



LEBANON CITY COUNCIL AMENDED AGENDA

June 10, 2020 (6:00 PM)

Electronic Meeting

The City Council will be meeting electronically and not hold a live meeting at the Santiam Travel Station due to the COVID-19 pandemic and the Governor's social distancing Executive Order 20-12. Public comments may be submitted by email to cityrecorder@ci.lebanon.or.us prior to 5:00 p.m. on June 10.

Members of the press wanting to attend the executive session electronically can contact the City Recorder at cityrecorder@ci.lebanon.or.us prior to 5:00 p.m. on June 10 to arrange access. The public can listen to the meeting on YouTube by clicking this link: <https://www.youtube.com/watch?v=tmNLRlyC3s8>

Mayor Paul Aziz

Council President Jason Bolen
Councilor Wayne Rieskamp

Councilor Robert Furlow
Councilor Karin Stauder

Councilor Rebecca Grizzle
Councilor Michelle Steinhebel

MISSION STATEMENT

The City of Lebanon is dedicated to providing exceptional services and opportunities that enhance the quality of life for present and future members of the community.

CALL TO ORDER / FLAG SALUTE

ROLL CALL

CONSENT CALENDAR *The following item(s) are considered routine and will be enacted by one motion. There will not be a separate discussion of these items unless a Councilor so requests. In this case, the item(s) will be removed from the Consent Calendar and considered separately.*

AGENDA: Lebanon City Council Agenda – June 10, 2020
APPOINTMENTS: Arts Commission – Cassie Cruze & Jenni Grove (reappointments)
Budget Committee – Josh Port & Lance Caddy (reappointments)
Library Advisory Committee – Russell Fish (appointment)
Planning Commission – David McClain & Josh Port (reappointments)
Senior & Disabled Services Advisory Committee – Marlene Flyer, Sherry Liest & Harriet Voss (reappointments) and Lori McNulty (appointment)
Trees & Trails Advisory Committee – Jan Diamantine (reappointment)
COUNCIL MINUTES: May 13, 2020 Regular Session
DEED: Old Mill Trail Quitclaim Deed
EASEMENT: Mazama Avenue Public Access & Utilities Easement

LIQUOR LICENSE: Growler Café (Off-Premises Sales)

PROCLAMATION / PRESENTATION / RECOGNITION

- Fireworks Safety Awareness Month (July)

PUBLIC COMMENTS (*Public comments may be submitted by email to cityrecorder@ci.lebanon.or.us prior to 5:00 p.m. on June 10. The City Recorder will distribute comments to the Mayor and Council prior to the meeting.*)

PUBLIC HEARINGS

1) State Revenue Sharing

Presented by: Matt Apken, Finance Director
Approval/Denial by RESOLUTION NO. 2020-09
Approval/Denial by ORDINANCE BILL NO. 2020-06, ORDINANCE NO. 2946

2) Adoption of FY 2020/21 City of Lebanon Approved Budget

Presented by: Matt Apken, Finance Director
Approval/Denial by RESOLUTION NO. 2020-10 (Making Appropriations)
Approval/Denial by RESOLUTION NO. 2020-11 (Levying Taxes)

[Temporarily adjourn as Lebanon City Council and convene as Urban Renewal Agency]

3) Adoption of FY 2020/21 Urban Renewal District Approved Budget

Presented by: Matt Apken, Finance Director
Approval/Denial by RESOLUTION NO. 2020-12 (Making Appropriations)
Approval/Denial by RESOLUTION NO. 2020-13 (Levying Taxes)

[Adjourn as the Urban Renewal Agency and reconvene as the Lebanon City Council]

REGULAR SESSION:

4) FY 2019/20 Budget Appropriation Transfer and Closing Funds

Presented by: Matt Apken, Finance Director
Approval/Denial by RESOLUTION NO. 2020-14

5) Approval of Teamsters Union Memorandum of Understanding

Presented by: Frank Stevenson, Police Chief
Approval/Denial by MOTION

6) Approval of Lebanon Municipal Code 8.10 Noise Regulations Amendment

Presented by: Tre Kennedy, City Attorney
Approval/Denial by ORDINANCE BILL NO. 2020-07, ORDINANCE NO. 2947

7) Approval to Apply for the Recreational Trails Program Grant – Old Mill Trail

Presented by: Ron Whitlatch, Interim City Manager/Engineering Director
Approval/Denial by RESOLUTION NO. 2020-15

[Temporarily adjourn as the Lebanon City Council and convene as the Lebanon Urban Renewal Agency.]

8) Mill Race Urban Renewal District

Presented by: Kelly Hart, Community Development Director
Approval/Denial by MOTION

[Adjourn as the Lebanon Urban Renewal Agency and reconvene as the Lebanon City Council.]

9) City Manager's Report

Presented by: Ron Whitlatch, Interim City Manager/Engineering Director
DISCUSSION

ITEMS FROM COUNCIL

PUBLIC/PRESS COMMENTS

NEXT SCHEDULED COUNCIL MEETING(S) – Tentative - June 24, 2020 (8:00 AM-12:00 PM) Executive Session (12:00 PM) Regular Meeting

RECESS REGULAR SESSION

EXECUTIVE SESSION *Executive Sessions are closed to the public due to the highly confidential nature of the subject. It is unlawful to discuss anything outside of the Executive Session. Final action/decisions are to be made in open session.*

Per ORS 192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

Per ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

REGULAR SESSION *City may reconvene into open session should action be required.*

ADJOURNMENT

City Council meetings are recorded and available on the City's YouTube page at <https://www.youtube.com/user/CityofLebanonOR/videos> The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Recorder at 541.258.4905.

Consent Calendar

Appointments



MEMORANDUM

City Recorder's Office

To: Mayor Aziz and City Council
From: Kim Scheafer, City Recorder
Subject: Various Council Advisory Committee Appointments

Date: May 22, 2020

I. BRIEF HISTORY

With several committee members with terms expiring June 30 on various City Advisory Committees, staff advertised for members to serve on the Arts Commission, Budget Committee, Library Advisory Committee, Planning Commission, Senior Services Advisory Committee and Trees and Trails Committee.

II. CURRENT REPORT

Mayor Aziz is excited to nominate the following at the June 10, 2020 City Council Meeting:

Arts Commission:

- Cassie Cruze (Reappointment)
- Jenni Grove (Reappointment)

Budget Committee:

- Josh Port (Reappointment)
- Lance Caddy (Reappointment)

Library Advisory Committee:

- Russell Fish (Appointment)

Planning Commission:

- David McClain (Reappointment)

Senior Services Advisory Committee:

- Marlene Flyer (Reappointment)
- Sherry Liest (Reappointment)
- Harriet Voss (Reappointment)
- Lori McNulty (Appointment)

Trees and Trails Advisory Committee:

- Jan Diamantine (Reappointment)

III. RECOMMENDATION

Appoint the above recommended nominees through the Consent Calendar process.

Council Minutes

**LEBANON CITY COUNCIL
MINUTES – DRAFT
May 13, 2020**

Council Present Mayor Paul Aziz, Councilors Jason Bolen, Robert Furlow, Rebecca Grizzle, Karin Stauder and Michelle Steinhebel

Staff Present City Attorney Tré Kennedy, Interim City Manager/Engineering Director Ron Whitlatch, City Recorder Kim Scheafer, Police Chief Frank Stevenson, Community Development Director Kelly Hart and Finance Director Matt Apken

CALL TO ORDER Mayor Aziz called the electronic meeting to order at 6:00 p.m. using Zoom web conferencing due to the COVID-19 pandemic.

ROLL CALL Councilor Rieskamp was absent.

CONSENT CALENDAR *Councilor Bolen moved, Councilor Steinhebel seconded, to approve the Consent Calendar as presented. The motion passed unanimously.*

AGENDA	Lebanon City Council Agenda – May 13, 2020
AGREEMENT	2020 ODOT Surface Transportation Fund Agreement
BOARD MINUTES	Planning Commission – February 19, 2020
COUNCIL MINUTES	March 11, 2020 Regular Session and March 25, 2020 Regular & Work Sessions
EASEMENT	Mill Street Public Utility Easement
LIQUOR LICENSES	Annual Renewals

PROCLAMATIONS

Mayor Aziz read the proclamations declaring May 10-16, 2020 as National Police Week/May 15, 2020 as Peace Officers Memorial Day; May 22, 2020 as American Legion Poppy Day; June 1-7, 2020 as Strawberry Festival; and May as Mental Health Awareness Month.

PUBLIC COMMENTS

Mayor Aziz read and said that the Councilors received a public comment from Shirley Bird, Family Assistance and Resource Center Group Executive Director. She asked the City to waive the conditional use permit fee for a homeless shelter during the pandemic as it would offer a safe alternative to this highly vulnerable population. They will be testing for COVID-19 in the Lebanon homeless population. She asked the City to put urgent prevention measures in place, make a plan for post-testing isolation, and provide a quarantine solution for any homeless that tests positive.

Community Development Director Hart indicated that temporary or emergency shelters are prohibited in the residential low-density zone. In all other residential zones, they are permissible through a conditional use permit, which costs \$1,500 and takes 2-3 months for the Planning Commission to review this discretionary request to determine whether the proposal meets the decision criteria. The decision would also be based on public comment. The permit runs with the land; no time limit can be placed on it, so this is not a temporary consideration.

Staff has reviewed Linn County Health and the Governor's office guidance documents regarding homelessness. If they are tested, awaiting results, or tested positive, the best option is to identify a location, such as a hotel room,

where they can be isolated and fully separated from the population. This would allow them to have their own sanitation facilities and place to shelter. Staff has not looked at the campsite proposal in depth, as they were identifying whether it would be a feasible and whether there are better options. Linn County is finalizing a contract for a hotel in the county that will be providing this service.

Police Chief Stevenson said that there are many issues with a campsite like this. Since it would be on private property, owners would need to go through an eviction process for those camping. There would also be sanitation and other issues and would require a lot of law enforcement resources to ensure safety. He wondered why Ms. Bird took this long into the pandemic to pursue this, other than having an agenda to get a homeless camp or shelter in Lebanon.

Councilor Stauder agreed with Stevenson and has concerns, especially with the private property/eviction and sanitation issues. If there is no way to limit the time, the Council would, in effect, be voting on a permanent camp. She feels that the City should let Linn County take the lead, instead of cities individually trying to create a system.

Councilor Bolen agreed with the concerns and stated that Linn County Health has been leading the way for local health communities so it would be prudent to follow their lead. There may also be potential impact on pedestrian and vehicular traffic. Councilors Steinhebel, Grizzle and Furlow agreed.

In response to Councilor Steinhebel's question, Mayor Aziz stated that Ms. Bird's organization does not have a number for the homeless population in Lebanon. Stevenson shared that the department has been distributing packages and providing assistance to those camping, but they have not found many. The homeless they spoke to are already sheltering in place. Many do not want assistance or to go anywhere. He does not believe a person testing positive can be forced.

Cassie Cruze, Lebanon Downtown Association Main Street Manager, shared that there has been an increase in volunteers for community cleanup and other events. There was more than \$37,000 in volunteer hours (up 66%) this year. The City's 2019 \$10,000 investment turned into \$39,709.25. With their First Fridays events, the number of downtown customers increased by 71%. The summer concert series will be canceled so they are looking into having winter concerts. The LebanonStrong.com fundraiser is going well. By the end of this month, they hope to roll out a virtual space walk to show vacant buildings downtown with a panel of contractors giving their insight on the buildings.

PUBLIC HEARING

1) Authorization for the City to Apply for the Community Development Block Grant (CDBG) for the DevNW Housing Rehab Program

Mayor Aziz opened the public hearing at 6:24 p.m.

Hart requested approval of a resolution that would authorize staff to submit the 2020 CDBG funding application and authorize the City Manager to sign the required documents and contract with DevNW as the sub-grantee.

Liza Newcomb, DevNW, said that they will be the sub-grantee for the program, but Linn County Housing Grant Program will oversee the grant. In addition to the \$400,000 rehabilitation loan program, there is \$100,000 in grants for homeowners in manufactured home parks. Brigetta Olson, DevNW Chief Operating Officer, read the public notice for the CDBG program.

Regarding public comments in favor of or in opposition to the request, City Recorder Scheafer confirmed for Mayor Aziz that no comments were received. The public hearing was closed at 6:30 p.m.

Ms. Newcomb agreed with Councilor Grizzle that there is no reason not to apply for the additional \$100,000 grant. She added that some people do not want to see them giving out grants to people in manufactured home parks because there is no financial return but keeping people safe in their homes is the return they want.

City Attorney Kennedy read the title of RESOLUTION NO. 2020-03. Councilor Grizzle moved, Councilor Stauder seconded, to APPROVE RESOLUTION NO. 2020-03, A RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION FOR THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH DEVNW AS SUB-GRANTEE. Councilor Grizzle clarified that her motion includes applying for the full \$500,000 (\$400,000 loan plus \$100,000 grant). The motion passed unanimously.

REGULAR SESSION

2) Approval of City Attorney Contract

Mayor Aziz presented the proposed Morley Thomas Law LLC renewal contract, which was reviewed by him, Interim City Manager Whitlatch and City Attorney Kennedy.

Councilor Stauder said that she would like the City to continue with the contract because Kennedy does well for the City and is always available. Mayor Aziz agreed and said that he likes the addition of extra services.

Kennedy stated that his firm appreciates the contract and relationship they have with the City. He introduced and praised his staff.

Councilor Furlow moved, Councilor Steinhebel seconded, to APPROVE THE CONTRACT WITH MORLEY THOMAS LAW LLC FOR THE PERIOD OF MAY 14, 2020 THROUGH JUNE 30, 2023. The motion passed unanimously.

3) Approval of Addendum #1 to Tourism Services Agreement with the Lebanon Area Chamber of Commerce

Whitlatch requested approval of an addendum to the Chamber of Commerce Tourism Services Agreement. The current agreement provides the Chamber \$35,000 per year for operations and \$50,000 to administer the tourism grant fund. Due to COVID-19, transient lodging taxes will likely decrease 80%-90%. The addendum modifies the current contract to use funds for tourism grants to cover operating expenses over the next two quarters.

As Chamber Director, Councilor Grizzle stated that a new amendment may need to come back in September after seeing how the economy is opening up.

In response to Councilor Bolen's question, Whitlatch stated that he does not believe that this will be retroactive. Councilor Grizzle said that, as far as the Chamber is concerned, they do not consider this to be retroactive but in September, they would like to consider building some of the grant funds back up because the need will be even greater next year. Councilor Bolen asked if how these funds are being appropriated is legal. Kennedy said that the City is not legally obligated to use them for grants. The City chooses how it is used for tourism, so he does not see this as a problem. Apken agreed and added the City has quite a bit of flexibility in using transient room tax funds.

Councilor Stauder moved, Councilor Furlow seconded, to APPROVE ADDENDUM #1 TO THE TOURISM SERVICES AGREEMENT WITH THE LEBANON AREA CHAMBER OF COMMERCE. As Chamber Director, Councilor Grizzle recused herself from voting. The motion passed unanimously.

4) City Manager's Report – Whitlatch provided updates:

- Policies and procedures for each building are being put together with the hope that the City will move into Phase 1 of the State's reopening. Some staff will be telecommuting. In line with the State, the emergency declaration will likely be extended to July 6. This allows the City to flex schedules and provides the ability to apply for any funds.
- Hart shared that Economic Development Catalyst Rodgers has been looking for funding opportunities to help struggling businesses. There is a good chance of moving forward with some opportunities that have very low City buy-in with a pretty significant return. The City would not have to administer the program causing additional staff time, nor be involved in making the decision as to who gets funding. This could be a great funding source for the local community. Councilor Grizzle added that Rodgers has been great about aggressively finding and sharing information with the Chamber.

ITEMS FROM COUNCIL

Mayor Aziz shared that the Governor will be holding a 10:00 a.m. press conference on Thursday to announce the counties that will be reopening.

He expressed his condolences – Randy Peterson, Soup Kitchen Director, passed away suddenly.

Councilor Bolen thanked Stevenson and his staff for their handling of the cruise-in event. They did a really good job of addressing some concerns with participants, while protecting everyone's First Amendment rights and rights to protest peacefully.

Stevenson stated that staff did their best to deal with the situation appropriately, while trying to protect everyone's rights. As follow-up, they tried to identify many of the participants to let them know that some of the activities witnessed are not going to be allowed. Hearing that there will be ongoing weekend events caused them some concern so they wanted to communicate with the group and partnering agencies. The hope is that this does not happen again. If it does, he hopes that it is done in a peaceful, respectful and legal way so they do not have to step in. He commended his sergeants and officers with the way they dealt with the situation.

Mayor Aziz said that, in his statement, he was not telling people not to assemble. The biggest problem was when it turned into a possibly dangerous or illegal situation.

PUBLIC/PRESS COMMENTS – *There were none.*

NEXT SCHEDULED COUNCIL MEETING(S) – June 10, 2020 Regular Session (6:00 p.m.)

The Council convened into executive session at 7:00 p.m.

EXECUTIVE SESSION – *Per ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.*

REGULAR SESSION

The Council reconvened into open session at 7:53 p.m.

5) City Manager Recruitment Process

Councilor Steinhebel moved, Councilor Bolen seconded, that Council voted to bring the top two city manager candidates for in-person interviews at the end of June, if Linn County enters Phase 2 of the Oregon reopening process.

Councilor Grizzle felt that the stipulation about entering Phase 2 is too constricting. She believes that there are work-arounds and that the Council can come to a good decision or at least move forward without waiting for Phase 2.

Councilor Stauder agreed and said that she would like the option, at the end of June, to see what this looks like and how it can be done. Accommodations may need to be made, such as splitting the group in two to do in-person interviews.

Councilor Steinhebel stated that we do not get to set the timeline in a pandemic. This is one situation where it is probably worth putting a pause. Councilor Furlow agreed.

Councilor Bolen agreed with the Phase 2 wording because it is an important decision and would give greater flexibility to carry out the process as it would normally. Phase 2 would also allow for a larger gathering that could involve all the appropriate staff and members of the public who want to participate, at the appropriate time.

There was clarification that this step is to eliminate candidates and choose the top candidates to move forward with. Council and staff can meet the candidates in person, since it is difficult to make that determination over a Zoom call. This step does not include public involvement.

Kennedy stated that he does not interpret the motion to say that nothing, including discussion and modifying the process, can be done until Phase 2. Councilor Stauder said that if this is the case, then she totally agrees.

Councilor Steinhebel said that this can be addressed again if the City is not in Phase 2 by the end of June. She also has a problem hiring somebody for that high of a salary while the City is furloughing Senior Center and Library employees.

Councilor Furlow called for the question; Councilor Bolen seconded. The motion passed unanimously.

The motion that Council voted to bring the top two city manager candidates for in-person interviews at the end of June, if Linn County enters Phase 2 of the Oregon reopening process passed with 3 yeas (Bolen, Furlow, Steinhebel) and 2 nays (Grizzle, Stauder).

Whitlatch stated that staff will try to schedule the interviews for June 22 and 23 and plan for a Council meeting on June 24.

ADJOURNMENT – Mayor Aziz adjourned the meeting at 8:15 p.m.

[Minutes prepared by Donna Trippett]

Minutes Approved by the Lebanon City Council on this 10th day of June 2020.

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED:

Kim Scheafer, MMC, City Recorder

Deeds

Grantor: Heatherington Foundation for Innovation
and Education in Health Care
825 NW Multnomah Street, Suite 1400
Portland, Oregon 97232

Grantee: City of Lebanon
925 S Main Street
Lebanon, Oregon 97355

After Recording

Return to: City of Lebanon
925 S Main Street
Lebanon, Oregon 97355

Future Tax

Statements to: City of Lebanon
925 S Main Street
Lebanon, Oregon 97355

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That the Heatherington Foundation for Innovation and Education in Health Care, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto the City of Lebanon, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

See Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever. Subject to all encumbrances of record.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$0.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the grantor has executed this instrument this 10th day of June, 2020.

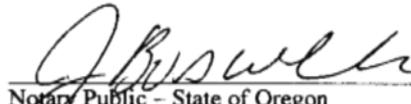

Heatherington Foundation for Innovation and Education in Health Care

Jeff Heatherington, President
Printed Name and Title

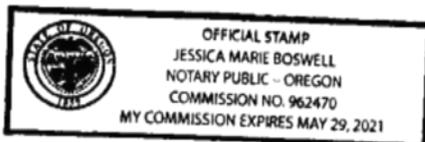
STATE OF Oregon)
COUNTY OF Multnomah) ss

This instrument was acknowledged before me on the 10 day of June, 2020,

by Jeffrey Heatherington


Notary Public - State of Oregon

My commission expires: May 29, 2021

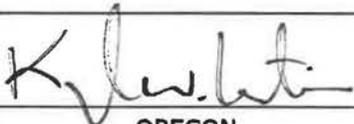


'EXHIBIT A'
20' TRAIL EASEMENT CENTERLINE DESCRIPTION

A 20' EVEN WIDTH STRIP, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 11 AND THE EAST HALF OF SECTION 14, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN THE CITY OF LEBANON, LINN COUNTY, OREGON, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE LAND DESCRIBED IN DEED DOCUMENT NO. 2019-03771 AND ALSO THE NORTH LINE OF THE HENRY GREER DLC NO 47, SAID POINT BEING NORTH 88°08'44" WEST 136.45 FEET FROM THE NORTHEAST CORNER OF SAID DLC; THENCE 112.58 FEET ALONG A 99.66 FOOT RADIUS CURVE TO THE LEFT, THE LONG CHORD OF WHICH IS SOUTH 17°38'50" WEST 106.69 FEET; THENCE SOUTH 14°42'49" EAST 34.63 FEET; THENCE SOUTH 4°58'17" EAST 256.39 FEET; THENCE SOUTH 8°45'06" EAST 124.08 FEET; THENCE SOUTH 13°38'55" EAST 75.35 FEET; THENCE SOUTH 1°16'26" EAST 287.72 FEET; THENCE SOUTH 1°04'03" WEST 232.40 FEET; THENCE SOUTH 10°26'17" WEST 188.78 FEET; THENCE SOUTH 11°39'02" WEST 214.89 FEET; THENCE SOUTH 11°04'22" WEST 151.60 FEET; THENCE SOUTH 8°38'44" WEST 440.75 FEET; THENCE SOUTH 9°43'59" WEST 275.77 FEET; THENCE SOUTH 7°47'48" WEST 205.86 FEET; THENCE SOUTH 5°00'40" WEST 125.11 FEET; THENCE SOUTH 3°06'05" WEST 121.44 FEET; THENCE SOUTH 4°49'56" EAST 280.90 FEET; THENCE SOUTH 10°26'31" EAST 107.95 FEET; THENCE SOUTH 2°00'38" WEST 31.35 FEET; THENCE SOUTH 20°03'52" EAST 192.63 FEET; THENCE SOUTH 4°34'33" WEST 89.84 FEET; THENCE SOUTH 13°46'24" WEST 90.80 FEET; THENCE SOUTH 25°23'22" EAST 38.07 FEET; THENCE SOUTH 35°41'27" EAST 42.35 FEET; THENCE SOUTH 6°32'23" EAST 33.49 FEET; THENCE SOUTH 0°52'15" EAST 86.06 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE LAND DESCRIBED IN DEED DOCUMENT NO. 2019-03771 ALSO BEING THE NORTH LINE OF THE SANTIAM RIVER PLACE 2 SUBDIVISION AND SOUTH 49°35'23" EAST 8.09 FEET FROM THE NORTHEAST CORNER OF LOT 78 THEREIN.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

EXPIRES 12-31-2020

Udell Engineering & Land Surveying, LLC
63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

Easements &
Rights-of-Way



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Engineering Services

To: Ron Whitlatch, PE
Engineering Services Director

Date: May 27, 2020

From: Shana Olson 
Project Manager

Subject: Public Access and Utilities Easement –
Mazama Ave

The attached easement and map are to be presented for approval at the next City Council meeting.

