



LEBANON CITY COUNCIL AGENDA

August 12, 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 August 12.

Public comments regarding the Mill Race Urban Renewal District (URD) should be emailed to Kelly Hart at khart@ci.lebanon.or.us prior to 5:00 p.m. on August 12. Those wanting to give public comments for the public hearings during the electronic meeting should contact the City Recorder at cityrecorder@ci.lebanon.or.us for the Zoom meeting link prior to 5:00 p.m. on August 12.

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 August 12 to arrange access. The public can listen to the meeting on YouTube by clicking this link: <https://www.youtube.com/watch?v=RbNZx8tCAcc>

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 – August 12, 2020
BOARD MINUTES:	Planning Commission – April 30 & May 7, 2020 and June 17 & 24, 2020
COUNCIL MINUTES:	July 8, 2020 Regular Session
EASEMENT:	New Sewer Main Extension (S. 2 nd & W. Ash Streets)
LIQUOR LICENSE:	Mugs Coffee House - New Full On & Off Premises Application

PROCLAMATION / PRESENTATION / RECOGNITION

- Introduction of Proposed Interim City Manager Nancy Brewer
- Patriot Day (September 11)
- Preparedness Month (September)
- Senior Center Month (August)

PUBLIC COMMENTS (*Public comments may be submitted by email to cityrecorder@ci.lebanon.or.us prior to 5:00 p.m. on August 12. The City Recorder will distribute comments to the Mayor and Council prior to the meeting.*)

REGULAR SESSION

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

1) Approval of a Resolution Authorizing a Minor Amendment to the Northwest Lebanon Urban Renewal District's Boundary

Presented by: Kelly Hart, Community Development Director
Approval/Denial by RESOLUTION NO. 2020-17

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

PUBLIC HEARINGS

2) Approval of an Ordinance Making Certain Determinations and Findings Relating to and Approving the Mill Race Urban Renewal Plan and Directing that Notice of Approval be Published

Presented by: Kelly Hart, Community Development Director
Approval/Denial by ORDINANCE BILL NO. 2020-10, ORDINANCE NO. 2950

3) Amending Fees and Charges for City Services and Repealing Exhibit A "Fee Schedule" of Resolution No. 2019-22

Presented by: Matt Apken, Finance Director
Approval/Denial by RESOLUTION NO. 2020-08

REGULAR SESSION (Continued)

4) Utility Billing Due to COVID-19

Presented by: Matt Apken, Finance Director
Discussion

5) Authorizing the Issuance and Negotiated Sale of a Full Faith and Credit Financing Agreement and Notes to Refinance Outstanding Obligations of the City; Designating an Authorized Representative, Financial Advisor and Special Counsel; and Related Matters

Presented by: Matt Apken, Finance Director
Approval/Denial by RESOLUTION NO. 2020-18

6) Recommendation to Award – Sherman Street Waterline Replacement Project

Presented by: Ron Whitlatch, Interim City Manager/Engineering Director
Approval/Denial by MOTION

7) Approval to Advertise Project for Bids – Gill's Landing Boat Dock Replacement

Presented by: Ron Whitlatch, Interim City Manager/Engineering Director
Approval/Denial by MOTION

8) City Manager's Report

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

ITEMS FROM COUNCIL

PUBLIC/PRESS COMMENTS *An opportunity for citizens and the press to comment on items of city business.*

NEXT SCHEDULED COUNCIL MEETING(S)

- September 9, 2020 (6:00 PM) Regular Session

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

RECONVENE REGULAR SESSION

9) Approval of Employment Contract for Interim City Manager

Presented by: Mayor Aziz
Approval/Denial by MOTION

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

Board & Committee
Meeting Minutes



City of Lebanon
Planning Commission
Meeting Minutes
Special Virtual Meeting
April 30, 2020 and May 7, 2020

Due to the COVID-19 Pandemic, the City of Lebanon Planning Commission conducted a virtual meeting. The public hearings were held in two phases to allow the public to provide comment in between the meetings. The minutes prepared reflect both hearing dates to provide a compiled record of the public hearing process.

Members Present (April 30, 2020): Chairman Jeremy Salvage, Vice-Chair Don Robertson and Commissioners David McClain, Todd Prenoveau, Joshua Galka, Josh Port, and alternate Commissioner Samuel Brackeen.

Members Present (May 7, 2020): Vice-Chair Don Robertson and Commissioners Todd Prenoveau, Joshua Galka, Josh Port, and alternate Commissioner Samuel Brackeen.

Staff Present (Both): Community Development Director Kelly Hart; City Engineer Ron Whitlatch and Tre' Kennedy, City Attorney.

APRIL 30, 2020

1. CALL TO ORDER

Chairman Salvage called the meeting of the Lebanon Planning Commission to order at 6:00 pm via the GoTo Meeting virtual platform. The meeting was also live streamed on YouTube for the public to view live.

2. ROLL CALL

Roll call was taken. All Planning Commission members were present.

3. APPROVAL OF MEETING MINUTES

February 18, 2020 minutes were approved as submitted.

4. CITIZEN COMMENTS - None

5. PUBLIC HEARINGS

Prior to the initiation of the public hearings, Chairman Salvage presented the modified hearing procedures in response to the pandemic and identified all the expanded opportunities available for the public to review the proposed applications and provide

written and verbal comment.

A. Planning File AR-20-03 and VAR-20-01 – Administrative Review and Class II Variance Request for Applegate Landing LLC

Chairman Salvage opened the hearing for Planning File No. AR-20-03 and VAR-20-01. City Attorney Kennedy asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. The subject property is generally located on the north side of the intersection of Airport and Stoltz Hill Roads. The total site area was previously 8.19 acres with frontage on Airport Road and Strawberry Lane. Through an application for a Minor Land Partition in 2019, the property was divided into three parcels, with the subject property totaling 2.37 acres.

The new subject parcel is located approximately 600 feet north of Airport Road, and approximately 150 feet east of Strawberry Lane, which is a County road. The property is zoned Residential Mixed-Density (Z-RM). Surrounding the property to the north is a vacant parcel within the RM zone; to the south is a legal non-conforming grocery store, and a single-family residential dwelling located within the County with a comprehensive plan designation of Residential Mixed-Density (C-RM); and to the east, across Burkhart Creek, and to the west are single-family dwellings located within the County with a comprehensive plan designation of C-RM.

For the development, the Applicant is proposing to development a 48-unit affordable housing apartment complex. As indicated on the site plan, there would be a total of four 3-story apartment buildings, and a large community building proposed.

For Density, the minimum lot size for a multifamily use in the RM zone is 9,000 square feet. At 2.37 acres, the subject property exceeds this standard. For the unit size and count, the development code would require 85,050 square feet, or 1.9 acres to develop the proposed project. The subject site at 2.37 acres exceeds this minimum, therefore the project is compliant with the density standards.

For setbacks, the Lebanon Development Code requires a minimum 10-foot front setback, 5-foot side setbacks, and a 20-foot rear setback. As indicated on the site plan, the project meets or exceeds this minimum requirement. For the east side setback, the property runs along Burkhart Creek. A 5-foot setback to the proposed fence line is provided, which is approximately 5-feet from the top of bank and approximately 20-feet from the centerline of the creek. A wetland delineation has been completed, and Department of State Lands (DSL) has concurred the accuracy of the delineation to determine the basis for the building setbacks.

Open space requirements include 25% of the project development area to be designated for open space with a minimum usable open space requirement of 25% of the total open space, and a designated children's play area with playground equipment. Credits to reduce the percentage of open space required are permissible when developed recreation areas are provided such as a community room, sports court, and swimming pools. The site area is 93,364 square feet, which requires a minimum 23,341 square feet of open space to be provided, inclusive of the common open space requirements. As indicated on

the site plan, 16,689 square feet of common open space is provided in two main areas located near the front of the property and includes the large 3,000 square foot community building. 25,652 square feet of additional open space is provided throughout the development.

For Parking, if calculating the parking demand for the project with no concessions, a total of 108 spaces would be required at 2.25 spaces per unit. With the excess bicycle parking provided on-site, the parking demand is reduced to 105 spaces per the development code.

The project is identified as an affordable housing project, where all units would be designated as affordable for incomes between 30% of the Area median income to a maximum of 60% AMI. Based on the designation of the entire development as an affordable housing project, the Applicant is requesting a reduction in the standard parking requirement of 2.25 spaces per unit to 1.5 spaces per unit. This would provide a total of 74 parking spaces on-site, which would be a 30% reduction in the parking requirement.

For affordable housing projects, there is a correlation that demonstrates households with lower area median income result in fewer vehicles per household. In the Applicant's narrative, a number of studies and resources have been provided which demonstrates a lower vehicle per household standard when associated with an affordable housing development. Based on the studies provided, the applicant contends that 1.5 spaces per unit would provide sufficient parking to accommodate the residents and guests.

Under the Oregon Affordable Housing Pilot Project State program, the City of Bend adopted an affordable housing parking requirement at 1.5 spaces per unit. The Applicant's proposal is equivalent to an adopted standard from an Oregon city, which provides a consistent application of standard for an affordable project. In addition, a bus stop would be provided at the entrance of the development to provide for use of the public transit system to provide an alternative to a personal vehicle.

In terms of site access and transportation improvements, the site is located approximately 600 feet north of Airport Road. As part of the development, the Applicant would build a new public street to full City standard (including sidewalks, landscaping and curb and gutter) that would provide access to Airport Road and terminate in a cul-de-sac at the southwest corner of the subject development. At the end of the cul-de-sac, a 20-foot emergency access road to Strawberry Lane would be provided and restricted to emergency vehicle access only.

For the intersection of Airport and Stoltz Hill Roads, the Applicant has aligned the new public street segment with the existing intersection. The Engineering Department has reviewed the alignment and determined it to be appropriate for the existing configuration.

According to the City's adopted Transportation System Plan, Airport Road will need to be signalized within the vicinity of Stoltz Hill Road. As part of the project, a Traffic Impact Analysis (TIA) was completed by DKS, Inc. and concurred by the City's contract traffic analysis consultant. The TIA indicated that based on the current and projected traffic impacts of the project, a signal is not immediately warranted. However, it is anticipated that a signal would become appropriate based on traffic increases as early as 2022. Based on the adopted TSP, Engineering staff's understanding of the existing street network, and the expansion of the intersection as proposed by this development, it is anticipated that the signalization of Airport Road would likely occur at Stoltz Hill Road. As

such, the project has been designed and conditioned to contribute to the development of a signal at the Airport and Stoltz Hill intersection.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

Chairman Salvage asked for clarification for the City of Bend parking standard, and whether the application of the standard was for a specific development, or for the City as a whole. Director Hart clarified it was a citywide code to administer the lower parking standard.

Commissioner Brackeen commented on how affordable housing projects are funded, and the studies provided to justify the parking reduction. The studies provided were over 10 years old, and it appears that the request to provide less parking is to save money. The reduction of parking should be to provide a higher amenity to the residents, but that was not seen here. It is Commissioner Brackeen's opinion that additional information should be provided to further justify the reduction in parking. Commissioner Brackeen further pointed out that the development code requires sufficient parking to be provided on-site for the development, the applicant needs to prove that the reduction in parking would accommodate the need, but the information provided as part of the agenda was not sufficient.

Director Hart identified that the age of the study does not negate the validity of the study. In the planning profession, it is understood that there is a correlation of less parking demand for managed affordable housing projects. For Bend's City parking standards for affordable housing projects, although it is part of the State pilot program, it does not diminish the fact that the parking standard has been incorporated into the City code and determined 1.5 spaces is appropriate for affordable projects. If the Commission does not feel there has been appropriate data provided by the applicant, it can be requested that the applicant provide additional information prior to making a decision. For the determination for the variance request, the justification for the reduction of the parking should be based on the reduction in demand, and not on providing other amenities.

Commissioner Brackeen provided further comments on median income in Linn County, and concluded that it appears the only purpose to request the reduction in parking is to save money on construction costs. Commissioner Brackeen concluded that there should be a correlation to providing a higher living standard in exchange for the parking area.

Chairman Salvage requested information about on-street parking. Director Hart indicated that there will be on-street parking provided on the Stoltz Hill extension, but those parking spaces may not be utilized as credit for on-site parking. Further, based on the location of the site, it is 600 feet from the intersection at Airport, and it is another block away from any other street; there is not a close opportunity for the residents to park anywhere else, so it is at the developers self-interest to provide sufficient parking.

Commissioner Galka asked about the signalization of Airport Road, and the developer's contribution. Director Hart indicated that the intersection would be signalized, and the developer would be contributing 25% of the cost of the construction.

Commissioner Brackeen commented further that the City is growing, and with that growth, we want to make sure we are looking at up to date data on parking reduction and requested to provide more information on more local areas, and Linn County specific information. Further, Commissioner Brackeen requested an understanding of what the extra space would be used for in exchange of the parking.

Director Hart indicated that the applicant can provide additional analysis for the reduction in the parking. As for what the additional space is used for, the provided site plan shows how the space is being used, the land is being used to provide a larger buffer from the neighboring areas, the large community building and open space, and the storm detention area. The site plan shows how it's being used, and if the full parking requirement were to be provided, then the project would result in a reduction of units.

Chairman Salvage asked about the mixed-use path along Burkhart Creek. Director Hart indicated that due to the location of the property, the mixed-use path would be deferred construction until the properties to the south are developed.

Commissioner McClain indicated he agreed with Commissioner Brackeen regarding the parking requirements, and the normal expectation of use of the residential units, and the number of parking spaces seems insufficient. Further information should be provided by the applicant.

Director Hart provided further clarification on the number of units, and the number of bedrooms within the development.

Commissioner Port clarified that over half the units would be one bedroom or studios. Director Hart clarified that was an accurate statement.

Seeing no further questions of staff, Chairman Salvage opened the hearing for the applicant to speak.

James Lutz, representative for Applegate Landing, LLC thanked the Commission for participating in the virtual meeting. Mr. Lutz indicated that he understood the concerns over the parking, but over half the units are studios and one-bedroom apartments, so they feel there is sufficient parking provided. In addition, there will be approximately 25-30 parking spaces provided on the street.

Mr. Lutz further expressed his excitement over the site, the location, trail access, and proximity to town.

Speaking further on parking, Mr. Lutz indicated there will be a bus stop, an emphasis on carpooling, and the use of less cars in the future. The standard parking space application for the number of smaller unit size seems excessive. The location of the project lends well to easy access to town, and there will be a focus on public transit, and bicycle use.

The first-floor units will be ADA designed, and the target demographic will be older individuals and veterans. Based on all this, they feel there is a justification for the 1.5 spaces, and it is not based on the savings associated with less parking.

Mr. Lutz believes the project as a whole will be a benefit to the community, especially with the signalization of Airport Road and Stoltz Hill.

Daniel Bullock, Casa of Oregon, a non-profit development consultant group for affordable housing spoke for the applicant team. To address the parking, the variance findings is based on need and demand, not cost savings. However, to address the cost savings, the money would be allocated to the community room, and services to be provided in the community room rather than the parking.

For the question of rents, the median income for Linn County is \$49,500. Mr. Bullock further explained the funding and how the covenants for affordability are applied. The project would be designated as an affordable project for 60 years, so there is no opportunity for the project to transition to market rate.

Commissioner Brackeen asked clarification on the tax credits, and the funding source, in addition, requested whether other multi-family projects have reduced parking because of affordability.

Mr. Bullock responded that the parking reduction has been used in other projects in other rural communities but does not know of any in Lebanon. There is a general emphasis to save money that can go to resident benefit, such as the community room, and generally, parking is not a fully utilized amenity when providing the full parking requirement.

Chairman Salvage indicated he would like to receive feedback from the City of Bend and how the application of that code has been applied.

Director Hart indicated that she would reach out to Bend and requested that the applicant also provide further analysis on the parking reduction.

Commissioner McClain indicated support for the project but requested the applicant to see if they can come up with some additional parking spaces before the next meeting.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of May 7, 2020, and to leave the public record open for public comment until 5:00pm on Tuesday, May 5, 2020. Vice-Chair Robertson seconded the motion.

The motion passed 7-0.

B. Planning File CUP-20-01– Conditional Use Permit Request for CoEnergy Propane

Chairman Salvage opened the hearing for Planning File No. CUP-20-01. City Attorney Kennedy asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. The subject property is generally located at the east end of Industrial Way, and the north end of Williams Street. The subject site is a lease area toward the north end of the Rick Franklin Railroad Yard. The Applicant, CoEnergy Propane, is proposing to utilize the lease area for a propane fuel

storage and distribution facility.

The property is zoned Industrial (Z-IND). Surrounding the lease area to the north is a largely vacant area that is utilized for storage associated with the railyard located in the Z-IND zone; to the south is the railyard operations and offices located in the Z-IND zone; to the east is vacant property in the Z-IND zone, and to the west is a cemetery, and further west is the Samaritan Hospital campus, both uses located in the Public Use (Z-PU) zone.

The Applicant is proposing to establish a propane storage and distribution facility. The use would include a 60,000 gallon above-ground storage tank for the on-site storage of liquid propane.

The tank would generally be located in the northwest corner of the leasehold area, and adjacent to the rail line. The tank would be installed on a concrete foundation, with concrete bollards placed every four feet around the perimeter of the tank.

The tank would have a rail tower installed to allow for the propane tank to be refueled from the rail line. In addition, the site would be accessed from Williams Street for distribution trucks to be able to fill the smaller truck tanks from the on-site storage tank from a second valve source facing the interior of the property. The site is 1.69 acres and provides sufficient area for trucks to fully maneuver and turn around to allow for proper vehicle circulation on-site.

