YD R/L	32-1.5YD FLATTOP W/COMP LI	11/30/2008	60	11	120	22	24	98
186751	1.5 YD R/L	34-1.5YD HEIL W/STEEL LIDS	11/30/2008	19		61.77	-	-	62
186752	1.5 YD R/L	60-1.5YD HEIL W/STEEL LIDS	11/30/2008	20		220	-	-	220
186753	1.5 YD R/L	45-1.5YD HEIL, 1.5 IN DRAIN	11/30/2008	18		124.67	-	-	125
186755	1.5 YD R/L	67-1.5YD W/STEEL LIDS	11/30/2008	12	9	0	-	-	-



187089	1.5 YD R/L	15-1.5YD REL CONTAINERS	11/30/2008	62	13	900	189	174	711
187100	1.5 YD R/L	50-1.5YD RL CONTAINERS	11/30/2008	55	6	4800	524	1,047	4,276
187245	1.5 YD R/L	40-1.5YD REL CONTAINERS	11/30/2008	97	48	12000	5,938	1,485	6,062
187276	1.5 YD R/L	34-1.5YD REL CONTAINERS TRASH	11/30/2008	103	54	10000	5,243	1,165	4,757
187305	1.5 YD R/L	12-1.5YD FLAT TOP REFUSE CONTA	11/30/2008	108	59	5500	3,005	611	2,495
187306	1.5 YD R/L	15-1.5YD REL REFUSE CONTAINER	11/30/2008	108	59	5200	2,841	578	2,359
187307	1.5 YD R/L	35-1.5YD REL REFUSE CONTAINER	11/30/2008	108	59	12000	6,556	1,333	5,444
187451	1.5 YD R/L	15-1.5YD R/L CONT (CDC)	11/30/2008	60	11	20	4	4	16
187556	1.5 YD R/L	32-1.5YD RL CONTAINERS	2/16/2009	12		0.22	-	-	0
187344	10 YD	2-10YD RO CONTAINERS	11/30/2008	12		0.02	-	-	0
187440	10 YD	1-10YD DB	11/30/2008	259	210	40	32	2	8
308276	15 YD	1-15 Yd Compactor	8/31/2010	1		0.01	-	-	0
186790	2 YD F/L	1-2YD CARDBOARD CONTAINERS	11/30/2008	60	11	5	1	1	4
186794	2 YD F/L	28-2YD F/L TAPERED W/CASTERS (	11/30/2008	60	11	110	20	22	90
186796	2 YD F/L	10-2YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	40	7	8	33
186797	2 YD F/L	20-2YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	80	15	16	65
186799	2 YD F/L	8-2YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	30	6	6	25
186800	2 YD F/L	1-2YD F/L TAPERED W/STEEL LID	11/30/2008	60	11	10	2	2	8
186801	2 YD F/L	30-2YD F/L TAPERED, COMP LIDS	11/30/2008	60	11	110	20	22	90
186802	2 YD F/L	10-2YD F/L TAPERED, FLIP UP LI	11/30/2008	60	11	50	9	10	41
186803	2 YD F/L	27-2YD F/L W/CASTERS & COMP LI	11/30/2008	30		110	-	-	110
186804	2 YD F/L	25-2YD F/L W/CASTERS NO LIDS (	11/30/2008	60	11	90	17	18	74
186805	2 YD F/L	29-2YD F/L W/CASTERS, NO LIDS	11/30/2008	30		110	-	-	110
186807	2 YD F/L	25-2YD F/L W/COMP LIDS	11/30/2008	22		110	-	-	110
186809	2 YD F/L	3-2YD F/L, NO CASTER/NO LIDS (	11/30/2008	30		3.33	-	-	3
186811	2 YD F/L	25-2YD F/L, NO LIDS/NO CASTERS	11/30/2008	24		90	-	-	90
186812	2 YD F/L	38-2YD FLAT TOP F/L	11/30/2008	60	11	150	28	30	123
186995	2 YD F/L	16-SPECIAL 1.84YD RECYCL BINS	11/30/2008	16		45	-	-	45
186997	2 YD F/L	2-SPECIAL APPROX 2YD F/L FLAT	11/30/2008	60	11	10	2	2	8
187069	2 YD F/L	1-2YD EXP METAL FEL CARDBOARD	11/30/2008	60	11	20	4	4	16
187104	2 YD F/L	1-2YD CONTAINER	11/30/2008	69	20	226.67	66	39	161
187153	2 YD F/L	10-2YD EXPANDED METAL FRONT CA	11/30/2008	60	11	50	9	10	41
187154	2 YD F/L	4-2YD EXPANDED METAL FRONT CAR	11/30/2008	60	11	20			



						4	4	16		
187183	2 YD F/L	3-2YD FL CONTAINERS	11/30/2008	74	25	760	257	123	503	
187213	2 YD F/L	5-2YD FEL CONTAINERS	11/30/2008	86	37	1700	731	237	969	
187278	2 YD F/L	5-2YD FEL CONTAINERS TRASH	11/30/2008	103	54	1800	944	210	856	
187301	2 YD F/L	6-2YD FEL CONT. CARDBD RECYCLE	11/30/2008	108	59	2900	1,584	322	1,316	
187328	2 YD F/L	5-2YD FL FLAT TOP CONTAINERS	11/30/2008	117	68	2400	1,395	246	1,005	
187333	2 YD F/L	8-2YD FL CONTAINERS	11/30/2008	118	69	3800	2,222	386	1,578	
187334	2 YD F/L	1-2YD FL FLAT TOP CONTAINERS	11/30/2008	119	70	470	276	47	194	
187335	2 YD F/L	1-2YD FL FLAT TOP CONTAINERS	11/30/2008	119	70	470	276	47	194	
187337	2 YD F/L	2-2YD FL CONTAINERS	11/30/2008	119	70	1100	647	111	453	
187419	2 YD F/L	1-2YD CONT	11/30/2008	12	9	0	-	-	-	
187420	2 YD F/L	1-2YD CONT	11/30/2008	12	9	0	-	-	-	
187430	2 YD F/L	11-CONTAINER (LEASE PURCHASE)	11/30/2008	12	9	0	-	-	-	
187453	2 YD F/L	3-2YD CONT (CDC)	11/30/2008	60	11	10	2	2	8	
187456	2 YD F/L	10-2YD CONTAINER	11/30/2008	60	11	10	2	2	8	
187474	2 YD F/L	3-2YD F/L EXPANDED METAL CARDB	11/30/2008	60	11	10	2	2	8	
187479	2 YD F/L	18-2YD CONTAINER	11/30/2008	12		30	-	-	30	
187480	2 YD F/L	21-2YD CONTAINER	11/30/2008	12		30	-	-	30	
187523	2 YD F/L	8-2YD FEL CONTAINER	11/30/2008	74	25	1700	574	276	1,126	
187019	2 YD MSW	2-450GAL PLASTIC TUB	11/30/2008	60	57	0	-	-	-	
187020	2 YD MSW	33-450GAL PLASTIC TUBS	11/30/2008	60	11	95.34	17	19	78	
187366	2 YD MSW	6-450GAL PLASTIC TUBS	11/30/2008	60	11	17.33	3	3	14	
187368	2 YD MSW	20-450GAL EL MONTE PLASTIC TUB	4/12/2009	120	76	8597.1	5,445	860	3,152	
186820	2 YD R/L	16-2YD MOORE SPECIAL	11/30/2008	60	11	36	7	7	29	
186823	2 YD R/L	20-2YD MOORE SPECIAL W/COMP LI	11/30/2008	60	11	80	15	16	65	
187078	2 YD R/L	6-2YD RL CONTAINERS	11/30/2008	55	6	666.67	73	145	594	
187300	2 YD R/L	10-2YD REL CONTAINERS	11/30/2008	108	59	4000	2,185	444	1,815	
187308	2 YD R/L	5-2YD FLAT TOP REFUSE CONTAINERS	11/30/2008	108	59	2000	1,093	222	907	
187336	2 YD R/L	6-2YD RL CONTAINERS	11/30/2008	119	70	3200	1,882	323	1,318	
187338	2 YD R/L	2-2YD RL CONTAINERS	11/30/2008	119	70	1100	647	111	453	
187422	2 YD R/L	3-2YD CONT	11/30/2008	12	9	0	-	-	-	
187452	2 YD R/L	3-2YD R/L CONT (CDC)	11/30/2008	60	11	4.29	1	1	4	
187509	2 YD R/L	8-2YD REL CONTAINERS	11/30/2008	53	4	920	69	208	851	



187557	2 YD R/L	122-2YD RL CONTAINERS	2/16/2009	12		1.22	-	-	1
318390	2 YD R/L	10 - 2 YD R/L CONTAINERS	4/1/2011	180	160	3790	3,369	253	421
187007	20 MSW	100-20GAL CART INSERTS	11/30/2008	60	11	10	2	2	8
187008	20 MSW	100-20GAL ROLL OUT CART INSERT	11/30/2008	12		10	-	-	10
296306	20 MSW	200-20 GALLON INSERTS	9/21/2009	120	81	3645	2,460	365	1,185
308269	20 MSW	240-20 Gal Inserts	8/31/2010	120	92	2.4	2	0	1
309288	20 MSW	108-20GAL INSERT FOR 32GAL CAR	11/30/2008	53	4	2190.86	165	496	2,026
185580	20 YD	1-20 YD DB (TARSET)	11/30/2008	18		40	-	-	40
185584	20 YD	1-20 YD DB W/CRNKUP REVERSE LI	11/30/2008	22		60	-	-	60
186770	20 YD	2-20YD SCREENED DROP BOXES	11/30/2008	29		55	-	-	55
186787	20 YD	1-22YD DB / 20X48 GLASS BOX (1	11/30/2008	12	9	0	-	-	-
187004	20 YD	1-20 YD SELF CONTAINED COMPACT	11/30/2008	12	9	0	-	-	-
187390	20 YD	1-20YD DB	11/30/2008	60	11	30	6	6	25
187437	20 YD	1-20YD DB	11/30/2008	12		30	-	-	30
187439	20 YD	1-20YD DB	11/30/2008	16		30	-	-	30
187442	20 YD	2-20YD 20'X43.5 IN	11/30/2008	12		70	-	-	70
187546	20 YD	2-20YD RO CONTAINERS	11/30/2008	12		0.02	-	-	0
308270	20 YD	1-20 Yd Compactor	8/31/2010	1		0.01	-	-	0
187001	25 YD	1-25YD SELF CONTAINED COMPACTO	11/30/2008	12		250	-	-	250
185237	3 YD F/L	15-3-YD SLANT TOP W/LIDS	11/30/2008	22		126	-	-	126
185238	3 YD F/L	5-3-YD SLANT TOP W/AUTO RELEAS	11/30/2008	22		230	-	-	230
186904	3 YD F/L	10-3YD F/L SLANT	11/30/2008	60	11	50	9	10	41
186905	3 YD F/L	12-3YD F/L SLANT	11/30/2008	60	11	60	11	12	49
186906	3 YD F/L	20-3YD F/L SLANT	11/30/2008	60	11	90	17	18	74
186907	3 YD F/L	39-3YD F/L SLANT W/ LID NO CAS	11/30/2008	60	11	170	31	34	139
186908	3 YD F/L	37-3YD F/L SLANT W/ LIDS & CAS	11/30/2008	60	11	170	31	34	139
186909	3 YD F/L	1-3YD F/L SLANT W/COMP LID & F	11/30/2008	60	11	10	2	2	8
186910	3 YD F/L	10-3YD F/L SLANT W/COMP LIDS (	11/30/2008	60	11	50	9	10	41
186911	3 YD F/L	10-3YD F/L SLANT W/COMP LIDS (	11/30/2008	60	11	50	9	10	41
186912	3 YD F/L	10-3YD F/L SLANT W/COMP LIDS (	11/30/2008	60	11	50	9	10	41
186913	3 YD F/L	15-3YD F/L SLANT W/COMP LIDS (	11/30/2008	60	11	70	13	14	57
186914	3 YD F/L	2-3YD F/L SLANT W/COMP LIDS	11/30/2008	60	11	10	2	2	8
186915	3 YD F/L	4-3YD F/L SLANT W/COMP LIDS	11/30/2008	60	11	20			



							4	4	16
186916	3 YD F/L	5-3YD F/L SLANT W/COMP LIDS	11/30/2008	60	11	20	4	4	16
186917	3 YD F/L	25-3YD SLANT TOP F/L	11/30/2008	60	11	120	22	24	98
187068	3 YD F/L	5-3YD FEL SLANT TOP W/ CASTER	11/30/2008	44		440	-	70	440
187071	3 YD F/L	5-3YD FEL SLANT CONTAINER W/ L	11/30/2008	45		490	-	87	490
187073	3 YD F/L	5-3YD FEL SLANT CONTAINER W/ L	11/30/2008	60	11	30	6	6	25
187181	3 YD F/L	5-3YD FL CONTAINERS	11/30/2008	74	25	1400	473	227	927
187237	3 YD F/L	18-3YD FEL CONTAINERS	11/30/2008	93	44	8600	4,069	1,110	4,531
187246	3 YD F/L	4-3YD FEL CONTAINERS	11/30/2008	97	48	1700	841	210	859
187274	3 YD F/L	6-3YD FEL CONTAINERS SLANT	11/30/2008	103	54	2400	1,258	280	1,142
187309	3 YD F/L	10-3YD SLANT TOP REFUSE CONTAI	11/30/2008	108	59	4500	2,458	500	2,042
187332	3 YD F/L	5-3YD FL CONTAINERS	11/30/2008	118	69	2900	1,696	295	1,204
187341	3 YD F/L	23-3YD FL CONTAINERS	11/30/2008	12		0.23	-	-	0
295413	3 YD F/L	11-3YD FEL CONTAINERS	11/30/2008	69	20	2772	803	482	1,969
301178	3 YD F/L	4-3YD FEL CONTAINERS	11/30/2008	69	20	1008	292	175	716
185593	30 YD	6-30 YD DB W/HIGH CAM-LOCK DOO	11/30/2008	60	11	240	44	48	196
185693	30 YD	2-30 YD DB, STANDARD	11/30/2008	60	11	70	13	14	57
186827	30 YD	5-30YD / 20 X 65 DROP BOXES	11/30/2008	60	11	180	33	36	147
186828	30 YD	1-30YD / 20X65 NEWSPRINT BOX (	11/30/2008	13		50	-	-	50
186829	30 YD	10-30YD 20 X 65 DB	11/30/2008	20		350	-	-	350
186830	30 YD	1-30YD 20X65 DB	11/30/2008	23		60	-	-	60
186864	30 YD	3-30YD DB	11/30/2008	12	9	0	-	-	-
186867	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186868	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186869	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186870	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186871	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186872	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186873	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186874	30 YD	4-30YD DB	11/30/2008	12	9	0	-	-	-
186875	30 YD	4-30YD DB	11/30/2008	60	11	150	28	30	123
186876	30 YD	5-30YD DB	11/30/2008	12	9	0	-	-	-
186877	30 YD	5-30YD DB	11/30/2008	12	9	0	-	-	-



186882	30 YD	5-30YD DB / 20 X 5	11/30/2008	12	9	0	-	-	-
186884	30 YD	3-30YD DB / 20 X 5 W/OVERHANG	11/30/2008	12	9	0	-	-	-
186885	30 YD	3-30YD DB / 20 X 5 W/OVERHANG	11/30/2008	12	9	0	-	-	-
186886	30 YD	5-30YD DB STANDARD	11/30/2008	60	11	190	35	38	155
186887	30 YD	2-30YD DB W/NEWSPRINT WINDOWS	11/30/2008	60	11	110	20	22	90
186888	30 YD	1-30YD DB W/OVERHANG	11/30/2008	12	9	0	-	-	-
186889	30 YD	2-30YD DB W/OVERHANG	11/30/2008	12	9	0	-	-	-
186890	30 YD	10-30YD DB W/SPECIAL SKID SLOT	11/30/2008	12		350	-	-	350
186892	30 YD	1-30YD DROP BOX / GLASS	11/30/2008	12	9	0	-	-	-
186893	30 YD	1-30YD LID	11/30/2008	12	9	0	-	-	-
186894	30 YD	1-30YD LID	11/30/2008	12	9	0	-	-	-
186895	30 YD	1-30YD LID	11/30/2008	12	9	0	-	-	-
186896	30 YD	1-30YD SC DB	11/30/2008	60	11	60	11	12	49
186897	30 YD	10-30YD SC STYLE DB	11/30/2008	60	11	380	70	76	310
186898	30 YD	3-30YD SC STYLE DB / DK BROWN	11/30/2008	60	11	110	20	22	90
186899	30 YD	1-30YD SC STYLE DB W/DOMED LID	11/30/2008	60	11	48	9	10	39
186900	30 YD	5-30YD STANDARD DB	11/30/2008	60	11	180	33	36	147
186901	30 YD	3-30YD STANDARD DB / DK BROWN	11/30/2008	60	11	110	20	22	90
186902	30 YD	4-30YD STANDARD DB / DK BROWN	11/30/2008	60	11	150	28	30	123
187082	30 YD	1-30YD DROP BOX	11/30/2008	56	7	760	95	163	665
187099	30 YD	10-30YD DB	11/30/2008	60	11	390	72	78	319
187105	30 YD	8-30YD R/O CONTAINER	11/30/2008	69	20	23000	6,667	4,000	16,333
187147	30 YD	1-30YD DB	11/30/2008	12	9	0	-	-	-
187210	30 YD	2-30YD R/O CONTAINERS	11/30/2008	84	35	5900	2,458	843	3,442
187212	30 YD	2-30YD R/O CONTAINERS	11/30/2008	86	37	3400	1,463	474	1,937
187216	30 YD	2-30YD R/O CONTAINERS	11/30/2008	86	37	5800	2,495	809	3,305
187267	30 YD	2-30YD R/O CONTAINERS	11/30/2008	103	54	7400	3,880	862	3,520
187268	30 YD	2-30YD R/O CONTAINERS	11/30/2008	103	54	7400	3,880	862	3,520
187269	30 YD	4-30YD R/O CONTAINERS	11/30/2008	103	54	15000	7,864	1,748	7,136
187270	30 YD	1-30YD R/O CONTAINERS	11/30/2008	103	54	3700	1,940	431	1,760
187275	30 YD	1-30YD R/O CONTAINERS	11/30/2008	103	54	3700	1,940	431	1,760
187345	30 YD	13-30YD RO CONTAINERS	11/30/2008	12		0.13	-	-	0
187423	30 YD	1-18' SPECIAL GLASS BOX	11/30/2008	12	9	0			



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187427	30 YD	1-30YD 20X5 DB	11/30/2008	12	9	0	-	-	-
187431	30 YD	1-30YD DB W/SCREEN LID	11/30/2008	60	57	0	-	-	-
187432	30 YD	1-30YD DB	11/30/2008	60	57	0	-	-	-
187438	30 YD	1-30YD DB	11/30/2008	12		40	-	-	40
187443	30 YD	1-REBUILD DROP BOXES	11/30/2008	60	57	0	-	-	-
187446	30 YD	3-30YD 20X65 STANDARD DB	11/30/2008	60	11	110	20	22	90
187472	30 YD	1-30YD SUPER CLEAN STYLE DROP	11/30/2008	60	11	40	7	8	33
187475	30 YD	1-30YD NEWSPRINT STYLE ECONOMY	11/30/2008	60	11	30	6	6	25
187482	30 YD	4-30YD DROP BOX, MODEL #2065SC	11/30/2008	12		150	-	-	150
187487	30 YD	1-30YD MODEL 2065SC SUPER CLEA	11/30/2008	12		40	-	-	40
187547	30 YD	16-30YD RO CONTAINERS	11/30/2008	12		0.16	-	-	0
308271	30 YD	12-30 Yd Storage Box	8/31/2010	120	107	0.12	0	0	0
308277	30 YD	1-30 Yd Compactor	8/31/2010	1		0.01	-	-	0
309287	30 YD	7-30 YD DB	11/30/2008	60	11	262.5	48	53	214
185977	32 MSW	50-32GAL CONTAINERS	11/30/2008	23		650	-	-	650
187011	32 MSW	490-35GAL CARTS	11/30/2008	60	57	0	-	-	-
187012	32 MSW	1065-35GAL CARTS / GREY	11/30/2008	60	11	440	81	88	359
187013	32 MSW	683-35GAL CARTS W/BLOW MOLDED	11/30/2008	60	57	0	-	-	-
187014	32 MSW	1008-35GAL SCHAEFER CARTS W/BL	11/30/2008	60	11	490	90	98	400
187015	32 MSW	1008-35GAL SCHAEFER CARTS W/BL	11/30/2008	60	11	490	90	98	400
187016	32 MSW	2973-35GAL SCHAEFER UNIVERSAL	11/30/2008	60	11	1400	257	280	1,143
187027	32 MSW	552-CCCCL CARTS / GREY	11/30/2008	60	11	290	53	58	237
187030	32 MSW	576-MODEL 60501 Toter CARTS	11/30/2008	60	11	470	86	94	384
187033	32 MSW	1800-SCHAEFER 35GAL ROLL CARTS	11/30/2008	60	11	1000	183	200	817
187037	32 MSW	114-TOTER CARTS	11/30/2008	12		100	-	-	100
187038	32 MSW	30-TOTER CARTS / GREEN	11/30/2008	12		30	-	-	30
187039	32 MSW	70-TOTER CARTS / GREEN	11/30/2008	12		60	-	-	60
187164	32 MSW	100-35 GAL CARTS	11/30/2008	12		30	-	-	30
187176	32 MSW	362-35GAL CART GRAY	11/30/2008	14		3066.3	-	-	3,066
187179	32 MSW	300-35GAL CARTS	11/30/2008	14		3200	-	-	3,200
187189	32 MSW	100-32GAL CARTS	11/30/2008	14		500	-	-	500
187199	32 MSW	250-32GAL CONTAINERS	11/30/2008	19		2800	-	-	2,800



187257	32 MSW	150-32GAL CONTAINERS GARBAGE G	11/30/2008	38		2800	-	74	2,800
187260	32 MSW	37-35GAL CARTS	11/30/2008	60	11	20	4	4	16
187299	32 MSW	310-32 GAL CARTS	11/30/2008	46		8266.67	-	1,617	8,267
187339	32 MSW	50-35GAL RESIDENTIAL ROLL CART	11/30/2008	60	11	20	4	4	16
187346	32 MSW	25-32GAL RESI CONTAINERS	11/30/2008	12		0.25	-	-	0
187353	32 MSW	200-32GAL GARBAGE CARTS	11/30/2008	60	11	6427.94	1,178	1,286	5,249
187362	32 MSW	221-32GAL CARTS	11/30/2008	60	11	120.86	22	24	99
187364	32 MSW	140-32GAL CONTAINERS GARBAGE G	11/30/2008	38		2520	-	66	2,520
187369	32 MSW	100-32GAL RESIDENTIAL CARTS	1/10/2009	120	73	2978.41	1,812	298	1,167
187397	32 MSW	250-35 GAL CART	11/30/2008	60	11	100	18	20	82
187435	32 MSW	245-CARTS	11/30/2008	12	9	0	-	-	-
187454	32 MSW	12-32GAL SCHAEFFER ROLL CARTS	11/30/2008	60	11	10	2	2	8
187462	32 MSW	96-32GAL ROLL CARTS	11/30/2008	60	11	40	7	8	33
187464	32 MSW	306-35GAL CARTS	11/30/2008	60	57	0	-	-	-
187465	32 MSW	819-35GAL CARTS	11/30/2008	60	11	360	66	72	294
187483	32 MSW	250-35GAL CARTS, GREY, 8: TREA	11/30/2008	12		110	-	-	110
187502	32 MSW	270-35GAL SCHAEFER RESI CARTS	11/30/2008	60	11	10	2	2	8
187503	32 MSW	400-35 GALLON SCHAEFER CARTS (	11/30/2008	60	11	110	20	22	90
187507	32 MSW	100-35GAL B STYLE CART W/ SNAP	11/30/2008	60	11	30	6	6	25
187536	32 MSW	500-35GAL GARBAGE CARTS	11/30/2008	58	9	14000	2,172	2,897	11,828
187542	32 MSW	40-35GAL RESIDENTIAL ROLL CART	11/30/2008	60	11	10	2	2	8
187561	32 MSW	120-32GAL CARTS	11/30/2008	60	11	65.63	12	13	54
187566	32 MSW	20-32GAL RESI CARTS	11/30/2008	46		472	-	92	472
294137	32 MSW	140-32GAL CONTAINERS	11/30/2008	21		1568	-	-	1,568
295415	32 MSW	40-32GAL RESIDENTIAL CARTS	11/30/2008	60	11	21.33	4	4	17
296467	32 MSW	300-32 Gallon MSW Carts	10/30/2009	120	82	10275.45	7,022	1,028	3,254
303745	32 MSW	44-32 Gallon Carts	12/23/2009	120	84	1280.32	896	128	384
304252	32 MSW	840-32 Gal MSW Carts	5/26/2010	120	89	25351.76	18,803	2,535	6,549
305589	32 MSW	120-32 Gal MSW Carts	5/26/2010	120	89	3621.68	2,686	362	936
324207	32 MSW	175-35GAL RESIDENTIAL ROLL CAR	11/30/2008	60	11	17.14	3	3	14
327369	32 MSW	125-35GAL RESIDENTIAL ROLL CAR	11/30/2008	60	11	17.14	3	3	14
333957	32 MSW	410-32GAL RESIDENTIAL CARTS	11/30/2008	60	11	32	6	6	26
187031	32 MSW	124-RUBBERMAID ROLL CANS	11/30/2008	12	9	0			



	CN								
	32 MSW								
187032	CN	375-RUBBERMAID ROLL CANS	11/30/2008	12	9	0	-	-	-
187018	32 RCY	204-35GAL YARD CARTS	11/30/2008	60	11	80.88	15	16	66
187318	32 RCY	300-32 GAL RECYCLE CARTS	11/30/2008	51	2	8100	318	1,906	7,782
187550	32 RCY	107-35GAL RECYCLING CARTS	11/30/2008	12		1.05	-	-	1
308278	32 RCY	31-35 Gal Recycle Carts	8/31/2010	120	112	0.31	0	0	0
186919	4 YD F/L	11-4YD F/L	11/30/2008	29		60	-	-	60
186920	4 YD F/L	10-4YD F/L FLAT TOP W/COMP LID	11/30/2008	60	11	60	11	12	49
186921	4 YD F/L	15-4YD F/L SLANT	11/30/2008	60	11	80	15	16	65
186922	4 YD F/L	20-4YD F/L SLANT	11/30/2008	60	11	110	20	22	90
186923	4 YD F/L	40-4YD F/L SLANT W/ LID & CAST	11/30/2008	60	11	220	40	44	180
186924	4 YD F/L	40-4YD F/L SLANT W/ LID NO CAS	11/30/2008	60	11	200	37	40	163
186925	4 YD F/L	10-4YD F/L SLANT W/COMP LIDS (	11/30/2008	60	11	60	11	12	49
186926	4 YD F/L	6-4YD F/L SLANT W/COMP LIDS	11/30/2008	60	11	30	6	6	25
186927	4 YD F/L	6-4YD F/L SLANT W/COMP LIDS	11/30/2008	60	11	30	6	6	25
186928	4 YD F/L	1-4YD F/L TAPERED	11/30/2008	60	11	10	2	2	8
186930	4 YD F/L	3-4YD F/L TAPERED	11/30/2008	60	11	20	4	4	16
186931	4 YD F/L	4-4YD F/L TAPERED	11/30/2008	60	11	20	4	4	16
186932	4 YD F/L	4-4YD F/L TAPERED	11/30/2008	60	11	20	4	4	16
186934	4 YD F/L	5-4YD F/L TAPERED NO CASTERS (	11/30/2008	60	11	30	6	6	25
186935	4 YD F/L	5-4YD F/L TAPERED NO LID/CASTE	11/30/2008	60	11	20	4	4	16
186936	4 YD F/L	4-4YD F/L TAPERED NO LIDS	11/30/2008	60	11	20	4	4	16
186937	4 YD F/L	4-4YD F/L TAPERED NO LIDS	11/30/2008	60	11	20	4	4	16
186938	4 YD F/L	5-4YD F/L TAPERED NO LIDS	11/30/2008	60	11	30	6	6	25
186939	4 YD F/L	1-4YD F/L TAPERED W/ COMP LID	11/30/2008	60	11	10	2	2	8
186940	4 YD F/L	10-4YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	60	11	12	49
186941	4 YD F/L	10-4YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	60	11	12	49
186942	4 YD F/L	5-4YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	30	6	6	25
186943	4 YD F/L	5-4YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	30	6	6	25
186945	4 YD F/L	9-4YD F/L W/COMP LIDS	11/30/2008	22		41.18	-	-	41
186946	4 YD F/L	11-4YD F/L, NO LIDS	11/30/2008	22		50	-	-	50
186947	4 YD F/L	29-4YD F/L, NO LIDS	11/30/2008	22		130	-	-	130
186949	4 YD F/L	2-4YD F/L, NO LIDS/NO CASTERS	11/30/2008	24		10	-	-	10



186951	4 YD F/L	15-4YD SLANT TOP F/L	11/30/2008	60	11	80	15	16	65
187074	4 YD F/L	4-4YD FEL SLANT CONTAINER W/L	11/30/2008	60	11	30	6	6	25
187093	4 YD F/L	8-4YD FEL CONTAINERS	11/30/2008	62	13	1300	273	252	1,027
187103	4 YD F/L	2-4YD CONTAINER	11/30/2008	69	20	560	162	97	398
187182	4 YD F/L	5-4YD FL CONTAINERS	11/30/2008	74	25	1700	574	276	1,126
187184	4 YD F/L	3-4YD FL CONTAINERS	11/30/2008	74	25	950	321	154	629
187208	4 YD F/L	2-4YD FEL CONTAINER	11/30/2008	84	35	800	333	114	467
187214	4 YD F/L	2-4YD FEL CONTAINERS	11/30/2008	86	37	790	340	110	450
187235	4 YD F/L	4-4YD FEL CONTAINERS	11/30/2008	93	44	2200	1,041	284	1,159
187236	4 YD F/L	4-4YD FEL CONTAINERS	11/30/2008	93	44	2200	1,041	284	1,159
187247	4 YD F/L	5-4YD FEL CONTAINERS	11/30/2008	97	48	2500	1,237	309	1,263
187265	4 YD F/L	4-4YD FEL CONTAINERS RECYCLING	11/30/2008	103	54	1900	996	221	904
187266	4 YD F/L	2-4YD FEL CONTAINERS RECYCLING	11/30/2008	103	54	930	488	108	442
187280	4 YD F/L	5-4YD FEL CONTAINERS SLANT TRA	11/30/2008	103	54	2300	1,206	268	1,094
187302	4 YD F/L	4-4YD FEL CONT. CARDBD RECYCLE	11/30/2008	108	59	2400	1,311	267	1,089
187330	4 YD F/L	15-4YD FL SLANT-TOP CONTAINERS	11/30/2008	118	69	8700	5,087	885	3,613
187468	4 YD F/L	4YD F/L CARDBOARD CONTAINER (1	11/30/2008	60	11	70	13	14	57
187473	4 YD F/L	2-4YD F/L MODEL 753 EXPANDED M	11/30/2008	60	11	10	2	2	8
187485	4 YD F/L	3-4YD RECYCLING CONTAINER (ALS	11/30/2008	12		20	-	-	20
187524	4 YD F/L	2-4YD FEL CONTAINERS	11/30/2008	74	25	630	213	102	417
294141	4 YD F/L	1-4YD EXPANDED METAL F/L CARDB	11/30/2008	60	11	6	1	1	5
185751	40 YD	5-40 YD DB	11/30/2008	60	11	230	42	46	188
185808	40 YD	4-40YD STANDARD DROP BOXES	11/30/2008	60	11	180	33	36	147
186999	40 YD	1-22 LONG X 38.5YD OCTAGONAL C	11/30/2008	60	11	90	17	18	74
187002	40 YD	1-40 YD STATIONARY COMP&TUBES(	11/30/2008	12		340	-	-	340
187003	40 YD	1-40YD STATIONALRY COMP&TUBE (	11/30/2008	12	9	0	-	-	-
187005	40 YD	1-40 YD STATIONARY COMP&TUBE (	11/30/2008	60	11	360	66	72	294
187006	40 YD	1-40 YD STATIONARY COMP&TUBE (	11/30/2008	60	11	230	42	46	188
187158	40 YD	10-40YD ROLL OFF CNTR	11/30/2008	22		4500	-	-	4,500
187271	40 YD	4-40YD R/O CONTAINERS	11/30/2008	103	54	17000	8,913	1,981	8,087
187272	40 YD	1-40YD R/O CONTAINERS	11/30/2008	103	54	4200	2,202	489	1,998
187289	40 YD	1-40YD RECEIVER	11/30/2008	103	54	4300	2,254	501	2,046
187322	40 YD	1-40YD OCTAGONAL RECEIVER TUBE	11/30/2008	113	64	5700			



							3,228	605	2,472
187327	40 YD	1-40YD OCTAGONAL RECEIVER TUBE	11/30/2008	116	67	5800	3,350	600	2,450
187408	40 YD	1-STATIONARY COMPTR&TUBE 40YD	11/30/2008	60	11	170	31	34	139
187428	40 YD	1-40YD 20X7 DB	11/30/2008	12	9	0	-	-	-
187548	40 YD	6-40YD RO CONTAINERS	11/30/2008	12		0.06	-	-	0
308272	40 YD	3-40 Yd Compactor	8/31/2010	180	180	0.02	0	-	-
187116	452-0020	1994 INT'L	11/30/2008	12		1500	-	-	1,500
187117	452-0020	1994 K PAC KP-CCR CONTAINER CA	11/30/2008	12		200	-	-	200
187355	452-008	2008 GMC SIERRA-RT OBSERV P/U	12/10/2008	60	12	16496	3,299	3,299	13,197
187145	452-0081	1996 TOYOTA FORKLIFT	11/30/2008	24		3500	-	-	3,500
187146	452-0092	1992 CASE TRACTOR 2007 COMMERCIAL MSW-FRONT	11/30/2008	12		6200	-	-	6,200
187292	452-1242	LOAD	11/30/2008	105	56	170000	90,667	19,429	79,333
187264	452-2448	2007 RESI MSW SIDELOAD	11/30/2008	103	54	180000	94,369	20,971	85,631
187241	452-2449	2006 AUTOCAR RESIDENTIAL SL	11/30/2008	94	45	160000	76,596	20,426	83,404
186573	452-2450	1998 VOLVO WXR42T W/ HEIL RAP	11/30/2008	24		2300	-	-	2,300
187554	453-2432	2008 WX64 AUTOCAR W/MCNEILUS	1/10/2009	96	49	245064.07	125,085	30,633	119,979
298866	453-2432	Grabber Arms	12/22/2009	86	50	3321.49	1,931	463	1,390
186918	48 YD	8-48YD DB	11/30/2008	12	9	0	-	-	-
186952	6 YD F/L	10-6YD F/L	11/30/2008	60	11	60	11	12	49
186953	6 YD F/L	11-6YD F/L	11/30/2008	12		53.33	-	-	53
186954	6 YD F/L	60-6YD F/L CATH. W/ LID NO CAS	11/30/2008	60	11	360	66	72	294
186955	6 YD F/L	10-6YD F/L CATHEDRAL	11/30/2008	60	11	60	11	12	49
186956	6 YD F/L	10-6YD F/L CATHEDRAL	11/30/2008	60	11	60	11	12	49
186957	6 YD F/L	15-6YD F/L CATHEDRAL	11/30/2008	60	11	90	17	18	74
186958	6 YD F/L	15-6YD F/L CATHEDRAL	11/30/2008	60	11	100	18	20	82
186959	6 YD F/L	3-6YD F/L CATHEDRAL	11/30/2008	12		18	-	-	18
186960	6 YD F/L	6-6YD F/L CATHEDRAL	11/30/2008	60	11	40	7	8	33
186961	6 YD F/L	2-6YD F/L CATHEDRAL W/ STEEL L	11/30/2008	60	11	20	4	4	16
186962	6 YD F/L	4-6YD F/L CATHEDRAL W/AUTO REL	11/30/2008	60	11	30	6	6	25
186963	6 YD F/L	10-6YD F/L CATHEDRAL W/COMP LI	11/30/2008	60	11	60	11	12	49
186964	6 YD F/L	15-6YD F/L CATHEDRAL W/COMP LI	11/30/2008	60	11	100	18	20	82
186965	6 YD F/L	3-6YD F/L CATHEDRAL W/COMP LID	11/30/2008	60	11	20	4	4	16
186966	6 YD F/L	5-6YD F/L CATHEDRAL W/COMP LID	11/30/2008	60	11	30	6	6	25



186967	6 YD F/L	3-6YD F/L CATHEDRAL, NO CASTER	11/30/2008	60	11	20	4	4	16
186968	6 YD F/L	10-6YD F/L FLAT TOP CONT W/COM	11/30/2008	60	11	80	15	16	65
186969	6 YD F/L	42-6YD F/L NO LIDS, NO CASTERS	11/30/2008	22		250	-	-	250
186970	6 YD F/L	3-6YD F/L NO LIDS/NO CASTERS (	11/30/2008	24		20	-	-	20
186971	6 YD F/L	10-6YD F/L TAPERED	11/30/2008	60	11	70	13	14	57
186972	6 YD F/L	2-6YD F/L TAPERED	11/30/2008	60	11	20	4	4	16
186973	6 YD F/L	2-6YD F/L TAPERED	11/30/2008	60	11	20	4	4	16
186974	6 YD F/L	3-6YD F/L TAPERED	11/30/2008	60	11	20	4	4	16
186975	6 YD F/L	5-6YD F/L TAPERED NO CASTERS (	11/30/2008	60	11	30	6	6	25
186976	6 YD F/L	5-6YD F/L TAPERED W/ NO LID (5	11/30/2008	60	11	30	6	6	25
186977	6 YD F/L	10-6YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	80	15	16	65
186978	6 YD F/L	5-6YD F/L TAPERED W/COMP LIDS	11/30/2008	60	11	40	7	8	33
186979	6 YD F/L	1-6YD F/L W/COMP LID, NO CASTE	11/30/2008	30		10	-	-	10
186981	6 YD F/L	2-6YD W/NEWSPRINT LID	11/30/2008	12		20	-	-	20
186983	6 YD F/L	2-6YD W/SPECIAL NEWSPRINT LID	11/30/2008	12		20	-	-	20
187092	6 YD F/L	6-2YD FEL CONTAINERS	11/30/2008	62	13	730	153	141	577
187155	6 YD F/L	5-6YD F/L SLANT TOP CONTAINERS	11/30/2008	26		290	-	-	290
187156	6 YD F/L	5-6YD F/L CATHEDRAL STYLE CONT	11/30/2008	26		300	-	-	300
187185	6 YD F/L	1-6YD FL CONTAINERS	11/30/2008	74	25	333.33	113	54	221
187209	6 YD F/L	4-6YD FEL CONTAINERS	11/30/2008	84	35	2100	875	300	1,225
187215	6 YD F/L	2-6YD FEL CONTAINERS	11/30/2008	86	37	1100	473	153	627
187248	6 YD F/L	7-6YD FEL CONTAINERS	11/30/2008	97	48	4400	2,177	544	2,223
187253	6 YD F/L	8-6YD FEL CONTAINERS "RECYCLE"	11/30/2008	98	49	5700	2,850	698	2,850
187273	6 YD F/L	2-6YD FEL CONTAINERS RECYCLING	11/30/2008	103	54	1100	577	128	523
187277	6 YD F/L	4-6YD FEL CONTAINERS RECYCLING	11/30/2008	103	54	2100	1,101	245	999
187279	6 YD F/L	6-6YD FEL CONTAINERS RECYCLING	11/30/2008	103	54	3100	1,625	361	1,475
187303	6 YD F/L	8-6YD FEL CONT. CARDBD RECYCLE	11/30/2008	108	59	5500	3,005	611	2,495
187326	6 YD F/L	1-6YD FL CONTAINER W/COMP LID	11/30/2008	60	11	10	2	2	8
187436	6 YD F/L	6-SPECIAL RECYCLE CONTAINER	11/30/2008	12		20	-	-	20
187455	6 YD F/L	1-6YD F/L CATHEDRAL, NO CASTER	11/30/2008	60	11	10	2	2	8
187458	6 YD F/L	1-6YD F/L CATHEDRAL W/COMP LID	11/30/2008	60	11	10	2	2	8
187469	6 YD F/L	2-6YD F/L CARDBOARD RECYCLING	11/30/2008	60	11	20	4	4	16
187470	6 YD F/L	1-6YD F/L GARBAGE CONTAINER	11/30/2008	60	11	10			

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						2	2	8		
187528	6 YD F/L	4-6YD FEL CONTAINERS	11/30/2008	86	37	2100	903	293	1,197	
187543	6 YD F/L	26-6YD FL CONTAINERS	11/30/2008	12		0.26	-	-	0	
298698	6 YD F/L	9-6YD FEL Containers	12/30/2009	180	144	7034.33	5,627	469	1,407	
309286	6 YD F/L	10-6 YD FL	11/30/2008	12	9	0	-	-	-	
187021	64 MSW	9-64GAL. S/A RED TOTER CARTS	11/30/2008	60	11	10	2	2	8	
187022	64 MSW	288-65GAL CART / GREY	11/30/2008	60	11	150	28	30	123	
187023	64 MSW	140-65GAL CARTS	11/30/2008	60	11	70	13	14	57	
187024	64 MSW	24-65GAL CARTS	11/30/2008	60	57	0	-	-	-	
187025	64 MSW	236-65GAL CARTS	11/30/2008	60	11	130	24	26	106	
187026	64 MSW	280-65GAL CARTS	11/30/2008	60	11	140	26	28	114	
187070	64 MSW	275-65GAL B-STYLE CART W/ SNAP	11/30/2008	60	11	120	22	24	98	
187079	64 MSW	200-65GAL CARTS	11/30/2008	60	11	80	15	16	65	
187084	64 MSW	50-65GAL CARTS	11/30/2008	60	11	30	6	6	25	
187085	64 MSW	150-65GAL CARTS	11/30/2008	60	11	70	13	14	57	
187107	64 MSW	28-65GAL CONTAINER	11/30/2008	12		10	-	-	10	
187149	64 MSW	280-65- GAL CARTS	11/30/2008	60	11	140	26	28	114	
187165	64 MSW	100-65 GAL CARTS	11/30/2008	12		20.8	-	-	21	
187177	64 MSW	100-65GAL CART GRAY	11/30/2008	14		1200	-	-	1,200	
187198	64 MSW	350-68GAL CONTAINERS	11/30/2008	19		5300	-	-	5,300	
187219	64 MSW	150-65GAL CONTAINERS	11/30/2008	28		4000	-	-	4,000	
187224	64 MSW	300-65GAL CONTAINERS GARBAGE	11/30/2008	31		8400	-	-	8,400	
187238	64 MSW	350-65GAL CONTAINERS GARBAGE/G	11/30/2008	33		9100	-	-	9,100	
187256	64 MSW	198-68GAL CONTAINERS GARBAGE G	11/30/2008	38		5200	-	137	5,200	
187297	64 MSW	98-68 GAL CARTS	11/30/2008	46		3700	-	724	3,700	
187347	64 MSW	121-64GAL RESI CONTAINERS	11/30/2008	12		1.21	-	-	1	
187363	64 MSW	576-65GAL BAR CART W/SNAP WHEE	3/10/2009	120	75	21205.24	13,253	2,121	7,952	
187701	64 MSW	17-65GAL CARTS	11/30/2008	60	11	9.44	2	2	8	
308267	64 MSW	240-65 Gal MSW Carts	8/31/2010	120	92	2.4	2	0	1	
309289	64 MSW	9-65GAL CARTS	11/30/2008	12		33.16	-	-	33	
320959	64 MSW	301-65 Gallon MSW Carts	6/6/2011	120	102	13492.83	11,469	1,349	2,024	
187028	64 RCY	288-65GAL CARTS / YD DEBRIS	11/30/2008	60	11	200	37	40	163	
187320	64 RCY	16484-64 GAL RECYCLE CARTS	11/30/2008	51	2	576254.73	22,598	135,589	553,657	



187351	64 RCY	6-64GAL RECYCLING CONTAINERS	11/30/2008	12	3	0.06	0	-	0
187535	64 RCY	1221-68GAL CO-MINGLE CARTS	11/30/2008	57	8	44991.5	6,315	9,472	38,677
187537	64 RCY	588-65GAL CO-MINGLE CARTS	11/30/2008	58	9	22000	3,414	4,552	18,586
187538	64 RCY	308-65GAL CO-MINGLE CARTS	11/30/2008	58	9	12000	1,862	2,483	10,138
187540	64 RCY	2044-65GAL CO-MINGLE CARTS	11/30/2008	58	9	78000	12,103	16,138	65,897
294121	64 RCY	150-64 GAL RECYCLE CARTS	11/30/2008	51	2	5243.76	206	1,234	5,038
294144	64 RCY	154-68GAL AUTOCOMMINGLE CARTS	11/30/2008	53	4	5494.51	415	1,244	5,080
296466	64 RCY	300-68 Gallon Recycle Cart	10/30/2009	120	82	11720.44	8,009	1,172	3,711
330698	64 RCY	197-65 Gallon Recycle Carts	12/16/2009	120	84	2449.29	1,715	245	735
187034	90 MSW	330-SCHAEFER 95GAL CARDS / USD	11/30/2008	60	11	230	42	46	188
187035	90 MSW	330-SCHAEFER 95GAL ROLL CARTS	11/30/2008	60	11	240	44	48	196
187036	90 MSW	165-SCHAEFER 95GAL ROLL CARTS	11/30/2008	60	11	120	22	24	98
187072	90 MSW	360-95GAL CART W/ PLASTIC SNAP	11/30/2008	60	11	180	33	36	147
187080	90 MSW	780-95GAL CARTS	11/30/2008	60	11	350	64	70	286
187096	90 MSW	9-95GAL CARTS	11/30/2008	12		4.05	-	-	4
187174	90 MSW	87-95GAL CARTS	11/30/2008	14		630	-	-	630
187175	90 MSW	200-95GAL CART GRAY	11/30/2008	14		2700	-	-	2,700
187196	90 MSW	200-95GAL CONTAINERS	11/30/2008	19		3700	-	-	3,700
187197	90 MSW	100-95GAL CONTAINERS	11/30/2008	19		1800	-	-	1,800
187206	90 MSW	134-95GAL CART-GRAY	11/30/2008	23		2500	-	-	2,500
187225	90 MSW	262-95GAL CONTAINERS GARBAGE	11/30/2008	31		7100	-	-	7,100
187239	90 MSW	133-95GAL CONTAINERS GARBAGE/G	11/30/2008	33		3800	-	-	3,800
187255	90 MSW	139-95GAL CONTAINERS GARBAGE G	11/30/2008	38		3900	-	103	3,900
187295	90 MSW	486-95 GAL CARTS	11/30/2008	46		19000	-	3,717	19,000
187298	90 MSW	297-95 GAL CARTS	11/30/2008	46		12000	-	2,348	12,000
187354	90 MSW	414-95GAL GARBAGE CARTS	11/30/2008	60	11	19144.81	3,510	3,829	15,635
187375	90 MSW	331-90GAL CARTS	11/30/2008	12		290	-	-	290
187376	90 MSW	386-90GAL CARTS	11/30/2008	12		16.29	-	-	16
187396	90 MSW	250-95 GAL CARTS	11/30/2008	60	11	140	26	28	114
187445	90 MSW	34-90GAL Toter CARTS	11/30/2008	60	11	20	4	4	16
187449	90 MSW	167-90GAL Toter CARTS	11/30/2008	60	11	133.6	25	27	109
187457	90 MSW	107-95GAL SCHAEFFER CARTS	11/30/2008	60	11	70	13	14	57
187459	90 MSW	134-95GAL SCHAEFER ROLL CARTS	11/30/2008	60	11	90			



						17	18	74	
187461	90 MSW	165-95GAL ROLL CARTS	11/30/2008	60	11	120	22	24	98
187463	90 MSW	165-95GAL CARTS	11/30/2008	60	11	120	22	24	98
187466	90 MSW	100-95GAL CARTS W/LIDS	11/30/2008	60	11	60	11	12	49
187467	90 MSW	190-95GAL CARTS	11/30/2008	60	11	120	22	24	98
187471	90 MSW	250-95GAL UNIV CART ASSY W/LID	11/30/2008	60	11	140	26	28	114
187484	90 MSW	250-95GAL CART ASSY,12IN TREAD	11/30/2008	60	11	140	26	28	114
187508	90 MSW	150-95GAL B STYLE CART W/ SNAP	11/30/2008	60	11	70	13	14	57
187512	90 MSW	165-95GAL SCHAEFER ROLL CARTS	11/30/2008	60	11	20	4	4	16
187534	90 MSW	22-95GAL CONTAINERS W/WHEELS	11/30/2008	60	11	10	2	2	8
300635	90 MSW	120-95 Gallon Carts	12/21/2009	120	84	5369.33	3,759	537	1,611
300636	90 MSW	30-95 Gallon Carts	12/21/2009	120	84	1342.33	940	134	403
301176	90 MSW	164-95 Gallon Carts	12/21/2009	120	84	7338.09	5,137	734	2,201
305592	90 MSW	44-90GAL TOTE CARTS	11/30/2008	60	11	35.2	6	7	29
309282	90 MSW	194-95 GAL CARTS	11/30/2008	60	11	102.36	19	20	84
313138	90 MSW	36-90GAL CARTS	11/30/2008	12	9	0	-	-	-
315324	90 MSW	88-90GAL CARTS	11/30/2008	12		3.71	-	-	4
320611	90 MSW	491-95 Gal MSW Carts	5/31/2011	120	101	24661.61	20,757	2,466	3,905
320958	90 MSW	60-Pink 95 Gallon MSW Carts	6/6/2011	120	102	3538.2	3,007	354	531
321249	90 MSW	20-Pink 95 Gallon MSW Carts	6/6/2011	120	102	1179.4	1,002	118	177
321585	90 MSW	504-95 Gallon MSW Carts	6/30/2011	120	102	27654.32	23,506	2,765	4,148
187178	90 RCY	100-95GAL CART LIGHT GRAY	11/30/2008	14		1400	-	-	1,400
187207	90 RCY	123-95GAL CART-LIGHT GRAY	11/30/2008	23		2300	-	-	2,300
187226	90 RCY	304-95GAL CONTAINERS YARD DEBR	11/30/2008	31		8837.21	-	-	8,837
187240	90 RCY	331-95GAL CONT. YARD DEBRIS LT	11/30/2008	33		9400	-	-	9,400
187254	90 RCY	224-95GAL CONT. YARD DEBRIS LT	11/30/2008	38		6294.21	-	166	6,294
187319	90 RCY	722-95 GAL RECYCLE CART	11/30/2008	51	2	28917.31	1,134	6,804	27,783
187340	90 RCY	27-95GAL YARD DEBRIS CARTS	11/30/2008	60	11	20	4	4	16
187539	90 RCY	4129-90GAL YARD DEBRIS CARTS	11/30/2008	58	9	176810.91	27,436	36,582	149,375
187552	90 RCY	52-90GAL RECYCLING CARTS	11/30/2008	12		0.04	-	-	0
187553	90 RCY	95-95GAL RECYCLING CARTS	11/30/2008	12		0.95	-	-	1
187562	90 RCY	40-95GAL CONTAINERS YARD DEBRI	11/30/2008	31		1162.79	-	-	1,163
295412	90 RCY	27-95 GAL YARDWASTE CARTS	11/30/2008	60	11	20.45	4	4	17