This public utility easement is for the newly constructed water main extension and fire hydrant from Mazama Ave. This easement is associated with the conditions of approval per Planning Case 19-12-71.

THE CITY THAT FRIENDLINESS BUILT



EASEMENT FOR PUBLIC ACCESS AND UTILITIES

THIS AGREEMENT, made and entered into this 14 day of MAY, 2020 by and between 4L Ventures, LLC (Address: PO Box 310, Lebanon, OR, 97355), herein called Grantors, and the CITY OF LEBANON (Address: 925 Main Street, Lebanon, Oregon 97355), a Municipal corporation, herein called "City."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the Grantor does bargain, sell, convey and transfer unto the City of Lebanon, a perpetual and permanent easement and right-of-way, including the right to enter upon the real property hereinafter described, construct sidewalk, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

- 1. The right-of-way hereby granted is described as follows: SEE "EXHIBIT A" and "EXHIBIT B" ATTACHED
2. The permanent easement described herein grants to the City and to its successors, assigns, authorized agents or contractors, the perpetual right to enter upon said easement at any time that it may see fit for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$ 0, the receipt of which is hereby acknowledged, and in further consideration of the public improvements to be placed upon said property and the benefits Grantor may obtain therefrom. Nothing herein shall reduce or limit grantor's obligation to pay any costs or assessments which may result from the improvements.
4. The Grantor does hereby covenant with the City that Grantor is lawfully seized and possessed of the real property above described, has a good and lawful right to convey it or any part thereof, and will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City will make reasonable efforts to return the site to its original condition.
6. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, we have set our hands hereto this 14 day of MAY, 2020.

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)

Kyle Latimer, member, 4L Ventures, LLC

GRANTOR(S)

IN WITNESS WHEREOF, we have set our hands hereto this ___ day of ___, 20__.

STATE OF OREGON)
County of Linn)ss.
City of Lebanon)

By: Paul R Aziz, Mayor []
Jason Bolen, Council President []

By: Kim Scheafer, MMC, City Clerk

On the 14th day of May, 2020, personally appeared the within named Kyle Latimer who acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME [Redacted] NOTARY PUBLIC FOR OREGON

Commission Expires: September 11th, 2020



GRANTEES

On the ___ day of ___, 20___, personally appeared ___ and Kim Scheafer, who each being duly sworn, did say that the former is the Mayor/Council President and the latter is the Recorder for the City of Lebanon, a Municipal Corporation, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said corporation by authority of its City Council, which accepted this easement on the ___ day of ___, 20___, and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME: [Redacted] NOTARY PUBLIC FOR OREGON

Commission expires: _____

EXHIBIT "A"

15' PUBLIC UTILITY EASEMENT

A 15' WIDE STRIP LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 32 CLEARVIEW II SUBDIVISION, ALSO BEING ON THE NORTH RIGHT OF WAY OF MAZAMA AVENUE; THENCE SOUTH 2°14'17" EAST 12.95 FEET ALONG WEST LINE OF SAID SUBDIVISION; THENCE NORTH 89°57'47" WEST 16.06 FEET; THENCE SOUTH 45°02'13" WEST 64.35 FEET; THENCE NORTH 89°57'47" WEST 86.98 FEET; THENCE SOUTH 73°57'27" WEST 50.97 FEET; THENCE SOUTH 57°52'41" WEST 95.41 FEET; THENCE NORTH 32°07'19" WEST 10.52 FEET; THENCE NORTH 56°22'12" WEST 223.55 FEET; THENCE NORTH 37°44'10" WEST 87.79 FEET; THENCE NORTH 52°15'50" EAST 22.50 FEET; THENCE SOUTH 37°44'10" EAST 15.00 FEET; THENCE SOUTH 52°15'50" WEST 7.50 FEET; THENCE SOUTH 37°44'10" EAST 70.33 FEET; THENCE SOUTH 56°22'12" EAST 222.92 FEET; THENCE NORTH 57°52'41" EAST 83.10 FEET; THENCE NORTH 73°57'27" EAST 55.21 FEET; THENCE SOUTH 89°57'47" EAST 82.89 FEET; THENCE NORTH 45°02'13" EAST 64.35 FEET; THENCE SOUTH 89°57'47" EAST 21.68 FEET TO THE WEST LINE OF SAID LOT 32; THENCE SOUTH 2°14'17" EAST 2.06 FEET TO THE POINT OF BEGINNING.

COUNTY SURVEY NO. 26737 (PARTITION PLAT NO. 2019-84) WAS USED AS A REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

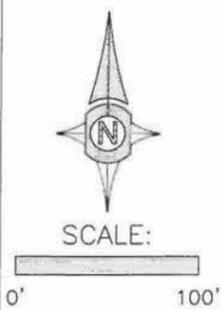
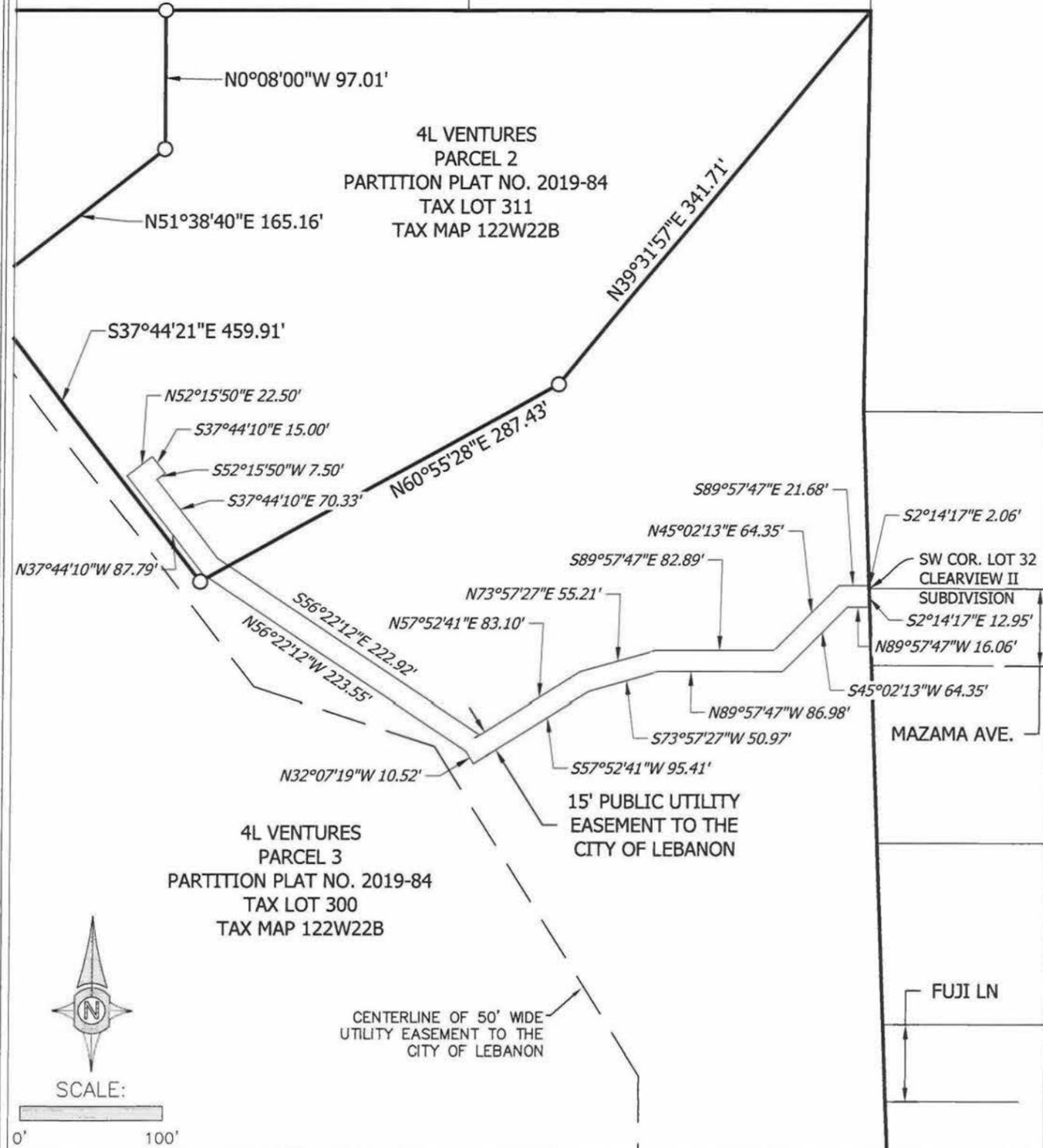


OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

EXPIRES 12-31-2020

Udell Engineering & Land Surveying, LLC
63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

EXHIBIT 'B'



SHEET 1
of 1
SCALE: AS NOTED



Date 4/15/13
Project 19-276
4L
Drawn by KWL

CITY OF LEBANON PUE
2925 STOLTZ HILL RD
LEBANON, OREGON

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

Liquor License(s)



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4905
www.ci.lebanon.or.us

MEMORANDUM

City Recorder's Office

To: Mayor Aziz and City Council

Date: May 20, 2020

From: Kim Scheafer, MMC, City Recorder

Subject: Liquor License Application (Off Premises – Growler Cafe)

The Growler Cafe has applied for an Off-Premises Liquor License. The OLCC Application is attached for Council's review and consideration.

The Fire District, Police Department, Building Official and Community Development Director have reviewed the application and found no evidence to support a denial of this liquor license application.

Council Action:

Staff recommends that Council authorize a favorable recommendation to OLCC under the City Council Consent Calendar.



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1st Location	Date application received and/or date stamp: May 14, 2020
<input type="checkbox"/> Brewery 2nd Location	
<input type="checkbox"/> Brewery 3rd Location	Name of City or County: <u>City of Lebanon</u>
<input type="checkbox"/> Brewery-Public House 1st Location	
<input type="checkbox"/> Brewery-Public House 2nd Location	Recommends this license be: <input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Brewery-Public House 3rd Location	
<input type="checkbox"/> Distillery	By: _____ Date: _____
<input type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	<p style="text-align: center;">OLCC USE ONLY</p> Date application received: <u>04/01/2020</u> By: <u>AK</u> License Action(s): <u>Off/Priv</u>
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege 1st Location	
<input type="checkbox"/> Grower Sales Privilege 2nd Location	
<input type="checkbox"/> Grower Sales Privilege 3rd Location	
<input type="checkbox"/> Limited On-Premises	
<input checked="" type="checkbox"/> Off-Premises	
<input type="checkbox"/> Off-Premises with Fuel Pumps	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1st Location	
<input type="checkbox"/> Winery 2nd Location	
<input type="checkbox"/> Winery 3rd Location	
<input type="checkbox"/> Winery 4th Location	
<input type="checkbox"/> Winery 5th Location	

2. Identify the applicant(s) applying for the license(s). ENTITY (example: corporation or LLC) or INDIVIDUAL(S) applying for the license(s):

My Brother Inc

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)

3. Trade Name of the Business (Name Customers Will See)

Growler Cafe

4. Business Address (Number and Street Address of the Location that will have the liquor license)

43 W Grant St

City	County	Zip Code
Lebanon	Linn	97355



LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) Growler Cafe			
6. Does the business address currently have an OLCC liquor license? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your mail) 43 W Grant St			
City Lebanon	State Oregon	Zip Code 97355	
9. Phone Number of the Business Location 541 570 1380		10. Email Contact for this Application growlercafe@outlook.com	
11. Contact Person for this Application Brian F Bennett		Phone Number [REDACTED]	
Contact Person's Mailing Address (if different) [REDACTED]	City Bremerton	State WA	Zip Code 98310

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

I understand that marijuana (such as use, consumption, ingestion, inhalation, samples, give-away, sale, etc.) is **prohibited** on the licensed premises.

I attest that all answers on all forms, documents, and information provided to the OLCC are true and complete.

Applicant Signature(s)

- Each individual person listed as an applicant must sign the application.
- If an applicant is an entity, such as a corporation or LLC, at least one person who is authorized to sign for the entity must sign the application.
- A person with the authority to sign on behalf of the applicant (such as the applicant's attorney or a person with power of attorney) may sign the application. If a person other than an applicant signs the application, please provide proof of signature authority.

[REDACTED SIGNATURE]

(Applicant#1)

(Applicant#2)

(Applicant#3)

(Applicant#4)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type My Brother doing per letter on phone 05/01/2020

Applicant Name: Brian F. Bennett Phone: [Redacted]

Trade Name (dba): Growler Cafe

Business Location Address: 43 W Grant St

City: Lebanon ZIP Code: 97355

DAYS AND HOURS OF OPERATION

Business Hours: Sunday 9A to 1P, Monday Closed, Tuesday 11A to 7P, Wednesday 11A to 7P, Thursday 11A to 7P, Friday 11A to 7P, Saturday 11A to 7P

Outdoor Area Hours: Sunday N/A to due, Monday to, Tuesday to COVID, Wednesday to, Thursday to, Friday to, Saturday to

The outdoor area is used for: [] Food service, [] Alcohol service, [] Enclosed, how. The exterior area is adequately viewed and/or supervised by Service Permittees. (Investigator's Initials)

Seasonal Variations: [] Yes [] No If yes, explain: N/A due to COVID. Will send revised when full open is allowed.

ENTERTAINMENT

- [] Live Music, [] Recorded Music, [] DJ Music, [] Dancing, [] Nude Entertainers

- Check all that apply: [] Karaoke N/A due to COVID, [] Coin-operated Games, [] Video Lottery Machines, [] Social Gaming, [] Pool Tables, [] Other:

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday N/A to, Monday to, Tuesday to, Wednesday to, Thursday to, Friday to, Saturday to

SEATING COUNT

Restaurant: 58 Outdoor: Lounge: Other (explain): Banquet: Total Seating:

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials:
Date:

I understand if my answers are not true and te, the OLCC may deny my license application. Applicant Signature: [Redacted] Date: 4/27/20

Presentation/Proclamation/
Recognition



Fireworks Safety Awareness Month (July)

Proclamation

Whereas, fireworks are often a staple at festivities for many of our citizens, especially during the summer; and

Whereas, many people do not realize just how dangerous fireworks and sparklers can be; and

Whereas, the results of improper use of fireworks leads to nearly 12,000 injuries and more than 18,500 reported fires (structural, vehicle and brush) resulting in millions of dollars of property damage; and

Whereas, the 4th of July fireworks season accounts for three out of every five of all reported fires.

Now therefore, I, Mayor Paul R. Aziz, do hereby proclaim **the month of July as Fireworks Safety Awareness Month**, and encourage all citizens to join me and the Lebanon City Council in spreading the word of the importance of fireworks safety.

*Paul R. Aziz, Mayor
City of Lebanon, Oregon*

In witness, whereof, I hereunto affixed the City of Lebanon seal on this 10th Day of June 2020.

Kim Scheafer, MMC, City Recorder

Agenda Item 1



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4212
mapken@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Finance Department

To: Mayor, Council & Ron Whitlatch, Interim City Manager
From: Matt Apken, Finance Director
Subject: State Revenue Sharing

Date: May 29, 2020

I. CURRENT REPORT

Each year, the State of Oregon requires that public hearings be held before the Budget Committee and the City Council regarding the uses of State Revenue Sharing. The hearing before the Budget Committee on the proposed uses was held on May 20, 2020, and the hearing before the City Council on the approved uses will be held on June 10, 2020. The funds come from beer and wine taxes collected by the state. The Approved Budget for 2020-21 has budgeted revenue in the amount of \$200,000 in the General Fund. The amount included in the budget is derived from an estimate provided by the League of Oregon Cities.

II. RECOMMENDATION

- Conduct a Public Hearing on the use of State Revenue Sharing in the Approved Budget.
- Motion to Approve a Resolution Certifying the City Provides Services for Eligibility to Receive State Shared Revenue.
- Motion to Approve an Ordinance Declaring the Election to Receive State Shared Revenue.

**A RESOLUTION CERTIFYING THE CITY OF)
LEBANON PROVIDES MUNICIPAL SERVICES)
FOR ELIGIBILITY IN RECEIVING STATE SHARED)
REVENUE PAYMENTS)**

RESOLUTION NO. 2020-09

WHEREAS, ORS 221.760 provides as follows:

Section 1. The Officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- | | |
|--------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Fire Protection | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | 7) One or more utility services |
| 4) Storm Sewers | |

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760, now therefore,

NOW, THEREFORE, BE IT RESOLVED that the City of Lebanon hereby certifies that it provides the following six municipal services enumerated in Section 1, ORS 221.760:

- | | |
|--------------------------|--|
| 1) Police Services | 5) Street Construction, Maintenance & Lighting |
| 2) Water Utility Service | 6) Planning, Zoning & Subdivision Control |
| 3) Sanitary Sewers | |
| 4) Storm Sewers | |

Passed by the Lebanon City Council and executed by the Mayor on this 10th day of June 2020 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

AN ORDINANCE DECLARING THE CITY OF)
LEBANON'S ELECTION TO RECEIVE STATE)
REVENUES)

ORDINANCE BILL NO. 2020-06
ORDINANCE NO. 2946

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Pursuant to ORS 221.770, the City of Lebanon hereby elects to receive state revenues for fiscal year 2019-20.

Section 2. A public hearing before the Budget Committee was held on May 20, 2020 and a public hearing before the City Council was held on June 10, 2020, giving citizens an opportunity to comment on use of State Revenue Sharing.

Passed by the Lebanon City Council and executed by the Mayor on this 10th day of June 2020 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 2



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4212
mapken@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Finance Department

To: Mayor, Council & Ron Whitlatch, Interim City Manager
From: Matt Apken, Finance Director
Subject: Adopted Budget FY 2020-21

Date: May 29, 2020

I. INTRODUCTION

Attached is a resolution to appropriate the City's 2020-21 budget as well as a resolution to levy property taxes. Oregon Budget Law allows the budget to change from approval to adoption by up to 10% or \$5,000, whichever is greater in each or any fund. The proposed budget was approved by the Budget Committee on May 20, 2020.

II. CURRENT REPORT

There are not changes to the budget at this time from what the budget committee approved on May 20, 2020

III. RECOMMENDATION

- Conduct public hearing on the Budget approved by the Budget Committee.
- Motion to approve the resolution making appropriations.
- Motion to approve resolution levying taxes.