For the fueling procedure, it would be through a closed system, where a hose is connected to the storage tank and the truck or rail tank. Once connected, the valve would be opened to fill the tank. Upon completion of fueling, the valve would be closed, and the hose lines would be disconnected. As identified on the provided plans, there are safety protocols in place, including an emergency shutdown switch, fire extinguisher rated for propane fires, and crash protection bollards. In terms of staffing, the site would be considered "unmanned" as there are no staff on-site. The train operators and truck drivers that would be fueling the tank or discharging to the truck all require training and certifications prior to operating the tank.

For additional safety considerations, federal regulations indicate that the tank must be at least 75 feet away from a building that is suitable for human occupation. As proposed, the storage tank would be located approximately 842 feet from the closest building on the Samaritan Hospital Campus to the west, and 850 to the office buildings for the railyard to the south. All required State permits would be necessary to be obtained prior to issuance of a certificate of occupancy. The State Fire Marshal would be the permitting agent for the storage of hazardous materials.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

Commissioner McClain asked about the direction of the prevailing winds.

City Engineer Whitlatch indicated the winds were from the south, south-west, away from the hospital, so the winds would blow more towards Tennessee Road.

The applicant, Bryan Adams representing CoEnergy Propane spoke on the project. Mr. Adams indicated the company has been serving the community since 2001. This facility would provide a greater service area and provide for a lower cost to the local residents with the installation of this facility.

Chairman Salvage asked storage capacity of the other facilities in the company. Mr. Adams indicated in Redmon there is 50,000-gallon storage tank, and in Corvallis there is a 30,000-gallon storage facility. The Lebanon facility would take over for the Corvallis facility, and is better situated due to the rail access.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of May 7, 2020, and to leave the public record open for public comment until 5:00pm on Tuesday, May 5, 2020. Commissioner Prenoveau seconded the motion.

The motion passed 7-0.

6. WORK SESSION - None

7. COMMISSION BUSINESS & COMMENTS

Director Hart thanked the Commissioners for participating in the virtual platform, and it is anticipated the platform will continue to be virtual for the next few meetings.

8. ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:15pm.

(Minutes continued on next page)

MAY 7, 2020

1. CALL TO ORDER

Vice Chair Robertson called the meeting of the Lebanon Planning Commission to order at 6:00 pm via the GoTo Meeting virtual platform. The meeting was also live streamed on YouTube for the public to view live.

2. ROLL CALL

Roll call was taken. Chairman Salvage and Commissioner McClain were excused.

3. CITIZEN COMMENTS - None

4. PUBLIC HEARINGS

Prior to the initiation of the public hearings, Vice Chair Robertson presented the modified hearing procedures in response to the pandemic and identified the procedures that occurred at the April 30, 2020 Planning Commission meeting, the public comment procedures, and the hearing process for the current meeting.

A. Planning File AR-20-03 and VAR-20-01 – Administrative Review and Class II Variance Request for Applegate Landing LLC

Vice-Chair Robertson introduced the continued hearing for Planning File No. AR-20-03 and VAR-20-01 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project, and the summaries of the public comments received. The basic project overview is the project would be accessed from the intersection of Airport and Stoltz Hill via an extension of Stoltz Hill Road. The development includes proposed construction of 4 3-story apartment buildings and a community room. And the parking ratio is 1.5 parking spaces per unit, a proposed reduction from the development code standard of 2.25 spaces per unit.

Prior to and through the Public Comment Period, the City received a number comments. These comments were provided to the Planning Commission, Applicant's, and posted to the City's website and Facebook page on the evening of May 5th.

For this project, the City received 5 letters of concern, 12 letter of support for the project, and one verbal comment during the comment period. After the close of the comment period, the City did receive one additional verbal comment on the project. Although this comment was received after the close of the comment period, it was recommended to still consider the comment.

Vice-chair Robertson authorized the second verbal comment to be included into the record.

The first verbal comment was indicating concern over drainage on Strawberry Lane, and security and privacy, and there should be a perimeter solid fence.

The second verbal comment indicated an opposition to the project as the land is currently a wildlife refuge and wetland area.

At the conclusion of the verbal comments, Director Hart summarized each of the written testimony provided.

Betty Beaver testimony: Miss Beaver lives on the property that would be directly adjacent to the new extension of Stoltz Hill Road. Her points of concern include:

1. Traffic on Airport road is currently congested, and there are concerns about an increase in the traffic volumes. In addition, with the signal at the intersection of Stoltz Hill and Airport, this would have a negative impact to her, since her driveway would be located so close to the intersection, the vehicle stacking would make it extremely difficult for her to turn left out of her driveway.
2. She then echoed the concerns noted regarding parking for the site and encourage great scrutiny to any studies that are presented to validate the reduced parking.
3. Next, as her side yard would be so close to the new street, she is concerned about people loitering on the sidewalk, and the light glare from streetlights, the noise and loss of privacy. She is requesting a fence be built along the two property lines that intersect with the project.
4. She is asking about whether there has been an analysis of crime statistics for the development.
5. And finally, would like to understand how or if the project would have any impact on the easements she holds for her septic system on the neighboring property.

Anna Klinkebiel testimony: Ms. Klinkebiel lives on Strawberry Lane. Most of her comments and questions were requesting clarification on certain aspects of the staff report and exhibits, as such, Director Hart, throughout the summary of the letter provided input on the project to provide clarification.

The first point of clarification requested was regarding the duration of access for Strawberry Lane. Strawberry Lane is a County Road, so a County right-of-way permit will be required. It is the right-of-way permit, not the Traffic Impact Analysis that will stipulate how long access will be granted on Strawberry, and from communication with the County, this permit is for a very limited interim basis until the roadway is built to the property and is not tied to the installation of the intersection signal.

The next question asked was regarding vision clearance areas and construction of a site obscuring fence. The commenter was concerned about her fence and vegetation on her property potentially being impacted. For the vision clearance areas, it is an area designated when there is an intersection of a driveway and a street. So the project driveway would have a vision clearance area, and the 20-foot emergency vehicle access would have a vision clearance area at the intersection of Strawberry Lane. However, the location of both these areas are far enough away from the individual's property that the existing fence and vegetation on her property would not be impacted. For the fencing request on the persons southern property line, I believe the applicant will respond to that.

The clarification on the lot line adjustment, in 2019, the applicant filed a minor land partition to separate the existing large single property into three properties. That minor land partition does not reflect the current property configuration as it was not inclusive of the areas for the public right-of-way. The Lot Line Adjustment will be required to adjust the property to the current configuration and account for the new street. For the layout of the street, the configuration of the cul de sac is close to the final configuration, but not exact. The Engineering department will need to review the street layout for final conformance, make sure it meets all required radii and is designed to NOT impact this persons property.

Additional comments were requesting clarification on right-of-way permits through the County. These improvements would be associated with any modifications on Strawberry Lane, and they would be stipulated through the County permitting procedures, but no improvements have been required at this time through this permit.

A second question was asked about landscaping and vision clearance areas, and removal of vegetation. Again, any fencing or landscaping on the individual's property would not be impacted as part of this application. The applicant can speak further on the vegetation that is to be removed on the development property.

Finally, the commenter requested clarification on the type of direct onsite supportive services that would be provided, and whether those services would be limited to the residents, or if it were to be bringing in an outside population for the services

Judy and Stanley Smith Testimony: Their major concerns are regarding significant traffic impacts on Airport Road. Their suggested improvements would be signalization of Airport and Stoltz Hill, as well as Airport and 12th Street. In addition, it was suggested that the development be accessed from Strawberry Lane rather than directly from Airport.

Finally, they commented on parking, and identified concerns that there would not be sufficient parking for guests, especially if the community room is to be rented out for parties or other events that would bring in a large number of guests.

Donna Beamer Testimony: The City received the letter from Donna Beamer that was signed by 30 other residents back in September of 2019 before the application was filed.

This letter identified serious concerns about increased traffic on Airport Road, and indicated that inclusion of a traffic signal would not be enough to mitigate the traffic or potential hazards. It was suggested that while the project is worthwhile, an alternative location in a different area of the City would be more appropriate.

Nancy Chlarson Testimony: This letter requested a privacy fence between the development and surrounding properties. In addition, she requested a grass area be provided for each unit to provide an area for the resident's pets to use the restroom. Lastly, she requested that the parking variance not be granted, because there is already an issue with parking on 9th Street.

Dale Jenkins Testimony: Dale Jenkins and a number of other signatories to the letter indicated support for the project because Linn County is in need of more housing. In addition, supportive affordable housing needs are significant in the County and for veterans. And the project would provide onsite supportive services and treatment programs within the resident services which will provide a benefit to the veteran's

community.

Chamber of Commerce: The Chamber of Commerce near the beginning of last year issued a letter of support for the project, echoing the previous letter and the needs for more housing and providing supportive services to the veterans.

Build Lebanon Trails: Two people, Thad Nelson and Rodney Sell wrote letters of support for the project as it would expand the Lebanon Trail system.

Veteran Community: 11 other letters from veterans, several with multiple signatures were submitted to vocalize their support for the development as it would support the local community of veterans.

At the conclusion of summarizing the public testimony, Vice-Chair Robertson recognized the Applicant to respond to the comments.

James Lutz, representative for Applegate Landing, LLC spoke. Mr. Lutz began by providing more background to the project, his history, and the purpose and intent behind the project. Mr. Lutz has been a 4th generation Oregonian, has lived in Lebanon for over 25 years, and his family continues to grow in town. Two of his sons are serving in the United States Marine Corp. His family has a long history of serving in the military and helping veterans. Edward Allworth is his great grandfather, which shows the roots in this town, and his desire to continue helping the veteran community.

Due to this, Mr. Lutz began the process of developing a veteran home, working with CASA of Oregon to apply for funding. In 2019, the developer applied for funding through Oregon Housing and Community Services and received the funding as well as other tax credits and grants. To date, there has been a large investment in the project including environmental impact studies, wetland delineation reports, archaeological studies, traffic impact analyses, drainage studies, and more.

Mr. Lutz contends that with the ongoing housing crisis in Oregon, this project will provide much needed, affordable housing, to service the large population of veterans in the City. In addition, this project would provide an extra service to the community as a whole, with providing funding for the signalization of the intersection of Airport and Stoltz Hill Road. The project will also be adding to the Lebanon trail system.

Mr. Lutz continued on to address the public comments, and indicated it was his intent to be good neighbors.

For Mr. and Mrs. Beaver, the new road will be close to their east property line for a short segment near the back side of their property. There was concern with noise privacy. As the new road is a dead-end road, there won't be any through traffic and will have far less traffic than what is on Airport Road. It seems reasonable that the project could provide additional measures to reduce the effect of having a new road near one's property. The preference would be to refurbish the exiting chain link fence and install sight obscuring slats to complement the existing shrub and trees barrier. The Veterans housing project site will be near five hundred feet north of Mr. and Mrs. Beavers house, and will not impact their septic easement.

For Anna Klinkebiel, there was concern about the emergency access. This Emergency Access road was a requirement from the Lebanon fire department for emergency access only. It will have permanent barricades used only for the Lebanon Fire department. The access will be used for temporary Construction access, only for the first portion of construction. this will be gated during construction and not open to the public at any time. Once the new road is open, the construction access will only be used for egress of delivery trucks a few times a week until construction of the facility is complete. The new emergency access road was deliberately set far enough off Anna's southern property line, as to minimize the impact to the existing tree line and landscape area. The preference is to retain all the trees, shrubs and foliage along that property line. With regard to the requested privacy barrier, it would be reasonable to extend the new sight obscuring fence on the east side of Annas property, heading west, along her south property line, up to the mature Fir trees and again, leaving the natural buffer along the property line. The question arose as to what would be involved with the single HUD 811 household. This single unit is set aside and targeted for a Veteran with a serious disabling wound, most likely a traumatic brain injury occurring during their service to our country. This Veteran will have either permanent care or daily care and supervision. As the Resident Services program will be used to coordinate some of this supervision and stationed out of the Community building, The Community Building use will be limited for the use of Applegate Tenants Only and not a "Public Facility".

For Judy and Stanley's comment at 970 Airport, there were many observations and concerns with the intersection of Stoltz Hill and Airport Road. The developer tried to get approval to use Strawberry lane for a portion of the permanent access, and there were many reasons it was not approved. Once the new intersection and signals get installed, there will be a more consistent flow of traffic onto Airport road relieving the congestion on Stoltz road. There will be no delivery trucks allowed to park on Airport road that are delivering products to the Minimart. There will be increased vision clearance on all side of the intersection. There will be signalized crosswalks at all corners of the intersection, increasing the safety of pedestrian's crossings the road, especially for the students going to and from High School or to the Mini mart.

A Traffic Study was conducted and provided to the City of Lebanon. It was reviewed and approved by the contracted City Traffic Engineer. The finding set forth in the study, concluded that the increase in traffic by the entire development, still well be within the City's traffic standards and will be until 2022 when the new signaled intersection will be built.

Mr. Lutz concluded his statements and thanked the Planning Commission for consideration.

Vice-Chair Robertson opened the discussion for Planning Commission questions.

Commissioner Prenoveau commended Mr. Lutz on the project, and the veterans service. The concern is the parking, but he would like to support the project.

Commissioner Brackeen indicated appreciation for a project for the Veterans, and wants to be in full support for the project. He appreciated the submittal of newer studies, and

additional information provided in between the two hearing dates. Commissioner Brackeen did indicate that he would like to see a per unit parking requirement for the complex to make sure each unit has sufficient parking provided.

Director Hart clarified that there is a condition of development included in the proposal that would require the development of a parking plan and the parking assignment and limitation on the number of vehicles permitted on site be included in the lease.

Commissioner Prenoveau indicated the concern that the development code requires 2.25 parking spaces per unit, so he does not think that we should waiver from the code. The variance would set a precedence and thinks if we want to provide a different standard, then the code should be changed. He further states that there is enough area on-site to provide more parking.

Vice-Chair Robertson asked the applicant to speak on what the lease agreement would look like for the parking restriction.

Mr. Lutz responded that there are quiet a few one-bedroom units and studio apartments that may not need parking, or may need only one space, so some of the units would be limited to one space, while the larger units would be assigned two spaces. He further stated that they have provided additional evidence to prove that the lesser parking requirement is warranted.

Vice-Chair Robertson referenced the additional evidence noted and indicated that all the apartment complexes provided as evidence for lower parking requirements were located close to public transit, except for one, and requested the applicant to speak to that. In addition, for those residents that have to work out of town, how would they get to and from work.

Mr. Lutz mentioned there will be multiple bus options including the Linn Benton Loop, Dial-a-Bus, the American Legion, and the Veterans home at the north end of the City to provide transportation service.

Commissioner Brackeen asked whether there were existing Memorandums of Understanding in place for these transportation services.

Mr. Daniel Bullock indicated that the resident services contracts run through a different agency that services multiple projects, and this project would be included in their portfolio.

Commissioner Brackeen asked for him to speak specifically on the transportation aspect and whether there were any established MOUs.

Mr. Bullock indicated that the MOUs exist within the operator, but not specifically for this property. There is confirmation of services, but no MOUs at this time.

Vice-Chair Robertson asked Mr. Lutz to identify that the current parking configuration is the maximum that can be put on the property in the current building and use design.

Mr. Lutz indicated that they reviewed the plan further and were able to identify options to include seven more parking spaces.

Director Hart displayed the new site plan with the inclusion of the seven parking spaces. In addition, the applicant provided a site plan that showed the design if the required 2.25 parking spaces were provided. This plan would eliminate the community room and open space area, resulting in a loss of service and non-compliance with the open space requirement. The only other alternative would be to reduce the number of units by 16.

Vice-Chair Robertson asked the Commissioners whether they had any other questions for the applicant. Seeing none, the public hearing portion was closed and all communication moving forward was limited to the Commission and staff.

Vice-Chair Robertson summarized that traffic and parking were the major concerns about the project.

Commissioner Brackeen identified that he does not want to sacrifice a community room or open space because the commission won't allow a variance. It is understood that parking was identified as a concern, but with the resident services that are being provided to help get people around, as well as the additional spaces provided, and the newer parking studies to further justify the reduction, along with the installation of the new traffic signal, the project appears to have addressed the concerns.

Commissioner Galka discussed the parking spaces per unit plan with the added spaces and verified that there is at least one parking space per bedroom provided on-site. After calculating, Director Hart verified that there is at least one parking space per unit.

Commissioner Galka indicated that would be perfectly reasonable. Vice-Chair Robertson agreed with the statement and asked whether Commissioner Prenoveau agreed. Commissioner Prenoveau indicated it was acceptable but would like to discuss parking as a whole and the use of variances as a whole at another meeting.

Commissioner Brackeen indicated his concerns over the project have been satisfied, with the additional parking.

Commissioner Port spoke the request to provide designated visitor parking.

Vice-Chair Robertson requested Engineering Director Whitlatch indicate when the traffic signal would be triggered. Engineer Director Whitlatch indicated that the City has already initiated the preliminary designs will be working with the County to move the signal forward now, even though the project itself does not trigger the installation.

Vice-Chair Robertson asked if there were any further questions. Seeing none, Vice-Chair Robertson asked if the commission agreed that the decision criteria can be met for both the development and the variance.

The commissioners all vocalized in the affirmative.

Vice-Chair Robertson asked for a motion.