305041	90 RCY	387-95 Gal Yard Waste Carts	5/26/2010	120	89	18133.08	13,449	1,813	4,684
305470	90 RCY	9-95 Gal Yard Waste Carts	5/26/2010	120	89	421.7	313	42	109
305590	90 RCY	108-95 Gal Yard Waste Carts	5/26/2010	120	89	5060.39	3,753	506	1,307
306866	90 RCY	504-95 Gal Yard Waste Carts	7/30/2010	120	91	25613.84	19,424	2,561	6,190
187323	COST ADDL	16484-ADDT'L COST	11/30/2008	51	2	42051.02	1,649	9,894	40,402
187541	COST ADDL	1764-65GAL LABOR & ASSEMBLY OF	11/30/2008	57	8	2000	281	421	1,719
294122	COST ADDL	150-ADDT'L COST	11/30/2008	51	2	382.65	15	90	368
294145	COST	154-LABOR & ASSY NEW RESI CART	11/30/2008	53	4	167.22	13	38	155
187311	ADDLCOST	ADD'L COST FRT	11/30/2008	46		870	-	170	870
187222	RCYBIN	1471-14GAL RECYCLING CONTAINER	11/30/2008	30		3800	-	-	3,800
187223	RCYBIN	1071-14GAL RECYCLING CONTAINER	11/30/2008	30		2800	-	-	2,800
187230	RCYBIN	250-14GAL CONTAINERS GREY	11/30/2008	32		780	-	-	780
187231	RCYBIN	750-14GAL CONTAINERS BLUE	11/30/2008	32		2400	-	-	2,400
187290	RCYBIN	1000-14GAL RECYCLING CONTAINER	11/30/2008	43		4100	-	572	4,100
187296	RCYBIN	1200-14GAL RECYCLE BINS BLUE	11/30/2008	46		5800	-	1,135	5,800
187325	RCYBIN	800-4GAL CURBSIDE GLASS ONLY	11/30/2008	55	6	4500	491	982	4,009
187352	RCYBIN	1963-14GAL RECYCLING CONTAINER	11/30/2008	12		19.63	-	-	20
187434	RCYBIN	10-TOTE BIN MODEL 'A'	11/30/2008	12	9	0	-	-	-
187531	RCYBIN	12-14GAL CONTAINER-RESIDENTIAL	11/30/2008	44		48.6	-	8	49
187661	RCYBIN	244-14GAL RECYCLE BIN / NAVY B	11/30/2008	60	11	15.03	3	3	12
187755	RCYBIN	400-14GAL CONTAINERS	11/30/2008	30		1800	-	-	1,800
187772	RCYBIN	425-14GAL RECYCLING CONTAINER	11/30/2008	38		1530	-	40	1,530
302038	RCYBIN	500 - 14 Gallon Recycle Bins	3/8/2010	120	87	3525	2,556	353	969
308878	RCYBIN	168-14GAL RECYCLE BIN / NAVY B	11/30/2008	60	11	10.35	2	2	8
309341	RCYBIN	75-14GAL RECYCLING CONTAINER	11/30/2008	38		270	-	7	270
317289	RCYBIN	1,000 - 14 GALLON RECYCLE BINS	3/1/2011	120	99	7480	6,171	748	1,309
185508	SECURITY	2-SECURITY BOXES	11/30/2008	12	9	0	-	-	-
185509	SECURITY	6-SECURITY BOXES	11/30/2008	12	9	0	-	-	-
185702	SECURITY	2-22' STANDARD SECURITY BOXES	11/30/2008	60	11	100	18	20	82
186771	SECURITY	1-22 LID	11/30/2008	12	9	0	-	-	-
186772	SECURITY	1-22 LID W/SCREEN	11/30/2008	12	9	0	-	-	-
186773	SECURITY	1-22 SECURITY BOX	11/30/2008	12	9	0	-	-	-
186774	SECURITY	2-22 SECURITY BOXES	11/30/2008	12	9	0	-	-	-



186775	SECURITY	2-22 SECURITY BOXES	11/30/2008	12	9	0	-	-	-
186776	SECURITY	2-22 SECURITY BOXES	11/30/2008	12	9	0	-	-	-
186777	SECURITY	2-22 SECURITY BOXES	11/30/2008	60	11	90	17	18	74
186778	SECURITY	2-22 SECURITY BOXES (	11/30/2008	60	11	90	17	18	74
186779	SECURITY	3-22 SECURITY BOXES	11/30/2008	60	11	140	26	28	114
186780	SECURITY	6-22 SECURITY BOXES W/SUPERIOR	11/30/2008	60	11	280	51	56	229
186781	SECURITY	1-22 SOLID LID	11/30/2008	12	9	0	-	-	-
186782	SECURITY	1-22 SOLID LID	11/30/2008	12	9	0	-	-	-
186783	SECURITY	4-22 STANDARD SECURITY BOX / H	11/30/2008	60	11	210	39	42	172
186784	SECURITY	4-22 STANDARD SECURITY BOX / H	11/30/2008	60	11	210	39	42	172
186785	SECURITY	4-22 STANDARD SECURITY BOXES (	11/30/2008	60	11	210	39	42	172
186998	SECURITY	1-SPECIAL SECURITY BOX	11/30/2008	12	9	0	-	-	-
187460	SECURITY	2-22' SECURITY BOXES	11/30/2008	60	11	100	18	20	82
296307		1 YD, 1.5 YD, 2 YD & 6 YD CNTS	10/15/2009	180	142	16089	12,692	1,073	3,397
296319		2 YD, 4 YD & 6 YD CARDBRD CNTS	10/22/2009	180	142	10375	8,185	692	2,190
324959		10 x 1.5 yrd front load cntnrs	8/31/2011	180	164	4990	4,546	333	444
324960		15 x 2 yrd FEL Containers	8/31/2011	180	164	7875	7,175	525	700
325262		32Gal Classic-Drk Gray-No Lid	9/19/2011	120	105	23277.8	20,368	2,328	2,910
326296		10 x 30yrd Roll-off Drop Box	10/1/2011	180	166	45950	42,376	3,063	3,574
327922		2 yard FEL Container	11/16/2011	1		0.01	-	-	0
327923		2 yard REL Container	11/16/2011	1		0.01	-	-	0
327926		Resi Carts	11/16/2011	120	108	0.05	0	0	0
327927		FEL Containers	11/16/2011	180	180	0.03	0	-	-
327928		Containers-Industrial	11/16/2011	180	180	0.02	0	-	-
332590		35 Gal MSW Resi carts	3/31/2012	120	111	37465	34,655	2,810	2,810
334378		14 Gallon Residential Rcy Bins	5/16/2012	120	113	6825.5	6,427	398	398



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

MEMORANDUM

March 21, 2013

TO: Adam Steele, Franchise Utility Specialist
FROM: Jeanna Yeager, Accountant
SUBJECT: Republic Services of Corvallis, Annual Financial Review Fiscal Year 2012

This review consists of inquiries and analytical procedures and is very limited in its nature. It does not attest to whether the financial statements or schedules were prepared in accordance with Generally Accepted Accounting Principles. The Republic Services of Corvallis (formerly Allied Waste of Corvallis) annual reports are unaudited financial reports that are the representation of the management of Republic Services.

This review is based on Republic Services' fiscal year, January 1, 2012 through December 31, 2012. During the year, Republic Services received total revenues of \$7,377,812, down 1.7% from the prior year. Republic Services attributes this primarily to weakening commodity prices.

Total operating expenditures were \$5,458,652, a decrease of 3.3%. According to Republic Services, "significantly improved maintenance spend and labor management accounted for the majority of the improvement." Salaries and general administrative costs decreased 18.8%, which is attributed to the absence of a General Manager for the first half of the year and the elimination of an assistant manager position. This resulted in operating income of \$976,891 and net income of \$586,135, both representing increases of approximately 40% when compared to the prior fiscal year.

Republic Services reports franchise fees totaling \$378,647, paid to the City of Corvallis, for standard waste, medical waste, and recycling receipts. This is consistent with City records.

Republic Services has maintained a reasonably strong financial position with current assets of \$1,028,405 and current liabilities of \$346,791.

Based on this review, acceptance of Republic Services' annual report is recommended.

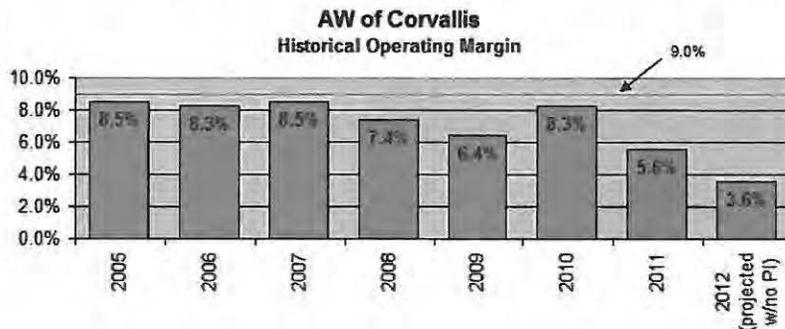


DATE: August 26, 2012
TO: Adam Steele
FROM: Gary Blake & Dan Strandy
SUBJECT: AW of Corvallis Request for Rate Adjustment

We are pleased to serve our customers in the City of Corvallis and take pride in providing a high level of customer satisfaction while managing a safe and efficient operation. We value our partnership with the City of Corvallis and our shared vision of a sustainable community. We constantly work to improve our efficiency helping to minimize the effect of inflation and delaying rate adjustments to our customers for as long as possible.

Rate Request

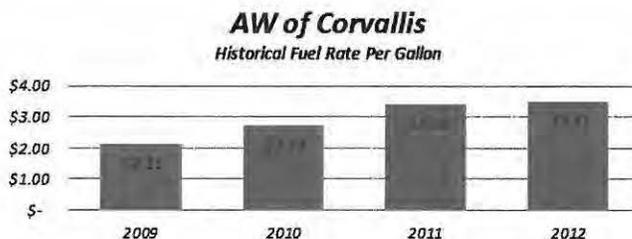
Given the length of time since our last rate adjustment (May 2009) coupled with rising costs, mainly fuel increases (up 60%), we respectfully request a 6% price increase effective October 1. Our request of 6% will not return us to historic operating margin levels but we are sensitive to the difficult economic challenges that we all face and we're willing to defer additional increase over the 6% at this time.



Historically, profitability has been between 8% and 9%. This rate increase request of 6% will not return AW to the historic profitability levels.

Fuel Costs

With respect to the fuel price impact to our business, fuel rates have increased 63% since 2009 and represent 10% of our costs, the impact to our operating margin is a decline of 6%.

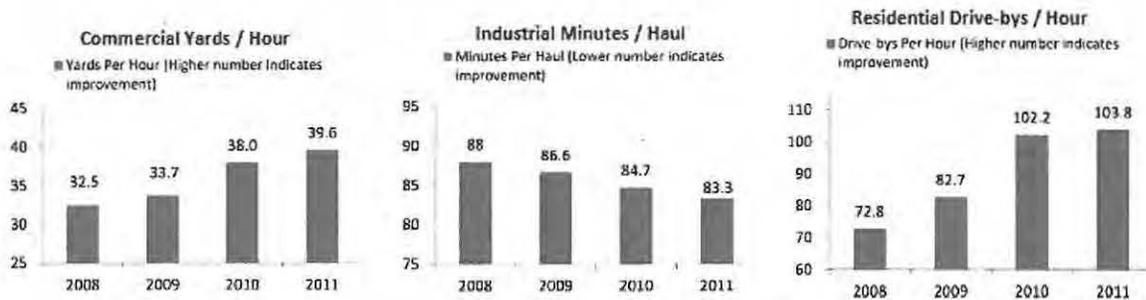


Since 2009, fuel price has risen \$1.36 per gallon, or 63%.

Inflationary Impact and Expense Control

Though fuel costs consume this entire request, we also have experienced inflationary costs across other areas of our business. The inflation rate since 2009 has increased 9%, and we've worked hard to mitigate rising costs through improved productivity. We've been able to improve upon route productivity since 2009 by continually examining ways to work smarter while maintaining the highest customer service standards and exemplary safety record.

- Commercial – 22% improvement.
- Industrial – 5% improvement.
- Residential – 43% improvement.



Additional information was requested from our August 22nd discussion. As per your email from the morning of the 23rd the following is attached.

1. Year to Date 2012 Statement of Income (through July)
2. Year to Date 2012 Schedule of Direct Expenses (through July)
3. 2010 – 2011 Labor Explanation

Allied Waste of Corvallis
City of Corvallis
Statement of Income
For the Seven Months Ended July 31, 2012

	2012	% of Rev
<i>Revenue</i>	4,358,873	
<i>Cost of Operations</i>	3,338,626	76.6%
<i>Gross Profit</i>	1,020,247	23.4%
<i>Salaries, General and Administrative</i>	550,673	12.6%
<i>Operating Income</i>	469,574	10.8%
<i>Provision for Income Taxes</i>	187,830	4.3%
<i>Income</i>	281,744	6.5%

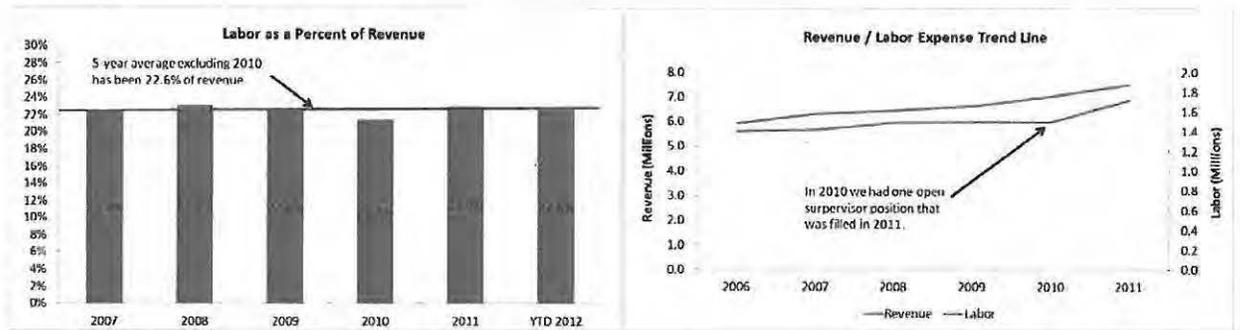
Allied Waste of Corvallis
City of Corvallis
Schedule of Direct Expenses
For The Seven Months Ended July 31, 2012

	2012	% of Rev
COST OF OPERATIONS		
Labor	983,091	22.6%
R&M	272,733	6.3%
Vehicle Ops Costs	332,245	7.6%
Facility	115,720	2.7%
Insurance	215,052	4.9%
Disposal & Recycling Purchases	847,425	19.4%
Franch. Fees	218,600	5.0%
Oth Ops Costs	72,331	1.7%
Deprecitation	281,429	6.5%
TOTAL COST OF OPERATIONS	3,338,626	76.6%
SALARIES, GENERAL & ADMINISTRATIVE		
Salaries	130,780	3.0%
Sales, General & Administrative Expenses	419,893	9.6%
TOTAL SALARIES, GENERAL & ADMINISTRATIVE	550,673	12.6%

2010 – 2011 Labor Explanation

Labor costs, as a percentage of revenue, have averaged 22.6% over the last five years, excluding 2010 (see chart below). In 2010 we had an open supervisor position that was filled in 2011, explaining why our labor, as a percentage of revenue, dipped in 2010. Labor returned to historical levels in 2011.

The second chart illustrates that our labor, a variable expense, has consistently tracked with revenue.



Attached are the following supplemental schedules.

1. 2007 – 2012 (YTD) Statement of Income
2. 2007 – 2012 (YTD) Schedule of Direct Expenses
3. 2010 – 2013 (projected 2012 & 2013) Statement of Income
4. Current Rate Schedule
5. Proposed Rate Schedule

Please do not hesitate in contacting us if you have any questions or concerns.

Regards,

Gary Blake
Dan Strandy

Allied Waste of Corvallis
City of Corvallis
Statement of Income
For the past five years and the seven months ended July 31, 2012.

	2007		2008			2009			2010		2011		2012 YTD through 7/31/2012	
		% of Rev	% of Rev	YoY change	% of Rev									
Revenue	6,323,000		6,461,241	138,241	6,651,599	190,358	7,026,291	374,692	7,501,760	475,469	4,358,873			
Cost of Operations	4,490,351	71.0%	4,713,639	223,288	4,742,519	28,880	4,958,930	216,411	5,644,205	685,275	3,338,626	76.6%		
Gross Profit	1,832,649	29.0%	1,747,602	(85,047)	1,909,080	161,478	2,067,361	158,281	1,857,555	(209,806)	1,020,247	23.4%		
Salaries, General and Administrative	938,172	14.8%	1,021,635	83,463	1,194,590	172,955	1,098,385	(96,205)	1,161,032	62,647	550,673	12.6%		
Operating Income	894,477	14.1%	725,967	(168,510)	714,490	(11,477)	968,976	254,486	696,523	(272,453)	469,574	10.8%		
Provision for Income Taxes	357,790	5.7%	250,459	(107,331)	286,720	36,261	389,362	102,642	278,610	(110,752)	187,830	4.3%		
Income	536,685	8.5%	475,508	(61,177)	427,770	(47,738)	579,614	151,844	417,913	(161,701)	281,744	6.5%		
Income as a Percentage of Revenue	8.5%		7.4%		6.4%		8.2%		5.6%		6.5%			

Allied Waste of Corvallis
City of Corvallis
Schedule of Direct Expenses
For the past five years and the seven months ended July 31, 2012.

	2007		2008			2009			2010			2011			2012 YTD through 7.31/2012	
		% of Rev	% of Rev	YoY change	% of Rev	YoY change	% of Rev	YoY change	% of Rev	YoY change	% of Rev	YoY change	% of Rev	YoY change		% of Rev
COST OF OPERATIONS																
Labor	1,416,750	22.4%	1,491,015	23.1%	74,265	1,502,106	22.6%	11,091	1,501,646	21.4%	(460)	1,717,246	22.9%	215,600	983,091	22.6%
R&M	489,537	7.7%	438,012	6.8%	(51,525)	476,360	7.2%	38,348	470,668	6.7%	(5,692)	568,365	7.6%	97,697	272,733	6.3%
Vehicle Ops Costs	344,627	5.5%	454,352	7.0%	109,725	308,538	4.6%	(145,814)	374,655	5.3%	66,117	536,639	7.2%	161,984	332,245	7.6%
Equipment Rent	1,188	0.0%	5,626	0.1%	4,438	211	0.0%	(5,415)	187	0.0%	(24)	-	0.0%	(187)	-	0.0%
Facility	160,395	2.5%	157,217	2.4%	(3,178)	198,147	3.0%	40,930	193,196	2.7%	(4,951)	195,755	2.8%	2,559	115,720	2.7%
Insurance	174,526	2.8%	232,995	3.6%	58,469	152,832	2.3%	(80,163)	217,124	3.1%	64,292	249,082	3.3%	31,958	215,052	4.9%
Disposal & Recycling Purchases	1,192,247	18.9%	1,103,464	17.1%	(88,783)	1,202,722	18.1%	99,258	1,261,193	17.9%	58,471	1,349,361	18.0%	88,168	847,425	19.4%
Franch. Fees	340,238	5.4%	343,030	5.3%	2,792	343,030	5.2%	-	366,837	5.2%	23,807	383,790	5.1%	16,953	218,600	5.0%
Oth Ops Costs	39,892	0.6%	38,011	0.6%	(1,881)	57,214	0.9%	19,203	67,752	1.0%	10,538	121,503	1.6%	53,751	72,331	1.7%
Depreciation	330,951	5.2%	449,917	7.0%	118,966	501,359	7.5%	51,442	505,672	7.2%	4,313	522,464	7.0%	16,792	281,429	6.5%
TOTAL COST OF OPERATIONS	4,490,351	71.0%	4,713,639	73.0%	223,288	4,742,519	71.3%	28,880	4,958,930	70.6%	216,411	5,644,205	75.2%	685,275	3,338,626	76.6%
SALARIES, GENERAL & ADMINISTRATIVE																
Salaries	291,345	4.6%	282,311	4.4%	(9,034)	440,723	6.6%	158,412	361,099	5.1%	(79,624)	357,840	4.6%	(3,259)	130,780	3.0%
Sales, General & Administrative Expenses	646,827	10.2%	739,324	11.4%	92,497	753,867	11.3%	14,543	737,286	10.5%	(16,581)	603,192	10.7%	65,906	419,893	9.8%
TOTAL SALARIES, GENERAL & ADMINISTRATIVE	938,172	14.8%	1,021,635	15.8%	83,483	1,194,590	18.0%	172,955	1,098,385	15.6%	(96,205)	1,161,032	15.5%	62,647	550,673	12.6%

Allied Waste of Corvallis
City of Corvallis
Proforma Statement of Income
For the twelve months ended December 31, 2010, 2011, projected 2012 and projected 2013

	2010	2011	<i>2012 Projected with a 6% PI effective Oct '12</i>	% Change	2013 Projected	% Change
<i>Revenue</i>	7,026,291	7,501,760	7,607,042	1.4%	7,922,888	4.2%
<i>Cost of Operations</i>	4,958,930	5,644,205	5,802,718	2.8%	5,927,391	2.1%
<i>Gross Profit</i>	2,067,361	1,857,555	1,804,325	-2.9%	1,995,497	10.6%
<i>Salaries, General and Administrative</i>	1,098,385	1,161,032	1,184,253	2.0%	1,207,938	2.0%
<i>Operating Income</i>	968,976	696,523	620,072	-11.0%	787,559	27.0%
<i>Provision for Income Taxes</i>	389,362	278,609	248,029	-11.0%	315,024	27.0%
<i>Income</i>	579,614	417,914	372,043	-11.0%	472,535	27.0%
<i>Income as a Percentage of Revenue</i>	8.2%	5.6%	4.9%		6.0%	

Allied Waste of Corvallis
 City of Corvallis
 Proforma Schedule of Direct Expenses
 For the twelve months ended December 31, 2010, 2011, projected 2012 and projected 2013

	2010	2011	2012 Projected with a 6% PI effective Oct '12	% Change	2013 Projected	% Change
COST OF OPERATIONS						
Labor	1,501,646	1,717,246	1,751,591	2.0%	1,786,623	2.0%
Repairs and Maintenance	470,668	568,365	579,732	2.0%	591,327	2.0%
Vehicle Operating Costs	374,842	536,639	603,673	12.5%	615,746	2.0%
Facility	193,196	195,755	199,670	2.0%	203,664	2.0%
Insurance	217,124	249,082	254,064	2.0%	259,145	2.0%
Disposal & Recycling Purchases	1,261,193	1,349,361	1,367,964	1.4%	1,395,324	2.0%
Franchise Fees	366,837	383,790	389,177	1.4%	405,580	4.2%
Other Operating Costs	67,752	121,503	123,933	2.0%	126,412	2.0%
Depreciation	505,672	522,464	532,913	2.0%	543,572	2.0%
TOTAL COST OF OPERATIONS	4,958,930	5,644,205	5,802,718	2.8%	5,927,391	2.1%
SALARIES, GENERAL & ADMINISTRATIVE						
Salaries	361,099	357,840	364,997	2.0%	372,297	2.0%
Sales, General & Administrative Expenses	737,286	803,192	819,256	2.0%	835,641	2.0%
TOTAL SALARIES, GENERAL & ADMINISTRATIVE	1,098,385	1,161,032	1,184,253	2.0%	1,207,938	2.0%

City of Corvallis - Rates Effective as of May, 2009

Resi			Misc		Special Pick Ups - Rt 420 - Within 2 Days of Request	
Service	Monthly	Bi-Monthly				
1 Can	\$23.75	\$47.50	Off route pickup - Trash	\$23.00	55g Drum	\$26.00
2 Can	\$35.75	\$71.50	Off route pickup GW/YW	\$15.50	Bathtub	\$34.00
3 Can	\$47.65	\$95.30	Extra 32 gal can/bag/box/heavy	\$5.50	CHA-Chair – recliner or large chair	\$23.00
32g bi-wk	\$14.55	N/A	Extra loose garbage per yard	\$23.00	COU-Couch	\$29.00
20g	\$15.65	\$31.30	Time per minute to p/u loose garbage (5minute min)	\$1.65	Desk/Table	\$23.00
35g	\$17.45	\$34.90	Each Extra Person Req To Pu Loose Garbage Per Min	\$0.80	Hide-a-bed	\$34.00
65g	\$23.20	\$46.40	35g Cart Replacement	\$28.75	Loveseat	\$26.00
90g	\$29.00	\$58.00	65g/Recycle Cart Replacement	\$36.75	MAQ-Mattress or boxspring (queen/king)	\$26.00
On call	\$13.10	\$26.20	90g/YardWasteCart Replacement	\$41.75	MAT-Mattress or boxspring (twin/double)	\$23.00
64g Monthly	N/A	N/A	Wash Container (1 per year for free)	\$77.95	Special Pick Ups - Rt 914 - Serv Day	
90g Monthly	N/A	N/A	Lock & Key for container	\$19.00	API-Dishwasher	\$23.00
Up-drive	\$6.00	\$12.00	Industrial Cleaning Fee - Once a Year Free	\$77.95	APD-Dryer	\$23.00
2nd Yw w/Trash	\$7.00	\$14.00	Relocation Fee On Site	\$50.00	APT-TV – console	\$26.00
Yw w/o weekly Trash	\$8.00	\$16.00	TIR-Tires (If found in load-we do not pu seperately)	\$12.00	Freezer	\$34.00
			Tires with rim	\$22.00	Lawn Mower-Push	\$23.00
			Truck Tires	\$27.00	Lawn Mower-Riding	\$34.00
			Truck Tire with rim	\$37.00	APR-Refrigerator	\$34.00
			Container Over Weight Charge per 500 lbs	\$30.00	APS-Stove or Range (electric or gas)	\$29.00
			Account Origination Fee	\$10.00	APW-Washing Machine	\$29.00
			Service Interrupt Fee	\$30.00	APH-Water Heater	\$23.00

City of Corvallis - Rates Effective as of May, 2009

Temp		
Size	Dump Fee	Max Rent
1.5yd	\$37.00	\$25.50
Rent- Prorated Per Day		

On Call Containers		
Size	Dump Fee	Rent
1 yd	\$25.00	\$21.50
1.5 yd	\$36.25	\$23.75
2 yd	\$45.50	\$26.00
3 yd	\$69.00	\$29.25
4 yd	\$76.75	\$31.25
6 yd	\$99.50	\$33.50

Commercial Food Waste	
1st Cart	\$48.00
Each Additional Cart	\$7.00

Industrial	
Lidded Ind. Cont. Add. Rental Fee per Month	\$20.00
Temp	
Deposit	
Delivery	\$45.00
30yd Haul	\$170.00
Rent Per Day	\$16.00
Rent Per Month	\$120.00
Perm	
10yd Haul	\$170.00
20yd Haul	\$170.00
30yd Haul	\$170.00
40yd Haul	\$170.00
Perm Rent Per Month 10yd	\$75.00
Perm Rent Per Month 20yd	\$85.00
Perm Rent Per Month 30yd	\$95.00
Perm Rent Per Month 40yd	\$105.00

Auto					
Size	1/week	2/week	3/week	4/week	5/week
1.5 yd	\$100.90	\$190.80	\$280.70	\$370.60	\$460.50
2 yd	\$123.20	\$233.30	\$343.50	\$453.60	\$563.80
3 yd	\$173.30	\$323.00	\$460.70	\$599.80	\$737.50
4 yd	\$223.40	\$411.60	\$578.80	\$759.00	\$927.10
6 yd	\$289.40	\$531.00	\$732.00	\$932.70	\$1,213.30

Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$94.80	\$178.60	\$262.60	\$346.50	\$397.00
1.5 yd	\$122.20	\$232.40	\$342.70	\$453.00	\$563.20
2 yd	\$149.50	\$284.90	\$420.40	\$555.80	\$691.10
3 yd	\$210.30	\$395.10	\$574.30	\$742.70	\$918.80
4 yd	\$268.00	\$497.80	\$704.50	\$926.50	\$1,133.30
6 yd	\$352.20	\$652.40	\$908.10	\$1,163.90	\$1,416.50

Disposal	
Trash - Per Ton	\$26.85
YW/Wood - Per Ton	\$29.00
Metal	None
Concrete	\$50.00
Trash Compactors	
30yd Trash Compactor Haul Fee	\$245.00
35yd Trash Compactor Haul Fee	\$245.00
40yd Trash Compactor Haul Fee	\$245.00
Cardboard Compactors	
30yd OCC Compactor Haul Fee	\$140.00
35yd OCC Compactor Haul Fee	\$140.00
40yd OCC Compactor Haul Fee	\$140.00

Customer Owned - Auto					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$79.20	\$154.60	\$230.90	\$306.80	\$382.70
1.5 yd	\$92.10	\$180.80	\$269.40	\$359.90	\$446.40
2 yd	\$113.30	\$221.70	\$330.20	\$438.70	\$547.30
3 yd	\$161.10	\$308.60	\$444.40	\$581.30	\$717.00
4 yd	\$208.80	\$394.30	\$559.00	\$737.60	\$902.40
6 yd	\$271.40	\$510.00	\$707.40	\$905.30	\$1,100.60

Customer Owned - Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$85.20	\$166.30	\$247.50	\$328.60	\$409.70
1.5 yd	\$110.80	\$217.50	\$324.10	\$430.70	\$537.30
2 yd	\$136.50	\$267.30	\$398.20	\$529.20	\$660.10
3 yd	\$193.80	\$372.40	\$545.60	\$708.50	\$878.80
4 yd	\$247.80	\$470.00	\$669.90	\$884.70	\$1,084.50
6 yd	\$326.80	\$617.00	\$864.30	\$1,111.70	\$1,356.00

Compactors						
Size	On Call	1/week	2/week	3/week	4/week	5/week
1 yd	\$86.50	\$278.15	\$532.55	\$781.60	\$1,020.30	\$1,266.45
1.5 yd	\$100.10	\$375.40	\$680.70	\$981.70	\$1,297.60	\$1,598.50
2 yd	\$134.52	\$486.95	\$928.80	\$1,327.75	\$1,726.80	\$2,122.75

Security Box	
Rent	\$120.00
Delivery	\$120.00

City of Corvallis 6.0% Price Increase Effective 10/01/12

*All rounded to the nearest nickel

Revised and Printed as of 8/27/2012

Resi			Misc	Special Pick Ups - Rt 420 - Within 2 Days of Request		
Service	Monthly	Bi-Monthly				
1 Can	\$25.20	\$50.40	Off route pickup - Trash	\$24.40	55g Drum	\$27.55
2 Can	\$37.90	\$75.80	Off route pickup GW/YW	\$16.45	Bathtub	\$36.05
3 Can	\$50.50	\$101.00	Extra 32 gal can/bag/box/heavy	\$5.85	CHA-Chair - recliner or large chair	\$24.40
32g bi-wk	\$15.40	\$30.80	Extra loose garbage per yard	\$24.40	COU-Couch	\$30.75
20g	\$16.60	\$33.20	Time per minute to p/u loose garbage (5minute min)	\$1.75	Desk/Table	\$24.40
35g	\$18.50	\$37.00	Each Extra Person Req To Pu Loose Garbage Per Min	\$0.85	Hide-a-bed	\$36.05
65g	\$24.60	\$49.20	35g Cart Replacement	\$30.50	Loveseat	\$27.55
90g	\$30.75	\$61.50	65g/Recycle Cart Replacement	\$38.95	MAQ-Mattress or boxspring (queen/king)	\$27.55
On call	\$13.90	\$27.80	90g/YardWasteCart Replacement	\$44.25	MAT-Mattress or boxspring (twin/double)	\$24.40
64g Monthly	N/A	N/A	Wash Container (1 per year for free)	\$82.65	Special Pick Ups - Rt 914 - Serv Day	
90g Monthly	N/A	N/A	Lock & Key for container	\$20.15	API-Dishwasher	\$24.40
Up-drive	\$6.35	\$12.70	Industrial Cleaning Fee - Once a Year Free	\$82.65	APD-Dryer	\$24.40
2nd Yw w/Trash	\$7.40	\$14.80	Relocation Fee On Site	\$53.00	APT-TV - console	\$27.55
Yw w/o weekly Trash	\$8.50	\$17.00	TIR-Tires (If found in load-we do not pu seperately)	\$12.70	Freezer	\$36.05
			Tires with rim	\$23.30	Lawn Mower-Push	\$24.40
			Truck Tires	\$28.60	Lawn Mower-Riding	\$36.05
			Truck Tire with rim	\$39.20	APR-Refrigerator	\$36.05
			Container Over Weight Charge per 500 lbs	\$31.80	APS-Stove or Range (electric or gas)	\$30.75
			Account Origination Fee	\$10.60	APW-Washing Machine	\$30.75
			Service Interrupt Fee	\$31.80	APH-Water Heater	\$24.40

City of Corvallis 6.0% Price Increase Effective 10/01/12

*All rounded to the nearest nickel

Revised and Printed as of 8/27/2012

Temp		
Size	Dump Fee	Max Rent
1.5yd	\$39.20	\$27.05
Rent- Prorated Per Day		

On Call Containers		
Size	Dump Fee	Rent
1 yd	\$26.50	\$22.80
1.5 yd	\$38.45	\$25.20
2 yd	\$48.25	\$27.55
3 yd	\$73.15	\$31.00
4 yd	\$81.35	\$33.15
6 yd	\$105.45	\$35.50

Commercial Food Waste	
1st Cart	\$50.90
Each AdditioN/AI Cart	\$7.40

Auto					
Size	1/week	2/week	3/week	4/week	5/week
1.5 yd	\$106.95	\$202.25	\$297.55	\$392.85	\$488.15
2 yd	\$130.60	\$247.30	\$364.10	\$480.80	\$597.65
3 yd	\$183.70	\$342.40	\$488.35	\$635.80	\$781.75
4 yd	\$236.80	\$436.30	\$613.55	\$804.55	\$982.75
6 yd	\$306.75	\$562.85	\$775.90	\$988.65	\$1,286.10

Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$100.50	\$189.30	\$278.35	\$367.30	\$420.80
1.5 yd	\$129.55	\$246.35	\$363.25	\$480.20	\$597.00
2 yd	\$158.45	\$302.00	\$445.60	\$589.15	\$732.55
3 yd	\$222.90	\$418.80	\$608.75	\$787.25	\$973.95
4 yd	\$284.10	\$527.65	\$746.75	\$982.10	\$1,201.30
6 yd	\$373.35	\$691.55	\$962.60	\$1,233.75	\$1,501.50

Customer Owned - Auto					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$83.95	\$163.90	\$244.75	\$325.20	\$405.65
1.5 yd	\$97.65	\$191.65	\$285.55	\$381.50	\$473.20
2 yd	\$120.10	\$235.00	\$350.00	\$465.00	\$580.15
3 yd	\$170.75	\$327.10	\$471.05	\$616.20	\$760.00
4 yd	\$221.35	\$417.95	\$592.55	\$781.85	\$956.55
6 yd	\$287.70	\$540.60	\$749.85	\$959.60	\$1,166.65

Customer Owned - Manual					
Size	1/week	2/week	3/week	4/week	5/week
1 yd	\$90.30	\$176.30	\$262.35	\$348.30	\$434.30
1.5 yd	\$117.45	\$230.55	\$343.55	\$456.55	\$569.55
2 yd	\$144.70	\$283.35	\$422.10	\$560.95	\$699.70
3 yd	\$205.45	\$394.75	\$578.35	\$751.00	\$931.55
4 yd	\$262.65	\$498.20	\$710.10	\$937.80	\$1,149.55
6 yd	\$346.40	\$654.00	\$916.15	\$1,178.40	\$1,437.35

Industrial	
Lidded Ind. Cont. Add. Rental Fee per Month	\$21.20
Temp	
Deposit	
Delivery	\$47.70
30yd Haul	\$180.20
Rent Per Day	\$16.95
Rent Per Month	\$127.20
Perm	
10yd Haul	\$180.20
20yd Haul	\$180.20
30yd Haul	\$180.20
40yd Haul	\$180.20
Perm Rent Per Month 10yd	\$79.50
Perm Rent Per Month 20yd	\$90.10
Perm Rent Per Month 30yd	\$100.70
Perm Rent Per Month 40yd	\$111.30

Disposal	
Trash - Per Ton	\$28.45
YW/Wood - Per Ton	\$30.75
Metal	N/A
Concrete	\$53.00
Trash Compactors	
30yd Trash Compactor Haul Fee	\$259.70
35yd Trash Compactor Haul Fee	\$259.70
40yd Trash Compactor Haul Fee	\$259.70
Cardboard Compactors	
30yd OCC Compactor Haul Fee	\$148.40
35yd OCC Compactor Haul Fee	\$148.40
40yd OCC Compactor Haul Fee	\$148.40

Compactors						
Size	On Call	1/week	2/week	3/week	4/week	5/week
1 yd	\$91.70	\$294.85	\$564.50	\$828.50	\$1,081.50	\$1,342.45
1.5 yd	\$106.10	\$397.90	\$721.55	\$1,040.60	\$1,375.45	\$1,694.40
2 yd	\$142.60	\$516.15	\$984.55	\$1,407.40	\$1,830.40	\$2,250.10

Security Box	
Rent	\$127.20
Delivery	\$127.20

MEMORANDUM

TO: Administrative Services Committee

FROM: Mary Steckel, Public Works Director 

DATE: March 22, 2013

SUBJECT: Solid Waste Franchise Agreement

Issue

Republic Services of Corvallis (Republic), formerly Allied Waste of Corvallis is seeking a five-year extension to its current franchise agreement that is set to expire on December 31, 2018.

Discussion

In the Fall of 2012, Republic met with staff to discuss changing their current fleet fuel type from diesel to compressed natural gas (CNG). Changing their fleet requires investing about \$5 million in CNG fueling infrastructure and purchasing new trucks. Republic is seeking a franchise extension to ensure there is time to recoup the investment needed to convert their fleet.

The benefits of CNG refuse trucks over the current diesel units include:

- Reduced air emissions - each CNG truck is equivalent to removing 325 cars from the road
- Reduced noise - up to 10 decibels
- Reduced fuel expenses - fuel cost savings will allow Republic to recover the \$5 million investment on fuel savings, no initial rate increase is required
- Reduced dependance on foreign oil - 98% of natural gas is produced in North America

Republic's proposed franchise extension has provided staff an opportunity to review the current franchise and in particular how rates are adjusted. During the last rate adjustment there was some discussion and confusion about the rate review process and defining reasonable compensation. To resolve the confusion on reasonable compensation, the amended agreement (Attachment A) eliminates the term and instead provides an annual rate adjustment based on a Refuse Rate Index (RRI). An annual increase based on the index also eliminates problems staff has had in the past evaluating Republic's projected financial outlook provided during rate reviews.

The RRI is based on three components: 1) Consumer Price Index (CPI) 2) garbage disposal fee 3) organic disposal fee. The weight applied to each component used in the RRI calculation coincide with a 4-year average of Republic's expense structure. Three different RRI's have been developed for the three customer categories; industrial, commercial, and residential. Under the amended agreement, Republic is allowed to adjust rates based on the appropriate RRI on January 1 of each year up to four percent without Council approval. As a frame of reference, the CPI has increased 2.4% on average for the last ten years and 3.2% for the last 20 years. In comparison, Republic's rate increases for the last ten years have averaged 2.9%, after removing increases for new services (Attachment B). Staff evaluated several rate

increase scenarios to determine the maximum allowable rate increase that permits historical CPI changes and allows for disposal changes. Staff recommend that rate increases over four percent be reviewed by the Council. Within the RRI, a four percent increase provides for historic CPI increases plus room for increases in disposal charges. Attachment C provides four examples of how the four percent limit could be reached and what effect it would have on a residential 35-gallon garbage rate. The City of Albany adopted a similar increase index (Attachment D) that allows increases of up to six percent. Given the rate scenarios staff performed, increases over four percent appear unlikely and would warrant additional review.

The amended agreement also states the City must be notified of the forthcoming adjustment 60 days before it goes into effect to allow time for staff to review and confirm the calculations. Customers would be notified at least 30 days prior to the rate adjustment.

Staff was initially reluctant to include the disposal cost calculators in the RRI because Republic currently owns both the garbage (Coffin Butte Landfill) and organic disposal (Pacific Region Composting (PRC)) locations. Staff was concerned Republic could arbitrarily increase rates at the disposal sites thus increasing rates for Corvallis customers. Although it seems unlikely Republic would enact such a policy based on the company's 50-year history in the community, if it did, the City has the authority in the franchise to direct Republic to other disposal sites; sites that are not owned and operated by Republic. Staff view this as a tool to ensure disposal rates are maintained at a competitive level. In addition, Coffin Butte rates are regulated by Benton County's franchise agreement with Coffin Butte. The rates are allowed to increase annually by a CPI. The franchise agreement between Benton County and Coffin Butte is set to expire December 31, 2020. With the Benton County agreement expiring close to the end of this amended agreement it seemed having Coffin Butte as a separate component in the RRI was unneeded. Republic requested to have it separate in the event Coffin Butte's agreement with Benton County changes. The PRC is not rate regulated by Benton County; its rates have been driven by the market and the infrastructure required by regulations for composting organic debris.

In addition to the RRI, there is another mechanism for Republic to ask for a rate increase. This would be used if new government regulations drastically increased costs, if a new service was provided, or if some other new large expense is incurred. This is similar to the current agreement but there is new language that requires Republic to notify the City immediately when they know a new large expense is coming, such as a disposal site closing, requiring additional hauling expenses to get to another site. The current agreement allows for rate increase requests after the fact, preventing the City from reviewing the situation prior to Republic incurring the expense and seeking a rate adjustment. With the new up-front notification in the amended agreement, the City Council would have more options, such as directing staff to evaluate if service reductions should be adopted by Republic to offset the new expense instead of granting a rate increase.

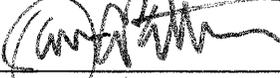
The amended agreement also incorporates administrative changes such as changing Allied Waste Services of Corvallis to Republic Services of Corvallis, and removing language pertaining to yard debris since yard debris now falls under the category of organic debris.

Republic has stated it will not seek a rate increase in 2013 if the amended agreement is approved, allowing the conversion to a CNG fleet.

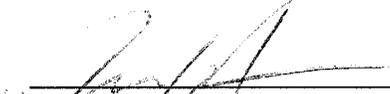
Recommendation

Staff recommends the Administrative Services Committee recommend City Council adopt an ordinance (attached) amending the solid waste franchise with Republic Services (Allied Waste) of Corvallis stating an effective date of June 1, 2013.

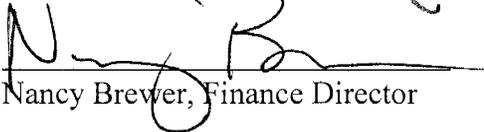
Review and Concur:



James A. Patterson, City Manager



Jim Brewer, City Attorney



Nancy Brewer, Finance Director

Attachments:

- Attachment A - Amended solid waste franchise agreement
- Attachment B - Rate Increase History
- Attachment C - Refuse Rate Scenarios
- Attachment D - City of Albany Solid Waste Agreement

ORDINANCE NO. 2013-

AN ORDINANCE REGULATING SOLID WASTE MANAGEMENT INCLUDING, WITHOUT LIMITATION, GRANTING AN EXCLUSIVE SOLID WASTE FRANCHISE TO REPUBLIC SERVICES OF CORVALLIS; ESTABLISHING SERVICE STANDARDS AND ESTABLISHING PUBLIC RESPONSIBILITY; REPEALING ORDINANCE 208-15; PRESCRIBING PENALTIES; AND STATING AN EFFECTIVE DATE.

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1 - Introduction

1.1 Short Title. This ordinance shall be known as the “Solid Waste Management Ordinance.”

1.2 Purpose and Policy. In order to protect the health, safety and welfare of the people of the City of Corvallis, it is the public policy of the City of Corvallis to regulate and to provide a Solid Waste management program.

1.3 Solid Waste Management Goals.

1.3.1 Ensure the safe and sanitary accumulation, storage, Collection, transportation and disposal or Resource Recovery of Solid Wastes. Ensure proper handling of Household Hazardous Waste, ensure that the community has an ongoing Resource Recovery and disposal service, and ensure that watershed Recycling goals are met.

1.3.2 Engage in research, studies, surveys and demonstration projects to develop a safe, sanitary, sustainable, efficient and economical Solid Waste management system.

1.3.3 Research, develop, and promote technologically and economically feasible Resource Recovery including, Source Separation, Recycling and reuse, and separation by and through the Franchisee. Research, develop, and promote Solid Waste reduction strategies.

1.3.4 Ensure efficient, economical and comprehensive Solid Waste Service. Maximize Collection to reduce the adverse environmental impacts of individual Collection and disposal efforts. Minimize duplication of Service or routes to conserve energy and material resources, to reduce air pollution and truck traffic, and to increase efficiency, thereby minimizing consumer cost, street wear, and public inconvenience.

1.3.5 Protect and enhance the public health and the environment.

1.3.6 Protect against improper and dangerous handling of Hazardous and Infectious Wastes.

1.3.7 Encourage the use of the expertise and capabilities of private industry.

1.3.8 Provide for equitable charges to the users of Solid Waste Services that are reasonable and adequate to provide necessary Service to the public, justify investment in Solid Waste management systems, and provide for equipment and systems modernization to meet environmental and community service requirements.

1.3.9 Provide Service without discrimination on the basis of race, religion, religious observance, citizenship status, gender identity or expression, color, sex, marital status, familial status, citizenship status, national origin, age, mental or physical disability, sexual orientation, or source or level of income and not give any Person any preference or advantage not available to all Persons similarly situated.

1.3.10 Work in cooperation with the City of Corvallis, Benton County, local citizen groups, and local industries to reduce the quantity of Solid Waste produced, optimize efficiencies, and conserve resources.

1.3.11 Provide efficient leaf Collection to protect the community's health, safety, and appearance, and to improve water quality.

1.3.12 Demonstrate a responsive, customer-service oriented business philosophy.

1.3.13 Increase recovery of organic and inorganic Solid Waste from all Solid Waste streams that the Franchisee Collects within the Franchise Territory.

1.4 Definitions. For the purpose of the ordinance, the following terms shall have the following meaning:

“Automated Frontload Service” means Servicing Commercial customer frontload style Receptacles where the Collection vehicle operator does not need to leave the Collection vehicle for any reason to Service the Receptacle.

“City” means the City of Corvallis, Oregon all of its officers, employees, and representatives.

“Collection” (or variations thereof) means a Service providing for collection of Solid Waste, Recyclable Materials, and Organic Debris.

“Commercial” means commercial and industrial businesses including but not limited to retail sales, services, wholesale operations, manufacturing, and industrial operations but excluding businesses conducted upon Residential premises which are permitted under applicable zoning regulations and are not the primary use of the property.

“Commingled Recyclables” means newspapers, corrugated cardboard, brown paper bags, tin/aluminum cans, aseptic containers, aerosol cans, plastics defined as tubs/bottles, and mixed paper consisting of household mail, paperboard, and magazines, or any other combination of Recyclable Materials approved by the City in accordance with state regulations.

“Compact and Compaction” means the process of, or to engage in the manual or mechanical compression of material.

“Council” means the governing body of the City.

“Curbside” means a location within three (3) feet of a City street, public access road, State or federal road. This does not allow Solid Waste or Recycling Receptacles to be placed on the inside of a fence or enclosure for Collection even if the Receptacle is within three (3) feet of said road or roads. For residences on “flag lots”, private roads, or driveways, “Curbside” shall be the point where the private road or driveway intersects a City street, public access road, State or federal road.

“Disposal” means the ultimate disposition of Solid Waste Collected by the Franchisee at a Disposal Site.

“Disposal Site” means land and facilities used for the Disposal, handling, or transfer of, or energy recovery, material recovery and Recycling from Solid Wastes, including but not limited to landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, transfer stations, energy recovery facilities, incinerators for Solid Waste delivered by the public or by a Collection Service, composting plants and land and facilities previously used for Solid Waste Disposal at a land Disposal Site.

“Franchisee” means Republic Services of Corvallis, an Oregon corporation, granted a franchise pursuant to Section 2 of this ordinance or a subsequent ordinance. It also includes any sub-contractor to Republic Services of Corvallis operating within the Franchise Territory.

“Franchise Territory” means the area within the legal boundaries of the City of Corvallis, including any areas annexed during the term of this franchise, and all property owned by the City, outside City limits and within the urban growth boundary.

“Generator” means any Person whose act or process produces Solid Waste, Recyclable Materials, or Organic Debris or whose act first causes Solid Waste Recyclable Materials or Organic Debris to become subject to regulation. As used in this franchise, “Generator” does not include any Person who manages an intermediate function resulting in the alteration or Compaction of the Solid Waste or Recyclable Material after it has been produced by the Generator and placed for Collection.

“Green Feedstocks” include but are not limited to: yard debris, animal manures, wood waste (as defined in OAR 340-093-0030(94)), vegetative food waste, produce waste, vegetative restaurant waste, vegetative food processor by-products and crop residue. Green feedstocks may also include other materials approved by DEQ. Green Feedstock is a subset of Solid Waste.

“Gross Revenue” shall mean revenues derived from all sources of operations within the Franchise Territory allowed by law to be included within the term of Gross Revenue. No expenses, encumbrances, or expenditures shall be deducted from the Gross Revenue in determining the total Gross Revenue subject to the franchise fee, except net uncollectibles.

“Hazardous Waste” means any hazardous wastes as defined by ORS 466.005.

“Holidays” means legal holidays observed by the City of Corvallis.

“Household Hazardous Waste” means any discarded, useless or unwanted chemical, material, substance or product that is or may be hazardous or toxic to the public or the environment, is commonly used around households and is generated by the household.

“Industrial” means a Commercial customer whose waste is hauled directly to a disposal site in a customer dedicated container and the customer pays the actual cost of disposal. This definition applies only to Section 4.