**A RESOLUTION ADOPTING THE CITY OF) RESOLUTION NO. 2020-10
 LEBANON'S BUDGET AND MAKING)
 APPROPRIATIONS FOR FISCAL YEAR 2020-21)**

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the City Council of the City of Lebanon hereby adopts the budget for 2020-21, in the sum of \$63,307,859 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Council of the City of Lebanon:

Section 1. That the amounts for fiscal year beginning July 1, 2020, and for the purposes shown below, are hereby appropriated as follows:

GENERAL FUND

Administration	\$	137,305
Human Resources		113,750
City Attorney		230,000
Community & Economic Development		268,475
Finance		205,390
Legislative		162,850
Library		617,095
Municipal Court		547,685
Police		6,130,900
Senior Services		259,750
Non-Departmental		
Materials & Services		554,789
Inter-fund Transfers		1,706,646
Contingency		1,995,556
Debt Services		123,191
General Fund Total	\$	13,053,382

DEBT SERVICE FUNDS

GO/Full Faith & Credit Bond Fund

Debt Services	\$	1,991,328
Total GO/Full Faith & Credit Bond Fund	\$	1,991,328

2013 Full Faith & Credit Bond

Debt Services	\$	1,511,100
Total 2013 Full Faith & Credit Bond	\$	1,511,100

Pension Bond

Debt Services	\$ 235,558
Total Pension Bond	\$ 235,558

ENTERPRISE FUNDS

Water Fund

Water	\$ 5,932,789
Inter-fund Transfers	1,088,471
Contingency	157,740
Total Water Fund	\$ 7,179,000

Storm Drainage Fund

Storm Drainage	\$ 430,500
Inter-fund Transfers	94,124
Contingency	17,166
Total Storm Drainage Fund	\$ 541,790

Wastewater Fund

Wastewater	\$ 20,656,896
Inter-fund Transfers	765,221
Contingency	267,422
Debt Service	423,443
Total Wastewater Fund	\$ 22,112,982

SPECIAL REVENUE FUNDS

Motel Tax Fund

Tourism	\$ 92,084
Inter-fund Transfers	62,000
Total Motel Tax Fund	\$ 154,084

Building Inspection Fund

Building Inspection	\$ 337,500
Inter-fund Transfers	82,268
Contingency	227,542
Total Building Inspection Fund	\$ 647,310

Park Enterprise Fund

Parks	\$ 823,750
Inter-fund Transfers	5,898
Total Park Enterprise Fund	\$ 829,648

Geographic Information Services Fund

GIS	\$	272,100
Inter-fund Transfers		4,620
Contingency		9,899
Total Geographic Information Services Fund	\$	286,619

Information Systems Services Fund

Information Systems	\$	836,771
Inter-fund Transfers		6,934
Contingency		1,804
Total Information Systems Services Fund	\$	845,509

Custodial & Maintenance Services Fund

Custodial & Maintenance	\$	240,500
Inter-fund Transfers		2,235
Contingency		20,824
Total Custodial & Maintenance Services Fund	\$	263,559

Foot & Bike Fund

Foot & Bike	\$	6,000
Total Foot & Bike Fund	\$	6,000

Engineering Development Review Fund

Development Review	\$	138,000
Inter-fund Transfers		8,387
Contingency		4,497
Total Engineering Development Review Fund	\$	150,884

Streets Fund

Streets	\$	1,065,264
Inter-fund Transfers		123,484
Total Streets Fund	\$	1,188,748

LINX Fund

LINX	\$	729,912
Inter-fund Transfers		29,042
Contingency		6,236
Total LINX Fund	\$	765,190

Surface Transportation Program Fund

Surface Transportation Program	\$	220,000
Contingency		3,652
Total Surface Transportation Program Fund	\$	223,652

Boat Ramp Maintenance Assistance Fund

Boat Ramp	\$	117,431
Total Boat Ramp Maintenance Assistance Fund	\$	117,431

CAPITAL PROJECT FUNDS

State Highway Signal Maintenance Fund

Signal Maintenance	\$	-
Inter-fund Transfers		2,000
Total State Highway Signal Maintenance Fund	\$	2,000

Equipment Acquisition and Replacement Fund

Equipment	\$	833,529
Inter-fund Transfers		258,568
Contingency		189,508
Total Equipment Acquisition and Replacement Fund	\$	1,281,605

Pioneer Cemetary Fund

Cemetary	\$	9,966
Total Pioneer Cemetary Fund	\$	9,966

Police Trust Fund

Police Trust	\$	22,261
Total Police Trust Fund	\$	22,261

Library Trust Fund

Library Trust	\$	202,617
Total Library Trust Fund	\$	202,617

Senior Services Trust Fund

Senior Trust	\$	176,902
Total Senior Services Trust Fund	\$	176,902

Library Trust (Snedaker) Fund

Library Trust	\$	20,456
Total Library Trust (Snedaker) Fund	\$	20,456

Street Capital Projects Fund

Streets	\$	12,000
Contingency		470,564
Total Street Capital Projects Fund	\$	482,564

Infrastructure Deferral Fund

Inter-fund Transfers	\$ 60,101
Total Infrastructure Deferral Fund	\$ 60,101

SDC - Storm Drainage Improvements Fund

Storm Drainage	\$ 155,000
Inter-fund Transfers	6,312
Contingency	33,403
Total SDC - Storm Drainage Improvements Fund	\$ 194,715

SDC - Storm Drainage Reimbursements Fund

Storm Drainage	\$ 18,000
Contingency	1,821
Total SDC - Storm Drainage Reimbursements Fund	\$ 19,821

SDC - Parks Improvements Fund

Parks	\$ 1,507,500
Inter-fund Transfers	6,312
Contingency	153,946
Total SDC - Parks Improvements Fund	\$ 1,667,758

SDC - Parks Reimbursements Fund

Parks	\$ 533
Total SDC - Parks Reimbursements Fund	\$ 533

SDC - Wastewater Improvements Fund

Wastewater	\$ 2,050,000
Inter-fund Transfers	6,312
Contingency	49,359
Total SDC - Wastewater Improvements Fund	\$ 2,105,671

SDC - Wastewater Reimbursements Fund

Wastewater	\$ 430,000
Contingency	26,303
Total SDC - Wastewater Reimbursements Fund	\$ 456,303

SDC - Streets Improvements Fund

Streets	\$ 3,075,000
Inter-fund Transfers	6,312
Contingency	272,974
Total SDC - Streets Improvements Fund	\$ 3,354,286

<u>SDC - Streets Reimbursements Fund</u>	
Streets	\$ 22,500
Contingency	20,041
Total SDC - Streets Reimbursements Fund	\$ 42,541
 <u>SDC - Water Improvements Fund</u>	
Water	\$ -
Total SDC - Water Improvements Fund	\$ -
 <u>SDC - Water Reimbursements Fund</u>	
Water	\$ 17,500
Contingency	1,485
Total SDC - Water Reimbursements Fund	\$ 18,985
Unappropriated	\$ 80,000
Reserved for Future spending	\$ 1,005,000
 City Budget Total	 \$ 63,307,859

Section 2. This resolution is effective July 1, 2020.

Passed by the Lebanon City Council and executed by the Mayor on this 10th day of June 2020 by a vote of ___ yeas and ___ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

**RESOLUTION LEVYING TAXES FOR
THE CITY OF LEBANON'S BUDGET FOR
FISCAL YEAR 2020-21**

) **RESOLUTION NO. 2020-11**
)
)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

Section 1. The City of Lebanon hereby levies the taxes provided for in the adopted budget at the rate of \$5.1364/\$1,000 of assessed valuation for operations, and in the amount of \$1,889,062 for debt service and that these taxes are hereby levied upon the assessed value of all taxable property within the City of Lebanon.

The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution make up the above aggregate levy:

	<u>Subject to the General Governmental Limitation</u>	<u>Excluded from the Limitation</u>
Permanent Rate	\$5.1364/\$1,000	
General Obligation Bond Debt		\$1,889,062
Delinquent Sewer Charges		\$XX,XXX.XX
Delinquent Storm Drain Charges		\$XX,XXX.XX

Section 2. This resolution is effective July 1, 2020.

Passed by the Lebanon City Council and executed by the Mayor on this 10th day of June 2020 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 3



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4212
mapken@ci.lebanon.or.us
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MEMORANDUM

Finance Department

To: Mayor, Council & Ron Whitlatch, Interim City Manager
From: Matt Apken, Finance Director
Subject: Lebanon Urban Renewal Agency Budget FY 2019-20

Date: May 29, 2020

I. INTRODUCTION

Attached is a resolution to appropriate the Lebanon Urban Renewal Agency's 2020-21 budget as well as a resolution to levy property taxes. Oregon Budget Law allows the budget to change from approval to adoption by up to 10% or \$5,000, whichever is greater in each or any fund.

II. CURRENT REPORT

The budget amount of \$5,886,185 is the same as the amount approved by the Budget Committee.

III. RECOMMENDATION

- Conduct public hearing on the Budget approved by the Budget Committee.
- Motion to approve a resolution making appropriations.
- Motion to approve a resolution levying taxes.

**A RESOLUTION ADOPTING THE LEBANON
 URBAN RENEWAL AGENCY BUDGET AND
 MAKING APPROPRIATIONS FOR FISCAL YEAR
 2020-21**

)
)
)
)
RESOLUTION NO. 2020-12

RESOLUTION ADOPTING A BUDGET

BE IT RESOLVED that the Board of the Lebanon Urban Renewal Agency hereby adopts the Agency budget for 2020-21, in the sum of \$5,886,185 now on file at City Hall.

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. That the amounts for the fiscal year beginning July 1, 2020 and for the purposes shown below, are hereby appropriated as follows:

<u>Northwest Lebanon Urban Renewal District Fund</u>	
NW Lebanon Urban Renewal District Activities	\$ -
Contingency	2,500,059
Debt Service	1,493,967
Total Northwest Lebanon Urban Renewal District Fund	\$ 3,994,026
<u>Cheadle Lake Urban Renewal District Fund</u>	
Cheadle Lake Urban Renewal District Activities	\$ 261,057
Contingency	15,143
Debt Service	352,300
Total Cheadle Lake Urban Renewal District Fund	\$ 628,500
<u>North Gateway Urban Renewal District Fund</u>	
North Gateway Urban Renewal District Activities	\$ 551,275
Contingency	500,000
Debt Service	209,134
Total North Gateway Urban Renewal District Fund	\$ 1,260,409
<u>Downtown Urban Renewal District Fund</u>	
Downtown Urban Renewal District Activities	\$ 3,250
Total Downtown Urban Renewal District Fund	\$ 3,250
 TOTAL AGENCY APPROPRIATIONS	 \$ 5,886,185

Section 2. This resolution is effective July 1, 2020.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 10th day of June 2020 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

**RESOLUTION LEVYING TAXES FOR THE
LEBANON URBAN RENEWAL AGENCY'S
BUDGET FOR FISCAL YEAR 2020-21**

) **RESOLUTION NO. 2020-13**
)
)

BE IT RESOLVED by the Board of the Lebanon Urban Renewal Agency:

Section 1. To certify to the county assessor for the Northwest Lebanon Urban Renewal District Plan Area a request for taxes at the increment property value of \$105,000,000, which is less than the maximum division of taxes that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 2. To certify to the county assessor a request for the North Gateway Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 3. To certify to the county assessor a request for the Cheadle Lake Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 4. To certify to the county assessor a request for the Downtown Urban Renewal District Plan Area for the maximum amount of revenue that may be raised by dividing the taxes under Section 1c, Article IX, of the Oregon Constitution and ORS Chapter 457.

Section 5. This resolution is effective on July 1, 2020.

Passed by the Lebanon Urban Renewal Agency and executed by the Mayor on this 10th day of June 2020 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 4



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MEMORANDUM

Finance Department

To: Mayor, City Council & City Manager
From: Matt Apken, Finance Director
Subject: FY2019-20 Budget Appropriation Transfer
and Closing Funds

Date: May 29, 2020

I. BACKGROUND

Oregon budget law requires the City to operate on a balance budget. At times it is necessary during a budget year to make changes to the City's budget.

II. CURRENT REPORT

We have had several places where expenses have been more than anticipated and without some adjustment we would exceed our budget authority. State law allows the City to transfer appropriations from appropriation category to another category by resolution as long as overall there is no increase. We are requesting such a transfer because we changed health insurance plans this past year and has some personnel changes since we originally did our budget.

In addition, we had some outside legal fees that we did not anticipate. We also have some expenses for help in creating the Mill Race Urban Renewal Plan.

Council asked during the last audit presentation to try and eliminate some unnecessary funds the City has. This resolution would close 5 five funds as of June 30, 2020. City staff will continue to work over the coming year to further eliminate unnecessary funds.

III. RECOMMENDATION

Council discuss and make a motion to approved resolution transferring appropriation and closing unnecessary funds.

**A RESOLUTION AUTHORIZING A TRANSFER) RESOLUTION NO. 2020-14
 IN BUDGET APPROPRIATIONS AND DECLARING)
 FUNDS UNNECESSARY AND ABOLISHING THEM)
 FOR THE CITY OF LEBANON 2019-20 BUDGET)**

WHEREAS, ORS 294.462(1) allows for council to transfer appropriated amounts from one appropriation category to another through resolution, provided the need, purpose and the amount to be transferred are stated in the resolution, and

WHEREAS, ORS 294.353 authorizes that a fund can be declared unnecessary and abolished during a fiscal year by resolution or ordinance,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON AS FOLLOWS:

Section 1. That the Council of the City of Lebanon herein authorizes the transfer of appropriation due to the increase in personnel costs and the need for additional outside attorney help:

General Fund

Description	Original Budget	Adjustment	Balance
City Attorney Department	187,050	20,000	207,050
Finance Department	648,244	(40,000)	608,244
Legislative Department	279,867	20,000	299,867
Non-Departmental			
Materials & Services	445,351	50,000	495,351
Capital Outlay	274,750	(50,000)	224,750

Section 2. Section 1 of this resolution is effective immediately upon passage,

Section 3. That the Council of the City of Lebanon herein authorizes the abolishment of the following unnecessary funds:

- Youth Court Fund
- Police Reserves Fund
- Parks Grant Fund
- Equitable Sharing Fund
- Bail Fund

Section 5. Section 3 of this resolution is effective June 30, 2020,

Passed by the Lebanon City Council and executed by the Mayor on this 10th day of June 2020 by a vote of _____ yeas and _____ nays

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTEST:

Kim Scheafer, MMC, City Recorder

Agenda Item 5



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MEMORANDUM

Police Department

To: Mayor Aziz & City Council
From: Chief Frank Stevenson
Subject: One-Year Extension of Teamsters Contract

Date: May 27, 2020

INTRODUCTION

The current CBA between Lebanon Police Association and the City of Lebanon was scheduled to expire on June 30, 2020. Due to the current COVID-19 pandemic situation, with assistance from legal counsel, we propose to enter a one-year extension of the current Collective Bargaining Agreement (CBA).

Barring the exceptions detailed in the attached MOU (including Article 4 and implementation of the 07/01/2020 wage increase), all CBA articles will remain as previously-agreed upon through the new term of July 1, 2020 through June 30, 2021.

We will plan to commence full bargaining in late 2020.

RECOMMENDATION

I recommend that City Council pass a motion to accept the Memorandum of Understanding as presented.

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE LEBANON POLICE ASSOCIATION
AND
THE CITY OF LEBANON

Due to the current COVID-19 pandemic situation, the parties agree to cease current contract negotiations and to enter into a one-year (1) extension of the parties' current Collective Bargaining Agreement (CBA) which is set to expire on June 30, 2020, as follows:

All CBA articles will remain as previously agreed upon through the new term of July 1, 2020 through June 30, 2021, except that the parties agree that under Article 4 – Fair Share, the second paragraph of Section 4.1 and the paragraph that is Section 4.2 are unenforceable under the *Janus* decision and both parties agree that language is null and void.

Both parties also agree that given the unusual and abbreviated negotiations leading to this extension, the second paragraph of Article 26, regarding each party having an unlimited right and opportunity to make demands and proposals, has not been fulfilled and shall not be held against either party.

The City will provide a CPI adjustment to wages on July 1, 2020 as per the CPI-W, All Cities annual average (1.7%) as reported by the US Department of Labor, but with the previously agreed upon 2% minimum, for a wage adjustment of 2%.

Additionally, the parties agree that the Association has previously demanded to bargain the impact of Oregon Senate Bill 1049 (PERS legislation). Both parties have, since, operated on a “let’s hold and wait and see” approach in anticipation of court rulings on the matter. Both parties agree to continue the “wait and see” approach, while both parties maintain their status.

Lebanon Police Association/Teamsters Local 223

Date:

City of Lebanon

Date:

Leslie Sloy, Teamsters Local 223 Secretary/Treasurer

Date:

Agenda Item 6



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MEMORANDUM

City Attorney

To: City Council
From: John Kennedy, City Attorney
Subject: Ordinance Amending LMC 8.10 Noise Regulations

Date: 6/2/2020

The ordinance amends the Lebanon Municipal Code regarding Noise Regulations, eliminating the requirement of sound measuring devices in determining violations under the ordinance and further clarifying and streamlining the process.

Specifically, the ordinance updates the definitions applicable to the section. It eliminates the required use of noise measuring devices in determining a violation. It outlines and describes prohibited noises under this section, including any applicable exceptions and provides further clarification of the penalties applicable to this section.

Modification of the ordinance was requested by the Lebanon Police Department. The LPD has reviewed the modifications, providing input and suggestions to the modifications, and support the proposed amendment.

A BILL FOR AN ORDINANCE AMENDING 08.10 OF) ORDINANCE BILL NO. 2020- 07
THE LEBANON MUNICIPAL CODE RELATING TO)
NOISE)
) ORDINANCE NO. 2947

WHEREAS, the City of Lebanon has the legal authority to adopt an ordinance, regulating, restricting, or prohibiting the production or emission of noise, amplified speech, music or other sounds that tend to annoy, disturb or frighten its residents; and

WHEREAS, excessive sound and inadequately controlled noise are serious hazards to the public health, safety, and welfare; and

WHEREAS, City residents have a right to an environment free from excess sound that would jeopardize their health and welfare and degrade the quality of life; and

WHEREAS, it is the policy of the City to limit and regulate noise deemed to be hazardous to the public health, safety, and welfare.

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Chapter 8.10 is hereby amended to read as follows:

8.10.010 Purpose.

~~The ordinance codified in this chapter~~ This Ordinance is enacted to protect, preserve, and promote the health, safety, ~~and welfare of the residents~~ welfare, peace, and quiet of the citizens of ~~the city of~~ Lebanon through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety; ~~or causes public inconvenience, annoyance or alarm to~~ of reasonable persons of ordinary sensitivity.

8.10.020 Findings.

A. Loud and raucous noise degrades the environment ~~of the city of~~ Lebanon to a degree that:
because

1. it is ~~Is~~ harmful to the health, welfare, and safety of its inhabitants and visitors;
2. it ~~i~~Interferes with comfortable enjoyment of life and property; ~~it~~
3. iInterferes with the well-being, tranquility, and privacy of the home; ~~or~~
4. and it can ~~e~~Causes and aggravates health problems.

~~A.~~

B. The effective control and elimination of loud and raucous noise are essential to the health and welfare of ~~the city of~~ Lebanon's inhabitants and visitors, and to the conduct of the normal pursuits of life, including recreation, work, and communications.

~~B.~~

C. The use of sound amplification equipment creates loud and raucous noise that may, in a particular manner and in a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of the inhabitants and visitors to ~~the city of~~ Lebanon.

~~C.~~

D. Some flexibility in noise restrictions is essential in order to allow for the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial well-being of ~~the city of~~ Lebanon.

D.E. The obligation to draft regulations that affect speech in a content-neutral fashion is of paramount important to protect the freedom of expression guaranteed by Article I, section 8, of the Oregon Constitution and the First Amendment to the United States Constitution. This ordinance enacts narrowly drawn; content-neutral regulations that are to be interpreted as such so as not to infringe upon constitutionally protected rights.

8.10.030 Scope.

~~The ordinance codified in this chapter shall be known as the Lebanon Noise Ordinance and will apply. This ordinance applies to the control of~~ all sound originating within the jurisdictional limits of ~~the city of~~ Lebanon.

8.10.040 Definitions.

For the purposes of this chapter, the following definitions apply:

~~"A-scale" (dBA) means the sound level in decibels measured using the A-weighted network as specified in the American National Standard Specification for sound level meters.~~

~~"Decibel" (Db) means the unit for measuring the volume of a sound.~~

~~"Impulse sound" means either a single pressure peak or a single burst (multiple pressure peaks) for a duration of less than one second as measured on a peak unweighted sound pressure measuring instrument or "C" weighted, slow response instrument and specified by dB and dBC respectively.~~

~~"Noise sensitive unit" means any authorized land use of a hospital, rest home, retirement home, group care home, or other use of the same general type, and rights-of-way appurtenant thereto, whether publicly or privately owned.~~

~~"Sound level meter" means a sound measuring device, either Type 1 or Type 2, as defined by American National Standard Specification for sound level meters.~~

~~"Sound producing device" means a sound producing device includes, but is not limited to, the following:~~

- ~~1. Loudspeakers;~~
- ~~2. Radios, tape players, compact disc players, phonographs, boom boxes, television sets, or stereo systems, including those installed in a vehicle;~~

- ~~3. Musical instruments;~~
- ~~4. Sirens, bells or whistles;~~
- ~~5. Engines or motors;~~
- ~~6. Air, electrical, or gas-driven tools, including, but not limited to, drills, chainsaws, lawn mowers, saws, hammers or similar tools;~~
- ~~7. Motor vehicles, including automobiles, motorcycles, motorbikes, trucks, buses, snowmobiles, boats or any similar piece of equipment equipped with a propelling device;~~
- ~~8. Persons or animals causing sound to emanate.~~

A. "Emergency" means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

B. "Emergency Work" means any work performed to prevent or Alleviate physical trauma or property damage, whether actually caused or threatened by an emergency, or work by private or public utilities when restoring utility service.

C. "City" means City of Lebanon, Oregon.

D. "City Manager" means the City Manager of the City or the City Manager's designee.

E. "Noise Sensitive Area" includes, but is not limited to, real property normally used for sleeping, or normally used as a school, church, hospital or public library.

F. "Person" means any individual, firm, association, partnership, joint venture, or corporation.

G. "Plainly audible" means any sound that can be detected by a reasonable person of ordinary sensitivities using his or her unaided hearing faculties.

H. "Public right-of-way" means any street, avenue, boulevard, highway, sidewalk, alley, or similar place normally accessible to the public which is owned or controlled by a government entity.

I. "Public space" means any real property or structures on real property, owned by a government entity and normally accessible to the public, including but not limited to parks and other recreational areas.

J. "Residential area" means any real property which contains a structure or building in which one or more persons reside, provided that the structure or building is properly zoned, or is legally nonconforming, for residential use in accordance with the terms and maps of the City's zoning ordinance.

K. "Sound level meter" means a sound measuring device, either Type 1 or Type 2, as defined by American National Standard Specification for sound level meters.

L. “Utility Service” means the normal operation of utilities within the City, whether provided by the City or by another entity, including but not limited to water, wastewater, electricity, natural gas, telecommunications and garbage hauling.

8.10.050 - ~~Sound measurements~~, Noise Prohibited.

No person shall create, or assist in creating, or permit the continuance of unreasonable noise which annoys disturbs, injures or endangers the comfort, repose, health, safety or peace of others. The following acts are declared to be per se violations of this ordinance. This enumeration does not constitute an exclusive list:

- A. Unreasonable Noises: The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous, or unusual noise, disturbance, commotion, or vibration in any boarding facility, dwelling, place of business or other structure, or upon any public street, park or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturb the peace and comfort of adjacent residences or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision.
- B. Vehicle Horns, Signaling Devices, and Similar Devices: The sounding of any horn, signaling device, or other similar device, on any automobile, motorcycle or other vehicle on any right of way or in any public space of the City, for more than ten consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning is exempt from this prohibition.
- C. Non-Emergency Signaling Devices: Sounding any amplified signal from any bell, chime, siren, whistle or similar device, intended primarily for non-emergency purposes, from any place for more than ten consecutive seconds in any hourly period.
- D. Emergency Signaling Devices: The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle or similar emergency signaling device, except in an emergency or except as provided in the following:
 - a. The testing of any emergency signaling device shall occur between 7 a.m. and 7 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
 - b. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this ordinance.