Director Hart clarified that since the decision appeared to be based on the expanded parking design that the motion should be to include the modification to the conditions of development to reflect the increased parking.

Commissioner Brackeen moved to approve the applications with the modified condition to require 81 parking spaces, with some of them to include visitors.

Commissioner Port seconded the motion.

The motion passed 5-0.

B. Planning File CUP-20-01– Conditional Use Permit Request for CoEnergy Propane

Vice-Chair Robertson introduced the continued hearing for Planning File No. CUP-20-01 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project, the property would be located north of Rick Franklins rail yard. The tank would be a 60,000 gallon tank situated in the northwest corner of the leasehold area with access to both the rail line, and the internal circulation for truck routes. Safety measures have been proposed including bollards, an emergency shut off, and a fire extinguisher.

Director Hart then provided a summary of the public comment. During the public comment period, the City received one letter from a neighboring resident. The letter indicated concern over the facility not having an on-site security guard. In addition, there were concerns about if the tank leaked how the propane would move through the slough. The commenter is requesting additional conditions and security measures be placed on the application including: an extra row of bollards around the tank; a leak protection system, including resident notification on the tank placement and any emergency communication if there is a leak; and more fire protection service.

At the conclusion of summarizing the public testimony, Vice-Chair Robertson recognized the Applicant to respond to the comments.

Mr. Bryan Adams, President of CoEnergy Propane, provided a written response as well, but described the response verbally. There is a detailed leak protection system in place for the system in the tank, piping, and exterior of the system. There are excess flow precautions as well, along with and emergency shut off valves. A monitoring system will also be installed on the tank to indicate whenever there is any release of gas from the tank. Regarding the request for additional bollards, but this is not recommended because it would limit air movement which is key if there are any leaks. Additionally, this is an odorized propane, so people will be able to detect if there was a leak.

Per the fire district, there has not been an identified need to provide a new fire hydrant, and there are no concerns about meeting code. This is the first step in the permitting process, a permit at the state level is also required.

Mr. Adams concluded and was available for questions.

Vice-Chair Robertson asked if there were any questions. Seeing none, Vice-Chair Robertson indicated that it appeared Mr. Adams answered all the concerns.

Seeing no further communication, the public hearing was closed.

Vice-Chair Robertson asked the commissioners whether they thought the decision criteria could be met.

Commissioner Brackeen answered in the affirmative and indicated it seemed like the system was safe, it was good to have the added notification procedures as identified in case there was a leak and met or exceeded all relevant codes.

Vice-Chair Robertson asked for a motion.

Commissioner Galka moved to approve the conditional use permit based on the written findings and conditions.

Commissioner Prenoveau seconded.

Motion passed 5-0.

5. WORK SESSION - None

6. COMMISSION BUSINESS & COMMENTS

None.

7. ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:15pm.

[Meeting minutes prepared by Kelly Hart, Community Development Director]



City of Lebanon
Planning Commission
Meeting Minutes
Virtual Meeting
June 17, 2020 and June 24, 2020

Due to the COVID-19 Pandemic, the City of Lebanon Planning Commission conducted a virtual meeting. The public hearings were held in two phases to allow the public to provide comment in between the meetings. The minutes prepared reflect both hearing dates to provide a compiled record of the public hearing process.

Members Present (June 17, 2020): Chairman Jeremy Salvage, Vice-Chair Don Robertson and Commissioners David McClain, Todd Prenoveau, Joshua Galka, Josh Port, and alternate Commissioner Samuel Brackeen.

Members Present (June 24, 2020): Chairman Jeremy Salvage, Vice-Chair Don Robertson and Commissioners Todd Prenoveau, Joshua Galka, Josh Port, and alternate Commissioner Samuel Brackeen.

Staff Present (Both): Community Development Director Kelly Hart; City Engineer Ron Whitlatch and Tre' Kennedy, City Attorney.

June 17, 2020

1. CALL TO ORDER

Chairman Salvage called the meeting of the Lebanon Planning Commission to order at 6:00 pm via the Zoom Meeting virtual platform. The meeting was also live streamed on YouTube for the public to view live.

2. ROLL CALL

Roll call was taken. All Planning Commission members were present.

3. APPROVAL OF MEETING MINUTES

None.

4. CITIZEN COMMENTS - None

5. PUBLIC HEARINGS

Prior to the initiation of the public hearings, Chairman Salvage presented the modified hearing procedures in response to the pandemic and identified all the expanded opportunities available for the public to review the proposed applications and provide

written and verbal comment.

A. Planning File AR-20-05 – Administrative Review Request for Farmworker Housing Development Corporation

Chairman Salvage opened the hearing for Planning File No. AR-20-05 and asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. Vice-Chair Robertson indicated he had communication with a resident, who called to discuss concerns on the project. Vice-Chair Robertson provided information about the communication and indicated at the conclusion that he did not feel the communication created a bias for his review of the application. No other Commissioners identified ex-parte communication, bias, or conflict of interest.

Upon conclusion of discussion of ex-parte communication, Chairman Salvage requested Director Hart to present staff's report.

Director Hart presented staff's report for the proposed application. The subject parcel is 1.39 acres and located at the western end of Weldwood Drive. The property is zoned Mixed-Use (Z-MU). Surrounding the property are various types of residential uses including a mobile home park, condominium complex and single-family homes, located in the County. To the north and east of the site are commercial uses within the Walmart shopping center, as well as more residential uses.

In terms of the development proposal, the Applicant is proposing to develop a 24-unit apartment complex. As indicated on the site plan, there would be one 3-story apartment building, with a large open space area to the west of the building. The building would generally be oriented to the north of the property, approximately 220 feet to the nearest property line to the residences to the south. The open space would be located to the west of the building, and the parking lot on the southern portion of the property. On the east side of the property is the required fire turn-around area and additional open space for gardening plots.

For setbacks, per the mixed-use code, the residential mixed-density standards are utilized. Minimum setbacks include 10-foot front, 20-foot rear, and 5-foot side setbacks. The development proposal conforms with all these standards, observing an 18-foot front setback, 39-foot side setback to the eastern property line, a 78-foot rear setback to the southern property line, and a 125-foot setback to the future property line to the west.

For density, per the development code, to build the proposed 24-units, consisting of 8 one-bedroom units, and 16 two-bedroom units, a total land area of 1.02 acres is required. As the site is 1.39 acres, the project meets the density thresholds.

For open space, 25% of the project development area must be designated for open space/landscaping. Of this open space area, at least 50% shall be usable open space, and at least 25% of this usable open space shall be in one area. As proposed, the applicant is providing over 29.5% of the site as landscaping, over 58% of the landscaping would be designated for usable open space. Over 25% of the usable open space is in the western portion of the development area.

For Parking, the development code requires 2.25 vehicle parking spaces per unit, and 0.5 bicycle parking spaces per unit. In addition, the code identifies an earned parking

reduction of up to 15% when additional covered and uncovered bicycle parking is provided. With the earned reduction, the minimum required vehicle parking would be 46 spaces, and the minimum required bicycle parking would be 44 spaces, 20 covered, and 24 uncovered. The development has proposed to meet the minimum vehicle parking with 46 open parking spaces along the internal drive aisle. Bicycle racks would also be provided throughout the site to meet the 24 uncovered bicycle parking requirements, and a total of 30 covered bicycle parking spaces would be provided. For clarification purposes, the application originally included a request by the applicant for a Class II Variance for a parking reduction and was included in the public notification. After notice, staff worked with the applicant to provide sufficient parking on-site to no longer require the variance application. With the earned parking reduction, the project as presented tonight, meets the parking requirement, and is no longer subject to a variance.

For access and circulation, the site would be accessed from a single driveway on the new segment of Weldwood Drive. Currently Weldwood dead ends at the property line. The application would include an extension of Weldwood through the property. However, it is not proposed for the street to connect to the other Private Weldwood Drive to the north west of the site, which means it would not connect to Main Street or any other streets to the west of the site.

Regarding traffic considerations, the development code sets thresholds for when a development would require a traffic impact analysis as part of consideration of the planning review. These criteria include triggering over 300 average daily trips per day, if the project is located near a major intersection on the highway and there are safety concerns, whether there is a change in zoning proposed or if the driveways proposed do not meet the vision clearance requirements. Based on these thresholds, this project does not trigger a TIA for consideration as part of the planning process.

However, it is understood that this proposal is considered phase one of a larger development proposal, which would be presented to the Planning Commission at a future date. As such, although not required, or conditioned for this current phase, a traffic impact analysis has been ordered for the overall development. Any identified improvements required per the TIA, would be incorporated as a condition of development as part of any future phase.

The results of the TIA that has been ordered have not been finalized, but preliminary information provided indicates that the current phase would not trigger any required improvements to the existing transportation system.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

Chairman Salvage asked to clarify the parking requirement and that there is no reduction of parking proposed beyond the earned reduction. Director Hart affirmed the project conforms to the code and does not require a variance.

Commissioner Brackeen requested clarification on the one access point for the project. Director Hart clarified that the access meets code, and that the Fire District has reviewed the project and there is no need for additional access.

Seeing no further questions of staff, Chairman Salvage opened the hearing for the applicant to speak.

Claudia Cantu from Farmworker Housing Development Corporation indicated they would be willing to answer any questions of the Commission.

Chairman Salvage asked regarding the location of the future development.

Mark Rossi from Pinnacle Architecture with assistance of Director Hart clarified the location of future phases.

Claudia Cantu and the executive director of FHDC shared information about the organization, where they have existing developments, why they chose the site development, the management of the property after development, and resident services that would be provided. They also discussed the community partners that they have already worked with to become active in the Lebanon community.

Vice-Chair Robertson requested the applicant to speak on whether they have done or plan to do public outreach to the surrounding neighborhood.

The Applicants responded that due to the health pandemic, they have not had the opportunity to conduct outreach, but as part of every project, they conduct public outreach to be able to integrate into the neighborhood.

Commissioner Prenoveau has asked whether a digital platform such as a website has been put together for this project to provide information to the public.

The Applicant indicate not at this point, but that the community has reached out with phone calls, and the developers have had a level of contact with the residents.

Commissioner Brackeen requested information about the local service providers, and whether the Applicant is working with other local providers.

The Applicant responded with a list of all the service providers in the area that they have partnered with, including the Linn Benton Housing Authority, Boys and Girls Club, the School District, and more.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Commissioner McClain seconded the motion.

The motion passed 7-0.

B. Planning File AR-20-02 – Administrative Review for Prism Manor, LLC

Chairman Salvage opened the hearing for Planning File No. AR-20-02 and asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. The subject parcel is 2.08 acres and zoned Residential Mixed-Density (Z-RM). Surrounding the property to the north and east are single-family residential homes located in the county unincorporated area. To the south is a vacant parcel in the RM zone. To the west are railroad tracks, and further west is a vacant property in city limits zoned RM.

In terms of the development proposal, the Applicant is proposing to develop a 48-unit apartment complex. As indicated on the site plan, there would be a total of three 3-story apartment buildings, two small storage unit buildings, and an office.

For setbacks, the minimum observed setbacks include a 15-foot front setback, 10-foot streetside setback, 5-foot side setbacks, and a 20-foot rear setback. As indicated on the site plan, the front setback (on Franklin Street) would be 15-feet. The street side setback (on Russell Drive) would be 10-feet, the side setback (northern property line) would be 5 feet, and the rear setback (western property line) would be a minimum of 20-feet.

For density, to provide a project with 24 one-bedroom units, and 24 two-bedroom units, the site would need to be 1.95 acres. The development site is 2.08 acres; therefore, the project is within the maximum density.

For open space, the code requires 25% of the project development area to be designated for open space/landscaping. Of this open space area, at least 50% shall be usable open space, and at least 25% of this usable open space shall be in one area. In addition, a 500 square foot children's play area shall be provided. As proposed, the applicant is providing 31.7% of the site as landscaping, 59% of the landscaping would be designated for usable open space. Over 25% of the usable open space is in the northwest portion of the site to the west of the northern building block, including the children's play area.

For parking, the code requires 2.25 vehicle parking spaces per unit, and 0.5 bicycle parking spaces per unit. This would require 108 vehicle parking spaces, and 24 bicycle parking spaces. The development has proposed to meet the minimum vehicle parking with 108 open parking spaces along the internal drive aisle. Bicycle racks would also be provided throughout the site to meet the bicycle parking requirements.

Finally, regarding traffic and circulation, the site would be accessed from two driveways on Franklin Street to provide internal circulation to the parking, and appropriate fire access. With regards to the proposed site driveway placement on Franklin Street, the driveway locations shown on the site plan satisfy the City's access spacing requirements for a Collector roadway. City staff does note the proposed southernmost driveway location is relatively close to the Russell Drive/Franklin Street intersection. There is anticipated future traffic growth along Franklin Street that may impact the southernmost driveway as a function of queuing and/or operations, as such, the City retains authority to impose future turn movement limitations at driveways and intersections to address demonstrated operational and safety issues if they should arise in the future.

Regarding traffic considerations, the development code sets thresholds for when a development would require a traffic impact analysis as part of consideration of the planning review. These criteria include triggering over 300 average daily trips per day, if the project is located near a major intersection on the highway and there are safety concerns, whether there is a change in zoning proposed or if the driveways proposed do not meet the vision clearance requirements. Based on these thresholds, this project does not trigger a TIA for

consideration as part of the planning process.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

Commissioner Port requested clarification on the second driveway and the City's right to restrict traffic. Director Hart indicated that the City in the future, based on any safety concerns can restrict the ingress/egress movement of that driveway, with no conditioning or action of the Planning Commission.

Seeing no further questions of staff, the Chair opened the hearing for the applicant to speak.

Matt Johnson representing the Applicant spoke on the project, indicated he was available for questions, but did not have anything to add from the staff report.

Commissioner Brackeen asked whether it would be appropriate to restrict the southern driveway at the initiation of the project, rather than later.

Mr. Johnson indicated the purpose for future restriction was when a potential right-turn lane was added to Franklin Street, which would then warrant the restriction, but it is not intended or needed to be restricted at this time.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Commissioner Prenoveau seconded the motion.

The motion passed 7-0.

C. Planning File A-20-03 – Annexation application for Travis Wagar

Chairman Salvage opened the hearing for Planning File No. A-20-03 and asked the Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. Under consideration is the proposed annexation of the property, 820 W Oak Street located on the south side of Oak Street, between 9th and 10th Streets. The subject property is 0.21 acres in size, with approximately 60 feet of street frontage along Oak Street. Properties to the north and east, including the public right-of-way is located within city limits; therefore, the site is contiguous to city boundary limits and is eligible for annexation.

The property is located in a developed residential neighborhood. To the north and east are residential properties within the City limits with a zoning designation of Residential Mixed-Density (Z-RM). To the south and west are residential properties in the county unincorporated area, within the City's Urban Growth Boundary (UGB) with a Comprehensive Plan designation of Residential Mixed-Density (C-RM).

The subject site is improved with an existing single-family residence. City water, sewer, and storm drainage is available along the property frontage in Oak Street. There is no development proposed with the application. The Applicant is proposing to annex the subject property in order to connect to the City sewer system. At the March 11, 2020 City Council meeting, the City Council approved an emergency connection to the City sewer system, with the requirement that the property be annexed into the City.

Based on its location, and ability to be or already urbanized, the site is eligible for annexation.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission, and welcomed the Applicant to speak.

Commissioner Prenoveau asked whether they need to continue the hearing or if they can just vote. Director Hart indicated that based on the public notice, it must be continued.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Vice-Chair Robertson seconded the motion.

The motion passed 7-0.

D. Planning File A-20-02 – Annexation application of various street segments

Commission if there was any ex-parte communication, conflict of interest or bias regarding the application. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented staff's report for the proposed application. Under consideration is the proposed annexation of various street segments within the UGB into the City, including portions of: Airport Road near Airway; Airport Road near Cypress Court; 12th Street at F Street; Cascade Drive near Crowfoot Road; Russell Drive near Franklin Street; and portions of Wassom Street. As annexations have occurred throughout the City, some applications included annexation of the public right-of-way along the length of the property segment, while others have not. This has resulted in a patchwork of city and county jurisdiction throughout the street network.

The purpose and intent behind the proposed annexations are to organize the jurisdictional boundaries of the City. This will assist in the enforcement action for the police and sheriff's departments and allow our local police department to better enforce parking restrictions throughout the City. As streets are not assigned a zoning designation, the only action under consideration is the land annexation. There is no assignment of initial zoning associated with this procedure.

Director Hart concluded the staff report with recommended actions for the Planning Commission to consider.

Chairman Salvage opened the conversation to questions from the Planning Commission.

There were no Commissioner questions, and the City as the applicant did not wish to speak.

Seeing no further comment, Chairman Salvage motioned to postpone the public hearing to a date certain of June 24, 2020, and to leave the public record open for public comment until 5:00pm on Monday, June 22, 2020. Commissioner Brackeen seconded the motion.

The motion passed 7-0.

6. WORK SESSION - None

7. COMMISSION BUSINESS & COMMENTS

Director Hart indicated there are potentially four applications planned for the July meeting, and indicated that if the County continues to be in Phase II and the health pandemic status does not change, it is intended to resume in person meetings in July.

8. ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:55pm

(Minutes continued on next page)

JUNE 24, 2020

1. CALL TO ORDER

Vice Chair Robertson called the meeting of the Lebanon Planning Commission to order at 6:00 pm via the Zoom Meeting virtual platform. The meeting was also live streamed on YouTube for the public to view live.