“Infectious Waste” means as defined in ORS 459.386.

“Manual Frontload Service” means Servicing Commercial customer frontload style Receptacles where the Collection vehicle operator needs to exit the Collection Vehicle for any reason to service the container.

“Organic Debris” includes but is not limited to Green Feedstocks, Yard Debris, pre and post consumer food Waste (meat, poultry, fish, shellfish, bones, eggs, dairy products, bread, dough, pasta), food soiled paper (kitchen paper towels, uncoated paper takeout containers, pizza delivery boxes, paper napkins, waxed cardboard, and uncoated paper cups), Organic Debris is a subset of Solid Waste.

“Persons” means any individual, partnership, business, association, corporation, trust, firm, estate, joint venture, cooperative or other private entity or any public agency.

“Pilot Program” means a program which allows the Franchisee to offer Services on a trial basis for a limited duration of six months or less and to determine rates for such Services outside the approved rate structure. City approval is required prior to implementation of a pilot program.

“Public Rights-of-Way” includes, but is not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, multi-use paths, park strips, public easements on private property and all other public ways or areas, including surface of and the space above and below these areas, and includes any city-owned park, place, facility or grounds within the Franchise Territory that is open to the public.

“Putrescible Material” means organic materials that can decompose, which may create foul-smelling, offensive odors or products.

“Receptacle” means cans (owned by a customer), carts, bins, containers, drop boxes, or dumpsters used for the containment, Collection, and Disposal of Solid Waste.

“Recycling” means any process by which Solid Waste materials are transformed into new products where the Solid Waste materials may lose their identity.

“Recyclable Material” means any material or group of materials that can be Collected and sold for Recycling at a net cost equal to or less than the cost of Collection and Disposal of the same material. Recyclable Materials are a subset of Solid Waste.

“Residential” means property containing four dwelling units or less used for residential purposes irrespective of whether such dwelling units are rental units or are owner occupied.

“Resource Recovery” means the process of obtaining useful material or energy resources from Solid Waste, including reuse, Recycling, and other material recovery or energy recovery of or from Solid Wastes.

“Service” means the Collection, transportation, or Disposal of or Resource Recovery from Solid Waste by Franchisee.

“Solid Waste” means as defined in ORS 459.005.24 including but not

limited to all useless or discarded Putrescible, non-putrescible and Recyclable Materials.

“**Source Separation**” means the separation of Solid Waste materials by the Generator in preparation for recovery by Recycling or reuse.

“**Train System**” means a group of small receptacles (typically 1-2 cubic yard capacity) placed in various locations around a customer’s property, by the customer and once full, either linked together or placed upon a trailer for transport and disposal to a larger Receptacle or compactor on the premises.

“**Yard Debris**” means grass clippings, leaves, hedge trimmings, and similar vegetative Solid Waste generated from Residential premises or landscaping activities but does not include stumps or similar bulky wood materials. Yard Debris is a subset of Solid Waste.

Section 2 - Grant of Authority and General Provisions

2.1 Franchise. Subject to the conditions and reservations contained in this ordinance, the Council hereby grants to Republic Services of Corvallis, the right, privilege, and exclusive franchise to Collect and transport Solid Waste, including Recyclable Materials, and Organic Debris, generated within the Franchise Territory in accordance with this ordinance and Corvallis Municipal Code.

2.2 Term. This franchise ordinance and the rights and privileges granted herein shall take effect June 1, 2013 and remain in effect through December 31, 2023 for a term of ten (10) years. If the City determines Service standards are not adequately being met, the City may re-open this franchise for renegotiation five (5) years from the effective date of this agreement or any date thereafter.

2.3 Written Acceptance. On or before the thirtieth (30th) day after this ordinance becomes effective, Franchisee shall file with the City a written acceptance of this ordinance, in a form approved by the City, executed by the Franchisee. Any failure on the part of Franchisee to file such written acceptance within such time shall be deemed an abandonment and rejection of the rights and privileges conferred hereby and this ordinance shall thereupon be null and void. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms, conditions and restrictions contained in this ordinance.

2.4 Ownership of Waste. Once Solid Waste, Recyclable Materials, or Organic Debris are placed in Receptacles and properly placed for Collection, ownership and the right to possession of such material shall transfer directly from the Generator to Franchisee by operation of this agreement. Subject to the provisions of this agreement, the Franchisee shall have the right to retain any benefit resulting from its right to retain, Recycle, process, Dispose of, or reuse the Solid Waste, Recyclable Materials, and

Organic Debris which it Collects. Solid Waste, Recyclable Materials, Organic Debris, or any part thereof, which is Disposed of at a Disposal Site or facility shall become the property of the owner or operator of the Disposal Site(s) or facility once deposited there by the Franchisee.

2.5 Hazardous Waste. Except as otherwise provided in this ordinance, the Franchisee is not required to store, Collect, transport, Dispose of or Resource Recover Hazardous Waste.

2.6 Separation of Waste. The City reserves the right to require the separation of component parts or materials in or from Solid Waste, and to require the deposit thereof in Receptacles or places and to prescribe the method of Disposal or Resource Recovery.

2.7 Franchise Exemptions. The franchise for the Collection and transportation of Solid Waste, Recyclable Materials, and Organic Debris granted to Franchisee shall be exclusive except as to the categories of Solid Waste, Recyclable Materials, and Organic Debris listed in this section. Nothing in this ordinance requires a franchise or permit for the following:

2.7.1 The Collection, transportation, and Recycling of Recycled Materials or the operation of a Collection center for Recycled Materials by charitable or non-profit organizations, provided they are not organized and operated for any Solid Waste management purpose.

2.7.2 The Collection, transportation or redemption of returnable beverage containers under ORS Chapter 459A or subsequent related legislation.

2.7.3 A Generator who transports and Disposes of Solid Waste created as an incidental part of regularly carrying on a business, such as auto wrecking; janitorial services; septic tank pumping, sludge (sludge ash, grit, and screenings) collection or disposal service; or gardening or landscape maintenance. "Janitorial service" does not include primarily Collecting Solid Waste generated by a property owner or occupant.

2.7.4 The transportation of Solid Waste, Recyclable Materials, or Organic Debris removed from any premises by the Generator, and transported personally by the owner or occupant of such premises (or by his or her full time employees) to any processing facility or Disposal Site with the exception that the owner, or agent of the owner, of a non-owner occupied dwelling unit may not remove and transport materials generated by a tenant.

2.7.5 Solid Waste, Recyclable Materials, or Organic Debris that is hauled by a contractor as an incidental activity associated with work performed by the contractor for another Person or work performed by the City. This includes, but is not limited to, a construction and demolition debris hauled by a company that is

hired to remodel a home, or Yard Debris hauled by a landscaper that services a Commercial business. Such Solid Waste shall be generated by the contractor in connection with the contractor's work at said work site and hauled by the contractor and operated by the contractor's employees.

2.7.6 Government employees providing Solid Waste and Recycling Collection Services to government operations and facilities.

2.7.7 The acquisition of Source Separated materials from the Generator through a private arrangement with a Person.

2.7.8 Unless exempted by subsections above, or granted an exclusive franchise or license pursuant to this ordinance, no person shall solicit customers for Service, or advertise the providing of Service, or provide Service in the Franchise Territory.

2.8 Maps. Annually, or upon request, the Franchisee shall provide a map to the City showing Residential Collection schedules by day of the week. Franchisee shall provide such maps in an electronic format acceptable to the City and the Franchisee. In the event Franchisee re-routing significantly changes the days of Residential Collection, the Franchisee shall inform the City and provide an updated map.

2.9 City Authority. The City reserves the right to determine the Services authorized by this franchise agreement. The Council may amend this agreement at any time to include, authorize, or require new or revised services, based on information it receives from community groups, residents, or City staff.

Section 3 - Community Standards for Collection and Disposal of Solid Waste and Recyclable Materials

3.1 Collection Standards. Collection of Solid Waste and Recyclable Material shall be performed in such a way as to comply with all Federal, State and local environmental regulations. In addition the Franchisee shall:

3.1.1 Provide Solid Waste and Recycling Collection Services to any Person living within or conducting business within the Franchise Territory.

3.1.2 Collect Putrescible Material at least once each week.

3.1.3 Provide Collection of Infectious Waste as defined in ORS 459.387, either directly or through a qualified, licensed subcontractor. Collection shall be provided in a manner consistent with the requirements of all applicable laws and regulations.

3.1.4 Perform Collections a minimum of twice weekly in the business

districts of the Franchise Territory. Downtown business district Collection hours are subject to Corvallis Municipal Code 4.01. Collection hours shall be scheduled to minimize noise and disruption to residents in or near the downtown business district.

3.1.5 Perform Curbside Collections of Putrescible Solid Waste and Recyclable Materials at least once weekly in Residential districts or as often as required by ORS 459 and ORS 459.A. Collection hours shall be between the hours of 7:00 am and 6:00 pm. All Collections shall be made as safely, efficiently, and quietly as possible. The Franchisee, under special circumstances, may request in writing that collection hours be temporarily extended. No changes shall be implemented without prior written approval from the City.

3.1.6 Provide Collection of Residential Solid Waste, Recyclable Materials, and Organic Debris Receptacles on the same day of the week. Franchisee shall not be required to go into garages or other buildings to make pick-ups at residences, nor shall the Franchisee be required to go into closed areas, through enclosed gates, or up or down stairs to make pick-ups.

3.1.7 Provide will-call Service for Residential and Commercial customers with Collection to be completed on the next scheduled route day for that neighborhood or service district.

3.1.8 Use due care to prevent Solid Waste from being spilled or scattered during Collection. If any Solid Waste or Recyclable Material is spilled during Collection, Franchisee shall promptly clean up all spilled materials. All Receptacle lids must be replaced after contents are emptied and the Receptacle shall be returned to its original position, if that original position does not jeopardize the safety of motorists, pedestrians or bicyclists.

3.1.9 Use reasonable care in handling all Collection Receptacles and enclosures. Damage caused by the negligence of the Franchisee's employees to private property, including landscaping, is the responsibility of the Franchisee and shall be promptly remedied with the owner.

3.1.10 Ensure that all Solid Waste Collection operations shall be conducted as quietly as possible and shall conform to applicable Federal, State, County and City noise emission standards. Unnecessarily noisy trucks or equipment are prohibited. The City may conduct random checks of noise emission levels to ensure such compliance.

3.1.11 Determine, with approval of the City, the maximum allowable capacity of Collection Receptacles. If the Franchisee refuses to Service an overweight Receptacle, a notice describing the problem must be provided. The notice shall include the name of Franchisee and alternative solutions to resolve

the problem and a local phone number for additional information. In the resolution of this situation, the Franchisee must provide Service equivalent to the customer's subscribed Service level at no additional charge.

3.1.12 Offer unlimited vacation credits to customers who temporarily discontinue Service in a calendar year for any period of three (3) consecutive weeks or more. The customer must request the discontinuance no later than noon on the business day, excluding weekends, prior to the date of discontinuance.

3.1.13 Notify in the event of changes to the Collection schedule, all affected customers at least seven (7) calendar days prior to any change. The Franchisee shall not permit any customer to go more than eight (8) calendar days without Service in connection with a Collection schedule change.

3.1.14 Have the option to refuse Collection Service upon non-payment of a billing or portion of a billing after account becomes forty-five (45) days past due, or upon refusal to pay required advance payments, delinquent charges, or charges associated with starting a new Service. Franchisee may withhold Collection Services, providing at least a ten (10) day notice is given to the customer.

3.1.15 Continue Collection Services except in cases of street or road blockage, excessive weather conditions, acts of God, or customer violations of public responsibilities beyond the Franchisee's control. Adverse labor relations issues such as strikes or walkouts, shall be considered to be within the control of the Franchisee and shall not prevent Collection and Disposal Services as required by this ordinance.

3.1.16 Franchisee shall Resource Recover Collected Recyclable Materials and Dispose of remaining useless Solid Waste at a Disposal Site permitted by the Oregon Department of Environmental Quality (DEQ) or equivalent state agency and approved by the City. The City retains the option to direct the Franchisee to a different licensed and permitted Disposal Site other than the Disposal Site currently in use at that time. A review of a new Disposal Site shall be conducted by the City with cooperation from the Franchisee to determine if the Disposal Site meets the operational requirements of the Franchisee, including but not limited to daily capacity, truck access, and site longevity. City shall provide written notice to Franchisee not less than ninety (90) days before effective date of the change. The Franchisee has thirty (30) days to respond in writing. If the Franchisee can demonstrate a City-directed change in Disposal Site increases the Franchisee's expenses, a special rate review may be requested.

3.1.17 The Franchisee and City shall explore a rate structure based on Disposal weights (Pay As You Throw) rather than volume for Commercial

customers within the first three (3) years of this agreement, including a review of the availability of the technology required to accurately charge customers.

3.2 Recycling Standards. Recycling Services shall include the following:

3.2.1 For Residential customers with regular weekly Service, provide Curbside Residential Recyclable Material Collection Receptacles including one (1) Recycle cart, one (1) Recycle bin and one (1) Organic Debris cart or composter at no additional charge.

3.2.2 For Residential customers and non-customers, Commingled Recyclables shall be Collected Curbside once each week on a designated Collection day. Motor oil shall be Collected weekly from Curbside when placed in a Franchisee-approved container. Glass shall be Collected on the first normal Collection day in the first full week of each month.

3.2.3 There shall be the opportunity for apartments, multi-family households and units, and Commercial customers to have Commingled Recyclables Collected at least once each week on a designated Collection day. Glass shall be Collected on the first normal Collection day in the first full week of each month. Materials shall be Collected Curbside or in a designated Collection center in cooperation with the building owner or manager. These customers shall also have the opportunity to Recycle wood and Organic Debris.

3.2.4 Organic Debris Receptacles for Residential customers shall be Collected every week on the same day as Solid Waste Collection. Organic Debris must be Disposed at a compost or vermiculture facility registered with the Oregon Department of Environmental Quality or equivalent state agency.

3.2.5 Recycling-only customers shall be offered Recycling Receptacles and be provided weekly Recycling Service at a rate approved by the City.

3.2.6 Commercial Recycling Service includes Receptacles provided at no additional charge with the exception of drop boxes.

3.2.7 For large quantities of cardboard, the frequency of Service shall be determined by an agreement between the Generator and the Franchisee. Agreements shall give due consideration to the volume of the material, storage capacity of Generator; and Generator's location.

3.2.8 Franchisee must provide notice to customers if Recyclable Material is not Collected due to improper preparation. Notice must include adequate explanation of refusal for Collection and local phone number for additional information. Franchisee shall leave notice securely attached to the customer's Receptacle or the customer's front door. The Franchisee shall Collect any properly prepared material that is accessible. The purpose of the notice is to

educate residents and increase program participation, and shall be written in such a manner as to accomplish this purpose.

3.2.9 Operate and maintain at least one (1) Collection center (Recycling depot) within the Franchise Territory that permits Persons to deliver recyclables to the site. The Collection center shall be open from 7:00 am to 7:00 pm, seven (7) days per week to the public. When open, an employee knowledgeable in Recycling will be available to respond to questions or comments. Site shall accommodate at a minimum all Recyclable Materials Collected at Curbside plus compact florescent bulbs, household batteries, electronics, plastic film, and scrap metal. Restrictions on the size of these materials can be imposed by the Franchisee with approval of the City. Other materials shall be Recycled when it is technologically or economically feasible to do so.

3.2.10 Facilitate a reuse program referring useable items to local thrift shops, resale shops, non-profit groups or others who may have a legitimate use for the item. Maintain a list of businesses and groups that submit requests for needed items, and provide this information to others as requested.

3.2.11 Provide links from the Franchisee's website to other websites for businesses and individuals to post re-usable items. Franchisee shall promote the use of the website and provide informational and educational content on their website on the value of reusing materials.

3.2.12 Be responsible for ensuring a local compost demonstration site operates within the Franchise Territory, which offers information and advice for composters. Franchisee shall conduct at least two (2) composting workshops annually.

3.3 Public Education. Franchisee shall provide the following public education and promotion of activities for Solid Waste reduction, Recycling, reuse, and Source Separation, and cooperate with other Persons, companies, or local governments providing similar services. Franchisee shall:

3.3.1 Provide a Recycling information center within the Franchise Territory, with local telephone access and information concerning Collection schedules, Recycling locations, Recyclable Material preparation, conservation measures, reuse programs, Solid Waste reduction strategies and on-site demonstration projects. Recycling information booths at appropriate community events within the Franchise Territory shall also be provided by Franchisee to promote and increase Recycling and waste reduction awareness and participation.

3.3.2 Provide Recycling notification and educational packets for all new Residential and Commercial customers specifying the Collection schedule, materials Collected, proper material preparation, reuse programs, Solid Waste

reduction strategies and Recycling benefits.

3.3.3 Provide quarterly informational newsletters to residences and businesses in the Franchise Territory that includes at least annually: the types of Recycled Materials Collected, the schedule for Collection, information about Solid Waste reduction, reuse opportunities, and proper handling and Disposal of Household Hazardous Waste and electronic Solid Waste. Special Franchisee events, holiday tree removal, and the leaf Collection program shall also be promoted. Franchisee shall submit all promotional materials to the City for review prior to publication or distribution to customers. If in the determination of the City, newsletters fail to provide annually the information outlined in this section, the City can require the Franchisee obtain City approval prior to publication for all subsequent newsletters. Informational newsletters shall be distributed to all mailing addresses within the Franchise Territory.

3.3.4 Maintain an internet website that includes a listing of all franchised Solid Waste and Recycling Services, applicable rates charged for such Services, and detailed information about what materials are Collected with each Service, such as materials included in Commingled Collection, updated regularly. The site shall also include Collection schedules for Organic Debris and glass, and Collection schedule changes during weeks affected by a Holiday.

3.3.5 Conduct at least twice annually, workshops on Solid Waste reduction strategies and reuse opportunities. Perform Solid Waste audits for Commercial customers when requested.

3.3.6 Coordinate with 509J school district and local private schools to assist in promoting awareness of Recycling and Solid Waste reduction strategies to children, and to cooperate in their Recycling efforts and programs.

3.3.7 Promote Solid Waste reduction and Recycling education through local widespread media, such as radio or newspapers, no less than twenty (20) times each year. Promotional information shall focus on Recycling, reuse and Solid Waste reduction strategies.

3.3.8 Provide the City with sufficient copies of all promotional fliers and other related information as requested.

3.3.9 Conduct a survey every three (3) years to evaluate customer participation in Recycling programs and customer opinion of Solid Waste and Recycling Services offered by the Franchisee. Results shall be used to evaluate existing Solid Waste Services and determine the need for additional and or enhanced Services. The City may also conduct an annual survey to evaluate customer participation and customer opinion. Significant statistical changes in either survey shall afford the City the option to renegotiate Section 3 of this agreement.

3.3.10 Have at least one employee dedicated to supporting the required educational and promotional activities within the Franchise Territory.

3.4 Resource Recovery Services.

3.4.1 Aggressively seek markets for reusable, Recyclable, and recoverable materials.

3.4.2 Research and develop improved Resource Recovery systems through Franchisee's specialist or other sources.

3.4.3 Develop strategies to promote the reduction of Solid Waste generated by Residential and Commercial customers. Continue or implement programs that encourage Generators to prevent or reduce materials which would otherwise constitute Solid Waste.

3.4.4 Review high-volume Resource Recovery facilities and implement a local or regional program when the City and Franchisee mutually agree on the technological and economic feasibility.

3.5 County Wasteshed. Coordinate Recycling efforts with other Solid Waste Collection efforts in the Benton County Wasteshed to further enhance Recycling and recovery efforts, and to meet wasteshed recovery goals as mandated by the State.

3.6 Additional Recycling Requirements.

3.6.1 The City reserves the right to require specific materials to be separated, Collected and Recycled.

3.6.2 Franchisee shall provide other Recycling Services as required by Oregon Revised Statute 459 or 459.A, ordinance, or municipal code, as amended, or by direction of the Council.

3.6.3 Franchisee shall endeavor to Recycle additional materials and to provide for an on-site Collection center for Household Hazardous Waste when economically feasible.

3.7 Community Service Standards.

3.7.1 Franchisee shall provide a one (1) day Household Hazardous Waste Collection event, quarterly, for Franchise Territory residents only, at no additional charge. Residents of the Franchise Territory shall be notified at least thirty (30) days in advance of each Collection event.

3.7.2 Franchisee shall also provide an annual small quantity Generator

Hazardous Waste Collection event for Commercial customers within the Franchise Territory. Commercial customers shall be notified at least fifteen (15) days in advance of the Collection event.

3.7.3 Franchisee shall provide an annual Residential Recycling event at one (1) location in the Franchise Territory, for the Collection of Recyclable Materials, Yard Debris and scrap metal, at no additional charge.

3.7.4 Franchisee shall provide Collection and Recycling of holiday trees placed at Curbside for a period of three (3) weeks, after December 25th of each year, at no additional charge.

3.7.5 Franchisee shall provide an effective annual fall leaf Collection and Disposal Service within the Franchise Territory at no additional charge. Franchisee shall coordinate leaf Collection schedules as directed by the City. Program specifics, including the Collection schedule start date, shall be determined in writing at least two (2) months before the program begins. Leaf Collection shall last a minimum of eight (8) weeks but no more than ten (10) weeks. Franchisee shall provide daily Collection of leaves on streets with bicycle lanes in a manner that minimizes disruption of bicycle lane use and maximizes safety.

3.7.6 Franchisee shall provide twice weekly Solid Waste Collection and Disposal Service of public litter Receptacles placed along normal Collection routes, primarily in the central business district of the Franchise Territory. The locations, quantities and sizes for Service of public receptacles shall be mutually agreed upon between the City and Franchisee, in accordance with a written list that shall be kept updated and on file with the City. The cost to the Franchisee for providing this Service shall be included in the financial reports filed with the City.

3.8 Additional Services. Where a new Service or a substantial expansion of an existing Service is proposed by the City, another Person or the Franchisee the following shall apply.

3.8.1 If Service is proposed by the City, the Franchisee shall receive prior written notice of the proposed Service and justification by the City. If Service is proposed by the Franchisee, the City must be notified in writing prior to any consideration by the City. If service is proposed by another Person, both the City and the Franchisee must be notified in writing prior to any consideration by the City. The proposal shall include detailed information on how all affected customers within the Franchise Territory will receive the Service.

3.8.2 The City shall afford the public an opportunity to comment on the proposed Service and justification.

3.8.3 In determining whether the Service is needed, the City shall consider the public need for the Service, the effect on rates for Service, whether the Franchisee is already providing the Service or is willing to provide it, and the impact on other Services being provided or planned, the impact on any city, county or regional Solid Waste management plan, and compliance with any applicable statutes, ordinances or regulations.

3.8.4 If the City determines the Service is needed, the Franchisee shall have the option to provide the Service on a temporary basis through a Pilot Program to determine if the Service is functional on a permanent basis or the Franchisee may agree to provide the Service on a permanent basis within a specified time mutually acceptable to the City and the Franchisee.

3.8.5 If the Franchisee rejects the Service, the City may issue a license or franchise to another Person to provide only that Service. The provider of the limited Service shall comply with all applicable provisions of this ordinance.

3.9 Special Service.

3.9.1 With approval of the City, the Franchisee may negotiate a separate Collection and Disposal agreement with Oregon State University provided the institution continues to fund and operate its own comprehensive Recycling program. Revenues generated by such an agreement shall be included within the definition of Gross Revenue. Any other request for special Service shall require prior City approval including the proposed rates.

3.9.2 Where a customer requires an unusual Service requiring added or specialized equipment solely to provide that Service, the Franchisee may require a contract with the customer to finance and assure amortization of such equipment. The purpose of this subsection is to assure that such excess equipment or specialized equipment not become a charge against other ratepayers, if the customer later withdraws from Service.

3.10 Sub-Contract. Franchisee may sub-contract with other Persons to provide specialized or temporary Service covered by this franchise, but shall remain totally responsible for compliance with this agreement. Franchisee shall provide written notice to the City of intent to sub-contract Services prior to entering into agreements. If sub-contracting involves a material portion of the franchised Service, the Franchisee shall seek the approval of the City.

3.11 Equipment and Facility Standards.

3.11.1 All equipment shall be kept well painted, and properly maintained in good condition. Vehicles and Receptacles used to transport Solid Waste shall be kept reasonably clean to ensure no contamination to the environment or the stormwater system.

3.11.2 All vehicles and other equipment shall be stored in a safe and secure facility in accordance with applicable zoning and environmental regulations.

3.11.3 Trucks shall be equipped with a leak-proof metal body of the compactor type including front, rear, or automatic loading capabilities.

3.11.4 Pick-up trucks, open bed trucks or specially designed, motorized Collection vehicles used for the transporting of Solid Waste must have bodies that are leak-proof to the greatest extent possible and have adequate cover over the loads to prevent scattering of debris.

3.11.5 All fuel, oil, or vehicle fluid leaks or spills which result from the Franchisee's vehicles must be cleaned up immediately. All vehicles must carry an acceptable absorbent material for use in the event of leaks or spills. Damage caused by fuel, oil, or other vehicle fluid leaks or spills from Franchisee's vehicles or equipment shall be remedied at Franchisee's expense.

3.11.6 Collection equipment shall use biodegradable hydraulic oils, as it remains available, to provide an environmentally friendly operation.

3.11.7 All vehicles used by the Franchisee in providing Solid Waste and Recycling Collection Services shall be registered with the Oregon Department of Motor Vehicles and shall meet or exceed all legal operating standards. In addition, the name of the Franchisee, local telephone number and vehicle identification number shall be prominently displayed on all vehicles.

3.11.8 No Collection vehicles shall exceed safe loading requirements or maximum load limits as determined by the Oregon Department of Transportation. Franchisee shall endeavor to purchase and operate equipment that minimizes damage to Public Rights-of-Way.

3.11.9 When new purchases are scheduled, the Franchisee shall purchase, if available, alternative fuel/hybrid Collection equipment that meets Collection Service requirements.

3.11.10 Franchisee shall provide and maintain equipment that meets all applicable laws, ordinances, municipal codes, and regulations or as directed by the City.

3.11.11 Franchisee shall provide and replace as necessary, Solid Waste Collection Receptacles and composters at no charge to the public. Residential Curbside Receptacle sizes offered by the Franchisee for garbage Collection shall include twenty (20), thirty-two (32), sixty-four (64), and ninety (90) gallon capacities, or be as close to above stated sizes as possible. Organic Debris

Receptacles shall be ninety (90) gallon capacity. Standard Commingled Recyclables Receptacles shall be sixty-four (64) gallon capacity. Solid Waste Receptacles shall be leak-proof, rigid, fire-resistant, and of rodent-proof construction and not subject to cracking or splitting. All new Residential Receptacles shall be constructed from the highest percentage of Recycled material available at the time of purchase. The City has the right to approve all Receptacles provided by the Franchisee for use in the Franchise Territory and may require additional or alternative Receptacle sizes. Colors of Receptacles shall remain consistent with colors currently in use.

3.11.12 Franchisee shall clean Receptacles once annually if requested by customer for no additional charge. If Franchisee determines such Receptacles are becoming a health hazard, requiring more frequent cleaning, such Service shall be an additional maintenance charge to the customer.

3.11.13 In cooperation with the Corvallis Police Department, the Franchisee shall remove graffiti from all Receptacles or facilities within forty-eight (48) hours of notice.

3.11.14 All surface areas around Franchisee's site facilities including vehicle and equipment storage areas, service shops, wash stations, transfer sites, Collection centers, and administrative offices must be kept clean to eliminate direct site run-off into the stormwater and open drainage system and to present an inviting environment for customers.

3.12 Safety Standards. The Franchisee shall operate within guidelines of the Oregon Refuse and Recycling Association, Oregon Department of Transportation, Oregon Public Utility Commission, Oregon Occupational Health and Safety Administration, Department of Environmental Quality, Corvallis Municipal Code and all other rules and regulations as they apply.

3.12.1 The Franchisee shall provide suitable operational and safety training for all of its employees who maintain, use, or operate vehicles, equipment, or facilities for Collection of Solid Waste or who are otherwise directly involved in such Collection. Employees involved in Collection Services shall be trained to identify, and not to Collect, Hazardous Waste or Infectious Waste. Employees who do handle such Solid Waste shall be properly trained.

3.13 Right-of-Way Standards. The Franchisee shall ensure proper and safe use of Public Right-of-Ways in accordance with Municipal Code, and provide compensation to the City in consideration of the grant of authority to operate a Solid Waste Collection and Disposal system in the Franchise Territory as directed in this agreement.

3.14 Customer Service Standards. Franchisee shall:

3.14.1 Provide sufficient Collection vehicles, Receptacles, facilities, personnel and finances to provide all types of necessary Services as determined by the City.

3.14.2 Sufficiently staff, operate and maintain a business office and operations facility within the Franchise Territory.

3.14.3 Provide minimum office hours of 8:00 am through 5:00 pm, Monday through Friday, not including Holidays.

3.14.4 Maintain a minimum of three (3) payment drop-off boxes within the Franchise Territory.

3.14.5 Provide for customers to pay their bills at the Franchisee's local office using check, money order, debit or credit cards. For customers that wish to pay in cash, the Franchisee must facilitate and pay for money order transaction fees. The Franchisee must provide multiple locations in the Franchise Territory for customers to generate money orders at no additional cost.

3.14.6 Ensure a responsive, customer service oriented business. Provide customers with a local telephone number, listed in a local directory, to a business office located within the Franchise Territory. Adequately staff operations to provide prompt response to customer service requests or inquiries and respond promptly and effectively to any complaint regarding Service. Calls received by 1:00 pm by office staff shall be returned the same day as received, and by noon of the following day if the call is received after 1:00 pm.

3.14.7 Train Collection crews prior to them beginning Solid Waste and Recycling Collection, and office staff prior to having public contact. The scope of the training shall include, but is not limited to, acceptable safety practices, acceptable standards of Service to the public, courteous customer service, and accuracy and completeness of information. All information conveyed to a customer or inquiring person shall be consistent with established service standards.

3.14.8 Require all employees of the Franchisee and all employees of companies under contract with Franchisee to present a neat appearance and conduct themselves in a courteous manner. The Franchisee shall require its drivers and all other employees who come into contact with the public, to wear suitable and acceptable attire which identifies the Franchisee.

3.14.9 Designate at least one (1) qualified employee as supervisor of field operations. The supervisor shall devote an adequate portion of his/her workday in the field checking on Collection operations, including responding to issues.

3.15 Quarterly Reporting Standards. Franchisee shall provide quarterly reports to the City within 30 days of the end of the preceding quarter.

3.15.1 Reports shall include a written log of all oral and written complaints or Service issues registered with the Franchisee from customers within the Franchise Territory. Franchisee shall record the name and address of complainant, date and time of issue, nature of issue, and nature and date of resolution. The City may require more immediate reports documenting complaints and resolutions.

3.15.2 Provide a summary of educational and promotional activities as required in sub-section 3.3.

3.15.3 Provide detailed quarterly tonnage information on Solid Waste, Recyclable Materials, and Yard Debris Collected within the Benton County watershed.

3.16 Annual Reporting Standards. Franchisee shall keep current, accurate records of account. The City may inspect the records of account any time during business hours and may audit the records from time to time. If an audit of the records is required, the cost of such satisfactory independent audit shall be the responsibility of Franchisee. The Franchisee shall submit to the City a report annually, no later than March 1st of each year, documenting the activities and achievements of all programs undertaken pursuant to this franchise for the previous year. The City shall evaluate the effectiveness of the programs in terms of the amount, level, and quality of the Services provided by the Franchisee. The report shall include the following specified information:

3.16.1 Total franchise payments remitted and basis for calculations;

3.16.2 Year-end financial statements of the Franchisee for Service within the Franchise Territory, including:

Calculated as a percentage of Republic Services of Corvallis Gross Revenue:

Summary of financial highlights
Statement of income and retained earnings
Schedule of expenses

For the whole Republic Services of Corvallis division:

Balance sheet
Statement of Cash Flows (direct method)

3.16.3 Solid Waste Collected monthly within the Benton County watershed by Franchisee in tons, listed separately for Residential and Commercial Customers.

3.16.4 Recyclable Materials Collected monthly within the Benton County wasteshed by Franchisee in tons (listed separately for Residential Curbside, Recycling depot, and Commercial Customers) and the Disposal Sites used.

3.16.5 Yard Debris Collected monthly within the Benton County wasteshed by Franchisee in tons and the Disposal Site used.

3.16.6 Annual Recycling data as submitted to the Benton County Environmental Health Division.

3.16.7 A fixed asset list or an inventory by size and type of all Receptacles and Collection equipment.

3.16.8 Customer information that identifies each customer account type (e.g. 1 cubic yard Container with 1 pick-up per week) and the number of customers receiving such Service.

3.16.9 In appropriate years, a summary of the customer survey as required in sub-section 3.3.9.

3.16.10 Discussion of industry trends and the direction of franchisee over the next five years.

3.16.11 Summary of research related to section 3.4.2.

3.16.12 Summary of the community outreach through the media (where, what, when).

3.16.13 Summary of activities related to sections 3.11.6 and 3.11.9.

3.16.14 Other information pertaining to performance standards specified in the franchise agreement.

Section 4 - Rates

4.1 Rate Structure. The City reserves the right to approve the rate structure of the Franchisee, and to require specific Services

4.1.1 The Franchisee shall provide to the City a certified copy of the published rate schedule which shall contain the rates and charges made for all its operations. The rate schedule shall be kept current.

4.1.1.1 Rates established by Council are fixed rates and the Franchisee shall not charge more or less than the fixed rate unless

changed pursuant to Section 4. The Franchisee shall not charge rates not in the rate schedule.

4.1.1.2 Rates for a given Service must be established under the provisions of these guidelines before such Service can be provided to customers unless Services are being offered under a Pilot Program. If the City determines the Franchisee is providing Services for a fee without following these guidelines, the City may require the Franchisee to continue providing such Services at no charge to the customer until such time as the rates are approved as described under Section 4. If rates are not approved, Service shall be discontinued and Franchisee shall take full responsibility in explaining to customers as to why the Service is no longer being provided.

4.1.2 Annually, on January 1 of each year, the franchisee may adjust rates for services utilizing the weighted Refuse Rate Index below up to four percent (4%). Adjustments exceeding four percent (4%) require City Council approval. For adjustments requiring City Council approval, the Franchisee must submit the materials required in Section 4.1.3.2 for City and City Council review.

Refuse Index Percentage Weights by Customer Category

	Industrial	Commercial	Residential
Collection - CPI	100%	78%	82%
Disposal - Garbage	0%	18%	11%
Disposal - Organics	0%	4%	7%
	100%	100%	100%

Rate Refuse Index Rate Modifiers

- percent (%) change from the previous and current year's Half1 Portland-Salem All Urban Consumers Price Index (CPI) not seasonally adjusted.
- percent (%) change in garbage disposal fees (per ton) from previous June 30 to the current June 30.
- percent (%) change in organics disposal fees (per ton) from previous June 30 to the current June 30.

Residential Example:

	Index or Cost June 30, 2011 (Half 1)	Index or Cost June 30, 2012 (Half1)	% Change	Weight	Adjustment
Collection	223.105	228.746	2.53%	82%	2.05%
Disposal - Garbage	\$ 26.85	\$ 27.15	1.12%	11%	0.12%
Disposal - Organics	\$ 30.00	\$ 30.75	2.50%	7%	0.18%
Total adjustment					2.35%

4.1.2.1 Customers shall be notified of the new rates at least thirty (30) days prior to new rates taking effect.

4.1.2.2 The City shall be provided an adjusted rate sheet, an electronic spreadsheet illustrating how the new rates were calculated, and a copy of the CPI sixty (60) days prior to the rates taking effect.

4.1.2.3 Rates shall be rounded to the nearest cent (\$.01).

4.1.3 In addition to Section 4.1.2., rates shall be subject to review and change only one (1) time in a calendar year, beginning January 1 and ending December 31; provided:

4.1.3.1 The City may, with appropriate documentation submitted by Franchisee, grant an interim or emergency rate for new, special or different Service affecting less than 1% of a customer group, including Pilot Programs, for up to six (6) months before Council review.

4.1.3.2 An application for a rate adjustment may be made when the cost of Collection is increased by governmental regulations, when there is a new service offered, or when there is a substantial new expense. Franchisee shall notify the City immediately when any of the above new expenses becomes known to the Franchisee. Failure to immediately notify the City may result in the denial of a related future rate adjustment application. The Franchisee shall submit to the City, at least ninety (90) days prior to any contemplated change, a complete packet of information justifying the requested change. Information required in the packet shall include a breakdown of Residential, Commercial, Industrial and other rates by component (disposal, operating, and other), financial information and statistics relating to each component, a written justification for the rate adjustment, and other information as requested by the City. Proposal information shall be examined by Council in an appropriate public

proceeding affording due process. Based on the information the Franchisee submits, the Council may grant some, all, or none of the requested rate change. In the event of denial, the current rate schedule remains in effect and the Franchisee may file with the Council further information to justify the rate schedule changes.

4.1. The approved rate schedule, as of the effective date of this ordinance, shall be deemed to be in effect.

Section 5 - Financial

5.1 Compensation. In consideration of the rights and privileges granted by this ordinance, the Franchisee shall pay to the City of Corvallis, five (5) percent per annum of its Gross Revenues derived from all Services within the Franchise Territory including the sale of Recyclable Material. Franchisee shall also pay five (5) percent per annum of the Gross Revenues derived from franchised Services, as defined in this ordinance, earned by Persons under contract to, or under the employment of the Franchisee.

5.1.1 The compensation required in this section shall be due on or before the last business day of each and every month for the month preceding. Franchisee shall furnish with each payment, a notarized statement, executed by an officer of Franchisee, showing the amount of Gross Revenue of the Franchisee within the Franchise Territory for the period covered by the payment computed on the basis as determined by sub-section 5.1, Compensation. If Franchisee fails to pay the entire amount of compensation due to the City through error or otherwise within the time allotted for, the unpaid balance shall be subject to a late penalty of an additional ten (10) percent, plus interest of two (2) percent per month on the amount of fee due and unpaid from the date due until it is paid together with the late penalty.

5.1.2 In the event the Franchisee is prohibited by State or federal law from paying a fee based on Gross Revenues or the City is prohibited by State or federal law from collecting such a fee, or if any legislation reduces the actual or projected amount of compensation collected in any given year, the City has the right to renegotiate the compensation section of this franchise agreement.

5.1.3 Franchisee shall not separately identify its franchise fee on billing statements to customers.

5.1.4 Nothing contained in this franchise shall give the Franchisee any credit against any ad valorem property tax levied against real or personal property within the Franchise Territory, or against any local improvement assessment or any business tax imposed on Franchisee, or against any charges imposed upon Franchisee including permit and inspections fees or reimbursement or indemnity paid to the City.

5.2 Insurance. Franchisee shall pay, save harmless, protect, defend and indemnify the City from any loss or claim against the City on account of, or in connection with, any activity of Franchisee in the operation or maintenance of its facilities and Services except those that arise out of the sole negligence of the City. Franchisee shall, for the purposes of carrying out the provisions of this agreement, have in full force and effect, and file evidence with the City the following requirements:

5.2.1 Workers' Compensation insurance as required by Oregon Law, including Employers Liability Coverage.

5.2.2 Commercial General Liability insurance as broad as Insurance Services Office (ISO) form CG 00 01, providing Bodily Injury, Property Damage and Personal Injury on an occurrence basis with the following as minimum acceptable limits:

Bodily Injury and Property Damage - Each Occurrence	\$1,000,000
Personal Injury - Each Occurrence	\$1,000,000
Products & Completed Operations - Aggregate	\$2,000,000
General Aggregate	\$2,000,000

5.2.3 Business Automobile Liability as broad as Insurance Services Office (ISO) form CA 00 01, providing bodily injury and property damage coverage for all owned, non-owned and hired vehicles, with the following as minimum acceptable limits:

Bodily Injury and Property Damage - Each Occurrence	\$1,000,000
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5.2.4 Franchisee shall furnish the City with Certificates of Insurance and with original endorsements for each insurance policy (if needed). All certificates and endorsements are to be received and approved by the City before the effective date of this ordinance. The Commercial General Liability Certificate shall name the City of Corvallis, its officers, officials, employees and agents as Additional Insured as respect to operations performed under this franchise agreement. Franchisee shall be financially responsible for all pertinent deductibles, self-insured retentions and/or self insurance. All such deductibles, retentions, or self-insurance must be declared to and approved by the City.

5.2.5 Any Certificate shall state, "Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail thirty (30) days written notice to the certificate holder named to the left." Any "will endeavor to" and "but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives." shall be omitted.

5.3 Hold Harmless. The Franchisee agrees to indemnify, defend and hold harmless the City, its officers, employees, volunteers and agents from any and all claims, demands, action, or suits arising out of or in connection with the Council's grant

of this franchise. Franchisee shall be responsible to defend any suit or action brought by any person challenging the lawfulness of this franchise or seeking damages as a result of or arising in connection with its grant; and shall likewise be responsible for full satisfaction of any judgment or settlement entered against the City in any such action. The City shall tender the defense to the Franchisee and Franchisee shall accept the tender whereupon the City shall assign to Franchisee complete responsibility of litigation including choice of attorneys, strategy and any settlement.

5.3.1 The Franchisee's costs incurred in satisfying its obligations as defined in 5.3 above, shall not decrease the total amount of revenue paid to the City and shall not increase the total amounts paid by the ratepayers for which the Franchisee serves under the authority of the franchise agreement. All such expenses shall be the sole responsibility and burden of the Franchisee.

5.4 Damages. Damages and penalties include, but shall not be limited to, damages arising out of personal injury, property damage, copyright infringement, defamation, antitrust, errors and omissions, theft, fire, and all other damages arising out of Franchisee's exercise of this franchise, whether or not any act or omission complained of is authorized, allowed, or prohibited by this franchise.

Section 6 - Administration and Enforcement

6.1 Customer Dispute Resolution Process.

6.1.1 Any citizen of Corvallis who is aggrieved or adversely affected by any application of the franchise or policy of the Franchisee shall first attempt to settle the dispute by notifying the Franchisee of the nature of the dispute and affording the Franchisee the opportunity to resolve the dispute.

6.1.2 If the dispute is unresolved, the citizen may contact the City. The City may require a written description of the dispute from either party, and shall attempt to mediate and resolve the grievance with the citizen and the Franchisee.

6.1.3 If the dispute is still unresolved, the citizen or the Franchisee may appeal to the Council who shall hear the dispute. The decision of the Council shall be final and binding.

6.2 Penalties and Procedures. Subject to the requirement of prior notice as set forth in Section 6.3 below, for violations of this ordinance occurring without just cause, the City may assess penalties against Franchisee as follows:

6.2.1 For failure to adhere to material provisions of this franchise, as defined in Section 6.4.1, the penalty shall be Five Hundred Dollars (\$500.00) per day per occurrence for each provision not fulfilled.

6.2.2 For failure to comply with Oregon Occupational Safety and Health Administration and Oregon Department of Transportation safety requirements or

Oregon Department of Environmental Quality rules and regulations, the penalty shall be Five Hundred Dollars (\$500.00) per day, per occurrence.

6.2.3 For failure to comply with any provision of this franchise, for which a penalty is not otherwise specifically provided, the penalty shall be Two Hundred Fifty Dollars (\$250.00) per day, per occurrence.

6.2.4 For failure to comply with reasonable requests of the City related to Service, the penalty shall be One Hundred Fifty Dollars (\$150.00) per day per request.

6.3 Procedure for Imposition of Penalties.

6.3.1 Whenever the City finds that the Franchisee has violated one (1) or more terms, conditions or provisions of this franchise, a written notice, or a verbal notice followed by a written notice, shall be given to Franchisee informing it of such violation or liability. If the violation concerns requirements mandated by the Oregon Occupational Health and Safety Administration or the Oregon Department of Environmental Quality, a verbal notice followed by a written notice may be given. For these safety or public health violations, Franchisee shall have twenty-four (24) hours from notification to correct the violation. For all other violations and liabilities, the written notice shall describe in reasonable detail the specific violation so as to afford Franchisee an opportunity to remedy the violation. Franchisee shall have ten (10) days subsequent to receipt of the notice in which to correct the violation. Franchisee may, within five (5) days of receipt of notice, notify the City that there is a dispute as to whether a violation or failure has, in fact, occurred. Such notice by Franchisee to the City shall specify with particularity the matters disputed by Franchisee.

6.3.2 The Council shall hear Franchisee's dispute at its next regularly or specially scheduled meeting. The Council shall supplement the decision with written findings of fact.

6.3.3 If, after hearing the dispute, the claim is upheld by the Council, Franchisee shall have ten (10) days from such a determination to remedy the violation or failure. Penalties shall accrue from time of initial notification until such time as the violation or failure is resolved to the satisfaction of the City.

6.3.4 Franchisee shall be liable for full payment of all penalties imposed under this section.

6.4 City's Right to Revoke. In addition to all other rights which the City has pursuant to law or equity, the Council reserves the right to revoke, terminate, or cancel this franchise, and all rights and privileges pertaining thereto, in the event that:

6.4.1 Franchisee violates any of the following provisions of this franchise which are deemed to be material to the performance of the franchise:

- Standards for Collection and Disposal of Solid Waste and Recyclable Materials (Section 3)
- Rates (Section 4)
- Compensation (Section 5)
- Insurance (Section 5)
- Assignment or Sale of Franchise (Section 8)

6.4.2 Franchisee practices any fraud upon the City or a customer.

6.4.3 Franchisee becomes insolvent, unable or unwilling to pay its debts, or is adjudged bankrupt.

6.4.4 Franchisee misrepresents a material fact in the application for or negotiation of, or renegotiation of, or renewal of, the franchise.

6.4.5 It is determined to be in the best interest of the public to do so, after conducting a public hearing and documenting in findings of fact.

6.5 Enforcement

6.5.1 The City shall have the right to observe and inspect all aspects of Collection operations, facilities, Services, and records which are subject to the provisions of this franchise, to ensure compliance.

6.5.2 If the Franchisee at any time fails to promptly and fully comply with any obligation of this agreement after receiving a written notice and a reasonable opportunity to comply, the City may elect to perform the obligation at the expense of the Franchisee.

6.5.3 If Franchisee defaults in any of the terms required to be performed by it under the terms of this franchise, and the default continues for ten (10) days after written notification by the City, this franchise may, at the option of the Council, become null and void.

6.5.4 The City reserves the right to make such further regulations as may be deemed necessary to protect the interests, safety, welfare and property of the public and carry out purposes stated in Section 3 of this ordinance. The City or the Franchisee may propose amendments to this franchise. Proposals shall be in writing and shall be afforded an adequate review process. Amendments to the franchise must be approved by the Council.

6.5.5 The City bases its rights reserved hereunder upon the inherent and statutory right of the City to perform in the best interests of the people of the City and to prevent any possible flagrant misuse of the rights granted hereunder.

Conflicts or disputes arising under this franchise shall be subject to judicial review.

6.5.6 All remedies and penalties under this ordinance, including termination, are cumulative, and the recovery or enforcement of one is not a waiver or a bar to the recovery or enforcement or any other recovery, remedy or penalty. In addition, the remedies and penalties set out in this ordinance are not exclusive, and the City reserves the right to enforce the penal provisions of any other ordinance, statute or regulation, and to avail itself of any all remedies available at law or in equity. Failure to avail itself of any remedy shall not be construed as a waiver of that remedy. Specific waiver of any right by the City for a particular breach shall not constitute a general waiver of the City's right to seek remedies for any other breach, including a repetition of the waived breach.

6.6 Non-enforcement by the City. Franchisee shall not be relieved of its obligation to comply with any of the provisions of this franchise by reason of any failure of the City to enforce prompt compliance.

6.7 Written Notice. All notices, reports, or demands required to be given in writing under this franchise shall be deemed to be given when a registered or certified mail receipt is returned indicating delivery as follows:

If to the City: City of Corvallis
 P.O. Box 1083
 Corvallis, Oregon 97339-1083
 Attn: Franchise Utility Specialist

If to Franchisee: Republic Services of Corvallis
 P.O. Box 1
 Corvallis, Oregon 97339

Such addresses may be changed by either party upon written notice to the other party given as provided in this section.

Section 7 - Public Responsibilities

7.1 Hazardous Waste. No person shall place Hazardous Wastes for Collection or Disposal by Franchisee at the Curbside.

7.2 Approved Receptacles. No customer shall use any Solid Waste Collection Receptacle unless it is supplied by or approved by the Franchisee.

7.3 Safe Loading Requirements. No stationary compactor or Receptacle for Residential or Commercial use shall exceed the safe loading requirements designated by the Franchisee and agreed to by the City.

7.4 Access to Receptacle. No Receptacle shall be located behind any locked or latched gate or inside of any building or structure unless authorized by the Franchisee. No Person shall block the access to a Receptacle.

7.5 Safe Access. Each customer shall provide safe, above ground access to the Solid Waste or Solid Waste Receptacle without hazard or risk to Franchisee.

7.6 Curbside Receptacle Placement. Placement of Receptacles must be within three (3) feet of the curb but shall not restrict access to bicycle lanes or sidewalks and shall not be blocked by vehicles or other items. Items not for Collection must be at least three (3) feet from Receptacles. Placement of Receptacles is limited to a time period of twenty-four (24) hours prior to pick-up and twenty-four (24) hours after pick-up. Receptacles within alleys shall be placed to accommodate Collection vehicles.

7.7 Removal of Solid Waste Prohibited. No Person, other than the Generator of the materials contained therein, or an officer, employee or permittee of the City, or an employee of the Franchisee shall interfere with any Franchisee Serviced Solid Waste Receptacle, or remove any such Receptacle or its contents from the location where the same has been placed by the Generator.

7.8 Collection of Solid Waste Prohibited. No Person shall remove the lid from any Serviced Solid Waste Receptacle, nor enter into such Solid Waste Receptacle, nor shall any Person Collect, Compact, molest, or scatter Solid Waste placed out for Collection, except the Generator of the materials contained therein, or an officer, employee or permittee of the City, or an employee of the Franchisee.

7.9 Stationary Compactor. No person shall install a stationary compacting device for handling of Solid Wastes unless it complies with all applicable federal, state, and local laws and regulations. Franchisee shall not Service any such device unless these requirements are adhered to at all times.

7.10 Train System. No person shall install or operate a Train System for the purpose of Solid Waste Collection.

Section 8 - Miscellaneous

8.1 Assignment or Sale of Franchise. This franchise shall not be sold, assigned or transferred, either in whole or in part, in any manner, nor shall title thereto, either legal or equitable, or any right, interest or property therein, pass to or vest in any Person without the prior written consent of the City, which consent shall not be unreasonably withheld. The City's consent shall be based upon the financial responsibility of the party whom the franchise is proposing for sale, assignment or transfer. The proposed assignee must show, in addition to financial capability, technical ability, legal qualifications, demonstrated ability, and experience, to comply with the terms of the franchise as determined by the City, and must agree to comply with all provisions of the franchise, including all Services regularly performed by the company but not necessarily

designated herein. The City shall be deemed to have approved the proposed transfer or assignment in the event that its consent is not communicated in writing to the Franchisee within one-hundred twenty (120) days following receipt of written notice of the proposed transfer or assignment.

