



**CITY COUNCIL AGENDA**

**July 6, 2020**

**Regular meeting 6:30PM**

CITY COUNCIL CHAMBERS, CITY HALL  
 29592 ELLENSBURG AVE  
 GOLD BEACH OR 97444

*DUE TO THE CORONAVIRUS, THE COUNCIL MEETING WILL BE CONDUCTED VIA VIRTUAL MEANS. PAGE 3 OF THE AGENDA PACKET HAS THE INSTRUCTIONS ON HOW TO CONNECT TO THE MEETING VIA PHONE OR VIDEO.*

**Call to order:**            **Time:** \_\_\_\_\_

- 1. The pledge of allegiance**
- 2. Roll Call:**

Members	Present	Absent
Mayor Karl Popoff		
Council Position #1 Summer Matteson		
<b>Council Position #2 Larry Brennan BEGINNING VOTE</b>		
Council Position #3 Anthony Pagano		
Council Position #4 Becky Campbell		
Council Position #5 Tamie Kaufman BEGINNING VOTE		
City Administrator Jodi Fritts		

- 3. Special Orders of Business:**
  - a. NeighborWorks Umpqua introduction Community Development Block Grant (CDBG) regional housing rehabilitation assistance program
- 4. Consent Calendar:**  
*None Scheduled*
- 5. Citizens Comments**  
*As presented to the Mayor at the beginning of the meeting*
- 6. Public Hearing**
  - a. CDBG regional housing rehabilitation program grant
- 7. Citizen Requested Agenda Items**  
*None Scheduled*
- 8. Public Contracts and Purchasing**  
*None Scheduled*

*The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community*

**9. Ordinances & Resolutions**

- a. 2<sup>nd</sup> Reading Ordinance No. 670 Amending Ord. 645 & 637 URA membership
- b. Resolution R2021-02 Budget Committee Appointment
- c. Resolution R2021-01 Adopting a Fair Housing Policy and Program
- d. Resolution R2021-03 Food Cart/Mobile Food Vendor moratorium on Ellensburg Avenue
- e. Resolution R2021-04 County Land Request

**10. Miscellaneous Items (including policy discussions and determinations)**

- a. Request from LOC for City's legislative priorities for 20-21
- b. Mateer Road dangerous building update
- c. 2020 Election reminder

**11. City Administrator's Report**

*To be presented at meeting*

**12. Mayor and Council Member Comments**

- a. Mayor Karl Popoff
- b. Councilors
  - 1) Summer Matteson
  - 2) Larry Brennan
  - 3) Anthony Pagano
  - 4) Becky Campbell
  - 5) Tamie Kaufman

**13. Citizens Comments**

*As permitted by the Mayor*

**14. Executive Session**

*No Executive Session Held*

**EFFECTIVE OCTOBER 2019 THE GOLD BEACH CITY COUNCIL REGULAR MONTHLY MEETINGS ARE HELD ON THE FIRST MONDAY OF THE MONTH**

The next regularly scheduled City Council meeting is the **Monday, August 3, 2020, at 6:30PM** in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon.

The Council will meet as the Gold Beach Budget Committee on Wednesday, July 15<sup>th</sup> at 5PM. The meeting will be open via Zoom virtual meeting.

**15. Adjourn Time: \_\_\_\_\_**

*The City of Gold Beach is dedicated to enhancing quality of life, while promoting health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community*

Jodi Fritts is inviting you to a scheduled Zoom meeting.

Topic: JULY 6, 2020 City Council Meeting

Time: Jul 6, 2020 06:30 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81292015791?pwd=b2hQaTluWGpHL3RFdGZrNis3UE5DQT09>

Meeting ID: 812 9201 5791

Password: 357205

One tap mobile

+12532158782,,81292015791#,,,,0#,,357205# US (Tacoma)

+13462487799,,81292015791#,,,,0#,,357205# US (Houston)

Dial by your location

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+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Germantown)

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Meeting ID: 812 9201 5791

Password: 357205

Find your local number: <https://us02web.zoom.us/j/81292015791?pwd=b2hQaTluWGpHL3RFdGZrNis3UE5DQT09>



# **SPECIAL ORDERS OF BUSINESS**



## **GOLD BEACH CITY COUNCIL AGENDA REPORT**

Agenda Item No. 3 a.  
Council Meeting Date: July 6, 2020

**TITLE: Community Development Block Grant (CDBG) Gold Beach  
Regional Residential Housing Rehabilitation Program**

**SUMMARY AND BACKGROUND:**

The City was recently contacted by NeighborWorks Umpqua about whether we could be the sponsor agency for a CDBG grant program through the Oregon Business Development Department, Infrastructure Finance Authority. According to NeighborWorks Umpqua, CDBG requires a partnership of at least 3 governmental entities, with one agency taking the lead on the application and reporting requirements. The City of Port Orford and Curry County are the proposed two other entities. The CDBG grant program would provide grants to low and medium income home owners in our area to make repairs to their houses. These are repairs that likely would not happen without the grant assistance. It includes funding for those folks in manufactured/mobile homes as well.

NeighborWorks Umpqua will put together and submit the actual grant application and administer the program, but the lead agency has to complete some formalities of the application process. A published Public Notice is required and a Public Hearing must be held regarding the proposed grant program. NeighborWorks Umpqua prepared the notice and took care of the publishing requirements in a recent edition of the Curry Coastal Pilot. Staff is required to read the published notice of the proposed grant program fully into the record which will occur immediately preceding the public hearing.

The City is also required to adopt a Fair Housing Policy and Program which must be submitted with the IFA grant application. IFA provides a template resolution which staff has utilized to prepare a resolution for adoption by the Council. The document contains the language necessary to comply with federal pass-through grant funding. The Fair Housing resolution is later in the meeting in the Ordinance and Resolution section of the agenda.

Attached is information about the proposed housing rehabilitation program. Eric Hill from NeighborWorks Umpqua will be available via Zoom if the Council has specific questions about the program. Also attached is info about NeighborWorks Umpqua.

## Infrastructure Programs

- [Brownfields Program](#)
- [Community Development Block Grant](#)
- [Industrial Development](#)
- [Industrial Site Certification](#)
- [Port Programs](#)
- [Safe Drinking Water](#)
- [Seismic Rehabilitation](#)
- [Special Public Works](#)
- [Telecommunications](#)
- [Water/Wastewater](#)

## Community Success Stories



**CDBG Grant and Safe Drinking Water Loan Boosts Water System Improvements in Stanfield**  
Loans and grants from the IFA will help the small community of Stanfield construct a new reservoir and other critical drinking water system improvements.

[READ FULL STORY ▶](#)

## Community Development Block Grant (CDBG) Program

Grants and technical assistance are available to develop livable urban communities for persons of low and moderate incomes by:

- expanding economic opportunities; and
- providing housing and suitable living environments.

### Who Can Apply

**Non-metropolitan cities and counties in rural Oregon** can apply for and receive grants. [Oregon tribes, urban cities (Albany, Ashland, Beaverton, Bend, Corvallis, Eugene, Grants Pass, Gresham, Hillsboro, Medford, Portland, Redmond, Salem, and Springfield), and counties (Clackamas, Multnomah, Washington) receive funds directly from HUD.]

All projects must meet one of three national objectives:

1. The proposed activities must benefit low- and moderate-income individuals.
2. The activities must aid in the prevention or elimination of slums or blight.
3. There must be an urgent need that poses a serious and immediate threat to the health or welfare of the community.

### Funding and Uses

Funding amounts are based on:

- the applicant's need;
- the availability of funds; and
- other restrictions defined in the program's guidelines.

The following are the maximum grants possible for any individual project, by category:

- Microenterprise: \$100,000
- Public Works
  - Water and Wastewater Improvements: \$2,500,000
- Community/Public Facilities: \$1,500,000
- Community Capacity/Technical Assistance: no specific per-award-limit but limited overall funds
- Regional Housing Rehabilitation: \$400,000
- Emergency Projects \$500,000

### How to Apply

The following outlines the application process for all other project types:

- Step 1: Initial contact and project development.** Business Oregon must be contacted prior to submitting an application. Contact your [regional development officer](#) to develop the project concept.
- Step 2: Application invited.** If the proposed project meets funding criteria and funds are available, an application will be invited and a form provided that will need to be completed and submitted by the application deadline.
- Step 3: Application submitted.** Completed, forms must be submitted by 5:00 pm on the last day of the application period.
- Step 4: Application assignment.** Once an application is verified "complete," it is given to a department staff member participating on the Rating, Ranking, and Review Team.
- Step 5: Application review.** All completed applications received during the annual application period are rated and ranked. Funding recommendations are then sent to the Business Oregon management team for review.
- Step 6: Funding recommendation review.** The agency management team reviews the forwarded recommendations and the agency director makes all final award decisions.
- Step 7: Notice of decision** Business Oregon notifies applicants of their funding status approximately 30 to 60 days after the application closing date.

### When to Apply

February 1–April 30, 2020, applications accepted. Award announcements by the end of June.

July 1–September 30, 2020, applications accepted. Award announcements by the end of November.

## Resources

### Method of Distribution

- 2020 Proposed MOD

### CDBG Program

- Program Brochure
- Low-, moderate-income data
- Method of Distribution
- Grant Management Handbook
- Funding Awards

### Fair Housing

- Analysis of Impediment (AI)

### Action Development

- Subcommittee
- Meeting Schedule & Resources

### Federal Resources

- Federal Register
- Code of Federal Regulations (CFR)
- HUD Section 3 Business Registry FAQs
- HUD Section 3 Business Registry Brochure English
- HUD Section 3 Business Registry Poster English
- HUD Section 3 Business Registry Brochure Spanish
- HUD Section 3 Business Registry Poster Spanish

### Rules & Regulations

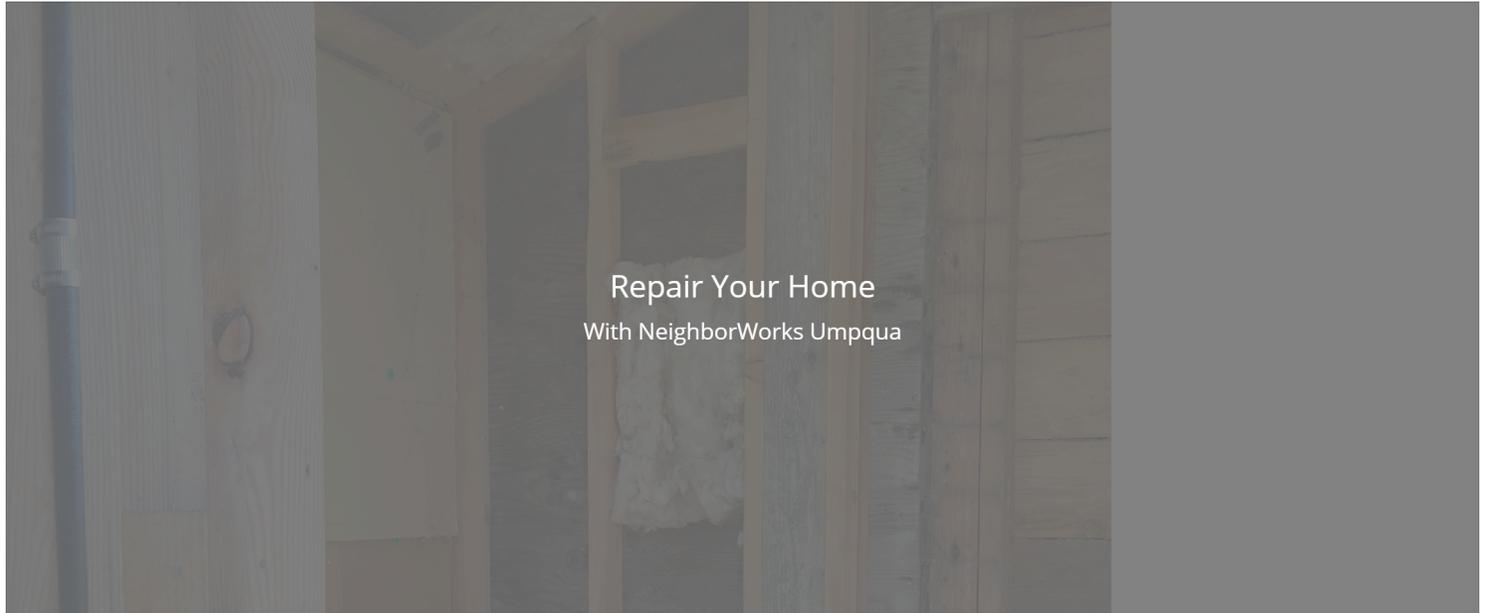
- OAR 123-080
- Program Regulations

### Who's Received Funding?

- Fiscal Year 2019

### Staff Contact

- Regional Development Officer



NeighborWorks Umpqua offers a variety of custom services for Southern Oregon homeowners to keep their home in good shape. Are you looking to repair your home?

## Home Repair Grants

NeighborWorks Umpqua administers Home Repair grant programs that assist eligible homeowners to make repairs to homes. Home Repair grants are often limited to specific areas or have other criteria. Please check back often or join our mailing list to be notified of grant availability. Whenever possible we work with local weatherization assistance providers to leverage our grant funds and maximize the benefit to eligible homeowners.

For licensed contractors: We have opportunities to work on home repairs. Typical repairs include roofs, electrical, plumbing, heating, and accessibility accommodations.

[Learn More](#)

## Looking for the grant for the CDBG repairs in Winston, Roseburg, and Myrtle Creek?

We are currently pausing intake while we review applications. We may reopen the process and post the information on our website. Contact us for further information.

Contact Us

## Grants for Senior Citizens

Help us secure future senior citizen-specific grant projects. At this time we do not have any open grants. However, we have an open inquiry list that will help secure funding for another round of projects. Your interest could secure more projects like this in the future.

Sign Up for Future Information

## Grants for Veterans

Help us secure future veteran-specific grant projects. At this time we do not have any open grants. However, we have an open inquiry list that will help secure funding for another round of projects. Your interest could secure more projects like this in the future.

Sign Up for Future Information

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(541) 673-4909  
**FAX # 541-673-5023**

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Some Service Restrictions Apply, Make Sure To Inquire About Service Availability In Your Area.

NMLS# 255912

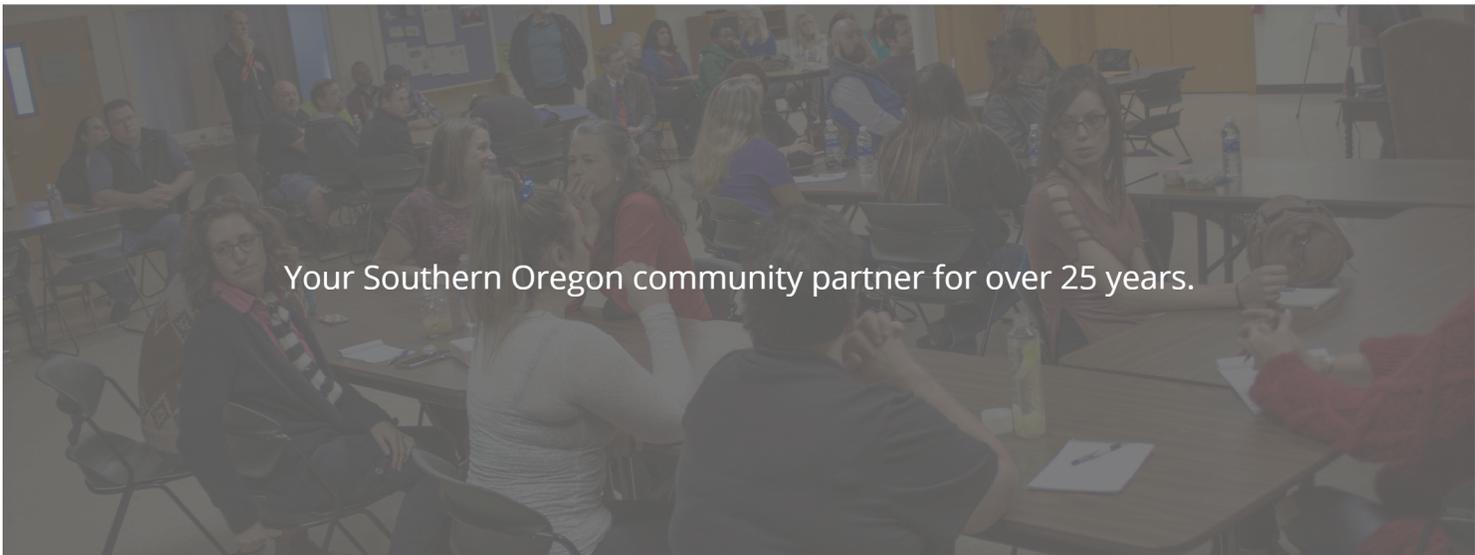
CCB# 151999

Equal Housing Lender

Equal Housing Opportunity

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Your Southern Oregon community partner for over 25 years.