2. ROLL CALL

Roll call was taken. All Commissioners were present. Chairman Salvage was on-call with his employment, preventing him from running the meeting, but was available for the entirety of the meeting and able to vote on all hearings.

3. CITIZEN COMMENTS - None

4. PUBLIC HEARINGS

Prior to the initiation of the public hearings, Vice Chair Robertson presented the modified hearing procedures in response to the pandemic and identified the procedures that occurred at the June 17, 2020 Planning Commission meeting, the public comment procedures, and the hearing process for the current meeting.

A. Planning File AR-20-05 – Administrative Review for Farmworker Housing Development Corporation

Vice-Chair Robertson introduced the continued hearing for Planning File No. AR-20-05 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project, and the summaries of the public comments received.

Eric & Denette Harrison Letter:

The first letter was submitted prior to the initial meeting on June 17th by the Harrisons. The letter identified concerns regarding the access and safety on Weldwood Drive and the intersecting streets and indicates that adding housing and increased number of vehicles to the area with Weldwood being the only access point will create safety issues.

In addition, it is indicated that a single point of access is insufficient for the development, but it is stated that access should not be granted off of Lebanite Drive or Oak Lane, and requests there be a barrier such as a fence installed to reduce pedestrian cross traffic.

The letter includes concern over parking and requests the Planning Commission not support the variance. Again, this letter was submitted prior to the plan modification and elimination of the variance application.

Finally, the letter indicates concern about cross traffic with opening Weldwood into Main Street area. Again, as clarified in the meeting last week, there is no proposed through traffic. Weldwood would dead end in the property.

Oak Loop, Wagon Wheel and Lebanite Drive Neighborhood Letter:

This next letter was signed on to by 11 different households in the neighborhood to the south of the development area.

The first item of concern is the increased traffic the development would cause and impacts to the pedestrian and bicycle safety on Lebanite Drive and Wagon Wheel area, and specifically requests the TIA investigate specific impacts to the area. In addition, they are requesting additional mitigation, such as adding speed bumps, and speed limit signs on wagon wheel, adding sidewalks, and a signal at Weldwood Drive and Cascade.

There is concern over the increased population with a high-density project next to a single-family neighborhood, and a three-story building is too tall for the neighborhood, requesting the developer construct a two-story structure, or more preferably, a commercial development that would provide a benefit to the community at large.

The letter further requests that the planning commission not allow the earned parking reduction but maintain the full parking requirement.

Concern over the increase to demands on the school system are also noted.

There is also reference to wetlands to the south of the property as well as the residential properties to the south being on well systems. The stated concern is that if the development is built, it would remove significant groundwater intrusion and impact the wells and wetlands.

If the development were approved, the residents are requesting a 10-20 foot wall and perimeter of trees be installed between the development and the neighborhood to the south to mitigate noise and pedestrian traffic.

Finally, they are requesting communication with the developer about the full scope of the development proposal, to discuss the full impact to the community beyond the first phase currently under consideration.

A community survey that was conducted in September 2019 was also included for the commission to understand the opinions of the neighborhood regarding overall development in the area.

Rachel Stutzman Letter:

Mrs. Stutzman indicated she understands the need to develop affordable housing, but she is concerned over the chosen location, and suggests an alternative site location would be more appropriate. In addition, she stated concerns over the schools becoming overcrowded. Finally, she requested if the property were developed, to include a fence along the property line to stop pedestrian cross traffic.

Alicia Van Driel Letter:

Mrs. Van Driel's letter indicates concern over traffic, especially if it was connected to South Main Street. Again, the Weldwood Drive street extension would not connect to Main Street. There is also stated concerns of traffic on Weldwood near Hwy 20, and an additional traffic signal would be needed to address traffic concerns.

There is also a request for a community liaison to be assigned to address resident concerns.

There is a request for a berm or wall to be constructed to address noise and the pedestrian foot traffic that crosses through the property from the Walmart shopping center.

Mrs. Van Driel also requested clarification on if there would be any impact on the taxes associated with the increased development.

And finally, identified concerns regarding flooding in the area due to lack of drainage, and how the project would impact this issue.

Valerie Figueroa Letter:

Mrs. Figueroa's letter identified concerns over decrease in property values associated with a high-density development next to a single-family neighborhood. In addition, she indicates there will be a decrease to the quality of life in the neighborhood due to the removal of trees, which will be great a loss of privacy with the tall structure and windows facing the properties to the south. There would also be an increase in traffic, and spilled lighting and noise that would be of concern. Mrs. Figueroa agrees there is a need for housing, but is strongly opposed to this proposal and location.

Steve Post Letter:

Mr. Post discusses pedestrian cross traffic impacts in the neighborhood, and requests this issue be addressed by providing a 6-foot tall sight obscuring fence along the southern and eastern property lines.

Douglas Sutton Letter:

Mr. Sutton's letter indicates opposition to the project. As an individual in the construction industry, he is concerned regarding the long-term maintenance of the property. In addition, he would like to ensure there is a barrier along the perimeter of the property and is concerned over the amount of parking provided on the site, and he would like to ensure there is appropriate on-site maintenance and management associated with the development.

Ron & Ryon Edwards Letter:

This letter submitted identifies some areas within the staff report that are stated as incorrect, so clarification is provided by staff throughout the summary.

First item identified is the staff report incorrectly identifies the property size. For clarification, the development site is 1.53 acres, and the setback and density standards were applied using the smaller acreage area. The overall property is currently over 9 acres in size, but the city is in the process of reviewing the application for the minor land partition to separate out the 1.53 acres from the overall site. This differentiation does not

have any impact on the development review as the smaller property size is more restrictive and the project would meet the development standards whether the property were partitioned or not.

Next, the letter indicates the surrounding uses was incorrectly identified, indicating that to the south, the property is not vacant, but contains a single-family home. This is accurate, the report does misstate that the site is vacant, when in fact there is a single-family residence on the site.

The letter further states that they believe the development is considered high density and should therefore be processed using high density development standards rather than mixed-density, and that the high-density designation would impact development standards, and SDC charges.

For clarification, as identified in the staff report, under the Mixed-Use zoning designation, if the project is residential in nature, the code indicates that the mixed-density residential standards be applied. Further, the mixed-density and high-density residential development standards are identical in terms of setbacks, parking, open space, and height limitations; therefore, even with the application of the high density standards, the development proposal would still comply. Finally, the zoning designation modification would not impact the SDCs as they are not calculated based on zoning designation, but type of construction and trips per day.

The letter indicates that the project and city has not complied with the NPDES permit requirements for the construction phase, or the 1200C permit to address stormwater, wetlands and soils. For clarification, this application is in the initial review stages, and not the construction phase. If the planning commission were to approve the development proposal, the applicant would be responsible for obtaining a 1200C permit to address stormwater mitigation, wetlands and soils.

The letter continues indicating that the City did not provide calculations with the plans to demonstrate there is sufficient utility capacity for water, sewer, and stormwater. In response, the City through the review phase determined the project was compliant with the zoning classification and compliant with all aspects of the development code. As such, since there is no modifications or variances, the development buildout is anticipated in the City's facility plans, and there is no further calculations required for the city's utilities.

Next, the letter identifies that the project is near historical sites, specifically the wagon trail road, and an archaeological study should be completed and incorporated in the analysis for the project. In response, an archaeological review is not required to be completed as part of the land use consideration but is required prior to construction. However, the applicant has already conducted the archaeological review.

Next item, the letter indicates the project materials were not accessible till June 17th at which time the city provided the staff report and developer information. Again, for clarification, the public notice for the application was issued on May 28th, 20 days prior to the hearing with instructions of how to review the application materials. The agenda reports and plans were then posted to the City's website on June 9th, 8 days prior to the hearing.

The letter indicates that the project is incompatible with standing agreements, and

references the City and County Urban Growth Management Agreement, indicating that per the agreement, the City is responsible to coordinate with the County on the project, and since the City did not coordinate with the County, that the project should be delayed until such time as the coordination occurs. This is a misinterpretation of the Urban Growth Agreement. The Agreement is for the development of County land within the Urban Growth Boundary. So, if there were a development application within the County, but in the UGB, per this agreement, the County would be responsible to coordinate with the City on the development. However, this agreement does not require the city to coordinate with the county when developing in city limits. All that being said, as part of the public notice distribution, the City does notify the county of the scheduled public hearing and the proposal.

Finally, the letter refers to impact to schools, and the City must provide notice to the Lebanon School District when a major development is proposed that may impact the school district. Again, the City did notify the School District through the required notification process of the pending hearing, and they were provided the opportunity to comment, therefore this provision has been met.

Don Frier Letter:

Next is a letter from Don Frier. His letter indicated support of the project and indicated there was a significant need for affordable housing in the city.

Woodburn Letter:

The final comment letter received was from the city of Woodburn. This letter provided background on the 30 years' experience the City of Woodburn has with a development managed by the Applicant.

The letter identifies the resources and support provided by FHDC to the residents, creating a sense of community.

In addition, the City indicated their residents identified similar concerns as those indicated by the Lebanon residents, but to date, none of those concerns materialized.

Director Hart concluded the summaries of the public comments and stated after the close of the public comment period, we did receive a phone call from a resident requesting the Commission provided a one-week extension of the public review and comment period for further review.

City Attorney Kennedy discussed the legal statutory requirements per the ORS, Governor's modified order in regards to public hearings during the pandemic, and the City's municipal code, and recommended the Planning Commission to leave the record open for a period of seven days for the public to provide further testimony, then provide seven days for the applicant to respond and rebut the comments, but left the decision to the Planning Commission on how to proceed.

Vice-Chair Robertson indicated understanding and invited the Applicant to rebut the testimony provided by the members of the public.

The Applicant indicated in response to the request for a barrier, it is already in the plan to

provide a 6-foot sight-obscuring fence. The type of material for the fence has not been finalized, but it would be sight-obscuring. In addition, there would be a significant number of trees planted along the southern and eastern property lines.

For the drainage concerns, the Applicant indicated that the property has been designed to above the standards of the City. In terms of wetlands, a wetland delineation study has already been completed and the current development proposal is not near the delineated wetlands. It was also added that for the funding of the project, a number of studies have already been conducted for the site, including a Phase I and II, archaeological study, traffic study, Geotech, and Alta study.

The Applicant further discussed the maintenance plan for the property, indicated there will be an on-site live-in manager, and will be hiring a local landscape company for property maintenance. The applicant concluded and was available for any questions.

Vice-Chair Robertson opened the discussion for commissioner questions.

Commissioner McClain asked about the type of materials for the fence. The Applicant indicated it has not yet been determined but could include a chain link or wood fence.

Commissioner McClain indicated a chain link fence with slats would be sturdier, and further stated he would not support a 10-20-foot fence as requested in the public comment section.

Vice-Chair Robertson asked about why only phase one is being proposed rather than the project in its entirety. The Applicant responded that the funding source that was applied for was limited to the size of project. The Applicant is waiting for approval of the second phase of funding, at which point, the second phase would be requested.

Commissioner Brackeen asked about the request for the Community Liaison between the complex and the surrounding neighborhood. The Applicant indicated that there will be two resident coordinators available on-site to build community relations and address any issues that may arise.

Seeing no further questions, Vice-Chair Robertson asked the Commissioners whether they had a preference to honor the request for the continuance.

Communication and clarification on procedures was provided by City Attorney Kennedy and Director Hart.

Commissioners indicated a support to err on the side of caution and accept the request for further time to submit more comments.

Due to the request for continuation by a member of the public, the public record was left open until 5:00pm on Thursday, July 2, 2020. The applicant will then have an additional seven days, until Thursday, July 9, 2020 at 5:00pm, to respond and rebut any of the additional comments received. The Planning Commission will reconvene the meeting on July 15, 2020 at 6:00pm to consider the additional testimony and may make a decision at that time.

B. Planning File AR-20-02 – Administrative Review for Prism Manor, LLC

Vice-Chair Robertson introduced the continued hearing for Planning File No. AR-20-02 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project and then provided a summary of the public comment.

The one public comment received was from the County, which discussed the site dedication requirements, which have already been incorporated in the plan, street improvements, and on-site storm drainage design.

The proposed conditions of development include requirements to meet all of Linn County Road Authority's requirements, which addresses all the comments provided.

At the conclusion of summarizing the public testimony, Vice-Chair Robertson recognized the Applicant to respond to the comments.

The Applicant indicated that they did not have anything to add, and indicated that they are already working with the County on permitting, then concluded and was available for questions.

Vice-Chair Robertson asked if there were any questions.

Seeing no further communication, the public hearing was closed.

Vice-Chair Robertson made a statement of clarification that a half-street improvement will be required on Franklin Street. Director Hart concurred, that half-street improvements will be required.

Commissioner Prenoveau asked for clarification that the street would be widened along the property line. Director Hart indicated the street would be widened to develop a designated right-turn lane along the property.

Seeing no additional questions or comments, Vice-Chair Robertson asked if the commission agreed that the decision criteria can be met for both the development and the variance.

The commissioners all answered in the affirmative.

Vice-Chair Robertson asked for a motion.

Commissioner Brackeen moved to approve the application based on the written findings and conditions.

Commissioner Prenoveau seconded the motion.

The motion passed 7-0.

C. Planning File A-20-03 – Annexation consideration for Travis Wagar

Vice-Chair Robertson introduced the continued hearing for Planning File No. A-20-03 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project, and identified there was no public comment received.

Vice-Chair Robertson recognized the Applicant to respond to the comments. The applicant was not in attendance.

Vice-Chair Robertson asked if there were any questions.

Seeing no further communication, the public hearing was closed.

Vice-Chair Robertson asked the commissioners whether they thought the decision criteria could be met and asked for a motion.

Commissioner Brackeen moved to recommend approval of the annexation based on the written findings and conditions.

Commissioner McClain seconded.

Motion passed 7-0.

D. Planning File A-20-02 – Annexation of various street segments

Vice-Chair Robertson introduced the continued hearing for Planning File No. A-20-02 and asked if there was any ex-parte communication, conflict of interest or bias regarding the application identified since the previous meeting. All Commissioners indicated there was no ex-parte communications, conflicts or bias.

Director Hart presented a quick overview of the project and provided clarification that the annexation of the street segments does not impact private property, does not result in private properties having to annex, does not change zoning, or impact any private property rights and development opportunities.

At the conclusion of summarizing the public testimony, Vice-Chair Robertson asked if there were any questions.

Chairman Salvage indicated that the clarification that there was no impact to private property was important.

Seeing no further communication, the public hearing was closed.

Vice-Chair Robertson asked the commissioners whether they thought the decision criteria

could be met and asked for a motion.

Commissioner Prenoveau moved to recommend approval of the annexation based on the written findings and conditions.

Chairman Salvage seconded.

Motion passed 7-0.

5. WORK SESSION - None

6. COMMISSION BUSINESS & COMMENTS

Director Hart indicated the next Planning Commission meeting will be held in person, and there will be a total of four applications under review.

7. ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:54pm.

[Meeting minutes prepared by Kelly Hart, Community Development Director]

Council Minutes

**LEBANON CITY COUNCIL
MINUTES – DRAFT
July 8, 2020**

Council Present Mayor Paul Aziz, Councilors Jason Bolen, Robert Furlow, Rebecca Grizzle, Wayne Rieskamp, 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, Finance Director Matt Apken and Community Development Director Kelly Hart

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 All Councilors were present.

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

AGENDA Lebanon City Council Agenda – July 8, 2020
COUNCIL MINUTES June 10, 2020 Regular Session

PROCLAMATIONS

Mayor Aziz read the proclamation celebrating the July 26 anniversary of the signing of the Americans with Disabilities Act.

PUBLIC COMMENTS

Mayor Aziz read an email from Jereme Guenther asking Council to reject Governor Brown's mandate, requiring all Oregonians to wear a mask when leaving their homes for any public buildings or businesses, in Lebanon.

PUBLIC HEARINGS

1) Annexation – Oak Street

City Attorney Kennedy reviewed public hearing quasi-judicial procedures. He stated that the hearings were noticed and testimony was requested in writing ahead of time. No written testimony was submitted, nor were there any requests for opportunity to speak regarding the hearings. *Mayor Aziz opened the Public Hearing at 6:08 p.m.* There were no submitted objections to the notice sent out in this case or to the jurisdiction of this body to hear and consider this case. There were no declarations of ex parte contact or conflicts of interest by any Council member.

Community Development Director Hart requested Council approval of an annexation request for property located on 820 W. Oak Street. The Council previously authorized an emergency sewer connection for this property, which was contingent upon the annexation into the City. The land is located within the Lebanon urban growth boundary and is adjacent to City limits, The applicant accepts the automatic zoning designation of the Residential Mixed Density zone upon annexation. The Planning Commission found that the application complies with the Development Code decision criteria and voted unanimously to recommend Council approval of the application.

Mayor Aziz reported that no applicant testimony or comments were received regarding this application. He closed the Public Hearing at 6:11 p.m. Kennedy read the title of ORDINANCE BILL NO. 2020-08, ORDINANCE NO. 2948. **Councilor Grizzle moved, Councilor Rieskamp seconded, to APPROVE ORDINANCE BILL NO. 2020-08, ORDINANCE 2948, A BILL FOR AN ORDINANCE ANNEXING AND ZONING PROPERTY FOLLOWING CONSENT FILED WITH THE CITY COUNCIL BY LANDOWNERS IN SAID AREA PURSUANT TO ORS 222.120 AND ORS 222.170. FILE A-20-03; TRAVIS WAGER. The motion passed unanimously.**

[Councilor Steinhebel left the meeting due to loss of WiFi connection.]