8.2 Severability and Constitutionality. If any portion or phrase of this ordinance is for any reason held invalid or declared unconstitutional by any court, such portion shall be deemed a separate and independent provision; and such holding shall not affect the constitutionality of the remaining portion hereof. The Council hereby declares that it would have passed this ordinance and each portion and phrase hereof, irrespective of the fact that any one (1) or more portions or phrases be declared illegal, invalid or unconstitutional

8.3 Continuity of Service Mandatory. Upon expiration or the termination of this franchise, the City may require Franchisee to continue to operate the system for an extended period of time, not to exceed twelve (12) months. Franchisee shall, as trustee for its successor in interest, continue to operate under the terms and conditions of this franchise. In the event Franchisee does not so operate, the City may take such steps as deemed necessary to assure continued Service to subscribers. Costs associated with such actions shall be the sole responsibility of Franchisee.

8.4 Rules of Construction. This ordinance shall be construed liberally in order to effectuate its purposes. Unless otherwise specifically prescribed in this ordinance, the following provisions shall govern its interpretation and construction:

8.4.1 The singular may include the plural number, and the plural may include the singular number.

8.4.2 "May" is permissive and "shall" is mandatory.

8.5 Calculation of Time. Time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of time unless stipulated otherwise in this agreement. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

8.6 Repeal; Effective Date. This ordinance shall repeal Ordinance 2008-15. If this ordinance is void for any reason, Ordinance 2008-15 shall remain repealed in its entirety. This ordinance shall be in full force and effect as of the date indicated below, but this ordinance shall be void unless the Franchisee files with the City Recorder, within 30 days, the Franchisee's unconditional written acceptance of the terms, conditions, and obligations to be complied with or performed by it under this ordinance.

PASSED by the Council this _____ day of _____, 2013.

APPROVED by the Mayor this _____ day of _____, 2013.

Effective this 1 day of June, 2013.

Mayor

ATTEST:

City Recorder

Rate Increase History vs. CPI
(automated residential 35 gallon cart)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Average
Rate Increase	11% *					4.35%	6.2%	3.5%	9.85% **		20.3% ***			6% ****	4.37%
Increase minus new service	11% *					4.35%	6.2%	3.5%	3% **		6.9% ***			6% ****	2.93%
CPI Increase	2.83%	3.28%	2.72%	1.27%	1.36%	2.04%	2.48%	2.73%	3.43%	3.86%	1.00%	1.60%	2.57%	2.53%	2.41%

* Previous rate increase was 1993

** New weekly co-mingled recycling cart service added - 3% of increase was for inflation of on-going expenses

*** Yard debris service increased to weekly accounting for 13.4% of increase - Remaining 6.9 % inflation increases for 2009 and 2010

**** Rate increase driven primarily from diesel fuel price increases

Refuse Rate Index Component Increases Required to Reach 4% Maximum Increase

Scenario 1 - CPI at 10-year average (2.4%)

(based on weekly 35 gallon garbage service)

Rate Component	Component Weight	2013**	2014	2015	2016	2017	2018	2019	2020
Collection	82%	0%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
*Landfill	11%	0%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
Organics Processor	7%	0%	25%	25%	25%	25%	25%	25%	25%

Total % Increase		**	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
Total Charge	\$18.50	\$18.50	\$19.24	\$20.00	\$20.80	\$21.63	\$22.49	\$23.38	\$24.32

* Coffin Butte Landfill has a franchise with the Benton County stating rates for Benton County customers can only increase at the CPI. The franchise expires on December 31, 2020.

**Allied Waste has stated there will be no increase in 2013 if the CNG project is completed as scheduled.

Scenario 2 - CPI at 20-year average (3.2%)

(based on weekly 35 gallon garbage service)

Rate Component	Component Weight	2013**	2014	2015	2016	2017	2018	2019	2020
Collection	82%	0%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
*Landfill	11%	0%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
Organics Processor	7%	0%	15%	15%	15%	15%	15%	15%	15%

Total % Increase		**	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
Total Charge	\$18.50	\$18.50	\$19.24	\$20.02	\$20.83	\$21.66	\$22.54	\$23.44	\$24.39

* Coffin Butte Landfill has a franchise with the Benton County stating rates for Benton County customers can only increase at the CPI. The franchise expires on December 31, 2020.

**Allied Waste has stated there will be no increase in 2013 if the CNG project is completed as scheduled.

Scenario 3 - CPI at 10-year average (2.4%) plus a change in Benton County landfill franchise allowing higher rates

(based on weekly 35 gallon garbage service)

Rate Component	Component Weight	2013**	2014	2015	2016	2017	2018	2019	2020
Collection	82%	0%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
*Landfill	11%	0%	15%	15%	15%	15%	15%	15%	15%
Organics Processor	7%	0%	6%	6%	6%	6%	6%	6%	6%

Total % Increase		**	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
Total Charge	\$18.50	\$18.50	\$19.25	\$20.02	\$20.83	\$21.67	\$22.55	\$23.46	\$24.41

* Coffin Butte Landfill franchise with the Benton County changes allowing higher rates.

**Allied Waste has stated there will be no increase in 2013 if the CNG project is completed as scheduled.

Scenario 4 - CPI at 20-year average (3.2%) plus a change in Benton County landfill franchise allowing higher rates
 (based on weekly 35 gallon garbage service)

Rate Component	Component Weight	2013**	2014	2015	2016	2017	2018	2019	2020
Collection	82%	0%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
*Landfill	11%	0%	10%	10%	10%	10%	10%	10%	10%
Organics Processor	7%	0%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%

Total % Increase		**	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
Total Charge	\$18.50	\$18.50	\$19.25	\$20.02	\$20.83	\$21.67	\$22.55	\$23.46	\$24.41

* Coffin Butte Landfill has a franchise with the Benton County stating rates for Benton County customers can only increase at the CPI. The franchise expires on December 31, 2020.

**Allied Waste has stated there will be no increase in 2013 if the CNG project is completed as scheduled.

RESOLUTION NO. 6019

A RESOLUTION APPROVING A RATE MODIFICATION FOR ALBANY-LEBANON SANITATION COMPANY AND PROVIDING THAT FUTURE RATES ARE TRANSITIONED TO A METHODOLOGY GENERALLY REFLECTIVE OF CHANGES IN THE CONSUMER PRICE INDEX AND REPEALING RESOLUTION NO. 5802

WHEREAS, Albany-Lebanon Sanitation Company (hereinafter "Franchisee") provides solid waste management and recycling services pursuant to the terms of a franchise with the City codified as AMC 3.28.010 – 3.28.170; and

WHEREAS, AMC 3.28.130 provides that rates for service shall be approved by the City Council by resolution giving consideration to a number of economic factors; and

WHEREAS, establishing a future rate structure generally based upon changes in the consumer price index will provide a measure of certainty both for rate payers and for the Franchisee; and

WHEREAS, such rate certainty is desirable to enable the Franchisee to make reasonable capital improvement and acquisition decisions and to provide rate payers with predictability concerning the cost of waste collection, disposal, and recycling services.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Rate Adjustment from August 1, 2011, through June 30, 2012. Effective August 1, 2011, and continuing thereafter until June 30, 2012, the City approves an across-the-board six percent (6%) increase in Franchisee's rates for services provided pursuant to the above-referenced franchise.

Section 2. Rate Adjustment from July 1, 2012 through December 31, 2012. Effective July 1, 2012, and continuing thereafter until December 31, 2012, the City approves an across-the-board four percent (4%) rate increase in Franchisee's rates for services provided pursuant to the above-referenced franchise.

Notwithstanding the foregoing, if Franchisee net income exceeds seven percent (7%) as reported on May 1, 2012, the rate increase for this period shall not be allowed by this resolution but shall, instead, be adjusted and presented to the Council for review and consideration. In order to be eligible for a rate increase during the period in question, Franchisee must provide City with all of the information necessary to do the calculations referred to in Exhibit "A," attached hereto, by May 1, 2012.

Section 3. Rate Adjustment from January 1, 2013 through January 1, 2014. Effective January 1, 2013, Franchisee is permitted a rate increase for all services covered by above-referenced franchise of two percent (2%) plus the Refuse Rate Index described in Exhibit "A" applicable to the period in question.



Section 4. Future Franchise Rates. After January 1, 2014, and continuing until such time as the rates or rate methodology may be modified by the City, Franchisee will be permitted rate increases pursuant to the Refuse Rate Index described in Exhibit "A."

Section 5. Mutual Right to Adjust Rate Modifications and Rate Increase Methodology. The City maintains authority to approve or decline any rate increase requested by the Franchisee. City may, at any time, upon ninety (90) days' written notice to the Franchisee, modify or eliminate any of the rate approvals set forth above. Such modification shall be effective only prospectively for the next rate adjustment period. Unless otherwise noted, rate adjustments shall only be authorized annually, effective

January 1 of each year. Similarly, Franchisee may, upon ninety (90) days' written notice to City, request a modification of the rate adjustment methodology set forth herein or may request additional adjustment as a result of significant changes in the value of recyclables, shift in garbage collection service levels, changes in required environmental or regulatory compliance measures, or other factors affecting collection system costs. It is intended that this flexibility will allow either party to request a departure from the rate adjustments and rate adjustment methodology set forth in this resolution should such methodology be deemed inappropriate in light of future circumstances. Nothing herein shall limit the City's authority to establish or modify franchise service rates as provided by AMC 3.28.130 in the event that the City Council determines that it is in the public interest to do so.

Section 6. City Access to Franchisee Information. At any time, upon ten (10) days' written request, Franchisee shall provide to City access to raw data and documentation upon which all calculations used in establishing the Refuse Rate Index and Franchisee net income shall have been determined. If Franchisee fails to provide this information in satisfactory form to the City upon request, it shall forfeit entitlement to the requested rate increase.

Section 7. Repealing Resolution No. 5802. The Albany City Council hereby repeals Resolution No. 5802 dated July 22, 2009.

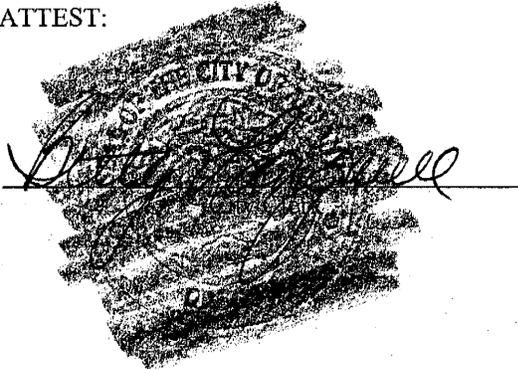
Section 8. Effective Date. This resolution is effective August 1, 2011.

DATED AND EFFECTIVE THIS 22ND DAY OF JUNE 2011.



Mayor

ATTEST:



City Clerk

Exhibit "A"
Refuse Rate Index Methodology

Rate Modification

Annual modification of the Franchisee's collection service charges will be based in whole or in part on the "Refuse Rate Index" (RRI) as described below. The Refuse Rate Index will be a weighted index based on the following three indices:

- The annual Consumer Price Index for Urban Wage Earners and Clerical Workers for the Portland-Salem Area, all items, not seasonally adjusted, or successor indices, which will have a weight of 65%.
- The annual adjustment for disposal fees and yard waste processing fees will have a weight of 25%. This fee increase shall not exceed 4% annually.
- The Energy Information Agency annual West Coast Retail Prices Series for Number 2 Ultra Low Sulfur Diesel Fuel, which will have a weight of 10%.

Note: The preceding year, June 30 (2nd Quarter), CPI publications will be utilized to calculate the January adjustment factor (example: June 30, 2012 publication for January 2013 rate adjustment).

The Refuse Rate Index, for the contract year beginning in January 1, 2013, and for each subsequent contract year, will be calculated by taking the weighted average, based on the weights above, of the percentage difference between the three indices most recent year end values and the corresponding values for the prior year, and adding the result to 1.0. The resulting amount shall be termed the "adjustment factor". At no time shall the total adjustment factor be less than 1.0. All rates in the rate schedule shall then be multiplied by the approved adjustment factor.

Example:

	Index: June 30, 2011	Index: June 30, 2012	% Change	Weight	RRI
Consumer Price Index - Portland/Salem	220	222	0.9%	65%	0.6%
Average Disposal Rate	\$ 35.00	\$ 36.00	2.9%	25%	0.7%
Consumer Price Index - West Coast Ultra Low Sulfur Diesel	155	170	9.7%	10%	1.0%
				Rate Adjustment %	2.3%
					100.0%
				Adjustment Factor	102.3%

When the RRI is used to calculate a Franchisee rate increase, whether the RRI is used as the sole basis for modification or as only a partial factor in the rate modification, the total rate increase may not exceed 6% in any calendar year.

If in a given year, the Franchisee's rate of return (Net Income as a % of total revenue) exceeds 10%, the RRI adjustment factor will be deferred to the following year. Adjustments to the Franchisee's collection service charge shall be made in units of one cent (\$0.01). Fractions less than one cent (\$0.01) shall not be considered when making adjustments.

The Franchisee shall submit to the City for review and approval a rate adjustment statement, calculating the new rates for the next year, on or by September 1 of each year, starting September 1, 2012. The City shall have thirty (30) days to approve or disapprove the new rates provided, however, that the City may not disapprove an RRI increase unless the Rate Adjustment Statement contains errors of calculations. On City approval, the new rates shall take effect annually on January 1, beginning 2013. Customers shall be notified by December 1, thirty (30) days prior to the new rate. Should ratepayers not receive notification by December 1, due to missed deadlines by the Franchisee or rate disapproval by the City, implementation of the new rates shall be delayed by one month without opportunity for recovery of lost revenue.

Rate Increase History vs. CPI
(automated residential 35 gallon cart)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Average
Rate Increase	11% *					4.35%	6.2%	3.5%	9.85% **		20.3% ***			6% ****	4.37%
Increase minus new service	11% *					4.35%	6.2%	3.5%	3% **		6.9% ***			6% ****	2.93%
CPI Increase	2.83%	3.28%	2.72%	1.27%	1.36%	2.04%	2.48%	2.73%	3.43%	3.86%	1.00%	1.60%	2.57%	2.53%	2.41%

* Previous rate increase was 1993

** New weekly co-mingled recycling cart service added - 3% of increase was for inflation of on-going expenses

*** Yard debris service increased to weekly accounting for 13.4% of increase - Remaining 6.9 % inflation increases for 2009 and 2010

**** Rate increase driven primarily from diesel fuel price increases

\$10 starting monthly rate	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012		
Rate increase	\$ 11.10	\$ 11.10	\$ 11.10	\$ 11.10	\$ 11.10	\$ 11.58	\$ 12.30	\$ 12.73	\$ 13.11	\$ 13.11	\$ 14.01	\$ 14.01	\$ 14.01	\$ 14.85	\$ 0.91	6.5%
CPI Increase	\$ 10.28	\$ 10.62	\$ 10.91	\$ 11.05	\$ 11.20	\$ 11.43	\$ 11.71	\$ 12.03	\$ 12.44	\$ 12.92	\$ 13.05	\$ 13.26	\$ 13.60	\$ 13.94		

Attachment 1



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Innovation Matters

In 2012, Republic Services introduced NASCAR audiences to the world's first ever compressed natural gas (CNG) Pace Trucks. These giant red, white and blue recycle trucks weigh in at 38,000 lbs. each but they tread lightly on the environment. Converting one diesel truck to CNG represents the equivalent emissions reduction of 325 cars off the road every day. With one of the Northwest's largest CNG fleets, Republic Services reduces the equivalent emissions of millions of cars each year in the local region.

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you can count on.**



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Home Magazine Fenced Out

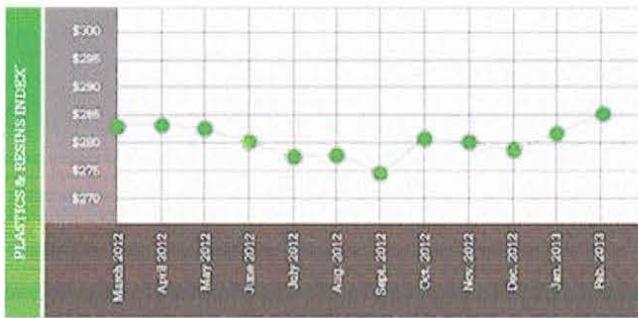
Fenced Out

DEPARTMENTS - PLASTICS, PLASTICS

The "Green Fence" in China has slowed the flow of plastic scrap into the country.

Recycling Today Staff

APRIL 1, 2013



A "Green Fence" that China has erected to keep out undesirable material is having an effect on overseas purchases of secondary plastics. The country, in an effort to protect its environment, has launched an initiative it has dubbed Green Fence. As a result, Chinese customs officials are closely scrutinizing incoming shipments of recyclables, according to sources.

Low-grade materials in particular have felt the pinch. "Export buying activity has slowed for low-end grades of postconsumer plastics due to recent regulations and China's green fence," a reprocessor based in the Southwest says. He adds, "We are still actively exporting film grades and all industrial grade plastics as well as resin to Asia and Latin America."

A reprocessor based in the Great Lakes region also points to China's Green Fence as negatively affecting demand for some plastics.

"Mixed materials for export to China had demand slashed, as customs procedures have hampered buying," he says. However, he adds that export to China for some grades of plastics, as well as to India, remain strong despite interruptions from Chinese New Year and tightened import restrictions in China.

"Dirty or mixed postconsumer materials, such as mixed rigid, are no longer shipped to China," a recycler based in the Midwest says. "Chinese customs have targeted dirty materials, but they are also refusing materials such as woven PP Super Sacks, dirty LDPE (low-density polyethylene) and postconsumer

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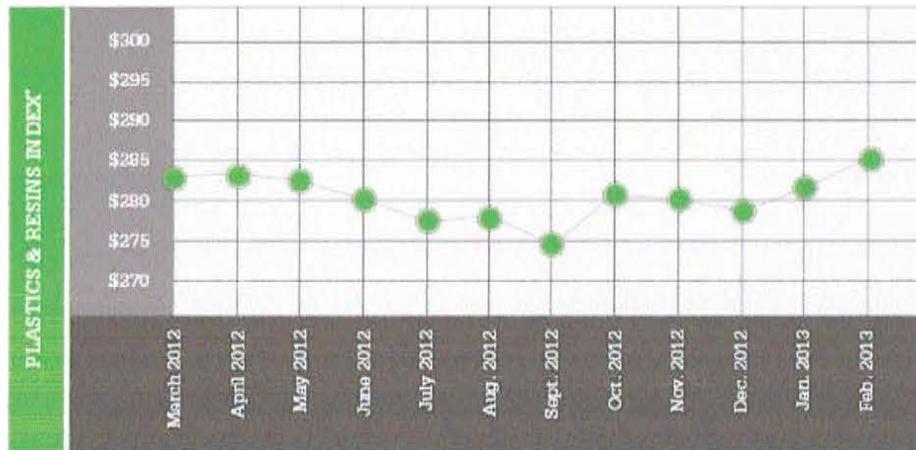
pricing, he adds.

The reprocessor based in the Southwest says generation is somewhat soft, largely because manufacturers are being more efficient and reusing the scrap material they generate. "We do see an increase in the postconsumer plastics being collected and going into the marketplace, as we saw with the recycling rate increases for bottles collected," he says, pointing to improved consumer awareness and more opportunities to recycle. He describes domestic demand for all secondary plastics as good as long as the material is of sufficient quality.

PET (polyethylene terephthalate), PS (polystyrene), PP (polypropylene) and PE (polyethylene) grades are growing in terms of demand, the reprocessor based in the Southeast says.

"We have calls daily looking for different types of material, especially PE and PP grades," the recycler in the Midwest says. "Engineering grades are also in demand: PC, ABS (acrylonitrile butadiene styrene), PC/ABS, PVC and others."

The reprocessor based in the Great Lakes region says the rising cost of freight in the last few months has created a value imbalance for some grades, eroding profitability.



*Producer price index is based on December 1980 average prices as 100; SOURCE: U.S. Bureau of Labor Statistics



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Attachment 4

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Operation Green Fence is deeply affecting export markets

By *dylan*

Created 04/12/2013 - 07:35

Operation Green Fence is deeply affecting export markets

 Fri, 04/12/2013 - 07:35 | dylan

Operation Green Fence is deeply affecting export markets

By *Jerry Powell, Resource Recycling*

China no longer wants to receive garbage from other countries. As a result, enhanced import inspections by Chinese customs officials have led to severe recycling market confusion worldwide, especially for shippers of recovered paper and plastics.

China's new president, Xi Jinping, says that checking containers of recyclables for waste must be a top priority for customs officials. Existing regulations limit the amount of non-recyclable materials in bales, but enforcement of these rules has been lax. According to many sources, this laxity is going away.

Inspectors are now operating under a new program, "Operation Green Fence," and are reportedly inspecting nearly every container. A special team of inspection officials has been created to attack the problem of high levels of waste in bales imported from Europe, North America and elsewhere. Because inspections slow down port operations, shippers are now seeing rising demurrage costs as they pay ports to hold containers until they are inspected.

Definitive assessments of the market impact of enhanced inspections are not available, with much of the current analysis relying on rumor. It is known, however, that a number of containers have been rejected in China, especially for mixed paper and mixed rigid plastics scrap.

It is also known that several large exporters, such as America Chung Nam, have increased their container inspections here in the U.S., before the containers are delivered to the port for shipping. *Resource Recycling* has obtained a "Supplier Letter of Awareness" from ACN, the largest exporter of recovered paper from the U.S., which details numerous "items of concern" including:

- Zero tolerance for banned items, such as e-scrap, textiles, green waste, animal/human waste, insects, animals, food waste, medical waste, etc.

- Prohibitive levels must be maintained below 1.5 percent on a bale-by-bale basis. Common examples include wood, metal, glass and plastic.
- Material shipped as "waste paper" but incorrectly declared is cause for customs penalty, including shipment of convertible items such as rolls, reels, boxed or plastic-wrapped paper, cut sheets, etc. Wire baling is the only acceptable form of packaging for "waste paper."
- Wet material (exceeding 12 percent "air-dry" standard) creates an environment for degradation where material can pick up dirt, inviting additional scrutiny, regardless of prohibitive level.
- Loading photos for each container must be sent on or before the cut-off date for each booking, so that they may be reviewed in a timely manner. Shipment will be suspended and potentially returned for any failure to do so.
- Make sure each container is clear of foreign matter/debris before loading (items such as those for blocking/bracing and items such as moisture absorbent gel packs left by previous shipper).

Some recycling market analysts contend that this changing situation in China is the key reason why prices for some recovered materials in the U.S, have declined over the past few weeks. Several recovered paper shippers say they are more and more unwilling to ship to China, and they are seeking domestic orders instead. They contend this has resulted in domestic mills being able to push prices down by about \$10 per ton. Other recycling industry players report the same activity in the plastics market.

And demand in China has slumped. For example, global shipments of recovered paper to China in the first two months of this year, at 5.1 million tons, were down 18.4 percent in comparison to the same period in 2012.

Several observers have offered ideas on what may now happen under Operation Green Fence. For one, some plastics shippers say their Chinese buyers will begin pushing for washed or granulated plastics and no longer seek bales of mixed material. And some market players feel Vietnamese buyers will jump in the void by buying bales of paper or plastics containing high levels of contaminants. These buyers will then manually sort the bales, remove the garbage and rebale the fibers or plastics before shipping the containers to China.

One likely effect of the Chinese bale inspection program will be revised bale specifications by U.S. consumers of fibers and plastics. This was a topic at this week's annual convention of the Institute of Scrap Recycling Industries in Orlando. An executive of a domestic recycled paper producer said his company was likely to tighten the specifications soon for the bulk grades consumed at the firm's mills. "We're pleased that the Chinese government has taken this action," he said. And a large plastics reclaimer said his company had already started to reject bales that previously, before the Chinese crackdown, it would have been forced to buy.



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ORDINANCE NO. 2013-

AN ORDINANCE REGULATING SOLID WASTE MANAGEMENT INCLUDING, WITHOUT LIMITATION, GRANTING AN EXCLUSIVE SOLID WASTE FRANCHISE TO REPUBLIC SERVICES OF CORVALLIS; ESTABLISHING SERVICE STANDARDS AND ESTABLISHING PUBLIC RESPONSIBILITY; REPEALING ORDINANCE 2008-15; PRESCRIBING PENALTIES; AND STATING AN EFFECTIVE DATE.

THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1 - Introduction

1.1 Short Title. This ordinance shall be known as the “Solid Waste Management Ordinance.”

1.2 Purpose and Policy. In order to protect the health, safety and welfare of the people of the City of Corvallis, it is the public policy of the City of Corvallis to regulate and to provide a Solid Waste management program.

1.3 Solid Waste Management Goals.

1.3.1 Ensure the safe and sanitary accumulation, storage, Collection, transportation and disposal or Resource Recovery of Solid Wastes. Ensure proper handling of Household Hazardous Waste, ensure that the community has an ongoing Resource Recovery and disposal service, and ensure that wasteshed Recycling goals are met.

1.3.2 Engage in research, studies, surveys and demonstration projects to develop a safe, sanitary, sustainable, efficient and economical Solid Waste management system.

1.3.3 Research, develop, and promote technologically and economically feasible Resource Recovery including, Source Separation, Recycling and reuse, and separation by and through the Franchisee. Research, develop, and promote Solid Waste reduction strategies.

1.3.4 Ensure efficient, economical and comprehensive Solid Waste Service. Maximize Collection to reduce the adverse environmental impacts of individual Collection and disposal efforts. Minimize duplication of Service or routes to conserve energy and material resources, to reduce air pollution and truck traffic, and to increase efficiency, thereby minimizing consumer cost, street wear, and public inconvenience.

1.3.5 Protect and enhance the public health and the environment.

1.3.6 Protect against improper and dangerous handling of Hazardous and Infectious Wastes.

1.3.7 Encourage the use of the expertise and capabilities of private industry.

1.3.8 Provide for equitable charges to the users of Solid Waste Services that are reasonable and adequate to provide necessary Service to the public, justify investment in Solid Waste management systems, and provide for equipment and systems modernization to meet environmental and community service requirements.

1.3.9 Provide Service without discrimination on the basis of race, religion, religious observance, citizenship status, gender identity or expression, color, sex, marital status, familial status, citizenship status, national origin, age, mental or physical disability, sexual orientation, or source or level of income and not give any Person any preference or advantage not available to all Persons similarly situated.

1.3.10 Work in cooperation with the City of Corvallis, Benton County, local citizen groups, and local industries to reduce the quantity of Solid Waste produced, optimize efficiencies, and conserve resources.

1.3.11 Provide efficient leaf Collection to protect the community's health, safety, and appearance, and to improve water quality.

1.3.12 Demonstrate a responsive, customer-service oriented business philosophy.

1.3.13 Increase recovery of organic and inorganic Solid Waste from all Solid Waste streams that the Franchisee Collects within the Franchise Territory.

1.4 Definitions. For the purpose of the ordinance, the following terms shall have the following meaning:

“Automated Frontload Service” means Servicing Commercial customer frontload style Receptacles where the Collection vehicle operator does not need to leave the Collection vehicle for any reason to Service the Receptacle.

“City” means the City of Corvallis, Oregon all of its officers, employees, and representatives.

“Collection” (or variations thereof) means a Service providing for collection of Solid Waste, Recyclable Materials, and Organic Debris.

“Commercial” means commercial and industrial businesses including but not limited to retail sales, services, wholesale operations, manufacturing, and industrial operations but excluding businesses conducted upon Residential premises which are permitted under applicable zoning regulations and are not the primary use of the property.

“Commingled Recyclables” means newspapers, corrugated cardboard, brown paper bags, tin/aluminum cans, aseptic containers, aerosol cans, plastics defined as tubs/bottles, and mixed paper consisting of household mail, paperboard, and magazines, or any other combination of Recyclable Materials approved by the City in accordance with state regulations.

“Compact and Compaction” means the process of, or to engage in the manual or mechanical compression of material.

“Council” means the governing body of the City.

“Curbside” means a location within three (3) feet of a City street, public access road, State or federal road. This does not allow Solid Waste or Recycling Receptacles to be placed on the inside of a fence or enclosure for Collection even if the Receptacle is within three (3) feet of said road or roads. For residences on “flag lots”, private roads, or driveways, “Curbside” shall be the point where the private road or driveway intersects a City street, public access road, State or federal road.

“Disposal” means the ultimate disposition of Solid Waste Collected by the Franchisee at a Disposal Site.

“Disposal Site” means land and facilities used for the Disposal, handling, or transfer of, or energy recovery, material recovery and Recycling from Solid Wastes, including but not limited to landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, transfer stations, energy recovery facilities, incinerators for Solid Waste delivered by the public or by a Collection Service, composting plants and land and facilities previously used for Solid Waste Disposal at a land Disposal Site.

“Franchisee” means Republic Services of Corvallis, an Oregon corporation, granted a franchise pursuant to Section 2 of this ordinance or a subsequent ordinance. It also includes any sub-contractor to Republic Services of Corvallis operating within the Franchise Territory.

“Franchise Territory” means the area within the legal boundaries of the City of Corvallis, including any areas annexed during the term of this franchise, and all property owned by the City, outside City limits and within the urban growth boundary.

“Generator” means any Person whose act or process produces Solid Waste, Recyclable Materials, or Organic Debris or whose act first causes Solid Waste Recyclable Materials or Organic Debris to become subject to regulation. As used in this franchise, “Generator” does not include any Person who manages an intermediate function resulting in the alteration or Compaction of the Solid Waste or Recyclable Material after it has been produced by the Generator and placed for Collection.

“Green Feedstocks” include but are not limited to: yard debris, animal manures, wood waste (as defined in OAR 340-093-0030(94)), vegetative food waste, produce waste, vegetative restaurant waste, vegetative food processor by-products and crop residue. Green feedstocks may also include other materials approved by DEQ. Green Feedstock is a subset of Solid Waste.

“Gross Revenue” shall mean revenues derived from all sources of operations within the Franchise Territory allowed by law to be included within the term of Gross Revenue. No expenses, encumbrances, or expenditures shall be deducted from the Gross Revenue in determining the total Gross Revenue subject to the franchise fee, except net uncollectibles.

“Hazardous Waste” means any hazardous wastes as defined by ORS 466.005.

“Holidays” means legal holidays observed by the City of Corvallis.

“Household Hazardous Waste” means any discarded, useless or unwanted chemical, material, substance or product that is or may be hazardous or toxic to the public or the environment, is commonly used around households and is generated by the household.

“Industrial” means a Commercial customer whose waste is hauled directly to a disposal site in a customer dedicated container and the customer pays the actual cost of disposal. This definition applies only to Section 4.

“Infectious Waste” means as defined in ORS 459.386.

“Manual Frontload Service” means Servicing Commercial customer frontload style Receptacles where the Collection vehicle operator needs to exit the Collection Vehicle for any reason to service the container.

“Organic Debris” includes but is not limited to Green Feedstocks, Yard Debris, pre and post consumer food Waste (meat, poultry, fish, shellfish, bones, eggs, dairy products, bread, dough, pasta), food soiled paper (kitchen paper towels, uncoated paper takeout containers, pizza delivery boxes, paper napkins, waxed cardboard, and uncoated paper cups), Organic Debris is a subset of Solid Waste.

“Persons” means any individual, partnership, business, association, corporation, trust, firm, estate, joint venture, cooperative or other private entity or any public agency.

“Pilot Program” means a program which allows the Franchisee to offer Services on a trial basis for a limited duration of six months or less and to determine rates for such Services outside the approved rate structure. City approval is required prior to implementation of a pilot program.

“Public Rights-of-Way” includes, but is not limited to, streets, roads, highways, bridges, alleys, sidewalks, trails, multi-use paths, park strips, public easements on private property and all other public ways or areas, including surface of and the space above and below these areas, and includes any city-owned park, place, facility or grounds within the Franchise Territory that is open to the public.

“Putrescible Material” means organic materials that can decompose, which may create foul-smelling, offensive odors or products.

“Receptacle” means cans (owned by a customer), carts, bins, containers, drop boxes, or dumpsters used for the containment, Collection, and Disposal of Solid Waste.

“Recycling” means any process by which Solid Waste materials are transformed into new products where the Solid Waste materials may lose their identity.

“Recyclable Material” means any material or group of materials that can be Collected and sold for Recycling at a net cost equal to or less than the cost of Collection and Disposal of the same material. Recyclable Materials are a subset of Solid Waste.

“Residential” means property containing four dwelling units or less used for residential purposes irrespective of whether such dwelling units are rental units or are owner occupied.

“Resource Recovery” means the process of obtaining useful material or energy resources from Solid Waste, including reuse, Recycling, and other material recovery or energy recovery of or from Solid Wastes.

“Service” means the Collection, transportation, or Disposal of or Resource Recovery from Solid Waste by Franchisee.

“Solid Waste” means as defined in ORS 459.005.24 including but not limited to all useless or discarded Putrescible, non-putrescible and Recyclable Materials.

“Source Separation” means the separation of Solid Waste materials by the Generator in preparation for recovery by Recycling or reuse.

“Train System” means a group of small receptacles (typically 1-2 cubic yard capacity) placed in various locations around a customer’s property, by the customer and once full, either linked together or placed upon a trailer for transport and disposal to a larger Receptacle or compactor on the premises.

“Yard Debris” means grass clippings, leaves, hedge trimmings, and similar vegetative Solid Waste generated from Residential premises or landscaping activities but does not include stumps or similar bulky wood materials. Yard Debris is a subset of Solid Waste.

Section 2 - Grant of Authority and General Provisions

2.1 Franchise. Subject to the conditions and reservations contained in this ordinance, the Council hereby grants to Republic Services of Corvallis, the right, privilege, and exclusive franchise to Collect and transport Solid Waste, including Recyclable Materials, and Organic Debris, generated within the Franchise Territory in accordance with this ordinance and Corvallis Municipal Code.

2.2 Term. This franchise ordinance and the rights and privileges granted herein shall take effect June 1, 2013 and remain in effect through December 31, 2023 for a term of ten (10) years. If the City determines Service standards are not adequately being met, the City may re-open this franchise for renegotiation five (5) years from the effective date of this agreement or any date thereafter.

2.3 Written Acceptance. On or before the thirtieth (30th) day after this ordinance becomes effective, Franchisee shall file with the City a written acceptance of this ordinance, in a form approved by the City, executed by the Franchisee. Any failure on the part of Franchisee to file such written acceptance within such time shall be deemed an abandonment and rejection of the rights and privileges conferred hereby and this ordinance shall thereupon be null and void. Such acceptance shall be unqualified and shall be construed to be an acceptance of all the terms, conditions and restrictions contained in this ordinance.

2.4 Ownership of Waste. Once Solid Waste, Recyclable Materials, or Organic Debris are placed in Receptacles and properly placed for Collection, ownership and the right to possession of such material shall transfer directly from the Generator to Franchisee by operation of this agreement. Subject to the provisions of this agreement, the Franchisee shall have the right to retain any benefit resulting from its right to retain, Recycle, process, Dispose of, or reuse the Solid Waste, Recyclable Materials, and Organic Debris which it Collects. Solid Waste, Recyclable Materials, Organic Debris, or any part thereof, which is Disposed of at a Disposal Site or facility shall become the property of the owner or operator of the Disposal Site(s) or facility once deposited there by the Franchisee.

2.5 Hazardous Waste. Except as otherwise provided in this ordinance, the Franchisee is not required to store, Collect, transport, Dispose of or Resource Recover Hazardous Waste.

2.6 Separation of Waste. The City reserves the right to require the separation of component parts or materials in or from Solid Waste, and to require the deposit thereof in Receptacles or places and to prescribe the method of Disposal or Resource Recovery.

2.7 Franchise Exemptions. The franchise for the Collection and transportation of Solid Waste, Recyclable Materials, and Organic Debris granted to Franchisee shall be exclusive except as to the categories of Solid Waste, Recyclable Materials, and Organic Debris listed in this section. Nothing in this ordinance requires a franchise or permit for the following:

2.7.1 The Collection, transportation, and Recycling of Recycled Materials or the operation of a Collection center for Recycled Materials by charitable or non-profit organizations, provided they are not organized and operated for any Solid Waste management purpose.

2.7.2 The Collection, transportation or redemption of returnable beverage containers under ORS Chapter 459A or subsequent related legislation.

2.7.3 A Generator who transports and Disposes of Solid Waste created as an incidental part of regularly carrying on a business, such as auto wrecking; janitorial services; septic tank pumping, sludge (sludge ash, grit, and screenings) collection or disposal service; or gardening or landscape maintenance. “Janitorial service” does not include primarily Collecting Solid Waste generated by a property owner or occupant.

2.7.4 The transportation of Solid Waste, Recyclable Materials, or Organic Debris removed from any premises by the Generator, and transported personally by the owner or occupant of such premises (or by his or her full time employees) to any processing facility or Disposal Site with the exception that the owner, or agent of the owner, of a non-owner occupied dwelling unit may not remove and transport materials generated by a tenant.

2.7.5 Solid Waste, Recyclable Materials, or Organic Debris that is hauled by a contractor as an incidental activity associated with work performed by the contractor for another Person or work performed by the City. This includes, but is not limited to, a construction and demolition debris hauled by a company that is hired to remodel a home, or Yard Debris hauled by a landscaper that services a Commercial business. Such Solid Waste shall be generated by the contractor in connection with the contractor’s work at said work site and hauled by the contractor and operated by the contractor’s employees.

2.7.6 Government employees providing Solid Waste and Recycling Collection Services to government operations and facilities.

2.7.7 The acquisition of Source Separated materials from the Generator through a private arrangement with a Person.

2.7.8 Unless exempted by subsections above, or granted an exclusive franchise or license pursuant to this ordinance, no person shall solicit customers for Service, or advertise the providing of Service, or provide Service in the Franchise Territory.

2.8 Maps. Annually, or upon request, the Franchisee shall provide a map to the City showing Residential Collection schedules by day of the week. Franchisee shall provide such maps in an electronic format acceptable to the City and the Franchisee. In the event Franchisee re-routing significantly changes the days of Residential Collection, the Franchisee shall inform the City and provide an updated map.

2.9 City Authority. The City reserves the right to determine the Services authorized by this franchise agreement. The Council may amend this agreement at any time to include, authorize, or require new or revised services, based on information it receives from community groups, residents, or City staff.

Section 3 - Community Standards for Collection and Disposal of Solid Waste and Recyclable Materials

3.1 Collection Standards. Collection of Solid Waste and Recyclable Material shall be performed in such a way as to comply with all Federal, State and local environmental regulations. In addition the Franchisee shall:

3.1.1 Provide Solid Waste and Recycling Collection Services to any Person living within or conducting business within the Franchise Territory.

3.1.2 Collect Putrescible Material at least once each week.

3.1.3 Provide Collection of Infectious Waste as defined in ORS 459.387, either directly or through a qualified, licensed subcontractor. Collection shall be provided in a manner consistent with the requirements of all applicable laws and regulations.

3.1.4 Perform Collections a minimum of twice weekly in the business districts of the Franchise Territory. Downtown business district Collection hours are subject to Corvallis Municipal Code 4.01. Collection hours shall be scheduled to minimize noise and disruption to residents in or near the downtown business district.

3.1.5 Perform Curbside Collections of Putrescible Solid Waste and Recyclable Materials at least once weekly in Residential districts or as often as required by ORS 459 and ORS 459.A. Collection hours shall be between the hours of 7:00 am and 6:00 pm. All Collections shall be made as safely, efficiently, and quietly as possible. The Franchisee, under special circumstances, may request in writing that collection hours be temporarily extended. No changes shall be implemented without prior written approval from the City.

3.1.6 Provide Collection of Residential Solid Waste, Recyclable Materials, and Organic Debris Receptacles on the same day of the week. Franchisee shall not be required to go into garages or other buildings to make pick-ups at residences, nor shall the Franchisee be required to go into closed areas, through enclosed gates, or up or down stairs to make pick-ups.

3.1.7 Provide will-call Service for Residential and Commercial customers with Collection to be completed on the next scheduled route day for that neighborhood or service district.

3.1.8 Use due care to prevent Solid Waste from being spilled or scattered during Collection. If any Solid Waste or Recyclable Material is spilled during Collection, Franchisee shall promptly clean up all spilled materials. All Receptacle lids must be replaced after contents are emptied and the Receptacle shall be returned to its original position, if that original position does not jeopardize the safety of motorists, pedestrians or bicyclists.

3.1.9 Use reasonable care in handling all Collection Receptacles and enclosures. Damage caused by the negligence of the Franchisee's employees to private property, including landscaping, is the responsibility of the Franchisee and shall be promptly remedied with the owner.

3.1.10 Ensure that all Solid Waste Collection operations shall be conducted as quietly as possible and shall conform to applicable Federal, State, County and City noise emission standards. Unnecessarily noisy trucks or equipment are prohibited. The City may conduct random checks of noise emission levels to ensure such compliance.

3.1.11 Determine, with approval of the City, the maximum allowable capacity of Collection Receptacles. If the Franchisee refuses to Service an overweight Receptacle, a notice describing the problem must be provided. The notice shall include the name of Franchisee and alternative solutions to resolve the problem and a local phone number for additional information. In the resolution of this situation, the Franchisee must provide Service equivalent to the customer's subscribed Service level at no additional charge.

3.1.12 Offer unlimited vacation credits to customers who temporarily discontinue Service in a calendar year for any period of three (3) consecutive weeks or more. The customer must request the discontinuance no later than noon on the business day, excluding weekends, prior to the date of discontinuance.

3.1.13 Notify in the event of changes to the Collection schedule, all affected customers at least seven (7) calendar days prior to any change. The Franchisee shall not permit any customer to go more than eight (8) calendar days without Service in connection with a Collection schedule change.

3.1.14 Have the option to refuse Collection Service upon non-payment of a billing or portion of a billing after account becomes forty-five (45) days past due, or upon refusal to pay required advance payments, delinquent charges, or charges associated with starting a new Service. Franchisee may withhold Collection Services, providing at least a ten (10) day notice is given to the customer.

3.1.15 Continue Collection Services except in cases of street or road blockage, excessive weather conditions, acts of God, or customer violations of public responsibilities beyond the Franchisee's control. Adverse labor relations issues such as strikes or walkouts, shall be considered to be within the control of the Franchisee and shall not prevent Collection and Disposal Services as required by this ordinance.

3.1.16 Franchisee shall Resource Recover Collected Recyclable Materials and Dispose of remaining useless Solid Waste at a Disposal Site permitted by the Oregon Department of Environmental Quality (DEQ) or equivalent state agency and approved by the City. The City retains the option to direct the Franchisee to a different licensed and permitted Disposal Site other than the Disposal Site currently in use at that time. A review of a new Disposal Site shall be conducted by the City with cooperation from the Franchisee to determine if the Disposal Site meets the operational requirements of the Franchisee, including but not limited to daily capacity, truck access, and site longevity. City shall provide written notice to Franchisee not less than ninety (90) days before effective date of the change. The Franchisee has thirty (30) days to respond in writing. If the Franchisee can demonstrate a City-directed change in Disposal Site increases the Franchisee's expenses, a special rate review may be requested.

3.1.17 The Franchisee and City shall explore a rate structure based on Disposal weights (Pay As You Throw) rather than volume for Commercial customers within the first three (3) years of this agreement, including a review of the availability of the technology required to accurately charge customers.

3.2 Recycling Standards. Recycling Services shall include the following:

3.2.1 For Residential customers with regular weekly Service, provide Curbside Residential Recyclable Material Collection Receptacles including one (1) Recycle cart, one (1) Recycle bin and one (1) Organic Debris cart or composter at no additional charge.

3.2.2 For Residential customers and non-customers, Commingled Recyclables shall be Collected Curbside once each week on a designated Collection day. Motor oil shall be Collected weekly from Curbside when placed in a Franchisee-approved container. Glass shall be Collected on the first normal Collection day in the first full week of each month.

3.2.3 There shall be the opportunity for apartments, multi-family households and units, and Commercial customers to have Commingled Recyclables Collected at least once each week on a designated Collection day. Glass shall be Collected on the first normal Collection day in the first full week of each month. Materials shall be Collected Curbside or in a designated Collection center in cooperation with the building owner or manager. These customers shall also have the opportunity to Recycle wood and Organic Debris.

3.2.4 Organic Debris Receptacles for Residential customers shall be Collected every week on the same day as Solid Waste Collection. Organic Debris must be Disposed at a compost or vermiculture facility registered with the Oregon Department of Environmental Quality or equivalent state agency.

3.2.5 Recycling-only customers shall be offered Recycling Receptacles and be provided weekly Recycling Service at a rate approved by the City.

3.2.6 Commercial Recycling Service includes Receptacles provided at no additional charge with the exception of drop boxes.

3.2.7 For large quantities of cardboard, the frequency of Service shall be determined by an agreement between the Generator and the Franchisee. Agreements shall give due consideration to the volume of the material, storage capacity of Generator, and Generator's location.

3.2.8 Franchisee must provide notice to customers if Recyclable Material is not Collected due to improper preparation. Notice must include adequate explanation of refusal for Collection and local phone number for additional information. Franchisee shall leave notice securely attached to the customer's Receptacle or the customer's front door. The Franchisee shall Collect any properly prepared material that is accessible. The purpose of the notice is to educate residents and increase program participation, and shall be written in such a manner as to accomplish this purpose.

3.2.9 Operate and maintain at least one (1) Collection center (Recycling depot) within the Franchise Territory that permits Persons to deliver recyclables to the site. The Collection center shall be open from 7:00 am to 7:00 pm, seven (7) days per week to the public. When open, an employee knowledgeable in Recycling will be available to respond to questions or comments. Site shall accommodate at a minimum all Recyclable Materials Collected at Curbside plus compact florescent bulbs, household batteries, electronics, plastic film, and scrap metal. Restrictions on the size of these materials can be imposed by the Franchisee with approval of the City. Other materials shall be Recycled when it is technologically or economically feasible to do so.

3.2.10 Facilitate a reuse program referring useable items to local thrift shops, resale shops, non-profit groups or others who may have a legitimate use for the item. Maintain a list of businesses and groups that submit requests for needed items, and provide this information to others as requested.

3.2.11 Provide links from the Franchisee's website to other websites for businesses and individuals to post re-usable items. Franchisee shall promote the use of the website and provide informational and educational content on their website on the value of reusing materials.

3.2.12 Be responsible for ensuring a local compost demonstration site operates within the Franchise Territory, which offers information and advice for composters. Franchisee shall conduct at least two (2) composting workshops annually.

3.3 Public Education. Franchisee shall provide the following public education and promotion of activities for Solid Waste reduction, Recycling, reuse, and Source Separation, and cooperate with other Persons, companies, or local governments providing similar services. Franchisee shall:

3.3.1 Provide a Recycling information center within the Franchise Territory, with local telephone access and information concerning Collection schedules, Recycling locations, Recyclable Material preparation, conservation measures, reuse programs, Solid Waste reduction strategies and on-site demonstration projects. Recycling information booths at appropriate community events within the Franchise Territory shall also be provided by Franchisee to promote and increase Recycling and waste reduction awareness and participation.

3.3.2 Provide Recycling notification and educational packets for all new Residential and Commercial customers specifying the Collection schedule, materials Collected, proper material preparation, reuse programs, Solid Waste reduction strategies and Recycling benefits.

3.3.3 Provide quarterly informational newsletters to residences and businesses in the Franchise Territory that includes at least annually: the types of Recycled Materials Collected, the schedule for Collection, information about Solid Waste reduction, reuse opportunities, and proper handling and Disposal of Household Hazardous Waste and electronic Solid Waste. Special Franchisee events, holiday tree removal, and the leaf Collection program shall also be promoted. Franchisee shall submit all promotional materials to the City for review prior to publication or distribution to customers. If in the determination of the City, newsletters fail to provide annually the information outlined in this section, the City can require the Franchisee obtain City approval prior to publication for all subsequent newsletters. Informational newsletters shall be distributed to all mailing addresses within the Franchise Territory.

3.3.4 Maintain an internet website that includes a listing of all franchised Solid Waste and Recycling Services, applicable rates charged for such Services, and detailed information about what materials are Collected with each Service, such as materials included in Commingled Collection, updated regularly. The site shall also include Collection schedules for Organic Debris and glass, and Collection schedule changes during weeks affected by a Holiday.

3.3.5 Conduct at least twice annually, workshops on Solid Waste reduction strategies and reuse opportunities. Perform Solid Waste audits for Commercial customers when requested.

3.3.6 Coordinate with 509J school district and local private schools to assist in promoting awareness of Recycling and Solid Waste reduction strategies to children, and to cooperate in their Recycling efforts and programs.

3.3.7 Promote Solid Waste reduction and Recycling education through local widespread media, such as radio or newspapers, no less than twenty (20) times each year. Promotional information shall focus on Recycling, reuse and Solid Waste reduction strategies.

3.3.8 Provide the City with sufficient copies of all promotional fliers and other related information as requested.

3.3.9 Conduct a survey every three (3) years to evaluate customer participation in Recycling programs and customer opinion of Solid Waste and Recycling Services offered by the Franchisee. Results shall be used to evaluate existing Solid Waste Services and determine the need for additional and or enhanced Services. The City may also conduct an annual survey to evaluate customer participation and customer opinion. Significant statistical changes in either survey shall afford the City the option to renegotiate Section 3 of this agreement.

3.3.10 Have at least one employee dedicated to supporting the required educational and promotional activities within the Franchise Territory.

3.4 Resource Recovery Services.

3.4.1 Aggressively seek markets for reusable, Recyclable, and recoverable materials.

3.4.2 Research and develop improved Resource Recovery systems through Franchisee's specialist or other sources.

3.4.3 Develop strategies to promote the reduction of Solid Waste generated by Residential and Commercial customers. Continue or implement programs that encourage Generators to prevent or reduce materials which would otherwise constitute Solid Waste.

3.4.4 Review high-volume Resource Recovery facilities and implement a local or regional program when the City and Franchisee mutually agree on the technological and economic feasibility.

3.5 County Wasteshed. Coordinate Recycling efforts with other Solid Waste Collection efforts in the Benton County Wasteshed to further enhance Recycling and recovery efforts, and to meet wasteshed recovery goals as mandated by the State.

3.6 Additional Recycling Requirements.

3.6.1 The City reserves the right to require specific materials to be separated, Collected and Recycled.

3.6.2 Franchisee shall provide other Recycling Services as required by Oregon Revised Statute 459 or 459.A, ordinance, or municipal code, as amended, or by direction of the Council.