### Our Mission Statement

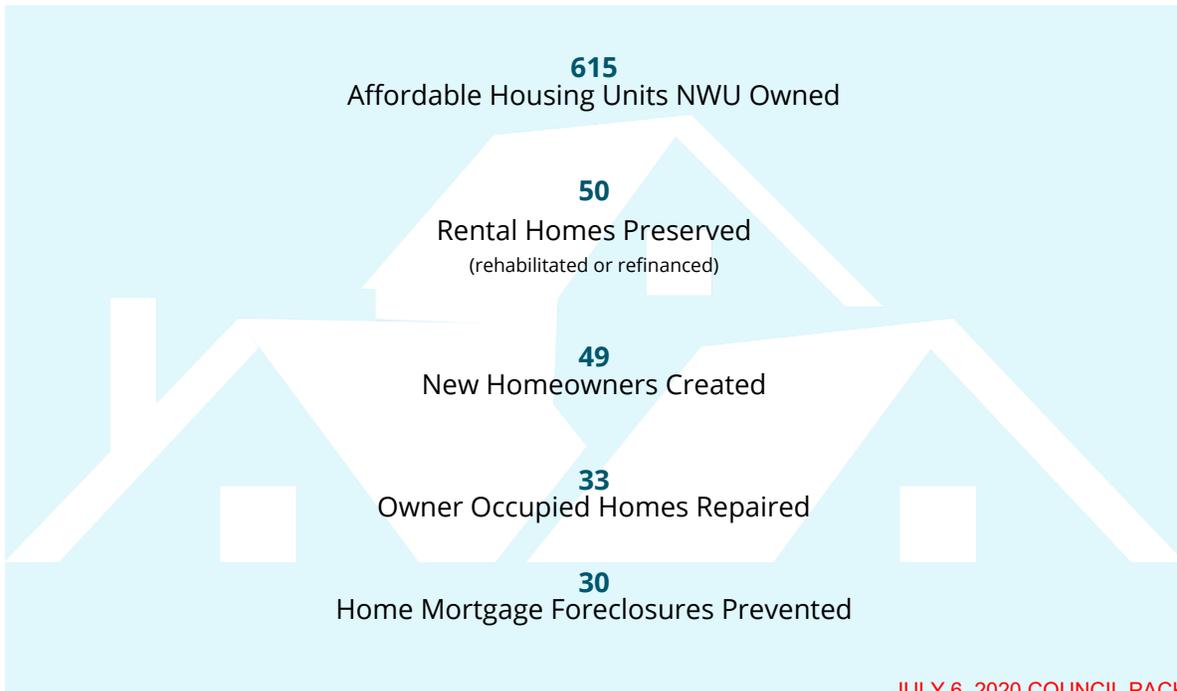
NeighborWorks Umpqua is a rural-focused housing and community development corporation committed to promoting opportunity for all. We will do this by providing quality housing, community development, property management, financial services, education, and advocacy in order to attain economic, social and environmental sustainability, and equity.

Our Commitment to Diversity, Equity & Inclusion

### NeighborWorks Umpqua 2019 Impact

**\$13,407,656**

**Total Invested in the Community**





**837**

Tax Preparation Clients Served

**408**

Clients Receiving Financial Education

**223**

Dream\$avers Graduates

[Download Revenue and Expenses 2019](#)

**2304 Volunteer Hours Served**

#### Our Story

NeighborWorks Umpqua is a private rural 501(c)(3) organization with a more than five county service range. Established in 1991 as Umpqua Community Development Corporation, the organization's first goal was to develop affordable housing for modest and moderate-income residents in Douglas County. The first major project was the development of an affordable multi-family rental housing complex, the first of its type in nearly 20 years. In 1999, the organization recognized important community needs were not being met and the organization pivoted. We added community-based economic development to the mission and expanded our service area to include all of rural Oregon.

In our 25+ years, NeighborWorks Umpqua has met all our housing and economic goals through creating overlapping client services that include:

- Affordable Housing Development
- Education, Training, and Homeowner Assistance
- Lending and Financial Services
- Economic Development
- Community Development
- Asset and Property Management

As a charter member of [NeighborWorks America](#), NeighborWorks Umpqua is a dynamic, flexible organization that seizes opportunities to meet changing local needs. NeighborWorks America provides technical and support services, competitive grants and other financial assistance, training institutes, scholarships for training and events, and much more.

#### Our Leadership

**Merten Bangemann-Johnson**

Chief Executive Officer

**Trisha Ingalls**

Chief Operations Officer

**Michelle Martin**

Director of Community Development and Economic Empowerment

**Erica Mills**

CDFI Director

**Brian Shelton-Kelley**

Director of Acquisition and Development

**Meredith Howell**

Resource Development Officer

**Arielle Reid**

Director of Policy and Advocacy

**Chris Conner**

Director of Property Management

**Marla Zoeter**

Manager of Heartwood ReSources

Our Board of Directors



**NeighborWorks Umpqua Board of Directors**

**Deb Lightcap, Chair**

**Jake Winn, Immediate Past Chair**

**Randall L. Mason, Vice Chair and Treasurer**

**Betti Manfre, Secretary**

**Elin Miller**

**Carolyn Johnson**

**Scott Cooper**

**Lisa O'Connor**

**Leesa Cobb**

**Tasha Oliverson**

Our Partners & Affiliates



**Our Partners and Affiliations**

NeighborWorks Umpqua is nationally recognized and in good standing with the following affiliates and partners:

*NeighborWorks America*

NeighborWorks America was created under Title VI of the Housing and Community Development Amendments of 1978. The principal purpose of the Corporation is "to revitalize older urban neighborhoods by mobilizing public, private, and community resources at the neighborhood level".



The Neighborhood Reinvestment Corporation strengthens communities and transforms lives across America by supporting innovative local partnerships of residents, businesses, and government, collectively known as the NeighborWorks Network, and by advancing broader community development goals.

NeighborWorks Umpqua, formerly known as Umpqua Community Development Corporation, has been a Charter Member of the NeighborWorks America network since the fall of 2002. We partner with others in the NeighborWorks network to help strengthen the communities and transform lives across all of Rural Oregon.

#### [Rural Local Initiatives Support Corporation](#)

Rural LISC is a national provider of technical assistance and other support for community development corporations.

#### [Housing Oregon](#)

Housing Oregon is a membership-based, statewide association of affordable housing and community development organizations that provide housing and economic opportunity for working families, people with disabilities, seniors and others struggling to meet their needs in communities throughout Oregon.

#### [American Independent Business Alliance](#)

The American Independent Business Alliance helps communities start and sustain an Independent Business Alliance. AMIBA is a charitable organization, organized under section 501(c)(3) of the IRS code.

External Links

[Oregon Housing and Community Services](#)

Our Commitment to Sustainability



Our Employment Opportunities



Our Licenses & Awards



NeighborWorks Umpqua is a licensed Service Provider and currently holds the following licenses:

- CCB (Oregon Construction Contractor's Board) # 151999
- ML (Mortgage Lender) # 4254
- NMLS (National Mortgage Licensing System) # 255912

## Awards



Stay up to date with our work and



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## Get In Touch

Name

Phone Number

Email Address

Message

12 + 3 =

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# **PUBLIC HEARING**



## **GOLD BEACH CITY COUNCIL AGENDA REPORT**

Agenda Item No. **6. & 9. a.**  
Council Meeting Date: July 6, 2020

**TITLE: SECTION 6 - Public Hearing for CDBG Regional Housing  
Rehab Program Grant**

**PUBLIC HEARING SUMMARY AND BACKGROUND:**

As mentioned in the Special Orders of Business section the City was approached by NeighborWorks Umpqua to be the sponsor entity for grant submission to Business Oregon/IFA for Community Development Block Grant funds for a regional housing rehab program for underserved home owners in our area. The application process requires the City to hold a public hearing to “...obtain citizen views and respond to questions and comments about: community development and housing needs, especially the needs of low-and-moderate-income persons, as well as other needs in the community that might be assisted with a CDBG project...” The public notice that was published also stated written comments were welcome. As of the date of the packet no comments have been received.

**REQUESTED ACTION**

**Open the public hearing for comments. The comments received will be compiled and sent to NeighborWorks Umpqua.**

~\*~

**TITLE: SECTION 9 – Resolution R2021-01 Fair Housing Policy &  
Program for CDBG program**

**RESOLUTION SUMMARY AND BACKGROUND:**

As mentioned in the Special Orders of Business section the City was approached by NeighborWorks Umpqua to be the sponsor entity for grant submission to Business Oregon/IFA for Community Development Block Grant funds for a regional housing rehab program for underserved home owners in our area. The application process requires the City to adopt a Fair Housing Policy and Program. Staff prepared the resolution from the CDBG template available from Business Oregon/IFA.



**SECTION 6. Public Hearing**  
**SECTION 9. Ordinances & Resolutions**

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**REQUESTED ACTION**

**Adopt the resolution to be included in the NeighborWorks Umpqua application to Business Oregon/IFA for the CDBG grant.**

**SUGGESTED MOTION: I make the motion to adopt Resolution R2021-01, A RESOLUTION ADOPTING A FAIR HOUSING POLICY AND IMPLEMENTING A FAIR HOUSING PROGRAM TO ENSURE EQUAL OPPORTUNITY IN HOUSING FOR ALL PERSONS**

## Public Notice and Notice of Public Hearing

**The City of Gold Beach** is eligible to apply for a 2020 Community Development Block Grant from the Business Oregon. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

Approximately \$12 million will be awarded to Oregon non-metropolitan cities and counties in 2020. The maximum grant that a city or county can receive for housing rehabilitation projects is **\$500,000 including the additional \$100,000 for work in manufactured home parks.**

**The City of Gold Beach** is preparing an application for a 2020 Community Development Block Grant from the Business Oregon for a **regional housing rehabilitation program for persons residing in The City of Gold Beach.** It is estimated that the proposed project will benefit at least **60** persons, of whom **100%** will be low or moderate income.

A public hearing will be held by the **City of Gold Beach** at **6:30 pm** on **July 6, 2020** at the **City Council Chambers, City Hall, located at 29592 Ellensburg Ave, Gold Beach Oregon 97444.** The purpose of this hearing is for **The City of Gold Beach City Councilors** to obtain citizen views and to respond to questions and comments about: community development and housing needs, especially the needs of low- and moderate-income persons, as well as other needs in the community that might be assisted with a Community Development Block Grant project; and the proposed project.

Written comments are also welcome and must be received by **Monday, July 6<sup>th</sup> at 5:00pm** at **29592 Ellensburg Ave, Gold Beach Oregon 97444.** Both oral and written comments will be considered by the **City of Gold Beach City Councilors** in deciding whether to apply.

The location of the hearing is accessible to persons with disabilities. Please contact **Jodi Fritts, City Administrator, City Hall 29592 Ellensburg Ave, Gold Beach OR, 541-247-7029** if you will need any special accommodations to attend or participate in the meeting.

More information about Oregon Community Development Block Grants, the proposed project, and records about **City of Gold Beach's** past use of Community Development Block Grant funds is available for public review at **29592 Ellensburg Ave, Gold Beach Oregon 97444** during regular office hours. Advance notice is requested. If special accommodations are needed, please notify **Jodi Fritts, City Administrator, City Hall 29592 Ellensburg Ave, Gold Beach OR, 541-247-7029** so that appropriate assistance can be provided.

Permanent involuntary displacement of persons or businesses is not anticipated as a result from the proposed project. If displacement becomes necessary, alternatives will be examined to minimize the displacement and provide required/reasonable benefits to those displaced. Any low- and moderate-income housing that is demolished or converted to another use will be replaced.



# **ORDINANCES & RESOLUTIONS**



## GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 9. a.  
Council Meeting Date: July 6, 2020

**TITLE: 2<sup>nd</sup> Reading Ordinance No. 670 URA Advisory Committee  
Makeup**

**PUBLIC HEARING SUMMARY AND BACKGROUND:**

The Council first heard this matter at the June meeting and adopted the OPTION 2 membership. The first reading was at the June meeting.

**REQUESTED ACTION & SUGGESTED MOTION:**

The second reading of Ordinance No. 670.

**I make the motion that the Council adopt Ordinance No. 670, AN ORDINANCE AMENDING AND REPEALING PORTIONS OF ORDINANCES 645 & 637 WHICH CREATED THE GOLD BEACH URBAN RENEWAL AGENCY. The SECOND reading of the ordinance to be by title only.**

~\*~

**FROM JUNE AGENDA REPORT:**

*This matter is first in the Public Hearing portion of the meeting and then again in the Ordinances & Resolutions section if the Council wishes to proceed with an amendment to the Ordinance.*

*Ordinance 645 was adopted in February 2013 and amended the original makeup of the Urban Renewal Agency post Urban Renewal Plan adoption. The City Council is designated as the URA for the City and a 4-member Citizen Advisory Committee was created with Ord. 645. Unfortunately, we have had a difficult time recruiting members for the advisory committee. The Council has discussed in the recent past modifying the membership requirements to help with recruitment. Currently the membership makeup requires 3 of the 4 members to be Gold Beach residents. One member can reside within the Urban Growth Boundary. Staff has put together a few altered membership options for the Council's consideration:*

**AMEND CURRENT Section 4: Membership (2):**

- (2) Citizens: A four (4) person Citizen Advisory Committee shall be appointed to serve with the Agency in an advisory capacity. Three (3) members shall be residents of the City of Gold Beach. One member may live outside the city limits but within the Gold Beach Urban Growth Boundary.

**OPTION 1:**



## SECTION 9. Ordinances & Resolutions

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*Citizens: A four (4) person Advisory Committee may be appointed to serve with the Agency in an advisory capacity. At least two (2) members shall be residents of the City of Gold Beach, OR property owners within the Urban Renewal District boundaries. Two (2) members may live outside the city limits, but within the Central Curry School District boundaries.*

*OPTION 2:*

*Citizens: A four (4) person Advisory Committee may be appointed to serve with the Agency in an advisory capacity. One (1) member shall be a resident of the City of Gold Beach. Up to three (3) members may be property owners within the Urban Renewal District boundaries, OR may live outside the city limits, but within the Central Curry School District boundaries.*

*Because this is amending an ordinance a public hearing is required prior to adoption of any changes or a new ordinance. Staff has prepared a possible amending ordinance (Ordinance No. 670) for consideration. If the Council wishes to proceed with adopting one of the options provided by staff, or formulating a different membership option during the hearing, a place holder has been left in the Ordinances & Resolutions section of the agenda.*

**ORDINANCE NO. 670**

**AN ORDINANCE AMENDING AND REPEALING PORTIONS OF ORDINANCES 645 & 637  
WHICH CREATED THE GOLD BEACH URBAN RENEWAL AGENCY**

**WHEREAS**, in 2010 the City Council recognized the need for the formation of an urban renewal agency; and

**WHEREAS**, the City Council, by Ordinance 637 created the Gold Beach Urban Renewal Agency; and

**WHEREAS**, after the completion and review of an Urban Renewal Feasibility Study, the City Council voted to proceed with the development of an Urban Renewal Plan; and

**WHEREAS**, Ordinance 637, Section 4, detailed the membership of the Urban Renewal Agency; and

**WHEREAS**, the City Council determined the membership of the Gold Beach Urban Renewal Agency should be modified after the adoption of the Urban Renewal Plan and amended the membership with Ordinance 645, adopted in February 2013.

**WHEREAS**, the City has experienced difficulty in recruited interested citizens willing to serve on the Citizen Advisory Committee created by Ordinance 645; and

**WHEREAS**, the City Council has determined it is necessary to amend the Citizen Advisory Committee membership requirements in order to recruit interested persons to serve.

**NOW, THEREFORE**, the City of Gold Beach Ordains as follows:

*Section 4: Membership of Ordinance No. 645 and No. 637 shall be repealed and replaced with the following:*

Section 4: Membership:

- (1) City Council: The Gold Beach Urban Renewal Agency shall be comprised of the five (5) standing members of the City Council. The term of office for each Urban Renewal Agency member shall be concurrent with that member's term of office as a city councilor.
- (2) Citizens: A four (4) person Advisory Committee may be appointed to serve with the Agency in an advisory capacity. One (1) member shall be a resident of the City of Gold Beach. Up to three (3) members may be property owners within the Urban Renewal

District boundaries, OR may live outside the city limits, but within the Central Curry School District boundaries.

- (3) Term of Office: The Advisory Committee members shall be appointed by the Mayor with majority approval of the City Council. The term of office of each advisory member shall be for a period of four (4) years. Notwithstanding any other provision of this ordinance, Positions 2 and 4 shall serve a term of two (2) years, and Positions 1 and 3 shall serve a term of four (4) years, thereafter each position will serve 4 year terms.
  