2) Annexation – Street Segments

Kennedy stated that the public hearing quasi-judicial procedures are the same. Nothing was submitted and no one requested to speak during public comment. *Mayor Aziz opened the Public Hearing at 6:13 p.m.* There were no submitted objections to the notice sent out in this case or to the jurisdiction of this body to hear and consider this case. There were no declarations of ex parte contact or conflicts of interest by any Council member.

Hart requested Council approval of an annexation request for various street segments into the City to organize jurisdictional boundaries. This was initiated by the Engineering and Police Departments to create a more appropriate city boundary for service and to provide opportunity for the local Police Department to enforce parking restrictions on certain streets. The annexation only includes the public rights-of-way so there is no zoning designation identified for these segments. This does not impact private properties that may abut the rights-of-way in question. No private property is proposed to be annexed as part of this application and there is no zone change or change in allowed uses on private property.

Mayor Aziz closed the Public Hearing at 6:16 p.m. Kennedy read the title of ORDINANCE BILL NO. 2020-09, ORDINANCE NO. 2949. **Councilor Stauder moved, Councilor Furlow seconded, to APPROVE ORDINANCE BILL NO. 2020-09, ORDINANCE 2949, A BILL FOR AN ORDINANCE ANNEXING CERTAIN STREET SEGMENTS INTO THE CITY FILED WITH THE CITY COUNCIL BY THE CITY OF LEBANON PURSUANT TO ORS 222.120 AND ORS 222.170. FILE A-20-02; CITY OF LEBANON. The motion passed unanimously.**

REGULAR SESSION

3) Budget (Levying Taxes) Amendment

Finance Director Apken presented an amendment to Resolution No. 2020-11 that includes delinquent sewer (\$25,416.81) and storm drain (\$2,988.43) assessments. He confirmed for Councilor Grizzle that these accounts are not COVID-related; they have been delinquent since last year.

Kennedy read the title of RESOLUTION NO. 2020-16. **Councilor Furlow moved, Councilor Stauder seconded, to APPROVE RESOLUTION NO. 2020-16, A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2020-11 TO INCLUDE DELINQUENT SEWER AND STORM DRAIN ASSESSMENTS. The motion passed unanimously.**

Mayor Aziz temporarily adjourned as the Lebanon City Council and convened as the Urban Renewal Agency.

4) Amending Section 1 of Resolution 2020-13 to Correct Request for Taxes for the Northwest Lebanon Urban Renewal District

Apken requested approval to amend Section 1 of Resolution 2020-13 to correct a request for taxes for the NW Lebanon URD. The correct number for the property value that taxes will be based on is \$60,000,000.

Kennedy read the title of RESOLUTION NO. 2020-07. **Councilor Grizzle moved, Councilor Rieskamp**

seconded, to APPROVE RESOLUTION NO. 2020-07, A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 2020-13 TO CORRECT REQUEST FOR TAXES FOR THE NORTHWEST LEBANON URBAN RENEWAL DISTRICT. The motion passed unanimously.

Mayor Aziz adjourned as the Lebanon Urban Renewal Agency and reconvened as the Lebanon City Council.

5) PFM Financial Advisors LLC Agreement

Apken presented a request for staff to enter into a contract with PFM Financial Advisors LLC for municipal advising services.

Councilor Stauder moved, Councilor Furlow seconded, to APPROVE AN AGREEMENT WITH PFM FINANCIAL ADVISORS LLC TO ASSIST WHEN WORKING ON ISSUING DEBT. The motion passed unanimously.

6) State of Oregon Grant Agreement for Reimbursement of COVID-19 Expenses

Apken requested approval for staff to enter into a grant with the State of Oregon for COVID-19 costs of over \$93,000. Reimbursement includes costs for PPE, staff time off and staff time spent on COVID-19, and laptops and equipment for telecommuting. There is potential for more funds for expenses incurred after May 15, 2020.

In response to Councilor Furlow's question about an end date, Apken said that the federal awards program is open through December 21, 2020, but it depends on how much funding is left.

[Councilor Steinhebel rejoined the meeting.]

Councilor Rieskamp moved, Councilor Grizzle seconded, to APPROVE THAT THE CITY ENTER INTO A GRANT AGREEMENT WITH THE STATE OF OREGON FOR COVID-19 EXPENSE REIMBURSEMENT. The motion passed unanimously.

7) CDBG Emergency Assistance Grant

Hart asked for a motion to enter into an Emergency Childcare CDBG Intergovernmental Agreement with the City of Sweet Home, who would be the grant administrator and would be responsible for records associated with the grant.

Councilor Furlow moved, Councilor Stauder seconded, to APPROVE THAT THE CITY ENTER INTO AN EMERGENCY CHILDCARE CDBG INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF SWEET HOME. Councilor Rieskamp abstained since he is a member of the Boys & Girls Club Board. The motion passed unanimously.

8) League of Oregon Cities Request for Top Four Legislative Priorities for 2021

Interim City Manager/Engineering Director Whitlatch presented the League of Oregon Cities priorities survey that is sent out prior to the legislative session.

After discussion, Council consensus was to recommend to the League of Oregon Cities the following as its top four legislative priorities: COVID-19 Economic Recovery Investments; Increased Budgetary Flexibility During Budgetary Emergency; Infrastructure Financing and Resilience; and Mental Health Service Delivery.

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

- Staff is proposing that the City renew the extension of the auditor's contract. Apken confirmed that it has been easy to work with the current auditor. He added that with the pandemic and possibility of changing software, it may be good to stay with the same auditor. ***Council consensus was to stay with the current firm that performs auditing services for the City.***

ITEMS FROM COUNCIL

Mayor Aziz announced information about running for the elected offices of Mayor and City Councilor. The filing period is from July 13, 2020 through 5:00 p.m. on July 31, 2020. City officials with terms expiring December 31, 2020 are Mayor Aziz, Councilor Furlow (Ward 1), Councilor Grizzle (Ward 2) and Councilor Bolen (Ward 3). Please contact the City Recorder Kim Scheafer to schedule a time to complete the paperwork.

PUBLIC/PRESS COMMENTS – *There were none.*

NEXT SCHEDULED COUNCIL MEETING(S) – August 12, 2020 (6:00 p.m.) Regular Session. There was a brief discussion about holding a hybrid meeting with only Council and staff present at the Santiam Travel Station and citizens viewing the meeting through Zoom.

The Council convened into Executive Session at 6:43 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 7:40 p.m.*

ADJOURNMENT – Mayor Aziz adjourned the meeting at 7:40 p.m.

[Minutes prepared by Donna Trippett]

Minutes Approved by the Lebanon City Council on this 12th day of August 2020.

Paul R. Aziz, Mayor
Jason Bolen, Council President

ATTESTED:

Kim Scheafer, MMC, City Recorder

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: July 28, 2020

From: Shana Olson
Project Manager

Subject: Public Access and Utilities Easement

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

This 15-foot public utility easement is for the newly constructed sewer main extension for the tax lots on the corner of S 2nd and W Ash Streets.

EASEMENT FOR PUBLIC ACCESS AND UTILITIES

THIS AGREEMENT, made and entered into this _____ day of _____, 20____ by and between Charles A. Hutchison (Address: 589 S 2nd Street, Lebanon, OR) 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 11 day of March, 2020.

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

[Signature of Charles A. Hutchison]

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)

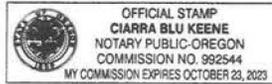
By: Paul R Aziz, Mayor []
Jason Bolen, Council President []

By: Kim Scheafer, MMC, City Clerk

On the 11 day of March, 2020, personally appeared the within named Charles A. Hutchison who acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME: [Signature of Ciarra Blu Keene]
NOTARY PUBLIC FOR OREGON

Commission Expires: Oct 28, 2023



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: _____
NOTARY PUBLIC FOR OREGON

Commission expires: _____

EXHIBIT "A"

HUTCHISON – TAX LOT 1100, MAP 12S-02W-10DA

AN AREA OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, CITY OF LEBANON, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS:

THE NORTH 15 FEET OF THE EASTERLY 39 FEET OF THE LAND DESCRIBED IN DEED RECORDS VOLUME 749, PAGE 984

THE ABOVE DESCRIBED AREA CONTAINS 585 SQUARE FEET.



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

EXHIBIT 'B'



SCALE:



573 S 2ND ST
TAX LOT 1000
MAP 12S02W10DA

15' UTILITY EASEMENT
TO THE CITY OF LEBANON

75.00'

581 S 2ND ST
TAX LOT 1101
MAP 12S02W10DA

39.00'

S 2ND ST

HUTCHISON
VOL. 749, PG. 984
589 S 2ND ST
TAX LOT 1100
MAP 12S02W10DA

LNS
DN 2018-05664
67 W ASH ST
TAX LOT 1200
MAP 12S02W10DA

57 W ASH ST
TAX LOT 1300
MAP 12S02W10DA

ALLEY

W ASH STREET

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: August 4, 2020

From: Kim Scheafer, MMC, City Recorder

Subject: Full On-Premises & Off Premises Liquor License Application for Mugs Coffee House

Mugs Coffee House, LLC has applied for a Full On-Premises and Off-Premises Liquor License for their business located at 550 S Main Street, Suite 101.

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.

Date: July 31, 2020

Attn: City of Lebanon and Lebanon Council Members

Re: Mugs Coffee House, OLCC License

Please find attached the OLCC application for Mugs Coffee House. We are extremely excited to expand our services and products to our Lebanon community! This application, when accepted, will be a full on and off premises license. We will serve items such as espresso martini's and fruity mimosas in the morning and throughout the day, every day. Beer, cider, wine, and specialty drinks will be served as well during our business hours. And, our establishment will remain family friendly until evening hours.

Mike and I have had so much fun with the 550 S. Main St. project. Adding Mugs was an investment that we hope to see flourish and we have many ideas on how to achieve those goals. This is one step in what we feel is the right direction.

Thank you for your consideration and I am more than happy to answer all your questions.

Respectfully,

A handwritten signature in black ink that reads "Blanca". The signature is written in a cursive, flowing style.

Becky Van Atta
Owner, Mugs Coffee House
C: (541) 409-2537



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:
<input type="checkbox"/> Brewery 2nd Location	8-3-2020
<input type="checkbox"/> Brewery 3rd Location	Name of City or County: City of Lebanon
<input type="checkbox"/> Brewery-Public House 1st Location	_____
<input type="checkbox"/> Brewery-Public House 2nd Location	Recommends this license be:
<input type="checkbox"/> Brewery-Public House 3rd Location	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
<input type="checkbox"/> Distillery	By: _____
<input checked="" type="checkbox"/> Full On-Premises, Commercial	Date: _____
<input type="checkbox"/> Full On-Premises, Caterer	
<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	OLCC USE ONLY
<input checked="" type="checkbox"/> Off-Premises	Date application received:
<input type="checkbox"/> Off-Premises with Fuel Pumps	07/30/2020
<input type="checkbox"/> Warehouse	By: <i>OK</i>
<input type="checkbox"/> Wholesale Malt Beverage & Wine	License Action(s):
<input type="checkbox"/> Winery 1st Location	New Outlet
<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):

Mugs Coffee House, LLC

(Applicant #1)

(Applicant #2)

(Applicant #3)

(Applicant #4)

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

Mugs Coffee House

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

550 S. Main St. Suite 101

City

Lebanon

County

Linn

Zip Code

97355



OREGON LIQUOR CONTROL COMMISSION

LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) <i>Mugs Coffee House</i>			
6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" 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) <i>550 S. Main St. Suite 101</i>			
City <i>Lebanon</i>	State <i>OR</i>	Zip Code <i>97355</i>	
9. Phone Number of the Business Location <i>541.497.7245</i>		10. Email Contact for this Application <i>becky@mugslebanon.com</i>	
11. Contact Person for this Application <i>Becky Van Atta</i>		Phone Number	
Contact Person's Mailing Address (if different)	City	State	Zip Code

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.

Blanchette

(Applicant#1)

Richard Van

(Applicant#2)

(Applicant#3)

Justin

(Applicant#4)



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Mugs Coffee House, LLC Phone: 541.497.7245
Trade Name (dba): Mugs Coffee House
Business Location Address: 550 S. Main St. Suite 101
City: Lebanon ZIP Code: 97355

DAYS AND HOURS OF OPERATION

Business Hours: Sunday 6:AM to 12:AM, Monday 6:AM to 12:AM, Tuesday 6:AM to 12:AM, Wednesday 6:AM to 12:AM, Thursday 6:AM to 12:AM, Friday 6:AM to 12:AM, Saturday 6:AM to 12:AM
Outdoor Area Hours: N/A
The outdoor area is used for: [] Food service, [] Alcohol service, [] Enclosed, how

Seasonal Variations: [] Yes [] No If yes, explain:

ENTERTAINMENT Check all that apply:
[] Live Music [] Karaoke
[] Recorded Music [] Coin-operated Games
[] DJ Music [] Video Lottery Machines
[] Dancing [] Social Gaming
[] Nude Entertainers [] Pool Tables
[] Other:

DAYS & HOURS OF LIVE OR DJ MUSIC
Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday to
Saturday to

SEATING COUNT
Restaurant: 35 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 complete, the OLCC may deny my license application.
Applicant Signature: [Signature] Date: 10/30/2020

Presentation/Proclamation/
Recognition

Introduction

Proposed Interim City Manager
Nancy Brewer



"Patriot Day" – September 11, 2020

National Day of
Service and Remembrance
PROCLAMATION

WHEREAS, the terrorist attacks that occurred on September 11, 2001 changed America forever. Thousands of innocent lives were lost in these terrible events, but in no way was this tragic day a defeat for our country; and

WHEREAS, instead of dividing our nation, or crushing our resolve, September 11, 2001, unified our country, strengthened our resolve and deepened our commitment to liberty, equality and justice; and

WHEREAS, out of this tragedy flowed generosity, hope and unity while citizens nationwide demonstrated extraordinary bravery and compassion. The people of America gained a new appreciation of what it means to be a hero and a patriot by witnessing the unwavering loyalty of our firefighters, police, medical emergency personnel, first-responders and individuals who put the safety of their co-workers and friends above their own; and

WHEREAS, we take time to acknowledge those who have worked diligently to honor the memories of all victims.

THEREFORE, in memory of the heroes whose lives were so tragically lost, and in special recognition of courageous men and women everywhere who selflessly risk their own lives to save others and protect our liberty, I, Mayor Paul R. Aziz, do hereby proclaim September 11, 2020 as "**PATRIOT DAY AND NATIONAL DAY OF SERVICE AND REMEMBRANCE**" and call upon all citizens to observe this day with gratitude and patriotism and to make a personal pledge to honor and cherish the freedom that defines America.

Paul R. Aziz, Mayor
City of Lebanon, Oregon

*In Witness Whereof, I Hereunto Cause the Great Seal of the
City of Lebanon to be affixed on this 12th Day of August 2020.*

Kim Scheafer, MMC, City Recorder



September 2020

PREPAREDNESS MONTH

PROCLAMATION

WHEREAS, the U.S. Department of Homeland Security, along with other federal, state, local, private and volunteer agencies, is working to deter, prevent, and respond to all types of natural and technological emergencies; and

WHEREAS, the City of Lebanon recognizes that we are all susceptible to such emergencies and demonstrates a broad-based need for citizens of Lebanon to have a plan for response and recovery in the event of an emergency; and

WHEREAS, "Preparedness Month" creates an important opportunity for our community to learn more about preparing for all types of emergencies; and

WHEREAS, all citizens are encouraged to take preparedness measures before, during, and after a major emergency by making preparedness a priority in their schools, businesses, communities and homes by following four simple steps: *Build an Emergency Kit, Make an Emergency Plan, Be Informed, Get Involved*; and

WHEREAS, the Lebanon community is encouraged to participate in citizen preparedness activities and to review the Oregon Office of Emergency Management Web site at <http://www.ready.gov/be-informed> for preparedness information.

NOW THEREFORE, as Mayor of the City of Lebanon, and in support of National Preparedness Month, I do hereby proclaim September 2020 as **PREPAREDNESS MONTH** in the City of Lebanon, Oregon.

Paul R. Aziz, Mayor
City of Lebanon, Oregon

*In witness whereof, I hereunto cause the great seal of the
City of Lebanon to be affixed on this 12th day of August 2020*

Kim Scheafer, MMC, City Recorder

September 2020
National Senior Center Month
“Delivering Vital Connections”

Proclamation

Whereas, older Americans are significant members of our society, investing their wisdom and experience to help enrich and better the lives of younger generations;
and

Whereas, the Lebanon Senior Center has acted as a catalyst for mobilizing the creativity, energy, vitality, and commitment of the older residents of Lebanon, Oregon;
and

Whereas, through the wide array of services, programs, and activities, senior centers empower older citizens to contribute to their own health and well-being and the health and well-being of their fellow citizens of all ages; and

Whereas, the Lebanon Senior Center affirms the dignity, self-worth, and independence of older persons by facilitating their decisions and actions; tapping their experiences, skills, and knowledge; and enabling their continued contributions to the community;

Now, therefore, I Paul R. Aziz, Mayor of Lebanon do hereby proclaim September 2020 **National Senior Center Month** and call upon all citizens to recognize the special contributions of the senior center participants and the special efforts of the staff and volunteers who work every day to enhance the well-being of the older citizens of our community.

Paul R. Aziz, Mayor of Lebanon, Oregon

In Witness Whereof, I Hereunto Cause the Great Seal of the City of Lebanon to be affixed on this 12th Day of August 2020.