3.6.3 Franchisee shall endeavor to Recycle additional materials and to provide for an on-site Collection center for Household Hazardous Waste when economically feasible.

3.7 Community Service Standards.

3.7.1 Franchisee shall provide a one (1) day Household Hazardous Waste Collection event, quarterly, for Franchise Territory residents only, at no additional charge. Residents of the Franchise Territory shall be notified at least thirty (30) days in advance of each Collection event.

3.7.2 Franchisee shall also provide an annual small quantity Generator Hazardous Waste Collection event for Commercial customers within the Franchise Territory. Commercial customers shall be notified at least fifteen (15) days in advance of the Collection event.

3.7.3 Franchisee shall provide an annual Residential Recycling event at one (1) location in the Franchise Territory, for the Collection of Recyclable Materials, Yard Debris and scrap metal, at no additional charge.

3.7.4 Franchisee shall provide Collection and Recycling of holiday trees placed at Curbside for a period of three (3) weeks, after December 25th of each year, at no additional charge.

3.7.5 Franchisee shall provide an effective annual fall leaf Collection and Disposal Service within the Franchise Territory at no additional charge. Franchisee shall coordinate leaf Collection schedules as directed by the City. Program specifics, including the Collection schedule start date, shall be determined in writing at least two (2) months before the program begins. Leaf Collection shall last a minimum of eight (8) weeks but no more than ten (10) weeks. Franchisee shall provide daily Collection of leaves on streets with bicycle lanes in a manner that minimizes disruption of bicycle lane use and maximizes safety.

3.7.6 Franchisee shall provide twice weekly Solid Waste Collection and Disposal Service of public litter Receptacles placed along normal Collection routes, primarily in the central business district of the Franchise Territory. The locations, quantities and sizes for Service of public receptacles shall be mutually agreed upon between the City and Franchisee, in accordance with a written list that shall be kept updated and on file with the City. The cost to the Franchisee for providing this Service shall be included in the financial reports filed with the City.

3.8 Additional Services. Where a new Service or a substantial expansion of an existing Service is proposed by the City, another Person or the Franchisee the following shall apply.

3.8.1 If Service is proposed by the City, the Franchisee shall receive prior written notice of the proposed Service and justification by the City. If Service is proposed by the Franchisee, the City must be notified in writing prior to any consideration by the City. If service is proposed by another Person, both the City and the Franchisee must be notified in writing prior to any consideration by the City. The proposal shall include detailed information on how all affected customers within the Franchise Territory will receive the Service.

3.8.2 The City shall afford the public an opportunity to comment on the proposed Service and justification.

3.8.3 In determining whether the Service is needed, the City shall consider the public need for the Service, the effect on rates for Service, whether the Franchisee is already providing the Service or is willing to provide it, and the impact on other Services being provided or planned, the impact on any city, county or regional Solid Waste management plan, and compliance with any applicable statutes, ordinances or regulations.

3.8.4 If the City determines the Service is needed, the Franchisee shall have the option to provide the Service on a temporary basis through a Pilot Program to determine if the Service is functional on a permanent basis or the Franchisee may agree to provide the Service on a permanent basis within a specified time mutually acceptable to the City and the Franchisee.

3.8.5 If the Franchisee rejects the Service, the City may issue a license or franchise to another Person to provide only that Service. The provider of the limited Service shall comply with all applicable provisions of this ordinance.

3.9 Special Service.

3.9.1 With approval of the City, the Franchisee may negotiate a separate Collection and Disposal agreement with Oregon State University provided the institution continues to fund and operate its own comprehensive Recycling program. Revenues generated by such an agreement shall be included within the definition of Gross Revenue. Any other request for special Service shall require prior City approval including the proposed rates.

3.9.2 Where a customer requires an unusual Service requiring added or specialized equipment solely to provide that Service, the Franchisee may require a contract with the customer to finance and assure amortization of such equipment. The purpose of this subsection is to assure that such excess equipment or specialized equipment not become a charge against other ratepayers, if the customer later withdraws from Service.

3.10 Sub-Contract. Franchisee may sub-contract with other Persons to provide specialized or temporary Service covered by this franchise, but shall remain totally responsible for compliance with this agreement. Franchisee shall provide written notice to the City of intent to sub-contract Services prior to entering into agreements. If sub-contracting involves a material portion of the franchised Service, the Franchisee shall seek the approval of the City.

3.11 Equipment and Facility Standards.

3.11.1 All equipment shall be kept well painted, and properly maintained in good condition. Vehicles and Receptacles used to transport Solid Waste shall be kept reasonably clean to ensure no contamination to the environment or the stormwater system.

3.11.2 All vehicles and other equipment shall be stored in a safe and secure facility in accordance with applicable zoning and environmental regulations.

3.11.3 Trucks shall be equipped with a leak-proof metal body of the compactor type including front, rear, or automatic loading capabilities.

3.11.4 Pick-up trucks, open bed trucks or specially designed, motorized Collection vehicles used for the transporting of Solid Waste must have bodies that are leak-proof to the greatest extent possible and have adequate cover over the loads to prevent scattering of debris.

3.11.5 All fuel, oil, or vehicle fluid leaks or spills which result from the Franchisee's vehicles must be cleaned up immediately. All vehicles must carry an acceptable absorbent material for use in the event of leaks or spills. Damage caused by fuel, oil, or other vehicle fluid leaks or spills from Franchisee's vehicles or equipment shall be remedied at Franchisee's expense.

3.11.6 Collection equipment shall use biodegradable hydraulic oils, as it remains available, to provide an environmentally friendly operation.

3.11.7 All vehicles used by the Franchisee in providing Solid Waste and Recycling Collection Services shall be registered with the Oregon Department of Motor Vehicles and shall meet or exceed all legal operating standards. In addition, the name of the Franchisee, local telephone number and vehicle identification number shall be prominently displayed on all vehicles.

3.11.8 No Collection vehicles shall exceed safe loading requirements or maximum load limits as determined by the Oregon Department of Transportation. Franchisee shall endeavor to purchase and operate equipment that minimizes damage to Public Rights-of-Way.

3.11.9 When new purchases are scheduled, the Franchisee shall purchase, if available, alternative fuel/hybrid Collection equipment that meets Collection Service requirements.

3.11.10 Franchisee shall provide and maintain equipment that meets all applicable laws, ordinances, municipal codes, and regulations or as directed by the City.

3.11.11 Franchisee shall provide and replace as necessary, Solid Waste Collection Receptacles and composters at no charge to the public. Residential Curbside Receptacle sizes offered by the Franchisee for garbage Collection shall include twenty (20), thirty-two (32), sixty-four (64), and ninety (90) gallon capacities, or be as close to above stated sizes as possible. Organic Debris Receptacles shall be ninety (90) gallon capacity. Standard Commingled Recyclables Receptacles shall be sixty-four (64) gallon capacity. Solid Waste Receptacles shall be leak-proof, rigid, fire-resistant, and of rodent-proof construction and not subject to cracking or splitting. All new Residential Receptacles shall be constructed from the highest percentage of Recycled material available at the time of purchase. The City has the right to approve all Receptacles provided by the Franchisee for use in the Franchise Territory and may require additional or alternative Receptacle sizes. Colors of Receptacles shall remain consistent with colors currently in use.

3.11.12 Franchisee shall clean Receptacles once annually if requested by customer for no additional charge. If Franchisee determines such Receptacles are becoming a health hazard, requiring more frequent cleaning, such Service shall be an additional maintenance charge to the customer.

3.11.13 In cooperation with the Corvallis Police Department, the Franchisee shall remove graffiti from all Receptacles or facilities within forty-eight (48) hours of notice.

3.11.14 All surface areas around Franchisee's site facilities including vehicle and equipment storage areas, service shops, wash stations, transfer sites, Collection centers, and administrative offices must be kept clean to eliminate direct site run-off into the stormwater and open drainage system and to present an inviting environment for customers.

3.12 Safety Standards. The Franchisee shall operate within guidelines of the Oregon Refuse and Recycling Association, Oregon Department of Transportation, Oregon Public Utility Commission, Oregon Occupational Health and Safety Administration, Department of Environmental Quality, Corvallis Municipal Code and all other rules and regulations as they apply.

3.12.1 The Franchisee shall provide suitable operational and safety training for all of its employees who maintain, use, or operate vehicles, equipment, or facilities for Collection of Solid Waste or who are otherwise directly involved in such Collection. Employees involved in Collection Services shall be trained to identify, and not to Collect, Hazardous Waste or Infectious Waste. Employees who do handle such Solid Waste shall be properly trained.

3.13 Right-of-Way Standards. The Franchisee shall ensure proper and safe use of Public Right-of-Ways in accordance with Municipal Code, and provide compensation to the City in consideration of the grant of authority to operate a Solid Waste Collection and Disposal system in the Franchise Territory as directed in this agreement.

3.14 Customer Service Standards. Franchisee shall:

3.14.1 Provide sufficient Collection vehicles, Receptacles, facilities, personnel and finances to provide all types of necessary Services as determined by the City.

3.14.2 Sufficiently staff, operate and maintain a business office and operations facility within the Franchise Territory.

3.14.3 Provide minimum office hours of 8:00 am through 5:00 pm, Monday through Friday, not including Holidays.

3.14.4 Maintain a minimum of three (3) payment drop-off boxes within the Franchise Territory.

3.14.5 Provide for customers to pay their bills at the Franchisee's local office using check, money order, debit or credit cards. For customers that wish to pay in cash, the Franchisee must facilitate and pay for money order transaction fees. The Franchisee must provide multiple locations in the Franchise Territory for customers to generate money orders at no additional cost.

3.14.6 Ensure a responsive, customer service oriented business. Provide customers with a local telephone number, listed in a local directory, to a business office located within the Franchise Territory. Adequately staff operations to provide prompt response to customer service requests or inquiries and respond promptly and effectively to any complaint regarding Service. Calls received by 1:00 pm by office staff shall be returned the same day as received, and by noon of the following day if the call is received after 1:00 pm.

3.14.7 Train Collection crews prior to them beginning Solid Waste and Recycling Collection, and office staff prior to having public contact. The scope of the training shall include, but is not limited to, acceptable safety practices, acceptable standards of Service to the public, courteous customer service, and accuracy and completeness of information. All information conveyed to a customer or inquiring person shall be consistent with established service standards.

3.14.8 Require all employees of the Franchisee and all employees of companies under contract with Franchisee to present a neat appearance and conduct themselves in a courteous manner. The Franchisee shall require its drivers and all other employees who come into contact with the public, to wear suitable and acceptable attire which identifies the Franchisee.

3.14.9 Designate at least one (1) qualified employee as supervisor of field operations. The supervisor shall devote an adequate portion of his/her workday in the field checking on Collection operations, including responding to issues.

3.15 Quarterly Reporting Standards. Franchisee shall provide quarterly reports to the City within 30 days of the end of the preceding quarter.

3.15.1 Reports shall include a written log of all oral and written complaints or Service issues registered with the Franchisee from customers within the Franchise Territory. Franchisee shall record the name and address of complainant, date and time of issue, nature of issue, and nature and date of resolution. The City may require more immediate reports documenting complaints and resolutions.

3.15.2 Provide a summary of educational and promotional activities as required in sub-section 3.3.

3.15.3 Provide detailed quarterly tonnage information on Solid Waste, Recyclable Materials, and Yard Debris Collected within the Benton County watershed.

3.16 Annual Reporting Standards. Franchisee shall keep current, accurate records of account. The City may inspect the records of account any time during business hours and may audit the records from time to time. If an audit of the records is required, the cost of such satisfactory independent audit shall be the responsibility of Franchisee. The Franchisee shall submit to the City a report annually, no later than March 1st of each year, documenting the activities and achievements of all programs undertaken pursuant to this franchise for the previous year. The City shall evaluate the effectiveness of the programs in terms of the amount, level, and quality of the Services provided by the Franchisee. The report shall include the following specified information:

3.16.1 Total franchise payments remitted and basis for calculations;

3.16.2 Year-end financial statements of the Franchisee for Service within the Franchise Territory, including:

Calculated as a percentage of Republic Services of Corvallis Gross Revenue:

- Summary of financial highlights
- Statement of income and retained earnings
- Schedule of expenses

For the whole Republic Services of Corvallis division:

- Balance sheet
- Statement of Cash Flows (direct method)

3.16.3 Solid Waste Collected monthly within the Benton County watershed by Franchisee in tons, listed separately for Residential and Commercial Customers.

3.16.4 Recyclable Materials Collected monthly within the Benton County watershed by Franchisee in tons (listed separately for Residential Curbside, Recycling depot, and Commercial Customers) and the Disposal Sites used.

3.16.5 Yard Debris Collected monthly within the Benton County watershed by Franchisee in tons and the Disposal Site used.

3.16.6 Annual Recycling data as submitted to the Benton County Environmental Health Division.

3.16.7 A fixed asset list or an inventory by size and type of all Receptacles and Collection equipment.

3.16.8 Customer information that identifies each customer account type (e.g. 1 cubic yard Container with 1 pick-up per week) and the number of customers receiving such Service.

3.16.9 In appropriate years, a summary of the customer survey as required in sub-section 3.3.9.

3.16.10 Discussion of industry trends and the direction of franchisee over the next five years.

3.16.11 Summary of research related to section 3.4.2.

3.16.12 Summary of the community outreach through the media (where, what, when).

3.16.13 Summary of activities related to sections 3.11.6 and 3.11.9.

3.16.14 Other information pertaining to performance standards specified in the franchise agreement.

Section 4 - Rates

4.1 Rate Structure. The City reserves the right to approve the rate structure of the Franchisee, and to require specific Services

4.1.1 The Franchisee shall provide to the City a certified copy of the published rate schedule which shall contain the rates and charges made for all its operations. The rate schedule shall be kept current.

4.1.1.1 Rates established by Council are fixed rates and the Franchisee shall not charge more or less than the fixed rate unless changed pursuant to Section 4. The Franchisee shall not charge rates not in the rate schedule.

4.1.1.2 Rates for a given Service must be established under the provisions of these guidelines before such Service can be provided to customers unless Services are being offered under a Pilot Program. If the City determines the Franchisee is providing Services for a fee without following these guidelines, the City may require the Franchisee to continue providing such Services at no charge to the customer until such time as the rates are approved as described under Section 4. If rates are not approved, Service shall be discontinued and Franchisee shall take full responsibility in explaining to customers as to why the Service is no longer being provided.

4.1.2 Annually, on January 1 of each year, the franchisee may adjust rates for services utilizing the weighted Refuse Rate Index below up to four percent (4%). Adjustments exceeding four percent (4%) require City Council approval. For adjustments requiring City Council approval, the Franchisee must submit the materials required in Section 4.1.3.2 for City and City Council review.

Refuse Index Percentage Weights by Customer Category

	Industrial	Commercial	Residential
Collection - CPI	100%	78%	82%
Disposal - Garbage	0%	18%	11%
Disposal - Organics	0%	4%	7%
	100%	100%	100%

Rate Refuse Index Rate Modifiers

- percent (%) change from the previous and current year’s Half1 Portland-Salem All Urban Consumers Price Index (CPI) not seasonally adjusted.
- percent (%) change in garbage disposal fees (per ton) from previous June 30 to the current June 30.
- percent (%) change in organics disposal fees (per ton) from previous June 30 to the current June 30.

Residential Example:

	Index or Cost June 30, 2011 (Half 1)	Index or Cost June 30, 2012 (Half1)	% Change	Weight	Adjustment
Collection	223.105	228.746	2.53%	82%	2.05%
Disposal - Garbage	\$ 26.85	\$ 27.15	1.12%	11%	0.12%
Disposal - Organics	\$ 30.00	\$ 30.75	2.50%	7%	0.18%
Total adjustment					2.35%

4.1.2.1 Customers shall be notified of the new rates at least thirty (30) days prior to new rates taking effect.

4.1.2.2 The City shall be provided an adjusted rate sheet, an electronic spreadsheet illustrating how the new rates were calculated, and a copy of the CPI sixty (60) days prior to the rates taking effect.

4.1.2.3 Rates shall be rounded to the nearest cent (\$.01).

4.1.3 In addition to Section 4.1.2., rates shall be subject to review and change only one (1) time in a calendar year, beginning January 1 and ending December 31; provided:

4.1.3.1 The City may, with appropriate documentation submitted by Franchisee, grant an interim or emergency rate for new, special or different Service affecting less than 1% of a customer group, including Pilot Programs, for up to six (6) months before Council review.

4.1.3.2 An application for a rate adjustment may be made when the cost of Collection is increased by governmental regulations, when there is a new service offered, or when there is a substantial new expense. Franchisee shall notify the City immediately when any of the above new expenses becomes known to the Franchisee. Failure to immediately notify the City may result in the denial of a related future rate adjustment application. The Franchisee shall submit to the City, at least ninety (90) days prior to any contemplated change, a complete packet of information justifying the requested change. Information required in the packet shall include a breakdown of Residential, Commercial, Industrial and other rates by component (disposal, operating, and other), financial information and statistics relating to each component, a written justification for the rate adjustment, and other information as requested by the City. Proposal information shall be examined by Council in an appropriate public proceeding affording due process. Based on the information the Franchisee submits, the Council may grant some, all, or none of the requested rate change. In the event of denial, the current rate schedule remains in effect and the Franchisee may file with the Council further information to justify the rate schedule changes.

4.1.4 The approved rate schedule, as of the effective date of this ordinance, shall be deemed to be in effect.

Section 5 - Financial

5.1 Compensation. In consideration of the rights and privileges granted by this ordinance, the Franchisee shall pay to the City of Corvallis, five (5) percent per annum of its Gross Revenues derived from all Services within the Franchise Territory including the sale of Recyclable Material. Franchisee shall also pay five (5) percent per annum of the Gross Revenues derived from franchised Services, as defined in this ordinance, earned by Persons under contract to, or under the employment of the Franchisee.

5.1.1 The compensation required in this section shall be due on or before the last business day of each and every month for the month preceding. Franchisee shall furnish with each payment, a notarized statement, executed by an officer of Franchisee, showing the amount of Gross Revenue of the Franchisee within the Franchise Territory for the period covered by the payment computed on the basis as determined by sub-section 5.1, Compensation. If Franchisee fails to pay the entire amount of compensation due to the City through error or otherwise within the time allotted for, the unpaid balance shall be subject to a late penalty of an additional ten (10) percent, plus interest of two (2) percent per month on the amount of fee due and unpaid from the date due until it is paid together with the late penalty.

5.1.2 In the event the Franchisee is prohibited by State or federal law from paying a fee based on Gross Revenues or the City is prohibited by State or federal law from collecting such a fee, or if any legislation reduces the actual or projected amount of compensation collected in any given year, the City has the right to renegotiate the compensation section of this franchise agreement.

5.1.3 Franchisee shall not separately identify its franchise fee on billing statements to customers.

5.1.4 Nothing contained in this franchise shall give the Franchisee any credit against any ad valorem property tax levied against real or personal property within the Franchise Territory, or against any local improvement assessment or any business tax imposed on Franchisee, or against any charges imposed upon Franchisee including permit and inspections fees or reimbursement or indemnity paid to the City.

5.2 Insurance. Franchisee shall pay, save harmless, protect, defend and indemnify the City from any loss or claim against the City on account of, or in connection with, any activity of Franchisee in the operation or maintenance of its facilities and Services except those that arise out of the sole negligence of the City. Franchisee shall, for the purposes of carrying out the provisions of this agreement, have in full force and effect, and file evidence with the City the following requirements:

5.2.1 Workers' Compensation insurance as required by Oregon Law, including Employers Liability Coverage.

5.2.2 Commercial General Liability insurance as broad as Insurance Services Office (ISO) form CG 00 01, providing Bodily Injury, Property Damage and Personal Injury on an occurrence basis with the following as minimum acceptable limits:

Bodily Injury and Property Damage - Each Occurrence	\$1,000,000
Personal Injury - Each Occurrence	\$1,000,000
Products & Completed Operations - Aggregate	\$2,000,000
General Aggregate	\$2,000,000

5.2.3 Business Automobile Liability as broad as Insurance Services Office (ISO) form CA 00 01, providing bodily injury and property damage coverage for all owned, non-owned and hired vehicles, with the following as minimum acceptable limits:

Bodily Injury and Property Damage - Each Occurrence	\$1,000,000
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5.2.4 Franchisee shall furnish the City with Certificates of Insurance and with original endorsements for each insurance policy (if needed). All certificates and endorsements are to be received and approved by the City before the effective date of this ordinance. The Commercial General Liability Certificate shall name the City of Corvallis, its officers, officials, employees and agents as Additional Insured as respect to operations performed under this franchise agreement. Franchisee shall be financially responsible for all pertinent deductibles, self-insured retentions and/or self insurance. All such deductibles, retentions, or self-insurance must be declared to and approved by the City.

5.2.5 Any Certificate shall state, "Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail thirty (30) days written notice to the certificate holder named to the left." Any "will endeavor to" and "but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives." shall be omitted.

5.3 Hold Harmless. The Franchisee agrees to indemnify, defend and hold harmless the City, its officers, employees, volunteers and agents from any and all claims, demands, action, or suits arising out of or in connection with the Council's grant of this franchise. Franchisee shall be responsible to defend any suit or action brought by any person challenging the lawfulness of this franchise or seeking damages as a result of or arising in connection with its grant; and shall likewise be responsible for full satisfaction of any judgment or settlement entered against the City in any such action. The City shall tender the defense to the Franchisee and Franchisee shall accept the tender whereupon the City shall assign to Franchisee complete responsibility of litigation including choice of attorneys, strategy and any settlement.

5.3.1 The Franchisee's costs incurred in satisfying its obligations as defined in 5.3 above, shall not decrease the total amount of revenue paid to the City and shall not increase the total amounts paid by the ratepayers for which the Franchisee serves under the authority of the franchise agreement. All such expenses shall be the sole responsibility and burden of the Franchisee.

5.4 Damages. Damages and penalties include, but shall not be limited to, damages arising out of personal injury, property damage, copyright infringement, defamation, antitrust, errors and omissions, theft, fire, and all other damages arising out of Franchisee's exercise of this franchise, whether or not any act or omission complained of is authorized, allowed, or prohibited by this franchise.

Section 6 - Administration and Enforcement

6.1 Customer Dispute Resolution Process.

6.1.1 Any citizen of Corvallis who is aggrieved or adversely affected by any application of the franchise or policy of the Franchisee shall first attempt to settle the dispute by notifying the Franchisee of the nature of the dispute and affording the Franchisee the opportunity to resolve the dispute.

6.1.2 If the dispute is unresolved, the citizen may contact the City. The City may require a written description of the dispute from either party, and shall attempt to mediate and resolve the grievance with the citizen and the Franchisee.

6.1.3 If the dispute is still unresolved, the citizen or the Franchisee may appeal to the Council who shall hear the dispute. The decision of the Council shall be final and binding.

6.2 Penalties and Procedures. Subject to the requirement of prior notice as set forth in Section 6.3 below, for violations of this ordinance occurring without just cause, the City may assess penalties against Franchisee as follows:

6.2.1 For failure to adhere to material provisions of this franchise, as defined in Section 6.4.1, the penalty shall be Five Hundred Dollars (\$500.00) per day per occurrence for each provision not fulfilled.

6.2.2 For failure to comply with Oregon Occupational Safety and Health Administration and Oregon Department of Transportation safety requirements or Oregon Department of Environmental Quality rules and regulations, the penalty shall be Five Hundred Dollars (\$500.00) per day, per occurrence.

6.2.3 For failure to comply with any provision of this franchise, for which a penalty is not otherwise specifically provided, the penalty shall be Two Hundred Fifty Dollars (\$250.00) per day, per occurrence.

6.2.4 For failure to comply with reasonable requests of the City related to Service, the penalty shall be One Hundred Fifty Dollars (\$150.00) per day per request.

6.3 Procedure for Imposition of Penalties.

6.3.1 Whenever the City finds that the Franchisee has violated one (1) or more terms, conditions or provisions of this franchise, a written notice, or a verbal notice followed by a written notice, shall be given to Franchisee informing it of such violation or liability. If the violation concerns requirements mandated by the Oregon Occupational Health and Safety Administration or the Oregon Department of Environmental Quality, a verbal notice followed by a written notice may be given. For these safety or public health violations, Franchisee shall have twenty-four (24) hours from notification to correct the violation. For all other violations and liabilities, the written notice shall describe in reasonable detail the specific violation so as to afford Franchisee an opportunity to remedy the violation. Franchisee shall have ten (10) days subsequent to receipt of the notice in which to correct the violation. Franchisee may, within five (5) days of receipt of notice, notify the City that there is a dispute as to whether a violation or failure has, in fact, occurred. Such notice by Franchisee to the City shall specify with particularity the matters disputed by Franchisee.

6.3.2 The Council shall hear Franchisee's dispute at its next regularly or specially scheduled meeting. The Council shall supplement the decision with written findings of fact.

6.3.3 If, after hearing the dispute, the claim is upheld by the Council, Franchisee shall have ten (10) days from such a determination to remedy the violation or failure. Penalties shall accrue from time of initial notification until such time as the violation or failure is resolved to the satisfaction of the City.

6.3.4 Franchisee shall be liable for full payment of all penalties imposed under this section.

6.4 City's Right to Revoke. In addition to all other rights which the City has pursuant to law or equity, the Council reserves the right to revoke, terminate, or cancel this franchise, and all rights and privileges pertaining thereto, in the event that:

6.4.1 Franchisee violates any of the following provisions of this franchise which are deemed to be material to the performance of the franchise:

- Standards for Collection and Disposal of Solid Waste and Recyclable Materials (Section 3)
- Rates (Section 4)
- Compensation (Section 5)
- Insurance (Section 5)
- Assignment or Sale of Franchise (Section 8)

6.4.2 Franchisee practices any fraud upon the City or a customer.

6.4.3 Franchisee becomes insolvent, unable or unwilling to pay its debts, or is adjudged bankrupt.

6.4.4 Franchisee misrepresents a material fact in the application for or negotiation of, or renegotiation of, or renewal of, the franchise.

6.4.5 It is determined to be in the best interest of the public to do so, after conducting a public hearing and documenting in findings of fact.

6.5 Enforcement.

6.5.1 The City shall have the right to observe and inspect all aspects of Collection operations, facilities, Services, and records which are subject to the provisions of this franchise, to ensure compliance.

6.5.2 If the Franchisee at any time fails to promptly and fully comply with any obligation of this agreement after receiving a written notice and a reasonable opportunity to comply, the City may elect to perform the obligation at the expense of the Franchisee.

6.5.3 If Franchisee defaults in any of the terms required to be performed by it under the terms of this franchise, and the default continues for ten (10) days after written notification by the City, this franchise may, at the option of the Council, become null and void.

6.5.4 The City reserves the right to make such further regulations as may be deemed necessary to protect the interests, safety, welfare and property of the public and carry out purposes stated in Section 3 of this ordinance. The City or the Franchisee may propose amendments to this franchise. Proposals shall be in writing and shall be afforded an adequate review process. Amendments to the franchise must be approved by the Council.

6.5.5 The City bases its rights reserved hereunder upon the inherent and statutory right of the City to perform in the best interests of the people of the City and to prevent any possible flagrant misuse of the rights granted hereunder. Conflicts or disputes arising under this franchise shall be subject to judicial review.

6.5.6 All remedies and penalties under this ordinance, including termination, are cumulative, and the recovery or enforcement of one is not a waiver or a bar to the recovery or enforcement or any other recovery, remedy or penalty. In addition, the remedies and penalties set out in this ordinance are not exclusive, and the City reserves the right to enforce the penal provisions of any other ordinance, statute or regulation, and to avail itself of any all remedies available at law or in equity. Failure to avail itself of any remedy shall not be construed as a waiver of that remedy. Specific waiver of any right by the City for a particular breach shall not constitute a general waiver of the City's right to seek remedies for any other breach, including a repetition of the waived breach.

6.6 Non-enforcement by the City. Franchisee shall not be relieved of its obligation to comply with any of the provisions of this franchise by reason of any failure of the City to enforce prompt compliance.

6.7 Written Notice. All notices, reports, or demands required to be given in writing under this franchise shall be deemed to be given when a registered or certified mail receipt is returned indicating delivery as follows:

If to the City: City of Corvallis
 P.O. Box 1083
 Corvallis, Oregon 97339-1083
 Attn: Franchise Utility Specialist

If to Franchisee: Republic Services of Corvallis
 P.O. Box 1
 Corvallis, Oregon 97339

Such addresses may be changed by either party upon written notice to the other party given as provided in this section.

Section 7 - Public Responsibilities

7.1 Hazardous Waste. No person shall place Hazardous Wastes for Collection or Disposal by Franchisee at the Curbside.

7.2 Approved Receptacles. No customer shall use any Solid Waste Collection Receptacle unless it is supplied by or approved by the Franchisee.

7.3 Safe Loading Requirements. No stationary compactor or Receptacle for Residential or Commercial use shall exceed the safe loading requirements designated by the Franchisee and agreed to by the City.

7.4 Access to Receptacle. No Receptacle shall be located behind any locked or latched gate or inside of any building or structure unless authorized by the Franchisee. No Person shall block the access to a Receptacle.

7.5 Safe Access. Each customer shall provide safe, above ground access to the Solid Waste or Solid Waste Receptacle without hazard or risk to Franchisee.

7.6 Curbside Receptacle Placement. Placement of Receptacles must be within three (3) feet of the curb but shall not restrict access to bicycle lanes or sidewalks and shall not be blocked by vehicles or other items. Items not for Collection must be at least three (3) feet from Receptacles. Placement of Receptacles is limited to a time period of twenty-four (24) hours prior to pick-up and twenty-four (24) hours after pick-up. Receptacles within alleys shall be placed to accommodate Collection vehicles.

7.7 Removal of Solid Waste Prohibited. No Person, other than the Generator of the materials contained therein, or an officer, employee or permittee of the City, or an employee of the Franchisee shall interfere with any Franchisee Serviced Solid Waste Receptacle, or remove any such Receptacle or its contents from the location where the same has been placed by the Generator.

7.8 Collection of Solid Waste Prohibited. No Person shall remove the lid from any Serviced Solid Waste Receptacle, nor enter into such Solid Waste Receptacle, nor shall any Person Collect, Compact, molest, or scatter Solid Waste placed out for Collection, except the Generator of the materials contained therein, or an officer, employee or permittee of the City, or an employee of the Franchisee.

7.9 Stationary Compactor. No person shall install a stationary compacting device for handling of Solid Wastes unless it complies with all applicable federal, state, and local laws and regulations. Franchisee shall not Service any such device unless these requirements are adhered to at all times.

7.10 Train System. No person shall install or operate a Train System for the purpose of Solid Waste Collection.

Section 8 - Miscellaneous

8.1 Assignment or Sale of Franchise. This franchise shall not be sold, assigned or transferred, either in whole or in part, in any manner, nor shall title thereto, either legal or equitable, or any right, interest or property therein, pass to or vest in any Person without the prior written consent of the City, which consent shall not be unreasonably withheld. The City's consent shall be based upon the financial responsibility of the party whom the franchise is proposing for sale, assignment or transfer. The proposed assignee must show, in addition to financial capability, technical ability, legal qualifications, demonstrated ability, and experience, to comply with the terms of the franchise as determined by the City, and must agree to comply with all provisions of the franchise, including all Services regularly performed by the company but not necessarily designated herein. The City shall be deemed to have approved the proposed transfer or assignment in the event that its consent is not communicated in writing to the Franchisee within one-hundred twenty (120) days following receipt of written notice of the proposed transfer or assignment.

8.2 Severability and Constitutionality. If any portion or phrase of this ordinance is for any reason held invalid or declared unconstitutional by any court, such portion shall be deemed a separate and independent provision; and such holding shall not affect the constitutionality of the remaining portion hereof. The Council hereby declares that it would have passed this ordinance and each portion and phrase hereof, irrespective of the fact that any one (1) or more portions or phrases be declared illegal, invalid or unconstitutional

8.3 Continuity of Service Mandatory. Upon expiration or the termination of this franchise, the City may require Franchisee to continue to operate the system for an extended period of time, not to exceed twelve (12) months. Franchisee shall, as trustee for its successor in interest, continue to operate under the terms and conditions of this franchise. In the event Franchisee does not so operate, the City may take such steps as deemed necessary to assure continued Service to subscribers. Costs associated with such actions shall be the sole responsibility of Franchisee.

8.4 Rules of Construction. This ordinance shall be construed liberally in order to effectuate its purposes. Unless otherwise specifically prescribed in this ordinance, the following provisions shall govern its interpretation and construction:

8.4.1 The singular may include the plural number, and the plural may include the singular number.

8.4.2 "May" is permissive and "shall" is mandatory.

8.5 Calculation of Time. Time shall be computed so as to exclude the first and include the last day of the prescribed or fixed period of time unless stipulated otherwise in this agreement. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that day shall be omitted from the computation.

8.6 Repeal; Effective Date. This ordinance shall repeal Ordinance 2008-15. If this ordinance is void for any reason, Ordinance 2008-15 shall remain repealed in its entirety. This ordinance shall be in full force and effect as of the date indicated below, but this ordinance shall be void unless the Franchisee files with the City Recorder, within 30 days, the Franchisee's unconditional written acceptance of the terms, conditions, and obligations to be complied with or performed by it under this ordinance.

PASSED by the Council this _____ day of _____ 2013.

APPROVED by the Mayor this _____ day of _____ 2013.

Effective this 1st day of June 2013.

Mayor

ATTEST: _____

City Recorder

ORDINANCE 2013-____

AN ORDINANCE AMENDING THE CORVALLIS LAND DEVELOPMENT CODE, MODIFYING ORDINANCE 93-20, AS AMENDED, TO REVISE CHAPTER 3.36 – OREGON STATE UNIVERSITY (OSU) ZONE (LDT12-00002), AND DECLARING AN EMERGENCY

Whereas, the Planning Commission, after holding duly advertised public hearing on March 20, 2013, has forwarded its recommendation to the City Council concerning a request for a Text Amendment to the Land Development Code;

Whereas, on March 20, 2013, the Planning Commission recommended that the City Council approve the request to amend Land Development Code Section 3.36.40.01 – Sector Development Allocation by adding a new subsection 3.36.40.01.f, and amending Table 3.36-2 – Building Square Footage by Sector, affecting development on the Oregon State University campus;

Whereas, the City Council held a duly-advertised public hearing concerning the proposed Text Amendment to the Land Development Code on April 1, 2013, and interested persons and the general public were given an opportunity to be heard;

Whereas, the Council has reviewed the public testimony and the recommendations of the Planning Commission and City Staff, and on April 15, 2013, met to deliberate on the matter, and made a preliminary decision to approve the proposed and City Staff recommended Text Amendments, subject to adoption of formal findings of fact;

Whereas, findings of fact have been prepared and consist of the formal findings attached hereto as Exhibit A and the final version of this Amendment, attached hereto as Exhibit B;

Whereas, said findings are by reference incorporated herein and are hereby adopted by the City Council;

Whereas, the City Council finds that the burden of proof has been met;

Whereas, the City Council finds that the public necessity, convenience, and general welfare require such Amendment; and

Whereas, the City Council finds that the proposal conforms with the Corvallis Comprehensive Plan and other applicable policies;

NOW THEREFORE, THE CITY OF CORVALLIS ORDAINS AS FOLLOWS:

Section 1. The Land Development Code is amended as shown by the provisions contained in Exhibits A and B.

Section 2. The general welfare of the public will be promoted if this ordinance takes effect immediately. Therefore, an emergency is declared and this ordinance shall take effect immediately upon its passage by the City Council and its approval by the Mayor.

PASSED by the Council this _____ Day of May, 2013.

APPROVED by the Mayor this _____ Day of May, 2013.

Effective the _____ Day of May, 2013.

Mayor

ATTEST:

City Recorder

**BEFORE THE CITY COUNCIL
THE CITY OF CORVALLIS**

**FINDINGS-LAND DEVELOPMENT CODE CHAPTER 3.36-OSU ZONE
(OSU CAMPUS MASTER PLAN)
TEXT AMENDMENT**

In the matter of a City Council decision to)
approve a Land Development Code Text) **LDT12-00002**
Amendment.)
)

PREAMBLE

The matter before the Corvallis City Council is a decision regarding a Land Development Code (LDC) Text Amendment (LDT) to increase the development allocation in Sector D of Oregon State University (OSU) by 71,000 square feet and reduce the development allocation in Sector C by the same amount. The purpose for increasing the development allocation in Sector D is to accommodate a new residence hall that would be south of SW Adams Avenue, north of Washington Avenue, and between SW 13th and 14th Streets.

The Corvallis Land Development Code Chapter 3.36 – OSU Zone implements the OSU Campus Master Plan. This zone splits the campus into 10 Sectors, A – J. Each sector has a maximum future development allocation (shown in LDC Table 3.36-2), which limits the amount of building square footage that can be constructed in each zone. OSU proposes to construct a new 90,000 sq. ft. residence hall in Sector D but only has 35,000 sq. ft. of development allocation in this Sector. Adjacent to Sector D is Sector C, which has 750,000 sq. ft. of future development allocation. OSU is requesting to transfer 71,000 sq. ft. of development allocation from Sector C to Sector D to make possible the construction of a new residence hall in Sector D.

On March 20, 2013, the Corvallis Planning Commission conducted a hearing on the LDC Text Amendment application (LDT12-00002) and associated Campus Master Plan (CMP) Major Adjustment application (PLD13-00001) and deliberated on the request after the public hearing was closed. The Planning Commission unanimously voted to approve the CMP Major Adjustment application, with conditions, and contingent upon the City Council approval of the concurrent LDC Text Amendment application. The Planning Commission also unanimously recommended that the City Council approve the OSU Text Amendment application and related new LDC text suggested by City staff. A notice of disposition was signed on March 20, 2013 (Order No. 2013-017).

The City Council held a duly advertised *de novo* public hearing on the LDC Text Amendment application on April 1, 2013. Prior to the hearing, testimony was submitted requesting the written record be held open for an additional seven days. At the hearing, the applicant (Oregon State University) requested an additional seven days to respond

to final written testimony. The Mayor closed the public hearing and left the written record open until 5:00 pm April 15, 2013.

On April 15, 2013, the City Council reviewed the additional written testimony, including the applicant's final written response. After consideration of all the testimony and evidence, the City Council voted to approve the LDC Text Amendment application, with new LDC text proposed by staff.

I. IMPROPERLY FILED APPEAL

The City Council notes that they received a written appeal of the Planning Commission's decision on April 1, 2013 from Rick Hangartner. At the same time the Rich Hangartner also filed an appeal of the LDC Text Amendment, in which a final decision had not been made. The Council notes that the LDC specifies that the City Council hear appeals of Planning Commission decisions regarding this type of land use application. The City Council notes that, on April 1, 2013, the City Council reviewed the appeal submitted by Rick Hangartner. Appeals are subject to the following filing requirements found in LDC Sections 2.19.30.05 and 2.19.30.06.

2.19.30.05 - Filing Requirements

Appeals shall be filed in writing with the City Recorder and shall include the following:

- a. Name and address of the appellant;**
- b. Reference to the subject development and case number, if any;**
- c. Statement of the specific grounds for the Appeal, stated in terms of specific review criteria applicable to the case;**
- d. Statement of the appellant's standing to appeal as an affected party; and**
- e. Appropriate filing fee.**

2.19.30.06 - Notice and Hearing

- a. The Director shall schedule a public hearing for complete and properly filed Appeals. Such hearing is to be held not later than 60 days after the receipt of the notice of Appeal. Incomplete or improperly filed Appeals shall be referred to the hearing authority for dismissal as noted in "b," below.**
 - 1. The hearing authority shall give notice of time, place, and particular nature of the Appeal. At least 20 days prior to the hearing, notice shall be sent by mail to the appellant(s), to the applicant, to the property owner(s) if different from the applicant, to persons and neighborhood organizations that originally received notice of the application, and to anyone who testified or submitted written information for the record of the case. If the decision being appealed was the Director's administrative decision, notice shall be provided to residents and owners of properties within 100 feet of the subject property.**
 - 2. Public hearings shall be conducted in accordance with Chapter 2.0 - Public Hearings.**

- b. **Appeals that are incomplete, filed late, or improperly filed may be denied by the hearing authority without further review.**

The Council notes that Rick Hangartner's appeal addressed filing requirements "a" through "d" but did not include requirement "e", a filing fee. The Council notes that Rick Hangartner was aware of the fee, as indicated by his testimony, where he stated, "I am raising the question of whether this fee is excessive, and is a potentially discriminatory barrier to participation in the public process". The Council notes that the validity of Rick Hangartner's appeal was considered prior to their proceedings. The Council finds that subsection "e" was not satisfied because the filing fee was not submitted. The Council, therefore, finds the appeal to be invalid as the required filing fee was not included. The Council also finds that even if a fee was submitted, a decision on the LDC Text Amendment could not be made at the time because a decision on the case had not yet been made.

Applicable Criteria

All applicable legal criteria governing review of this application are identified in the public notices for the March 20, 2013 and April 1, 2013 public hearings; the Staff Report to the Planning Commission, dated March 13, 2013; the minutes of the Planning Commission hearing and deliberations held on March 20, 2013; the staff memorandum to the City Council dated March 27, 2013; and the minutes of the City Council public hearing on April 1, 2013 and deliberations on April 15, 2013 respectively.

II. FINDINGS AND CONCLUSIONS RELATED TO THE APPROVAL OF THE LAND DEVELOPMENT CODE CHAPTER 3.36 – OSU ZONE TEXT AMENDMENT (LDT12-00002)

1. In their Text Amendment application, OSU proposed changes to LDC Table 3.36-2: Building Square Footage by Sector. OSU is requesting to transfer 71,000 sq. ft. of development allocation from Sector C to Sector D to make possible the construction of a new residence hall in Sector D.
2. The City Council notes that the stated purpose of the Text Amendment application under consideration by City Council, and the associated Campus Master Plan Major Adjustment application approved by the Planning Commission (PLD13-00001) is to allow for the construction of a residence hall in Sector D. The City Council notes that conditions of approval cannot be applied to Text Amendment applications, and it is possible that the associated Campus Master Plan Major Adjustment approval could expire. This would result in an inconsistency between the Campus Master Plan and LDC Chapter 3.36 – OSU zone, the ordinance that implements the Campus Master Plan. The City Council notes that to resolve this potential inconsistency, staff has added a new subsection "f" of LDC Section 3.36.40.01. The Council notes that the staff proposed Text Amendment sets constrains the location, uses, and timing for

when the transferred 71,000 sq. ft. of development allocation can be used. The Council notes that from this point forward in these Formal Findings and Conclusions, the referenced Text Amendment includes those proposed by OSU to Table 3.36-2: Building Square Footage by Sector, and the new subsection "f" of LDC Section 3.36.40.01 proposed by City Staff. The Council notes that the Text Amendments under consideration are presented in their entirety, below, and that double-underlined text indicates proposed new text, and struck-out text indicates text to be deleted.

Section 3.36.40.01 – Sector Development Allocation

- a. **Sector Development Allocation represents the gross square footage of new development allowed in each Sector, regardless of the Use Type. See Table 3.36-2 - Building Square Footage by Sector.**
- b. **Each new development project in a Sector shall reduce that Sector's available allocation.**
- c. **Existing and approved development as of December 31, 2003, has been included in the existing/approved development calculations and shall not reduce the Sector Development Allocation.**
- d. **Demolition of existing square footage and/or restoration of non-open-space areas to open space shall count as an equivalent square footage credit to the Sector development or open space allocation.**
- e. **Square footage associated with a parking structure shall be included in the Development Allocation for the Sector in which the structure is located. Square footage associated with at-grade parking lots shall be calculated as impervious surface but not count as part of Development Allocation.**
- f. **Table 3.36-2: Building Square Footage by Sector, includes 71,000 square feet of Future Allocation that was removed, effective [date text amendment is effective] from Sector C's allocation and added to the allocation for Section D. This reallocation is contingent upon the 71,000 square feet being used for a student residence hall. The residence hall shall be constructed south of SW Adams Avenue, north of SW Washington Way, and between SW 13th and 14th Streets. If a residence hall is not constructed in this location before the expiration of the Campus Master Plan Major Adjustment approval that allowed such construction (PLD13-00001), the 71,000 square feet allocated for the residence hall shall not be used in Sector D, but shall revert to Sector C.**

Table 3.36-2: Building Square Footage by Sector			
Sector	Existing/Approved	Maximum Future Allocation	Total
A	281,551	250,000	531,551
B	831,426	500,000	1,331,426
C	4,685,510	750,000 <u>679,000</u>	5,435,510 <u>5,364,510</u>
D	325,506	35,000 <u>106,000</u>	360,506 <u>431,506</u>
E	253,046	120,000	373,046
F	847,166	750,000	1,597,166
G	742,092	350,000	1,092,092
H	133,535	50,000	183,535
J	41,851	350,000	391,851
Total	8,141,683	3,155,000	11,296,683

3. The City Council accepts and adopts findings made in the Staff Report to the Planning Commission, dated March 13, 2013, which support approval of the Text Amendment. The City Council adopts as findings those portions of the Minutes of the Planning Commission hearing, dated November 20, 2013 that demonstrate support for approving the Text Amendment. The City Council accepts and adopts those findings made in the March 27, 2013, staff memorandum to the City Council that support approving the Text Amendment. The City Council also adopts as findings, those portions of the Minutes of the City Council meetings dated April 1, 2013 and April 15, 2013, that demonstrate support for approving the Text Amendment. The City Council specifically accepts and adopts as findings the rationale given during deliberations held on April 15, 2013, by Council Members expressing their support for approving the Text Amendment. All of the above-referenced documents shall be referred to in these findings as the "Incorporated Findings". The findings below, (the "supplemental findings"), supplement and elaborate the findings contained in the materials noted above, all of which are incorporated herein, by reference. When there is a conflict between the supplemental findings and the Incorporated Findings, the supplemental findings shall prevail.
4. The City Council notes that during the April 15, 2013 meeting, the Council deliberated on the application, and a motion to approve the request, including the staff recommended amendment to LDC Section 3.36.40.01 was made by Councilor Hervey. The Council notes that the motion made by Councilor Hervey to approve the application was passed with a five-to-three vote. The Council finds the text amendment is consistent with the applicable criteria.
5. The City Council notes the record contains all information needed to evaluate the Text Amendment decision for compliance with the relevant criteria.
6. The City Council notes that the Incorporated Findings list all of the applicable approval criteria, and demonstrate compliance with these approval criteria.

These supplemental findings elaborate upon and clarify the Incorporated Findings, and primarily address issues raised in support of the appeal. These supplemental findings, like the Incorporated Findings, are grouped into three categories (LDC Criteria, Statewide Planning Goals, and Comprehensive Plan Policies) which facilitate a comprehensive and cohesive review of the applicable criteria.

Land Development Code Criteria

7. The City Council notes that process and applicable criteria for evaluating proposed LDC Text Amendments are found in LDC Section 1.2.80 – Text Amendments, which is provided below.

Section 1.2.80 - TEXT AMENDMENTS

1.2.80.01 - Background

This Code may be amended whenever the public necessity, convenience, and general welfare require such amendment and where it conforms with the Corvallis Comprehensive Plan and any other applicable policies.

1.2.80.02 - Initiation

An amendment may be initiated through one of the following methods:

- a. **Majority vote of the City Council; or**
- b. **Majority vote of the Planning Commission.**

1.2.80.03 - Review of Text Amendments

The Planning Commission and City Council shall review proposed amendments in accordance with the legislative provisions of Chapter 2.0 - Public Hearings.

8. The City Council notes that on November 9, 2012, the applicant submitted a letter to City Planning Staff requesting that the City Council initiate consideration of the subject Text Amendment. On November 19, 2012, the City Council initiated the proposed Text Amendment, meaning the Council agreed to allow the request to be considered through the public hearing process required by the LDC. The Council finds that the applicant's request and the City Council's action to initiate the Text Amendment are consistent with Section 1.2.80.02.a.
9. The City Council notes that, the Text Amendment is required by LDC Section 1.2.80.03 to be reviewed by the Planning Commission and the City Council through separate public hearings. The Council notes that the Planning Commission held a duly advertised public hearing to review the Text Amendment application on March 20, 2013, and unanimously recommended the City Council approve the request. The Council notes that the City Council held a duly advertised de novo hearing on April 1, 2013, and deliberated on the application on April 15, 2013. The Council notes that these public hearings were done in

accordance with the legislative provisions of Chapter 2.0 – Public Hearings. The Council finds that review of the Text Amendment application was consistent with LDC Section 1.2.80.03.

10. The Council notes that per LDC Section 1.2.80.1 – Background, the LDC may only be amended when the public necessity, convenience, and general welfare require such amendment, and where it conforms with the Corvallis Comprehensive Plan and other applicable policies. The Council notes that in the case of Text Amendments, applicable policies include Oregon’s Statewide Planning Goals. The City Council notes that Text Amendment under consideration was evaluated for consistency with the criteria in LDC Section 1.2.80.01 – Background, including applicable Statewide Planning Goals and Corvallis Comprehensive Plan Policies, in the March 27, 2013, Staff Report to the City Council, which included as an Exhibit, the March 13, 2013, Staff Report to the Planning Commission. The City Council notes analysis in the March 27, 2013, Staff Report to the City Council concludes that the Text Amendment application, including the associated Staff recommended amendments, are consistent with LDC Section 1.2.80.01 – Background, and conform to applicable Comprehensive Plan policies and Statewide Planning Goals. As explained below, the Council concurs with the Staff analysis and finds that the Text Amendments under consideration are in the interest of public necessity, convenience, and general welfare, per Section 1.2.80.01.

Statewide Planning Goals

11. The Council finds the following Oregon’s Statewide Planning Goals apply to the subject application.

Goal 1 – Citizen Involvement

Goal 10- Housing

Goal 2 – Land Use Planning

Goal 11 - Transportation

Goal 9 – Economy of the State

12. The Council notes that the Text Amendment application was reviewed through two separate public hearings (Planning Commission and City Council), which provided the opportunity for public participation in the planning process. Public notice of both hearings was provided, consistent with statewide noticing requirements. The Council notes that in reaching a decision, public testimony, comprehensive plan policies and applicable LDC review criteria were considered. By following the required public hearing processes and evaluating the application against applicable review criteria, the Council finds that Statewide Planning Goal 1 – Citizen Involvement and Goal 2 – Land Use Planning will were achieved.

13. The City Council notes that Oregon State University is an important component of the local economy. The Council notes, that approving the Text Amendment application will allow OSU to construct a building that would house between 162 to 324 students on the OSU campus.