- (4) Removal: An Advisory Committee member who engages in misconduct may be removed by the Mayor and Council after a hearing. The hearing shall be conducted by the Mayor at a special City Council meeting called for that purpose and the decision of the Mayor and Council shall be final. Thereafter, the Mayor shall appoint, with majority approval of the Council, a replacement member to fill that position.

PASSED and ADOPTED by the City Council of the City of Gold Beach, State of Oregon, on this 6<sup>th</sup> day of July, 2020.

---

Karl Popoff, Mayor

ATTEST:

---

Jodi Fritts, City Administrator/City Recorder

First Reading: June 1, 2020

Aye: 5            Nay: 0

Second Reading:

Aye            Nay



## GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 9. b.  
Council Meeting Date: July 6, 2020

**TITLE: Resolution R2021-02 Budget Committee appointment**

**RESOLUTION SUMMARY AND BACKGROUND:**

At the March meeting the Mayor and Council approved the appointment of Craig Chance to the City Budget Committee. Due to the coronavirus crisis the appointing resolution was overlooked for the April meeting.

**SUGGESTED MOTION: I make the motion to adopt Resolution R2021-02, A RESOLUTION CONFIRMING APPOINTMENTS TO THE BUDGET COMMITTEE AND SETTING TERMS OF OFFICE**

**RESOLUTION R2021-02**

**A RESOLUTION CONFIRMING APPOINTMENTS TO THE BUDGET COMMITTEE AND  
SETTING TERMS OF OFFICE**

**WHEREAS:** The appointment and term of office procedures are set forth in the Gold Beach Administrative Code Section 1.125(2) & (3) and Oregon Budget Law; and

**WHEREAS:** two vacancies currently exist on the Budget Committee;

**WHEREAS:** The City has recruited interested persons to fill the vacancies;

**NOW, THEREFORE, BE IT RESOLVED** that the Gold Beach City Council hereby reappoints:

**Craig Chance Position #2, term to expire December 31, 2021,**

**And reaffirms the previous appointments of:**

Position #1	Sandra Vieira	expires December 31, 2022
Position # 3	Dave Sanders	expires December 31, 2021
Position #4	Candace Perryman	expires December 31, 2022
<i>Position #5</i>	<i>VACANT</i>	<i>expires December 31, 2022</i>

**The Council members of the Budget Committee:**

Position #1: Summer Matteson	Position #2: Larry Brennan
Position #3: Anthony Pagano	Position #4: Becky Campbell
Position #5: Tamie Kaufman	

PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 6<sup>th</sup> DAY OF JULY, 2020.

APPROVED BY:

\_\_\_\_\_  
Karl Popoff, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Fritts, City Administrator/Recorder



## GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. **6. & 9. a.**  
Council Meeting Date: July 6, 2020

**TITLE: SECTION 9 – Resolution R2021-01 Fair Housing Policy & Program for CDBG program**

**RESOLUTION SUMMARY AND BACKGROUND:**

As mentioned in the Special Orders of Business section the City was approached by NeighborWorks Umpqua to be the sponsor entity for grant submission to Business Oregon/IFA for Community Development Block Grant funds for a regional housing rehab program for underserved home owners in our area. The application process requires the City to adopt a Fair Housing Policy and Program. Staff prepared the resolution from the CDBG template available from Business Oregon/IFA.

**REQUESTED ACTION**

**Adopt the resolution to be included in the NeighborWorks Umpqua application to Business Oregon/IFA for the CDBG grant.**

**SUGGESTED MOTION: I make the motion to adopt Resolution R2021-01, A RESOLUTION ADOPTING A FAIR HOUSING POLICY AND IMPLEMENTING A FAIR HOUSING PROGRAM TO ENSURE EQUAL OPPORTUNITY IN HOUSING FOR ALL PERSONS**

## RESOLUTION R2021-01

### A RESOLUTION ADOPTING A FAIR HOUSING POLICY AND IMPLEMENTING A FAIR HOUSING PROGRAM TO ENSURE EQUAL OPPORTUNITY IN HOUSING FOR ALL PERSONS

**LET IT BE KNOWN TO ALL PERSONS** of the City of Gold Beach that discrimination in the sale, rental, lease, advertising of sale, rental or lease, financing of housing or land to be used for construction of housing, or in the provision of brokerage or rental services because of race, color, religion, sex, disability (physical or mental), familial status (children) or national origin is prohibited by Title VIII of the federal Fair Housing Amendments Act of 1988. It is the policy of the City of Gold Beach to support the Fair Housing Amendments Act of 1988 and to implement a Fair Housing Program to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, disability (physical and mental), familial status (1. children, and 2. actual or perceived sexual orientation, gender identity or marital status or its members), or national origin. Therefore, the City of Gold Beach does hereby pass the following Resolution:

**BE IT RESOLVED** that within the resources available to the City of Gold Beach through city, county, state, federal and community volunteer sources, the City will assist all persons who feel they have been discriminated against because of race, color, religion, sex, disability (physical and mental), familial status (children) or national origin in the process of filing a complaint with the Oregon Civil Rights Division or the U.S. Department of Housing and Urban Development, Seattle Regional Office Compliance Division, that they may seek equity under federal and state laws.

**BE IT FURTHER RESOLVED** that the City shall publicize this Resolution and through this publicity shall cause real estate brokers and sellers, private home sellers, rental owners, rental property managers, real estate and rental advertisers, lenders, builders, developers, home buyers and home or apartment renters to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances.

**THE FAIR HOUSING PROGRAM**, for the purpose of informing those affected of their respective responsibilities and rights concerning Fair Housing law and complaint procedures, will at a minimum include, but not be limited to: 1) the printing, publicizing and distribution of this Resolution; 2) the distribution of posters, flyers, pamphlets and other applicable Fair Housing information provided by local, state and federal sources, through local media of community contacts; and 3) the publicizing of locations where assistance will be provided to those seeking to file a discrimination complaint.

**This Resolution shall take effect immediately upon passage.**

**PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 6<sup>th</sup> DAY OF JULY, 2020.**

APPROVED BY:

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Karl Popoff, Mayor

ATTEST:

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Jodi Fritts, City Administrator/City Recorder



## GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 9. d.  
Council Meeting Date: July 6, 2020

### **TITLE: Resolution R2021-03 Moratorium on Food Cart/Mobile Food Vendors within Ellensburg Ave (Hwy 101) Corridor**

**SUMMARY AND BACKGROUND:**

Staff brought this topic back up at the June meeting (see below). At that meeting the Council decided to prohibit any new food carts/mobile food vendors along Hwy 101 until the Council has adopted specific Code amendments to address the businesses. Staff was requested to prepare a resolution formalizing that decision.

~\*~

**FROM JUNE AGENDA REPORT**

**TITLE: Revisit Food Cart Regulation Discussion**

**SUMMARY AND BACKGROUND:**

*This is a Heads-Up notice only, for the July meeting staff would like to revisit the Food Cart regulation discussion that began last year. Staff have concerns about unregulated placement, sanitation, and quasi-structural issues that relate to fire/life safety codes. A few business owners have also brought specific concerns to staff that they would like to present to the Council. Hopefully in July we can meet in person with the public present so they can address the Council.*

## RESOLUTION R2021-03

### A RESOLUTION DECLARING A TEMPORARY MORATORIUM ON ISSUING NEW BUSINESS LICENSES AND PLANNING AND PUBLIC WORKS AUTHORIZATION TO OPERATE A FOOD CART/MOBILE FOOD VENDOR BUSINESSES WITHIN THE ELLENSBURG AVENUE CORRIDOR

**WHEREAS:** The City adopted an Urban Renewal Plan and District in 2013 to address blight within the City; and

**WHEREAS:** The community of Gold Beach initiated participation in the statewide Main Street Program in 2016; and

**WHEREAS:** The City Urban Renewal Agency and Gold Beach Main Street have a shared goal of enhancing and rehabilitating the properties and businesses located within the Ellensburg Avenue corridor throughout town; and

**WHEREAS:** The City's current Zoning Code does not specifically address food carts/mobile food vendor businesses and the Council is desirous to develop a comprehensive section of the Zoning Code to address all issues related to food cart/mobile food vendor businesses including, but not exclusively: proper sanitation and compliance with FOG requirements, ensuring compliance with building code fire/life safety provisions, adequate parking, ensuring adequate public health inspections and compliance; and

**WHEREAS:** At the May 4, 2020, City Council meeting the Council voted to institute a moratorium on any new food cart/mobile food vendor business within the Ellensburg Avenue (Hwy 101) corridor until such time as the City amends the Zoning Code with specific language to address this type of business; and

**WHEREAS:** The Council wishes to address this topic as soon as possible and directs Administration and Planning staff to begin the process of developing potential Zoning Code amendments for the Council to review by the September 7, 2020, regular Council meeting.

**NOW THEREFORE, BE IT RESOLVED:** the City Council of the City of Gold Beach hereby prohibits any new food cart/mobile food vendor business to be located within the Ellensburg Avenue (Hwy 101) corridor until the Council amends the Zoning Code to address this specific type of business. Food cart/mobile food vendor businesses may be permitted to be located outside of Ellensburg Avenue corridor subject to compliance with

other City Code requirements. Administration, Planning, and Public Works staff will ensure compliance with City Codes.

**PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 6<sup>th</sup> DAY OF JULY, 2020.**

APPROVED BY:

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Karl Popoff, Mayor

ATTEST:

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Jodi Fritts, City Administrator/City Recorder



## GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 9. e.  
Council Meeting Date: July 6, 2020

**TITLE: Resolution R2021-04 Request from Curry County to designate certain County properties within the City limits as County Park land**

**SUMMARY AND BACKGROUND:**

We received a request from Curry County to consent to their designation of two tax foreclosed parcels located in the Hunter Creek Heights vicinity as County Park Land. The purpose for the designation is not develop a County Park, but to utilize an ORS process that permits County's to sell properties designated as Park land (we actually acquired the Visitor Center parcel in the 1990s in such an action.) The Director of County Operations sent a draft resolution and supporting documents that staff forwarded to City legal counsel for their review and comment. Our attorney said this is a common practice for County's to liquidate parcels obtained through property tax foreclosure. He made changes to the draft resolution to conform with our City resolution system and formatting.

The Park designation does not change the City's underlying comprehensive plan and zoning ordinance designation for the parcels.

**REQUESTED ACTION & SUGGESTED MOTION**

The County must obtain our consent to designate County owned properties within our City limits. The County intends to sell the parcels and the park designation creates a more streamlined process for that sale which also nets the County more of the sale revenue.

I make the motion that the Council adopt Resolution R2021-04, **A RESOLUTION AT THE REQUEST OF THE CURRY COUNTY BOARD OF COMMISSIONERS TO DESIGNATE COUNTY OWNED REAL PROPERTY WITHIN THE CITY LIMITS OF GOLD BEACH AS COUNTY PARK LAND**

**RESOLUTION R2021-04**  
**A RESOLUTION AT THE REQUEST OF THE CURRY COUNTY BOARD OF COMMISSIONERS TO**  
**DESIGNATE COUNTY OWNED REAL PROPERTY WITHIN THE CITY LIMITS OF GOLD BEACH**  
**AS COUNTY PARK LAND**

**WHEREAS:** ORS 275.320 authorizes the Curry County Board of Commissioners to designate any real property acquired by the county for delinquent taxes or otherwise owned land as county forests, public parks or recreational areas; and

**WHEREAS:** Curry County may designate certain properties for public park purposes and in turn may sell them and utilize the proceeds to maintain its county park system; and

**WHEREAS:** When the property to be designated is located within a city, in order for the County to act as proposed, ORS 275.320 requires the County to first obtain the consent of the City; and,

**WHEREAS:** The County's action to designate the property under ORS 275.320 is not a land use action and has no impact on the designation of the property under the City's Comprehensive Plan or the zoning of the property under the City's Zoning Ordinance.

**NOW, THEREFORE, BE IT** resolved the City Council of the City of Gold Beach, in accordance with ORS 275.320 consents to Curry County's proposal designating the properties described in Exhibit A as County park land.

**IT IS FURTHER RESOLVED** that the City retains the authority to require any development or use of the properties described in Exhibit A obtain all applicable zoning and development approvals from the City as provided by City Ordinances.

**IT IS FURTHER RESOLVED** that a copy of the adopted Resolution shall be provided to the Curry County Director of Operations.

**PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, and EFFECTIVE THIS 6<sup>th</sup> DAY OF JULY 2020.**

\_\_\_\_\_  
Karl Popoff, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Fritts, City Recorder/Administrator

**EXHIBIT A – RESOLUTION R2021-04**

PARCEL 1 – Assessor Map: 3714-18A tax lot 2336, Assessor account #: R18108, an approximately 1.6 acre parcel bordering Hunter Creek Heights Road and Laurel Lane; and

PARCEL 2 – Assessor Map: 3714-18A tax lot 2342, Assessor account #: R36551, Situs Address: 28413 Hunter Creek Heights Road, an approximately 3.35 acre parcel located off of Hunter Creek Heights Road.

Both parcels acquired through property tax foreclosure September 30, 2014 as recorded in County Instrument No.: 2014-2987.



# **MISC. ITEMS**

**(Including policy discussions and determinations)**



**SECTION 10. MISC ITEMS** (including policy discussions & determinations)

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**GOLD BEACH CITY COUNCIL AGENDA REPORT**

Agenda Item No. **10. a.**  
Council Meeting Date: July 6, 2020

**TITLE: LOC Request for Legislative Priorities for 2021 session**

**SUMMARY AND BACKGROUND:**

The LOC has sent a packet of proposed legislative priorities for the 2021 session. They are requesting that each Council member review the listed priorities and choose the TOP 4. Staff will compile the results and send the top 4 voted priorities to LOC as the Gold Beach submission.

**REQUESTED ACTION**

**Review either at home, or discuss at the meeting, the packet of legislative priorities and rank your top 4. At the meeting please provide staff your rankings. Staff will tabulate the responses and the top 4 voted items will be forwarded on to LOC.**



RECEIVED  
JUN 08 2020  
CITY OF GOLD BEACH

June 5, 2020

Dear Chief Administrative Official:

For the past three months, seven policy committees have been working to identify and propose specific actions as part of the LOC's effort to develop a pro-active legislative agenda for the 2021 session. They have identified legislative objectives as set forth in the enclosed ballot and legislative recommendation materials. These objectives span a variety of issues and differ in the potential resources required to seek their achievement. Therefore, it is desirable to prioritize them in order to ensure that efforts are focused where they are most needed.

While the attached ballot reflects the top policies developed in each of the policy committees, each undertook a broad look at a range of issues impacting cities. Many issues reflect the LOC's ongoing mission to support cities' work and their home rule authority to develop and use a variety of tools to meet the needs of residents. Each city is being asked to review the recommendations of the policy committees and provide input to the LOC Board of Directors as it prepares to adopt the LOC's 2021 legislative agenda. After your city council has had the opportunity to review the proposals and discuss them with your staff, please return the enclosed ballot indicating the top four issues that your city council would like to see the LOC focus on during the 2021 session. **The deadline for response is August 7, 2020.** The board of directors will then review the results of this survey of member cities, along with the recommendations of the policy committees, and determine the LOC's 2021 legislative agenda.

Your city's participation and input will assist the board in creating a focused set of specific legislative targets that reflect the issues of greatest importance to cities. If you have individual questions about the ballot topics do not hesitate to reach out to committee members who serve on the seven policy committees. Thank you for your involvement, and thanks to those among you who gave many hours of time and expertise in developing these proposals.

Do not hesitate to contact me or Jim McCauley, Legislative Director, with additional questions.

Sincerely,

Mike Cully  
Executive Director

Jim McCauley  
Legislative Director

Please mark 4 boxes with an X or check mark that reflects the top 4 issues that your city recommends be added to the priorities for the LOC's 2021 legislative agenda.

City of: \_\_\_\_\_

**Legislation**

<b>A. Beer and Cider Tax Increase</b>	
<b>B. Broadband Infrastructure and Technical Assistance Funding</b>	
<b>C. Building (Reach) Code – Energy Efficiency Local Option</b>	
<b>D. COVID-19 Economic Recovery Investments</b>	
<b>E. Digital Equity and Inclusion</b>	
<b>F. Expedited Siting for Shelter and Affordable Housing</b>	
<b>G. Green Energy/Renewables – Expanded Local Option</b>	
<b>H. Housing and Services Investment</b>	
<b>I. Increased Budgetary Flexibility During Budgetary Emergency</b>	
<b>J. Infrastructure Financing and Resilience</b>	
<b>K. Local Climate Action Planning Resources</b>	
<b>L. Local Energy Generation Project Support</b>	
<b>M. Local Speed Setting Authority</b>	
<b>N. Long Term Transportation Infrastructure Funding</b>	
<b>O. Low-Income Energy Efficiency and Affordability Programs</b>	
<b>P. Marijuana Tax Local Rate Limitation Increase</b>	
<b>Q. Mental Health Service Delivery</b>	
<b>R. Municipal Broadband and Municipal Pole Protection</b>	
<b>S. New Mobility Services</b>	
<b>T. Photo Enforcement Safety Cameras</b>	
<b>U. Property Tax Reform</b>	
<b>V. Reducing Wastewater Impacts from Wipes and Other “Non-Flushables”</b>	
<b>W. Right-of-way/Franchise Fees Authority Preservation</b>	
<b>X. State Highway Funds Formula</b>	
<b>Y. Tort Liability Reform</b>	
<b>Z. Water Utility Rate and Fund Assistance</b>	

In addition to your ranking of the priorities shown above, please use this space to provide us with any comments (supportive or critical) you may have on these issues, or thoughts on issues or potential legislative initiatives that have been overlooked during the committee process.):

**NOTE: This document is best opened in Google Chrome.**

## **A. Beer and Cider Tax Increase**

### **Legislation:**

The League proposes increasing the state taxes on beer and cider to assist with rising public safety costs, improve public health, reduce alcohol consumption by minors, and provide alcohol tax equity with wine and liquor.