E. Radios, Televisions, Boomboxes, Phonographs, Stereos, Musical Instruments and Similar Devices: The use or operation of a radio, television, boombox, stereo, musical instrument, or similar device, including but not limited to computers, mp3 players, and cellular phones, that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passers-by, or is plainly audible at a distance of 50 feet from any person in a commercial, industrial area, or public space. The use or operation of a radio, television, boombox, stereo, musical instrument or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and unreasonably disturbs the peace, quiet and comfort of neighbors in residential or noise sensitive areas, including multi-family or single-family dwellings.

F. Loudspeakers, Amplifiers, Public Address Systems and Similar Devices: The unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system or other device for producing or reproducing sound between the hours of 10 p.m. and 7 a.m. on weekdays, and 10 p.m. and 10 a.m. on weekends and recognized city holidays in the following areas:

a. Within or adjacent to residential or noise sensitive areas; or

b. Within public space if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is unreasonably loud and raucous.

This provision shall not apply to any public performance, gathering, or parade for which a permit has been obtained from the City or for which the City is hosting.

G. Yelling, Shouting and Similar Activities: Yelling, shouting, hooting, whistling or singing in residential or noise sensitive areas or in public places, between the hours of 10 p.m. and 7 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities. This section is to be applied only to those situations where the disturbance is not a result of the content of the communication but due to the volume, duration, location, timing, or other factors not based on content.

H. Animals and Birds: Unreasonably loud and raucous noise emitted by an animal or bird for which a person is responsible. A person is responsible for an animal if the person owns, controls, or otherwise cares for the animal or bird.

I. Loading or Unloading Merchandise, Materials, Equipment: The creation of unreasonably loud, raucous and excessive noise relating to the loading or unloading of any vehicle at a place of business or residence.

J. Construction or Repair of Buildings, Excavation of Streets and Highways: The construction, demolition, alteration, or repair of any building or the excavation of streets and highways other than between the hours of 7 a.m. and 7 p.m. on weekdays. In cases of emergency, construction or repair noises are exempt from this provision. In non-

emergency situations, the City Administrator/Manager may issue a permit, upon application, if the City Administrator/Manager determines that the public health and safety, as affected by loud and raucous noise caused by construction or repair of buildings or excavation of streets and highways between the hours of 7 p.m. and 7 a.m. will not be impaired, and if the City Administrator/Manager further determines that loss or inconvenience would otherwise result. The permit shall grant permission in non-emergency cases for a period of not more than thirty days. The permit may be renewed once for a period of thirty days or less.

K. Blowers, and Similar Devices: In residential or noise sensitive areas, between the hours of 9 p.m. and 7 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, provided that the noise is unreasonably loud and raucous and can be heard across the property line of the property from which it emanates.

~~A. When sound measurements are made for the enforcement of this chapter, they shall be made with a sound level meter. The sound level meter shall be an instrument in good operating condition, meeting the requirements of a Type 1 or Type 2 meter and shall contain at least an A-weighted scale, and both fast and slow meter response capability.~~

~~B. If sound measurements are made, the person making those measurements shall have completed training in the use of the sound level meter, and shall use measurement procedures consistent with that training.~~

~~C.L. Measurements may be made at or within the boundary of the property on which a noise sensitive unit is located which is not the source of the sound.~~

8.10.60 - ~~Noises prohibited.~~ Sound Measurements

A. While not required for a violation to occur, sound measurements may be used to aid in enforcement of this chapter. When sound measurements are made for the enforcement of this chapter, they shall be made with a sound level meter. The sound level meter shall be an instrument in good operating condition, and shall contain at least an A-weighted scale, and both fast and slow meter response capability.

B. If sound measurements are made, the person making those measurements shall have completed training in the use of the sound level meter, and shall use measurement procedures consistent with that training.

C. Measurements may be made at or within the boundary of the property on which a noise sensitive unit is located which is not the source of the sound.

8.10.065 – Sound measurement scale.

A. When sound measurements are made for the enforcement of this chapter, they shall be measured at or within the boundary of a property which is not the source of the sound over an hour period of time. Noise levels above the listed range, will be per se evidence of a violation of this chapter.

Residential and Noise Sensitive Uses

	<u>7 a.m. to 10 p.m.</u>	<u>10 p.m. to 7 a.m.</u>
<u>Level of noise for 50% of the time (L50)</u>	<u>50 dBA</u>	<u>45 dBA</u>
<u>L10 (10% of the time)</u>	<u>55 dBA</u>	<u>50 dBA</u>
<u>L1 (1% of time)</u>	<u>60 dBA</u>	<u>55 dBA</u>

Commercial and Industrial Uses

	<u>7 a.m. to 10 p.m.</u>	<u>10 p.m. to 7 a.m.</u>
<u>L50</u>	<u>70 dBA</u>	<u>65 dBA</u>
<u>L10</u>	<u>75 dBA</u>	<u>60 dBA</u>
<u>L1</u>	<u>80 dBA</u>	<u>70 dBA</u>

~~A. It shall be unlawful for any person to produce or permit to be produced, with any sound producing device which when measured at or within the boundary of the property on which is not the source of the sound, and exceeds the following levels to be measured over an hour period of time:~~

Residential and Noise Sensitive Uses

	<u>7 a.m. to 10 p.m.</u>	<u>10 p.m. to 7 a.m.</u>
<u>Level of noise for 50% of the time (L50)</u>	<u>50 dBA</u>	<u>45 dBA</u>
<u>L10 (10% of the time)</u>	<u>55 dBA</u>	<u>50 dBA</u>
<u>L1 (1% of time)</u>	<u>60 dBA</u>	<u>55 dBA</u>

Commercial and Industrial Uses

	<u>7 a.m. to 10 p.m.</u>	<u>10 p.m. to 7 a.m.</u>
<u>L50</u>	<u>70 dBA</u>	<u>65 dBA</u>

	7 a.m. to 10 p.m.	10 p.m. to 7 a.m.
L10	75 dBA	60 dBA
L1	80 dBA	70 dBA

In areas where the commercial or industrial use is abutting a residential or sensitive use, an additional 10 dBAs will be allowed.

~~B. In addition to Section 8.10.060(A), any person producing or permitting to be produced the following noise disturbances, shall be found in violation of the ordinance codified in this chapter, regardless of the decibel level of the disturbance:~~

- ~~1. Repair and testing of a motor vehicle or other engine which is plainly audible within a noise sensitive unit between the hours of nine p.m. and seven a.m. of the following day;~~
- ~~2. The operation of any gong, bell or siren upon any vehicle, other than police, fire or other emergency vehicle;~~
- ~~3. The sounding of any motor vehicle audible anti-theft alarm system for a period of more than twenty minutes;~~
- ~~4. The use of a mechanical device operated by compressed air, steam or otherwise, unless the noise created thereby is effectively muffled;~~
- ~~5. The detonation of a blasting or explosive device, except as allowed under a permit issued by the appropriate governmental authority;~~
- ~~6. The keeping of an animal which by loud and frequent or continued noise disturbs the comfort and repose of a person in the vicinity;
The erection, including excavation, demolition, alteration or repair of any building other than between the hours of seven a.m. and nine p.m. except in the case of urgent necessity in the interest of the public welfare and safety and then only with a permit granted by the city administrator for a period not to exceed ten days.~~

8.10.070 - Exceptions. Sounds caused by the following are exempt from the prohibitions set out in Section 8.10.060 and are in addition to exemptions specifically set forth in Section 8.10.060.

The following constitute exceptions to this chapter and shall not be construed as violations:

- A. Motor vehicles on traffic ways of the City, provided that the prohibitions of section 8.10.060(B) and 8.10.060(D)(2) continue to apply.
- B. Repairs of utility structures that pose a clear and immediate danger to life, health, or significant loss of property.

- C. Sirens, whistles or bells lawfully used by emergency vehicles, or other alarm systems used in case of fire, collision, civil defense, police activity, or imminent danger, provided that the prohibition contained in section 8.10.060(D) continues to apply.
- D. The emission of sound to alert persons to the existence of an emergency or the emission of sound in the performance of emergency work.
- E. Repairs or excavations of bridges, streets or highways by or on behalf of the City, the State, or the federal Government, between the hours of 7 p.m. and 7 a.m., when the public welfare and convenience renders it impractical to perform the work between 7 a.m. and 7 p.m.
- F. Reasonable activities conducted on public playgrounds and public or private school grounds that are conducted in accordance with the way such spaces are generally used, including but not limited to school athletic and school entertainment events.
- G. Outdoor gatherings, public dances, shows, sporting events and other similar outdoor events, provided that a permit has been obtained from the appropriate permitting authority or is being sponsored by the City.
- H. Noise emanating from the combustion, detonation, or concussion caused by using fireworks or other similar devices, from July 1 until July 5 of each year.
- ~~A. Sounds created by organized athletic or other group activities, when such activities are conducted on public property generally used for such purposes, such as stadiums, schools, and athletic fields;~~
- ~~B. Sounds caused by emergency work, or by the ordinary and accepted use of emergency equipment, vehicles and apparatus;~~
- ~~C. Sounds caused by bona fide use of emergency warning devices and properly functioning alarm systems;~~
- ~~D. Sounds regulated by federal law, including but not limited to, sounds caused by railroads or aircraft;~~
- ~~E. Sounds caused by demolition activities when performed under a permit issued by appropriate governmental authorities;~~
- ~~F. Sounds caused by construction activity during the hours of seven a.m. and nine p.m. of the same day;~~
- ~~G. Sounds caused by regular vehicular traffic upon premises open to the public;~~
- ~~H. Sounds caused by air, electrical or gas driven domestic tools, including but not limited to, lawn mowers, lawn edgers, saws, drills, blowers, and/or other similar lawn or construction tools, during the hours of seven a.m. to nine p.m. of the same day;~~
- ~~I. Bells, chimes and carillons while being used for religious purposes or in conjunction with religious services, or for national celebrations or public holidays;~~
- ~~J. Parades for which a city permit has been issued;~~

- ~~K. Sounds resulting from an event conducted in a city park where a park use permit has been issued and the conditions of that permit and this chapter have been complied with;~~
- ~~L. Impulse sounds of no more than one per ten minutes;~~
- ~~M. Any noise resulting from activities of a temporary duration which is otherwise permitted by law.~~

8.10.75 Variance

- A. Conditions for Granting. The planning commission may grant specific variances from the particular requirements of any rule, regulation, or order to such specific persons or class of persons or such specific noise source upon such conditions as it may deem necessary to protect the public health and welfare, if it finds that strict compliance with such rule, regulation, or order is inappropriate because of conditions beyond the control of the persons granted such variance or because of special circumstances which would render strict compliance unreasonable, or impractical due to special physical conditions or cause, or because strict compliance would result in substantial curtailment or closing down of a business, plant, or operation, or because no other alternative facility or method of handling is yet available. Such variances may be limited in time and shall be considered after a public hearing on the request.
- B. Procedure for Requesting. Any person requesting a variance shall make his request in writing to the planning commission for consideration by the commission and shall state in a concise manner the facts to show cause why such variance should be granted.
- C. Revocation or Modification. A variance granted may be revoked or modified by the planning commission after a public hearing held upon not less than twenty-one (21) ~~days~~ noticedays' notice. Such notice shall be served upon the holder of the variance by certified mail and all persons who have filed with the planning commission a written request for such notification.

8.10.080 Authority for eEnforcement.

~~The ordinance codified in this chapter shall be enforced by the Lebanon police department. In the event that the offending party is a corporation, the corporation shall be subject to fine or abatement or other penalties allowed by Oregon law. In such case where a corporation is the offending party, a citation may be served upon the corporation by serving an officer of the corporation, or a person in charge of the premises at the time the citation is issued with a citation requiring a representative of the corporation to appear in court at the time indicated on the citation. The corporation shall be named as the defendant on the citation. In the event that a representative fails to appear as required by the citation the city attorney may seek appropriate remedies for the failure to appear against the officers of the corporation as allowed by law. For the application of this section, the term "corporation" shall also include partnerships, limited liability companies or partnerships, associations, sole proprietorships and other similar forms of business entities.~~

The City Administrator/Manager, Police Chief, Noise Enforcement Officer, or any designee(s) thereof will have primary responsibility for the enforcement of the noise regulations contained in this ordinance. Nothing in this ordinance shall prevent the City Administrator/Manager, Police Chief or Noise Enforcement Officer from obtaining voluntary compliance by way of warning, notice, or education.

8.10.090 Penalty.

~~Each violation of any provision of this chapter constitutes a violation under the Lebanon Municipal Code, subject to a maximum penalty of a fine of up to six hundred dollars. Such penalty is in addition to any legal proceedings which may be brought by the city attorney according to any other provision of the Lebanon Municipal Code or Oregon law.~~

- A. A person who violated a provision of this ordinance is guilty of a violation, which is punishable by a fine not to exceed \$600.00.
- B. Each occurrence of a violation, or in the case of continuous violations, each day a violation occurs or continues, constitutes a separate infraction, and may be punished separately.
- C. Such penalty is in addition to any legal proceedings which may be brought by the city attorney according to any other provision of the Lebanon Municipal Code or Oregon law.

8.10.100 Appeals. Any person found to have violated any provision of this ordinance under Section 8 and assessed a penalty under Section 9 has the right to appeal that determination to the City Council. Notice of an appeal under this Section must be filed within 30 days of a finding under Section 8 or the assessment of a penalty under Section 9, whichever is later.

8.10.110. Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

8.10.120. Savings Clause. A prosecution that is pending on the effective date of this ordinance and arose from a violation of an ordinance repealed by this ordinance, or a prosecution started within one year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

8.10.110 Institution of legal proceedings.

The city attorney, acting in the name of the city, may maintain an action or proceeding in a court of competent jurisdiction to compel compliance with or restrain by injunction the violation of any provision of this chapter as additional remedy.

8.10.120 Ordinance additional to other law.

The provisions of this chapter shall be cumulative and nonexclusive and shall not affect any other claim, cause of action or remedy, nor, unless specifically provided, shall it be deemed to repeal, amend or modify any law, ordinance or regulation relating to noise or sound, but shall be deemed additional to existing legislation and common law on such subject.

Passed by the Lebanon City Council and executed by the Mayor on this 10th day of June 2020 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor	<input type="checkbox"/>
Jason Bolen, Council President	<input type="checkbox"/>

ATTESTED BY:

Kim Scheafer, MMC, City Recorder

Agenda Item 7



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4918
www.ci.lebanon.or.us

MEMORANDUM

Maintenance Operations

To: Mayor Aziz and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: 2020 Recreational Trails Program Grant for the Old Mill Trail

Date: June 1, 2020

I. INTRODUCTION

The City of Lebanon intends to submit a Grant Application to apply for the 2020 Recreational Trail Program Grant for funding to assist with the construction of the Old Mill Trail. The Old Mill Trail is a new trail section from City of Lebanon parking lot located on Mountain River Drive to Gills Landing RV Park on an easement provided by the owners of the Old Mill Site.

Total project costs have not been not been estimated at this time.

II. RECOMMENDATION

Staff requests City Council consider and approve by Resolution for the City to participate in the Oregon Parks and Recreation Department's 2020 Recreational Trail Program Grant.

RESOLUTION AUTHORIZING THE CITY OF)
LEBANON TO APPLY FOR THE 2020)
RECREATIONAL TRAILS PROGRAM GRANT FROM)
THE OREGON PARKS AND RECREATION)
DEPARTMENT FOR THE OLD MILL TRAIL)

RESOLUTION NO. 2020-15

WHEREAS, the Oregon Parks and Recreation Department is accepting applications for the 2020 Recreational Trails Program Grant; and

WHEREAS, the City of Lebanon desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

WHEREAS, the City Council have identified improvements to the trail system as a high priority need in the City of Lebanon; and

WHEREAS, the Old Mill Trail will include a section of trail between the City of Lebanon parking lot located on Mountain River Drive to Gills Landing RV Park on an easement; and

WHEREAS, the City of Lebanon has available local matching funds to fulfill its share of obligation related to this grant application should the grant funds be awarded; and

WHEREAS, the City of Lebanon will provide adequate funding for on-going operations and maintenance of this park and recreation facility should the grant funds be awarded.

NOW, THEREFORE, be it resolved by the Council of the City of Lebanon as follows:

SECTION 1:

The City of Lebanon demonstrates its support for the submittal of a grant application to the Oregon Park and Recreation Department for the Old Mill Trail.

SECTION 2:

This resolution is effective immediately upon passage.

Passed by the Lebanon City Council and executed by the Mayor on this 10th day of June, 2020 by a vote of ___ yeas and ___ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED:

Kim Scheafer, MMC, City Recorder

Agenda Item 8



925 S. Main Street
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MEMORANDUM

Community Development

To: Mayor, Council & Ron Whitlatch, Interim City Manager Date: June 10, 2020
From: Kelly Hart, Community Development Director
Subject: Draft Mill Race Urban Renewal Plan and Report Accompanying the Mill Race Urban Renewal Plan

I. INTRODUCTION

The Lebanon Urban Renewal Agency (“Agency”) is being asked to review the proposed Mill Race Urban Renewal Plan (“Plan”) and to decide whether to recommend the Plan be forwarded through the public review process of urban renewal plans, including forwarding a copy of the Plan and Report Accompanying the Mill Race Urban Renewal Plan (“Report”) to the taxing districts, presentation to the Lebanon Planning Commission for their review of conformance with the Lebanon Comprehensive Plan, to the Linn County Commission for a briefing and to the Lebanon City Council to conduct a hearing and for consideration of a non-emergency ordinance to adopt the Plan.

II. CURRENT REPORT

The Mill Race Urban Renewal Plan Area (“Plan Area”), shown in Figure 1 of the attached Plan, consists of approximately 51.45 acres, 48.16 acres in tax lots and 3.29 acres in right-of-way. The Plan creates a single development tax increment finance zone to provide developer incentives to reimburse the developer for infrastructure required to facilitate development. The Plan includes input from the community received at public meetings at the Agency and hearings before the City of Lebanon Planning Commission (“Planning Commission”), and the Lebanon City Council.

The Plan is estimated to last 8 years, resulting in seven years of tax increment collections. The maximum indebtedness (MI) of the Plan is \$9,652,364 and is tied to provisions in the Economic Development Agreement between the City and the developer. This MI will be reimbursed to cover administrative expenses and to reimburse developer infrastructure improvements.

The process for approval of the Mill Race Urban Renewal Plan will include the following steps, in accordance with ORS 457. In addition to the process for the Mill Race Urban Renewal Plan, if the City Council decides to approve the Plan, the Agency will adopt a concurrent amendment to the Northwest Lebanon Urban Renewal Plan to remove this property from that urban renewal area.

1. Preparation of a Plan including opportunity for citizen involvement. The Agency, Planning Commission and City Council meetings are all public meetings with an opportunity for the public to provide input.
2. Agency review of the proposed Plan and accompanying Report on June 10, 2020.
3. Forwarding a copy of the proposed Plan and the Report to the governing body of each taxing district. The formal taxing district letters will be sent out on June 11, 2020.
4. Review and recommendation by the Lebanon Planning Commission on July 15, 2020.
5. Presentation of the Plan to the Linn County Commission for a briefing.
6. Notice to citizens of consideration of an ordinance via utility bills.
7. Hearing by Lebanon City Council and adoption of the proposed Plan and accompanying Report by a non-emergency ordinance. The hearing and vote by City Council will occur on August 12, 2020. The ordinance must be a non-emergency ordinance, which means that the ordinance does not take effect until 30 days after its approval and during that period of time may be referred to Lebanon voters if a sufficient number of signatures are obtained on a referral petition.

III. RECOMMENDATION

Staff recommends that the Lebanon Urban Renewal Agency pass the following motion:

The Lebanon Urban Renewal Agency forwards the Mill Race Urban Renewal Plan to the impacted taxing districts, to the Lebanon Planning Commission for their review of the Plan's conformance to the Lebanon Comprehensive Plan, to the Linn County Commission for briefing and then to the Lebanon City Council for a public hearing, their review and vote on adoption.

Attachments:

1. Mill Race Urban Renewal Plan
2. Report Accompanying the Mill Race Urban Renewal Plan

Mill Race Urban Renewal Plan

DRAFT

Mill Race Urban Renewal District Plan Adopted by the City of Lebanon

Date

Ordinance No. _____

If Amendments are made to the Plan, the Resolution or Ordinance Number and date will be listed here. The amendment will be incorporated into the Plan and noted through a footnote.



LIST OF PARTICIPANTS

Mayor

Paul R. Aziz

City Council

Robert Furlow, Ward 1
Wayne Rieskamp, Ward 1
Rebecca Grizzle, Ward 2
Karin Stauder, Ward 2
Jason Bolen, Ward 3
Michelle Steinhebel, Ward 3

Urban Renewal Agency

Same as City Council

Planning Commission

Jeremy Salvage, Chair
Don Robertson, Vice-Chair
Joshua Galka
David McClain
Josh Port
Todd Prenoveau
Samuel Brackeen (alternate)

Interim City Manager/City Engineer

Ron Whitlatch

Community Development Director

Kelly Hart

Finance Director

Matt Apken

Consulting Team

Elaine Howard Consulting, LLC

Elaine Howard
Scott Vanden Bos

Tiberius Solutions LLC

Nick Popenuk
Ali Danko
Rob Wyman

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I. DEFINITIONS

“Agency” is the City of Lebanon Urban Renewal Agency created under ORS 457.035 and 457.045. The Agency is responsible for administration of this Mill Race Urban Renewal Plan and other urban renewal plans previously adopted in the City of Lebanon.

“Annual report” is the ORS 457.460 requirement for the production of an annual report that gets distributed to the taxing districts.

“Area” means the tax increment finance area established for this Plan pursuant to ORS 457, and described in Section XIII of the Plan including the properties and rights-of-way located therein.

“Assessed value” means the total assessed value as of real, personal, utility and manufactured structures assessed value as determined by the county assessor.

“Blight” is defined in ORS 457.010(1)(A-E) and identified in the ordinance adopting an urban renewal plan.