The City Council notes that analysis in Staff reports and public testimony indicates that a new residence hall in Sector D, that would be made possible through approval of the proposed Text Amendment, could result in some negative parking impacts to surrounding uses, and would modify existing traffic patterns. At the same time the Council notes that staff analysis and public testimony provided information indicating that the new residence hall will provide benefits to the Corvallis community. Based on information provided in Staff reports and in public testimony, the City Council finds that positive impacts of the proposed Text Amendments, which would potentially result in the construction of a new campus residence hall include the placement of a large number of students within walking distance of academic and recreational facilities and transit services, a reduced need for the residents to rely on automobiles, less pressure to transition traditional single family neighborhoods to student oriented neighborhoods, and an efficient use of campus land and resources. The Council finds that traffic related impacts will be mitigated by intersection improvements at SW 15th Street and SW Washington Way, as required by Conditions of Approval 3-5 of the Planning Commission's decision regarding the Campus Master Plan Major Adjustment (PLD13-0001, Order No. 2013-017). The Council finds that this mitigation will result in compatibility with surrounding uses. These benefits encourage the efficient use of land, energy, and other resources, compact urban form, an efficient provision of transportation, and diversity of housing types, consistent with Statewide Planning Goals 9 – Economy of the State, 10 - Housing, and 13 – Energy.

Corvallis Comprehensive Plan Policies

14. The Council notes that the following Comprehensive Plan policies were considered when evaluating the proposed Text Amendments.

3.2.1 The desired land use pattern within the Corvallis Urban Growth Boundary will emphasize:

- A. Preservation of significant open space and natural features;**
- B. Efficient use of land;**
- C. Efficient use of energy and other resources;**
- D. Compact urban form;**
- E. Efficient provision of transportation and other public services; and**
- F. Neighborhoods with a mix of uses, diversity of housing types, pedestrian scale, a defined center, and shared public areas.**

- 3.2.7 All special developments, lot development options, intensifications, changes or modifications of nonconforming uses, Comprehensive Plan changes, and district changes shall be reviewed to assure compatibility with less intensive uses and potential uses on surrounding lands. Impacts of the following factors shall be considered:**
- A. Basic site design (i.e., the organization of uses on a site and its relationship to neighboring properties);**
 - B. Visual elements (i.e., scale, structural design and form, materials, etc.);**
 - C. Noise attenuation;**
 - D. Odors and emissions;**
 - E. Lighting;**
 - F. Signage;**
 - G. Landscaping for buffering and screening;**
 - H. Transportation facilities; and**
 - I. Traffic and off-site parking impacts.**
- 8.4.1 The City shall encourage and support Oregon State University as a major education and research center.**
- 9.3.3 The City shall encourage a mix of residential land uses and densities throughout the City through the application of the criteria of the Land Development Code and through exploration of new approaches that respect the community's values.**
- 9.4.1 To meet Statewide and Local Planning goals, the City shall continue to identify housing needs and encourage the community, university, and housing industry to meet those needs.**
- 9.4.7 The City shall encourage development of specialized housing for the area's elderly, disabled, students, and other groups with special housing needs.**
- 9.7.2 The City shall encourage OSU to establish policies and procedures to encourage resident students to live on campus.**
- 9.7.3 The City and OSU shall work toward the goal of housing 50% of the students who attend regular classes on campus in units on campus or within a 1/2 mile of campus.**
- 11.2.2 The transportation system shall be managed to reduce existing traffic congestion and facilitate the safe, efficient movement of people and commodities within the community.**
- 11.3.9 Adequate capacity should be provided and maintained on arterial and collector streets to accommodate intersection level-of-service (LOS) standards and to avoid traffic diversion to local streets. The level-of-service standards shall be: LOS "D" or better during morning and evening peak hours of operation for all streets intersecting with arterial or**

collector streets, and LOS "C" for all other times of day. Where level-of-service standards are not being met, the City shall develop a plan for meeting the LOS standards that evaluates transportation demand management and system management opportunities for delaying or reducing the need for street widening. The plan should attempt to avoid the degradation of travel modes other than the single-occupant vehicle.

11.12.1 The University and the City shall work together to improve traffic patterns through and around Oregon State University which will reduce negative impacts on existing residential areas and the campus.

11.12.2 The University shall develop and implement a transportation and parking plan that reduces the negative traffic and parking impacts on existing residential areas.

15. The City Council notes that Comprehensive Plan Policy 3.2.7 requires special development applications, such as the subject Text Amendment application to be evaluated against nine criteria to determine compatibility with surrounding uses. The Council notes that the March 13, 2013, Staff Report to the Planning Commission, which is Exhibit III of the March 27, 2013, Staff Report to the City Council provides analysis of the proposal's consistency with this policy. The Council notes that this analysis occurs on Planning Commission Staff Report, pages 29 and 30, which references analysis on pages 9-24. The Council concurs with the analysis in the Planning Commission Staff Report and finds the proposed text amendment is consistent with applicable criteria in Comprehensive Plan policy 3.2.7.
16. The Council notes that the compatibility analysis in the noted Staff Reports was based on the assumption that new residence hall would be constructed as conceptually proposed by the applicant. The Council notes that, in part, to ensure that any new construction resulting from the transfer of development allocation is consistent with what was conceptually presented by the applicant, Staff proposed that parameters be placed on future development. The City Council notes that those parameters are provided in new subsection "f" of LDC Section 3.36.40.01 – Sector Development Allocation, below. The Council finds that the parameters in the new LDC text ensure that the development allocation is used for a residence hall and accessory uses, on which compatibility analysis of the proposal was based.

Section 3.36.40.01 – Sector Development Allocation

- a. **Sector Development Allocation represents the gross square footage of new development allowed in each Sector, regardless of the Use Type. See Table 3.36-2 - Building Square Footage by Sector.**
- b. **Each new development project in a Sector shall reduce that Sector's available allocation.**
- c. **Existing and approved development as of December 31, 2003, has been included in the existing/approved development calculations and shall not reduce the Sector Development Allocation.**

- d. Demolition of existing square footage and/or restoration of non-open-space areas to open space shall count as an equivalent square footage credit to the Sector development or open space allocation.
- e. Square footage associated with a parking structure shall be included in the Development Allocation for the Sector in which the structure is located. Square footage associated with at-grade parking lots shall be calculated as impervious surface but not count as part of Development Allocation.

f. Table 3.36-2: Building Square Footage by Sector, includes 71,000 square feet of Future Allocation that was removed, effective [date text amendment is effective] from Sector C's allocation and added to the allocation for Section D. This reallocation is contingent upon the 71,000 square feet being used for a student residence hall. The residence hall shall be constructed south of SW Adams Avenue, north of SW Washington Way, and between SW 13th and 14th Streets. If a residence hall is not constructed in this location before the expiration of the Campus Master Plan Major Adjustment approval that allowed such construction (PLD13-00001), the 71,000 square feet allocated for the residence hall shall not be used in Sector D, but shall revert to Sector C.

17. The City Council notes that the Planning Commission approved the CMP Major Adjustment application to transfer development allocation from Sector C to Sector D, and imposed conditions to ensure it would be compatible with surrounding uses based on the compatibility criteria in LDC Section 2.5.40.04. The Council notes that these criteria include the same or similar compatibility criteria as in Comprehensive Plan policy 3.2.7. Given that both applications have the same requests with respect to the transfer of development allocation, and both have the same parameters on when and how that development allocation can be used, Council finds the analysis and conclusions regarding the compatibility of the Text amendment based on consideration of Comprehensive Plan policy 3.2.7, are the same as the analysis and conclusions of compatibility for the CMP Major Adjustment application based on consideration of the criteria in LDC Section 2.5.40.04.

18. The City Council notes that, a future residence hall would be required to comply with all applicable development standards. The Council notes, that, per Comprehensive Plan policy 3.2.2, when a land use complies with applicable development standards it is considered to be compatible with other development within the same zone. The Council notes that, the conceptual plan for the residence hall is approximately 20-ft shorter than the adjacent residence halls and is at least 250-ft from the nearest off-campus use type. The new building is proposed in close proximity to several existing residence halls and a dining hall, thereby adding student population in an area that is designed to serve students. The Council notes that uses surrounding the site of the conceptual residence hall are primarily multi-family residential with some industrial uses.

The Council finds that the size and distance of the conceptual residence hall from surrounding uses minimize potential negative compatibility impacts related to site design and visual elements. Similarly, the Council finds that because surrounding uses are similar to a residence hall, the impacts of a residence hall would be compatible with surrounding uses. Given these findings, the City Council finds the

proposed Text Amendment, which would make possible the construction of a new Sector D residence hall is compatible based on consideration of the Basic Site Design and Visual Elements criteria of Comprehensive Plan policy 3.2.7.

19. The Council notes that a residence hall would generate some noise, primarily from conversations of residents entering or exiting the building, and potentially from open windows. The Council notes that, the conceptual residence hall would be located at least 250-ft from the nearest off-campus residential neighbor. The Council notes that odors and emissions created by a residence hall are expected to be similar to other campus residence halls, and there is no evidence that the existing uses create negative impacts on surrounding uses. Council finds that the residence hall and residential uses would not generate noises, odors, or emissions that would negatively impact surrounding uses. Therefore, the Council finds that the Text Amendment that would allow a new Sector D residence hall is compatible based on consideration of the Comprehensive Plan Policy 3.2.7.C and D, which are the Noise Attenuation, and Odors and Emissions criteria.
20. The Council notes that lighting, signage, and landscaping associated with a new residence hall will be required to comply with LDC standards. The City Council finds that compliance with applicable LDC standards will ensure the residence hall is compatible with surrounding uses with respect to the criteria in Comprehensive Plan policy 3.2.7.E, F, and G.
21. The Council notes that transportation facilities and traffic are addressed through the Base Transportation Model (BTM) that analyzes traffic impacts in and around the OSU campus. The BTM and its annual updates have identified intersections with failing levels of service (LOS) and have identified mitigation. The Council notes that the intersection of SW 15th Street at SW Washington Way has been shown to be failing. The Council notes that this sub-standard LOS at an intersection is in close proximity to the proposed new student residence hall, as well as trips generated by the proposed residence hall. The Council note that, as a result, a Transportation Impact Analysis (TIA) was required as part of the Text Amendment and Campus Master Plan Major Adjustment applications.

The Council notes that the TIA identified several impacts and proposed mitigation for those impacts. At the same time City staff identified several areas of the TIA that needed more information or analysis. Two additional TIA updates were submitted by OSU that addressed the SW 15th Street at SW Washington Way and SW Washington Avenue intersections and the SW Washington Avenue Improvement Plan. A condition of approval for an additional TIA was imposed when the CMP Major Adjustment application was approved by the Planning Commission. The Council notes that the applicant has submitted a TIA to address this condition of approval, and City staff found it to satisfy the condition of approval. The Council notes that improvements include realignment of the intersection consistent with the OSU Washington Way Improvement plan, left turn lanes for the northern, southern, and western legs, a right turn lane on the northern leg, a street stub on the eastern

leg for future extension, and full signalization of the intersection, including integration with the railroad gates. The Council finds that the required and proposed improvements to SW Washington Way and SW 15th Street satisfy the LOS requirements for a functional transportation system. Consequently, the City Council finds that traffic impacts that would be created residence hall contemplated by OSU would be mitigated and the proposed Text Amendment is compatible based on consideration of Comprehensive Plan policy 3.2.7.H, and I with respect to transportation facilities and traffic.

22. The Council notes that, with respect to Policy 3.2.7.I, Off-site Parking Impacts in the OSU zone are regulated, in part, by the provisions in LDC Chapter 3.36 – OSU zone. The Council notes that LDC Section 3.36.50.08 – Parking Improvements, subsection d states,

- d. **When usage of campus-wide parking facilities exceeds 90 percent based on the most recent parking usage inventory, any development that increases building square footage shall be subject to the provisions of Section 3.36.30.02.**

The Council notes that parking utilization for all on-campus parking facilities is currently 68% and that the expectation within the CMP is that parking demands generated by new development will be accommodated by existing campus-wide parking facilities. The Council finds that because campus wide parking facilities do not exceed 90% based on the most recent inventory, new parking facilities are not automatically required to be provided with the contemplated residence hall.

23. The Council notes a compatibility analysis of off-site parking is required by the LDC and Comprehensive Plan Policy 3.2.7.I because a greater amount of developable area is proposed in Sector D than was contemplated in the current Campus Master Plan. The Council notes that parking for residence halls is calculated using the LDC standards for the Group Residential use type. This use type requires three parking spaces for every five occupants, per the Oregon Specialty Code as provided in LDC Section 4.1.30.1, below.

LDC Section 4.1.30.a – Residential Uses Per Building Type

4. Group Residential -

a) Vehicles -

- 1) **Fraternalities, Sororities, Cooperatives, and Boarding Houses - Three spaces per five occupants at capacity, with capacity to be based on criteria set forth in the Oregon Structural Specialty Code.**

The Council notes that, based on the expected number of beds/residents in the residence hall, it would create a demand for 97 to 194 parking stalls.

The Council notes that if a new residence hall is constructed in Sector D as a result of the proposed development allocation transfer, it would be required to be built to LDC development standards, including compliance with parking standards. The

Council notes that OSU is permitted to provide parking for all uses campus-wide, rather than on a specific development site as for development in other zones. The most recent OSU Parking Utilization Study shows that on an average day 4,931, or 68% of the 7,234 available campus parking spaces are used and 32% are vacant. The Council finds that these figures show that there is space available on campus for the combined 412 vehicles that would be either displaced or potentially added as a result of a new residence hall (Maximum anticipated parking demand plus total number of spaces removed: $194+218=412$). The Council finds that removing 218 parking spaces and adding a demand for 194 new parking spaces, would not cause usage of campus-wide parking facilities to exceed 90% based on the most recent parking usage inventory. Therefore, Council finds that new vehicle parking spaces are not required to be constructed with the contemplated residence hall.

24. The Council notes that construction of a residence hall will likely cause some drivers to park their cars off-campus, on nearby streets where parking is currently free. This may make it more difficult for others who have historically relied on the same spaces to find free parking near their homes or places of work. The Council finds that this increased competition for free parking is expected to be mitigated, in part, by the fact that all of the parking that would be removed by the residence hall is permit parking, therefore, those drivers would be able to park in other permit parking spaces on campus. The City Council finds that, the potential negative impacts to surrounding uses related to parking would also be counterbalanced by the positive impacts of a new residence hall. The Council finds that positive impacts include placement of a large number of student residents within walking distance of academic and recreational facilities and transit services, reduced need for residents to rely on automobiles, reduced pressure to transition traditional single family neighborhoods to student oriented neighborhoods, and efficient use of campus land and resources. Given the above, the Council finds the proposal is compatible with surrounding uses per Comprehensive Plan policy 3.2.7.1, with respect to off-site parking impacts, and finds that the proposal would result in benefits to the Corvallis community as a whole which outweigh the potential negative impacts related to off-street parking impacts.
25. The Council notes that Comprehensive Plan policies 8.4.1, 9.3.3, 9.4.1, 9.4.7, 9.7.2, and 9.7.3 are relevant to the Text Amendment application. The Council notes that compatibility of a new residence hall was evaluated in the March 27, 2013, Staff Report to City Council and it's exhibits, including the March 13, 2013, Staff Report to the Planning Commission. The Council notes that policies 9.3.3, 9.4.1, 9.4.7, 9.7.2, and 9.7.3 encourage a mix of residential uses and densities, including university and student housing, and direct the City and OSU to encourage students to live on campus. The Council finds that Policy 9.7.3 specifically directs the City and OSU to work toward the goal of housing 50% of OSU students on campus or within a half mile of campus. The Council finds that the proposed Text Amendment is consistent with these policies, and enhance the general welfare of students and are a public necessity as the university's enrollment grows, consistent with LDC Section 1.2.80.01.

26. The City Council finds that providing on-campus housing is consistent with Comprehensive Plan policies 8.4.1, 9.3.3, 9.4.1, 9.4.7, 9.7.2, and 9.7.3. Providing housing facilities supports OSU's needs as a major university per Policy 8.4.1.
27. The City Council notes that Comprehensive Plan policies 11.2.2; 11.3.9, 11.12.1, and 11.12.2 provide direction regarding traffic and transportation management. The Council notes that, in approving the CMP Major Adjustment application, the Planning Commission found traffic and transportation impacts were compatible with surrounding uses and consistent with the aforementioned policies. The Council concurs with the Planning Commission decision and finds the Text Amendment is consistent with the aforementioned Comprehensive Plan policies.
28. Given the above, the Council therefore finds the proposal to transfer 71,000 sq. ft. of development allocation from Sector C to Sector D, combined with the staff recommended Code language limiting the use of this development allocation for a new residence hall, promotes the public convenience and general welfare, consistent with LDC Section 1.2.80.01.

III. PUBLIC TESTIMONY

29. The Council notes that, during the March 20, 2013 Planning Commission hearing oral testimony was given in support and in opposition to the request for a CMP Major Adjustment and Text Amendment. The Council notes that, the Planning Commission voted to unanimously approve the CMP Major Adjustment with conditions. In addition, they unanimously recommended the Text Amendment be forwarded to the City Council for approval.
30. The Council notes that several pieces of written testimony were submitted prior to the City Council hearing on April 1, 2013. Rick Hangartner submitted multiple pieces of testimony between March 27 and April 1, 2013. Rick Hangartner's testimony requested the written record be held open for an additional seven days. The City Council honored the request to hold the written record open for an additional seven days and the applicant (OSU) also requested an additional seven days to respond to any additional written testimony.

The Council notes that Rick Hangartner requested a waiver to the City's appeal fee, implying the fee is a barrier to access to public processes. The Council notes the appeal fees are established as part of the City's Land Use Application Fee Schedule, which is adopted by the City Council each year. The Council further notes that there was some discrepancy in staff's correspondence with Rick Hangartner. The initial assessment determined the appeal fee to be \$782; however after further examination it was determined by the Community Development Director the appeal fee should have been \$784. The Council notes that written correspondence from the Community Development Director to Rick Hangartner implied the City erred in its initial assessment, and the City would be willing to accept the lesser amount.

31. The Council notes that testimony was submitted by Rick Hangartner implying the applicant's basic argument of how the demand for the lost parking capacity could be absorbed in the adjacent parking lots. Rick Hangartner testified that OSU's justification did not stand up to scrutiny. He noted the number of available spaces in adjacent lots is objective and yet OSU applies a lower number based on a problematic utilization estimate. The Council notes the parking utilization study provided by the applicant shows that there are a total of 1076 parking spaces on the lots and streets surrounding the site where the residence hall would be built. On average, approximately 858 of the spaces were occupied and 218 were vacant during the parking study, which equals a utilization rate of 80%. However, the campus-wide parking utilization study finds that only 68% of total campus-wide parking spaces are utilized, indicating the presence of many other on-campus parking areas further from the site that have lower utilization rates. The Council notes that the residence hall would remove 218 parking spaces, which would leave no vacant parking spaces, based on the average number of total available parking spaces. The residence hall is expected to house 162 to 324 residents, which per LDC Section 4.1.30.a.4 would create a parking demand of between 97 to 194 spaces. The Council notes, that if this new parking demand is considered, the capacity of parking areas shown in the table below would be exceeded by 97 to 194 spaces.

Estimated On-site Parking Impacts Related to Construction of a Residence Hall

Current Total Spaces	Current Average Vacancy	Spaces Removed by Building	Remaining Average Vacant Spaces	Parking Demand for Building	Remaining Average Vacant Spaces Less New Demand
1076	218	218	0	97 – 194	-97 to -194

The Council notes that transferring development allocation from Sector C to Sector D to construct a 90,000 sq. ft. residence hall would create a potential demand for an average of 146 parking spaces $(97 + 194) / (2)$. The existing parking facilities surrounding the residence hall site do not have the capacity to meet this demand. Therefore, an average of 146 vehicles would need to park in other locations, most of which would be on campus or nearby streets. While there is no information quantifying the number of cars that would actually park off-campus as the result of a new residence hall, the Council finds it is reasonable to expect some additional demand for spaces on nearby public streets. This is because it is currently free to park on nearby public streets, and these streets may be closer to a person's destination compared to using other campus parking lots, many of which are located on the periphery of campus.

The Council finds that housing more students on campus will relieve some of the pressures on surrounding neighborhoods that the City/OSU collaboration project is trying to address. The Council finds that approval of the Text Amendment would make possible the construction of a new residence hall in an area well suited for this use, because of its proximity to other residence halls and a dining facility. The Council finds

that the contemplated residence hall's close proximity to McNary dining hall is particularly useful, as this is the only student dining center with additional capacity. Its convenience is consistent with LDC Section 1.2.80.01. It will allow this dining facility to be fully utilized and prevent other dining facilities from being overburdened and potentially delay the need to construct a new dining facility.

32. The Council notes that construction of a residence hall in the proposed location will cause some drivers to park their cars off-campus on nearby streets where parking is currently free. This may make it more difficult for others who have historically relied on the same spaces to find free parking near their homes or places of work. The Council notes that this increased competition for free parking is expected to be mitigated, in part, by the fact that all of the parking that would be removed by the residence hall is permit parking, therefore, those drivers would be able to park in other permit parking spaces on campus. The Council finds that the potential negative impacts to surrounding uses related to parking would also be counterbalanced by the positive impacts of a new residence hall. The Council finds the positive impacts include placement of a large number of student residents within walking distance of academic and recreational facilities and transit services, reduced need for residents to rely on automobiles, reduced pressure to transition traditional single family neighborhoods to student oriented neighborhoods, and efficient use of campus land and resources. Given the above, the Council finds that the proposed Text Amendment would result in benefits to the Corvallis community as a whole which outweigh the potential negative impacts related to parking.

33. The Council notes that testimony was submitted by Rick Hangartner implying OSU's parking prices artificially maintain utilization rates below negotiated trigger thresholds that would require the applicant to increase on-site parking. The Council notes that OSU has the right to adjust parking permits at their own discretion. The Council also notes that the parking utilization rates have varied between 68 and 75 percent since the Campus Master Plan was adopted in December of 2004. The Council notes that the university has operated a free transit service since 2004. The Council finds that OSU will remain in compliance with their on-site parking requirements once the new residence hall is constructed.

34. The Council notes that following the April 1, 2013 public hearing, the hearing was closed, but the written record was held open for an additional seven days. The Council notes that testimony from Anthony Albert, Gerald Rooney, Susie Semenek, Chris Bates, Stewart Krakauer, and Karin Krakauer requested OSU to provide on-site parking associated with new construction, preferably immediately adjacent to the project being constructed. Roger and Patricia House submitted testimony stating, "I feel that OSU should be required to maintain a certain number of spaces on campus".

The City Council notes that the OSU Campus Master Plan establishes parking requirements for the university. The Council notes that OSU is required to conduct

an annual parking utilization study to ensure it remains below a 90% utilization rate campus-wide. Currently OSU has a campus-wide parking utilization rate of 68%. OSU has approximately 7,200 general purpose parking spaces on campus and approximately 4,900 are utilized each day, leaving 2,300 unused and available. At 90% utilization, OSU has over 1,500 unused parking spaces that need to be utilized before additional parking improvements are required. The Council finds there is sufficient capacity within existing campus parking lots to absorb the 218 spaces that will be displaced with construction of the new residence hall. The 1,500 unused parking spaces across campus will accommodate the parking demands resulting from the 324 new residents in the dormitory.

35. The City Council notes that testimony was submitted by Courtney Cloyd, President of the Central Park Neighborhood Association requesting that, if the Council approves the CMP Major Adjustment, that it include the following requirement: "There will be no net loss of on-campus parking spaces resulting from new construction, based on the inventory published in the 2012 OSU Parking Study. Parking spaces lost to construction and other modifications will be replaced by new parking spaces located within two blocks of the project". Betty Griffiths also submitted testimony concurring with this requirement. The City Council notes that the Council has the authority to approve or deny the pending Land Development Code Text Amendment; however conditions of approval can't be applied to this request. The Council notes that the opportunity to impose conditions of approval to address parking concerns was during the Planning Commission's review of the Major Adjustment to the Campus Master Plan. The City Council authorizes the Planning Commission to render decisions on major adjustments to the campus master plan using the Planned Development review criteria found in Land Development Code Section 2.5.40.04.a.10 – Traffic and off-site parking impacts. The Planning Commission approved this request and the appeal period has lapsed, therefore the Council finds that decision to be final, contingent upon Council's approval of the Text Amendment.

36. The City Council notes that testimony was submitted by Judy Peterman stating "I would like to see the City Council require parking garage requirements built into any further student housing plans". OSU's long range plan includes additional parking structures on campus; however parking requirements for the university are based on current utilization rates. Currently OSU has a parking utilization rate of 68% and new parking is not required until parking utilization reaches 90%. The Council finds the 1,500 unused parking spaces across campus will accommodate the parking demands resulting from the 324 new residents in the dormitory.

IV. DELIBERATIONS

37. The City Council notes that, in their deliberations, they found that on-street parking congestion in the neighborhoods was at least partially related to higher density infill projects. The Council also supported the recommendation from the City/OSU

Collaboration effort to consider expanding the parking districts around the university. The City Council acknowledged the 218 parking spaces would be removed as a result of the contemplated residence hall and found the existing adjacent parking lots would accommodate those removed spaces. The City Council also noted that there may be some on-street parking impacts to the nearby neighborhood as a result of the additional parking demand from the new dorm residents.

The Council concluded by finding that providing additional housing on campus is not only consistent with housing Comprehensive Plan Policies 9.3.3, 9.4.1, 9.4.7, 9.7.2, and 9.7.3, but makes sense in this location because of its proximity to McNary Dining Facility which is the only dining hall that has available capacity on campus. There are no other locations on campus to place a new dormitory without constructing an entirely new dining facility.

V. SUMMARY AND CONCLUSION

Based on the Council's analysis, and the information and analysis in the March 13, 2013, staff report to the Planning Commission, the March 27, 2013 Memorandum to the Mayor and City Council, the Council finds the proposed Text Amendments satisfy the applicable review criteria in LDC Section 1.2.80 – Text Amendments.

As the body charged with hearing LDC Text Amendments, the City Council, having reviewed the record associated with the subject Text Amendment application, considered evidence supporting and opposing the application and finds that the proposal adequately addresses applicable review criteria and is found to be consistent with the applicable sections of the Land Development Code. The Council finds that as conditioned, the proposal provided sufficient information to demonstrate compliance with the criteria that the Council believes applies to the Text Amendment application.

Dated: _____
Julie Jones Manning, MAYOR

The following are Land Development Code Sections 3.36.40.01 – Sector Development Allocation, and Table 3.36-2: Building Square Footage by Sector as approved by the City Council on May 20, 2013.

Section 3.36.40.01 – Sector Development Allocation

- a. Sector Development Allocation represents the gross square footage of new development allowed in each Sector, regardless of the Use Type. See Table 3.36-2 - Building Square Footage by Sector.
- b. Each new development project in a Sector shall reduce that Sector's available allocation.
- c. Existing and approved development as of December 31, 2003, has been included in the existing/approved development calculations and shall not reduce the Sector Development Allocation.
- d. Demolition of existing square footage and/or restoration of non-open-space areas to open space shall count as an equivalent square footage credit to the Sector development or open space allocation.
- e. Square footage associated with a parking structure shall be included in the Development Allocation for the Sector in which the structure is located. Square footage associated with at-grade parking lots shall be calculated as impervious surface but not count as part of Development Allocation.
- f. Table 3.36-2: Building Square Footage by Sector includes 71,000 square feet of Future Allocation that was removed, effective May 20, 2013, from Sector C's allocation and added to the allocation for Section D. This reallocation is contingent upon the 71,000 square feet being used for a student residence hall. The residence hall shall be constructed south of SW Adams Avenue, north of SW Washington Way, and between SW 13th and 14th Streets. If a residence hall is not constructed in this location before the expiration of the Campus Master Plan Major Adjustment approval that allowed such construction (PLD13-00001), the 71,000 square feet allocated for the residence hall shall not be used in Sector D, but shall revert to Sector C.

Table 3.36-2: Building Square Footage by Sector			
Sector	Existing/Approved	Maximum Future Allocation	Total
A	281,551	250,000	531,551
B	831,426	500,000	1,331,426
C	4,685,510	679,000	5,364,510
D	325,506	106,000	431,506
E	253,046	120,000	373,046
F	847,166	750,000	1,597,166
G	742,092	350,000	1,092,092
H	133,535	50,000	183,535
J	41,851	350,000	391,851
Total	8,141,683	3,155,000	11,296,683



MEMORANDUM

To: Mayor and City Council
From:  Jude Geist, Park Supervisor, Parks and Recreation Department
Date: May 20, 2013
Subject: Benton SWCD – Chip Ross Grant

Issue:

Parks and Recreation has been offered a grant from the Benton Soil and Water Conservation District's Conservation Incentive Program. Council must approve, by Resolution, acceptance of the grant.

Background:

Of the more than 1 million acres of oak savanna and upland prairie habitats that once existed in the Willamette Basin, approximately 98% has been converted to other land uses. In Corvallis, a corridor of remnant oak savanna and upland prairie still persists, including an area in Chip Ross Park. A grant was requested from Benton Soil and Water Conservation District to fund the hiring of a consultant to determine the best way to control invasive weed treatment and remove species to improve conditions for oak trees and expand the size of the meadows.

Discussion:

Benson Soil and Water Conservation District, through its Conservation Incentive Program, has offered City a \$2,000 grant to fund the services of a consultant. This consultant will work with Corvallis Parks staff, Benton SWCD staff, OSU College Forests staff and U.S. Fish and Wildlife staff to develop the detailed habitat restoration plan. The grant will cover the first phase of the project, which is inventory and data collection. Parks and Recreation will apply for another grant after July 1, 2013 to cover phase 2 of the project.

Review and Concur:


James A. Patterson, City Manager


Nancy Brewer, Finance Director

Attachments:

RESOLUTION 2013 - ____

Minutes of the May 20, 2013 Corvallis City Council meeting, continued.

A resolution submitted by Councilor _____.

WHEREAS, ORS 294.326 (2) allow the City Council to accept grants after the budget has been approved; and

WHEREAS, the City of Corvallis Parks and Recreation Department has been offered a grant in the amount of \$2,000 by the Benton Soil and Water Conservation District's Conservation Incentive Program to develop a plan to improve the oak savanna and upland prairie at Chip Ross Park; and

WHEREAS, the Corvallis Parks and Recreation Department plans to use these funds for a consultant to determine the best way to control invasive weed treatment and remove species to improve conditions for oak trees and expand the size of the meadows at Chip Ross Park; and

WHEREAS, the City Council finds that pursuing a plan to improve the oak savanna and upland prairie at Chip Ross Park is beneficial to the City; and

WHEREAS, this project was not considered when the FY 12-13 budget was developed; and

WHEREAS, the grant acceptance required approval by the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES to accept the grant awarded by the Benton Soil and Water Conservation District's Conservation Incentive Program and allocate the funds as follows:

<u>FUND</u>	<u>AMOUNT</u>
Parks and Recreation Fund	
Parks & Recreation Department	\$2,000

BE IT FURTHER RESOLVED that the Finance Director is authorized to make the proper adjustments in the budget appropriations.

Councilor

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

City of Corvallis

Sustainability Annual Report

2012



www.corvallisoregon.gov

Sustainability means using natural, financial and human resources in a responsible manner that meets existing needs without compromising the ability of future generations to meet their own needs.

- City Council Policy on Sustainability

City of Corvallis 2012 Annual Sustainability Report

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Corvallis City Council

Overarching Goals and Values

1. Diversity
2. Citizen Involvement
3. Sustainability
4. Cost Efficiency

Sustainability in the City of Corvallis

The City of Corvallis has a tradition of leadership in sustainability. Strong support in the community for values that closely align with the three themes of sustainability – social equity, resource efficiency, and cost effective – has been evident for decades. Those values are shared by employees of the City, who have been looking for cost- and energy-saving projects since at least the 1990s. In 2003, the City Council elevated the importance of sustainability by including it as one of its four overarching goals and values. In 2004, it became City policy when the Council adopted a Sustainability Policy for City operations. The table on the next page shows many of the milestones on the City's path as it continually works to become a more sustainable organization.

On the cover:

It's not beautiful until you look at the electric bill. The new chiller installed atop the Corvallis-Benton County Public Library in May 2012 helped to cut the building's electricity use by 51%.

Corvallis' Path to Leadership	
2000	Corvallis joins Cities for Climate Protection campaign
2001	City signs up for renewable energy through Pacific Power Blue Sky program
2004	City Council adopts Sustainability Policy for municipal operations
2005	City Council passes resolution urging residents and businesses to purchase renewable energy
	Environmental Protection Agency (EPA) designates Corvallis a "Green Power Community"
	Sustainability Steering Committee formed (City Manager, Department Directors)
2006	Sustainability Supervisor hired to develop comprehensive sustainability program
2007	Development of ISO 14001-based Sustainability Management System begins
	City becomes founding member of Corvallis Sustainability Coalition
	City becomes founding member of International Society of Sustainability Professionals (ISSP)
2008	City-wide Sustainability Core Team established
	Sustainability fund created to allow departments to explore innovative in-house projects
	Energy Trust of Oregon chooses Corvallis for Oregon's first community energy challenge
	Organization develops five overarching organizational sustainability goals
	City partners with Corvallis Sustainability Coalition on Community Sustainability Action Plan
	Corvallis joins ICLEI — Local Governments for Sustainability
	City earns Julian Award for Sustainability from Oregon Chapter of American Public Works Association
City earns League of Oregon Cities Award of Excellence for sustainability planning	
2009	City Council sub-committee develops <i>Community Energy Strategy</i>
	Staff complete City's first greenhouse gas inventory for municipal operations
	City uses its \$511,600 federal Energy Efficiency and Conservation Block Grant (EECBG) to fund community programs and infrastructure
	City awarded \$78,750 from Pacific Power's Blue Sky program for Fire Station #4 solar project
	Sustainability Program Specialist position created
2010	Council adopts Community Sustainability Policy
	Council passes Sustainability Initiatives Fees for transit, urban forests, and sidewalk maintenance
	EPA chooses Corvallis for its first Green Power Community of the Year award
	EPA awards Corvallis a Climate Showcase Communities grant for \$491,762
2011	City awarded \$144,000 from Pacific Power's Blue Sky program for Fire Station #1 solar project
2012	City awarded Gold certification (highest level) from State Electronics Challenge for the organization's computer purchasing, use and disposal practices
	Council passes Single-Use Plastic Carryout Bag Ordinance

The Sustainability Program in 2012

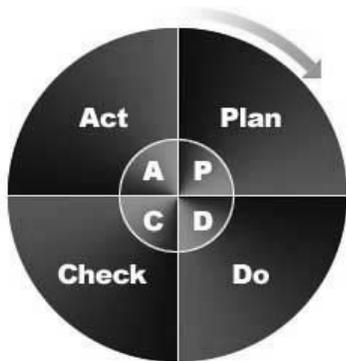
The list above describes some of the countless benefits gained from our sustainability mindset. Organizations across the globe have also realized the benefits and as a result, sustainability has gained wide acceptance worldwide. Despite the many benefits, sustainability programs face challenges. The City of Corvallis, like many government organizations at the federal, state or local level, has faced significant budget cuts in recent years.

In 2012, those cuts hit the City's Sustainability Program, which lost nearly 40% of its dedicated personnel resources. Due to reductions in the 2012/13 fiscal year budget, beginning June 2012

the Sustainability Supervisor position was eliminated. Also lost was the \$15,000 Sustainable Purchasing Project (SP2) fund, used by departments to explore innovative in-house projects. The Sustainability Program Specialist position, formerly 25 hours per week, was increased to a full-time position in an effort to offset other reductions.

As a result of these changes, the Sustainability Program's priorities needed to be re-examined to align with the resources available. Staff reviewed City policies, the Sustainability Management System (SMS) and consulted with internal and external resources to determine the vital programs and projects to continue. The top three work efforts that were identified are:

1. Administer the three-year Climate Showcase Communities grant from the Environmental Protection Agency (EPA).
2. Implement and provide education and enforcement for the Single-Use Plastic Bag Ordinance.
3. Maintain two key areas of the SMS:
 - Measurement and tracking of our sustainability goals
 - Sustainability communications and reporting within the organization, especially across department lines, and to the community



A Sustainability Management System or SMS is a set of processes and practices that enables an organization to integrate its sustainability efforts with existing planning processes and business goals.

The City of Corvallis SMS is built on the ISO 14001 International Standard, which follows the Plan, Do, Check, Act model to foster continuous improvement of the system.

2012 Program Accomplishments

The Sustainability Program is responsible for leading the organization through a systematic approach to enhancing the sustainability of operations. As of mid-2012, the Program consisted of one full-time Sustainability Program Specialist and a small percentage of the Franchise Utility Specialist position. The Program Specialist is responsible for developing and implementing a comprehensive City-wide program, internal and external outreach, grant development, and sustainability metrics. The Franchise Utility Specialist tracks the City's electricity and natural gas consumption and solid waste, promotes conservation practices internally, and documents cost savings. The interdisciplinary nature of the program is evident by the two City-wide teams consisting of staff and management from all departments that meet regularly.

Key accomplishments in 2012

Administering and implementing grants

The City's Energy Efficiency and Conservation Block Grant (EECBG) has provided funding for efficiency projects for the City organization and the community since 2009. As of the end of 2012, the City had completed projects for the total \$511,600 EECBG allocation. For project details, see page 21.

In 2011, the City received nearly half a million dollars in funding for a three-year Environmental Protection Agency Climate Showcase Communities grant. This grant funds four programs through three community partners and are collectively called Energize Corvallis. The goal of Energize Corvallis is to foster measurable reductions in energy use and carbon emissions from homes and businesses in Corvallis.



A lawn sign indicates participation on one of the Energize Corvallis programs.

Two of the Energize Corvallis programs, Communities Take Charge and Energizers, are managed by the Corvallis Environmental Center. Communities Take Charge encourages local residents to try three or more energy saving activities in their home for a month. The Energizers program works through personal networks, such as faith communities, to spread messages about energy efficiency.

The Green Shares program is managed by The Resource Innovation Group (TRIG), a non-profit climate change research organization located in Eugene. Green Shares trains contractors that provide energy and water efficiency services and equipment to give their customers more informed estimates that address not only purchase and installation costs, but also use costs.

The Neighborhood Sustainability Stewards program is managed by OSU Benton County Extension. Stewards attend an eight-week training and then volunteer to provide sustainability education to the community.

The Single-Use Plastic Carryout Bag Ordinance



Considerable Program staff time was necessary to research viable components for the proposed ordinance, conduct public meetings, gather public input, alert and educate affected retail establishments, and raise awareness to prepare the community for this new law.

Staff coordinated the establishment of a community outreach team comprised of supporters of the ordinance. The Bring Your Bag Team then carried out several outreach and education efforts, including reusable bag giveaways, classes to make reusable bags and a reusable bag and logo design contest.

Green Cleaning Policy

The Sustainability Program led the adoption of a new administrative policy on green cleaning that strives to use cleaning products that meet standards for air quality, toxicity, biodegradability and effectiveness.

Tracking our Sustainability Goals

Regularly measuring and monitoring our use of energy, fuel and water, and our generation of waste leads to better management of our resources and often saves money. Sustainability Program staff track our resource use as well as defined measures that help monitor progress on our employee and purchasing goals and report the information to the organization and other stakeholders through the Sustainability Dashboard.

The Dashboard can be seen on page 10 of this report and is available on the City's website at <http://www.corvallisoregon.gov/index.aspx?page=1169>.



State Electronics Challenge



The Sustainability Program worked with Management Information System (MIS) staff to submit an application for the highest level of achievement under the State Electronics Challenge, a nationwide program that recognizes organizations for their life-cycle management of computers. The City was honored with a Gold-level award, their highest, for our leading practices in electronics purchasing, efficiency during use, and disposal through reuse or recycling. In its first year in the Challenge, the City saved enough energy to power 49 households, avoided greenhouse gas emissions equivalent to

removing 85 cars from the road, avoided more than 30 pounds of hazardous waste from being created, and avoided the generation of almost 10,000 pounds of trash.

Looking ahead to 2013

Tracking our Sustainability Goals

Sustainability Program staff will continue to track quarterly the usage of energy and water, promote conservation practices, and document cost savings. Staff will also continue to track the generation of solid waste and progress on the Employer of Choice and Sustainable Purchasing goals. Vehicle fuel use and solid waste generation are focus areas for 2013.

Progress Toward Goals	
Employer of Choice	→
Sustainable Facilities	↑
Sustainable Purchasing	↗
Vehicle Carbon Footprint	↗
Zero Solid Waste	↗

Managing internal sustainability teams

Program staff will continue to facilitate the two organization-wide sustainability teams to improve sustainability communications. Innovation and information spread more effectively when communication flows across departmental lines. The Sustainability Steering Committee, composed of Department Directors, and the City-wide Sustainability Core Team, with representatives from all departments, provide a pathway to communicate with all employees.



Energize CORVALLIS

<http://energizecorvallis.org>

Administering and implementing grants

As part of the EPA's Climate Showcase Communities grant, Program staff is committed to conducting a greenhouse gas inventory of the Corvallis community in 2013. This is in addition to the on-going administration and reporting required until spring of 2014 for the four Energize Corvallis programs.

Enforcing the Single-Use Plastic Carryout Bag Ordinance

The plastic bag ordinance effort will continue into 2013 with Ordinance enforcement beginning on January 1 and July 1, depending on business size. Staff is taking a positive approach to implementation of the ordinance by providing businesses with information and resources to educate their employees and customers to help ease the transition for the community. Complaints of non-compliance in a retail establishment will trigger a site visit to educate the store management and staff. The time commitment necessary for this endeavor is expected to diminish over the year.

Challenges

Sustainability at the City of Corvallis faces significant challenges. Staff has prepared a plan to address each challenge. Many years of engagement and education have engrained a mentality among employees that values sustainability and helps maintain momentum. This core set of values can offset some of the challenges from the decrease in personnel and funding. As the City's sustainability efforts mature, it creates another set of challenges. Each challenge needs to be addressed in a unique way.

Reduction in personnel

The decrease in Program personnel can be counteracted somewhat by using internal sustainability teams to extend the Program's reach. It's important to re-evaluate the internal teams' purposes with an eye toward increasing the number of people talking about, thinking about and advocating for sustainability. Members of the Sustainability Steering Committee and City-wide Core Team will be relied upon to communicate with their departments and work groups. More regular, structured sustainability education and engagement efforts will be used to maintain visibility.

Elimination of the sustainability fund

The \$15,000 fund may not seem like a significant loss, but since 2008 this source has provided the extra push needed to shift a project toward sustainability. One way to address this is to use our internal sustainability teams as experts who can provide life-cycle evaluation of project ideas that may financially justify more sustainable materials or methods.

Maturity of sustainability efforts

Sustainability has been a part of the City of Corvallis decision-making process for at least two decades. Over that time, City staff has done as much as feasible to make our facilities efficient. Since the 1990s, City facilities have experienced great technological leaps in lighting, heating and cooling, building envelopes, water efficiency, on-site energy generation, water treatment and many other areas.

Fortunately, City staff have been creative and resourceful at using outside resources to fund efficiency projects in the past. As a result, our energy and water usage have been declining steadily for several years. However, opportunities to improve the efficiency of City facilities are becoming more limited. Funding from outside sources, which have often tipped the financial scale in favor of a project, have been greatly reduced.

The City finds itself in a situation where it is difficult to continue finding energy-saving projects with a big impact and a funding source. The steady declines in our energy and water use over the past several years have started to level off.

Without steady improvements to our infrastructure that help our efficiency, how will we continue to improve? Staff will continue to vigorously pursue opportunities to adopt improved technology. In addition, we will work to improve communication within the organization to share ideas and encourage innovation and efficiency across departments and divisions. And although the impact of contractor work is not measured by our indicators, staff will continue to seek ways to encourage contractors to reduce resources used in the projects they do for the City.

Cost savings

Sustainability continues to have a positive financial impact on the budget and in the community. Through both increased revenues and reduced costs, the Sustainability Program brings money into the community and the organization.

- The EPA's Climate Showcase Community grant for Energize Corvallis brought over \$150,000 to the community and the City organization in 2012. Grant dollars support 4.5 FTEs in the community and a portion of the Sustainability Program Specialist position at the City.
- Examples are common of cost-saving projects or processes that also reduce resource use or toxicity. One successful project was at the Wastewater Recovery Plant (WWRP). Grant funds (EECBG) were used to cover the cost to upgrade sixty-six inefficient outdoor lights, saving about \$2,400 annually. Many more examples are highlighted throughout in this report.



New lighting at the Wastewater Recovery Plant will use approximately 30,000 fewer kWh of electricity each year.

Goals, Objectives, and Targets

Long-term sustainability Goals were developed in 2008 as a way to define and measure progress.

<i>Long-term sustainability goals</i>				
Sustainable Facilities	Sustainable Purchasing	Employer of Choice	Vehicle Carbon Footprint	Zero Solid Waste

By their titles, these goals reflect the sustainable endpoints the organization seeks to achieve. In 2010, staff worked to define how to monitor and measure progress relative to these five goals by setting objectives and targets for each.

Objectives are the over-riding considerations the City takes into account to meet long-term goals.

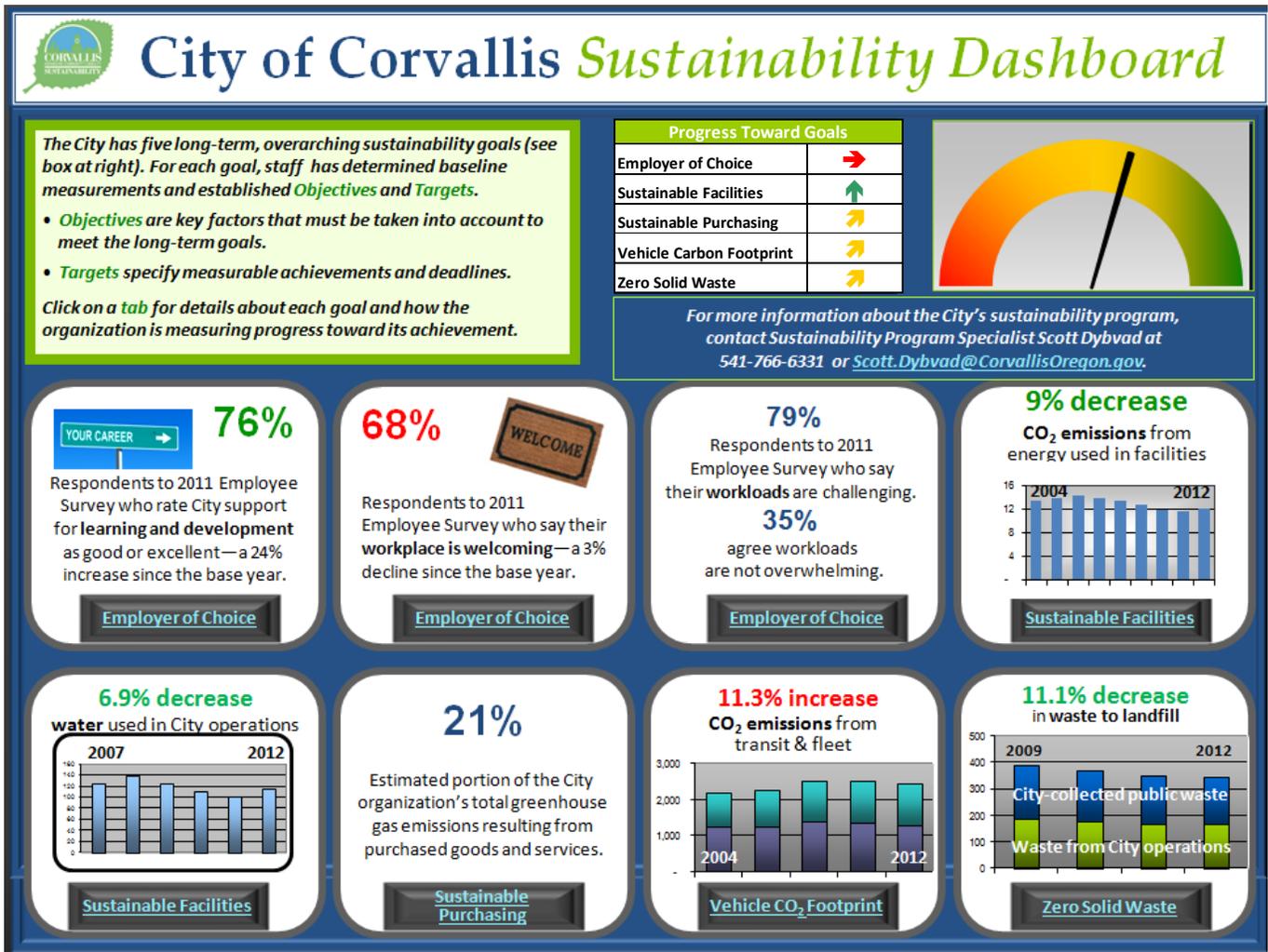
Targets are the performance measures we aim for to ensure we're on the path to achieve our objectives.

For example, the Sustainable Facilities goal has two objectives, each with two future targets:

<i>Goal</i> Sustainable Facilities			
<i>Objective 1</i> Reduce emissions from energy used in City operations		<i>Objective 2</i> Reduce water use in City operations	
<i>Target</i> 2015: 5% below 2004 emissions	<i>Target</i> 2020: 15% below 2004 emissions	<i>Target</i> 2015: 15% below 2007 use	<i>Target</i> 2020: 30% below 2007 use

Sustainability Dashboard

The Sustainability Dashboard was designed to provide quick analysis of our sustainability progress. The more carefully we track, measure and monitor our sustainability progress, the better we will manage our resources. The Dashboard provides information about all of our sustainability goals and is updated quarterly. Below is the Dashboard as of the end of 2012.



Sustainable City Report Card

This Report Card shows progress on objectives related to the 2012 Sustainability Work Plan. These objectives are specific actions or activities that advance progress on our sustainability goals. During 2012, the organization made limited progress on these objectives, primarily due to declining resources across all City departments. Of the eleven objectives, six showed progress.

Meets/exceeds goal  Some progress toward goal  No progress toward goal 

2012 Objective	Status	Comment
Goal: Employer of Choice		
Create a calendar in SharePoint for in-house training and continuing education opportunities		Insufficient resources available to pursue this objective.
Complete pilot project in Fire Department to improve performance management practices by making the employee evaluation process more understandable and relevant to positions and job duties.		Insufficient resources available to pursue this objective.
Goal: Sustainable Facilities		
Using research available from LEED-EB investigation, begin developing "operating manuals" for City buildings.		Revised to focus on Library and City Hall energy projects in 2013.
Approve and implement green cleaning policy.		Policy completed and approved. Trainings for personnel in 2013.
Investigate the utility of using Sustainable Sites Initiative performance benchmarks to evaluate City parks, using Sunset Park as the pilot.		Insufficient resources available to pursue this objective.
Complete audits of irrigation systems under City control.		Staffing was insufficient to make progress on this project in 2012, but is a priority in 2013.
Goal: Sustainable Purchasing		
Provide green purchasing training to procurement staff and supervisors.		External sustainability consultants provided customized training for over two dozen Corvallis personnel.
Update municipal greenhouse gas inventory, including embodied emissions from supply chain.		Scheduled for Spring 2013.
Goal: Vehicle Carbon Footprint		
Separate Equipment Management System administrative policy into two policies – one focused on garage operations and another that addresses the sustainability aspects of our vehicle fleet, including replacement schedules and the type of vehicles and fuel purchased.		Drafts of the two administrative policies are under review. Expect to adopt both policies in early 2013.
Goal: Zero Solid Waste		
Complete department-specific waste management plans.		Determined Solid Waste Policy is sufficient to guide all departments.
Develop plan to improve recycling in public areas of City buildings.		Evaluated effectiveness of existing public recycling and composting locations for future expansion.