Kim Scheafer, MMC, City Recorder

Citizen Comments

RECEIVED

JUL 20 2020

July 18, 2020

Dear Lebanon City Council:

I would like to share a story and some thoughts and ideas about housing in Linn county that I would like for you to consider, especially since we have a currently proposed opportunity.

Milwaukee Wisconsin public health statistics read like this: infant mortality is three times higher, life expectancy is 14 years shorter, and there are gaping disparities in education, income, and health for non-white citizens that had been rooted in generations of anti-Black racism and the chronic stress it is still causing and as a result of these numbers, in May 2019, the city declared racism a public health crisis. Making the link between racism and health took some persuading, especially since there is a population that does not have this experience. The reaction was, "I'm not a racist." But that is personal racism. What the city is addressing is structural racism (see definition below).

Milwaukee started this journey by conducting racial bias training in their county and creating a new budgeting tool to help make decisions that factor in racial equity (see definition below). With a new tool, it was discovered that housing assistance was a great need and they have shifted their county funds to meet housing needs.

Today in Linn county there is a proposal for a 24 unit development called Colonia Paz I and there is an anti-immigration group protesting it. It is an act of structural racism (see definition below) to group together to ban seasonal immigrant employees from working in this county and prevent them from having a roof to protect them after gathering our county's harvest all day. Also, there are Latin people in Linn county that work as farmers and laborers and are either legal residents or citizens. Will you make this group of people feel included and protected in their home county with a vote against this development? Or oppressed (see definition below)? It is also a prejudicial misnomer to think all Latin people working in farming are seasonal immigrant employees and even if they are, this is a temporary seasonal situation. Even injustice crusader Cesar Chavez had his dark night of the soul when he accused seasonal immigrant employee strikebreakers as "illegal" when he was protesting the United Fruit Company (UFC) injustices of work, pay, and housing conditions (Citation: Pawel, Miriam (2014). *The Crusades of Cesar Chavez: A Biography*. New York: Bloomsbury Press. ISBN 978-1-60819-710-1.). Please don't let this be the city of Lebanon's, The City That Friendliness Built, be its dark night of the soul too.

Linn county has no declaration of addressing the disparities our state has calculated, by county, as it relates to housing, education, and wage. There is no county-wide racial bias training. There is no new budgeting tool to help make different decisions that factor in racial equity and generational poverty as it relates to housing, health, jobs, education.

There are Lebanon citizens that protested in June for such things; will you wait until they vote for a new city council if they do not see change? Here is an opportunity to not sit on the sidelines of the housing issue.

One apartment complex in this city, purchased in 2019 by an outside LLC, raised rents 21.5 percent in 2019, in 2020, raised rents 11.5 percent and more. They can do this because the property is under 15 years old, but they can also do it because the city hasn't had the impetus to create a safety cushion for its citizens. Here are three basic solutions to a situation like this and other housing disparities in Lebanon:

1. Since this property is located in the only high poverty hot spot in the city of Lebanon, why not create a local ordinance that says something to the effect of: until this area is out of this statistical high poverty bracket, there will be rent control in this geographic area and once gone, the rent control will be lifted.
2. Another local ordinance can be for every new condo, apartment, townhouse development, 15 percent of it must be designated for below the poverty level.; this is a basic ordinance that some cities with housing inequity in both California and Oregon institute.
3. Right now, you have many pending evictions in the city of Lebanon due to people losing their jobs from the COVID-19 virus. Something creative can be done here too, yet the city of Lebanon is doing nothing about that either.

But now, the city of Lebanon has an opportunity to build housing for people gathering the city's harvest. I would suggest that if the anti-immigration people have anyone in mind that would like to work for this farm outfit and be eligible for this housing, they apply.

I am writing in support of the development of Colonia Paz I, FHDC proposal for 24-units in AR 20-05 that is zoned for multi-family and meets requisite code provisions.

I fear that in sharing my support to Colonia Paz I, I can be silently targeted and discarded. I hope that will not be the case with the friends I have met and served business and fun in this city. After all, I am speaking from personal experience with the issues of housing in the city of Lebanon.

P.S. The following terms (some are used in this letter) are being used in the current dialogue our nation and world is having that are a new part of the global conversation on discrimination and are included because I would like to see these items included in a city-wide and county-wide racial bias training (incorporating concepts of Diversity, Equity and Inclusion (DEI), along with a new budgeting tool in the hopes of creating a gap closure in the generational and racial poverty and opportunity disparities in the city of Lebanon and Linn county.

All the best,

Jennifer Puccio
 City of Lebanon resident
 City of Lebanon Chamber of Commerce member
 Trees & Trails Advisory Committee, City of Lebanon

TERM	DEFINITION
Discrimination	As it relates to people, making a distinction in favor of or against a person based on the group, class, or category to which that person belongs rather than on individual merit.
Harassment	The act or an instance of disturbing, pestering, or troubling repeatedly; persecution.
Diversity	Inclusion of individuals representing more than one national origin, color, religion, class, gender, sexual orientation, etc.

	It has come to refer to the various backgrounds and races that comprise a community, nation, or other grouping — not only acknowledging the distinctiveness of others but appreciating those differences.
Equity	The quality of being fair and impartial. In the context of those from various backgrounds and races, the focus is to provide access to populations that historically have different levels of access to opportunity. For example, creating a building structure in such a way that no additional supports need to be put in place for different groups; the structure is created for all levels of access (i.e., no need to build ramps if all entrances do not have stairs).
Inclusion	Process of bringing traditionally excluded and/or underrepresented individuals and groups into processes, activities, decisions, and policy making.
Racism	Prejudice, discrimination, or antagonism directed against a person or people based on their racial or ethnic group, typically one that is a minority or marginalized. A belief that different races possess distinct characteristics, abilities, or qualities that distinguish them as inferior or superior to one another. Hatred or intolerance of another race or other races.
Institutional racism	Refers to the policies and practices within and across institutions that, intentionally or not, produce outcomes that chronically favor, or put a racial group at a disadvantage. Examples can be found in school disciplinary policies where students of color are punished at much higher rates than their white counterparts, the criminal justice system, and many employment sectors where daily operations and hiring and firing practices can significantly disadvantage workers of color.
Structural racism	A system in which public policies, institutional practices, cultural representation, and other norms work in various, often reinforcing ways, to perpetuate racial inequality. It identifies dimensions of our history and culture that have allowed privileges associated with “whiteness” and disadvantages associated with “color” to endure and adapt over time, becoming a feature of the social, economic, and political systems in which, we all exist. These dimensions shape our attitudes and judgments about social issues, national values, and become a historical accumulation of privilege and culture gaps.
Oppression	Systemic exercise of authority or power in a burdensome, cruel, or unjust manner. As it relates to race, a restraint that curtails opportunity, a person’s life choices and sense of possibility and ultimately, creates a disempowerment of subordinated and/or targeted groups, which permeates most aspects of life in a society and manifests as bigotry, institutional and systemic discrimination, personal bias, etc.
Privilege	A right, immunity, or benefit enjoyed only by a person beyond the advantages of most due to their social group membership (i.e., race, wealth).

White privilege	A phrase used to describe a head start associated with “whiteness” due to hundreds of years of institutional and structural racism that disenfranchises people of color in areas of quality education, decent jobs, livable wages, home ownership, retirement benefits, wealth, etc. It does not say life is not difficult for those with lighter skin but that one’s skin color hasn’t contributed to the difficulty in a white person’s life and generally, this invisible package of unearned assets is not obvious to the person.
Racial equity	A condition achieved if one’s racial identity no longer predicted how one fares and the distribution of society’s benefits and burdens would not be skewed by race. This state would be a reality if a person is no more or less likely to experience society’s benefits or burdens due to skin color. This concept holds society to a higher standard, demanding we pay attention not only to individual discrimination but to overall social outcomes that point to persons of color being more likely to live in poverty, be imprisoned, drop out of high school, be unemployed and in poorer health.
Anti-racism	Active process of identifying and eliminating racism by changing systems, organizational structures, policies, practices, and attitudes so power is redistributed and shared equitably. It is the practice of identifying, challenging, and changing values, structures, and behaviors that perpetuate racism, starting with oneself.
Anti-racist proponent	A person seeking to learn more about how they have been affected by institutional racism, regardless of race, and to actively seek change in societal norms through a variety of means – discourse, changing organizational policies and practices, protesting, etc. – to help build an equitable society.
Ally	A person from a non-marginalized group uses their privilege to advocate for a marginalized group and help change the systems that challenge that group’s basic rights, equal access, and ability to thrive in our society.
Code-switching	In linguistics, it occurs when a speaker alternates between two or more languages or language varieties; one reason is to express group identification. However, due to structural inequality and centuries of segregation, different cultural norms and ways of speaking emerged among white and black American and since the dominant culture is white, and whiteness is acknowledged in institutions as natural, normal and legitimate, there is more incentive for people of color to adapt to the dominant culture to improve their prospects. White Americans rarely, if ever, feel this same pressure in their daily lives. As a result, it can be mentally taxing, even demoralizing, if one must hide or adjust parts of oneself.
Acculturation	Process of adopting the cultural traits or social patterns of another group.
Enculturation	Process whereby individuals learn their group’s culture through experience, observation, and instruction.

Agenda Item 1



Community Development
925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

TO: Lebanon Urban Renewal Agency
FROM: Kelly Hart, Community Development Director
DATE: August 12, 2020
SUBJECT: Northwest Lebanon Urban Renewal Plan Minor Amendment

PURPOSE

The Lebanon Urban Renewal Agency is being asked to consider a minor amendment to the Northwest Lebanon Urban Renewal Plan to remove property to enable the adoption of the Mill Race Urban Renewal Plan by the Lebanon City Council. The properties must be removed from the Northwest Lebanon Urban Renewal Area prior to being included into the Mill Race Urban Renewal Area.

PROPOSAL

The property to be put into the Mill Race Urban Renewal Plan is presently in the Northwest Lebanon Urban Renewal Plan. State statute prohibits property from being in more than one urban renewal area at any one time.

The Mill Race Urban Renewal Plan creates a single development tax increment finance zone to provide developer incentives to reimburse the developer for infrastructure required to facilitate development. The Mill Race Urban Renewal Plan implements the Economic Development Agreement for the property.

If the City Council decides to approve the Mill Race Urban Renewal Plan, the Urban Renewal Agency will need to adopt a concurrent amendment to the Northwest Lebanon Urban Renewal Plan to remove this property from that urban renewal area.

AGENCY RECOMMENDATION AND VOTE

Staff recommends that the Agency, if the vote to adopt the Mill Race Urban Renewal Plan by the Lebanon City Council appears to be a positive vote, pass the resolution that enacts the minor amendment to reduce the boundary of the Northwest Lebanon Urban Renewal Plan.

Attachments:

1. Resolution with Exhibit A amendment and Exhibit B revised legal description.

A RESOLUTION OF THE LEBANON URBAN RENEWAL AGENCY AUTHORIZING A MINOR AMENDMENT TO THE NORTHWEST LEBANON URBAN RENEWAL DISTRICT’S BOUNDARY) **RESOLUTION NO. 2020-17**
)
)
)
)

WHEREAS, the Lebanon City Council adopted the Northwest Lebanon Urban Renewal Plan (“Plan”) on August 17, 1989; and

WHEREAS, amendments have been made to the Plan; and

WHEREAS, the Agency desires to further amend the Plan by removing property and right-of-way; and

WHEREAS, this removal of property and right-of-way does not compromise existing bond holder covenants; and

WHEREAS, this removal of property and right-of-way does not compromise the Agency’s ability to pay off existing debt; and

WHEREAS, removal of property and right-of-way is allowed through a Minor Amendment; and

WHEREAS, this Minor Amendment has been prepared in conformance with the requirements of Section VII Redevelopment Plan Amendments of the Plan and ORS Chapter 457 and is attached hereto as Exhibit A; and

WHEREAS, a Minor Amendment requires approval by the Lebanon Urban Renewal Agency by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE LEBANON URBAN RENEWAL AGENCY AS FOLLOWS:

Section 1. The Agency hereby approves the Minor Amendment attached hereto as Exhibit A, and the revised legal description attached hereto as Exhibit B, which amend the Northwest Lebanon Urban Renewal Plan.

Section 2. This resolution is effective immediately upon the effective date of Ordinance No. 2950, Ordinance Bill No. 2020-10, approving the Mill Race Urban Renewal Plan.

Section 3. This resolution and legal description of the resulting Northwest Lebanon Urban Renewal Area will be transmitted to the Linn County Assessor.

Passed by the Lebanon Urban Renewal Agency and executed by the Chair on this ___ day of _____, 2020 by a vote of _____ yeas and _____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Chair
Jason Bolen, Vice Chair

ATTEST:

Kim Scheafer, MMC, City Recorder

Exhibit A

The Northwest Lebanon Urban Renewal Plan ("Plan") is amended as follows:

The boundary of the Plan is adjusted by removing property and right of way. The acreage to be removed is shown in Table 1 and Figures 1 and 2. The boundary after the amendment is shown in Figures 3 and 4. The legal description is shown after the Figures.

The list of properties and right of way to be removed is shown below in Table 1.

Table 1 - Acreage to be Removed

Tax Lot #	Assessor's Account #	Acreage	
12S 02W 03A, tax lot 1200	169207	19.78	Mill Race
12S 02W 03A, tax lot 1204	945306	2.34	Mill Race
12S 02W 03A, tax lot 1800	169306	19.20	Mill Race
12S 02W 03A, tax lot 1900	169314	4.30	Mill Race
12S 02W 03A, tax lot 2000	169322	0.97	Mill Race
12A 02W 03A, tax lot 1901	*	1.57	Mill Race
12S02W03A, tax lot 02100	169363	1.40	Removed from any URD
12S02W03A, tax lot 02003	169355	0.53	Removed from any URD
12S02W03A, tax lot 02001	169330	1.00	Removed from any URD
Public Right of Way		2.57	Mill Race
TOTAL:		53.66	

*This parcel was created in 2019 and there is not yet an Assessor's ID number.

The Assessed Value and Acreage percentage to total Lebanon values is shown in Table 2. The City may have up to 25% of assessed value and acreage in urban renewal areas. This amendment complies with that restriction.

Table 2 - Assessed Value to Acreage

Urban Renewal Area	Frozen Base Assessed Value	Acreage	Excess Value
Northwest Lebanon	\$10,818,045*	570.31**	\$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
TOTAL: (A)	\$67,668,915	1,062.95	\$256,172,788
City of Lebanon (B)	\$1,261,832,878	4,603.86	
Excess value (C)	\$256,172,788		
City AV minus Excess Value	\$1,005,660,090		
Percentages	6.73%	23.05%	
	A/(B-C)	A/B	

*this will be reduced as the acreage is removed, but the assessor will establish that value at the time the amendment is received in their office

**after removal in this Amendment

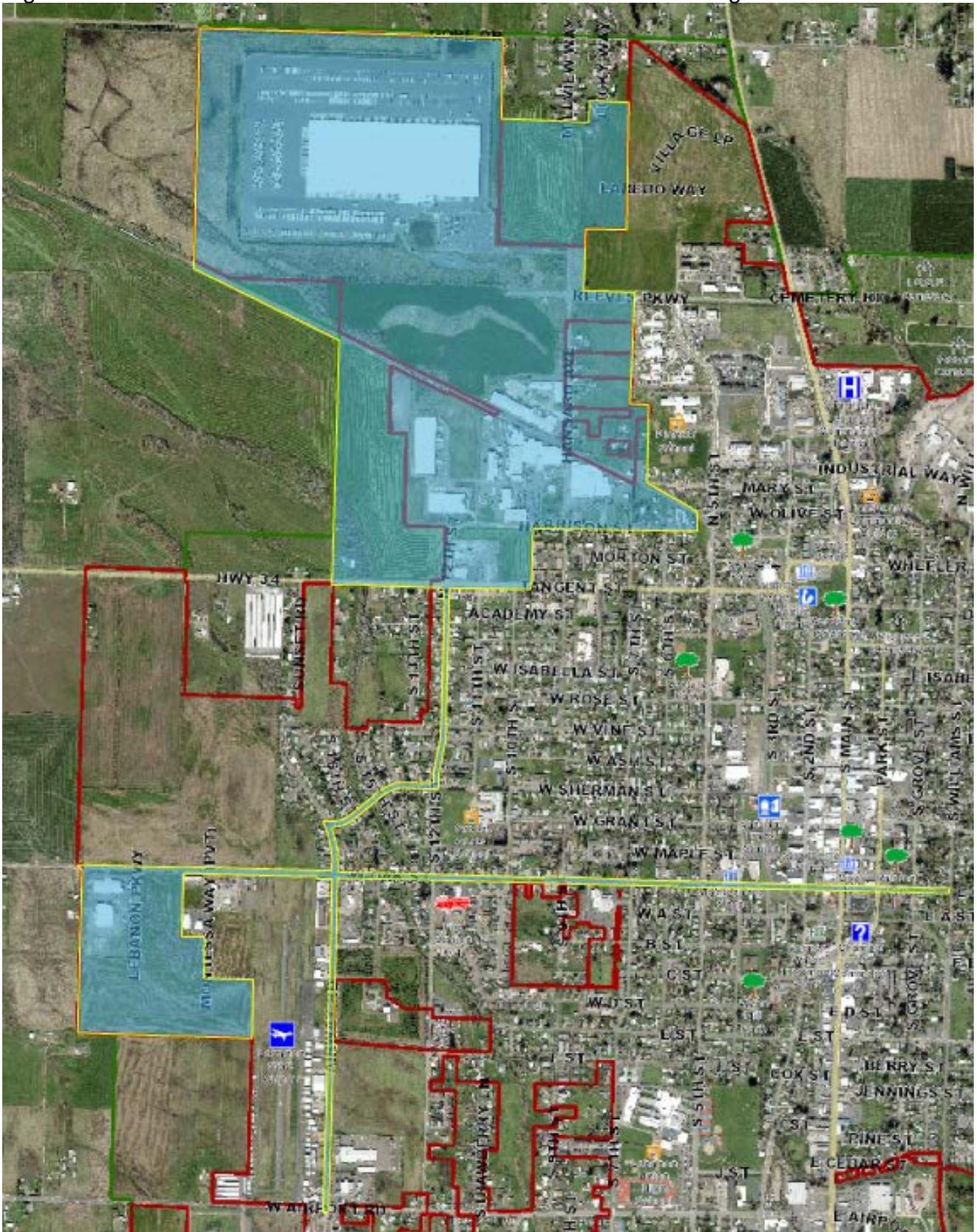
AV is using Linn County Assessor FY 2019/20 data. Acreage provided by City of Lebanon