### **Background:**

Oregon's tax has not been increased since 1978 and is currently \$2.60 per barrel which equates to about 8 cents on a gallon of beer. The tax is by volume and not on the sales price, meaning the tax is less than 5 cents on a six-pack. Oregon has the lowest beer tax in the country, and to get to the middle of the states Oregon would need to raise the tax to \$30.00 per barrel or 54 cents per six pack (a more than 10-fold increase). Given recent challenges to the craft brewing industry tied to bar and restaurant closures it may be appropriate to delay or phase-in the increase. Cities are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% of the state alcohol revenues, but the state takes 50% of beer and wine taxes off the top prior to this distribution. Cities have significant public safety costs related to alcohol consumption, and the beer tax does not come close to covering its fair share of these costs.

*Presented by the Finance and Taxation Committee*

## **B. Broadband Infrastructure and Technical Assistance Funding**

### **Legislation:**

Seek additional state support and funding for increased broadband infrastructure deployment and technical assistance.

### **Background:**

The deployment of broadband and telecommunications networks and services (public and/or private) throughout Oregon is critical to economic development, education, health and safety and the ability of residents to be linked to their governments. Research shows areas of the state either not served or underserved by competitive broadband technology. A significant barrier to the deployment of broadband infrastructure is funding. Cities need additional funding and support from various sources, including the state and federal government, allocated for increased or new, reliable, low latency broadband infrastructure that reaches speeds of at least 25 Mbps download and 3 Mbps upload or any updated speed standards as adopted by the FCC. Many federal grant programs require localities to have a broadband strategic plan in place before they are eligible for funds. Therefore, there is a need for funding sources to help cities with technical assistance as well as infrastructure.

*Presented by the Telecom, Broadband & Cable Committee*

## **C. Building (Reach) Code – Energy Efficiency Local Option**

### **Legislation:**

The LOC will pursue/support legislation to allow communities to adopt the Reach Code as the mandatory residential or commercial building code within the city's jurisdictional boundaries. The Reach Code would represent a building energy code that would be at least 10 percent more efficient than the statewide building code. Under this proposal, cities would be able to adopt the more efficient Reach Code or would continue to use the standard statewide building code as the base code.

### **Background:**

Under current state law, cities are preempted from adopting local building codes. Instead, development is subject to statewide codes, including for new residential and commercial development. In 2009, legislation was passed to implement a new, optional code (Reach Code) that would allow developers to exceed statewide codes and streamline the construction of higher-performance buildings through efficiencies

gained in the building exterior envelope as well as heating, ventilation, air conditioning, piping insulation and lighting. The Reach Code is optional for builders to use, but a local government can't mandate a builder to use it. This legislative recommendation would allow a city to adopt the Reach Code within their jurisdiction in order to promote additional energy efficiency for new residential and commercial structures. If a city does not wish to adopt the Reach Code, the statewide code would remain in place. The LOC Energy & Environment Committee discussed whether this recommendation would impact housing costs and believes that long-term cost savings may be gained through increased energy efficiency in newly built units. Ultimately, the decision on whether to utilize the standard code or the enhanced (Reach) code would be at the discretion of the city.

*Presented by the Energy and Environment Committee*

#### **D. COVID-10 Economic Recovery Investments**

##### **Legislation:**

The League will advocate for continued economic recovery strategies and investments for small business and workforce assistance in response to the economic impacts of the COVID-19 pandemic.

##### **Background:**

The COVID-19 pandemic has had a devastating impact on Oregon's small businesses and workforce. While the federal government and the state have made recent investments to support small business, these resources have yet to meet current needs and more resources will be needed to support long term economic recovery for Oregon's communities. The League will work in coordination with economic development partners to advocate for continued investments to support long-term recovery and economic development.

*Presented by the Community Development Committee*

#### **E. Digital Equity and Inclusion**

##### **Legislation:**

Support legislation and policies that are inclusive and equitable to all, individuals and communities, so that they have the information technology capacity needed for full participation in our society, democracy and economy.

##### **Background:**

Connectivity is crucial to modern life. It is being relied on more for how people do business, learn, and receive important services like healthcare. As technology has evolved, the digital divide has become more complex and nuanced. It is no longer about the existence of technology in certain places. Now, the discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds and to the skills and training they need to effectively use it. The LOC will partner with schools, healthcare, and other stakeholders to ensure technologies are relevant, available, affordable, and accessible to the diverse populous and communities of Oregon. Additionally, the LOC will advocate for digital literacy programs to help learn these new technologies.

*Presented by the Telecom, Broadband & Cable Committee*

#### **F. Expedited Siting for Shelter and Affordable Housing**

##### **Legislation:**

The League will pursue legislation to expedite the siting of emergency shelter and other affordable housing that follows the intent of the 2020 shelter siting bill ([HB 4001](#)) but retains more local decision making in the process. The League will pursue this priority in coordination with affordable housing partners and other land use stakeholders.

**Background:**

The League worked closely with city and county partners during the 2020 session to gain improvements to [HB 4001](#), which sought to preempt all local siting and zoning regulations and the land use appeals process, for approving the siting of emergency shelters for a one-year period. HB 4001 received strong legislative support in 2020. Draft omnibus legislation for a potential future special session has included the text of HB 4001 and the League expects to see HB 4001 reintroduced in the 2021 session.

This priority will empower cities and counties to proactively introduce alternative legislation, similar to existing statute in California, which requires jurisdictions to identify places where shelters can locate instead of mandating that jurisdictions allow shelters to be sited anywhere. The California model requires cities and counties to accommodate their need for emergency shelters on sites where the use is allowed without a conditional use permit and requires cities and counties to treat transitional and supportive housing projects as a residential use of property.

*Presented by the Community Development Committee*

**G. Green Energy/Renewables – Expanded Local Option****Legislation:**

The LOC will pursue/support policies that increase local control opportunities for cities that want to establish a community-scale green energy program. This program would be optional for cities that choose to pursue it. Cities who choose to, would be allowed to adopt resolutions that would opt-in residential, commercial, and industrial customers to a voluntary renewable energy option if it is provided by an investor owned utility that serves the city and its electric customers. Under this proposed program, a city would be able to pursue a more aggressive green energy portfolio and would better position cities to meet local climate action goals.

**Background:**

Under current law, customers of investor-owned utilities can opt-in to voluntary renewable energy options for their customers. These options allow customers to invest in additional green energy generation. In 2019, the state of Utah passed legislation ([SB 411](#)) that allows cities and counties to opt-in to programs on a community-scale basis, while still allowing individual customers to opt-out. Under this proposal, any city within the territory of an investor-owned utility, would be able to pursue this option for community-scale renewable energy (net-100% renewable).

*Presented by the Energy and Environment Committee*

**H. Housing and Services Investment****Legislation:**

The League will support increased investments for affordable housing, homeless assistance, and related services including funding for: shelter, homeless services, case management, rent assistance, the development and preservation of affordable housing, and permanent supportive housing.

**Background:**

Cities large and small were facing escalating homelessness rates before the COVID-19 pandemic and the current economic downturn will only increase the number of Oregonians facing eviction or experiencing homelessness. State general fund programs like the Emergency Housing Assistance (EHA) and State Homeless Assistance Program (SHAP) have seen record investments in previous legislative sessions. The legislative emergency board also voted recently to dedicate \$12M in general funds to support rent assistance and safe shelter in response to COVID-19.

Oregon's lack of available housing, high rents and high home prices are causing housing instability and homelessness to increase. The Legislature has made record investments in recent years to fund the LIFT

affordable housing program and preserve Oregon's existing affordable housing infrastructure. These programs are funded through general obligation bonds and lottery backed bonds.

Permanent Supportive Housing is a key strategy for ending chronic homelessness that reduces downstream costs to public systems like public safety, emergency health care and corrections. The 2019 Legislature invested over \$50M to stand up a three-pronged permanent supportive housing program that includes 1) development costs to build, 2) rent assistance to keep units deeply affordable, and 3) wrap around services that are key to ensuring residents' long-term stability. The state should continue investing in this model to bring more Permanent Supportive Housing across the state and ensure that the housing developed with the original \$50M continues receive the necessary ongoing funding for rent assistance and supportive services.

*Presented by the Community Development Committee*

## **I. Increased Budgetary Flexibility During Budgetary Emergency**

### **Legislation:**

The League proposes relaxing budgetary constraints in state law so that cities may better be able to withstand revenue losses related to natural disasters and public health emergencies. These losses will inevitably force many cities to cut services and lay off staff, the legislature can reduce the effect of losses by increasing flexibility for use of funds during and after a declared emergency.

### **Background:**

Cities anticipate a tremendous loss in revenue due to the COVID-19 pandemic. Reduced revenues already include losses to lodging taxes, gas taxes, park fees, development fees, parking fees, utility charges, and so on. Further out, there is widespread concern that there will be impacts to the real estate market going into 2021, and by extension a reduction in 2021-22 property tax revenues. Cities want maximum flexibility in using funds that are subject to statutory limitations but will negotiate terms on individual funding sources including payback requirements if necessary. This flexibility should apply during and after declared emergencies, including both the current pandemic and future natural disasters.

*Presented by the Finance and Taxation Committee*

## **J. Infrastructure Financing and Resilience**

### **Legislation:**

The League will advocate for an increase in the state's investment in key infrastructure funding sources, including, but not limited to, the Special Public Works Fund (SPWF), Brownfield Redevelopment Fund, and Regionally Significant Industrial Site loan program. The advocacy will include seeking an investment and set aside through the SPWF for seismic resilience planning and related infrastructure improvements to make Oregon water and wastewater systems more resilient.

### **Background:**

Cities continue to face the challenge of how to fund infrastructure improvements (both to maintain current and to build new). Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment.

*Presented by the Community Development Committee*

## **K. Local Climate Action Planning Resources**

### **Legislation:**

The LOC will seek grant funding and technical assistance resources for cities to pursue, adopt or expand local climate action plans. In addition, the LOC will pursue opportunities to work with the Oregon Climate Change Research Institute (through Oregon State University) to provide cities and counties with local/regional data that can better inform the adoption and implementation of climate adaptation and mitigation at the local level.

### **Background:**

According to the Oregon Department of Energy's [2018 Biennial Energy Report](#) (BER), since the early 1990s, major international and U.S. scientific assessments have concluded that both climate change mitigation and adaptation efforts are necessary in response to climate change. The BER goes on to explain that adaptation is often thought of as actions "to prepare for and adjust to new conditions, thereby reducing harm or taking advantage of new opportunities or simply to reduce society's vulnerability to climate change impacts." Local climate action plans, adopted by cities or counties, can help communities better understand how climate change will impact their communities, and can provide localized solutions to help mitigate against the impacts of climate change. The LOC is aware of fourteen cities that have adopted local climate action plans. There are other cities that are interested in doing the same but that do not have the financial and/or staffing resources that are necessary.

*Presented by the Energy and Environment Committee*

## **L. Local Energy Generation Project Support**

### **Legislation:**

The LOC will support/pursue funding, technical assistance and other tools that make local energy generation more feasible for cities to pursue.

### **Background:**

Local energy generation projects can better position cities to pursue and achieve local climate action goals, address capacity constraints of existing electric transmission lines, and can help cities respond to individual businesses that may be seeking green energy options. The types of local energy generation projects discussed by the committee include, but are not limited to, small-scale hydropower, in-conduit hydropower, methane capture, biomass and solar. Such projects are not intended to conflict with existing low-carbon power purchase agreements but can position cities to pursue local climate action goals and supplement energy needs through renewable generation. Under this recommendation, the LOC will work to identify barriers and potential solutions to local energy generation and will pursue funding assistance for feasibility studies and project implementation.

*Presented by the Energy and Environment Committee*

## **M. Local Speed Setting Authority**

### **Legislation:**

Support legislation that provides legislative authority for ODOT to delegate local speed setting authority to Oregon cities that meet state criteria. I Improve safety and speed limit consistency in Oregon cities by establishing a clear delegation process that is consistent with recently adopted statewide speed zone rules. ([OAR 734-020-0014](#), [734-020-0015](#), and [734-020-0016](#)). This will be permissive legislation allowing cities to opt-in and thus will not be a mandate.

**Background:**

The state of Oregon and cities across the state are all committed to improving safety on our streets. National and international research has shown that setting appropriate speed limits on city streets is a critical tool for improving safety and saving lives. During the 2020 legislative session, [HB 4103](#) gained widespread support for setting up a collaborative process with ODOT and cities that opt into a process for gaining local speed setting authority. Despite strong support, HB 4103 did not pass due to the legislative clock running out. Going forward, LOC will work with safety advocates and cities and use HB 4103 from the 2020 session as a template for legislation in 2021. Delegated authority should be made available to all cities that meet ODOT's criteria; participation by cities is permissive (not required). Cities should be able to determine speeds that are adequate and safe for their communities, working within the OAR speed zone framework. This will improve safety and make speed setting more consistent across local government jurisdictions.

*Presented by the Transportation Committee*

**N. Long Term Transportation Infrastructure Funding****Legislation:**

Support expansion and consideration of revenue-generating options to fund multimodal transportation infrastructure, which includes state and local facilities. Support state and local projects that are part of the Statewide Transportation Improvement Program.

**Background:**

Oregon has made two significant state-wide transportation investments in the last 15 years. In 2009, the [Jobs and Transportation Act](#) (JTA) passed. This was a successful effort from local governments and the business community to invest in maintenance and capacity building projects state-wide. In 2017, [HB 2017](#) established Oregon's first ever comprehensive, multimodal, transportation investment with what is known as "Keep Oregon Moving," which was a \$5.3 billion package. Although HB 2017 will not have its full funding until 2024 LOC and other transportation advocates will need to constantly explore other sources of revenue including a possible future replacement of Oregon's gas tax with a road user charge system. Oregon has been pioneering a vehicle miles traveled (VMT) tax within the [MyOReGo](#) pilot program. The program is voluntary and can provide several benefits to users. Ultimately the long-term structure for transportation investment may well take on a similar structure.

*Presented by the Transportation Committee, endorsed by the Community Development Committee*

**O. Low-Income Energy Efficiency and Affordability Programs****Legislation:**

The LOC will provide support for programs that seek to expand upon low-income energy and heating assistance programs, including programs targeted to make energy more affordable for rental properties. In addition, the LOC will work to support programs that provide for energy bill payment assistance and expand opportunities for low-income Oregonians to access resources for home weatherization.

**Background:**

According to Oregon Housing & Community Services, approximately 396,182, or about 25 percent of all households, are considered energy-burdened because of their energy-related expenditures (as of 2018). A household is considered energy burdened if six percent or more of its gross income is consumed by energy-related expenses. In recent years, legislation has been introduced in Oregon that would have provided additional assistance to low-income homeowners and renters that struggle with energy affordability. Unfortunately, legislation did not pass. The need for such assistance has increased as a result

of the economic hardships resulting from COVID-19. In addition to bill payment assistance, there is a need for programs that will support low-income home weatherization in order to make energy bills more affordable in the long-term.

*Presented by the Energy and Environment Committee*

## **P. Marijuana Tax Local Rate Limitation Increase**

### **Legislation:**

The League proposes increasing the current 3% cap on local marijuana taxes. This would give local voters greater choice in choosing a rate that reflects their needs or their community.

### **Background:**

Retailers licensed by the Oregon Liquor Control Commission (OLCC) are required to charge a state-imposed retail sales tax of 17 percent for all recreational marijuana sold. Cities and counties (unincorporated areas only) may also impose a local retail sales tax of up to 3%, subject to voter approval. Tax rates for recreational marijuana vary widely across the states, but the total Oregon tax burden at a maximum of 20% is the lowest of West Coast states. Washington imposes a 37% state excise tax, but with a state sales tax of 6.5% and local rates of up to 1.9% the total rate can reach over 45%. California has a retail tax of only 15%, but with a state sales tax of 7.5% and local taxes up to 15.25% the total rate can reach up to 37.75%. Oregon consistently ranks among the lowest of the states for marijuana prices. Cities are sensitive to the desire to not push consumers to the black market and will work with the legislature on an increased cap that balances that concern with local revenue needs.