Progress Toward Organizational Goals

The City organization has adopted five core sustainability goals. As described above, specific measures have been established for each goal that will gauge our progress. Each goal is described in detail in the next few pages. The table below summarizes that progress.

2012 Progress				
Goal	Indicator	Improving	Declining	Inconclusive
Employer of Choice	Employee survey respondents who say their workplace is welcoming to them		3% decrease since base year	
	Employee survey rating of career development opportunity	24% increase since base year 2010		
	Employee survey respondents who say their workload is manageable			Changes to survey wording prevent year to year comparison
Sustainable Facilities	Reduction in greenhouse gas emissions from energy used in City operations	9.1% reduction since base year 2004		
	Reduction in water used in City operations	6.9% reduction since base year 2007		
Sustainable Purchasing	Reduction in impacts from purchases (i.e., emissions, waste, toxicity)			Sufficient metrics not in place
Vehicle Carbon Footprint	Reduction in greenhouse gas emissions from City vehicles (fleet, transit)		11.3% increase since base year 2004	
Zero Solid Waste	Reduction in waste to landfill from City operations	11% reduction since base year 2009		

Employer of Choice

An Employer of Choice is one whose practices, policies, benefits and overall work conditions enable it to successfully attract and retain talent. Employee Development, Diversity, and Workload are the related social sustainability issues the organization is focusing on.

To assess progress, the Sustainability Program tracks responses in the annual employee survey. In 2010, targets were set for 2012 to allow adequate time for progress. However, funding reductions have reduced staff's capacity to conduct the employee survey annually; therefore no employee survey was completed in 2012. The most recent survey results are from 2011.

Enhance Employee Development

Goal progress: The City significantly exceeded its 2012 target of 57% of respondents to the Employee Survey who rate the City's support for lifelong learning and development as good or excellent.

- Baseline 2009/10: 52.3% agree
- 2011 survey results: 76.3% agree
- Increase of 24% above base year (although the survey language change from "good" to "somewhat of a good job" may account for part of the increase)

Increase and Accept Diversity

Goal Progress: The City slightly reversed progress toward its 2012 target of 75% of respondents to the Employee Survey saying their workplace is welcoming for them.

- Baseline: 2009/10: 71.1% agree
- 2011: 68.1% agree
- Decrease of 3% below base year

Manage Workload

Goal Progress: The City appears to be making progress toward its 2012 target of 55% of respondents to Employee Survey saying they "have a workload that is challenging but not overwhelming." However, a direct comparison cannot be made because of changes to the wording of the survey.

- Baseline: 2009/10: 51% agree
- 2011: 79.1% agree that their workload is challenging; 34.6% agree that their workload is not overwhelming

Next steps for Employer of Choice Goal:

- Develop and implement a new employee orientation program.
- Develop and implement a supervisor training program.
- Update the City's sustainability web page and include achievements from all departments.
- Improve employee participation in green office practices through increased education and awareness-raising.

Employer of Choice

Spotlight story: For the holiday gift drive, employees city-wide bought and wrapped gifts for 90 Benton County foster kids, ranging in age from 10 months to 20 years old.



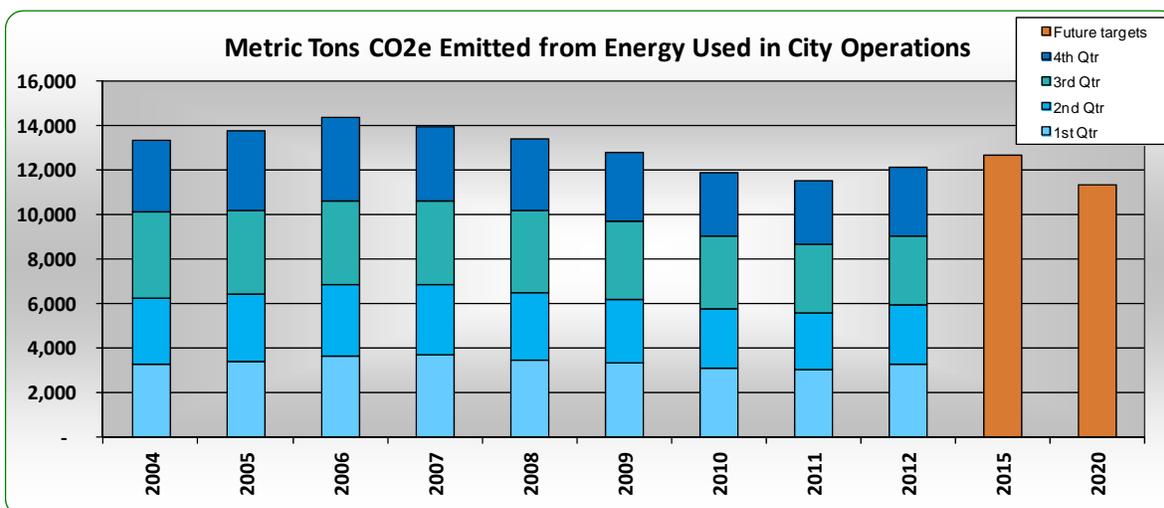
Sustainable Facilities

Sustainable facilities are those built, maintained, and operated in a manner that reduces the consumption of energy, water, and materials, and harm to human health and the environment. They include unoccupied buildings and facilities such as parks and water and wastewater pumping stations.

Energy

Goal Progress: The City is still well on its way to the 2015 target to reduce greenhouse gas emissions from energy used in municipal operations to 5% below the baseline year. However, emissions were up 5.5% from 2011.

- 2004 baseline: 13,307 metric tons carbon dioxide equivalent (MT CO₂e)
- 2012: 11,471 MT CO₂e
- Reduction of 9.1% below base year



In 2012, the organization increased electricity consumption by 742,000 kWh and used about 6,200 more therms of natural gas than in 2011. Over 90% of the increase in electricity use can be attributed to producing drinking water and treating waste/storm water. One billion gallons more waste/storm water was treated due to a very wet winter and severe storm event in January. Osborn Aquatic Center also saw a large increase in electricity used and accounted for most of the increase in natural gas.

These projects focused on reducing the impact of our facilities and equipment:

- The Library chiller replacement was completed in May. Since then, the Library's electricity use has dropped by 51% compared to the same time period last year.
- All green and red traffic signals in the City are LED now as are most of the pedestrian signals and yellow lights in traffic signals.
- The City received 45 LED traffic signal lights in new condition from the Portland Bureau of Transportation because that style is no longer used in Portland. The City paid \$38 for the lights with an estimated value of \$3,500.

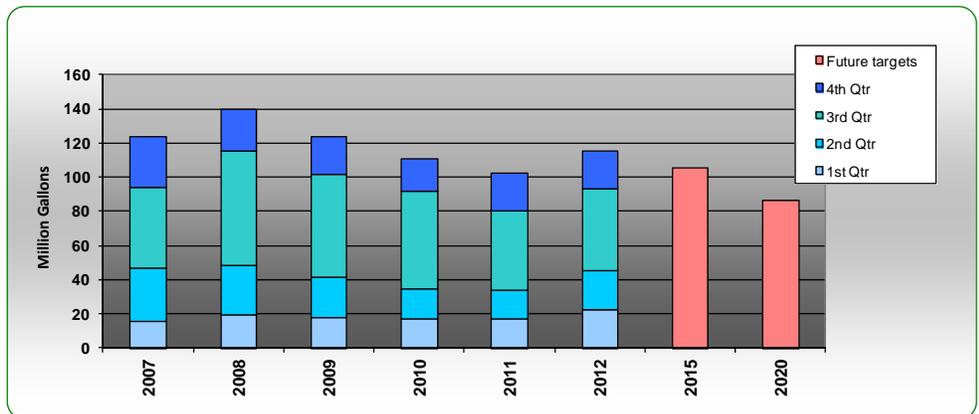
- Motion sensor light switches have been installed in many areas of the Library. Also, the hanging light fixtures in the Belluschi wing were outfitted with energy saving compact fluorescent light bulbs (CFLs). These single bulbs replace a combination of one 300-watt bulb and four 13-watt CFLs in each fixture and are rated to last 10,000 hours, compared to the 2,800 hours for the old bulbs.
- The Library roof replacement used asphalt shingles that will reduce maintenance costs and improve fire protection.
- The lighting in Central Park was upgraded to improve energy-efficiency.
- Community Development is continuing to implement steps to reduce paper use including restructuring staff reports, the expanded use of electronic plan review, and shifting the Request for Proposals (RFP) processes to be more electronically based. Many of these steps also reduce the number of vehicle trips to City Hall.

Water

Goal Progress: After years of decline in water use, City usage ticked upward in 2012 but is still on track to meet the 2015 target to reduce water used in municipal operations to 15% below the baseline year.

- 2007 baseline: 123,824,684 gallons
- 2012: 115,239,876 gallons
- **Reduction of 6.9% below base year**

In 2012, the City's water use increased by about 13 million gallons. Staff identified and addressed many areas of increased usage, including leaks in the Library fountain and an increase in flushing related to water quality. Parks and Recreation installed a water meter at the Aquatic Center that will improve tracking water usage at the facility.



Next steps for Sustainable Facilities Goal:

- Develop an Energy Conservation Upgrade Project List for City buildings starting with the Library and City Hall.
- Determine the efficiency and effectiveness of irrigation systems under City control.

Sustainable Facilities

Spotlight story The City of Corvallis Parks and Recreation Department is using a more sustainable product to control for powdery mildew, rust and black spot in the Rose Garden at Avery Park. Parks and Recreation is using a product from a local company that works to improve soil microbiology, leading to stronger healthier plants that are better able to fight disease and pests with no fertilizers and no pesticides and less water. The result has been stronger, more fragrant plants and more beneficial insect activity in the garden. This replaces a synthetic fungicide and the twice-a-year fertilizer applications, leading to a reduction of about 1,000 pounds of fertilizer per year.



Sustainable Purchasing

Sustainable purchasing considers the triple bottom line (environmental, economic, and social impact) in purchasing decisions. Useful tools include: life-cycle costing to determine lowest economic cost; specifications that include environmentally preferable characteristics; and third-party certifications (e.g., ENERGY STAR) to identify sustainable products.

Goal Progress: The City does not track all of its purchases in a manner sufficient to determine whether negative impacts (e.g., greenhouse gas emissions, waste, toxicity) are being reduced from one year to the next.

Staff has struggled to find ways to effectively measure progress on the Sustainable Purchasing Goal. The most recent organizational greenhouse gas inventory, completed for calendar year 2008, provides our current best estimate of emissions from purchases. Using purchasing records and the Economic Input-Output Life-Cycle Analysis (EIO-LCA), a public-domain tool developed by Carnegie-Mellon University, it was conservatively estimated that 4,144 MT CO₂e were generated from organizational purchases – an impact second only to electricity.

Sustainable Purchasing

Spotlight story MIS began purchasing computers in bulk in 2012. The process begins with City staff working with MIS staff to determine what to buy, placing the computer order, and scheduling the deployment one computer at a time. The change has resulted in employees spending less time ordering computers, reduced the number of trips by vendors making deliveries, and the computer vendor unboxes and takes back the shipping materials.



Computer equipment awaits disposal through reuse or recycling, depending on age and effectiveness.

City staff plan, to conduct another organizational greenhouse gas inventory for calendar year 2012 for comparison and to identify areas for attention. Some successes in 2012 around purchasing include:

- Consultants presented a Sustainable Purchasing training for supervisors and purchasing staff.
- A green cleaning policy was implemented for cleaning products used on City facilities.
- The Senior Center and Police Department now purchase 100% recycled paper for all copiers.
- The Police Department purchased LED lights for vehicles and weapons to reduce battery use and improve safety.
- Most locations at the City now purchase recycled toner from local Corvallis vendors.
- The Library repurposed shelving from the OSU Bookstore and the Oregon City Public Library. Some of the shelving is already in use at the Corvallis Benton County Library and the rest will be used in the new Monroe library when it opens.

Next steps for Sustainable Purchasing Goal:

- Update the City organization's greenhouse gas inventory, including supply chain emissions.

Vehicle Carbon Footprint

Vehicle carbon footprint is measured in the organization's greenhouse gas inventory. The City aims to decrease its use of fossil fuels by using more energy-efficient, alternative-fuel, and hybrid vehicles and by changing driving behaviors.

Sustainability Program staff track vehicle fuel use monthly through reports generated from use of the City's fueling pumps located at Public Works. Software upgrades now allow tracking fuel use by vehicle, which will provide better data to improve efficiency.

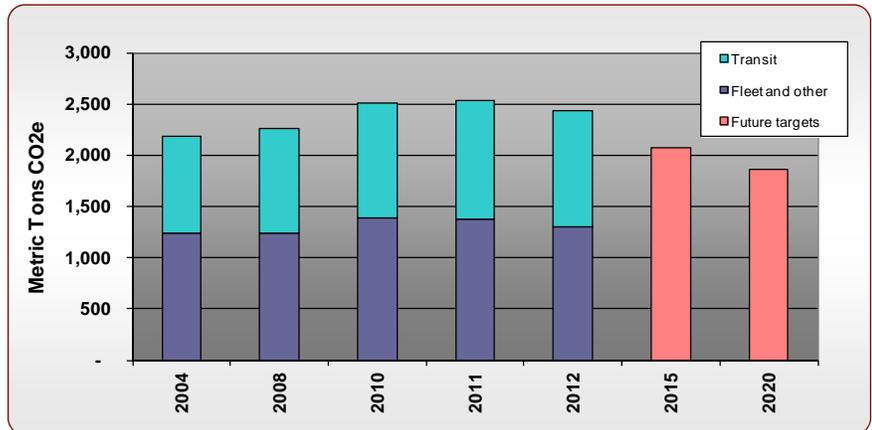
Goal Progress: The City began moving in the right direction to meet its future targets to reduce greenhouse gas emissions from City vehicles (fleet, transit).

- 2004 baseline: 2,187 MT CO₂e (baseline total increased from 1,801 MT CO₂e to account for upstream impacts)
- 2012: 2,434 MT CO₂e
- **Increase of 11.3% above base year**

In 2012, the City organization decreased gasoline, diesel, and biodiesel fuel use by nearly 4% as compared with 2011. Consumption was down from the previous year for both transit (1,582 gallons) and fleet (6,411 gallons). The organization will continue to pursue practices and technologies that help reduce emissions and save money.

Below are examples of positive steps related to fuel savings in 2012:

- The Fire Department implemented a change in their response system that reduces the number of apparatus that respond to fire alarms. This leads to fuel savings, a reduced impact on apparatus, and decreases interruptions to work groups without impacting service delivery.
- Librarians attended two on-line "virtual" conferences. These types of web conferences are becoming more popular and are a sustainable and cost-effective way to offer training for staff.
- Twenty-one new employees participated in "Get There Another Way Week," when employees are encouraged to leave their single occupancy vehicle at home and get to work by taking the bus, walking, bicycling, or car- or van-pooling. In total, City employees commuted 818 miles in ways other than a single-occupancy vehicle, saving 27 gallons of gas and 543 lbs of CO₂e.



Spotlight story: The Fire Department is now using web conferencing software for about a third of their scheduled training. The department is also working on expanding the use of this software for some specialty trainings as it provides the ability to record presentations for later viewing by team members. This tool allows personnel to remain in their station for certain drills or meetings, which reduces fuel consumption and miles put on apparatus.

Next steps for Vehicle Carbon Footprint Goal:

- Separate Equipment Management System administrative policy into two policies – one focused on garage operations and another that addresses the sustainability aspects of our vehicle fleet, including replacement schedules and the types of vehicles and fuel purchased.
- Establish strategies to reduce vehicle fuel use.

Zero Solid Waste

Zero solid waste encourages staff to use resources in a manner that reduces waste to the landfill to zero. It promotes reuse, recycling, and waste prevention from reduced consumption and considers the entire life cycle of a product. Staff conducts waste audits and measures success by the diversion of waste from the landfill, an increase in materials recycled or reused, and financial savings from smaller garbage bins.

Reduce waste to landfill from City operations

Goal Progress: The City is making progress on its target to reduce this waste stream to 25% below the baseline year.

- 2009 baseline: Waste to landfill roughly 388 tons, of which 186 tons (48%) is from City operations
- 2012: Roughly 165 tons of waste from City operations sent to the landfill.
- Reduction of 11% below base year

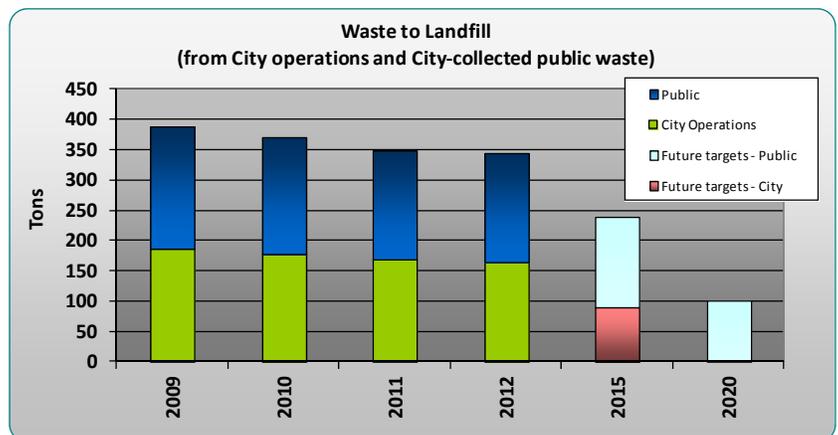
Reduce waste to landfill from public collections

Goal Progress: The City met its target to reduce waste to the landfill from public collections to 25% below the baseline year.

- 2009 baseline: Waste to landfill roughly 388 tons, of which 202 tons (52%) is collected from public locations
- 2012: Roughly 179 tons of waste from public collections sent to the landfill.
- Reduction of 11% below base year

Overall, in 2012 the amount of solid waste sent to the landfill was down 5 tons. Staff will continue to look for opportunities to increase the amount of recyclable material collected, especially from public areas. Several projects have been successful in reducing waste generated, both within the organization and in the community:

- At the Osborn Aquatic Center and the Chintimini Senior Center, staff rolled out paper towel composting to more public areas.
- The Senior Center also expanded their recycling for employees and visitors to include hard plastic, plastic film, and small electronics.
- The City continued to purchase more dumpsters for cost savings. This year the rented dumpster at the Aquatic Center was replaced with a payback period of only 2.5 years.
- City Police and Public Works departments partnered with the Drug Enforcement Agency to offer drug take-back events for the Corvallis community. Over 1,100 pounds of unwanted medications were collected at two events during the year. Removing these products from the waste stream protects our drinking water supply and the aquatic organisms that live in our streams and rivers.



Next steps for Zero Solid Waste Goal:

- Conduct gap analyses of waste reduction opportunities at each facility.
- Improve recycling in public areas of the Library and Osborn Aquatic Center.

Community Capacity Building

As directed by the City Council Organizational Sustainability Policy, this section focuses on progress achieved by the City's internal sustainability program and objectives for the next reporting period. However, City staff efforts have a significant impact in the community as well. Below are a few examples of staff contributing to community sustainability.

- City of Corvallis employees participated in the annual Benton County United Way / Earth Share campaign. In a two-week period, employees donated \$12,213 to local non-profit agencies and \$1,667 to Earth Share.
- The City Manager's Office has been on the front line in the effort to help the City Council achieve one of their Council goals, a sustainable financial budget. The 2012-13 adopted City budget represents the first step in a multi-year process to create a more sustainable financial future.
- The Library added to its website resources public access to the GREENR database, a source for environmental news, commentary and case studies for students and professionals.
- Public Works Transportation Division staff partnered with Corvallis Police Department (CPD) in an event called "Light it up." A CPD Bike Officer, Division staff, and volunteers worked with bicycle owners to put 130 lights on unlit bicycles at a busy intersection near the OSU campus.
- The City of Corvallis High Efficiency Toilet retrofit incentive program distributed 163 rebates during Fiscal Year 2011-12. Over the life of the fixtures, staff estimates that these efficient toilets will save between 26.6-59.0 million gallons of water and \$160,000-\$456,000 in water charges.
- Public Works staff identified and repaired more than 500 sidewalk defects over the last two years using funds from the Sustainability Initiative Sidewalk Maintenance Fee.
- The Corvallis Transit System expanded service in late September 2012, with more frequent runs on the most heavily used routes. Since buses went fareless in February 2011, ridership has increased by 53% to over 1.1 million rides in 2012.
- Community Development led the process to amend the Land Development Code, including provisions that encourage growing food crops in City limits and focus on encouraging infill development.
- Community Development provided 12 Saving Energy Loan Fund (SELF) loans to improve the energy efficiency of owner-occupied homes for a total of \$109,000.
- Community Development expanded on-line options to include plumbing and solar permits.
- The City partnered with the OSU Survey Research Center to create a locally produced survey, tally the results and provide analysis that will be used by policy makers in achieving a financially sustainable City budget.
- Public Works Transportation and Utilities Divisions partnered to apply to the Environmental Protection Agency (EPA) to fund a "Green Streets" initiative to improve both water quality from street runoff and alternative transportation options.

Efficiency

Staff works diligently to improve efficiency in City operations. The following items are examples that don't readily fit into one of the five sustainability goal areas.

1. The Finance Department implemented a purchasing card program with an emphasis on reducing the cost per transaction for City purchases. In 2012, this action led to 4,603 fewer checks processed and mailed, saving thousands of dollars in labor and material.
2. By the end of 2012, Public Works Utilities staff installed automated water meters on about 2,300 of the 17,000 water meters in the City. These automated meters offer real time data, leak detection and require no vehicle travel to be read. Once installed more broadly across the City, this technology is expected to reduce labor costs.
3. The Finance Department refunded loans in the Water and Wastewater funds for a net present value savings to the community of \$1.6M. This will also reduce loan rates on any future borrowed money.

Conclusion

The City organization serves as a model for local governments throughout the country that are working on sustainability issues. The accomplishments and challenges highlighted in this report underscore the considerable efforts that City staff are making to incorporate sustainable practices into organizational operations. These efforts are reducing energy consumption, saving operational costs, reducing waste, conserving resources, protecting natural features, and strengthening relationships within our own community and with other organizations that value sustainability.

If you have questions or comments about the City's Sustainability Program, please contact the Sustainability Program Specialist at (541) 766-6331 or visit <http://www.corvallisoregon.gov/sustainability>.

Energy Efficiency and Conservation Block Grant (EECBG) Update

By the end of 2012, the City had completed projects for all of its \$511,600 EECBG allocation.

Majestic Theatre Lighting Upgrade – The City upgraded incandescent and fluorescent lights to more energy-efficient fixtures. The project was completed in June 2010, saving 33,000 kWh per year.

Revised Project budget = \$14,755; project cost = \$14,755

Energy Efficiency Volunteer Coordinator – Through a subgrant to the Corvallis Environmental Center (CEC), a Volunteer Coordinator was hired in January 2010 to train volunteers to educate residents on energy-reduction techniques and financial incentives. Completed in January 2011, the project trained 82 volunteers, contacted 1,080 residents, and assisted 58 households to complete 183 energy conservation measures.

Project budget = \$50,000; expenditures = \$49,993

Corvallis Weatherization Incentive Program (CWIP) – Through a subgrant to the CEC, the program offered incentives of up to \$500 to households for weatherization projects. As of the project's completion in December 2011, 115 incentives had been disbursed for a total of \$50,083. The estimated annual energy savings from these projects are 23,413 kilowatt hours and 15,627 therms.

Project budget = \$79,600; expenditures = \$79,566

Saving Energy Loan Fund (SELF) – As of the end of 2012, the Housing Division had issued 12 loans, totaling \$114,965 for energy conservation projects.

Senior Center Geothermal Heating – This project was cancelled after a design review revealed that there was inadequate budget to complete the project as proposed.

Revised project budget = \$2,078; expenditures = \$2,078

Corvallis Library Chiller Replacement – An obsolete air conditioning chiller was replaced with a more efficient unit. Revised Project budget = \$146,476; expenditures = \$146,476

Fire Station #1 HVAC Commissioning – This project involved the installation of new sensors, control hardware and software, and system tuning to achieve a more comfortable building while using less energy. Project budget = \$27,000; expenditures = \$26,832

Wastewater Plant Lighting Upgrades – Sixty-six outdoor lights at the Wastewater Plant were upgraded because they were inefficient, saving a projected 30,000 kWh annually.

Project budget = \$31,423 expenditures = \$29,956

Street Lighting Upgrades – Forty-six City-owned street light fixtures on Research Way and Technology Loop were upgraded to fixtures using less than half as much energy and a bulb that lasts five times longer. Annually this upgrade will save 20,000 kWh.

Revised Project budget = \$16,200; expenditures = \$16,018



City Manager Monthly May 2013

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“Status Quo Ante” – A message from City Manager Jim Patterson

“The state of affairs that existed previously,” that is what the Latin term status quo ante literally means. Not only are the state of affairs that existed previously not working to achieve a financially sustainable budget, the status quo, keeping things the way they are presently don't get us where we need to be either. Last month I presented the proposed FY 13-14 City of Corvallis budget message to the Budget Commission and in it, I made reference to difficult conversations that our community will need to have right away to have any chance of achieving a truly long term and financially sustainable budget.

Here is the reality we face in Corvallis today that makes having those difficult conversations all the more important:

- Slow growth in property tax revenue combined with the higher rate of growth in costs such as wages, insurance, power, and fuel will continue to cause challenges to the City's long term financial sustainability.
- The 2011 Levy 02-74 expires June 30, 2014. With the expiration of the levy, this means that without renewal, the sustainable “green line” in the budget is once again projected to be negative for FY 14-15.
- Operating costs continue to increase even without built in cost of living adjustments or benefit increases for the majority of employees.
- Debt is projected to increase in FY 15-16 based on an FY 14-15 borrowing to build a Fire Training Drill Tower.
- Set-asides to grow the reserves to target levels set by the City Council continue through FY 15-16 and once we achieve the goal, unfunded liabilities need to be addressed.
- PERS rates are projected at the current rate through the end of FY 14-15; rates are projected to increase another 6% of payroll beginning July 1, 2015. Legislative action could change future rates and continue the uncertainty for City budgets.
- Moody's has continued to leave the City on negative outlook; confirmed in 2012. Continuing the reserve policy adopted by the City Council and exercising fiscal discipline is essential to a better Moody's rating in the coming years.
- Political will and additional action will be required to achieve and maintain stable operations of our City.

The Budget Commission and the City Council are continuing their commitment to a financially sustainable budget; however, as several Commissioners pointed out we may not be doing enough to get there anytime soon. It is very clear that over the last two years community members, partners, City staff, elected officials, and stakeholders have identified areas in our revenue and expense equation that we can agree needs fixing but the outcome of any changes to fix it may be overly risky so we do not act. Our City is in a transitional period where we recognize eventually

change needs to occur and that openness to the potential that better solutions are emerging and need to be considered. As a community, we can't simply decide against the status quo; action must be taken if it is to change. To that end, the City Council will hold a public hearing on June 3 at 7:30 pm to consider adoption of the budget. The meeting is at the Downtown Fire Station, and I encourage you to participate.

Special thanks to the citizen members of the Budget Commission, the City Council, and Chair Curtis Wright for their commitment and dedication to the process and for the thoughtful and measured approach they again exercised during their deliberation on the budget.

With summer rapidly approaching, remember to support our local community events. These events are vital to our local economy and contribute significantly to our quality of life in Corvallis.

Enjoy your summer!



CITY MANAGER'S REPORT

MAY 16, 2013

2013-04

REPORTING PERIOD: APRIL 2013

I. ORGANIZATIONAL HIGHLIGHTS

- The City Council began the process to recruit and interview candidates for the Municipal Judge position being vacated by Judge Donahue's impending retirement.
- The City approved replacing the long-controversial traffic circle at NW Tenth Street/NW Highland Drive and NW Grant Avenue with a four-way stop as part of this summer's re-construction of NW Tenth Street.

II. MAYOR'S DIARY

I have engaged in the following activities, in addition to meeting and corresponding with constituents and presiding at the twice-monthly City Council meetings and meetings with Council leadership:

Speaking engagements

- Chi Omega sorority Founders Day luncheon
- Oregon State University (OSU) Holocaust Week lecture
- Zonta district conference
- Volunteer recognition event, Corvallis-Benton County Public Library

Special meetings

- Attended Benton County-hosted Legislative Breakfast with local state legislators
- Met with Eugene Mayor Kitty Piercy, University of Oregon and OSU research leaders, and Regional Solutions and Oregon Solutions staff to discuss planning framework for Regional Accelerator and Innovation Network (RAIN) project
- Attended Cascades West Council of Governments Finance and Executive Committee meetings
- Chaired oversight committee meeting of Benton County's Ten-Year-Plan to End Homelessness

- Participated in conference call to help plan League of Oregon Cities' annual conference
- Met with Benton County Commissioner Jay Dixon to discuss topics of mutual interest
- Attended Corvallis City Club meeting concerning arts and culture in Corvallis
- Attended multi-jurisdictional meeting to discuss developing consistent tobacco-related ordinances in Benton County
- Attended Kiwanis' Pancake Breakfast
- Participated in ribbon cutting at Sports Authority store
- Attended orientation meeting for delegation visiting Uzhhorod, Ukraine, in September
- Met with Corvallis Advocate reporter to discuss issues related to homelessness
- Attended stakeholder meeting concerning high-speed passenger rail service
- Met with chair of da Vinci Days Board of Directors

Proclamations

- Days of Remembrance
- National Service Recognition Day
- Fair Housing Month
- Arbor Month
- National Library Week
- National Volunteer Week

Appointments

- Citizens Advisory Commission on Transit
- Watershed Management Advisory Commission

III. FINANCE

A. Department Highlights

- Financial planning staff fulfilled American Federation of State, County, and Municipal Employees (AFSCME) and management data requests related to labor negotiations.
- Financial planning staff met with OSU Federal Credit Union (FCU) staff following their certification by the state as a public funds depository. The Investment Council approved adding OSUFCU to the City's list of approved financial institutions for investments. Staff proceeded to solidify the relationship through a \$1 million, three-year Certificate of Deposit purchase at a competitive market yield of 1 percent.
- Utility Billing staff continued researching automated remittance processing and completed two vendor demonstrations.

- The accounting workgroup started the Interim audit process with the assistance of an independent auditor.
- MIS staff reviewed a social media archiving solution to replace an existing model.
- MIS staff made significant progress on the SharePoint 2007 to 2013 upgrade that will be completed in May 2013.
- The MIS Manager attended a project kick-off meeting regarding e-citations, including parking tickets and e-crash forms in patrol vehicles for the Police Department.
- MIS staff installed MobileTrak in a test environment that is expected to provide the Fire Department with accurate incident response time reporting capabilities.

IV. FIRE

A. Department Highlights

Operational

Response Activity - April 2013	City	Non-City	Total
Fires	5	5	10
Overpressure/Rupture	0	1	1
Requests for Ambulance	267	68	335
Rescue (Quick Response Team)	98	17	115
Hazardous Condition	12	6	18
Service Requests	42	4	46
Good Intent	37	12	49
False Calls	34	3	37
Other	0	2	2
TOTAL RESPONSES OVERALL	495	118	613

- The Department is initiating a promotional process to fill the Battalion Chief vacancy created by Charles Carver's retirement.
- The process to fill the Fire Prevention Officer vacancy (due to Carla Pusateri's retirement) is underway; the application period will close May 10.
- Division Chief Baily continued working toward implementation of MobileTrak.
- Installed additional solar panels on the roof of Fire Station 1.
- All Operations personnel completed the emergency medical technician re-certification process.

V. LIBRARY

A. Department Highlights

- During April, 51,713 patrons visited the Corvallis Library – an average of 1,989 per open day. Another 84,358 users accessed Library services from their computers. System-wide, 138,657 items were checked out, including 25,851 items on hold that were picked up.
- System-wide, 130 programs were held during April, with 3,466 attendees of all ages.
- The Food for Fines program brought in 2,130 pounds of food from patrons in all Library locations. The food will benefit Linn Benton Food Share.
- At the April 15 City Council meeting, the Mayor read a proclamation declaring National Library Week. At the same meeting, Foundation President Rosie Schimerlik announced that the Complete the Block fund-raising goal had been reached.
- The Library hosted a reception for World Book Night givers in which 16 people picked up their books to hand out for World Book Night 2013. World Book Night is a special nation-wide event in which people can apply to be "book givers," and institutions and businesses can apply to be book pick-up locations for the givers. This is the second year the Corvallis Public Library has been a pick-up location for World Book Night.
- The Philomath Community Library received new art pieces from artist Dana Furgerson. The art pieces will hang in the main lobby and were paid for by the Friends fo the Library. Thank you Friends!
- The Philomath Library storytime schedule will change in May. We are saying good-bye to Starlight Storytime and launching a new bi-monthly Baby Storytime.
- Alsea Community Library Specialist Nancy Cooke attended the "Alsea Community Food Conversation" sponsored by Ten Rivers Food Web, the Oregon Food Bank, and Strengthening Rural Families. The Library may receive food preservation supplies to loan, as well as develop a list of local resources.
- Monroe Community Library Specialist Lori Pelkey met with Vince McGovern, who is the 88-year old son of the long-time Monroe train depot station master, Phil McGovern. Mr. McGovern donated a 100-year old Christmas cactus that was owned by his father and kept at the depot during his father's years as the station master.
- Plans are being made for Monroe School District classrooms, including all of the high school classes, to tour the new library.
- Youth Services staff conducted more than one dozen special tour/storytimes for schools and childcare centers during April.

- A grant application was completed to the Benton County Foundation to equip a Makerspace station for the Library.
- Several staff members attended the joint Oregon Library Association and Washington Library Association Conference in Vancouver, Washington. A few other staff members attended the Lead the Change Conference held at the Multnomah County Library.

B. Other

- An AARP Tax Help user at the Philomath Community Library donated \$200 to the Friends of the Library. The patron wanted to say 'thank you' for the service and the Library being a great community space.

VI. PARKS AND RECREATION

A. Department Highlights

Administration/Planning

- Submitted grant application for Arnold Park Improvements.
- Awarded contracts for Rotary Picnic Shelter at Willamette Park.
- Began construction on Coronado Park.

Aquatic Center

- The second annual Fishing Derby brought in more than 425 spectators and participants.
- Swimming lesson and Water Safety participation was over 1,000 youth.
- More than 1,725 people participated in adult and senior fitness and therapy classes.

Parks and Natural Areas

- Refurbished the exercise stations at Pioneer Park.
- Supported volunteer events maintaining landscapes Downtown, at Riverfront Commemorative Park, Avery Park, Sunset Park wetlands, and Crystal Lake Sports Fields.
- Continued spring park maintenance and turf mowing and began rough mowing of tall grasses that have thrived with the warm spring.
- Started the process of implementing the newly adopted Heritage Tree Program.

Recreation

- Applied for four grants from the Benton County Foundation: Youth Parks Corps, Youth Volunteer Corps, Inclusive Swimming Lessons, and Summer Camp Lunch program.

- Hosted the Procession of Species event with sponsorships from Corvallis Environmental Center, Ashbrook Independent School, and the Oddfellows.
- Participated in the Benton County Teen Summit, a youth outreach event addressing a wide range of youth issues.

Senior Center

- 249 citizens dropped in to the Senior Center for bridge classes.
- More than 300 seniors worked on their fitness in programs. The most popular programs included yoga, better bones and balance, Nia, and tai chi. We also offered hikes, walking groups, line dance, cowboy couples dance class, dance exercise, aerobics, strength and endurance, and awareness through movement.
- The AARP tax aide program wrapped up April 15. During the tax season (February 1 through April 15), 371 taxes were prepared by 17 volunteers at the Senior Center. Volunteers worked a total of 1,035 hours.

VII. POLICE

A. Department Highlights

Officers investigated 2,412 incidents this month. Following are the highlights:

- Street Crimes detectives learned of a Corvallis man who was offering to sell MDMA (Ecstasy). Using a confidential informant, the officers arranged two controlled buys to purchase MDMA. A third controlled buy was arranged, with detectives contacting the suspect and his supplier from Salem. The two 19-year-old men were charged with possession and distribution of MDMA.
- Officers responded to a call that a 23-year-old OSU student died after huffing Dust-Off in his bedroom with his girlfriend. The deceased stopped breathing, and his girlfriend called 9-1-1. The deceased was taken to Godo Samaritan Regional Medical Center, where he was pronounced dead. At the scene were well over a dozen empty bottles of air duster.
- A Corvallis resident reported leaving her debit card in an automated teller machine (ATM) at OSU Federal Credit Union. The next customer in line used the card to withdraw money from the victim's account. Surveillance images of the suspect were distributed via the new Corvallis Police Department Facebook page. The suspect was identified the next day by acquaintances who saw his picture on Facebook. The suspect was arrested and charged with Theft. Computer Crime, and Identity Theft.
- Sub Zero nightclub hosted a rap concert and over-sold the concert tickets, resulting in an angry, loud crowd outside and an initial Special Response Notice (SRN). Officers were called back the next night for an amplified sound complaint; they issued a second-response SRN and gave a warning

regarding the door being propped open. Within minutes the door was propped open again, so they were cited for Amplified Sound.

- Officers located a local man in an employee-only area at the back of Market of Choice. One officer recognized the male and believed he had warrants for his arrest. After being told he might have warrants, the suspect fled on foot out the front of the store, then south thru the OSU Federal Credit Union parking lot. A citizen saw the officer chasing the suspect and used his personal vehicle to pull in front of the suspect blocking his path. The suspect ran into the side of the citizen's car and was then taken into custody. The suspect and the officer were not injured during the incident. The suspect was charged with Interfering and Trespass.
- Records staff processed 1,022 police reports, entered 511 traffic citations, and performed 200 background checks. Staff generated 96 incident reports, 15 percent of the total reports taken during this reporting period.

9-1-1 Center Calls for Service

- The Corvallis Regional Communications Center dispatched 3,497 calls for police, fire, and medical assistance this month as follows:

POLICE		FIRE AND MEDICAL	
Corvallis Police	2,412	Corvallis Fire/Ambulance	503
Benton County Sheriff	447	Other Fire/Medical	39
Philomath Police	96		
TOTAL	2,955	TOTAL	542

B. Other

- Officer Parrish, Sergeant Harvey and K-9 Xar, and Officer Sapp and K-9 Roxy attended the Spring Oregon Police Canine Association Seminar in Springfield, Oregon, April 29 and 30.
- Sergeant Goodwin participated in a "Spring Party Safe" presentation for OSU fraternities and sororities April 21.
- Lieutenant Zessin taught vehicle stops to the Cops and Robbers class.
- Officer Thelen made a presentation to a class at Western Oregon University to address mental health awareness and how to deal with people who are mentally unstable.
- Officer Molina and Sergeant Harvey attended the career fair at Linn-Benton Community College April 11.
- Officer Teeter gave safe driving presentations to classes at Corvallis High School April 15 and 16.
- Officer Kantola attended the annual Driving while Under the Influence of Intoxicants conference.

- Officer Hurley and Lieutenant Zessin conducted Police Training Officer training in Woodburn, Oregon.
- Officer Stauder instructed at the week-long Child Abuse Summit in Portland, Oregon.
- Detective Rehnberg attended the Department of Justice Conference.
- Officer Ameele attended an Indoor Marijuana Cultivation class in Bend, Oregon.
- Corvallis Police Auxiliary began Cops and Robbers Class #34 with 34 applicants.

VIII. PUBLIC WORKS

A. Department Highlights

Administration Division

- Presented recommended modifications for the single-use plastic carry-out bags ordinance to Administrative Services Committee.
- Negotiated an agreement with Accela, Inc., to implement a new work order and asset management program for the maintenance workgroups within Public Works. The project will begin in June and is anticipated to take six months to complete.
- Analyzed and reviewed recommendations from the OSU/City Collaboration Project Parking and Traffic Work Group for impacts on staff resources, budgets, and work load priorities.

Engineering Division

- Completed public outreach and a report to City Council concerning replacement of the traffic circle at NW Tenth Street/NW Highland Drive and NW Grant Avenue as part of the NW Tenth Street reconstruction project.
- Completed a public process and developed a final draft of the proposed policy on building encroachments in the public right-of-way for Council review.

Transportation Division

- Received and began evaluating four proposals for the transit Vehicle Information System (VIS) request for proposals. The VIS will provide more-accurate information on stops and passenger count and will allow real-time tracking of buses along routes via smart phone or computer.
- Corvallis Transit System (CTS) upgraded its route Web pages to be more user friendly for mobile devices. The route pages offer easier site navigation, better route map enlargement, and the ability to narrow stop choices in the time chart. The new pages are also easier to navigate for individuals who rely on screen readers to read Internet sites.

- Installed new parking meter locks on approximately 50 percent of City meters. A total of 550 meter locks will be installed by the end of May. This effort is due to multiple meters that were vandalized during March 2013, resulting in a revenue loss of approximately \$13,000. Restitution is being pursued for the lost revenue, repairs, and replacement costs, totaling almost \$39,000.
- For the third quarter, CTS ridership was 316,222, a 1.2-percent increase over third-quarter ridership last fiscal year.

Utilities Division

- Continued habitat restoration work, including thinning and wildlife snag creation, in the Corvallis Forest.
- The draft Corvallis Forest Stewardship Plan update was completed by the Watershed Management Advisory Commission and is scheduled for presentation to Urban Services Committee June 4.
- Successfully completed a recruitment process for a Utilities Water Treatment Plant Operator Trainee.
- Installed 306 Advanced Meter Infrastructure (AMI) devices, completing 100 percent of a two-year installation of 3,000 devices that will enable remote reading of meters for more-efficient data collection. These devices will continue to be installed as time allows.

B. Other

- Traffic Order 12-10 was signed by the City Manager, allowing City staff to remove the two 15-minute parking signs on the west side of SW Fourth Street/Oregon State Highway 99 West just south of SW Monroe Avenue.

IX. CITY MANAGER'S OFFICE

A. Department Highlights

- Received one Notice of Tort Claim; information is available for review in the Assistant to City Manager/City Recorder's office.
- The Economic Development Office responded to six national recruitment leads, four expansion leads, one retention lead, and eight start-up leads.
- The Economic Development Office coordinated logistics for the following events:
 - May 9 Willamette Angel Conference
 - May 10-12 Start-up Weekend
 - July 18-19 Oregon Economic Development Association Summer Conference
 - Monthly Pub-Talks for the Willamette Innovators Network

- The Economic Development Office coordinated with OSU, University of Oregon, and regional communities to establish the Regional Accelerator Innovation Network (RAIN).
- Assisted Council President with City Attorney evaluation process and Municipal Judge interviews.
- The City Manager presented a balanced proposed Fiscal Year 2013-2014 budget to the Budget Commission.
- Responded to petitioner's request and updated the initiative timeline for a potential November 2013 election.

X. COMMUNITY DEVELOPMENT

A. Department Highlights

- Development Services Division staff processed 39 residential and 29 non-residential plan reviews for proposed construction projects and conducted 955 construction inspections.
- Created 38 new Code Enforcement Program cases as a result of citizen complaints received. Several of the cases were related to sidewalk cafés operating without a permit after notices were provided.
- Of the 195 plumbing, mechanical, and electrical permits issued, 76 (or 39 percent) were issued online.
- Planning Division staff received six land use applications, including three Historic Preservation Permit applications, one Minor Replat, one Zone Change, and one Planned Development application for a new Wilco store.
- Planning Division staff issued decisions on seven land use applications, including six Historic Preservation Permits and one Planned Development Modification.
- The City Council approved the Planning Division Work Program for 2013 - 2014 and held public hearings on the OSU Sector D Land Development Code Text Amendment and the 49th Street Annexation.
- Housing Division staff provided one down payment assistance loan of \$15,000 to a low-income family to help them purchase their first home.
- Rehabilitation of the Center Against Rape and Domestic Violence's transitional housing and service facility buildings on SW Philomath Boulevard began and will be completed during early-May. The project is being funded with a \$50,000 Community Development Block Grant.
- Housing Division staff received 47 Rental Housing Program-related contacts outlining 91 separate issues, with 20 issues related to habitability and 71 of a non-habitability nature. Twelve of the habitability issues reported are or may be subject to the Rental Housing Code, so Housing Division staff is working with complainants to confirm violations and, as applicable, achieve resolution or move to enforcement.

- The OSU/City Collaboration Project Work Groups met seven times during April. The Neighborhood Livability Work Group considered the merits of creating an ongoing City- and OSU-supported group that would monitor achievement of livability goals and make recommendations to the City and OSU. The April 23 meeting concluded this group's Scope of Work objectives. The Parking and Traffic Work Group continued its review of transportation and parking options in preparation for a fourth round of recommendations to the Steering Committee. The Neighborhood Planning Work Group discussed a possible approach for addressing residential in-fill development issues.

XI. MISCELLANEOUS

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

A handwritten signature in black ink, appearing to read "James A. Patterson", with a long, sweeping underline that extends to the right.

James A. Patterson
City Manager



CORVALLIS CITY ATTORNEY
456 SW Monroe, #101
Corvallis, OR 97333
Telephone: (541) 766-6906
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**CITY ATTORNEY'S OFFICE
REPORT TO CITY COUNCIL: HIGHLIGHTS**

April 2013

The following are highlights of the City Attorney's Office activities during April 2013:

1. Continued assistance to City Manager's office regarding water main break legal issues.
2. Meetings with Planning Department regarding LUBA remand issues for Creekside I and II Planned Development.
3. Meeting with attorney for Corvallis Rural Fire Protection district regarding contract dispute.
4. Assistance to Library and City Manager's Office with Fenner property option agreement.
5. Assistance to Engineering Dept. regarding ODOT Rail Division Highway Rail Grade Crossing.
6. Preparation of Release and Waiver of liability for Public Works - Transportation Dept. regarding First Student, Inc.'s access to real property, equipment and facilities owned by the City.

Ongoing/Future Matters:

1. Continued preparation for CRCCA binding arbitration.
2. Enforcement actions re: code violations (building, rental housing, land development code).
3. Continued work on public records requests.
4. Continued assistance on internal investigations, employee grievances and other employment matters.
5. Assistance in preparing findings for land use decisions.
6. Enforcement of City ordinances and prosecution of offenses in Corvallis Municipal Court.

**Corvallis / Benton County Economic Development Office
 Monthly Business Activity Report to Corvallis City Council
 May 7, 2013**

BEC:

- BEC advisory sessions for month – 22 businesses or individuals
- All of the BEC spaces are filled – 8 clients
- Coordinated monthly Brown Bag luncheon at Chamber office
- Coordinated monthly “Will it Fly” (WIF) pitch presentation

Start-ups:

- Worked with NETL to respond to two potential start-ups
- Reviewed info from three pitches at “Will it Fly”
- Responded to a request from a hotel developer
- Responded to another request concerning a business start-up
- Made referral to another business start-up

Retention / Expansion:

- Discussed Enterprise Zone incentives and space requirements with a local company interested in expansion
- Followed up on a retention issue with a company enacting a layoff
- Worked on a business expansion project for a local business
- Connected a local business with potential property solutions for expansion
- Responded to a business request to discuss expansion

Recruitment

- Responded to an out of state developer interested in the Corvallis MSA
- Worked on a state recruitment lead – Project UCO
- Followed up on a business recruitment request for info from Colorado
- Worked on a New Mexico recruitment
- Worked on state recruitment – Project Cargo
- Responded to a Business Oregon request for information for a food processor

Assisted with	Past Month	Since 9/17/12
Start-up	8	30
Expansion	4	29
Retention	1	4
Recruitment	6	14
Net Job Growth (Annual)*		
Enterprise Zone	92	
General	380	
*quarterly updates		

Monthly EDC Strategic Plan Update

Big Ideas:

1. Provide critical financial assistance to growing businesses through tools such as (a) Urban Renewal Districts and (b) a local economic development loan program. Supports goals 1, 2a, and 3 (if URD covers one or more EZ locations).
 - Distributed follow-up information on “maximum indebtedness from Urban Renewal Consultant, Elaine Howard.
2. Leverage the OSU-Corvallis relationship and Memorandum of Understanding to provide unprecedented advantages to Corvallis-based startups, including research infrastructure access, incubator/accelerator resources, HR and purchasing infrastructure, and innovative community networking. Supports goals 1 and 2a.
 - On-going meetings with Ron Adams, John Turner, Dan Whitaker, Brian Wall and Ilene Kleinsorge for the Venture Accelerator and RAIN
 - Oregon Solutions / ECONorthwest has developed the RAIN Business Concept.
3. Support business growth by providing properly zoned and serviced land and maintaining a timely and predictable development review process. Verify via benchmarking that Corvallis is best-in-class regarding comparable university towns across the U.S. Supports goals 2a, 2b, 3.
 - a. In particular, pursue opportunities to develop a research park for science intensive companies, ideally ones that have strong synergy with OSU research strengths. Consider public investment opportunities for such a park, ranging from public ownership to infrastructure development and business financing tools.
 - Significant properties have been identified to address this idea
 - Properties are being added and updated in Expand In Oregon database
 - b. An opportunistic, but nevertheless valuable, strategy is to recruit new tenants for vacant space in Enterprise Zone areas (HP campus, Sunset Research Park, Airport Industrial Park) as well as to invest in additional land and building resources designed to meet the needs of scientific- and technology-oriented business and industry.
 - On-going referral to businesses shopping for space
 - Responded to six leads this month
4. Recognize that economic development must be a core/organic local government service as opposed to an entirely outsourced effort. Accordingly, create and staff a permanent city/county Economic Development Office, reporting to the city manager,

to implement the above actions, manage business outreach and assistance; coordinate business lead responses and community and business asset promotion; and propose and implement new efforts to ensure Corvallis's competitiveness for business investment. Supports ALL goals.

- Economic Development Officer recruitment has been reinitiated, and an appointment is expected by the end of the month.