Figure 2 – Acreage to be Removed and not included in the Mill Race Urban Renewal Area - 2.93 acres



Source: City of Lebanon
Note: This is included in Figure 1

Figure 4 – NW Lebanon Urban Renewal Area After Removal of Acreage – Aerial View



Source: City of Lebanon

Exhibit B
Legal Description of NW URD

NORTHWEST LEBANON URBAN RENEWAL DISTRICT

NORTH PORTION OF NORTHWEST URD REVISED PER 2020 AMENDMENT

Beginning at the northwest corner of the William B. Gore DLC No. 38, which said point lies within the right of way of County Road No. 701 in Linn County, Oregon, and running thence North 89°56'56" East 3,238.53 feet along the north line of the west projection of said DLC; thence South 0°37'08" East 894.94 feet; thence North 89°56'56" East 931.38 feet; thence North 0°37'08" West 224.4 feet; thence North 89°56'56" East 429 feet to a point on the west line of Parcel 2 of Linn County Partition Plat No. 2020-29; thence along the west line of said Parcel 2 and extending along the west line of Parcel 1 of Linn County Partition Plat No. 2019-34, South 0°35'00" East 1,367.41 feet to the southwest corner of said Parcel 1 and also being on the north line of that property described in Linn County deed reference Microfilm Volume 1744- Page 550; thence, South 89°55' West 429 feet along the north line of that property described in Linn County deed reference Microfilm Volume 1744- Page 550 to a ½ inch iron pipe at the northwest corner of said property (per County Survey 2885); thence, South 0°35' East along the west line of said property 660 feet to a 3/4 inch iron pipe (per County Survey 2885) on the north right of way line of Reeves Parkway; thence, North 89°54'47" East along the north right of way line of Reeves Parkway 537.18 feet (per County Surveys 21373 and 2885); thence, South 0°16'48" East 130.00 feet (per County Survey 21373) to a 5/8 inch iron rod on the south right of way line of Reeves Parkway at the northwest corner Parcel 1 of Linn County Partition Plat No. 2013-06; thence along the west line of said Parcel 1, South 0°06'04" East 903.50 feet to the southwest corner of said Parcel 1 and also being the Northwest corner of Parcel 1 of Linn County Partition Plat No. 2001-24; thence following the west boundary of said Parcel 1 the following courses and distances; South 0°06'04" East 174.02 feet to westerly most southwest corner of said Parcel 1; thence North 89°42'15" East 200.37 feet to the interior corner of said Parcel 1; thence South 663.97 feet to the southwest corner of said Parcel 1; thence leaving the west boundary of said Parcel 1 and continuing South 183 feet more or less to the north line of Southern Pacific Railroad right of way; thence southeasterly, along said right of way, to a point North 0°08' East of the northeast corner of the Boslar Addition to Lebanon; thence southerly to the northeast corner of said Boslar Addition; thence West along the north lines of the Boslar Addition and Mountain View Addition to the northwest corner of the Mountain View Addition; thence continuing West 320.00 feet to a point on a northerly projection of the west line of the Hansard Manor Addition to Lebanon; thence South, along the projection of the said west line of the Hansard Addition and continuing along the west line of the Hansard Addition, 641.56 feet to the north line of Tangent Street; thence westerly, along the north line of said Tangent Street, 2,131.76 feet to a point that is Northerly 30.00 feet from the southwesterly corner of the Morgan Kees DLS No 43; thence northerly 2,634.49 feet to the north line of the Southern Pacific Railroad right of way; thence North 65°41'11" West along said northerly right of way line 1,731.6 feet to the west line of the William B. Gore DLC No. 38; thence northerly, along said west DLC line, 2,542.52 feet to the point of beginning.

AND

An area of land in the northwestern, western, and central portion of the City of Lebanon, Linn County, Oregon, lying in the Sections 9, 10, 11, and 16, Township 12 South, Range 2 West of the Willamette Meridian, more particularly described as follows:

Commencing at a point on the north right of way of Tangent Street which is Northerly 30.00 feet from the southwesterly corner of Morgan Kees DLC No. 43; thence easterly 1,194.48 feet along the north right of way line of Tangent Street, (Oregon Highway 34) to the POINT OF BEGINNING on the northerly projection of the westerly right of way line of 12th Street (per County Survey 21373); thence south along said 12th Street right of way projection 194.68 feet to a point being on the westerly right of way of 12th Street; thence east 10 feet along said right-of-way to the northeast corner of the land described in Linn County deed MF Volume 944- Page 484; thence South 1,319.72 feet along the westerly right of way line of 12th Street to the northwest corner of the intersection of 12th Street and Vine Street right of way; thence West 4.99 feet along the north right of way of said Vine Street; thence south along the projection of 12th Street right of way per Pletzer's Green Subdivision Plat (County Survey 12473) to the northeast corner of Lot 13 in Block 5 of said Pletzer's Green; thence southerly along the western right of way line of 12th Street per the aforementioned Pletzer's Green to the northwest corner of 12th Street and Sherman Street right of way intersection; thence westerly, more or less, along north Sherman Street right of way line (County Survey 12473 and County Survey 13688) to the westerly Airway Road right of way line (County Survey 13688 and County Survey 16448) as per Supplemental Plat of First Addition to Pletzer's Green; thence southerly along the western Airway Road right of line to the intersection of the northerly right of way line of Oak Street; thence West 1,708.49 feet along said north right of way line; thence South 9.69 feet to the southeast corner of land described in Linn County Deed 2017-22787 as Parcel 2 (County Survey 4230); thence West 1,018.63 feet along north Oak Street right of way line the southwest corner of aforementioned property; thence South 60 feet, more or less, to the south Oak Street right of way line; thence East 54.55 feet to the most westerly northwest corner of Parcel 1 of Linn County Partition Plat No. 2011-11; thence South 0°11'45" East 1,733.27 feet to the southwest corner of said Parcel 1; thence South 89°49'44" East 1,862.44 feet along the south line of John W. Bell DLC No. 51 to the southeast corner of said Parcel 1; thence North 00°13'03" West 632.97 feet; thence South 89°49'30" West 530.41 feet; thence North 00°12'30" West 496.50 feet; thence South 89°45'31" West 250.00 feet; thence North 00°12'30" West 616.26 feet to the southerly Oak Street right of way line; thence East 1,431.62 to a point that is northerly 10.00 feet from the northwest corner of Parcel 1 of Linn County Partition Plat No. 2014-55; thence South 10 feet to the northwest corner of Parcel 1 of Linn County Partition Plat No. 2014-55; thence East 158.00 feet to the northeast corner of Parcel 1 of Linn County Partition Plat No. 2014-55 and the westerly Airway Road right of way line; thence South 3,560.10 feet along said westerly right of way line to the projected intersection with the southerly Airport Road right of way line; thence East 60 feet, more or less, along the southerly Airport Road right of way; thence North 3,560.37 feet along the easterly Airway Road right of way to the intersection of the southerly Oak Street right of way line; thence East 480.75 feet to the easterly Gilbert Drive right of way line; thence North 10 feet to the southerly Oak Street right of way line; thence East 6,042.92 feet along said right of way line to the intersection of the westerly Williams Street right of way line; thence North 60 feet, more or less, to the northerly Oak Street right of way line; thence West 6,523.67 feet to the intersection of the easterly Airway Road right of way line; thence north along said Airway Road right of way line to the intersection of the southerly Sherman Street right of way line; thence easterly, more or less, along the Sherman Street right of way line to the southeastern intersection of the Sherman Street and 12th Street right of way line; thence north, more or less, along said 12th Street right of way to the intersection of the northerly Vine Street right of way line; thence West 5 feet, more or less, to the northeastern corner of the Vine Street and 12th Street intersection; thence North 1,514.38 feet to the projected northerly right of way intersection of Tangent

Street (Oregon Highway 34); thence West 60 feet, more or less, to the POINT OF BEGINNING.

TOTAL ACREAGE = 570.31 acres

Agenda Item 2



Community Development
925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

TO: Lebanon City Council

FROM: Kelly Hart, Community Development Director

DATE: August 12, 2020

SUBJECT: Mill Race Urban Renewal Plan

PURPOSE

The Lebanon City Council is being asked to hold a hearing on August 12, 2020 to gain input regarding the Council's consideration and potential adoption of the proposed Mill Race Urban Renewal Plan and to vote on the ordinance to adopt the Plan at the August 12, 2020 meeting.

PUBLIC NOTICE

Notice to citizens of consideration of an ordinance was given via utility bills. Notice was also placed on the City of Lebanon website. Notice was also mailed directly to all impacted property owners with the proposed Mill Race Urban Renewal Area.

PROPOSAL

Mill Race Urban Renewal Plan Area ("Plan Area"), shown in Figure 1 of the attached Mill Race Urban Renewal 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. This MI will be reimbursed to cover administrative expenses and to reimburse developer infrastructure improvements. In addition to the process for the Mill Race Urban Renewal Plan, if the City Council decides to approve the Plan, the Urban Renewal Agency will adopt a concurrent amendment to the Northwest Lebanon Urban Renewal Plan to remove this property from that urban renewal area.

PROCESS

The process for approval has included the following steps, in accordance with ORS 457.

1. Preparation of a plan including opportunity for citizen involvement.
2. June 10, 2020 Lebanon Urban Renewal Agency reviewed the proposed Plan and accompanying Report and motioned to forward it to the Public Review process.
3. Review and recommendation by the Lebanon Planning Commission. The Planning Commission reviewed the Plan on July 15, 2020 and voted that the Plan conformed to the Lebanon Comprehensive Plan.
4. Notice to all citizens of Lebanon of a hearing before the City Council via utility bills.
5. Forwarding a copy of the proposed Plan and the Report to the governing body of each taxing district. The formal taxing districts letters were sent out on June 11, 2020. No recommendations were received.
6. The Linn County briefing occurred on July 21, 2020 where the County passed a motion to support adoption of the Mill Race Plan. The County Commission also asked to coordinate with them on traffic issues in the area.
7. Hearing by City Council and adoption of the proposed Plan and accompanying Report by a non-emergency ordinance. The hearing and the vote on the ordinance by City Council will be 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.

ORDINANCE PUBLICATION

The ordinance also calls for publication of a notice that the Council has adopted the ordinance, for the recording of the Plan by the Linn County Clerk and for transmitting the Plan to the Linn County Assessor.

CITY COUNCIL RECOMMENDATION AND VOTE

Staff recommends that the City Council:

1. Review and discuss the proposed Mill Race Urban Renewal Plan
2. Take testimony on the Plan
3. Vote on the Plan

Attachments:

1. Ordinance

Ordinance Attachments:

Exhibit A – Mill Race Urban Renewal Plan

Exhibit B – Report on the Mill Race Urban Renewal Plan

Exhibit C – Lebanon Planning Commission Recommendation on
the Mill Race Urban Renewal Plan

**AN ORDINANCE MAKING CERTAIN)
DETERMINATIONS AND FINDINGS RELATING)
TO AND APPROVING THE MILL RACE URBAN)
RENEWAL PLAN AND DIRECTING THAT)
NOTICE OF APPROVAL BE PUBLISHED)** **ORDINANCE BILL NO. 2020-10**
ORDINANCE NO. 2950

WHEREAS, the Lebanon Urban Renewal Agency (the “Agency”), as the duly authorized and acting urban renewal agency of the City of Lebanon, Oregon, is proposing to undertake certain urban renewal activities in a designated area within the City pursuant to ORS Chapter 457; and

WHEREAS, the Agency, pursuant to the requirements of ORS Chapter 457, has caused the preparation of the Mill Race Urban Renewal Plan attached hereto as Exhibit A (the “Plan”). The Plan authorizes certain urban renewal activities within the Mill Race Urban Renewal Area (the “Area”); and

WHEREAS, the Agency has caused the preparation of a certain Mill Race Urban Renewal Report dated August 12, 2020 attached hereto as Exhibit B (the “Report”) to accompany the Plan as required under ORS 457.085(3); and

WHEREAS, the Agency forwarded the Plan and Report to the Lebanon Planning Commission (the “Commission”) for review and recommendation. The Commission considered the Plan and Report on July 15, 2020 and adopted a finding that the Plan conformed with the Lebanon Comprehensive Plan; and

WHEREAS, the Plan and the Report were forwarded on June 11, 2020 to the governing body of each taxing district affected by the Plan, and the Agency has thereafter consulted and conferred with each taxing district; and

WHEREAS, on July 21, 2020, the City met with representatives of Linn County to review the Plan, including proposed maximum indebtedness for the Plan; and

WHEREAS, the City Council has not received any written recommendation from the governing bodies of the affected taxing districts; and

WHEREAS, on July 26, 2020, the City caused notice of the hearing to be held before the Council on the Plan, including the required statements of ORS 457.120(3), to be mailed to utility customers within City’s incorporated limits; and

WHEREAS, on August 12, 2020 the City Council held a public hearing to review and consider the Plan, the Report, the recommendation of the Lebanon Planning Commission and the public testimony received on or before that date and to receive additional public testimony; and

WHEREAS, The City Council found that the Plan conforms with all applicable legal requirements; and

WHEREAS, after consideration of the record presented through this date, the City Council does by this Ordinance desire to approve the Plan.

NOW THEREFORE, THE COUNCIL OF THE CITY OF LEBANON HEREBY ORDAINS THAT:

Section 1. The Plan complies with all applicable requirements of ORS Chapter 457 and the specific criteria of 457.095(1) through (7), in that, based on the information provided in the Report, the Lebanon Planning Commission finding, and the public testimony before the City Council:

1. The process for the adoption of the Plan, has been conducted in accordance with the applicable provisions of Chapter 457 of the Oregon Revised Statutes and all other applicable legal requirements;
2. The area designated in the Plan as the Mill Race Area (“Area”) is blighted, as defined by ORS 457.010(1) and is eligible for inclusion within the Plan because of conditions described in the Report in the Section “Existing Physical, Social, and Economic Conditions and Impacts on Municipal Services”, including the existence of inadequate streets and other rights-of-way, open spaces and utilities and underdevelopment of property within the Area (ORS 457.010(1)(e) and (g));
3. The rehabilitation and redevelopment described in the Plan to be undertaken by the Agency is necessary to protect the public health, safety or welfare of the City because absent the completion of urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according the goals of the City’s Comprehensive Plan;
4. The Plan conforms to the Lebanon Comprehensive Plan and provides an outline for accomplishing the projects described in the Plan, as more fully described in Section XI of the Plan and in the Lebanon Planning Commission recommendation;
5. The Plan conforms to the Lebanon 2040 Vision Plan as more fully described in Section XI of the Plan;
6. No residential displacement will occur as a result of the acquisition and disposition of land and redevelopment activities proposed in the Plan and therefore the Plan does not include provisions to house displaced persons;
7. Adoption and carrying out the Plan is economically sound and feasible in that eligible projects and activities will be funded by urban renewal tax revenues derived from a division of taxes pursuant to section 1c, Article IX of the Oregon Constitution and ORS 457.440 and other available funding as more fully described in the Sections of the Report;
8. The City shall assume and complete any activities prescribed it by the Plan; and

9. The Agency consulted and conferred with affected overlapping taxing districts prior to the Plan being forwarded to the City Council.

Section 2. The Mill Race Urban Renewal Plan is hereby approved based upon review and consideration by the City Council of the Plan and Report, the Lebanon Planning Commission Finding, each of which is hereby accepted, and the public testimony in the record.

Section 3. The City Manager shall forward forthwith to the Agency a copy of this Ordinance.

Section 4. The Agency shall thereafter cause a copy of the Plan to be recorded in the Records of Linn County, Oregon.

Section 5. The City Manager, in accordance with ORS 457.115, shall publish notice of the adoption of the Ordinance approving the Plan including the provisions of ORS 457.135, in the local newspaper of general circulation no later than four days following adoption of this Ordinance.

Adopted by the Lebanon City Council and executed by the Mayor on this 12th day of August, 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

Attachments: Exhibit A – Mill Race Urban Renewal Plan
Exhibit B – Report on the Mill Race Urban Renewal Plan
Exhibit C – Lebanon Planning Commission Finding on the Mill Race Urban
Renewal Plan

Mill Race Urban Renewal Plan

Mill Race Urban Renewal District Plan Adopted by the City of Lebanon
Dated August 12, 2020
Ordinance No. 2950, Ordinance Bill No. 2020-10

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” or “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.