*Presented the Finance and Tax Committee*

## **Q. Mental Health Service Delivery**

### **Legislation:**

Support the delivery of mental health services in order to reduce negative police interactions and ensure that those in need receive the help they require.

### **Background:**

The Committee and the LOC membership have prioritized the delivery of mental health services periodically over the last 5 years. Items contained in this priority have included crisis intervention training for police officer, mobile police and social worker teams to proactively work with people in danger of going into crisis, jail diversion, mental health courts and greater access to care. In the immediate past short session, the LOC worked with its coalition partners to obtain \$9 million in additional funding for aid-and-assist, community care and jail diversion but was unsuccessful due to a lack of quorum.

While the measurements are subjective and not in general agreement, most surveys of behavioral health and alcohol and drug addiction service availability place Oregon near or at the bottom of state rankings. As a result, Oregon ranks third in the nation for [alcohol related deaths](#), and above the national average in [suicides](#). Anecdotally, most police chiefs that have participated in LOC conversations on this topic report a growing number of calls for service stemming from people in mental health crisis. The COVID-19 pandemic has exacerbated some of these issues with Portland Police Bureau reporting a 41% increase in suicide related calls (including attempts and threats) over this time last year. This priority would include but not be limited to:

Investment: The stark truth is that Oregon has never financially supported mental health services at a level commensurate with need. More beds and more capacity will allow for greater delivery. The spending plan may be complicated but many advocates bristle at the idea of “mental health reform” when it’s never been funded as a priority. The League does not have a specific number at this time but is in conversation with partners to develop one.

Decimalization of Mental Illness: People suffering from mental illness that interact with the criminal justice system typically spend more time incarcerated and suffer a disruption in treatment. Jail diversion has been something the League has advocated for in previous sessions and but will require changes in law, training and investments.

Workgroups Outcomes: There are currently several workgroups developing behavioral health reform plans that have yet to be completed, much of that work has been interrupted by COVID 19. LOC staff can update the Committee on these their work continues but cannot make recommendations on them now.

Alcohol Availability: The prevalence of cheap and potent alcoholic beverages that are produced and sold for the express purpose of achieving rapid intoxication has been a concern for Oregon Recovers, an advocacy group for those recovering from addiction. OLCC sells several 750 ml bottles for under \$10 and some as low as \$5. Creating a minimum price per international unit of alcohol has had an impact on consumption of cheap, potent beverages in Scotland and is believed to have had an impact on consumption there. Raising the price of low cost but high-volume products would also increase city shared revenue and provide additional funding for behavioral health services.

Mental Health Parity: Oregon and the federal government have enacted statutes to ensure that mental health services are treated as a health issues in a manner identical to physical health by health insurers. The legislative intent behind these laws has not been met as evidence by reports of denied coverage. Ensuring effective parity would increase treatment an access.

*Presented by the General Government/Human Resources Committee, endorsed by the Community Development Committee*

## **R. Municipal Broadband and Pole Protection**

### **Legislation:**

Oppose legislative efforts to restrict existing municipal authority to provide broadband services, and own and operate poles in the rights-of-way.

### **Background:**

As the public grows more dependent on the Internet for expanding parts of their lives, community choices for gaining access at a reasonable price, for both consumers and producers, are dwindling. Some municipalities choose to become service providers themselves. Municipal broadband is sometimes the only way to bring high speed internet to a community and it can serve as an access point to neighboring communities. Additionally, municipal broadband adds competition to the market and can help lower prices for community members. As there is a push for more connectivity and bridging the digital the divide, the LOC will protect localities rights to be internet service providers for their own communities. Additionally, as more and more small cell and 5G technology is deployed in the rights-of-way, the LOC will protect the right of municipalities to own, operate and regulate attachments that are allowed on their poles.

*Presented by the Telecom, Broadband & Cable Committee*

## **S. New Mobility Services**

### **Legislation:**

Support for a variety of new mobility services that promote a safe, sustainable, and equitable multimodal transportation system, while preserving local government's authority to regulate services and ensure they best serve the local context.

### **Background:**

Transportation mobility has been rapidly changing over the last few years. The emergence of ridesharing services such as Transportation Network Companies (TNCs) now provide the public with more options to

get from point “a” to point “b.” New platforms continue to emerge such as scooters, shared bikes, electric delivery tricycles for package delivery and the possibility of future driverless delivery and vehicle fleets. Cities must have the flexibility to address the impacts of emerging technologies on their communities such as increased congestion and air pollution while protecting consumers and maintaining a safe transportation network that recognizes the unique needs of individual communities.

*Presented by the Transportation Committee*

## **T. Photo Enforcement Safety Cameras**

### **Legislation:**

Support continuation and expansion of fixed speed and red-light cameras and mobile speed radar state-wide to improve public safety in high-crash corridors. Explore changes that enable more streamlined processing of citations. Allow for local governments to form IGA’s with other local governments to facilitate the use of safety cameras and mobile radar in their communities.

### **Background:**

The Oregon Transportation Safety Action Plan sets a goal of no deaths or life-changing injuries on Oregon’s transportation system by 2035. In 2015, the Oregon Legislature granted the city of Portland the authority to implement a fixed speed safety camera program ([HB 2621](#)). Portland’s fixed speed camera systems have been operating on “urban high crash corridors” for the past several years. Data collected at these locations shows a distinct change in driver behavior that has reduced the risk of collisions (See [PBOT Report](#)). Under existing statutes, photo radar is allowed in the cities of Albany, Beaverton, Bend, Eugene, Gladstone, Medford, Milwaukie, Oregon City, Portland and Tigard. LOC’s goal is to bring this authority state-wide providing all cities with the choice of operating speed radar in their communities to improve safety and reduce the risk of high-speed crashes.

*Presented by the Transportation Committee*

## **U. Property Tax Reform**

### **Legislation:**

The League of Oregon Cities proposes that the Legislature refer a constitutional measure and take statutory action to reform the property tax system as part of the 2021 session. With the passage of the Corporate Activities Tax Oregon has taken a step towards long term financial stability at the state and school district level, but local budgetary challenges persist and the legislature must take action to allow cities and other local governments to adequately fund the services that residents demand.

### **Background:**

The property tax system is broken and in need of repair due to Measures 5 and 50, which are both now over 20 years old. The current system is inequitable to property owners and jurisdictions alike, is often inadequate to allow jurisdictions to provide critical services, removes all local choice, and is incomprehensible to the majority of taxpayers. Local governments and schools rely heavily on property tax revenues to pay for services and capital expenses. Therefore, the League will take a leadership role in forming coalitions to help draft and advocate for both comprehensive and incremental property tax reform option packages. The League will remain flexible to support all legislation that improves the system, with a focus on a property tax package that includes, but may not be limited to these elements:

- To restore local choice, a system that allows voters to adopt tax levies and establish tax rates outside of current limits and not subject to compression (requires constitutional referral).
- To achieve equity, a system that has taxpayers’ relative share tied to the value of their property, rather than the complex and increasingly arbitrary valuation system based on assessed value from Measure 50 (requires constitutional referral).

- To enhance fairness and adequacy, a system that makes various statutory changes, some of which would adjust the impact of the above changes. For example, as a part of comprehensive reform the League supports a new reasonable homestead exemption (percentage of RMV with a cap) but also supports limiting or repealing various property tax exemptions that do not have a reasonable return on investment.

*Presented by the Finance and Tax Committee, endorsed by the Community Development Committee*

## **V. Reducing Wastewater Impacts from Wipes and Other “Non-Flushables”**

### **Legislation:**

The LOC will work with other stakeholders, including the Oregon Association of Clean Water Agencies address challenges resulting from wipes and other non-flushable items. Legislation pursued will likely focus on requirements for manufacturers to clearly label product packaging to indicate that the product should not be flushed, however, the LOC will additionally explore other viable opportunities to address the public health, environmental and economic challenges resulting from improper disposal of these products.

### **Background:**

In recent years, public wastewater systems have experienced significant increases in sewer line clogs, environmental impacts, infrastructure impacts and costs associated with wipes being flushed down toilets. Most wipes don't break down when flushed, and even wipes that are labeled as “flushable” can clog pipelines and pumps and can cause sewage overflows in residences and the environment. The COVID-19 pandemic has made this challenge even worse due to shortages of toilet paper and increased use of disinfecting wipes. The EPA and other national organizations, as well as statewide and local wastewater agencies, are working to get the message out to avoid costly as well as environmental impacts of wipes in our sewer and treatment systems. In March of 2020, the state of Washington passed legislation requiring manufacturers to label products with a “do not flush” logo if the product does not meet national “flushability” standards (i.e. breaking down in the sewer system).

*Presented by the Water/Wastewater Committee*

## **W. Right-of-Way/Franchise Fees Authority Preservation**

### **Legislation:**

Oppose legislation that, in any way, preempts local authority to manage public rights-of-way and cities' ability to set the rate of compensation for the use of such rights-of-way.

### **Background:**

In its commitment to the protection of Home Rule and local control, the LOC consistently opposes restrictions on the rights of cities to manage their own affairs. From time to time, in the context of public rights-of-way management authority discussions, legislative proposals to restrict this authority arise. Efforts to restrict local authority often include proposals for a statewide right-of-way access policy and compensation system as well as limiting the ability of cities to charge fees of other government entities. This is contrary to local government management authority; the ability to enter into agreements with users of the right-of-way either by agreement/contract or ordinance; to set terms of right-of-way use and to set the rate of compensation. In recent years the FCC has passed rulemaking through various orders like the Small Cell Orders ([FCC 18-133](#) and [FCC 18-111](#)) and the Cable Franchising Order ([FCC 19-80](#)) that erode cities' right-of-way and franchising authority. Local governments around the U.S. are fighting these orders in court. There is a fear that the language of these orders will be codified in state legislatures. This would mean if the orders are overturned in court at the federal level, they will still impact cities in states that have passed laws codifying the orders.

*Presented by the Telecom, Broadband & Cable Committee*

## X. State Highway Funds Formula

### Legislation:

Consider opening the state highway fund distribution formula to allow for an additional percentage to cities. Currently the split is 50-30-20 with the State receiving 50%, Counties receiving 30% and the balance going to Cities 20%.

### Background:

Oregon has had a distribution formula for the state highway fund for decades. [This fund](#) combines the revenues generated from the state's gas tax, weight-mile tax on heavy trucks, licenses, fees, and bond proceeds. Approximately 77 percent of the total revenue collected by Oregon Department of Transportation (ODOT) is from state sources, while only 23 percent comes from federal sources. During the 2017 session base level funding for the least populated counties was established along with a \$5 million-dollar small city fund for cities under 5,000 in population with a maximum award of \$100,000 and no match requirement. LOC will engage with other transportation interests to determine if there is adequate support to advance legislation that would revisit the current 50-30-20 distribution.

*Presented by the Transportation Committee*

## Y. Tort Liability Reform

### Legislation:

COVID-19 and existing federal court decisions have added risk exposure to cities in areas where their authority has been limited or have not received adequate support. This priority seeks to ensure that cities are not held liable in these areas.

### Background:

CIS has already had a COVID related claim filed against it for a COVID related exposure. While there may be many legitimate reasons for a person to seek damages related to the outbreak, local governments have been hampered by inadequate supplies of PPE, testing capability, direct financial support, and legislative relief.

Additionally, the Boise decision that prevents cities from enforcing no camping rules and ordinances subject cities to additional tort liability. The ruling holds that if a person has no place else to go, a city must allow them to sleep somewhere. While there is a logical basis for the core of the ruling, if a city allows a person to sleep in an area that is not designed for camping, such as a park, the person may seek damages. Please note that recreational users of parks may not seek damages due to Oregon's recreational immunity statute that were corrected in 2017.

Finally, in previous sessions, legislation has been introduced but not passed to require cities to permit shelters in areas where they may not be appropriate and "codify" the Boise decision in state law. This legislation did not include immunity from tort liability while removing city authority.

*Presented by the General Government/Human Resources Committee*

## Z. Water Utility Rate and Fund Assistance

### Legislation:

The League will work during the 2021 legislative session to provide water utility funding assistance for ratepayers that are experiencing ongoing or recent economic hardships. In addition, the LOC will work to identify opportunities for additional investments in public infrastructure, including water supply, wastewater treatment, stormwater management, green infrastructure opportunities and resilience for water systems. Finally, the LOC Water & Wastewater Policy Committee has identified a need for additional,

targeted grant funding assistance that will benefit smaller communities. This includes additional funding to conduct rate studies, feasibility studies and funding to help communities comply with new regulatory requirements, including the requirement to include a seismic risk assessment and mitigation plan within regular water master plan updates.

**Background:**

In response to economic impacts associated with the spread of COVID-19, many of Oregon's drinking water and wastewater utility providers have offered additional assistance to ratepayers. The LOC is aware that most water utility providers have temporarily ceased water service shut offs (disconnections) for non-payment or past due bill collection during this period of economic hardship. Impacts associated with residential ratepayer revenue losses and decreased water consumption from businesses that have either closed or limited operations has resulted in revenue losses for many Oregon water utility providers. Some water utilities have outstanding debt from prior infrastructure investments and have expressed concerns that reductions in revenue may impact the ability to make the ongoing debt payments. In addition, the economic hardships that are being experienced by many Oregonians, especially in low-income and minority communities, will be ongoing; highlighting the need for additional ratepayer assistance investments that focuses on equity and our most vulnerable populations.

The LOC will work to identify funding for water utility ratepayer assistance and will work to establish a framework for the distribution of funds and will seek to ensure that this crisis does not exacerbate existing inequities, especially for Black, Indigenous, other Communities of Color and for rural Oregonians.

In addition, while COVID-19 has created unique revenue challenges for water utility providers, a key issue that most cities continue to face is how to fund infrastructure improvements (including maintaining, repairing and replacing existing infrastructure and building new infrastructure to address capacity and regulatory requirements). Increasing resources in programs that provide access to lower-rate loans and infrastructure-specific grants will assist cities in investing in vital infrastructure improvements which will also help bolster economic recovery. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia and the funds are depleting and unsustainable without significant program modifications and reinvestments.

The LOC will pursue additional funding through the state's Special Public Works Fund, which provides funding assistance through Business Oregon for a variety of public infrastructure needs and will explore state bonding capacity opportunities for water-specific infrastructure needs. In addition, LOC will pursue funding for small communities that face regulatory and operational challenges. Examples of small-community funding assistance opportunities may include expanded grant opportunities through existing funding programs and additional funding assistance to help communities with regulatory compliance and engage in utility best practices, including rate studies.

*Presented by the Water/Wastewater Committee, endorsed by the Community Development Committee*

## Acknowledgements

*Thank you to all that participated in the policy committee process.*

### **Community Development Committee**

Brian Latta, Dallas (*Chair*)  
Timothy Rippe, Forest Grove (*Vice-Chair*)  
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Eric Noll, Portland  
Susie Smith, ACWA  
Tracy Rutten, LOC

## GOLD BEACH CITY COUNCIL AGENDA REPORT

Agenda Item No. 10. b.

Council Meeting Date: July 6, 2020

### **TITLE: UPDATE Mateer Road Dangerous Building**

#### **SUMMARY AND BACKGROUND:**

Staff updated the Council on the status of the Mateer Road Dangerous Building at the June meeting. Because the structure had still not been removed, the Council directed staff to advertise for removal of the structure in accordance with the Code provisions immediately. Staff was directed to contact the property owner and let him know if the house was not completed removed by the July 6<sup>th</sup> Council meeting the Council was prepared to award a bid for removal.

Staff published the required public notice for the proposed removal. Staff contacted the property owner and requested he remove the structure prior to July 1<sup>st</sup>. As of June 30<sup>th</sup> the structure has been removed and the property cleaned in the vicinity of the building.



**SECTION 10. MISC ITEMS** (including policy discussions & determinations)

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**FROM JUNE COUNCIL REPORT**

*Clayton Johnson requested that this item be addressed. He sent the following picture of the structure*





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**SECTION 10. MISC ITEMS** (including policy discussions & determinations)

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It was staff's understanding that the structure was going to be removed in order to place the new manufactured home that had been approved. Unfortunately, due to the coronavirus pandemic, staff has not had the opportunity to follow-up on this issue (or any other issue for that matter...) Staff will need to verify prior to the Monday meeting, but as I recall the last order was to have the structure completely removed by the end of March. Obviously that time has expired.



**SECTION 10. MISC ITEMS** (including policy discussions & determinations)

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**GOLD BEACH CITY COUNCIL AGENDA REPORT**

Agenda Item No. **10. c.**  
Council Meeting Date: July 6, 2020

**TITLE: Election Filing REMINDER**

**SUMMARY AND BACKGROUND:**

Reminder that this is an election year for Council positions #2, #4, and the Mayor. All City positions are non-partisan. Election day is November 3<sup>rd</sup>. The last day to file for office is August 25<sup>th</sup>.