Smaller Steps:

1. Develop a best-in-class information gateway portal that will provide resources to support business development with information about demographics and economics, technical and financial assistance programs, available land and building resources (Goals1, 2a, 2b, and 3).
 - The Website continues to be updated with current demographic information, links for assistance, and upcoming events
 - Expand In Oregon database is being updated
 - Executive Pulse is migrating data purchased from Hoovers/D&B
 - Contracted with Cleland Marketing to develop branding, marketing strategy, website / web portal and implementation of social media
2. Support programs sponsored by local and regional partners to facilitate innovation, entrepreneurship, and business investment. Examples include the Willamette Angel Conference and Willamette Innovators Network (Goals1 and 2a).
 - Assisting in forming a 501.c.6 for WiN
 - Coordinated WiN board meetings and planning meetings
 - Coordinating monthly WiN Pub Talks
 - Coordinating WiN Expo for October/2013
 - Participated in planning for WAC
 - Assisted with coordination and sponsorship of OSU Start-up Weekend
3. Build a strong relationship with the local business community through the account manager concept, and an ongoing Business Visitation program involving government and community leaders (Goals 2a and 2b).
 - Purchased Executive Pulse business retention and expansion software, and will populate it with purchased data from Hoovers.
 - Continue to have joint business visits with Business Oregon BDO, Sean Stevens
4. Ensure that City has an effective and productive relationship with Business Oregon, the State's economic development agency, for access and response to business development leads (Goal 3).
 - Working with Ted Werth (Business Oregon) to access their business lead information (database)

- Participating in Oregon Economic Development Association Governmental Affairs Committee
- Participating in Oregon Economic Development Association Conference Planning Committee. The summer conference will be in Corvallis.

5. Pursue outside resources to fund expanded business development programs in Benton County (Goals 1, 2a, 2b and 3).

- Mostly accomplished, but will continue to pursue other resources as they become available

6. Provide a business-oriented welcoming program for key recruits of local employers (Goals 2a, 2b, and 3).

- Done and will continue to operate



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CITY ATTORNEY'S OFFICE
MEMORANDUM

May 13, 2013

To: Mayor and City Council

From: Scott Fewel and Jim Brewer 

RE: Ex Parte contact in Land Use matters

Ex parte contact is communication of information to the decision maker that is related to the application being considered, which occurs outside of the official record. It may include site visits, newspaper articles, websites, television programs, as well as verbal or written communication from any party to the proceeding. Communication with staff generally is not considered ex parte contact, but staff cannot act as a conduit of information from a party to a decision maker.

Communication prior to the filing of the application is not ex parte communication. However, information received by a decision maker before the filing of the application could lead to bias, so the best practice is to disclose the substance of the communication relevant to a land use hearing once the matter comes before the body. Whether the matter is an ex parte contact or could be an indicator of bias, disclosure of the substance of the communication allows the parties and the other members of the decision-making body to all operate with the same information.

We want to emphasize that ex parte contact does *not* preclude the councilor from participating. The law simply requires that you disclose the ex parte contact and the substance of that contact, which then allows parties to rebut the contact. As a practical matter, members of decision-making bodies may choose

Ex Parte Contact - Land Use Matters

May 13, 2013

Page 2 of 2

to avoid communications regarding specific land use applications prior to public hearings, in order to avoid needing to make lengthy disclosures.

If you have questions, or want further follow up, let us know.

SAF/nkm

**ADMINISTRATIVE SERVICES COMMITTEE
SCHEDULED ITEMS**

May 16, 2013

MEETING DATE	AGENDA ITEM
May 22	<ul style="list-style-type: none"> • Visit Corvallis Third Quarter Report • Downtown Corvallis Association Third Quarter Report -- Economic Improvement District • Municipal Code Chapter 8.14, "Single-Use Plastic Carryout Bags" Follow-up
June 5	<ul style="list-style-type: none"> • Third Quarter Operating Report
June 19	<ul style="list-style-type: none"> •
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 • Downtown Corvallis Association Fourth Quarter Report -- Economic Improvement District
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 • Downtown Corvallis Association First Quarter Report -- Economic Improvement District • 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" • Tax Incentive Program for Downtown Area • Economic Development Policy on Tourism • Municipal Code Review: Chapter 4.01, "Solid Waste Regulations" | <p>Public Works</p> <p>CMO</p> <p>Community Development</p> <p>Community Development</p> <p>Community Development</p> |
|---|---|

Regular Meeting Date and Location:

Wednesday of Council week, 3:30 pm – Madison Avenue Meeting Room

HUMAN SERVICES COMMITTEE SCHEDULED ITEMS

May 16, 2013

MEETING DATE	AGENDA ITEM
May 21	<ul style="list-style-type: none"> • Healthy Eating Active Living (HEAL) Cities Campaign • Municipal Code Review: Chapter 5.03, "Offenses" (Alcohol Minimum Fines/Social Host/Special Response Notice) • Smoking Prohibition in Public Places
June 4	<ul style="list-style-type: none"> • Social Services Allocations – Fiscal Year 2013-2014 • Majestic Theatre Annual Report • 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	
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

- | | |
|---|-------------------------------|
| <ul style="list-style-type: none"> • Municipal Code Review: Chapter 5.01, "City Park Regulations" (Alcoholic Beverages in Parks) | Parks & Recreation |
| <ul style="list-style-type: none"> • Municipal Code Review: Chapter 5.03, "Offenses" (Smoking Enforcement Hiatus); Chapter 8.10, "Tobacco Retail Licenses" | Police/City Attorney's Office |
| <ul style="list-style-type: none"> • Municipal Code Review: Chapter 9.02, "Rental Housing Code" | Community Development |

Regular Meeting Date and Location:

Tuesday of Council week, 2:00 pm – Madison Avenue Meeting Room

**URBAN SERVICES COMMITTEE
SCHEDULED ITEMS**

May 16, 2013

MEETING DATE	AGENDA ITEM
May 21	<ul style="list-style-type: none"> • Municipal Code Review: Chapter 8.13, "Mobile Food Units"
June 4	<ul style="list-style-type: none"> • Board and Commission Sunset Review: <ul style="list-style-type: none"> • Capital Improvement Program Commission • Corvallis Forest Stewardship Plan Update
June 18	
July 2	<ul style="list-style-type: none"> • 49th Street Annexation Explanatory Statement and Display Advertisement
July 16	
August 6	
August 20	
September 3	No meeting
September 17	
October 8	<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 22	
November 5	
November 19	
December 3	
December 17	

USC PENDING ITEMS

- | | |
|---|--------------------------------------|
| <ul style="list-style-type: none"> • Airport Master Plan • NW Cleveland Avenue Traffic Update (February 2014) | <p>Public Works
Public Works</p> |
|---|--------------------------------------|

Regular Meeting Date and Location:

Tuesday of Council week, 5:00 pm – Madison Avenue Meeting Room



UPCOMING MEETINGS OF INTEREST

City of Corvallis

MAY - AUGUST 2013
(Updated May 16, 2013)

MAY 2013				
Date	Time	Group	Location	Subject/Note
16	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
18		No Government Comment Corner		
20	6:00 pm	City Council	Downtown Fire Station	
21	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
21	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
22	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
22	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
22	7:00 pm	City Council	Downtown Fire Station	work session
23	5:30 pm	OSU/City Collaboration Project	Madison Avenue Mtg Rm	
		Parking and Traffic Work Group		
25		No Government Comment Corner		
27		City Holiday – all offices closed		
28	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
30	5:30 pm	OSU/City Collaboration Project	Madison Avenue Mtg Rm	
		Neighborhood Planning Work Grp		

JUNE 2013				
Date	Time	Group	Location	Subject/Note
1	10:00 am	Government Comment Corner	Library Lobby - Bruce Sorte	
3	5:30 pm	City Council	Downtown Fire Station	executive session
3	6:00 pm	City Council	Downtown Fire Station	
4	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
4	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
4	2:30 pm	OSU/City Collaboration Project	Senior Center	
		Steering Committee		
4	4:00 pm	Downtown Parking Committee	Downtown Fire Station	
4	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
5	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
5	7:00 pm	Planning Commission	Downtown Fire Station	
5	7:30 pm	Library Board	Library Board Room	
6	5:30 pm	OSU/City Collaboration Project	Madison Avenue Mtg Rm	
		Parking and Traffic Work Group		
7	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
8	10:00 am	Government Comment Corner	Library Lobby - Biff Traber	
10	3:00 pm	Economic Development Cmsn	Madison Avenue Mtg Rm	
10	7:00 pm	Mayor/City Council/City Manager	Madison Avenue Mtg Rm	
		Quarterly Work Session		
11	7:30 am	City Legislative Committee	City Hall Meeting Room A	tentative
11	5:00 pm	City Council Work Session	Madison Avenue Mtg Rm	HRC/PC interviews
11	5:30 pm	OSU/City Collaboration Project	Osborn Aquatic Center	
		Neighborhood Planning Work Grp		
11	6:00 pm	Historic Resources Commission	Downtown Fire Station	
12	8:20 am	Citizens Advisory Cmsn on Transit	City Hall Meeting Room D	
12	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	

13	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
13	5:00 pm	City Council Work Session	Madison Avenue Mtg Rm	HRC/PC interviews
15		No Government Comment Corner		
17	6:00 pm	City Council	Downtown Fire Station	
18	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
18	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
19	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
19	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
19	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Room	
19	7:00 pm	Planning Commission	Downtown Fire Station	
20	5:30 pm	OSU/City Collaboration Project	Madison Avenue Mtg Rm	
		Parking and Traffic Work Group		
20	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
22	10:00 am	Government Comment Corner	Library Lobby – Mike Beilstein	
25	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
26	5:00 pm	Watershed Management Adv Cmsn	Madison Avenue Mtg Rm	
27	5:30 pm	OSU/City Collaboration Project	Osborn Aquatic Center	
		Neighborhood Planning Work Grp		
29	10:00 am	Government Comment Corner	Library Lobby - Penny York	

JULY 2013

Date	Time	Group	Location	Subject/Note
1	6:00 pm	City Council	Downtown Fire Station	
2	7:00 am	Airport Commission	Madison Avenue Mtg Rm	
2	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
2	4:00 pm	Downtown Parking Committee	Downtown Fire Station	
2	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
3	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
3	7:00 pm	Planning Commission	Downtown Fire Station	
3	7:30 pm	Library Board	Library Board Room	
4		City Holiday – all offices closed		
5	7:00 am	Bicycle and Pedestrian Adv Cmsn	Madison Avenue Mtg Rm	
6	10:00 am	Government Comment Corner	Library Lobby - TBD	
9	6:00 pm	Historic Resources Commission	Downtown Fire Station	
10	8:20 am	Citizens Advisory Cmsn on Transit	City Hall Meeting Room D	
10	5:30 pm	Downtown Commission	Madison Avenue Mtg Rm	
11	8:30 am	Citizens Advisory Cmsn on Civic Beautification and Urban Forestry	Parks and Rec Conf Room	
13	10:00 am	Government Comment Corner	Library Lobby - TBD	
15	6:00 pm	City Council	Downtown Fire Station	
16	2:00 pm	Human Services Committee	Madison Avenue Mtg Rm	
16	5:00 pm	Urban Services Committee	Madison Avenue Mtg Rm	
17	12:00 pm	Housing and Comm Dev Cmsn	Madison Avenue Mtg Rm	
17	3:30 pm	Administrative Services Committee	Madison Avenue Mtg Rm	
17	5:30 pm	Arts and Culture Commission	Parks and Rec Conf Room	
17	7:00 pm	Planning Commission	Downtown Fire Station	
18	6:30 pm	Parks, Natural Areas, and Rec Brd	Downtown Fire Station	
20	10:00 am	Government Comment Corner	Library Lobby - Biff Traber	
23	5:00 pm	Cmsn for Martin Luther King, Jr.	Madison Avenue Mtg Rm	
24	5:00 pm	Watershed Management Adv Cmsn	Madison Avenue Mtg Rm	
27	10:00 am	Government Comment Corner	Library Lobby - <i>Richard Hervey</i>	

AUGUST 2013

Date	Time	Group	Location	Subject/Note
2	7:00 am	<i>Bicycle and Pedestrian Adv Cmsn</i>	<i>Madison Avenue Mtg Rm</i>	
3	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - TBD</i>	
5	6:00 pm	City Council	Downtown Fire Station	
6	7:00 am	<i>Airport Commission</i>	<i>Madison Avenue Mtg Rm</i>	
6	2:00 pm	<i>Human Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
6	4:00 pm	<i>Downtown Parking Committee</i>	<i>Downtown Fire Station</i>	
6	5:00 pm	<i>Urban Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
7	3:30 pm	<i>Administrative Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
7	7:00 pm	<i>Planning Commission</i>	<i>Downtown Fire Station</i>	
7	7:30 pm	<i>Library Board</i>	<i>Library Board Room</i>	
8	7:30 am	<i>Investment Council</i>	<i>Madison Avenue Mtg Rm</i>	
8	8:30 am	<i>Citizens Advisory Cmsn on Civic Beautification and Urban Forestry</i>	<i>Parks and Rec Conf Room</i>	
10	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - Julie Manning</i>	
13	6:00 pm	<i>Historic Resources Commission</i>	<i>Downtown Fire Station</i>	
14	8:20 am	<i>Citizens Advisory Cmsn on Transit</i>	<i>Madison Avenue Mtg Rm</i>	
14	5:30 pm	<i>Downtown Commission</i>	<i>Madison Avenue Mtg Rm</i>	
15	6:30 pm	<i>Parks, Natural Areas, and Rec Brd</i>	<i>Downtown Fire Station</i>	
17	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - Mike Beilstein</i>	
19	6:00 pm	City Council	Downtown Fire Station	
20	2:00 pm	<i>Human Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
20	5:00 pm	<i>Urban Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
21	12:00 pm	<i>Housing and Comm Dev Cmsn</i>	<i>Madison Avenue Mtg Rm</i>	
21	3:30 pm	<i>Administrative Services Committee</i>	<i>Madison Avenue Mtg Rm</i>	
21	5:30 pm	<i>Arts and Culture Commission</i>	<i>Parks and Rec Conf Room</i>	
21	7:00 pm	<i>Planning Commission</i>	<i>Downtown Fire Station</i>	
24	10:00 am	<i>Government Comment Corner</i>	<i>Library Lobby - TBD</i>	
27	5:00 pm	<i>Cmsn for Martin Luther King, Jr.</i>	<i>Madison Avenue Mtg Rm</i>	
28	5:00 pm	<i>Watershed Management Adv Cmsn</i>	<i>Madison Avenue Mtg Rm</i>	
31		<i>No Government Comment Corner</i>		

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

TBD – To be Determined PC – Planning Commission HRC –Historic Resources Commission

Memorandum

Date: May 15, 2013
To: Mayor and City Council
From: Ken Gibb, Community Development Director
Re: CC Housing Goal and TGM grant program



The Council goal related to housing is as follows:

“By the end of 2013, the Council will have access to comprehensive and objective information about the demands for housing in the Corvallis Urban Growth Boundary and the causes of the current housing mix. By the end of 2014, the Council will create policies, regulations, and strategies to help meet the housing needs of those who live here or wish to live here.”

During the process of establishing this goal, there was Councilor discussion about the opportunity to seek grants to fund the study that would address the goal. Community Development staff submitted a pre-application to the Transportation and Growth Management (TGM) program in March (see attached description). The TGM program is a joint effort between the Oregon Department of Land Conservation and Development and Oregon Department of Transportation. The City also submitted a pre-application to fund an update to the City's Transportation Plan which was adopted in 1996. This project's cost estimate is \$300k.

The deadline for submitting a full application is June 14, 2013. Staff has had consultations with TGM staff about the potential scope of the Council's housing goal related project, ideas on developing a competitive application, timelines and other procedural aspects of the grant program.

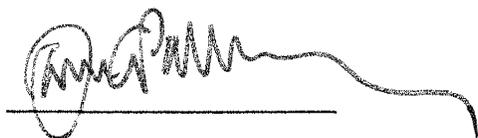
Based on this conversation, it appears that there is potential to develop a competitive application should it be designed to address the TGM review criteria that focus on jobs/housing imbalance and transportation actions that would address the imbalance. Caution was given that this project must develop actionable items that address transportation related issues (which could include making more housing available in Corvallis). It was clear that TGM funding for a Buildable Lands Inventory is not feasible. TGM staff suggested that the project cost might be in the range of \$150k versus the \$75k estimate identified in the pre-application.

Before Staff spends significant time in the next several weeks developing a grant application, direction is sought as to whether pursue this opportunity. Some considerations include:

- The timetable for the TGM program would not allow work to begin until April 2014 at earliest and more likely June 2014. Awards are made in October 2013 but the project scope negotiations between the City and TGM and the consultant selection process (the City would be restricted to a pre-selected TGM roster) are expected to take 6-8 months based on published TGM guidelines. This would mean that the housing goal target dates would have to be extended 6-10 months and carried over into the next City Council term.
- The project's scope of work will need to be designed to meet the TGM program criteria. The degree to which this scope will match with the intent of the Council goal is unknown at this point. However, TGM program staff were clear that the program would not fund a simple housing study. To be successful, the proposal will need to emphasize the connection between housing availability and transportation system impacts, with actionable items to address the problem, likely both in relation to housing supply and to the transportation system.
- As with any state or federally funded grant, there are major program administration responsibilities (tracking/reporting, etc.) with the TGM program that will demand staff time during the life of the project thereby impacting the ability to accomplish other planning work program responsibilities.
- TGM staff indicates that it is highly unlikely that Corvallis would receive 2 TGM grants in a given cycle. Therefore, multiple Corvallis grant applications will be competing with each other along with other jurisdictions. On the surface, it appears that City's Transportation Plan Update project aligns most directly with TGM criteria.

An alternative is to access the \$125k included in the Budget Commission recommended budget as the funding source for accomplishing the housing goal. Local funding would have much less administrative responsibilities and provide the flexibility to scope the project exclusively to address local concerns on a timeline consistent with the Council goal. However, it is recognized that the opportunity to pursue grant funding to support the housing goal is attractive and therefore Council discussion and direction is requested.

Review and Concur:

A handwritten signature in black ink, appearing to read "Jim Patterson", is written over a horizontal line. The signature is cursive and extends to the right of the line.

Jim Patterson, City Manager

PRE-APPLICATION

2013 TGM Program Services

Please submit a separate pre-application for each project idea.

Pre-Applicant Information

Contact Kevin Young, Planning Division Manager

Jurisdiction City of Corvallis

Mailing Address PO Box 1083, Corvallis, OR 97339-1083

Phone/Fax (541) 766-6572

E-mail kevin.young@corvallisoregon.gov

City/Zip Corvallis, OR 97339-1083

Type of Request

Grant Project

- Transportation System Planning
- Integrated Land Use and Transportation Planning

Direct Community Assistance

- Code Assistance
- Quick Response
- TSP Assessment
- Outreach Workshop
- School Siting/ Safe Routes to School*
- Smart Development*
- Main Street Road Show*

Project Title: Study of Measures to Correct Jobs/Housing Imbalance

Description of Issue:

Corvallis has a higher number of jobs in the community than housing units, which directly contributes to the congestion of our transportation system, as employees living in other communities, such as Philomath, Albany, and Lebanon, commute into and out of the city on a daily basis. The cost of housing continues to be higher in Corvallis than in surrounding communities, which prices many people who would like to live here out of the local housing market, and skews the local housing market to serve those who can afford to live here.

Project Objectives/Expected Outcomes:

By the end of 2013, complete a comprehensive and objective study of the factors that contribute to the jobs/housing imbalance in Corvallis, including a detailed analysis of the current supply and demand for housing and the causes of the current housing mix. The study would focus on the causal factors for why the current housing market is not providing the desired mix of housing types and prices. Based on the causal factors identified in the study, work with community members, city staff, and elected officials to develop strategies, policies, and regulations to meet the housing needs of those who currently live in Corvallis, or who wish to live in Corvallis, to be implemented in 2014.

Estimated Budget \$ \$75,000

Submit

Ready Together

Supporting School Readiness
Ready Parents = Ready Children

In order for children to be successful in school, they need to know more than their ABC's and 1-2-3's. In fact, even more important than learning basic math and reading are the abilities to:

- listen and pay attention
- remember instructions
- persist at a task
- have self-control

The good news is – these skills can be taught, and you can teach them through games you play with your child.

Here are some common activities, some with slight variations to increase the need for listening, paying attention and self-control, that you can do with your child over the summer. **Help your child get a great start in school next fall!**

- **Red Light – Green Light** – listening, following instructions, self-control.
One child is the stoplight; the others are the cars. When the stoplight says “Green Light,” the children run toward the streetlight. When the stoplight says, “Red light,” the children must stop. Reverse order game – Make Red mean ‘go’ and Green mean ‘stop.’ Or add new colors or other rules.
- **Head/Toes – Knees/Shoulders** – listening, remembering instructions, persistence and self-control.
This is not the same as the common “Head-shoulders-knees and toes” song – though you might use the song as a good starting place. Then, begin putting the body parts in pairs and touching the opposite body part: Say ‘head’ & have your child touch their toes, say ‘toes’ & have them touch their head. Do this several times until it’s easy for them. Next, say ‘shoulders’ and touch knees, say ‘knees’ & touch shoulders. Once your child can touch the opposite body parts in pairs, increase the difficulty by using all four words – and requiring child to touch the body part that is its paired opposite.
- **Simon Says** – requires listening, following instructions and self-control.
Play with regular rules – to increase learning, add new rules and switch the rules.
- **Mother May I?** – requires listening and self-control.
Figure out your own way to switch the rules to make extra concentration and self-control necessary.
- **Duck-Duck-Goose** – requires listening, paying attention.
- **Playdough, blocks or Tinkertoys** – attention to detail, breaking down a task into parts, following a sequence of actions, organization.
Build a figure and then have your child build an exact replica in size and color.
- **Dance** – listening, attention, remembering instructions.
Start having children dance slowly to slow music. Then have them dance fast to fast music. Then change the rules and tell them to dance slowly to fast music, and dance fast to slower music. Add in new rules to increase the complexity of the game.
- **Talk** – Children learn language and other early literacy skills by listening to their parents and others talk.
 - *Talk with your child - often!*
 - *Respond to what your child says and extend the conversation.*
 - *Stretch your child's vocabulary. Repeat what your child says and use new words.*
 - *If English isn't your first language, speak to your child in the language you know best. This allows you to explain things more fluently so your child will learn more.*

Leyendo Juntos

Ayoyando la Preparación para la Escuela
Padres de familia Listos = Niños Listos

Para que los niños tengan éxito en la escuela, ellos necesitan más que saber su Abecedario y los números. De hecho inclusive más importante que el aprender las matemáticas básicas y la lectura, es prender las habilidades para:

- Escuchar y poner atención
- Recordar instrucciones
- Permanecer en un trabajo/tarea/proyecto
- Tener auto-control

La buena noticia es: Que estas habilidades pueden ser enseñadas y Ud. puede enseñárselas, a través de juegos que puede realizar con su hijo/a.

Aquí hay algunas actividades comunes, algunas de estas con pequeñas variaciones, para incrementar la necesidad de escuchar, poner atención y auto-control; las cuales Ud. puede hacer con su hijo/a, durante el verano. **¡Ayude a su hijo/a a tener un excelente inicio en la escuela el próximo otoño!**

- **Luz roja –Luz verde** – Es para aprender a escuchar, a seguir instrucciones y auto-control.
Un niño/a es el semáforo; los otros son los autos. Cuando el semáforo dice: “Luz verde,” los niños corren hacia la luz. Cuando el semáforo dice: “Luz roja”, los niños deben detenerse. Ordene el juego al revés – Haga que el color rojo significa ‘ir’ y el color verde signifique ‘pare.’ También puede añadir colores nuevos y otras reglas.
- **Cabeza/dedos – rodillas/hombros** – Es para aprender a escuchar, recordar instrucciones, persistencia y auto-control.
Este no es el mismo juego de la canción: “Cabeza-hombros-rodillas y dedos”– sin embargo Ud. puede usar la canción para empezar. Luego empiece a poner las partes del cuerpo en pares y a tocar la parte del cuerpo opuesta: Diga ‘cabeza’ & haga que su hijo/a toque sus dedos, diga ‘dedos’ & haga que toque su cabeza. Haga esto muchas veces, hasta que esto sea fácil para él/ella. Luego diga ‘hombros’ y toque sus rodillas, diga ‘rodillas’ & toque sus hombros. Una vez que su hijo/a pueda tocar la parte del cuerpo opuesta en pares, incremente la dificultad, usando todas las cuatro palabras – y pídale a su hijo/a que toque la parte del cuerpo opuesta.
- **Simón dice...** – Es para aprender a escuchar, a seguir instrucciones y auto-control.
Juegue con las reglas regulares –para incrementar el aprendizaje, añada nuevas reglas y cambie las reglas.
- **Mamá ¿Yo Podría....?** – Es para aprender a escuchar y auto-control.
Encuentre su propia manera de cambiar las reglas, para poner extra concentración y el auto-control necesario.
- **Plastilina, bloques o “LEGOS”** – Es para aprender a poner atención a los detalles, a dividir un proyecto o trabajo en diferentes partes, a seguir una secuencia de acciones y la organización.
Construya una figura y haga que su hijo/a realice una réplica exacta en el mismo tamaño y color.
- **Bailar** – Es para aprender a escuchar, a poner atención y a recordar instrucciones.
Empiece haciendo que los niños bailen lentamente con música lenta. Luego haga que bailen rápido con música rápida. Luego cambie las reglas y dígame que baile lentamente con música rápida y baile rápido con música lenta. Añada nuevas reglas para aumentar la complejidad del juego.
- **Hablar** – Los niños aprenden el lenguaje y otras habilidades de alfabetización inicial, escuchando hablar a sus padres y a otras personas.
 - *Hable con su hijo/a -¡muy seguido!*
 - *Responda a las preguntas de su hijo/a y amplíe la conversación.*
 - *Amplíe el vocabulario de su hijo/a. Repita lo que su hijo/a diga y use palabras nuevas.*
 - *Si el idioma inglés no es su idioma natal, hable con su hijo/a en el idioma que Ud. conozca mejor. Esto le permitirá explicar las cosas con fluidez y de esta manera su hijo/a aprenderá más.*

Knowing how to be a good parent isn't always easy.

Nobody is born with perfect parenting skills. When it comes to our kids, we all learn by doing.

But that doesn't mean you have to go it alone. There are resources in Linn and Benton Counties to connect you with the support you want.

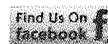
Check out our website at:
parentingsuccessnetwork.org
and see what resources are available for you:

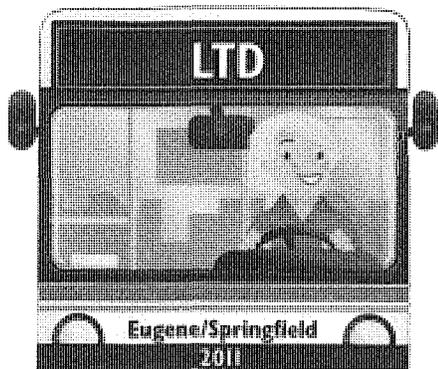
- ▣ Parenting classes
- ▣ Family support resources
- ▣ Childcare resources
- ▣ Parenting tips
- ▣ Special topic workshops
- ▣ Parent advice line

We're here to provide the resources you need to be the best parent you can be.

 **Parenting Success NETWORKS**
Parenting support for families in
Linn and Benton Counties

Parent Advice Line:
541.917.4899

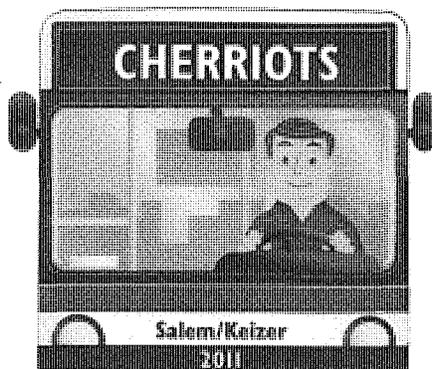




47.3 M (+2.7%)
PASSENGER MILES

11.6 M (-0.9%)
RIDERSHIP

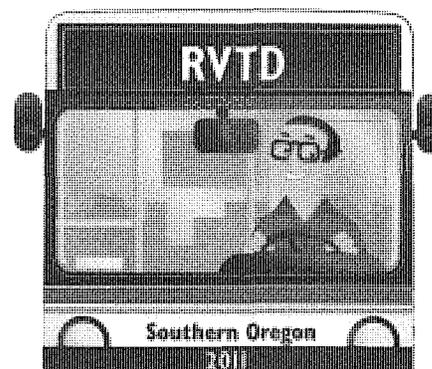
\$3.19 (+8.9%)
COST PER RIDER



21.5 M (+13.7%)
PASSENGER MILES

4.7 M (-1.8%)
RIDERSHIP

\$4.40 (+5.0%)
COST PER RIDER



5.5 M (+3.4%)
PASSENGER MILES

1.1 M (+8.1%)
RIDERSHIP

\$4.72 (-3.1%)
COST PER RIDER



175.5 K (-9.5%)
PASSENGER MILES

377.4 K (+15.9%)
RIDERSHIP

\$4.54 (-14.8%)
COST PER RIDER

PICKING UP SPEED

BY BRANDON SAWYER

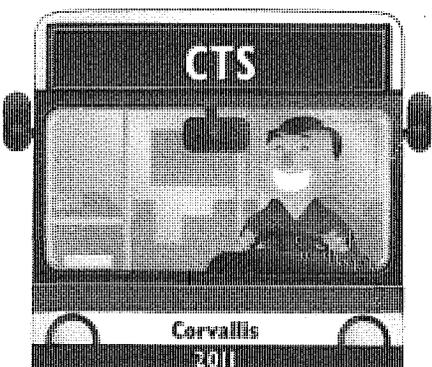
TriMet, Oregon's biggest transit agency, took passengers for a bumpy ride last year — reducing service, cutting routes, eliminating its “Free Rail Zone” and raising fares. But the agency boosted passenger miles 5% to 472 million for the 12 months ending June 2012 and increased boarding rides 2% to 103.3 million. Smaller transit systems are also gaining momentum. Corvallis Transit became entirely fareless in 2011 with a citywide tax, and Southern Oregon's Rogue Valley Transportation District received a three-year federal Congestion Mitigation and Air Quality grant in April 2012, allowing it to introduce evening and Saturday service. Since then, ridership has increased 24%. Paige Townsend, RVTD senior planner, notes that transit use has been on the rise nationally, with a 1.6% increase in the second quarter of 2012. Figures from the National Transit Database provide a 2010-2011 comparison of agencies around the state. [OTB](#)



36.0 M (+6.5%)
PASSENGER MILES

7.0 M (+6.2%)
RIDERSHIP

\$4.45 (-0.4%)
COST PER RIDER



3.6 M (+6.9%)
PASSENGER MILES

884.7 K (+26.2%)
RIDERSHIP

\$2.60 (-21.7%)
COST PER RIDER



452.4 M (-0.2%)
PASSENGER MILES

104.6 M (+0.3%)
RIDERSHIP

\$3.83 (-3.0%)
COST PER RIDER

Percent change from 2009 to 2010
Percent change from 2010 to 2011

Rate Increase History vs. CPI
(automated residential 35 gallon cart)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Average
Rate Increase	11% *					4.35%	6.2%	3.5%	9.85% **		20.3% ***			6% ****	4.37%
Increase minus new service	11% *					4.35%	6.2%	3.5%	3% **		6.9% ***			6% ****	2.93%
CPI Increase	2.83%	3.28%	2.72%	1.27%	1.36%	2.04%	2.48%	2.73%	3.43%	3.86%	1.00%	1.60%	2.57%	2.53%	2.41%

* Previous rate increase was 1993

** New weekly co-mingled recycling cart service added - 3% of increase was for inflation of on-going expenses

*** Yard debris service increased to weekly accounting for 13.4% of increase - Remaining 6.9 % inflation increases for 2009 and 2010

**** Rate increase driven primarily from diesel fuel price increases

\$10 starting monthly rate	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012		
Rate increase	\$ 11.10	\$ 11.10	\$ 11.10	\$ 11.10	\$ 11.10	\$ 11.58	\$ 12.30	\$ 12.73	\$ 13.11	\$ 13.11	\$ 14.01	\$ 14.01	\$ 14.01	\$ 14.85	\$ 0.91	6.5%
CPI Increase	\$ 10.28	\$ 10.62	\$ 10.91	\$ 11.05	\$ 11.20	\$ 11.43	\$ 11.71	\$ 12.03	\$ 12.44	\$ 12.92	\$ 13.05	\$ 13.26	\$ 13.60	\$ 13.94		

Missing from
ASC 5/8/13
Minutes

Attachment 1

CUBAN LUNCH!

Noon, Saturday June 1, 2013
at 101 NW 23rd St, Corvallis



Fundraiser for the Pastors for Peace 24th Cuban aid caravan,
dedicated to repairing the devastation of Hurricane Sandy in
Santiago, Cuba, and celebrating the 60th anniversary of the start
of the Cuban Revolution. Traditional Cuban meal of beans, rice
and *ropa vieja*.

No cost to attend, but donations will be accepted. Program will
discuss the successes of Cuban healthcare, education and organic
agriculture, updates on the struggle for normalization of
relations, freedom to travel, current challenges and opportunities.

Sponsored by the Corvallis Committees of Correspondence
for Democracy and Socialism - www.cc-ds.org

Information on P4P at: www.ifconews.org

For event information, contact Mike Beilstein at 541 754 1858.

MEMORANDUM

May 20, 2013

TO: Mayor and City Council
FROM: Nancy Brewer, Finance Director *NB*
SUBJECT: Hewlett-Packard Property Tax Appeal

City staff was notified today by Benton County staff that the Oregon Tax Court has upheld Hewlett-Packard's appeal of the assessed value on their buildings as that value was determined by the Oregon Department of Revenue. This appeal covers that tax years of 2008-2009 through 2010-2011, but by extension changes values for 2011 and 2012 as well.

Benton County Finance staff is working on the total refund amount that will be due. This calculation includes running both principal and accrued interest based on the timing of each of three tax payments made during the three years in question and the intervening period. At this point, it appears the total refund will be around \$9.5 million shared proportionately by all taxing entities in Benton County; the City is currently estimated to lose \$2.24 million, broken down as follows:

- Permanent rate \$1,794,560
- General Obligation Bonds 90,594
- Local Option Levy 158,127
- Benton County Library Service District 210,986

It is not clear what the timing will be for making the actual refund. Benton County Finance is exploring all options, and will hold discussions with taxing districts about preferences for an immediate lump sum or a five-year repayment period. Since the timing is not clear, it is also difficult to know the implications for adopting a balanced budget for FY 13-14. Corvallis Finance Department staff is in communication with Benton County Finance to gather information as quickly as possible to be able to develop a plan and/or alternatives before the FY 13-14 budget public hearing before the City Council on June 3.

Benton County staff will meet with Department of Revenue staff this week to discuss whether or not DOR will appeal the tax court's decision. Additional information will be shared with the City Council when it is known.

RESOLUTION 2013-___

Minutes of the _____, 2013, Corvallis City Council meeting, continued.

A resolution submitted by Councilor _____.

WHEREAS, Oregon State Senate Bill 700 (SB 700) requires background checks for private and online gun purchases, such that each person will be required to request a criminal background check before transferring firearm to another person, with exceptions for family members, inherited firearms and antique firearms; and

WHEREAS, US House Resolution 1565 (HR 1565), the King-Thompson gun background check bill, and US Senate Bill 649 with Amendment 715 (S. 649 and S. Amdt. 715) Safe Communities, Safe Schools Act of 2013 with Manchin-Toomey amendment, require background checks at the federal level for commercial gun sales; and

WHEREAS, from 1994 through 2008, background checks prevented 1.8 million prohibited people in the United States, including felons and the mentally ill, from buying guns; and

WHEREAS, in states that require background checks for every handgun sale, 38% fewer women are shot to death by partners; and

WHEREAS, in states that require a background check for private handgun sales, there are 49% fewer firearm suicides, while the rates of suicide by other methods are nearly identical; and

WHEREAS, the International Association of Chiefs of Police has taken the position that Congress "should enact laws requiring that all gun sales and transfers proceed through a Federal Firearms License (FFL), thus ensuring that a mandatory background check will be conducted on the transferee."; and

WHEREAS, 85% of Americans and 81% of Oregonians support universal background checks; and

WHEREAS, the US Supreme Court opinion in the District of Columbia vs. Heller allows for prohibitions on the possession of firearms by felons and the mentally ill; and

WHEREAS, the Oregon State Police already provides the Firearms Instant Check System that allows private sellers of firearms to conduct background checks on potential buyers; and

WHEREAS, universal background checks instituted at the state level benefit the City of Corvallis by reducing the probability of gun related injuries and fatalities,

domestic violence, suicide, and gun crimes thus saving local law enforcement resources and providing another tool for prosecution of gun related crimes;

NOW, THEREFORE, THE CITY COUNCIL OF CORVALLIS RESOLVES THAT the City of Corvallis supports and adopts this Resolution in support of State and Federal legislation to require universal background checks for private gun sales as defined in proposed SB 700, HR 1565 and S. 649 and S.Amdt. 715.

BE IT FURTHER RESOLVED THAT the City Council of Corvallis appreciates the co-authorship of Oregon Representative Peter DeFazio and co-sponsorship of Oregon Representatives Suzanne Bonamici and Earl Blumenauer of proposed HR 1656, noting that Congressman DeFazio represents Corvallis.

BE IT FURTHER RESOLVED THAT the City Council of Corvallis appreciates the support of Oregon State Senators Jeff Merkley and Ron Wyden for S. 649 and S. Amdt. 715.

BE IT FURTHER RESOLVED THAT the City Council of Corvallis urges our Oregon State Senator, Betsy Close, to vote in favor of SB 700 and appreciates the public support of Oregon House Representative Sara Gelser of expanded background checks.

BE IT FURTHER RESOLVED THAT the City of Corvallis directs the Mayor to forward a copy of this Resolution to Oregon's State Legislative delegation, Oregon's Congressional Delegation and the White House of the United States.

Councilor

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

RESOLUTION 2013-_____

Minutes of the _____, 2013, Corvallis City Council meeting, continued.

A resolution submitted by Councilor _____.

WHEREAS, Oregon Senate Bill 347 (SB 347) authorizes locally school districts/entities controlling school grounds to adopt written policy restricting or prohibiting concealed handgun licensees from possessing firearms on school grounds; and

WHEREAS, under Oregon statute 166.370, anyone who holds one of Oregon's 169,000 concealed handgun licenses may bring firearms, including assault weapons, into public K-12 schools; and

WHEREAS, local school districts need discretion to set policies that affect the safety of students, faculty, and staff and can be held liable for failing to maintain a safe environment; and

WHEREAS, the National Education Association recommends strictly enforced rules that prohibit guns on school grounds and the National PTA believes the most effective school climate to be gun-free; and

WHEREAS, the Supreme Court of the United States in their finding on the District of Columbia v. Heller wrote "nothing in our opinion should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons or the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings."

NOW, THEREFORE, THE CITY COUNCIL OF CORVALLIS RESOLVES THAT the City of Corvallis supports and adopts this Resolution in support of SB 347 to authorize local school districts/entities controlling school grounds to adopt written policies restricting or prohibiting concealed handgun licensees from possessing firearms on school grounds.

BE IT FURTHER RESOLVED THAT the City Council of Corvallis urges our Oregon State Senator, Betsy Close, to vote in favor of SB 347 and appreciates the public support of Oregon House Representative Sara Gelser of SB 347.

BUT IT FURTHER RESOLVED THAT the City of Corvallis directs the Mayor to forward a copy of this Resolution to Oregon's State Legislative delegation, Oregon's Congressional Delegation and the White House of the United States.

Councilor

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

Sen. Betsy L. Close, District 8
900 Court Street, NE
Room S-311
Salem, OR 97301

January 24, 2013

Senator Close,

We, citizens of Benton and Linn counties in Oregon Senate District 8, wish you to reconsider your opinion that armed volunteers are a reasonable solution to gun violence in schools. In your letter to Sarah Finger McDonald dated Jan. 16, 2013 you stated that you believe that enlisting volunteer deputies to guard schools is a promising move towards reducing gun violence. We emphatically disagree with your position.

Guns in schools, especially in the hands of volunteers, will not protect our children. In 1981 Ronald Reagan was shot while he was surrounded by highly trained Secret Service and police officers. An armed deputy was on the Columbine High School campus but could not stop the massacre there in 1999. Virginia Tech has its own police force. Their trained officers were unable to prevent the massacre on their campus in 2007. These were armed, trained, law enforcement officers, not unpaid volunteers. Despite their training and experience they could not stop the young men armed with semi-automatic weapons and large capacity clips who carried out these grievous crimes.

In 2011, when Arizona congresswoman Gabrielle Giffords and 18 others were shot, police officers were present but it was an unarmed citizen who tackled the gunman. In fact, an armed citizen nearly shot the Good Samaritan who stopped the shooter. Even highly trained police officers hit bystanders when engaged in a confrontation with a gunman. On August 29, 2012, NYPD officers hit NINE innocent pedestrians when they shot, and hit, a gunman outside the Empire State Building. A study of shootings by the NYPD revealed that even highly trained police officers hit their target only 34% of the time. An armed volunteer in a school would be expected to do far worse in the event of a school shooting, putting children at greater risk.

Adding guns to a population increases the rate of violent death for the whole population. Putting guns in our schools in the hands of unpaid, inexperienced volunteers without law enforcement training will not decrease gun violence, rather it will increase the likelihood that students, teachers and administrators will be victims of violence.

We are mothers, fathers, grandparents, friends and teachers. Our children are our most precious gifts and their care is our greatest responsibility. We would do anything to protect them, including laying down our lives, as the faculty and staff at Sandy Hook did on that horrific day. We know that putting guns in our schools will only put our children at greater risk. We need preventative steps to stop mass gun violence, not reactive measures, not just waiting for the next mass murder to occur, not thinking that we can "shoot down" every threat. We are committed to keeping our children safe and we will work to build a world where they can go to school free and without fear. Guns in our schools are not an answer. Guns in our schools will not ensure the safety of our cherished children. We will not allow guns in our schools.

Sincerely,

Sarah Finger McDonald & Brian W. McDonald
Parents of 2, ages 7 and 2

Corvallis, OR 97330

Christy Anderson Brekken & Ted K.A. Brekken
Parents of 2, ages 7 and 4

Corvallis, OR 97330

This Mother's Day, members of Moms Demand Action for Gun Sense in America are demanding that our rights as mothers to protect our children from harm are not infringed. On Friday, May 10 we will deliver bouquets of eight paper flowers, representing the eight mothers who lose a child to gun violence each day, and our Mother's Bill of Rights to senators in Salem. Along with our partners in the Oregon Alliance to Prevent Gun Violence, we will ask our legislature to take action. We will tell them that they can keep our flowers this Mother's Day, we want our rights.

Yes, every day in the United States eight mothers lose a child to gun violence. Eight children. Eight mothers. For weeks after the Sandy Hook Elementary School massacre, I thought about the empty beds the parents of the victims had to face every day. And while massacres like Sandy Hook, Aurora, Tucson, Fr. Hood, and Virginia Tech grab our attention and break our hearts so should the deaths that occur every day. Every day - eight children, eight mothers.

The Oregon Health Authority reports that, in Oregon, 51 children under 18 were lost to gun violence in 2010 [1]. That is almost one child a week. Twenty-three of the deaths were homicides.

Gun violence is a public health crisis in the US and in Oregon. The Oregon legislature has introduced several bills to curb gun violence, but now the media are reporting they're stalled.

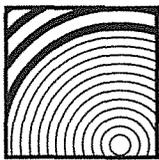
In 2000, Oregon led the country by passing legislation to close the 'gun show loophole' and require background checks at sales of more than 25 guns. But we still have a gaping loophole: 14 – 22% of guns sold in Oregon are sold privately, creating a gun pipeline for criminals and other people who could not—and should not—pass a background check. Universal background checks have almost universal support among voters, including most gun owners and NRA members. Oregon can take the lead again, and pass SB 700: Universal Background Checks.

Do you know what else we can do? Restore local control to school districts and allow them to keep guns out of their schools if they choose (SB 347). Like every parent in Oregon, after the Sandy Hook shooting, I worried about my children at school. I asked about security measures being considered, but I also realized that mass shootings are extremely rare and while we should do what we can to prevent these massacres, we must also prevent the accidental shootings that occur too often when kids get their hands on a gun. A school is no place for guns, unless they are carried by highly-trained and experienced public safety officers.

We've talked for years about reducing gun violence. Every time a mass shooting occurs we hear the same speeches both for and against common-sense gun legislation. In December we were shocked by the shooting at Clackamas Town Center and we wept for students and teachers that could easily have been our children and mothers. In April our hearts broke when a 9-yr old girl in Oregon City and a 4-yr old boy in Donald were killed in accidental shootings. It's time to stop talking and hold a vote on bills that could make our children and communities safer. We've spent too long watching the death toll rise and worrying about our children. Unregulated gun sales are tearing apart our families and our communities and we've had enough.

Sarah Finger McDonald
Co-leader, OR/Mid-Willamette chapter
Moms Demand Action for Gun Sense in America

1. *Firearms Fatalities in Oregon*. Oregon Public Health Division 2012, May 8, 2013.
http://public.health.oregon.gov/DiseasesConditions/InjuryFatalityData/Documents/firearm%20fatality12_18_2012.final.pdf



CEASEFIRE oregon
Reason. Educate. Legislate.

Securing Our Schools from Gun Violence

Under current Oregon law: Most guns in schools are prohibited by both federal and state law. But anyone who has one of Oregon's over 169,000 concealed handgun licenses (CHLs) can carry a firearm, including an assault weapon, into a public school (K–College).

- The armed visitor does not have to tell the school he is bringing a gun into the school.
- The armed visitor does not have to present a CHL.
- The school cannot find out whether an armed visitor has a valid CHL.

And there is no skill requirement for getting a concealed handgun license in Oregon—you don't have to be able to hit what you shoot at. Some school districts have more restrictive regulations, but the legal validity of those rules is doubtful.¹

Senate Bill 347 would permit K–12 school districts to prohibit CHL holders from bringing guns into their schools, pursuant to the district's written policy. Even in districts that adopt such a policy, public safety officers would still be able to carry guns into schools, as would other authorized people. And even in those districts, parents who are CHL holders would still be permitted to have their guns with them when they drop off or pick up their children at school, as long as the guns are not carried into a school building. School districts that want to permit all CHL holders to bring their guns into schools can still do so (and would not have to take any action to do so) under this bill.

SB 347 improves student and teacher safety in these ways:

1. It puts school districts in charge. Local districts can be expected to confer with public safety officials, teachers, and parents about the best way to keep students safe. Local school districts will be permitted to decide whether and under what circumstances to allow armed civilians into their school buildings. Under current law, school districts have no control over who brings a gun into schools.

2. It reduces the risk of vigilantes in the schools. Parental concern is high right now, and many parents own guns for the purpose of defending their homes and families. Few gun owners have the training and skill needed to respond in a crisis situation without further endangering students and staff. SB 347 will allow school districts to develop needed security plans and keep well-meaning individuals from creating additional risks.

3. It reduces the risk of unintentional shootings. Although mass shootings are the focus of public attention right now, on a day-to-day basis, accidents and inappropriate access to firearms are the causes of many more child deaths. Careless gun owners, like the Tillamook gun dealer who lost his handgun in a theater where it was found by school children the next day, are far more common than mass murderers. School kids need to be protected from them as well.

Please share this message with parents and teachers. Tell your legislators to support SB 347.

1. Exceptions to the basic rule above are teachers, contractors, and students over 21 if the district has inserted those prohibitions into their contracts.

In support of the resolutions about gun control submitted to the City Council of Corvallis on May 20, 2013 a letter published March 19, 2013 in the GT

Gazette Times to the Editor

The League of Women Voters of Corvallis would like to have the following letter published in Letters to the Editor.

Support for Gun Control

The League of Women Voters of Corvallis urges common sense solutions to the gun violence that is plaguing our nation. Since 1990 the League of Women Voters of the United States has had a position, reached by consensus of our members, in support of common sense regulations of guns. This position has been used to lobby in support of the assault weapons ban, legislation requiring all dealers to run criminal background checks at gun shows and in opposition to laws that grant special protection for the gun industry.

The position states: “The League of Women Voters of the United States believes that the proliferation of handguns and semi-automatic assault weapons in the United States is a major health and safety threat to its citizens. The League supports strong federal measures to limit the accessibility and regulate the ownership of these weapons by private citizens. The League supports regulating firearms for consumer safety.

The League supports licensing procedures for gun ownership by private citizens to include a waiting period for background checks, personal identity verification, gun safety education and annual license renewal. The license fee should be adequate to bear the cost of education and verification.”

It is time to advocate for measures that will ban assault weapons, place limits on magazine size, close the gun show loophole and mandate annual reporting on gun violence in America. Gun control is a matter of public safety and public health. These measures will not affect responsible gun owners and in no way will take guns away from them, but help make our communities safer.

Kate Mathews, President, League of Women Voters of Corvallis

May 20, 2013

LoErna Simpson

Corvallis, OR 97330

**Statement asking for Corvallis City Council to officially SUPPORT
SB 700 Universal Background Checks and SB 347 Guns at K-12 Schools.**

I am LoErna Simpson, a long time resident of Corvallis, a mother and grandmother, a voting citizen, a member of Moms Demand Actions for Gun Sense in America, and a member of the Corvallis United Methodist Church, which has declared that our Church is a Gun-Free Zone.

Both of these bills that are before the Oregon Senate are reasonable and useful bills...an essential part of a picture of providing better Gun Safety for all people in Oregon.

SB 347: I especially think that SB 347- Guns at K-12 Schools is a thoughtful approach. As the law reads now, anyone can walk into any Oregon school carrying a gun if they have a CHL / Concealed Handgun License, and the school will not know that they have a gun and neither can ask if they are carrying a gun. The law as it stands does nothing to help all teachers, administrators and children feel safe, comfortable and at ease in their schools.

Rather than changing the law to read that *no one* with a CHL can carry a concealed gun into K-12 schools, the Bill 347 allows school districts themselves to make that decision of whether guns are allowed inside schools or not.

I believe it is very important for each local community school board to make that decision. Communities vary in many ways. Oregonians like to be 'in control' and this bill provides that option, whereas before it was dictated to us that guns must be allowed in schools.

SB 700: This requires a background check before sale or other transfer of every firearm, except transfers to immediate family members.

The current law only requires licensed dealers and sellers at gun shows to run background checks. There is a big loophole, because an individual can sell a gun privately to an individual and is not required to do a background check on that person before the sale.

As others have already stated, the general American public overwhelmingly supports the requirement of background checks on any gun sale, including individual sellers.

Summary:

- These 2 bills will not reduce ALL of the deaths by firearms, but these 2 bills are thoughtful parts of the picture of safety.
- When put together these laws will provide better safety for all people in our communities, while still allowing citizens to own their guns.

Therefore, I urge the Corvallis City Council to declare their support of these 2 bills, SB 347 and SB 700.

Thank you.



LoErna Simpson