“Board of Commissioners” means the Linn County Board of Commissioners.

“City” means the City of Lebanon, Oregon.

“City Council” or “Council” means the Lebanon City Council.

“Comprehensive Plan” means the City of Lebanon Comprehensive Plan and its implementing ordinances, policies, and standards.

“County” means Linn County, Oregon.

“Fiscal Year” means the year commencing on July 1 and closing on June 30.

“Fiscal Year End” or “Fiscal Year Ending” of “FYE” means the year that the fiscal year ends.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within an urban renewal area at the time of adoption. The county assessor certifies the assessed value after the adoption of an urban renewal plan.

“Increment Value” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in an urban renewal area, or portion thereof, over the frozen base assessed value specified in the certified statement.

“Maximum Indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness.

“Municipality” means any county or any city in the state of Oregon.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal and tax increment financing.

“Plan” or “Urban Renewal Plan” means the official plan for the urban renewal area pursuant to ORS 457.

“Plan Area” or “Area” means a blighted area included in an urban renewal plan or an area included in an urban renewal plan under ORS 457.160.

“Planning Commission” means the Lebanon Planning Commission.

“Project(s)” or “Urban Renewal Project(s)” means any work or undertaking carried out under an urban renewal plan.

“Report Accompanying the Mill Race Urban Renewal Plan” or “Report” means the official report that accompanies Plan pursuant to ORS 457.085(3).

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470.

“Tax increment finance” or “tax increment financing” or “TIF” means the funds that are associated with the division of taxes accomplished through the adoption of an urban renewal plan. “Tax increment revenues” means the funds allocated by the assessor to an urban renewal area due to increases in assessed value over the frozen base within the area.

“TSP” is the City of Lebanon Transportation System Plan.

“Urban Renewal” means the statutory authority provided in ORS 457.

“URA” means urban renewal area and in this document refers to the urban renewal areas that exist in the City of Lebanon.

II. INTRODUCTION

The Mill Race Urban Renewal Plan (“Plan”) was developed for the Lebanon City Council (“City Council”). Pursuant to the Lebanon City Charter, this Plan will go into effect when it has been adopted by the City Council.

A. Background

The Plan creates a single development tax increment finance zone to provide developer incentives to reimburse the developer for infrastructure required to facilitate development. The Plan includes input from the community received at public meetings at the Agency and hearings before the City of Lebanon Planning Commission (“Planning Commission”), and the Lebanon City Council.

Mill Race Urban Renewal Plan Area (“Plan Area”), shown in Figure 1, consists of approximately 51.45 acres, 48.16 acres in tax lots and 3.29 acres in right-of-way.

The Plan is estimated to last 8 years, resulting in seven years of tax increment collections.

The Plan is to be administered by the Lebanon Urban Renewal Agency (“Agency”). Substantial amendments to the Plan must be approved by City Council as outlined in Section VII of this Plan. All amendments to the Plan are to be listed numerically on the cover of the Plan and then incorporated into the Plan document and noted by footnote with an amendment number and adoption date.

The relationship between the sections of the Plan and the ORS 457.085 requirements is shown in Table 1. The specific reference in the table below is the section of this Plan that primarily addresses the statutory reference. There may be other sections of the Plan that also address ORS 457.

Table 1 - Statutory References

Statutory Requirement	Plan Section
ORS 457.085(2)(a)	V, VI
ORS 457.085(2)(b)	V, VI
ORS 457.085(2)(c)	XIII
ORS 457.085(2)(d)	XI
ORS 457.085(2)(e)	XI
ORS 457.085(2)(f)	IX
ORS 457.085(2)(g)	VIII
ORS 457.085(2)(h)	III
ORS 457.085(2)(i)	VII

B. Mill Race Urban Renewal Overview

Urban renewal allows for the use of tax increment financing, a financing source that is unique to urban renewal, to fund its projects. Tax increment revenues— the amount of property taxes generated by the increase in total assessed values in the urban renewal area from the time the urban renewal area is first established— are used to repay borrowed funds. The borrowed funds are used to pay for urban renewal programs and projects. The amount of funds used for projects, programs and administration cannot exceed the maximum indebtedness amount set by the urban renewal plan.

The Mill Race Urban Renewal Area meets the definition of blight due to its infrastructure deficiencies and underdeveloped properties. These blighted conditions are specifically cited in the ordinance adopting the Plan and described in detail in the Report Accompanying Mill Race Urban Renewal Plan (“Report”).

The Report contains the information required by ORS 457.085, including:

- A description of the physical, social, and economic conditions in the area;
- Expected impact of the plan, including fiscal impact in light of increased services;
- Reasons for selection of the area;
- The relationship between each project to be undertaken and the existing conditions;
- The estimated total cost of each project and the source of funds to pay such costs;
- The estimated completion date of each project;
- The estimated amount of funds required in the area, and the anticipated year in which the debt will be retired;
- A financial analysis of the plan;
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the area; and,
- A relocation report.

III. MAXIMUM INDEBTEDNESS

Maximum Indebtedness ("MI") is the total amount of money that can be spent on projects, programs and administration throughout the life of the Plan. The maximum amount of indebtedness that may be issued or incurred under the Plan, based upon the redevelopment agreement between the developer of the site and good faith estimates of the scope and costs of projects in the Plan is \$9,652,364 (Nine Million, Six Hundred Fifty-Two Thousand, Three Hundred Sixty-Four Dollars). This amount is the principal of such indebtedness and does not include interest or indebtedness incurred to refund or refinance existing indebtedness or interest earned on debt proceeds.

IV. PLAN GOALS

The goals of the Plan represent its basic intent and purpose. Accompanying the goal is an objective, which describes how the Agency intends to meet the goal. The projects identified in Sections V and VI of the Plan are the specific means of meeting the objective. The goal and objective will be pursued as economically as is feasible and at the discretion of the Agency.

A. Development Incentives

To provide job development, attraction of new businesses and new residents, provide an increase in community wealth and the development of housing and commercial opportunities.

Objectives:

1. Provide financial incentives for the reimbursement of expenditures on infrastructure to facilitate development of the Area.

B. Administration

To provide administrative support for the implementation of the Plan.

Objectives:

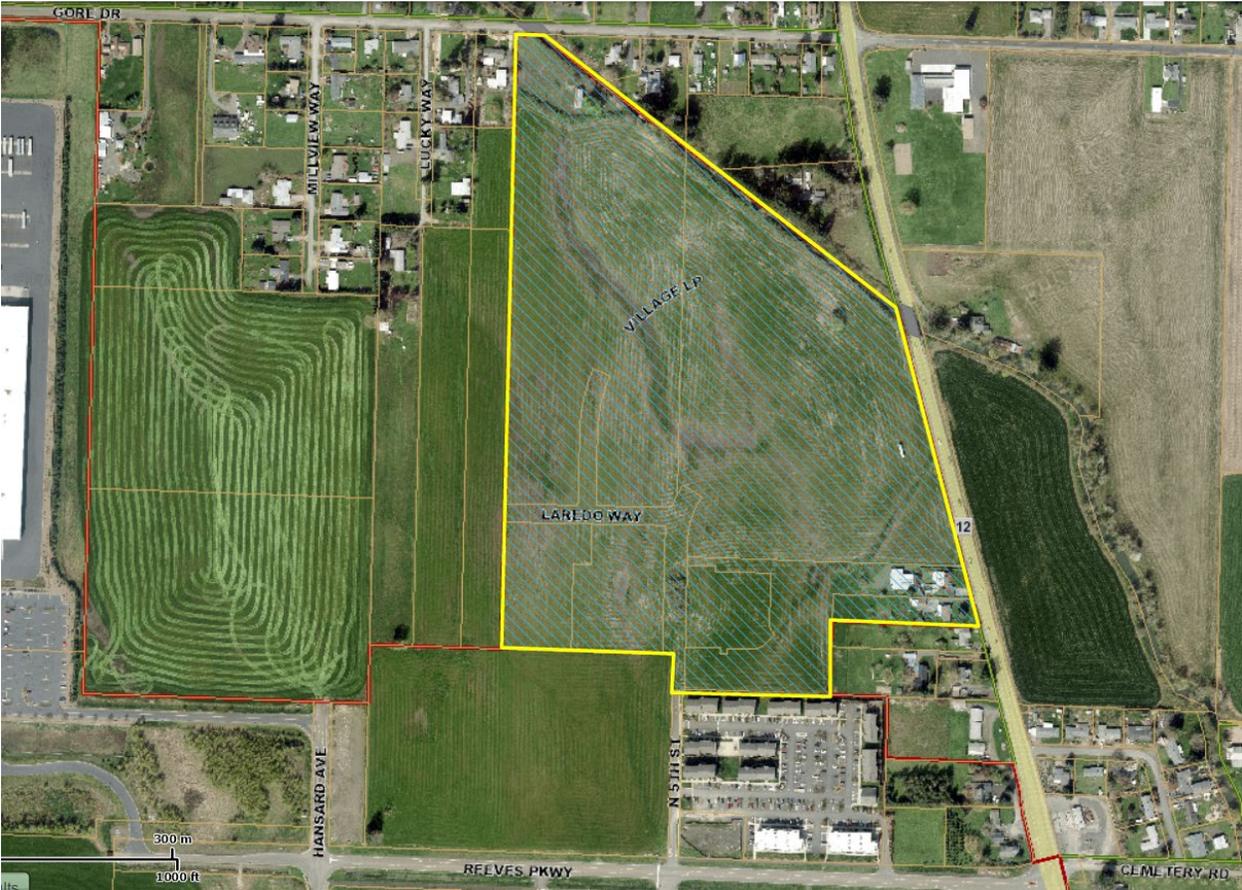
1. Provide resources to administer Development Incentives of the Plan.
2. Provide for ongoing administration of the Plan.

Figure 1 – Mill Race Urban Renewal Area Boundary - 51.45 acres



Source: City of Lebanon

Figure 2 – Mill Race Urban Renewal Plan Boundary Aerial View



Source: City of Lebanon

V. PROJECT CATEGORIES

The projects within the Plan Area fall into the following categories:

A. Development Incentives

B. Administration

VI. PROJECTS

TIF District projects authorized by the Plan are described below.

A. Development Incentives

The Agency may provide incentives to developers for the provision of infrastructure required to facilitate development in the Plan Area. This will be completed through a development agreement with the developer/builder/property owner that stipulates the amount and timing of the incentive. These incentives will be a rebate based on of the property taxes paid within the Plan Area and in conformance to the Economic Development Agreement.

The amount of incentive is established in the Report Accompanying the Plan and in the Economic Development Agreement.

B. Administration

The Agency may provide administration of the Plan including but not limited to reimbursement of costs associated with preparing the Plan, staff support, legal counsel assistance, review of annual payments, financial statements, budget preparation and annual reports pursuant to ORS 457.460.

VII. AMENDMENTS TO PLAN

The Plan may be amended as described in this section.

A. Substantial Amendments

Substantial Amendments, in accordance with ORS 457.085(2)(i), shall require the same notice, hearing, and approval procedure required of the original Plan, under ORS 457.095, including public involvement, consultation with taxing districts, presentation to the Agency, the Planning Commission, and adoption by the City Council by non-emergency ordinance after a hearing. Notice of such hearing shall be provided to individuals or households within the City of Lebanon, as required by ORS 457.120. Notice of adoption of a Substantial Amendment shall be provided in accordance with ORS 457.095 and 457.115.

Substantial Amendments are amendments that:¹

1. Add land to the Area except for an addition of land that totals not more than 1% of the existing area of the Area; or
2. Increase the maximum amount of indebtedness that can be issued or incurred under the Plan.

B. Minor Amendments

Minor Amendments are amendments that are not Substantial Amendments as defined in this Plan and in ORS 457. Minor Amendments require approval by the Agency by resolution.

C. Amendments to the Lebanon Comprehensive Plan and/or Lebanon Municipal Code, Title 16: Development Code

Amendments to the Lebanon Comprehensive Plan (“Comprehensive Plan”) and/or Lebanon Municipal Code, Title 16: Development Code that affect the Plan and/or the Plan Area shall be incorporated automatically within the Plan without any separate action required by the Agency or City Council. When a substantial amendment is completed, the Relationship to Local Objectives section will be updated.

¹ Unless otherwise permitted by state law, no land equal to more than 20 percent of the total land area of the original Plan shall be added to the urban renewal area by amendments, and the aggregate amount of all amendments increasing the Maximum Indebtedness may not exceed 20 percent of the Plan’s initial maximum indebtedness, as adjusted, as provided by law.

VIII. PROPERTY ACQUISITION AND DISPOSITION

The Plan does not anticipate property acquisition and disposition as an eligible activity.

IX. RELOCATION METHODS

As acquisition is not an eligible activity, relocation is not a part of this Plan.

X. TAX INCREMENT FINANCING OF PLAN

Tax increment financing consists of using annual tax increment revenues to make payments on debt. In this Plan, the debt is a contractual obligation to provide developer incentives and agreement to reimburse the Agency for administration of the Plan.

Tax increment revenues equal the annual permanent rate property taxes imposed on the cumulative *increase* in assessed value within an Area over the total assessed value at the time a plan is adopted. (Under current law, the property taxes for general obligation (GO) bonds and local option levies are not part of the tax increment revenues.)

A. General Description of the Proposed Financing Methods

The Plan will be financed using tax increment revenues. Revenues obtained by the Agency will be used to pay or repay the costs, expenses, advancements, and indebtedness incurred in (1) developer incentives (2) planning or undertaking project activities, or (3) otherwise exercising any of the powers granted by ORS Chapter 457 in connection with the planning and implementation of this Plan, including preparation of the Plan.

B. Tax Increment Financing

The Plan may be financed, in whole or in part, by tax increment revenues allocated to the Agency, as provided in ORS Chapter 457. The ad valorem taxes, if any, levied by a taxing district in which all or a portion of the Plan Area is located, shall be divided as provided in Section 1c, Article IX of the Oregon Constitution, and ORS 457.440. Amounts collected pursuant to ORS 457.440 shall be deposited into the unsegregated tax collections account and distributed to the Agency based upon the distribution schedule established under ORS 311.390.

C. Under-levy

The Agency may determine to under-levy pursuant to ORS 457.455 notwithstanding any of the foregoing provisions. The Agency may determine alternate ways to reimburse taxing districts for excess tax increment revenues collected.

XI. RELATIONSHIP TO LOCAL OBJECTIVES

ORS 457.085 requires that the Plan conform to local objectives. This section provides that analysis. Relevant local planning and development objectives are contained within the *Lebanon Comprehensive Plan*. Further, this section addresses the *City of Lebanon Municipal Code, Title 16: Development Code* and the *Lebanon 2040 Vision*.

The following section describes the purpose and intent of these plans, the main applicable goals and policies within each plan, and an explanation of how the plans relate to the applicable goals and policies.

The numbering of the goals and policies within this section reflects the numbering that occurs in the original document. *Italicized text* is text that has been taken directly from an original document.

The zoning designation is Mixed Use and the Comprehensive Plan designation for the area is Mixed Use. Density requirements and development standards for all land in the Plan Area are contained in the *City of Lebanon Municipal Code, Title 16: Development Code*, shown in Section B below.

A. Lebanon Comprehensive Plan

Chapter 4 - Land Use

The City's Land Use Goals include:

G-2: Promoting the orderly development and conservation of lands for urban uses, such as homes, businesses, industries, and streets, as well as parks, open space, and wetlands.

G-3: Encouraging land developments that utilize innovative design and technology, energy conservation, and the protection and conservation of cultural and natural resources. Examples of innovative residential developments include: common wall or "zero lot line" dwellings (e.g., row houses and townhouses), dwellings designed and sited to utilize solar energy, and planned developments that provide for variety in housing types and uses.

G-4: Promoting and encouraging planned development methods for special lands that display the following characteristics: property of large sizes or those that are well situated in relation to the street and traffic circulation network; properties that have natural features that limit development potential; and properties that involve significant natural or cultural resources, particularly active or passive recreational opportunities.

Finding:

The Plan conforms to the Land Use goals of the Comprehensive Plan as providing incentives for new development within the Area will promote the orderly development of lands for urban uses, incorporate a variety of housing types and uses and promote orderly development of a large sized property. The development is planned to include single family residences, multi-use complexes, apartment buildings, a senior care center, retail buildings, a fueling station, restaurant and industrial uses.

Chapter 5 - Population and Economy

The City's Economic Goals include the following:

G-1 Providing employment opportunities for its citizens.

G-2: Providing a viable tax base for the community in order to pay for essential community services.

G-3: Encouraging a diversified economic base for the community which broadens and improves long-term employment opportunities in all sectors, including, retail, service, and industrial.

G-4: Providing the opportunity for a full range of commercial, cultural, recreational, educational, health services, and other professional services to meet the needs of the City's residents and visitors.

G-5: Supporting the establishment of new employment and the expansion of existing employment to strengthen the City's economic base in order to provide adequate employment opportunities and maintain community livability.

G-6: Seeking balanced, concurrent growth in the commercial, industrial and residential sectors that are within the carrying capacity of community resources.

Finding:

The Plan conforms to the Population and Economy goals of the Comprehensive Plan as providing incentives for new development within the Area will provide employment opportunities, help to provide a viable tax base by encouraging new development, encourage a diversified economic base, provide for a full range of uses, support the establishment of new employment by both construction jobs and long term jobs in the commercial and industrial uses in the Area and seek balanced concurrent growth in the commercial, industrial and residential sectors. The development is planned to include single family residences, multi-use complexes, apartment buildings, a senior care center, retail buildings, a fueling station, restaurant and industrial uses.

Chapter 6 - Housing

The City's Housing Goals include:

G-1: Providing housing policies and practices that increase housing opportunities for all citizens.

G-2: Encouraging the availability of adequate numbers of needed housing units at price ranges and rent levels that are commensurate with the financial capabilities of community households, and to allow flexibility of housing location, type and density.

G-4: Providing for connectivity in new developments and to promote efforts to extend trails, pedestrian ways, and bikeways through existing residential areas.

G-5: Cooperating with builders, developers, and others involved in the provision of housing in creating a positive image of the City as a desirable place to live, work, and do business.

Finding:

The Plan conforms to the Housing goals of the Comprehensive Plan as providing incentives for new development within the Area will provide new housing options for existing and new residents to Lebanon, increasing the availability of needed housing units in a variety of price ranges including single family residences, multi-use complexes, apartment buildings and a senior care center. The development will provide connectivity through the residential area. By encouraging the development, the City will be cooperating with developers in the provision of housing creating a positive image of the City as a desirable place to live, work, and do business.

Chapter 7 - Community Friendly Development

The City's Community Friendly Development Goals include:

G-1: Encouraging development patterns that make efficient use of land and energy resources, provide a variety of housing choices, and create multiple transportation options.

G-2: Supporting infill development and other development options on large or underutilized residential or commercial lots guided by clear and objective neighborhood compatibility standards.

G-3: Encouraging policies and ordinances that lead to well-designed, aesthetically pleasing neighborhoods that foster a sense of community and personal interaction.

G-5: Developing streets whose purpose is not solely to move automobiles safely and efficiently, but also to create pedestrian and bicycle friendly environment.

G-6: Developing sidewalks, crosswalks, and multi-use paths that not only meet ADA standards, but also enhance a pedestrian and bicycle friendly environment throughout the community.

G-8: Promoting denser development in select locations in order to realize potential savings on infrastructure provision and maintenance.

G-9: Providing density bonuses for developers who incorporate specific design amenities into their developments.

G-10: Allowing appropriately scaled neighborhood commercial centers, subject to provisions of the Zoning Ordinance, and residential zones in order to: (1) provide ease of access to basic daily household needs, to eliminate unnecessary automobile trips, and to provide convenience centers for neighborhood social interaction; and, (2) within the Mixed Density Residential Zones in order to allow for commercial activity closer to the source of the customers and to allow the pedestrian access to retail services.

Finding:

The Plan conforms to the Community Friendly Development goals of the Comprehensive Plan as the development will be on a parcel that is in the city limits but is presently undeveloped, encouraging development patterns that make efficient use of land and energy resources, provide a variety of housing choices, and create multiple transportation options, supporting development on large parcels, developing streets for automobiles, bicyclists and pedestrians, enhancing a pedestrian and bicycle friendly environment, supplying denser development to realize savings on infrastructure provision and maintenance and allowing for appropriately scaled neighborhood commercial centers. The development will be a planned development and meet the requirements of the City of Lebanon. The development is planned to include single family residences, multi-use complexes, apartment buildings, a senior care center, retail buildings, a fueling station, restaurant and industrial uses.

Chapter 8 - Transportation

The City's Transportation Goals include:

G-1: An equitable, balanced and well connected multi-modal transportation system.

G-2: Convenient facilities for pedestrians and bicyclists.

G-3: Transit service and amenities that encourage a higher level of ridership.

G-4: Efficient travel to and through the City.

G-5: Safe and active residents.

G-6: A sustainable transportation system.

G-7: A transportation system that supports a prosperous and competitive economy.

G-8: Coordinate with local and state agencies and transportation plans.

Finding:

The Plan conforms to the Transportation goals of the Comprehensive Plan as the development will be on a parcel that is in the city limits but is presently underserved by a transportation network. The development will provide an improved transportation network for all modes of travel, helping to create a transportation system providing convenient facilities for pedestrians and bicyclists and efficient travel to and through the city. The transportation system improvements will help support a prosperous and competitive economy and will be in a planned development and meet the requirements of the City of Lebanon and the requirements of the Lebanon Transportation System Plan.

Chapter 10 - Public Facilities and Services

The City's Public Facilities and Services Goals include:

G-1: Providing Public Facilities Policies and Plans as a guide for the location and development of future community facilities and utilities consistent with long-range community needs.

G-2: Planning and developing a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development for both existing and planned land uses.

G-3: Continuing and enhancing coordination and cooperation between the City and other public and private providers of public services to maximize the orderly and efficient development and provision of all services.

G-4: Ensuring that essential public facilities and service capabilities (transportation, storm drainage, sewer and water service) are either in place before new development occurs and/or are constructed concurrently with such development.