Attached is a copy of the candidate packet which is available on our website: [www.goldbeachoregon.gov](http://www.goldbeachoregon.gov), as well as the updated LOC handbook: So You Want To Run For Local Office.



# City of Gold Beach

29592 Ellensburg Avenue • Gold Beach, OR 97444

Administration: 541-247-7029 • Police: 541-247-6671 • [www.goldbeachoregon.gov](http://www.goldbeachoregon.gov)

Visitor Center: 541-247-7526 • [www.visitgoldbeach.com](http://www.visitgoldbeach.com)

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# CANDIDATES HANDBOOK

**November 2020 Election**  
**Council Positions: #2, #4, & Mayor**  
**General Election**  
**November 3, 2020**

*The City of Gold Beach is dedicated to enhancing quality of life, while promoting the health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community.*





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This Candidates Information Packet is an effort to assist candidates with the election process and should not be viewed as legal advice. Please contact the City Administrator if you have questions regarding the elections process.

The City of Gold Beach reserves the right to change, and/or add to, material contained in this Informational Packet as updated information or revised forms become available from the State Elections Division.

It is the responsibility of the candidate to confirm deadlines with the City Elections Officer, in advance of those deadlines. Some deadlines may be adjusted due to changes made by the legislature that were not available for this informational packet at the time of printing.

### **GENERAL INFORMATION ABOUT CITY ELECTIONS**

By charter, the Gold Beach City Council is composed of an elected mayor and five elected at-large councilors. Election of the officers coincides with state General Elections and terms are staggered – two council positions and the mayor are elected during one race, and three council positions are elected in the next. The council positions are consecutively numbered Position 1 through 5.

The positions for the November 2020 General Election are: Council positions #2, #4, & Mayor. The terms begin on December 15, 2020.

### **HOW TO FILE FOR ELECTIVE OFFICE**

To file for the 2020 General Election: candidates may file in one of two ways:

To file by paying the filing fee: Complete Form SEL 101 (in this packet) and return to the City Business Office along with the required filing fee of \$50.

To file by Petition: Complete Form SEL 101 (in this packet) and file at least two (2) full Candidate Signature Sheets.

- PLEASE NOTE: After completing Form SEL 101 return it the City Business Office to be issued the OFFICIAL petition form from the City Elections Official—the one contained in this packet is an example only. At least TWELVE (12) valid signatures must be obtained but we recommend

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getting at least TWENTY (20) in case some signatures are not valid or the person is not a registered voter—those signatures are disqualified by the County Elections Office.

- Signatures MUST be electors within the city limits—they must be legally registered voters within the City of Gold Beach.

The deadline to file a completed Candidate Filing Form SEL 101—along with the filing fee or signatures—is August 25<sup>th</sup>, 2020. If you plan to file by petition we recommend having your completed forms returned by Tuesday, August 18<sup>th</sup> to ensure adequate signature verification time.

City elections are non-partisan and all other general election laws of the state of Oregon govern. Candidates must be qualified to vote within the meaning of the state constitution, the City Charter, and City Code.

Candidates must be a RESIDENT of the City of Gold Beach, as defined by City Code below, for a minimum of one year immediately preceding the election.

#### **1.025      Residency.**

1. **An individual is a “Resident” of the City of Gold Beach for the purposes of serving on a City Commission or Committee, or to be eligible for an elective city office as referenced in Chapter III, Section 12 of the Gold Beach Charter if:**
  - a) **The individual resides within the city limits of Gold Beach and makes the City of Gold Beach a fixed and permanent home; and**
  - b) **Gold Beach is listed as the individual’s residence address for federal income tax purposes; and**
  - c) **If the individual is a property owner within the City of Gold Beach, the records of the Curry County Tax Assessor list Gold Beach as the individual’s mailing address; and**
  - d) **Gold Beach is listed as the individual’s residence address on their valid Oregon driver’s license or state issued identification card; and**
  - e) **The individual is an elector as defined by Section 12 of the Gold Beach Charter.**

*The City of Gold Beach is dedicated to enhancing quality of life, while promoting the health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community.*



2. The City Administrator shall make the initial determination as to whether an individual qualifies as a “resident” under this Section 1.025. The City Administrator’s determination may be appealed pursuant to subsection (3) of this Section 1.025.
3. A person aggrieved by a residency determination by the City Administrator may appeal that determination to the City Council by filing a written request with the City Administrator within five (5) calendar days of the City Administrator’s written decision. The City Administrator shall immediately notify the Council and the Mayor of the appeal request, and shall schedule a date for an appeal hearing as soon as practicable, but in no case later than twenty-one (21) calendar days from the date of the City Administrator’s receipt of the appeal request. Prior to the appeal hearing, the City Administrator shall transmit the appeal request together with the City Administrator’s written determination and any facts, data, or exhibits that were part of said determination to the Council, the Mayor, and the appellant. At the hearing, the appellant will have the opportunity to present information to show that the appellant does meet the definition of “resident” in this Section 1.025. The City Council may uphold or overturn the City Administrator’s determination. All decisions of the City Council pursuant to this Section 1.025(3) are final and binding.

### **OTHER INFORMATION**

Political signs do not require a sign permit or fee but must be removed within ten (10) days following the final election for which they were intended.

If you have any questions please contact Jodi Fritts, City Administrator/Elections Official: [jfritts@goldbeachoregon.gov](mailto:jfritts@goldbeachoregon.gov)

This packet contains the following:

- Candidate Filing Form SEL 101
- Sample Candidate Signature Sheet Form SEL 121
- League of Oregon Cities booklet: *So You Want To Run For Local Office*

*The City of Gold Beach is dedicated to enhancing quality of life, while promoting the health, safety, and welfare of our citizens, businesses, and visitors in the most fiscally responsible manner. In doing this, the City will respect the past, respond to current concerns, and plan for the future, while maintaining environmental sensitivity in our beach oriented community.*

# Candidate Filing

## Major Political Party or Nonpartisan

Filing Dates		Candidate Filing	Candidate Withdrawal
<b>Primary Election</b> May 19, 2020	First Day to File	September 12, 2019	March 13, 2020
	Last Day to File	March 10, 2020	
<b>General Election</b> November 3, 2020	First Day to File	June 3, 2020	August 28, 2020
	Last Day to File	August 25, 2020	

**Filing Information**

This filing is an  Original  Amendment

**Office Information**

Filing for Office of:

District, Position or County:

Party Affiliation:  Democratic Party  Republican Party  Nonpartisan

Incumbent Judge (for judicial candidates only):  Yes  No  Nondisclosure on file

**Filing Method**

Fee

Office	Filing Fee	Office	Filing Fee
United States President	n/a	District Attorney	\$50
United States Vice President	n/a	County Judge	\$50
United States Senator	\$150	MSD Executive Officer, MAD Director	\$100
United States Representative	\$100	MSD Councilor	\$25
Statewide Offices	\$100	County Office	\$50
State senator or Representative	\$25	City Office	Set by charter or ordinance
Circuit Court Judge	\$50	Justice of the Peace	n/a

Prospective Petition, in lieu of filing fee  Some circulators may be paid  Yes  No

**Candidate Information**

**Name of Candidate**

First	MI	Last	Suffix	Title
-------	----	------	--------	-------

**How you would like your name to appear on the ballot**

**Candidate Residence / Route Address**

Street Address	City	State	Zip	County
----------------	------	-------	-----	--------

**Candidate Mailing Address and Contact Information** Only one phone number and an email is required.

Street Address or PO Box	City	State	Zip
Work Phone	Home Phone	Cell Phone	Fax
Email Address	Web Site, if applicable		

**Race and Ethnicity** Optional

**Occupation (present employment)** If not employed, enter "Not Employed".

---

**Occupational Background (previous employment)** If no relevant experience, None or NA must be entered.

---

**Educational Background (schools attended)**

Complete name of School	Last Grade completed	Diploma/Degree/Certificate	Course of Study

**Educational Background (other)** Attach a separate sheet if necessary.

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**Prior Governmental Experience (elected or appointed)** If no relevant experience, None or NA must be entered.

---

**Campaign Finance Information** Not applicable to candidates for federal office.

A candidate must file a Statement of Organization not later than three business days of first receiving a contribution or making an expenditure and no later than the deadline for filing a nominating petition, declaration of candidacy, or certificate of nomination, whichever occurs first, unless they meet the criteria for an exemption. To meet the criteria, the candidate must serve as their own treasurer, not have an existing candidate committee, and not expect to spend or receive more than \$750 during the entire calendar year (including in-kind contributions and personal funds).

If you have an existing candidate committee you must amend the statement of organization not later than 10 days after a change in information. This includes changes to the election you are active in and the office you are running for.

See the Campaign Finance Manual for the procedural and legal requirements of establishing and maintaining a candidate committee.

**Candidate Attestation**

*By signing this document, I hereby state that:*

- I will accept the nomination for the office indicated above;
- I will qualify for said office if elected;
- All information provided by me on this form is true to the best of my knowledge; **and**
- No circulators will be compensated based on the number of signatures obtained by the circulator on a prospective petition

**For Major Political Party Candidates**

- if not nominated, I will not accept the nomination or endorsement of any political party other than the one named
- I have been a member of said political party, subject to the exceptions stated in ORS 249.046, for at least 180 days before the deadline for filing a nominating petition or declaration of candidacy (ORS 249.031). Does not apply to candidates filing for the office of US President.

 **Warning** Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715). A person may only file for one lucrative office or not more than one precinct committee person at the same election. Unless the person has withdrawn from the first filing, **all** filings are invalid. (ORS 249.013 and ORS 249.170)

---

**Candidate Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

### Candidate Signature Sheet | Nonpartisan

Petition ID \_\_\_\_\_

SOME Circulators  No Circulators for this petition are being paid.

This is a candidate nominating petition. Signers of this page must be active registered voters in the county listed.

**1** Signatures must be verified by the appropriate county elections official before the petition can be filed with the filing officer.

County

*Curry*

Candidate Information	
Name	<i>Haw Solo</i>
Office	<i>Mayor</i>
Election	<i>General November 3, 2020</i>
District or Position Number (include city if applicable)	<i>City of Gold Beach City Council 1</i>

To the Elections Official/Filing Officer, We the undersigned voters, request the candidate's name be placed on the ballot at the election listed above for nomination to the office indicated.

**1** Signers must initial any changes the circulator makes to their printed name, residence address or date they signed the petition.

Signature

Date Signed mm/dd/yy

Print Name

Residence or Mailing Address street, city, zip code

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_
- 6 \_\_\_\_\_
- 7 \_\_\_\_\_
- 8 \_\_\_\_\_
- 9 \_\_\_\_\_
- 10 \_\_\_\_\_

*PLEASE*      *please contact*

*EXAMPLE*      *City for official*

*DRIVE*      *form*

**Circulator Certification** This certification must be completed by the circulator and additional signatures should not be collected on this sheet once the certification has been signed and dated! I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person is a voter qualified to sign the petition (ORS 249.061). I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Circulator Signature

Date Signed mm/dd/yy

Sheet Number

Completed by  
Candidate

Printed Name of Circulator

Circulator's Address street, city, zip code

# So, You Want to Run for Local Office...

A Guide for Prospective  
City Elected Officials

Updated April 2020





# So, You Want to Run for Local Office...

## A Guide for Prospective City Elected Officials

What every person interested in becoming an elected official should know about roles, responsibilities, and representing their community and city government.

This guide is primarily intended for candidates for city council. It serves as a reference and deals with a variety of important topics. This guide is meant to serve as an orientation for those who wish to assume a leadership role at the local level. The guide will outline:

- How to file for elective office;
- What to expect once elected;
- Roles and responsibilities;
- The sources of local government law;
- Communications;
- Visioning and goal setting; and
- Resources.

This guide is not a substitute for legal advice. Candidates are encouraged to speak with their privately retained attorneys for specific legal advice.

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## Welcome Message from the 2020 LOC President

Welcome to the club! The number of people willing to run for elected local office is pretty small, and for good reason: it's not an easy job if you want to do it right. If you're just looking for a fancy title and all-expenses-paid junket to exotic locations, you're going to have a rough time of it, and you won't have much fun. But if you're looking for a way to use your knowledge, experience and wisdom to help make your community a better, more functional place, you may find that lending your hand to local government is one of the most rewarding endeavors you've ever undertaken.

If you haven't already gotten your feet wet by volunteering for your local planning commission, budget committee, or other municipal body, you should seriously consider doing so before you declare a candidacy. Having some experience doing "city stuff" is a good way to get a better idea about what you're likely to spend your time doing as a city councilor or mayor, and will better prepare you to answer the sorts of questions you're likely to get as a candidate.

If you haven't already started attending city council meetings, start doing so now. You're going to want to become as familiar as possible with both the issues in your city and the way the council conducts business before you're up there on the dais. If you're running because there's a single burning issue that's compelled you to run, remember that there are hundreds of other issues you're going to have to wrestle with during your term of office. If you want to do a good job, you'll want to know what those are, and tackle them with just as much energy and honest consideration as you would your pet issue.

Remember that your opponents (and your eventual fellow council members) are people too. Assume the best of them—that they're also running for office because of a genuine desire to help your community. The people you're meeting in this process tend to be good folks who remain involved with civic matters, so they're just not going to go away after the election (in fact, it's likely that you'll find yourself working with them in the not-so-distant future). So, feel free to explain why you disagree with their proposed policies, but resist any temptation to sling mud. Taking the high road is not only the right choice ethically, it's also likely to pay dividends later.

Once you've won the election and you're seated on the council, the work isn't over. Instead, that's when it begins in earnest, and the learning curve can be pretty steep. Luckily, the League of Oregon Cities has some fantastic training opportunities to help you be the best elected official you can be. Please don't hesitate to reach out, and we'll do our best to help you help your city.

– 2020 LOC President Jake Boone, Councilor, Cottage Grove

## Filing for Elective Office

Qualifications for various city offices differ. Before filing for candidacy, review the city charter and statutory requirements of the office for which you plan to declare your candidacy. Requirements for filing for city office are found under Oregon Revised Statutes (ORS) Chapters 221 and 249. The forms that you will need are available from the city's elections official and the Oregon Secretary of State's Office, Elections Division.

Every candidate and prospective candidate are required to establish a principal campaign committee within three business days of receiving or spending any money to support the candidacy. This includes expenditures of personal funds by the candidate. It also includes payment of the filing fee if the candidate files by declaration, any costs relating to circulating a nominating petition, or any voters' pamphlet costs. For more information on campaign finance reporting requirements please see the Secretary of State Elections Division Candidate Finance Reporting in Oregon Candidate "Quick Guide" available at:

<https://sos.oregon.gov/elections/Documents/candidatequickguide.pdf>.

## What to Expect

As a local elected official, you will have the opportunity to shape policy governing the future of your city. In addition to serving as a community leader, being a model of civility and cooperation, an educator and interpreter of public opinion – the role of an elected official will change the way you are viewed in your community. You'll rarely stop by the neighborhood coffee shop without someone complaining about roads or taxes. You may be cornered anywhere, at any time, on anything. Local elected leaders are in direct contact on a daily basis with the people they represent.

You will spend a lot of time attending meetings – not only city council meetings – but regional and statewide meetings as well. You will spend time preparing for meetings, reading any preparatory material in order to make informed decisions in the course of all meetings.

If elected, you will utilize the skills you already have, skills you never knew you had, and skills you wished you had. You may be called upon to facilitate meetings, speak to the press, respond to angry and sometimes hostile citizens, testify before legislative committees, and negotiate with contractors, bankers and engineers. You will make decisions on everything from who to hire as the next city manager, which bid to accept for paving the roads, how to pay for solid waste disposal, to joining with neighboring cities in a regional approach to providing dispatch services.

### SPOTLIGHT:

#### Policy Process Steps

1. Identification of problems or needs
2. Establishment of community goals
3. Determine objectives
4. Development/analysis of alternative solutions (including short-term and long-term implications)
5. Establishment of priorities
6. Development of programs and strategies
7. Implementation of programs and strategies
8. Monitoring and evaluation of programs or strategies
9. Feedback
10. Program or strategy improvement and modification

### SPOTLIGHT:

#### Basic City Services

The services provided by cities vary from community to community. However, some typical services include:

**Public Safety** – police, fire, and sometimes ambulance service

**Utilities** – water and sewer, trash collection, electricity, and natural gas

**Land Use** – planning, zoning, code enforcement, and other regulatory activities

**Transportation** – street construction and maintenance, traffic safety, and sometimes public transit

**Recreation and Cultural** – parks, recreation, libraries, and sometimes cultural facilities

**Legal** – ordinances protecting the public health, safety and welfare of the community

## Roles and Responsibilities

The specific roles and responsibilities of members of city leadership will vary from community to community. Each position plays a vital role in the governance of the city. The council serves as the city's legislative body by adopting a budget and adopting local laws – called ordinances – and regulations.