G-5: Ensuring that the extensions of essential public facilities and services to a development site is accomplished either by the city through the implementation of the Capital Improvement Program, or by the site developer at their expense with cost sharing and oversizing reimbursement options.

G-6: Promoting water conservation.

Finding:

The Plan conforms to the Public Facilities and Services goals of the Comprehensive Plan as the development will be on a parcel that is in the city limits but is presently underserved by public facilities and services. The development will be a planned development and meet the requirements of the City of Lebanon to ensure the essential public facilities and service capabilities are either in place before new development occurs and/or are constructed concurrently with such development.

B. City of Lebanon Municipal Code Title 16: Development Code

The *City of Lebanon Municipal Code Title 16: Development Code* provides general descriptions of zoning designations within the Area. The requirements on the land uses, maximum densities and building requirements can be found in the *Development Code*. General descriptions are included herein.

As the *Development Code* is updated, this document will be updated by reference. If a substantial amendment is completed in the future, this section will be updated to match the current zoning designations. Zoning descriptions are shown in *italics*.

Chapter 16.06 Mixed-Use Land Use Zone

- A. *The purpose of the Mixed-Use Zone is to provide lands that possess potential for several types of land use or combinations of different land uses. The intent of this designation is to achieve an environment in which different land uses can co-exist by providing building groupings for privacy, usable and attractive open spaces, and safe circulation, thus promoting the general well being of the residents, businesses, and other occupants. Effective mixed-use zones not only allow the co-location of various types of uses, but they also promote compatible architectural design and connectivity of buildings to streets and paths. Residential mixed-use encourages planners and developers to look beyond the traditional subdivision design and think about new and efficient utilization of land. Such innovative designs can provide residents access to commercial services as well as amenities such as parks, trails, and open spaces, and hence promote community-friendly development that is highly compatible with surrounding uses and promotes a sense of community.*
- B. *Mixed-Use lands are open to all types of development including residential, commercial, and light (Class I and II Impacts) industrial land uses.*
- C. *The Mixed-Use Zone is intended to:*
 - 1. *Promote efficient use of land and urban services.*
 - 2. *Create a mixture of land uses that encourages employment and housing options in close proximity to one another.*
 - 3. *Encourage pedestrian-oriented development in all mixed-use areas.*
 - 4. *Provide connections to and appropriate transitions between residential areas and commercial areas.*
 - 5. *Promote independence of movement, especially for the young and the elderly who can conveniently walk, cycle, or ride transit.*

C. Lebanon 2040 Vision Plan

The Lebanon 2040 Vision (Vision) and the Lebanon Community Strategic Action Plan (Strategic Action Plan) constitute the community's aspirations for what Lebanon should look and feel like by the year 2040, and a plan for how to get there. The Vision and the Strategic Action Plan were developed over nearly two years with extensive public input to ensure the community's values and priorities provided the foundation for the future physical, economic, and social attributes that will define the community. The Vision and the Strategic Action Plan serve as two constituent parts of a comprehensive process of public engagement. First, the Vision represents the citizens' overarching description of the community they aspire to attain by 2040. The first element of the Vision, the Vision Statement, expresses this aspiration succinctly: The Vision is supported by seven focus areas that expand the Vision Statement concept, elaborating on the specific elements that comprise the community's ambitions for the future. Each focus area provides a brief narrative description of a topic (e.g., education, jobs, arts, etc.) that supports and delineates the intent of the Vision Statement. Second, the Strategic Action Plan charts a course for implementing the Vision over the next five years. It identifies 17 strategies that provide direction for accomplishing the Vision and offers guidance for community leaders helping to achieve its realization. Each strategy includes one or more actions to help move it forward. Each action provides a tangible project, program, or activity to implement the strategy it supports. The Strategic Action Plan was developed as a direct outgrowth of the Vision, allowing each part of the plan to be traced back to the Vision Statement, ensuring fidelity and maintaining the integrity of the Vision as originally conceived.

Vision Statement: Lebanon is a friendly and thriving community.

Focus Areas:

JOBS & GROWTH

Industry & Business: Lebanon encourages and supports a variety of new and existing businesses that provide local jobs and living wages.

Managed Growth: Lebanon welcomes growth and reinforces its plans for the future.

Infrastructure: Lebanon sustains an infrastructure system (transportation, telecommunications, power, water and sewer) that supports future growth plans.

Finding:

The Plan conforms to the *Lebanon 2040 Vision and Community Strategic Action Plan* as the project in the Plan provides for development incentives and facilitates development that will foster local jobs and growth in the community and manages growth by providing infrastructure to support the new development. The proposed

development includes commercial and industrial uses and provides increased housing opportunities for Lebanon citizens. .

XII. ANNUAL REPORT

The Agency shall file Annual Reports in compliance with ORS 457.460.

XIII. LEGAL DESCRIPTION

AN AREA OF LAND IN THE NORTHEAST, NORTHWEST, SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 3 IN TOWNSHIP 12 SOUTH OF RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, CITY OF LEBANON, LINN COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 1 OF LINN COUNTY PARTITION PLAT NO. 2019-34 AS RECORDED ON JUNE 19, 2019 IN THE LINN COUNTY RECORD OF PLATS; THENCE ALONG THE WEST BOUNDARY OF PARCEL 1 AND PARCEL 2 OF SAID PLAT, NORTH 00° 35' 00" WEST 1367.41 FEET TO A POINT; THENCE CONTINUING ALONG THE WEST BOUNDARY OF SAID PARCEL 2, NORTH 00° 36' 26" WEST 635.05 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF GORE DRIVE (COUNTY ROAD NO. 701); THENCE ALONG THE SOUTH RIGHT OF WAY OF GORE DRIVE, SOUTH 89° 59' 38" EAST 82.45 FEET TO A POINT IN THE CENTER OF THE ALBANY SANTIAM CANAL; THENCE LEAVING SAID SOUTH RIGHT OF WAY AND FOLLOWING THE CENTER OF SAID CANAL, SOUTH 53° 41' 03" EAST 204.98 FEET TO A POINT; THENCE CONTINUING ALONG THE CENTER OF SAID CANAL, SOUTH 54° 20' 09" EAST 1313.95 FEET TO A POINT ON THE CENTERLINE OF US HIGHWAY NO. 20; THENCE ALONG THE CENTERLINE OF SAID US HIGHWAY NO. 20, SOUTH 16° 41' 36" EAST 1,030.67 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE, SOUTH 89° 57' 42" WEST 510.03 FEET TO A POINT; THENCE SOUTH 00° 22' 34" EAST 239.72 FEET TO A POINT; THENCE SOUTH 89° 55' 13" WEST 520.21 FEET TO A POINT; THENCE NORTH 00° 32' 31" WEST 114.16 FEET TO A POINT; THENCE SOUTH 89° 53' 46" WEST 560.79 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A CANAL EASEMENT RECORDED IN LINN COUNTY DEED RECORDS IN BOOK K, PAGE 789.

CONTAINS 51.45 ACRES ±

Report Accompanying the Mill Race Urban Renewal Plan

DRAFT

Mill Race Urban Renewal District Plan Adopted by the City of Lebanon

Date

Ordinance No. _____



LIST OF PARTICIPANTS

Mayor

Paul R. Aziz

City Council

Robert Furlow, Ward 1

Wayne Rieskamp, Ward 1

Rebecca Grizzle, Ward 2

Karin Stauder, Ward 2

Jason Bolen, Ward 3

Michelle Steinhebel, Ward 3

Urban Renewal Agency

Same as City Council

Planning Commission

Jeremy Salvage, Chair

Don Robertson, Vice-Chair

Joshua Galka

David McClain

Josh Port

Todd Prenoveau

Samuel Brackeen (alternate)

Interim City Manager/City Engineer

Ron Whitlatch

Community Development Director

Kelly Hart

Finance Director

Matt Apken

Consulting Team

Elaine Howard Consulting, LLC

Elaine Howard

Scott Vanden Bos

Tiberius Solutions LLC

Nick Popenuk

Ali Danko

Rob Wyman

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I. DEFINITIONS

“Agency” is the City of Lebanon Urban Renewal Agency created under ORS 457.035 and 457.045. The Agency is responsible for administration of this Mill Race Urban Renewal Plan and other urban renewal plans previously adopted in the City of Lebanon.

“Annual report” is the ORS 457.460 requirement for the production of an annual report that gets distributed to the taxing districts.

“Area” means the tax increment finance area established for this Plan pursuant to ORS 457, and described in Section XIII of the Plan including the properties and rights-of-way located therein.

“Assessed value” means the total assessed value as of real, personal, utility and manufactured structures assessed value as determined by the county assessor.

“Blight” is defined in ORS 457.010(1)(A-E) and identified in the ordinance adopting an urban renewal plan.

“Board of Commissioners” means the Linn County Board of Commissioners.

“City” means the City of Lebanon, Oregon.

“City Council” or “Council” means the Lebanon City Council.

“Comprehensive Plan” means the City of Lebanon Comprehensive Plan and its implementing ordinances, policies, and standards.

“County” means Linn County, Oregon.

“Fiscal Year” means the year commencing on July 1 and closing on June 30.

“Fiscal Year End” or “Fiscal Year Ending” of “FYE” means the year that the fiscal year ends.

“Frozen base” means the total assessed value including all real, personal, manufactured, and utility values within an urban renewal area at the time of adoption. The county assessor certifies the assessed value after the adoption of an urban renewal plan.

“Increment Value” means that part of the assessed value of a taxing district attributable to any increase in the assessed value of the property located in an urban renewal area, or portion thereof, over the frozen base assessed value specified in the certified statement.

“Maximum Indebtedness” means the amount of the principal of indebtedness included in a plan pursuant to ORS 457.190 and does not include indebtedness incurred to refund or refinance existing indebtedness.

“Municipality” means any county or any city in the state of Oregon.

“ORS” means the Oregon Revised Statutes and specifically Chapter 457, which relates to urban renewal and tax increment financing.

“Plan” or “Urban Renewal Plan” means the official plan for the urban renewal area pursuant to ORS 457.

“Plan Area” or “Area” means a blighted area included in an urban renewal plan or an area included in an urban renewal plan under ORS 457.160.

“Planning Commission” means the Lebanon Planning Commission.

“Project(s)” or “Urban Renewal Project(s)” means any work or undertaking carried out under an urban renewal plan.

“Report Accompanying the Mill Race Urban Renewal Plan” or “Report” means the official report that accompanies Plan pursuant to ORS 457.085(3).

“Revenue sharing” means sharing tax increment proceeds as defined in ORS 457.470.

“Tax increment finance” or “tax increment financing” or “TIF” means the funds that are associated with the division of taxes accomplished through the adoption of an urban renewal plan. “Tax increment revenues” means the funds allocated by the assessor to an urban renewal area due to increases in assessed value over the frozen base within the area.

“TSP” is the City of Lebanon Transportation System Plan.

“Urban Renewal” means the statutory authority provided in ORS 457.

“URA” means urban renewal area and in this document refers to the urban renewal areas that exist in the City of Lebanon.

II. INTRODUCTION

The Report on Mill Race Urban Renewal Plan (“Report”) contains background information and project details that pertain to Mill Race Urban Renewal Plan (“Plan”). The Report is not a legal part of the Plan but is intended to provide public information and support the findings made by the Lebanon City Council (“City Council”) as part of the approval of the Plan.

The Report provides the analysis required to meet the standards of ORS 457.085(3), including financial feasibility. The Report accompanying the Plan contains the information required by ORS 457.085, including:

- A description of the physical, social, and economic conditions in the area; (ORS 457.085(3)(a))
- Expected impact of the Plan, including fiscal impact in light of increased services; (ORS 457.085(3)(a))
- Reasons for selection of the area; (ORS 457.085(3)(b))
- The relationship between each project to be undertaken and the existing conditions; (ORS 457.085(3)(c))
- The estimated total cost of each project and the source of funds to pay such costs; (ORS 457.085(3)(d))
- The estimated completion date of each project; (ORS 457.085(3)(e))
- The estimated amount of funds required in the area and the anticipated year in which the debt will be retired; (ORS 457.085(3)(f))
- A financial analysis of the Plan; (ORS 457.085(3)(g))
- A fiscal impact statement that estimates the impact of tax increment financing upon all entities levying taxes upon property in the urban renewal area; (ORS 457.085(3)(h)) and
- A relocation report. (ORS 457.085(3)(i))

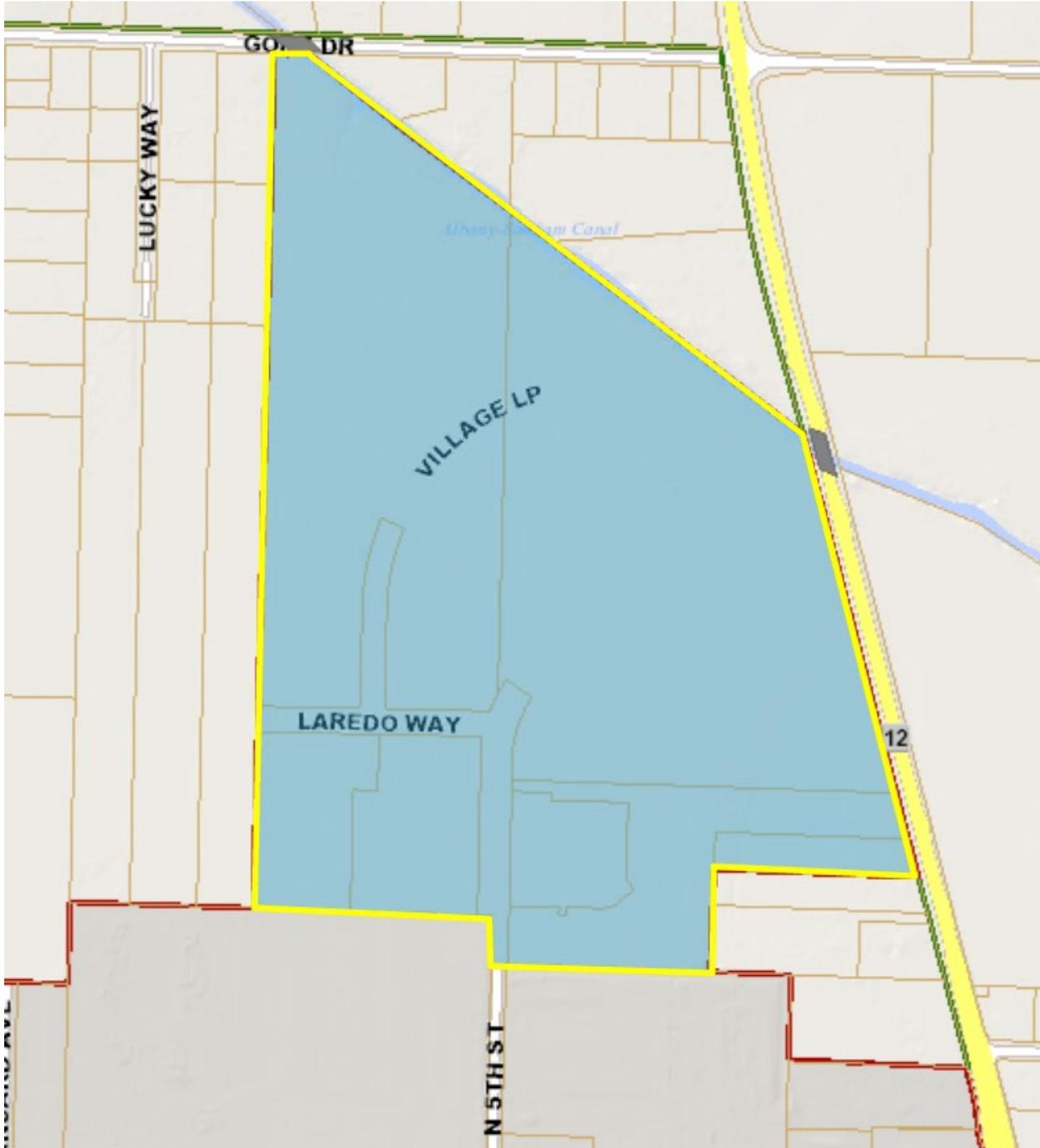
The relationship of the sections of the Report and the ORS 457.085 requirements is shown in Table 1. The specific reference in the table below is the section of this Report that most addresses the statutory reference. There may be other sections of the Report that also address the statute.

Table 1 - Statutory References

Statutory Requirement	Report Section
ORS 457.085(3)(a)	X
ORS 457.085(3)(b)	XI
ORS 457.085(3)(c)	III
ORS 457.085(3)(d)	IV
ORS 457.085(3)(e)	VI
ORS 457.085(3)(f)	IV,V
ORS 457.085(3)(g)	IV,V
ORS 457.085(3)(h)	VIII
ORS 457.085(3)(i)	XII

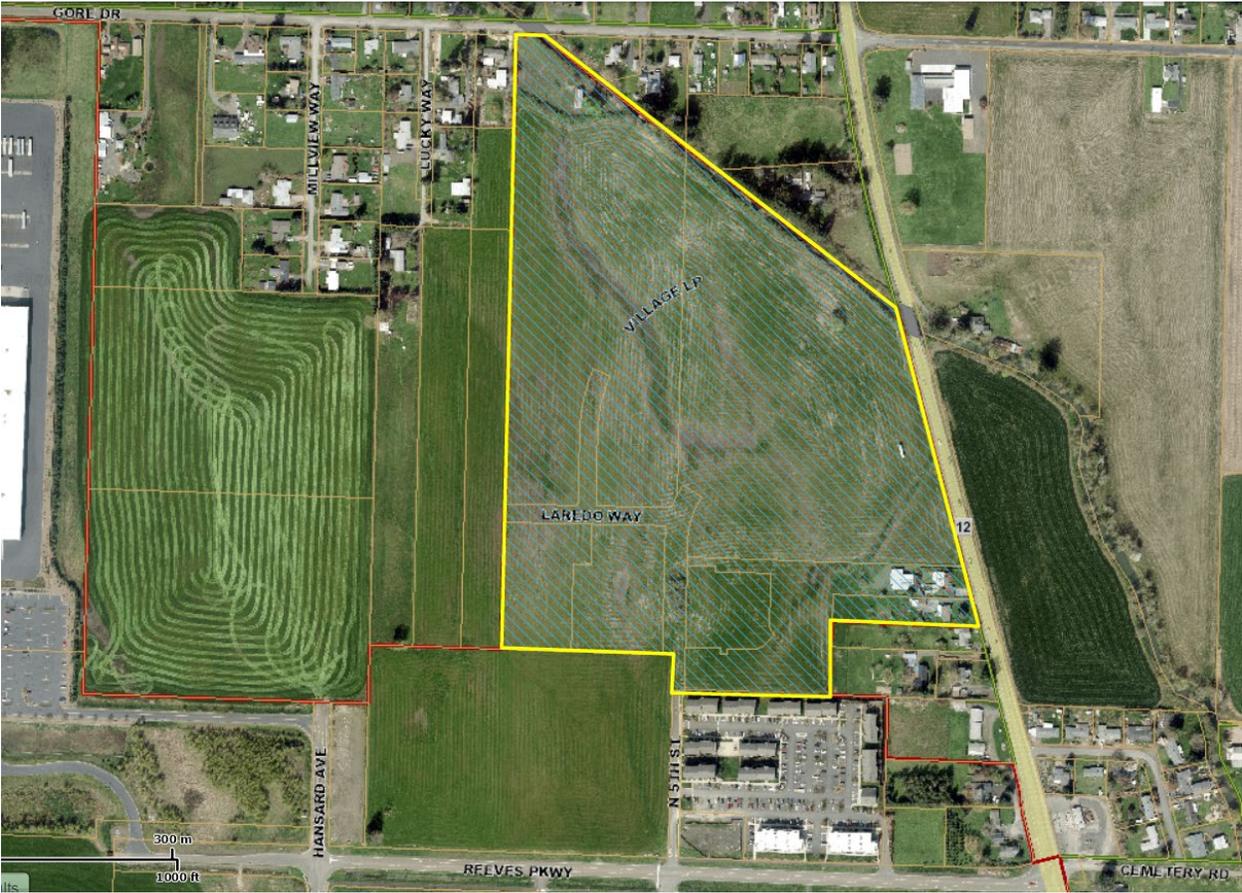
The Report provides guidance on how the Plan might be implemented. As the Lebanon Urban Renewal Agency (“Agency”) reviews revenues and potential projects each year, it has the authority to adjust the implementation assumptions in this Report. The Agency may allocate budgets differently, adjust the timing of the projects and make other adjustments to the financials as determined by the Agency. The Agency may also make changes as allowed in the Amendments section of the Plan. These adjustments must stay within the confines of the overall maximum indebtedness of the Plan.

Figure 1 – Mill Race Urban Renewal Area Boundary - 51.45 acres



Source: City of Leban

Figure 2 – Mill Race Urban Renewal Plan Boundary Aerial View



Source: City of Lebanon

III. THE PROJECTS IN THE AREA AND THE RELATIONSHIP BETWEEN URA PROJECTS AND THE EXISTING CONDITIONS IN THE URA

The projects identified for the Mill Race Urban Renewal Area (“Plan Area” or “Area”) are described below, including how they relate to the existing conditions in the Plan Area.

A. Developer Incentives

The Agency may provide incentives to developers for the provision of infrastructure required to facilitate development in the Plan Area. This will be completed through an economic development agreement with the developer/builder/property owner that stipulates the amount and timing of the incentive. These incentives will be a rebate based on of the property taxes paid within the Plan Area and in conformance to the Economic Development Agreement.

Existing Conditions: The property is currently underdeveloped. There are plans for full development of the property, but only approximately one-third of the infrastructure has been completed and a very small portion of the planned development has been completed (storage units). The infrastructure needs include streets, sidewalks, water, sewer and storm drainage to serve the new development.

B. Administration

The Agency may provide administration of the Plan including but not limited to reimbursement of costs associated with preparing the Plan, staff support, legal counsel assistance, review of annual payments, financial statements, budget preparation and annual reports pursuant to ORS 457.460.

Existing Conditions: These parcels are presently in the Northwest Lebanon Urban Renewal Area, so administration is allocated in the Northwest Lebanon Urban Renewal Plan. Once this is removed from the Northwest Lebanon Urban Renewal Plan, there will be no administrative dollars allocated until it is put into this new Mill Race Urban Renewal Area.