### Policy Role

The council is the highest authority within city government in deciding issues of policy. For a council to effectively assume a positive and active role in bringing issues forward for discussion in setting policy, councilors need a clear understanding of policy process and the stages at which council intervention is most effective.

### Administrative Role

The council, as a collective body, is responsible for the oversight of administration in every city, but the roles that the mayor and individual councilors play in city administration vary considerably, depending on city size and form of government. Typically, the only city staff overseen by the council is the city's chief executive and potentially a handful of department heads.

Council/Manager Form – The majority of Oregon cities follow this structure where the council is comprised of volunteers who decide the policy for the city, which is overseen by a paid city manager who serves as the chief executive. Approximately 55% of cities nationwide utilize this form of government, and it is most popular in the Southeast and Pacific Coast regions.

Strong Mayor Form – The only city in Oregon with a strong mayor structure is the city of Beaverton. Under this form of government, the mayor is elected but also serves as the city's chief executive. Approximately 34% of cities nationwide utilize this form of government and it is most popular in the Mid-Atlantic and Midwest regions.

Commission Form – The city of Portland is the state's only true commission form of government. In this form, elected commissioners serve as the administrative head of selected city departments as assigned by the mayor. While the commission is the oldest form of local government in the country, only 1% of cities nationwide utilize a commission form of government.

### The Mayor

The mayor's role varies from city to city, depending on charter requirements. The mayor serves as the public face of the community by representing the city at community events or government functions. The mayor also serves as the spokesperson for the council. During council meetings, the mayor typically serves as the presiding officer and sets the agenda for meetings. Often, the mayor appoints individuals to committees and work groups and signs ordinances and

### SPOTLIGHT:

#### Council-Manager Form of Government

The chief characteristic of the council-manager form of government is that the council appoints a qualified professional person as city manager or administrator to take charge of the daily supervision of city affairs. The manager or administrator serves at the pleasure of the council – the council sets policy and the manager carries out that policy. While an absolute separation between policy and administration does not really exist, the council-manager form works best when the council exercises its responsibility for policy leadership and respects the manager's leadership role and responsibility for administration.

Council-manager charters commonly include specific provisions that prohibit individual councilors from giving orders to city employees and from attempting to influence or coerce the manager with respect to appointments, purchasing, or other matters. However, the charters do not prohibit, and may affirmatively provide for the council to discuss administrative matters with the manager in open meetings.

resolutions on behalf of the council. Most importantly, the mayor serves as the chief facilitator between the city manager and the city council.

### **Quasi-Judicial Role**

Council members may act in a quasi-judicial capacity when sitting on land use hearings and other type of appeals. When acting in a quasi-judicial role, the council is acting like a court of a judge – it is applying the law to a set of specific facts.

### **Council as “One Voice” and Balance**

The council acts as a centralized body with one voice and not as individuals. While individual council members may make motions, the motion is only passed when a majority of the council votes in favor of its passage. Newly elected and veteran elected officials may find this structure challenging as it may be difficult to pass policy based on individual platforms.

The single most difficult job of a city council is to balance diverse interests with common interests. A councilor may react to groups in isolation without considering the larger consequence of their actions. It is important to recognize and consider citizen input, but it is equally important to develop perspective. A council can seldom do everything that everyone wants.

### **Intergovernmental Relations**

Beyond the myriad of issues that are specific to city government, city officials will quickly find that they play a pivotal role in the intergovernmental arena with other cities, county government, special districts and public schools, as well as regional, state and federal governments. Understanding these relationships and their impact on a city government’s ability to provide responsible, efficient and effective governance and delivery of services is important, particularly when funding and staffing resources are limited. Exploring new and innovative ways of funding and providing public services is one of the challenging issues facing elected officials.

It is important to recognize that the reasons you are running for office will become part of a “full plate” of issues – many of which you are not yet familiar. Because of the urgency and the complexity of these issues, governments must work together to address them. Cities no longer do their government business in isolation. The key to success is cooperation and collaboration.

### **Sources of Law**

The main sources of law governing local government are the city charter and ordinances, the state constitution, state law and the decisions of state courts. Cities are also subject to federal laws and the United States Constitution. Local elected officials should be familiar with their city’s charter and ordinances, as well as the state laws regarding open meetings, public records, budgeting, public contracting, and ethics, some of which are described below.

### **Home Rule and Limitations of Power**

The term “home rule” refers to the authority of a city to set policy and manage its own affairs. Without charter home rule, state law controls the existence, form of organization, functions, powers and finances of

local government. Most home rule authority is conferred on a city by its charter. A charter can be thought of as the city's constitution and may be amended only by a vote of the citizens of that city.

Even in light of home rule, local governments are subject to statutory, constitutional, judicial and charter limitations. Under Oregon constitutional home rule provisions, the voters of the state have taken from the state Legislature, and reserved to the voters of cities, the power to adopt and amend their own city charters. Initiative and referendum powers are also reserved to the voters of the city under Oregon Constitution Article VI, section 10 and Article XI, section 2.

Article I, Oregon's Bill of Rights, also applies to local governments. Other constitutional limits and restrictions include property tax limitations, prohibitions against lending the credit of a city, and regulation of city elections.

### Government Ethics

Public official ethics are governed by various constitutional provisions, the common law, state statutes, and occasionally, charter or ordinance provisions. Government ethics law is administered and enforced by the Oregon Government Ethics Commission. State law may require officials in your city to file a statement of economic interest each year with the Oregon Government Ethics Commission. State law also requires that public officials not use their official position or office to obtain financial gain other than their official salary, honorariums or reimbursements of expenses. The law limits the value of gifts that officials, candidates or members of their families may solicit or receive, or which any person may offer, and prohibits public officials from soliciting or receiving offers of future employment in return for their influence. The law prohibits public officials from furthering their personal gain by use of confidential information gained through their position with the city.

Public officials must also avoid a conflict of interest relating to taking official action that may or will result in financial benefit or detriment to the public official, the public official's relative, or a business with which the public official or their relative is associated. When a conflict of interest exists, the public official must take certain steps such as announcing the conflict and potentially recusing themselves from any participation in the discussion or vote on the issue.

### Public Meetings Law

The Oregon public meetings law that applies to public bodies is found in ORS 192.610 to 192.695. Under the public meetings law, a governing body's meetings are open to the public with certain exceptions. Meetings of other city bodies such as the planning commission, budget committee, library board, etc., are also open to the public. Except in emergencies, there must be reasonable notice of regular meetings and at

#### **RESOURCE:**

For a more in-depth explanation of Oregon Home Rule and Preemptions see [LOC's Guide to Statutory Preemption of Home Rule](#) and [White Paper on the Origins, Evolution and Future of Home Rule](#), available on LOC's online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

#### **RESOURCE:**

#### **Oregon Government Ethics Commission Publications**

For more information and guidance on government ethics for public officials, see the Oregon Government Ethics Commission's [Guide for Public Officials](#), and related supplement available at: [https://www.oregon.gov/OGEC/Pages/forms\\_publications.aspx](https://www.oregon.gov/OGEC/Pages/forms_publications.aspx)

least 24-hour notice for special meetings. Minutes are required to be taken. Executive sessions – those meetings that may be closed to the general public – may be held for certain prescribed reasons, but the media must be allowed to attend these meetings and final decisions may not be made. All final decisions must be held in a public meeting.

### Public Records Law

The Oregon public records law applies to public bodies and is found in ORS 192.311 to 192.478. The public meetings law prescribes not only how local government officials and staff must handle public records, but also how the local government must respond to and handle requests for disclosure.

### Budget and Finance

Budgeting is an annual process by which cities identify the types and levels of services that can be provided within the constraints of available resources. The general budgeting process is prescribed by the Oregon local budget law found in ORS 294.305 to 294.565. The Oregon Department of Revenue’s Finance and Taxation section administers and provides advice and assistance to cities regarding budget matters. The section publishes a local government budget manual that is the basic reference document for local budget procedures.

In its most basic form, the budget identifies city programs, services and activities. City budgets are organized and expenditures are accounted for by “funds” such as the general fund or street fund, etc. or “activities” such as law enforcement or transportation, in order to permit identification and handling of revenue earmarked for such purposes. Additional resources on local budgeting may be accessible on the Oregon Department of Revenue’s website at: <https://www.oregon.gov/DOR/programs/property/Pages/local-budget.aspx>.

### Liabilities

To some extent, Oregon governments are liable for torts (wrongs to private parties) such as personal injury, property damage, wrongful entry, false arrest and detention, abuse of process, invasion of privacy, and interference with contractual relations. The Oregon Tort Claims Act places a financial limit on the extent of the government’s liability for torts.

The personal liability of public officials is governed primarily by the provisions of the Oregon Tort Claims Act. Federal civil rights law, the common law of torts, and specific Oregon statutes also may impose personal liability. Some examples of personal liability are budget law violations, conflicts of interests, actions outside the scope of official duty, malfeasance in office, public contracting violations, and public meetings law and public records law violations.

The council should routinely consult with the city attorney in making decisions on city affairs. In addition to providing professional and technical services such as preparation of formal opinions and drafting of legal documents, the city attorney can supply advice regarding many other matters.

### RESOURCE:

#### Oregon Attorney General’s Public Records and Meetings Manual

Without doubt one of the most helpful resources on public meetings and records is the Attorney General’s [Public Records and Meetings Manual](#). The Manual provides guidance and explanations to the various laws that govern Oregon public records and meetings. The Manual is available online free of charge at:

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/>

Some types of insurance are required by state law, and cities purchase other types for their own protection. Insurance policies are complex documents, and the advice of competent insurance advisors and the city’s legal counsel should be sought to make certain that coverages are adequate for the exposures involved. For more information on risk management, contact Citycounty Insurance Services online at <https://www.cisoregon.org/Contact-CIS>.

## Communications – The Key to Success

Council effectiveness is dependent upon good group dynamics. Each new configuration of the council creates its own personality and style of operation. As with any group, each council must go through the usual evolution of forming, storming, norming, performing and, eventually, reforming. A number of city councils in Oregon have adopted internal rules of council procedure to promote effective governance and establish ground rules for working together.

### Elected Officials and the Public Spotlight

Becoming an elected official means living in the public spotlight 24 hours a day. Elected officials come to realize that this is simply a condition that accompanies the position – for better or worse. Don’t be alarmed if your personal life becomes front page news and the “talk of the town.” It’s bound to happen sooner or later. Media relations is a skill that can work in the city’s favor. It is wise to develop a respectful relationship with a local reporter and attempt to create a reciprocal relationship. Be sensitive of the reporter’s job and their need to meet deadlines. At the same time, be careful and never speak “off the record.” Expect anything you say or write to be used. Don’t assume an interview is over until the reporter has left the scene. Also, before speaking with the press on a matter related to the city, make sure you and your council have identified any needed protocols for interactions with the media. Some cities have identified, through their council rules of procedure, how elected officials communicate with the press – identifying what a councilor or mayor can do when they “speak for” the city as opposed to when they are “speaking for” themselves.

### Representing the Public

Two of the most important tasks of local government officials are to discover citizen opinion and to ensure that citizens have sufficient information to form knowledgeable opinions. For these tasks to be carried out successfully, elected officials must solicit public input and encourage citizen participation and involvement.

Communication is important in achieving effective citizen participation in local government. Success depends on both the attitudes and interests of citizens and city officials. Citizens need to know their efforts are recognized and valued in the decision-making process. Public hearings, advisory committees, town hall meetings, televised council meetings, volunteer participation, public opinion polls, and interest groups are ways to connect citizens with city government in a significant way.

#### RESOURCE:

For sample rules of procedure, see LOC’s [Model Rules of Procedure for Council Meetings](#) available on LOC’s online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

#### SPOTLIGHT:

##### Guidelines for Surviving Life in the “Public Fishbowl”

- ✓ Be truthful.
- ✓ If you don’t know the answer, say so.
- ✓ Anticipate all situations and questions.
- ✓ Be prepared.
- ✓ Be accountable and responsible for everything you do and say.

## Community Visioning and Goal Setting

City councils should develop community visioning and conduct annual goal setting processes in order to provide a roadmap for all city decisions.

### Visioning: Sustaining Quality of Life

City governance is an institution that enables a community of citizens, through their elected representatives, to maintain safety and a good quality of life, which is accomplished by developing policy, adopting implementing laws and ordinances, and planning for the delivery and financing of public services. Success is dependent upon the ability to stay in touch with the public's needs and desires, to understand the issues, and to balance the short and long term social, economic and environmental impacts. A vision statement provides a blueprint for the future and helps the council, staff and citizens to set priorities, goals, and make decisions to achieve desired outcomes.

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*“Every city has an unbelievable talent pool that can help change a city from average to outstanding. However, members of the community must realize how important their involvement can be. I truly believe that King City is a great example of what can happen when a diverse group of dedicated residents are committed to helping the city government represent the people, as city councilors. Progress in a city can only be made by the people who represent the people in the community in which they live and deeply care about.”*

- Ken Gibson, Mayor, King City

### Setting City Goals

A clear set of goals provides the framework within which nearly all city activities can be accomplished. Goals provide direction, reduce crisis management environments, develop cohesiveness among council members, allow managers and staff to manage their time and activities effectively, and permit periodic evaluation of progress to manage any necessary mid-course corrections.

Without goals, a council cannot distinguish between movement and progress. Individuals and groups can spend tremendous effort and resources performing activities that, in retrospect, were not necessary. Often the reason for this wasted effort is the absence of a clear set of priorities and specific plans for accomplishing them.

Typically, council goals are developed for a one to two-year period. They are a tool for focusing the council's efforts; communicating priority issues to the community; and providing clear direction to city staff. Council goals should be articulated in such a way that they are specific, realistic, outcome-based, within the city's control, and measurable. Once goals have been set and adopted by the council, they can be used as a measure for evaluating staff performance, guiding budget decisions, and managing unanticipated issues that arise during the year.

## About the League of Oregon Cities

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# So, You Want to Run for Local Office...

A Guide for Prospective  
City Elected Officials

Updated April 2020





# So, You Want to Run for Local Office...

## A Guide for Prospective City Elected Officials

What every person interested in becoming an elected official should know about roles, responsibilities, and representing their community and city government.

This guide is primarily intended for candidates for city council. It serves as a reference and deals with a variety of important topics. This guide is meant to serve as an orientation for those who wish to assume a leadership role at the local level. The guide will outline:

- How to file for elective office;
- What to expect once elected;
- Roles and responsibilities;
- The sources of local government law;
- Communications;
- Visioning and goal setting; and
- Resources.

This guide is not a substitute for legal advice. Candidates are encouraged to speak with their privately retained attorneys for specific legal advice.

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## Welcome Message from the 2020 LOC President

Welcome to the club! The number of people willing to run for elected local office is pretty small, and for good reason: it's not an easy job if you want to do it right. If you're just looking for a fancy title and all-expenses-paid junket to exotic locations, you're going to have a rough time of it, and you won't have much fun. But if you're looking for a way to use your knowledge, experience and wisdom to help make your community a better, more functional place, you may find that lending your hand to local government is one of the most rewarding endeavors you've ever undertaken.

If you haven't already gotten your feet wet by volunteering for your local planning commission, budget committee, or other municipal body, you should seriously consider doing so before you declare a candidacy. Having some experience doing "city stuff" is a good way to get a better idea about what you're likely to spend your time doing as a city councilor or mayor, and will better prepare you to answer the sorts of questions you're likely to get as a candidate.

If you haven't already started attending city council meetings, start doing so now. You're going to want to become as familiar as possible with both the issues in your city and the way the council conducts business before you're up there on the dais. If you're running because there's a single burning issue that's compelled you to run, remember that there are hundreds of other issues you're going to have to wrestle with during your term of office. If you want to do a good job, you'll want to know what those are, and tackle them with just as much energy and honest consideration as you would your pet issue.

Remember that your opponents (and your eventual fellow council members) are people too. Assume the best of them—that they're also running for office because of a genuine desire to help your community. The people you're meeting in this process tend to be good folks who remain involved with civic matters, so they're just not going to go away after the election (in fact, it's likely that you'll find yourself working with them in the not-so-distant future). So, feel free to explain why you disagree with their proposed policies, but resist any temptation to sling mud. Taking the high road is not only the right choice ethically, it's also likely to pay dividends later.

Once you've won the election and you're seated on the council, the work isn't over. Instead, that's when it begins in earnest, and the learning curve can be pretty steep. Luckily, the League of Oregon Cities has some fantastic training opportunities to help you be the best elected official you can be. Please don't hesitate to reach out, and we'll do our best to help you help your city.