A table showing the projects and total estimated costs is shown in Table 2. The total costs are estimated based on the projected future assessed value of the project.

IV. THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The total cost estimates for the projects are shown in Table 2 below. These costs include both the maximum agreed upon cost stipulated in the Economic Development Agreement, and the anticipated portion of those costs that would actually be incurred based on a forecast of planned development activities in the Area.

These are all estimates acknowledging that these project activities must not exceed the maximum indebtedness. These costs are shown in nominal, year of expenditure (“YOE”) dollars, and do not exceed the maximum indebtedness of \$9,652,364. Any remaining tax increment funds beyond what is necessary to fund the developer rebate and administration of the Plan will be returned to taxing districts through an underlevy of TIF or similar mechanism. The estimated amount of developer incentives were calculated based on a development schedule provided by Lebanon city staff that estimated construction timelines. See Table 3 for a summary of the forecast assessed value from new construction in the Area over time. As the Economic Development Agreement set a higher limit of potential rebate to the developer, the urban renewal plan’s maximum indebtedness authority will match that limit, but the projected amount of tax increment revenues that would be used is much lower.

As per the Economic Development Agreement dated September 25, 2015, the Agency shall reimburse the Developer for the actual cost of the construction of the Public Infrastructure improvements described in the Economic Development Agreement subject to the provisions of the Economic Development Agreement limiting reimbursement to incremental tax revenue actually received by the Agency. The Agency shall reimburse the Developer in an amount equal to 80% of the incremental property tax directly attributable to the Development of the Developer’s Property for five (5) years and seventy-five percent (75%) of the incremental property tax directly attributable to the Development of the Developer’s Property thereafter through FYE 2028.

The Agency will use the amount shown in Table 2 for administration of the Plan. The amount is equivalent to an annual administration cost of \$2,000 (adjusted annually for assumed 3% inflation) plus repayment to the Agency of \$33,500 for the costs associated with preparation of the Plan. These cumulative administrative costs are estimated to total \$46,249 in YOE dollars.

The Agency will be able to review and update fund expenditures and allocations on an annual basis when the annual budget is prepared.

Table 2 - Estimated Cost of Each Project

Project	Estimated Cost	Maximum Cost
Developer Incentives	\$2,249,598	\$9,606,105
Administration	\$46,249	\$46,249
TOTAL	\$2,295,857	\$9,652,354

Source: City of Lebanon and Tiberius Solutions

Table 3 - Estimated Annual Construction Values

Year of Completion	FYE On Tax Roll	Total Value (2020 \$)
2019	2021	\$1,445,400
2020	2022	\$0
2021	2023	\$0
2022	2024	\$10,894,400
2023	2025	\$14,012,350
2024	2026	\$5,940,000
2025	2027	\$13,417,000
2026	2028	\$2,166,500
2027	2029	\$0
TOTAL		\$47,875,650

V. FINANCIAL ANALYSIS OF THE PLAN

The estimated tax increment revenues through fiscal year ending (“FYE”) 2028 are calculated based on projections of the growth in assessed value of new development within the Area and the consolidated tax rate that will apply in the Area.

Table 3 shows the incremental assessed value, tax rates, and tax increment financing revenues each year (“Gross TIF”), adjusted for discounts (“Net TIF”). In Oregon, when the full amount of the property tax bill is paid by November 15, the taxpayer gets a 3 percent discount. If the taxpayer pays two thirds of the tax by November 15, they get a 2 percent discount. To get a discount on the current year’s tax bill, all delinquent taxes, penalty, and interest must first be paid in full.¹

The first year of tax increment collections is anticipated to be FYE 2022. Gross TIF is calculated by multiplying the tax rate times the increment. Increment is the increased assessed value over the frozen base. The tax rate is expressed per thousand dollars of assessed value, so the calculation is “tax rate times excess value used divided by one thousand.”

The rebate amount is tied to the terms stipulated in the Economic Development Agreement. The terms of that agreement are outlined in the previous section of this Report. Given the projected development schedule, the total amount of rebate to the developer is anticipated to be less than the allowed amount in the Economic Development Agreement. The total anticipated rebate is \$2,249,598.

The Plan is financially feasible because the only project, other than administration, is the rebate to the developer, and the amount of the rebate is contractually obligated to only be a portion of annual TIF revenue.

The maximum indebtedness (“MI”) of the Plan is equal to the amount of TIF that would need to be generated to provide the developer with the not-to-exceed amount of the rebate as identified in the Economic Development Agreement.

The financial projections, based on assumed development for the Area, suggest that the Area will not reach that MI figure, and instead would generate \$3,007,115 in gross TIF revenue, and have impacts to taxing districts of \$2,295,857 including developer rebates and administrative costs. The remainder of these TIF proceeds would be returned to affected taxing districts through an underlevy or other similar approach.

¹ www.oregon.gov/dor, Property Tax Payment Procedure

However, in the event that the development was on a faster schedule and/or more valuable than anticipated and the Area did achieve the full amount of MI, then impacts to taxing districts could be as high as \$9,652,364 as shown in Table 7.

Table 4 - Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues

FYE	Total AV	Frozen Base	Increment	Tax Rate	Gross TIF	Net TIF	Rebate to Developer	To Agency for Admin.	Returned to Taxing Districts
2020	\$438,235	\$438,235	\$0	14.7793	\$0	\$0	\$0	\$0	\$0
2021	\$451,382	\$438,235	\$0	14.7793	\$0	\$0	\$0	\$0	\$0
2022	\$464,924	\$438,235	\$1,560,113	14.7793	\$23,057	\$22,366	\$17,893	\$2,122	\$2,351
2023	\$478,871	\$438,235	\$1,620,064	14.7793	\$23,943	\$23,225	\$18,580	\$2,185	\$2,460
2024	\$493,237	\$438,235	\$13,943,556	14.7793	\$206,076	\$199,894	\$159,915	\$32,251	\$7,728
2025	\$508,034	\$438,235	\$30,619,164	14.7793	\$452,530	\$438,954	\$351,163	\$2,319	\$85,472
2026	\$523,276	\$438,235	\$38,643,556	14.7793	\$571,125	\$553,991	\$443,193	\$2,388	\$108,410
2027	\$538,974	\$438,235	\$56,317,228	14.7793	\$832,329	\$807,359	\$605,519	\$2,460	\$199,380
2028	\$555,143	\$438,235	\$60,764,349	14.7793	\$898,055	\$871,113	\$653,335	\$2,534	\$215,244
Total					\$3,007,115	\$2,916,902	\$2,249,598	\$46,259	\$621,045

Source: Tiberius Solutions

Total AV:	Total Assessed Value
Frozen Base:	The Assessed Value of the properties in the Area at the time the urban renewal area is established
Increment:	The Assessed Value of development in the Area after it is established
Tax Rate:	The tax rate is \$14.7793 per thousand dollars of assessed value.
Gross TIF:	The total amount of tax increment proceeds when multiplying the increment times the tax rate
Net TIF:	The amount of tax increment proceeds after estimates for discounts, delinquencies, truncation loss, and receipt of delinquent taxes from prior years
Rebate:	The amount to be paid to the developer for reimbursement for infrastructure costs
To URA:	The amount to be paid to the Agency for administrative costs
To Tax Districts:	The amount that will be rebated to the impacted taxing districts

The maximum indebtedness is \$9,652,364 (Nine Million, Six Hundred Fifty-Two Thousand, Three Hundred Sixty-Four Dollars). This is also the estimated total amount of tax increment revenues that could be required to service the maximum indebtedness as no formal borrowings or interest payments are anticipated in the Plan. The indebtedness will be retired or terminated in FYE 2029. The last year of tax increment revenues is FYE 2028.

VI. THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The schedule for projects will be based on the availability of funding. No rebate to the developer will occur unless there is new development in the Area that provides for tax increment collections. The estimated rebate is shown in Table 4. Annual expenditures for program administration are shown in Table 2.

The Agency is anticipated to complete the project and to terminate the Plan in FYE 2029, a seven (7) year tax rebate program.

VII. REVENUE SHARING

Revenue sharing targets, as prescribed in ORS 457.470, are **not** projected to be reached during the life of the Plan. However, the financial analysis shows a voluntary under-levy amount each year, shown in the final column of Table 4, *Returned to Taxing Districts*. This amount will be predicated on the terms of the Economic Development Agreement as applied to the actual development in the Area.

Revenue sharing is defined in ORS 457.470 and requires that the impacted taxing jurisdictions will receive a share of the incremental growth in the Plan Area at specifically defined thresholds. The first threshold is when annual tax increment finance revenues exceed 10% of the original maximum indebtedness of the Plan (10% = \$965,236). At the 10% threshold, the Agency will receive the full 10% of the initial maximum indebtedness plus 25% of the increment above the 10% threshold and the taxing jurisdictions will receive 75% of the increment above the 10% threshold.

The second threshold is set at 12.5% of the maximum indebtedness. If this threshold is met, revenue for the district would be capped at 12.5% of the original maximum indebtedness, with all additional tax revenue being shared with affected taxing districts.

VIII. IMPACT OF THE TAX INCREMENT FINANCING

This section describes the impact of tax increment financing of the maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the Area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated through FYE 2028 and are shown in Table 5 and Table 6.

The Lebanon Community School District #9 and the Linn-Benton-Lincoln Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the Plan are shown in the following tables. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone, due to the use of tax increment financing, are substantially replaced with State School Fund revenues, as determined by a funding formula at the state level. If new school aged students move into these units and attend the local schools, the funding through the State School Fund would increase.

In this Plan, the property is largely an undeveloped site. The costs of the infrastructure will impede full development of the site. The urban renewal concept known as “but for urban renewal” means that the development and increased property tax revenue would not have happened but for the ability of urban renewal to lower the costs of development. So, although there are projected impacts to the permanent rate levies, the property value increases and resulting property taxes would not have happened but for the incentives provided through the urban renewal area.

Table 5 and Table 6 show the projected impacts to permanent rate levies of taxing districts as a result of this Plan. Table 5 shows the general government levies, and Table 6 shows the education levies. Table 5 and Table 6 indicate the impacts to taxing districts based on the projected development schedule. However, the Economic Development Agreement calls for a higher level of payment to the developer. If those values are met, the impacts to the taxing districts could be higher, shown in Table 7. The maximum indebtedness of the Plan is set according to the Economic Development Agreement.

Table 5- Projected Impact on Taxing District Permanent Rate Levies - General Government

General Government						
FYE	Linn County	City of Lebanon	Lebanon Fire District	Lebanon Aquatic	4H Extension District	Subtotal
2022	\$1,725	\$6,956	\$3,061	\$325	\$95	\$12,161
2023	\$1,789	\$7,217	\$3,175	\$337	\$98	\$12,617
2024	\$16,560	\$66,785	\$29,385	\$3,121	\$910	\$116,761
2025	\$30,461	\$122,849	\$54,053	\$5,740	\$1,674	\$214,778
2026	\$38,398	\$154,857	\$68,137	\$7,236	\$2,110	\$270,738
2027	\$52,392	\$211,297	\$92,970	\$9,873	\$2,880	\$369,412
2028	\$56,519	\$227,941	\$100,293	\$10,651	\$3,106	\$398,510
Total	\$197,844	\$797,902	\$351,075	\$37,282	\$10,874	\$1,394,978

Source: Tiberius Solutions

Table 6 - Projected Impact on Taxing District Permanent Rate Levies – Education

Education					
FYE	Linn-Benton-Lincoln ESD	LBCC	Lebanon Community Schools	<i>Subtotal</i>	Total General Government and Education
2022	\$413	\$680	\$6,761	\$7,854	\$20,015
2023	\$428	\$705	\$7,015	\$8,148	\$20,765
2024	\$3,964	\$6,526	\$64,914	\$75,405	\$192,166
2025	\$7,292	\$12,004	\$119,408	\$138,704	\$353,482
2026	\$9,192	\$15,132	\$150,519	\$174,843	\$445,581
2027	\$12,543	\$20,647	\$205,378	\$238,567	\$607,979
2028	\$13,531	\$22,273	\$221,555	\$257,359	\$655,869
Total	\$47,364	\$77,967	\$775,549	\$900,879	\$2,295,857

Source: Tiberius Solutions

Table 7 - Projected Impact on Taxing District Permanent Rate Levies of Economic Development Agreement

Taxing District	Cumulative Impact
General Government	
Linn County	\$831,788
City of Lebanon	\$3,354,584
Lebanon Fire District	\$1,476,007
Lebanon Aquatic	\$156,744
4H Extension District	\$45,717
<i>Subtotal</i>	<i>\$5,864,840</i>
Education	
Linn-Benton-Lincoln ESD	\$199,130
LBCC	\$327,791
Lebanon Community Schools	\$3,260,603
<i>Subtotal</i>	<i>\$3,787,524</i>
Total	\$9,652,364

Source: Tiberius Solutions

Note: The financial projections do not anticipate this level of development happening; this scenario is tied to the Economic Development Agreement.

Table 8 shows the projected increased revenue to the taxing jurisdictions after tax increment proceeds are projected to be terminated. These projections are for FYE 2029.

The frozen base is the assessed value of the Plan Area established by the county assessor at the time the Plan is established. Excess value is the increased assessed value in the Plan Area above the frozen base.

Table 8 - Additional Revenues Obtained after Termination of Tax Increment Financing in FYE 2029 (Year after Termination)

Tax Revenue in FYE 2029 (Year after Termination)			
Taxing District	From Frozen Base	From Increment	Total
General Government			
Linn County	\$558	\$79,728	\$80,286
City of Lebanon	\$2,251	\$321,541	\$323,792
Lebanon RFD	\$990	\$141,477	\$142,467
Lebanon Aquatic	\$105	\$15,024	\$15,129
4H Extension District	\$31	\$4,382	\$4,413
<i>Subtotal</i>	<i>\$3,935</i>	<i>\$562,152</i>	<i>\$566,087</i>
Education			
Linn-Benton-Lincoln ESD	\$134	\$19,087	\$19,221
LBCC	\$220	\$31,419	\$31,639
Lebanon Comm SD #9	\$2,188	\$312,533	\$314,721
<i>Subtotal</i>	<i>\$2,541</i>	<i>\$363,039</i>	<i>\$365,580</i>
Total	\$6,477	\$925,190	\$931,667

Source: Tiberius Solutions

IX. COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA

State law limits the percentage of both a municipality’s total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base of the Mill Race Urban Renewal Area (assumed to be FYE 2020 values) is projected to be \$438,235. The total assessed value of the City is \$1,261,832,878. To calculate the total percentage of assessed value in urban renewal, the frozen base assessed values of the urban renewal areas are divided by the total assessed value of the City minus the increment of the urban renewal areas, also called excess value. In Lebanon, this results in 6.77% of the City’s assessed value being located in the urban renewal, which is below the 25% threshold. This is shown in Table 9. The acreages of the existing urban renewal areas and the Mill Race Urban Renewal Area are also shown in Table 9. Lebanon has 24.25% of its acreage in urban renewal, below the statutory restriction of 25%.

Table 9a - Assessed Value Statutory Limit Verification

Urban Renewal Area	Frozen Base Assessed Value	Acreage	Excess Value
Northwest Lebanon	\$10,818,045	570.15	\$174,940,514
North Gateway	\$8,365,939	144.16	\$55,520,925
Cheadle Lake	\$23,436,198	295.45	\$25,631,124
Downtown	\$25,048,733	51.30	\$80,225
Mill Race	\$438,235	51.45	0

Table 9b - Assessed Value Statutory Limit Verification

	Assessed Value	Acreage
Total in URA Frozen Base = A	\$68,107,150	1,112.51
City of Lebanon = B	\$1,261,832,878	4,603.86
UR Excess = C	\$256,172,788	
City less UR Excess = B-C	\$1,005,660,090	
Percent of Total A/(B-C)	6.77%	24.25%

Source: Compiled by Elaine Howard Consulting, LLC with data from City of Lebanon and Linn County Department of Assessment and Taxation (FYE 2020) AV – assessed value, Frozen base – assessed value the urban renewal area at the time it is established Increment – increased assessed value over the frozen base URA – urban renewal area

X. EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

This section of the Report describes existing conditions within the Plan Area Area and documents the occurrence of “blighted areas,” as defined by ORS 457.010(1).

A. Physical Conditions

1. Land Use

The Plan Area measures 51.45 total acres in size. The present land use is largely vacant with some small residential uses and a new storage unit facility.

2. Zoning and Comprehensive Plan Designations

The zoning designation is Mixed Use and the Comprehensive Plan designation for the area is Mixed Use.

B. Infrastructure

This section identifies the existing conditions in the Plan Area to assist in **establishing blight in the ordinance adopting the Plan. This does not mean that all of these projects are included as projects to be undertaken in the Plan.** The specific projects that are included in the Plan are listed in Section II of this Report.

1. Transportation

About one-third of the transportation network has been completed in the Area. The other two-thirds of the network is yet to be completed.

2. Other Utilities

About one third of the water, sewer and storm water lines have been completed in the Area. The other two-thirds of the water, sewer and storm water lines area yet to be completed.

C. Social Conditions

The Plan Area contains six parcels, two of which have some residential property. The remainder of the property is undeveloped.

D. Economic Conditions

1. Taxable Value of Property within the Plan Area

The majority of the Area is presently vacant and not contributing its fair share to the overall tax base of the City. The assessed value in the Area according to the Linn County FYE 2020 assessment data is \$438,235.

2. Improvement to Land Values within the Plan Area

As of this report, the Assessor's office shows five tax lots. One of those tax lots has been divided, but the Assessor does not yet show that as a separate tax lot. Of the five tax lots, three of the tax lots representing 41.32 acres, or 86% of the tax lot acreage, are undeveloped. One parcel has an improvement to land value ratio of .48, indicating it is highly underdeveloped. This parcel was recently divided, however the overall land to improvement value does not change with this division. The remaining parcel has a land to improvement value of 2.6, but it represents just under an acre of the total Area. The majority of the Area is un/underdeveloped, not contributing its fair share of property tax revenues to the City or other taxing districts.

E. Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Plan Area (affected taxing districts) is described in Section VII of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The projects being considered for future use of urban renewal funding are for developer incentives to assist in development in Lebanon and administration of this project.

Development in the Plan Area will require City services. This development is inside the urban growth boundary and the City is expecting to provide services to the property. There is an existing building permit for the property and the city has proceeded with its typical review of the potential development through review of plans. As the development will be new construction, it will be up to current building code and will aid in any fire protection needs.

The financial impacts from tax increment collections will be countered by construction jobs, new long term employment opportunities, additional housing opportunities and, in the future, adding future increases in assessed value to the tax bases for all taxing jurisdictions, including the City.

XI. REASONS FOR SELECTION OF EACH PLAN AREA IN THE PLAN

The reason for selecting the Plan Area is to provide the ability to fund developer incentives necessary to cure blight within the Plan Area. The area is underdeveloped and has a prevalence of depreciated values to such an extent that the capacity to pay taxes is reduced and tax receipts are inadequate for the cost of public services rendered.

XII. RELOCATION REPORT

There is no relocation report required for the Plan. No specific acquisitions that would result in relocation benefits have been identified. However, if property is acquired that requires relocation, the Agency shall comply with applicable relocation requirements.

URD Discussion



THE CITY THAT FRIENDLINESS BUILT

Agenda

- Background
- Consideration of Mill Race Urban Renewal Area
- Request for comments
- Motion to move Mill Race Urban Renewal Plan through the public process



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Proposed Mill Race Urban Renewal Area Boundary



Requires concurrent
removal of property
from NW Lebanon URD
– at August hearing

51.45 acres



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Mill Race Specifics

- Meets requirements of Economic Development Agreement
- Time frame to FYE 2028
- Maximum Indebtedness (MI) of \$9,652,364 – tied to Economic Development Agreement
- 2 projects: Developer Incentives and Administration
- No impact to property tax-payers, impacts are on the taxing districts



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Mill Race Impacts to Taxing Districts

- Anticipated to be less than the full MI
- Will occur as development occurs
- No impacts on bonds or local option levies



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Mill Race Process

- Agency review June 10
- Taxing District Letters June 11
- Planning Commission July 15
- County Briefing July
- City wide Notification August utility bills
- City Council Hearing August 12
- Removal of property from NW Lebanon URD at August hearing



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Request for Comments - Next Steps

- Motion to approve proceeding through public review process

Suggested motion:

I move to forward the Mill Race Urban Renewal Plan to the Lebanon Planning Commission for their review of the Plan's conformance to the Lebanon Comprehensive Plan, to the Linn County Commission for a briefing and then to the Lebanon City Council for a public hearing and their review and vote on adoption.



THE CITY THAT FRIENDLINESS BUILT

Agenda Item 9



CITY MANAGER'S REPORT

Reporting period: May 2020

I. A. ADMINISTRATION – Ron Whitlatch, Interim City Manager

- Continued work on City Budget with Finance Department.
- Work with Finance and Community Development Departments on Urban Renewal Changes.
- Still spending a large amount of time dealing with the COVID -19 Outbreak. This includes multiple conference calls, developing guidelines, updates, and fielding phone calls.
- Department Directors have finalized policy related to re-opening (Phase I) of City Buildings closed due to COVID-19. This includes timing (based on Governor's guidelines), acquiring PPE, and determining additional measures to keep employees and public safe. We are now preparing for Phase II.
- Spent time prepping for City Manager recruitment.

B. HUMAN RESOURCES – Angela Solesbee, HR Director

- Continuing to work through the City Manager recruitment.

II. LEGISLATIVE / CITY RECORDER – Kim Scheafer, MMC, City Recorder

- **City Council Meetings:** An Executive Session is tentatively scheduled for June 24 to conduct in-person interviews for the top two City Manager candidates.
- **Miscellaneous:**
 - The City Recorder and Deputy City Recorder are working remotely. Some of the projects we have been working on are:
Web page updates, Facebook posts, processing press releases, meeting minutes, public records requests, meeting agendas and packets, directing web page inquiries, 2020 Elections Manual, annual committee appointments, and preparing electronic records for transfer to the State's Records Management System.
- **Liquor License Applications:** One Off-Premises Liquor License Application has been received since the last packet was published.
- **Public Records Requests:** One Public Records Request has been received since the last packet was published.

III. COMMUNITY DEVELOPMENT – Kelly Hart, Director

A. Planning:

- The Planning Commission held the second phase of the public hearings initiated in April on May 7, 2020. The next Planning Commission meeting is scheduled to be virtual and held on June 17th and 24th. Four public hearing items are scheduled including: An annexation of a residential property on Oak Street; Annexation of miscellaneous street segments within the City; A 48-unit apartment complex on Russell Drive and Franklin St.; and a 24-unit affordable housing apartment complex at the end of Weldwood Drive. It is anticipated that we will be able to resume regular planning commission procedures in July.
- A portion of the month has been focused on supporting the City Manager with the response to the COVID-19 pandemic. Plans have been developed and implemented for Phase One reopening, and new plans are being developed and finalized for the initiation of phase two.

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- For administratively approved applications in May, the Community Development Director approved a Minor Land Partition application for a property on E Airport Road in the Mixed Use zone.
- Staff is currently processing eight planning projects, including an Admin Review for a four-unit development on Cooper Street (waiting for the applicant to respond to comments); an Annexation of various street segments in the City (Scheduled for PC hearing on June 17/24); an Admin Review for the development of a 48 unit apartment complex on Franklin and Russell Drive (Scheduled for PC hearing on June 17/24); a Modification to an approved Planned Development for the construction of the Physical Therapy College (applicant requested postponement of hearing until normal hearing procedures can resume); an annexation on Oak Street (Scheduled for PC hearing on June 17/24); an Administrative Review, Minor Land Partition, and Class II Variance for the development of a 2-unit townhome project on 10th Street (Public review notice period to close on June 20); an Administrative Review for the construction of a large pole barn on W Oak Street (Public review notice period to close on June 20); and an Administrative Review for the construction of an accessory dwelling unit on 16th Street (Public review notice period to close on June 20).
- Two DRT meetings during the month of May. Discussion included fire regulations and potential apartment development for the second story of a building in downtown, and signage regulations for signs in the public right-of-way in downtown.
- Staff is working on creating a development guide for the City. This development guide will assist with providing applicants with clear information on what is required upon application submittal, whether a traffic impact analysis will be required as part of the development, application procedures upon submittal, and processing timelines. This will be used to provide clear guidance on application requirement to maintain quick processing times, and clear communication.
- The Community Development Director will be working on processing a conditional use permit application with Linn County for a utility facility associated with the Westside Interceptor Project.

B. Building:

- The city processed 36 permits in April. Total fees received were \$29,054.01 and valuation of construction was \$2,443,056.12. By comparison, in April 2019, 50 permits were processed. Total fees received were \$18,519.54 and valuation of construction was \$1,267,042.31.
- During the COVID-19 pandemic, construction sites are still operating. A current list of the larger construction sites include:
 - Village Loop Apartments (Mill Race Development)
 - Wassom Street Townhomes
 - Riverside Banks Subdivision and Duplexes (Williams Street)
 - Garden View Apartments (South Main Road)
 - Cam Multifamily (12 Street & Leonard)
 - Cascade Ridge Apartments (North 5th Street)
 - Mill Race Multi-Use Building (Hwy 20, north of Reeves Pkwy)

C. Economic Development:

- The Economic Development Catalyst has been diligently working on finding funding opportunities to help the local business community. The following are two prospects that are currently being pursued:
 - Small Business Assistance program - The Economic Development Catalyst has attended meetings and webinars in regard to creating a Small Business Assistance program to gather funds in order to apply for the 3rd round of funding through Business Oregon. These funds would only go toward businesses in the territory of Lebanon. The group administering for this program would be a local CDFI, DevNW.
 - CDBG - Business Oregon has reallocated funds for additional Community Development Block Grants (CDBG) for economic development. The funds are broken out to a few different options:
 - Microenterprise Grants: Sweet Home is going to apply on behalf of Linn County (excluding Albany as they are an entitlement city) for \$150,000 and work with the same CDFI to administer these funds county wide. Sweet Home would be responsible for the reporting to Business Oregon. These funds are for job retention or creation and would provide \$2,500 per employee retained or

job created for at least 6 months. There is also an option for businesses to apply for \$10,000 if they are a sole proprietor and can prove they are low to moderate income (LMI)

- Public Service Extension Grants: This fund is to increase capacity or create a new program that will assist with a public service in direct relation to the COVID. The fund for this is limited to \$50,000 per program. Sweet Home is looking to apply for a specific program and therefore will not be doing a joint county wide approach. The City of Lebanon would like to apply in partnership with the Lebanon Chamber of Commerce in order to expend the face mask program the Chamber has started. The application would be for \$15,000.

- The Economic Development Catalyst has also been in regular communication with the Chamber of Commerce, Lebanon Downtown Association and local businesses to gauge which businesses are in the process of reopening. Below is a list of businesses that have or will soon reopen under the Phase One guidelines:

Dos Arbolitos, Schmizza public house, Sugar Vibes, Barsideous, Mugs Coffee House, Ixtapa, GameTime SportsBar and Grill, Handsome Devil, Curls and Pearls, B Polished, Santiam Excursion Trains, The Cellar, (Serendipity on June 8th).

- Lebanon Downtown Association (LDA) Meetings: The Economic Development Catalyst has still been in attendance for the Design Committee Meetings, Economic Vitality Committee Meetings (EVC), and the Board Meetings. The EVC has created the event for the first virtual "Space Walk" to showcase the vacant spaces in the downtown. The Space Walk will be on June 4th from 6-7 pm at the building on the corner of Main and Grant. The LDA is working on calling all of the business owners and doing a virtual First Friday and virtual Wine and Art walk. The Design Committee is looking into downtown design standards. They are looking into grants and fundraising campaigns as well.
- Virtual Greeters (Zeeters): Hearing from different organizations in the community, from non-profits to banks, and everyone in between. It is a great way to get a pulse on how businesses are doing in Lebanon.

IV. ENGINEERING SERVICES – Ron Whitlatch, Director

- City Crews have been actively televising the Existing Westside Interceptor in an effort to identify areas with high infiltration and inflow rates. Staff will be designing several projects for construction this summer that will fix these high inflow areas. Currently we have identified two sanitary sewer lines for replacement based solely on the amount of infiltration they are taking in. We expect design for the replacement will begin in June (waiting for survey data).
- Staff is continuing to work with Build Lebanon Trails on multiple projects. The trail from Cheadle Lake Boat ramp to Mountain River Drive has been completed and is now open for use. Staff will be working with BLT to begin design of the Old Mill Trail (Mountain River Park to Gills Landing)
- The playground structure for Porter Park will be installed next fiscal year. The remainder of the park has been constructed.
- David Evans and Associates has completed the update to the existing Westside Interceptor (sanitary sewer) model. The report shows that the Existing Westside Interceptor is at or above capacity during 5-year storm events. The last model update was done 10 years ago and showed that the existing pipe was at capacity. David Evans will now begin modeling the City Eastside Interceptor. This data will be used to verify any changes need in the system associated with continued development off of the East end of Milton Street.
- The next phase of the Westside Interceptor Project was originally planned to be done in two phases. Udell Engineering has 85% drawings for the first of the two phases and is under contract to design the second phase, essentially making this one large project. Staff has learned that the application submitted to DEQ for low interest financing of the project has been accepted, and they intend to fund \$14 Million of the proposed \$20 million-dollar project. A RFP for a CM/GC Contract to complete the work will follow City Council approval of the loan which is likely to occur in summer 2020. The goal of this phase will be to extend the WSI as far south as the funding will allow (Crowfoot Road and South Main Road). Staff will also be aggressively seeking ways to also correct the I&I issue in the existing system. This will include small projects to repair pipes, manholes and laterals.

- Staff has been actively working on our required TMDL update to DEQ. There will likely be several new storm drainage ordinances brought to City Council for review over the next 12 to 18 months.
- Staff is currently working on a Road Inventory/Condition Survey for all of the streets within City Limits. The data will be used to determine future street maintenance needs. This project will likely take multiple months to complete.
- Staff will begin design of 2, possibly 3 small sewers for replacement next fiscal year. Currently we are waiting for survey information. The lines proposed to be repaired have high inflow of groundwater.
- Staff is updating the City Standard Drawings and Supplemental Specifications. They currently have not been revised since 2008. The updates will be brought to the City Council for approval as time allows.
- Staff is currently designing a waterline replacement for Seventh Street (Oak to 'F'). This section of waterline has had multiple repairs done to it over the last several years. If funding allows, the project will likely go out for bids in fall 2020.
- Staff will be putting the Sherman Street Waterline out for bids in late spring. This project replaces an existing 2-inch line on Sherman from Tenth to Seventh with an 8-inch line.
- Staff will be working with David Evans and associate over the next 18 months to update the City's Drainage Master Plan. Part of the plan will be to collect pipe and invert data on the entire storm system which will then be used in modeling as well as updating the City's GIS system.
- Staff is working with Linn County to complete a speed study on River Road (from the water intake site to Mountain River Drive) in hopes of reducing the speed to 35 MPH rather than the current speed of 45 MPH. This will likely take several months to complete.
- Engineering staff is currently working on several small projects which include a storm line extension on Ash Street, waterline replacement on Sherman Street, permitting for the fire pond on Industrial Way, minor half street improvement on Ash Street, a minor half street improvement on Wassom Street, and sewer replacement project on East Isabella.
- Lebanon Staff will be meeting with representatives from the City of Albany to discuss property acquisition for future trails projects. Currently, the City of Albany owns parcels adjacent to River Park and East olive Street that would be locations for future trails.
- Staff will be providing preliminary design and cost estimates for the Old Mill Trail. This trail runs from Gills Landing to Riverview School. We hope to apply for a Trail Grant later this spring.
- Staff will likely be moving forward with a plan to update the Street and Water SDC's. We are currently waiting on a proposal from an SDC Consultant to complete the work.
- The City is in the preliminary phases of prepping for a new Traffic Signal at the intersection of Airport Road and Stoltz Hill Road. This is in conjunction with a proposed development (Applegate landing) which will extend Stoltz Hill north of Airport Road. This will be a joint developer, City, and Linn Count project.
- Plans have been changed from a 5-plex to a duplex on Second Street. Building permits have been issued and construction is under way. Connections to City services have been made and water meters installed.
- Mill Race Multi Use site plan have been approved, building construction to start once permits issued.
- Mill Race Apartments Complex Phase I- site plans have been approved, building permits have been issued construction to start soon.
- Site plan for Miller's Auto Repair have been approved site work to begin soon.
- Entek building expansion site plans have been stamped approved, site work construction underway.
- Paventy & Brown Orthodontics new building site plans have been approved. Building out for bid with construction starting shortly.
- River Place at the Lakeside subdivision plans have been approved, construction postponed until summer 2020. Preconstruction meeting complete.
- Site plan for Hall Duplexes off Oak Street have been reviewed, engineering working on revisions.
- First Baptist Church parking lot expansion plans have been approved, construction in progress.
- Riverside Banks Subdivision (Milton & Williams St) all public improvement complete and tested. Final plant will be submitted soon. One building permit issued and duplex is under construction.
- Garden View Apartments plans have been stamped approved construction in process. Site work still in progress.

- River Trail Place Subdivision on River Road construction in process. Extension of water line from Mtn River under construction complete and passed pressure testing and chlorination. Contractor has not been onsite working; project seems to be on hold.
- N 5th apartments plans have been stamped approved, construction to start soon.
- Water main extension for Franklin Street for single family home approved and permit issued with preconstruction meeting. Contractor starting construction in May.
- Gerig warehouse and water line extension water line complete and sewer tap to manhole. All testing complete. Final walk through to be scheduled.
- Cam Multi-family 10th & Leonard contractor working on storm line extension and base rock. No testing has been completed at this time.
- Steven King site plan for Airport road has been approved and building permits to be issued.
- Lebanon Urgent Care site plan and public improvement have been stamped approved for construction. Preconstruction meeting to be scheduled.
- Cascade Ridge IV Apartments preconstruction meeting complete, contractor working on building at this time to start public improvements in June.
- Cordle Construction project on Third Street, contractor working on site improvements, sewer connections complete.
- Redbud Apartments on Airport Road, revisions received and under review.
- Vine Half Street improvements, public improvements permit issued, and construction started. All sewer taps complete.
- Welch Apartments (Walker Rd)- sewer main extension across Walker Road complete, contract working on site plan.
- Mazama Water Line Ext- water line complete and tested, final walk thru to be scheduled.
- Applegate civil and site plans received and under review.
- Traffic Impact Analysis under contract for Colonia Pax I & II housing next to Walmart.
- Traffic Impact Analysis und contract for McKinney II Apartments complex.

V. FINANCE SERVICES – Matt Apken, Finance Director

- **Accounts Payable**
 - FY19/20 payments made in May 2020, 251 invoices were processed for payments of \$1,254,077.
- **Utility Billing for May 2020:**
 - 5,642 Billing statements mailed by the end of May = \$871,312.
 - Active accounts: 6305
 - Penalties were waved due to the Coronavirus.
 - 236 lien letters mailed to property owners and 738 Delinquent notices mailed.
 - 0 Pre-lock off IVR calls sent out
 - Lock offs were not done due to the Coronavirus but would have been 210 had they been done.
 - Total of 255 Service orders: 10 read request, 0 Lock offs, 4 Turn offs, 22 Turn on, 35 Move Outs, 52 Move ins, 0 reconnects, 7 Returned Mail, 11 Leak Checks, 1 Pressure Test, 100 Meter Change out, 2 New Meter Installations, 2 Quality Checks, 0 Door Hangers, 1 Dead meters, 8 misc. other.

	May 19	June 19	July 19	Aug 19	Sept 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20
Active Accounts	6,273	6,273	6,281	6,281	6,279	6,295	6,294	6,295	6,296	6,299	6,301	6,304	6,305
Penalty applied	1,003	1,280	918	1,175	1,185	788	853	959	822	822	0	0	0
Lock Offs	59	58	97	48	72	64	48	61	49	49	0	0	0

VI. INFORMATION TECHNOLOGY SERVICES – Brent Hurst, Director

- May 2020 consisted of many small break fix incidents, upgrades, and a multitude of Zoom meetings.

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- More cameras installed at Maintenance shops.
- Performed regular monthly windows updates.
- Updates again performed for firewall equipment.
- Obtained quotes for Library public access computers – ½ of normal count due to COVID-19 social distancing projected for the next year.
- Some City calls to an old City phone number are still being routed by CenturyLink to the Samaritan Hospital and IT is still attempting to resolve this with CenturyLink.
- Met with several Directors to go over GIS updates and planned GIS public facing web maps.
- Updated, exported, printed, and delivered Lebanon_ArchE map to Detective staff; coordinated with Police administrative staff.
- Troubleshoot and resolved mapping errors in WinCan VX maps; located missing shapefile, re-migrated to TV van workstation from GIS TV Data directory, added to map document and configured symbology and labeling; tested map function and coordinated with Maintenance staff.
- Received Area of Change (AOC) polygon layer update from aerial photography vendor staff; reviewed existing data and delivery, and coordinated with Community Development and vendor staff for planning document creation and remaining layer creation tasks for GIS staff.
- We have addressed multiple other normal break-fix issues, equipment replacements, and maintenance renewals for IT. During the past month, the IT Department closed 413 tickets or work orders. This includes system generated tickets that needed analysis and resolution in addition to end user requests for help.

VII. LIBRARY – Kendra Antila, Director

- The Library remains closed to the public. However, we began offering curbside hold pickup on Monday, May 18th as part of Phase 1. The process has been very well received by patrons.
- We continue to offer free E-cards for both residents and non-residents.
- We've extended registration expiration dates for all patrons until September 1st.
- We continue to engage with our patrons via social media, offering virtual storytimes, craft and STEM demonstrations.
- There are currently two FTEs working in the building with me, while the remaining library staff is furloughed.
- We are working on plans for Phase 2 reopening, depending on the Governor's instructions.

VIII. MAINTENANCE – Jason Williams, Director

A. Streets

- Hanging flower baskets were placed downtown.
- Street sweeping continues including sweeping for the City of Halsey and Brownsville.
- Provided road closures for contractors.
- Completed sign maintenance as needed.
- Placed banners at all locations for special events.
- Completed a round of cold mix pothole patching.
- Continued mowing in the rights-of-way.
- Continued grading of City maintained alleyways.
- Completed vehicle / equipment inventory update.

B. Collections (Sanitary-Storm)

- Assisted the Water crew with many service line repairs.
- Cleaning and televising sanitary and storm sewer continue.
- Continuing with ditch mowing and cleaning.
- Located sewer lateral connections for contractors.
- Assisted the Wastewater Treatment plant with the Vector cleaning out the basin.

- Mowed all open ditches and drainage ways.
- Continued I and I investigations on the existing westside interceptor. The collections crew has spent the majority of their time with this investigation.
- Completed vehicle / equipment inventory update.

C. Water:

- Meter reading has been completed.
- Daily water service orders including, leak checks, locates, taste and quality issues, water samples and other customer concerns continue.
- The crew paved and replaced concrete after new or leaking water services were placed.
- Replaced approximately 85 water meters to touch/radio read.
- Changed out failing meter boxes and dead meters.
- Installed new water services.
- Worked on the water maintenance list.
- Vehicle Maintenance.
- Worked daily on service line leaks.
- Completed vehicle / equipment inventory update.

D. Parks:

- Opened, closed and cleaned parks restroom buildings daily.
- Completed landscaping rounds in all parks and school district properties.
- Chemical applications have been made in parks and school district property for weed control.
- Applied chips in landscape areas as needed to eliminate hand work.
- Trails have all been swept.
- Daily vandalism control/repair.
- Completed vehicle / equipment inventory update.

E. Building Maintenance:

- All City building fire alarm system inspections have been completed.
- Installation of sneeze guards in City buildings as preparation for re-opening to the public.
- Floors at the Senior Center have been refinished.
- Lighting upgraded at Senior Center.

IX. POLICE – Frank Stevenson, Chief of Police

- The Patrol Division had approximately 1,103 calls for service, made 64 arrests, issued 20 traffic citations and wrote 114 case reports. Patrol functions remain unchanged during COVID-19, however, we are conducting more business via telephone and practicing appropriate social distancing when we can. We remain diligent in our patrolling, focusing on being visible and doing our best to provide extra patrol to local businesses.
- Due to the COVID-19 pandemic, the Lebanon Municipal Jail has been temporarily closed. We plan to implement a Phase I jail re-opening on June 2nd, which will include new protocol in light of the current situation (i.e. screening questions, temperature monitoring, offer of masks and gloves for wiping down areas, spacing of inmates, social distancing).
- Detectives remain busy with involved sex abuse cases and narcotics investigations. They were assigned two new cases this month, cleared one case, and made two arrests. This past month, one member of the Division attended grand jury on a 2019 sex abuse case, where a suspect was ultimately indicted on multiple counts of Sex Abuse II/Rape III. Assistance was provided to neighboring agencies with a search warrant in Albany (LINE team) and a property search warrant in Sweet Home (SHPD).
- Traffic safety class remains postponed due to COVID-19.

- We are working actively to fill a Police Officer vacancy, and two individuals are moving through various phases of pre-employment screening.
- The Reserve Officer recruitment process resumes with testing on June 6th.
- An internal promotional process to fill a new, additional lieutenant position will begin June 1st. This lieutenant will be tasked with the operational and leadership responsibilities of one or more functional divisions within the Lebanon Police Department. With that, the vacating sergeant will also create a vacancy (FTE will remain the same, however).
- The Community Services Division remains active in the community. This month, staff has been very involved with assisting citizens in various ways during the pandemic.
- Chief Stevenson attended budget meetings this month and we can report that our department saw a marginal 2.6% increase this year.
- The current CBA between Lebanon Police Association and the City of Lebanon is scheduled to expire on June 30, 2020. Due to the current COVID-19 pandemic situation, with assistance from legal counsel, we are proposing to enter a one-year extension of the current Collective Bargaining Agreement (CBA). We would plan to commence full bargaining in late 2020.

X. SENIOR SERVICES and LINX – Kindra Oliver, Director

- The Senior Center continues to offer virtual on-line activities and classes. Thank you to our IT staff, we have a few more options to make things easier for staff and our users. We will be using Zoom, You Tube and Facebook to provide more programming and reach more seniors who are remaining at home. Follow the [Lebanon Oregon Senior Center](#) on Facebook, for up to date information and check out our programming for the month of June.
 - Name that Tune!
 - Cooking demos, featuring strawberries!
 - Chair Chi exercise
 - Strengthen and Stretch exercise
 - Engage Your Brain
 - Old Time Radio Show
 - Book Club
 - And more!
- The Senior Center is helping the Library deliver books to those in our community who aren't able to make it down to pick them up. The process is the same, just let the Library staff know if someone needs help getting their books and we'll arrange to deliver them to their doorstep.
- Our Friendship Brigade continues to keep in contact with seniors in our community to help combat isolation. This program has been well received and we appreciate the Senior Center volunteers who are assisting us.
- The Lebanon Senior Center (LSC) continues to partner with Lebanon Police Department (LPD) to offer grocery and prescription pick-ups for our senior population and those whose immune systems are compromised. Please call 541-258-4919 for assistance.
- The LINX Dial-a-Bus continues to be available, at no charge, for essential trips. Bus operations are currently Monday through Friday, from 7:30am to 5:00pm. Please call 541.258.4920 for ride arrangements.
- LINX was providing up to as many as 150 rides per day in February and early March. For the third quarter we had provided 6,304 rides, the most ever in one quarter, even with having to temporarily stop the LOOP service and scale back on the Dial-a-Bus in mid-March. In April, we averaged 26 rides per day. We've seen an increase through May and seem to be averaging 45 or so rides per day the last couple of weeks. We should continue to see an increase once we are in Phase II and during the summer months.

*Executive Session

Per ORS 192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

** Executive Sessions are closed to the public due to the highly confidential nature of the subject. It is unlawful to discuss anything outside of the Executive Session.*

*Executive Session

Per ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

** Executive Sessions are closed to the public due to the highly confidential nature of the subject. It is unlawful to discuss anything outside of the Executive Session.*