– 2020 LOC President Jake Boone, Councilor, Cottage Grove

## Filing for Elective Office

Qualifications for various city offices differ. Before filing for candidacy, review the city charter and statutory requirements of the office for which you plan to declare your candidacy. Requirements for filing for city office are found under Oregon Revised Statutes (ORS) Chapters 221 and 249. The forms that you will need are available from the city's elections official and the Oregon Secretary of State's Office, Elections Division.

Every candidate and prospective candidate are required to establish a principal campaign committee within three business days of receiving or spending any money to support the candidacy. This includes expenditures of personal funds by the candidate. It also includes payment of the filing fee if the candidate files by declaration, any costs relating to circulating a nominating petition, or any voters' pamphlet costs. For more information on campaign finance reporting requirements please see the Secretary of State Elections Division Candidate Finance Reporting in Oregon Candidate "Quick Guide" available at:

<https://sos.oregon.gov/elections/Documents/candidatequickguide.pdf>.

## What to Expect

As a local elected official, you will have the opportunity to shape policy governing the future of your city. In addition to serving as a community leader, being a model of civility and cooperation, an educator and interpreter of public opinion – the role of an elected official will change the way you are viewed in your community. You'll rarely stop by the neighborhood coffee shop without someone complaining about roads or taxes. You may be cornered anywhere, at any time, on anything. Local elected leaders are in direct contact on a daily basis with the people they represent.

You will spend a lot of time attending meetings – not only city council meetings – but regional and statewide meetings as well. You will spend time preparing for meetings, reading any preparatory material in order to make informed decisions in the course of all meetings.

If elected, you will utilize the skills you already have, skills you never knew you had, and skills you wished you had. You may be called upon to facilitate meetings, speak to the press, respond to angry and sometimes hostile citizens, testify before legislative committees, and negotiate with contractors, bankers and engineers. You will make decisions on everything from who to hire as the next city manager, which bid to accept for paving the roads, how to pay for solid waste disposal, to joining with neighboring cities in a regional approach to providing dispatch services.

### SPOTLIGHT:

#### Policy Process Steps

1. Identification of problems or needs
2. Establishment of community goals
3. Determine objectives
4. Development/analysis of alternative solutions (including short-term and long-term implications)
5. Establishment of priorities
6. Development of programs and strategies
7. Implementation of programs and strategies
8. Monitoring and evaluation of programs or strategies
9. Feedback
10. Program or strategy improvement and modification

### SPOTLIGHT:

#### Basic City Services

The services provided by cities vary from community to community. However, some typical services include:

**Public Safety** – police, fire, and sometimes ambulance service

**Utilities** – water and sewer, trash collection, electricity, and natural gas

**Land Use** – planning, zoning, code enforcement, and other regulatory activities

**Transportation** – street construction and maintenance, traffic safety, and sometimes public transit

**Recreation and Cultural** – parks, recreation, libraries, and sometimes cultural facilities

**Legal** – ordinances protecting the public health, safety and welfare of the community

## Roles and Responsibilities

The specific roles and responsibilities of members of city leadership will vary from community to community. Each position plays a vital role in the governance of the city. The council serves as the city's legislative body by adopting a budget and adopting local laws – called ordinances – and regulations.

### Policy Role

The council is the highest authority within city government in deciding issues of policy. For a council to effectively assume a positive and active role in bringing issues forward for discussion in setting policy, councilors need a clear understanding of policy process and the stages at which council intervention is most effective.

### Administrative Role

The council, as a collective body, is responsible for the oversight of administration in every city, but the roles that the mayor and individual councilors play in city administration vary considerably, depending on city size and form of government. Typically, the only city staff overseen by the council is the city's chief executive and potentially a handful of department heads.

Council/Manager Form – The majority of Oregon cities follow this structure where the council is comprised of volunteers who decide the policy for the city, which is overseen by a paid city manager who serves as the chief executive. Approximately 55% of cities nationwide utilize this form of government, and it is most popular in the Southeast and Pacific Coast regions.

Strong Mayor Form – The only city in Oregon with a strong mayor structure is the city of Beaverton. Under this form of government, the mayor is elected but also serves as the city's chief executive. Approximately 34% of cities nationwide utilize this form of government and it is most popular in the Mid-Atlantic and Midwest regions.

Commission Form – The city of Portland is the state's only true commission form of government. In this form, elected commissioners serve as the administrative head of selected city departments as assigned by the mayor. While the commission is the oldest form of local government in the country, only 1% of cities nationwide utilize a commission form of government.

### The Mayor

The mayor's role varies from city to city, depending on charter requirements. The mayor serves as the public face of the community by representing the city at community events or government functions. The mayor also serves as the spokesperson for the council. During council meetings, the mayor typically serves as the presiding officer and sets the agenda for meetings. Often, the mayor appoints individuals to committees and work groups and signs ordinances and

### SPOTLIGHT:

#### Council-Manager Form of Government

The chief characteristic of the council-manager form of government is that the council appoints a qualified professional person as city manager or administrator to take charge of the daily supervision of city affairs. The manager or administrator serves at the pleasure of the council – the council sets policy and the manager carries out that policy. While an absolute separation between policy and administration does not really exist, the council-manager form works best when the council exercises its responsibility for policy leadership and respects the manager's leadership role and responsibility for administration.

Council-manager charters commonly include specific provisions that prohibit individual councilors from giving orders to city employees and from attempting to influence or coerce the manager with respect to appointments, purchasing, or other matters. However, the charters do not prohibit, and may affirmatively provide for the council to discuss administrative matters with the manager in open meetings.

resolutions on behalf of the council. Most importantly, the mayor serves as the chief facilitator between the city manager and the city council.

### **Quasi-Judicial Role**

Council members may act in a quasi-judicial capacity when sitting on land use hearings and other type of appeals. When acting in a quasi-judicial role, the council is acting like a court of a judge – it is applying the law to a set of specific facts.

### **Council as “One Voice” and Balance**

The council acts as a centralized body with one voice and not as individuals. While individual council members may make motions, the motion is only passed when a majority of the council votes in favor of its passage. Newly elected and veteran elected officials may find this structure challenging as it may be difficult to pass policy based on individual platforms.

The single most difficult job of a city council is to balance diverse interests with common interests. A councilor may react to groups in isolation without considering the larger consequence of their actions. It is important to recognize and consider citizen input, but it is equally important to develop perspective. A council can seldom do everything that everyone wants.

### **Intergovernmental Relations**

Beyond the myriad of issues that are specific to city government, city officials will quickly find that they play a pivotal role in the intergovernmental arena with other cities, county government, special districts and public schools, as well as regional, state and federal governments. Understanding these relationships and their impact on a city government’s ability to provide responsible, efficient and effective governance and delivery of services is important, particularly when funding and staffing resources are limited. Exploring new and innovative ways of funding and providing public services is one of the challenging issues facing elected officials.

It is important to recognize that the reasons you are running for office will become part of a “full plate” of issues – many of which you are not yet familiar. Because of the urgency and the complexity of these issues, governments must work together to address them. Cities no longer do their government business in isolation. The key to success is cooperation and collaboration.

### **Sources of Law**

The main sources of law governing local government are the city charter and ordinances, the state constitution, state law and the decisions of state courts. Cities are also subject to federal laws and the United States Constitution. Local elected officials should be familiar with their city’s charter and ordinances, as well as the state laws regarding open meetings, public records, budgeting, public contracting, and ethics, some of which are described below.

### **Home Rule and Limitations of Power**

The term “home rule” refers to the authority of a city to set policy and manage its own affairs. Without charter home rule, state law controls the existence, form of organization, functions, powers and finances of

local government. Most home rule authority is conferred on a city by its charter. A charter can be thought of as the city's constitution and may be amended only by a vote of the citizens of that city.

Even in light of home rule, local governments are subject to statutory, constitutional, judicial and charter limitations. Under Oregon constitutional home rule provisions, the voters of the state have taken from the state Legislature, and reserved to the voters of cities, the power to adopt and amend their own city charters. Initiative and referendum powers are also reserved to the voters of the city under Oregon Constitution Article VI, section 10 and Article XI, section 2.

Article I, Oregon's Bill of Rights, also applies to local governments. Other constitutional limits and restrictions include property tax limitations, prohibitions against lending the credit of a city, and regulation of city elections.

### Government Ethics

Public official ethics are governed by various constitutional provisions, the common law, state statutes, and occasionally, charter or ordinance provisions. Government ethics law is administered and enforced by the Oregon Government Ethics Commission. State law may require officials in your city to file a statement of economic interest each year with the Oregon Government Ethics Commission. State law also requires that public officials not use their official position or office to obtain financial gain other than their official salary, honorariums or reimbursements of expenses. The law limits the value of gifts that officials, candidates or members of their families may solicit or receive, or which any person may offer, and prohibits public officials from soliciting or receiving offers of future employment in return for their influence. The law prohibits public officials from furthering their personal gain by use of confidential information gained through their position with the city.

Public officials must also avoid a conflict of interest relating to taking official action that may or will result in financial benefit or detriment to the public official, the public official's relative, or a business with which the public official or their relative is associated. When a conflict of interest exists, the public official must take certain steps such as announcing the conflict and potentially recusing themselves from any participation in the discussion or vote on the issue.

### Public Meetings Law

The Oregon public meetings law that applies to public bodies is found in ORS 192.610 to 192.695. Under the public meetings law, a governing body's meetings are open to the public with certain exceptions. Meetings of other city bodies such as the planning commission, budget committee, library board, etc., are also open to the public. Except in emergencies, there must be reasonable notice of regular meetings and at

#### **RESOURCE:**

For a more in-depth explanation of Oregon Home Rule and Preemptions see [LOC's Guide to Statutory Preemption of Home Rule](#) and [White Paper on the Origins, Evolution and Future of Home Rule](#), available on LOC's online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

#### **RESOURCE:**

#### **Oregon Government Ethics Commission Publications**

For more information and guidance on government ethics for public officials, see the Oregon Government Ethics Commission's [Guide for Public Officials](#), and related supplement available at: [https://www.oregon.gov/OGEC/Pages/forms\\_publications.aspx](https://www.oregon.gov/OGEC/Pages/forms_publications.aspx)

least 24-hour notice for special meetings. Minutes are required to be taken. Executive sessions – those meetings that may be closed to the general public – may be held for certain prescribed reasons, but the media must be allowed to attend these meetings and final decisions may not be made. All final decisions must be held in a public meeting.

### Public Records Law

The Oregon public records law applies to public bodies and is found in ORS 192.311 to 192.478. The public meetings law prescribes not only how local government officials and staff must handle public records, but also how the local government must respond to and handle requests for disclosure.

### Budget and Finance

Budgeting is an annual process by which cities identify the types and levels of services that can be provided within the constraints of available resources. The general budgeting process is prescribed by the Oregon local budget law found in ORS 294.305 to 294.565. The Oregon Department of Revenue’s Finance and Taxation section administers and provides advice and assistance to cities regarding budget matters. The section publishes a local government budget manual that is the basic reference document for local budget procedures.

In its most basic form, the budget identifies city programs, services and activities. City budgets are organized and expenditures are accounted for by “funds” such as the general fund or street fund, etc. or “activities” such as law enforcement or transportation, in order to permit identification and handling of revenue earmarked for such purposes. Additional resources on local budgeting may be accessible on the Oregon Department of Revenue’s website at: <https://www.oregon.gov/DOR/programs/property/Pages/local-budget.aspx>.

### Liabilities

To some extent, Oregon governments are liable for torts (wrongs to private parties) such as personal injury, property damage, wrongful entry, false arrest and detention, abuse of process, invasion of privacy, and interference with contractual relations. The Oregon Tort Claims Act places a financial limit on the extent of the government’s liability for torts.

The personal liability of public officials is governed primarily by the provisions of the Oregon Tort Claims Act. Federal civil rights law, the common law of torts, and specific Oregon statutes also may impose personal liability. Some examples of personal liability are budget law violations, conflicts of interests, actions outside the scope of official duty, malfeasance in office, public contracting violations, and public meetings law and public records law violations.

The council should routinely consult with the city attorney in making decisions on city affairs. In addition to providing professional and technical services such as preparation of formal opinions and drafting of legal documents, the city attorney can supply advice regarding many other matters.

### RESOURCE:

#### Oregon Attorney General’s Public Records and Meetings Manual

Without doubt one of the most helpful resources on public meetings and records is the Attorney General’s [Public Records and Meetings Manual](#). The Manual provides guidance and explanations to the various laws that govern Oregon public records and meetings. The Manual is available online free of charge at:

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/>

Some types of insurance are required by state law, and cities purchase other types for their own protection. Insurance policies are complex documents, and the advice of competent insurance advisors and the city’s legal counsel should be sought to make certain that coverages are adequate for the exposures involved. For more information on risk management, contact Citycounty Insurance Services online at <https://www.cisoregon.org/Contact-CIS>.

## Communications – The Key to Success

Council effectiveness is dependent upon good group dynamics. Each new configuration of the council creates its own personality and style of operation. As with any group, each council must go through the usual evolution of forming, storming, norming, performing and, eventually, reforming. A number of city councils in Oregon have adopted internal rules of council procedure to promote effective governance and establish ground rules for working together.

### Elected Officials and the Public Spotlight

Becoming an elected official means living in the public spotlight 24 hours a day. Elected officials come to realize that this is simply a condition that accompanies the position – for better or worse. Don’t be alarmed if your personal life becomes front page news and the “talk of the town.” It’s bound to happen sooner or later. Media relations is a skill that can work in the city’s favor. It is wise to develop a respectful relationship with a local reporter and attempt to create a reciprocal relationship. Be sensitive of the reporter’s job and their need to meet deadlines. At the same time, be careful and never speak “off the record.” Expect anything you say or write to be used. Don’t assume an interview is over until the reporter has left the scene. Also, before speaking with the press on a matter related to the city, make sure you and your council have identified any needed protocols for interactions with the media. Some cities have identified, through their council rules of procedure, how elected officials communicate with the press – identifying what a councilor or mayor can do when they “speak for” the city as opposed to when they are “speaking for” themselves.

### Representing the Public

Two of the most important tasks of local government officials are to discover citizen opinion and to ensure that citizens have sufficient information to form knowledgeable opinions. For these tasks to be carried out successfully, elected officials must solicit public input and encourage citizen participation and involvement.

Communication is important in achieving effective citizen participation in local government. Success depends on both the attitudes and interests of citizens and city officials. Citizens need to know their efforts are recognized and valued in the decision-making process. Public hearings, advisory committees, town hall meetings, televised council meetings, volunteer participation, public opinion polls, and interest groups are ways to connect citizens with city government in a significant way.

#### RESOURCE:

For sample rules of procedure, see LOC’s [Model Rules of Procedure for Council Meetings](#) available on LOC’s online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

#### SPOTLIGHT:

##### Guidelines for Surviving Life in the “Public Fishbowl”

- ✓ Be truthful.
- ✓ If you don’t know the answer, say so.
- ✓ Anticipate all situations and questions.
- ✓ Be prepared.
- ✓ Be accountable and responsible for everything you do and say.

## Community Visioning and Goal Setting

City councils should develop community visioning and conduct annual goal setting processes in order to provide a roadmap for all city decisions.

### Visioning: Sustaining Quality of Life

City governance is an institution that enables a community of citizens, through their elected representatives, to maintain safety and a good quality of life, which is accomplished by developing policy, adopting implementing laws and ordinances, and planning for the delivery and financing of public services. Success is dependent upon the ability to stay in touch with the public's needs and desires, to understand the issues, and to balance the short and long term social, economic and environmental impacts. A vision statement provides a blueprint for the future and helps the council, staff and citizens to set priorities, goals, and make decisions to achieve desired outcomes.

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*“Every city has an unbelievable talent pool that can help change a city from average to outstanding. However, members of the community must realize how important their involvement can be. I truly believe that King City is a great example of what can happen when a diverse group of dedicated residents are committed to helping the city government represent the people, as city councilors. Progress in a city can only be made by the people who represent the people in the community in which they live and deeply care about.”*

- Ken Gibson, Mayor, King City

### Setting City Goals

A clear set of goals provides the framework within which nearly all city activities can be accomplished. Goals provide direction, reduce crisis management environments, develop cohesiveness among council members, allow managers and staff to manage their time and activities effectively, and permit periodic evaluation of progress to manage any necessary mid-course corrections.

Without goals, a council cannot distinguish between movement and progress. Individuals and groups can spend tremendous effort and resources performing activities that, in retrospect, were not necessary. Often the reason for this wasted effort is the absence of a clear set of priorities and specific plans for accomplishing them.

Typically, council goals are developed for a one to two-year period. They are a tool for focusing the council's efforts; communicating priority issues to the community; and providing clear direction to city staff. Council goals should be articulated in such a way that they are specific, realistic, outcome-based, within the city's control, and measurable. Once goals have been set and adopted by the council, they can be used as a measure for evaluating staff performance, guiding budget decisions, and managing unanticipated issues that arise during the year.

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