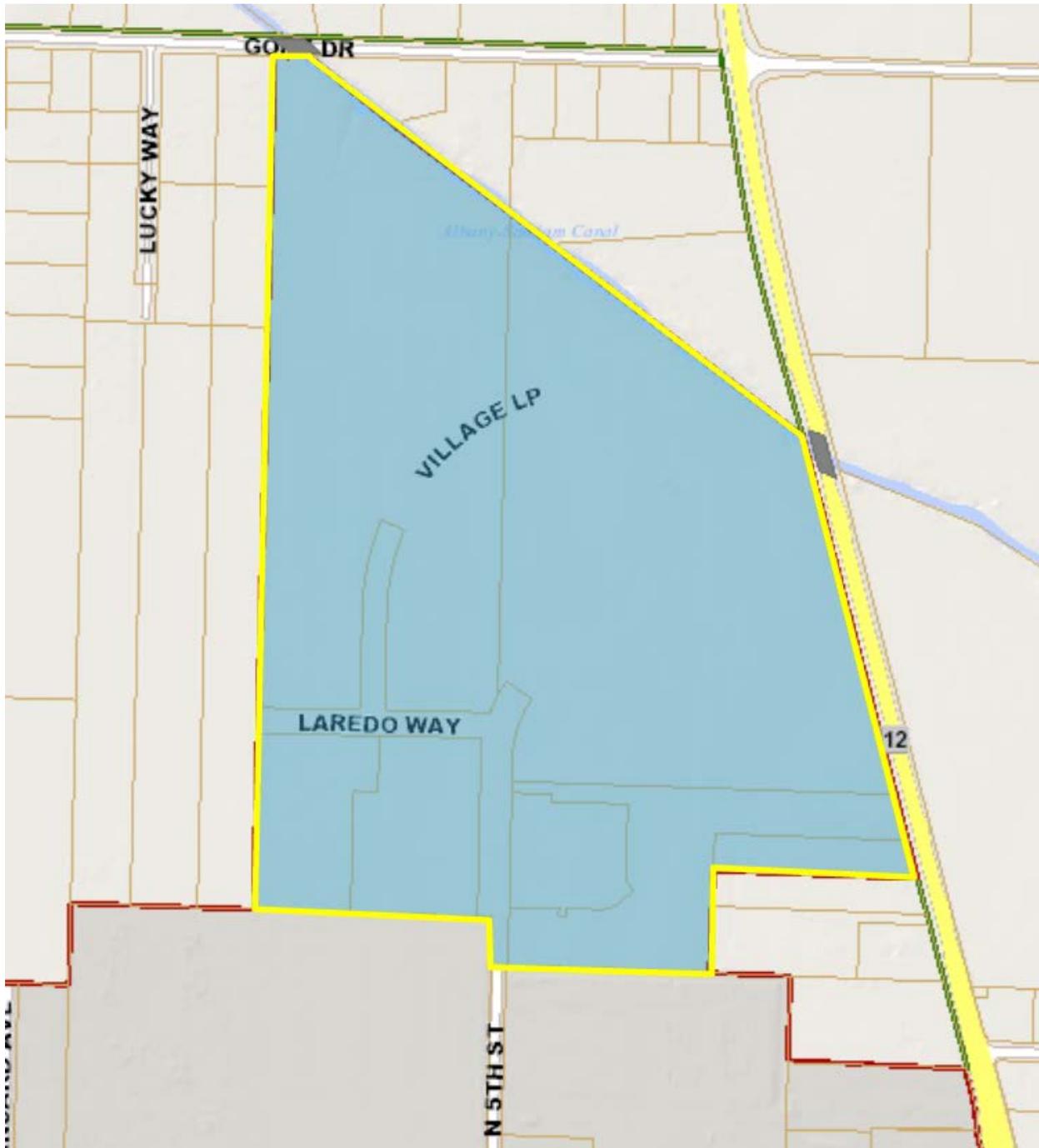
B. Administration

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.

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.

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.

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

Mill Race Urban Renewal District Plan Adopted by the City of Lebanon
Dated August 12, 2020
Ordinance No. 2950, Ordinance Bill No. 2020-10



LIST OF PARTICIPANTS

Mayor

Paul R. Aziz

Jason Bolen, Ward 3

Michelle Steinhebel, Ward 3

City Council

Robert Furlow, Ward 1

Wayne Rieskamp, Ward 1

Rebecca Grizzle, Ward 2

Karin Stauder, Ward 2

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” or “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))

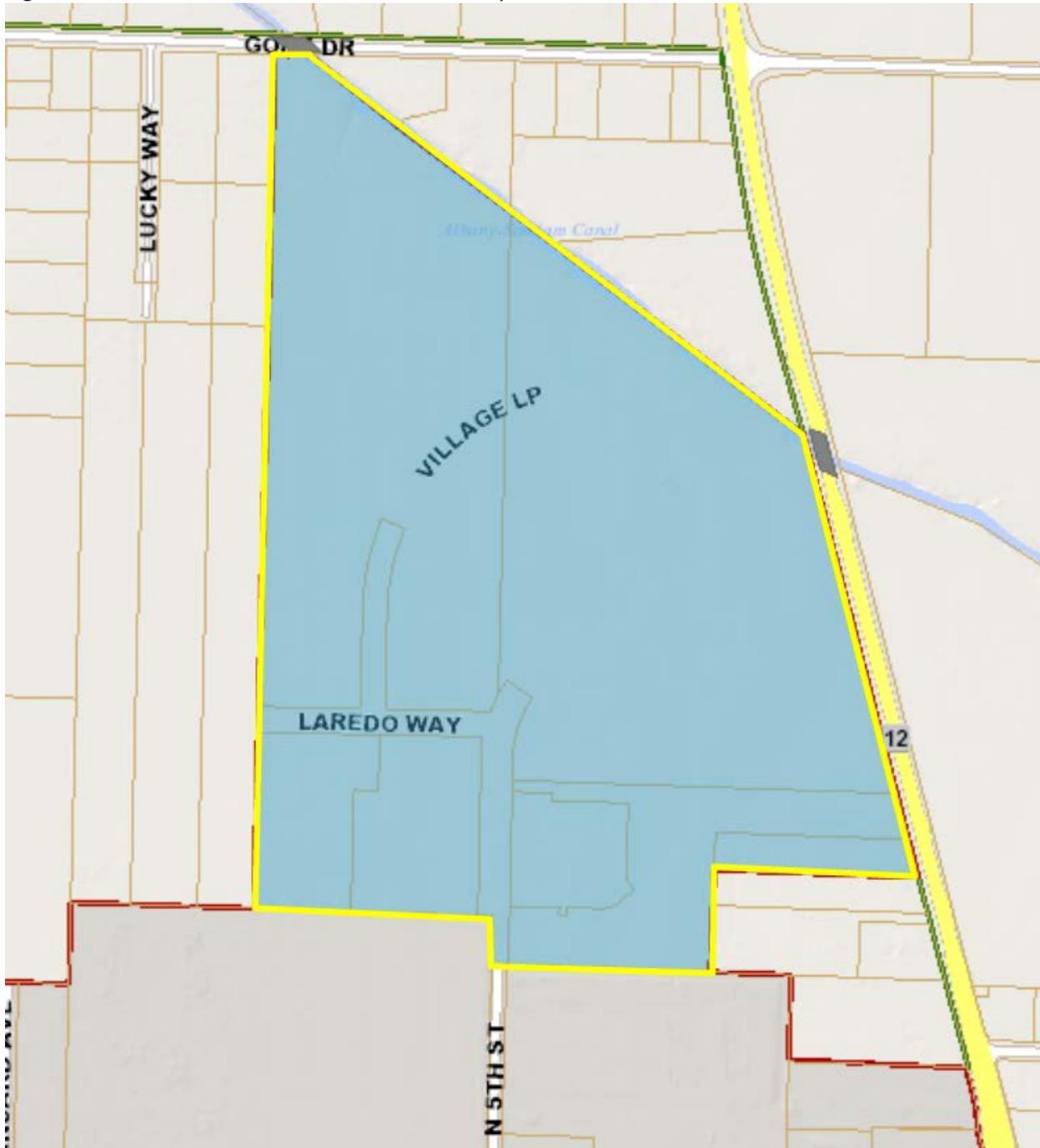
The relationship of the sections of the Report and the ORS 457.085 requirements is shown in Table 1. The specific reference in the table below is the section of this Report that most addresses the statutory reference. There may be other sections of the Report that also address the statute.

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

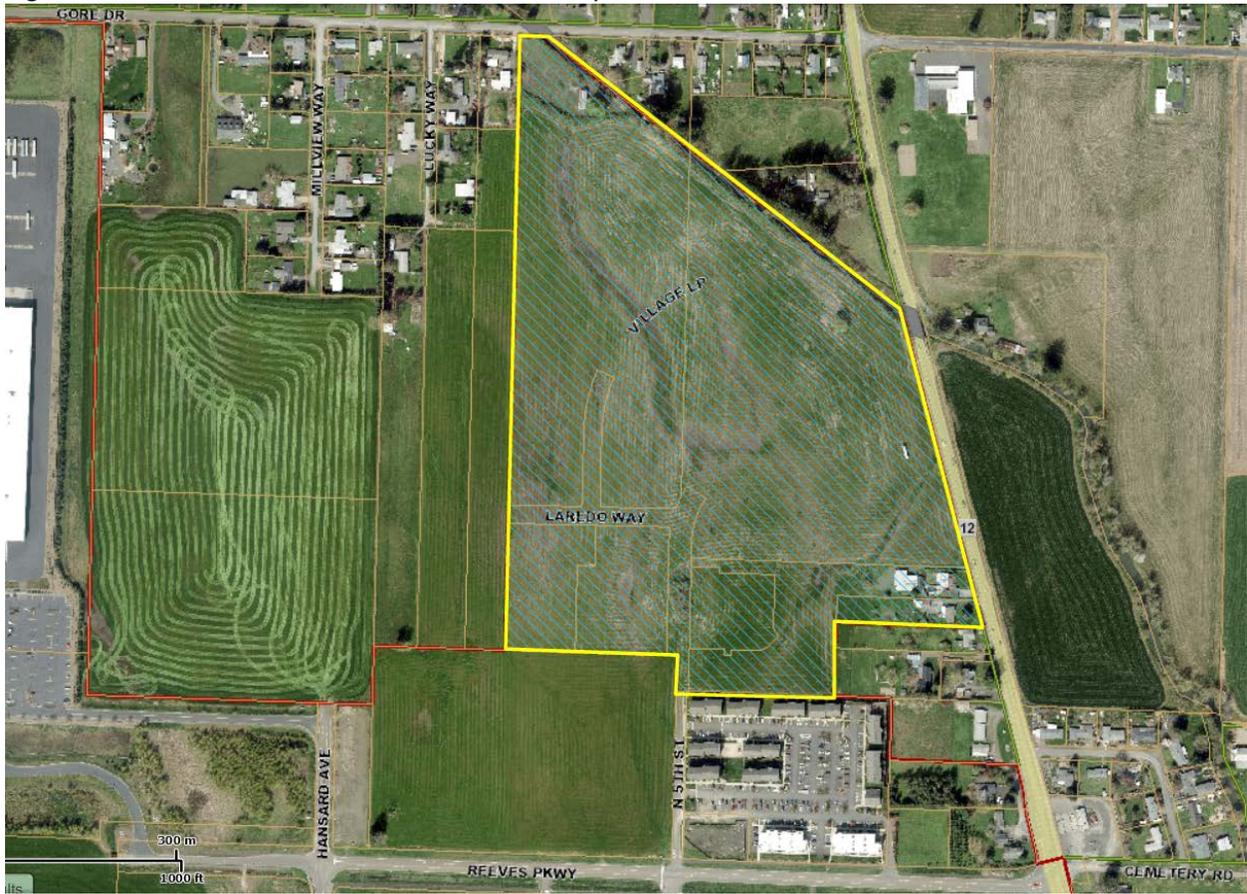
The Report provides guidance on how the Plan might be implemented. As the Lebanon Urban Renewal Agency (“Agency”) reviews revenues and potential projects each year, it has the authority to adjust the implementation assumptions in this Report. The Agency may allocate budgets differently, adjust the timing 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 Lebanon

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.

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.

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

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-TwoThousand, 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	Subtotal	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.



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Mayor Aziz and City Council
From: Kelly Hart
Community Development Director
Subject: Planning Commission Action on Mill Race Urban Renewal District
Date: July 16, 2020

On July 15, 2020, during the regularly scheduled Planning Commission meeting, a discussion item was agendaized to review the draft Mill Race Urban Renewal Plan and Report, and to determine whether the proposed Plan and Report were consistent with the City's adopted Comprehensive Plan.

Elaine Howard, from Elaine Howard Consulting, the City's consultant for the preparation of the Mill Race URD presented the plan to the Planning Commission, along with an agenda report that identified how the plan was compliant with the Comprehensive Plan.

The Planning Commission indicated they had reviewed the agenda report and accepted the presentation. Commissioner Brackeen presented a motion that the Planning Commission find, based upon the information provided in the staff report and the provided attachments, that the Mill Race Urban Renewal Plan conforms with the Lebanon Comprehensive Plan. Commissioner Prenoveau seconded the motion, and the Planning Commission unanimously approved the motion.



925 S. Main Street
Lebanon, Oregon 97355

TEL: 541.258.4906
cdc@ci.lebanon.or.us
www.ci.lebanon.or.us

MEMORANDUM

Community Development

To: Lebanon Planning Commission Date: July 8, 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 Planning Commission is being asked to make a recommendation to the City Council regarding the Council's consideration and adoption of the proposed Mill Race Urban Renewal Plan (Plan). The Plan is designed for the Mill Race Area (Area), an area of 51.45 acres. 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 focus of the Planning Commission's review is the conformance of the Plan with the Lebanon Comprehensive Plan. This action does not require a public hearing, and the Planning Commission is not being asked to approve the Plan, but rather make a recommendation to the Lebanon City Council on the conformance to the Lebanon Comprehensive Plan issue. There are no explicit review criteria for a Planning Commission for the review of an urban renewal plan. The Oregon Revised Statute (ORS) ORS 457.085(4) states that "An urban renewal plan and accompanying report shall be forwarded to the planning commission of the municipality for recommendations, prior to presenting the plan to the governing body of the municipality for approval under ORS 457.095". The generally accepted practice is for the Planning Commission to provide input on the relationship of the Plan to the Local Goals and Objectives (Section XI of the Plan), and particularly to its conformance to the City of Lebanon Comprehensive Plan.

II. CURRENT REPORT & RECOMMENDED FINDINGS

MAXIMUM INDEBTEDNESS

The proposed maximum indebtedness, the limit on the amount of funds that may be spent on administration, projects and programs in the Area is \$9,652,364. This MI will be reimbursed to cover administrative expenses and to reimburse developer infrastructure improvements.

RELATIONSHIP TO LOCAL OBJECTIVES

The Plan relates to local planning and development objectives contained within the Lebanon Comprehensive Plan. The following section describes the purpose and intent of the plan, the goals to which the proposed Plan relates, and an explanation of how the Plan relates to these goals. The numbering of the goals will reflect the numbering that occurs in the original document. Italicized text is text that *has* been taken directly from an original planning document.

This is not a comprehensive list of all parts of the Lebanon Comprehensive Plan that are supported by this Plan. This list includes the major Goals from the comprehensive plans that are in conformance with the urban renewal Plan. However, there may be other Goals that are not listed, but are still in conformance with this Plan.

City of 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.

Recommended 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.

Recommended 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.

Recommended 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 scale 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.

Recommended 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.

Recommended 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 improved transportation networks for all modes, helping to create a transportation system providing convenient facilities for

pedestrians and bicyclists and efficient travel to and through the city that is safe and sustainable. The transportation system improvements will help support a prosperous and competitive economy, 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.

Recommended 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.

III. PUBLIC NOTIFICATION

The review of the Mill Race Urban Renewal Plan, and determination of conformance with the adopted Comprehensive Plan is not a public hearing, and per State statute is not subject to public notice. However, a public notification for this review was originally issued on June 25, 2020. The notice was mailed to all property owners within the new Urban Renewal Area boundary, as well as posted to the City’s website.

IV. RECOMMENDATION

Staff recommends that the Planning Commission:

1. Review and discuss the proposed Mill Race Urban Renewal Plan

2. Find that the Plan conforms to the Lebanon Comprehensive Plan, and optionally recommend the Plan's adoption to the Lebanon City Council
3. Direct Staff to draft an Order of Recommendation based on the approved and/or modified findings

Recommendation/Suggested Motion(s):

"I move that the Lebanon Planning Commission finds, based upon the information provided in the staff report and the provided attachments, that the Mill Race Urban Renewal Plan conforms with the Lebanon Comprehensive Plan, and further recommend that the Lebanon City Council adopt the proposed Mill Race Urban Renewal Plan."

Attachments:

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

Agenda Item 2 (Mill Race URD) - Public Comments

Donna Trippett

From: dennisgbbs <dennisgbbs@gmail.com>
Sent: Monday, August 3, 2020 2:42 PM
To: Kelly Hart
Subject: Really bad idea.

[NOTICE: This message originated outside of your organization -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Please do not go through with the plan to loan money to mill race station.
\$10,000,000 to help the developer make millions himself? Bad idea.
I vote NO.

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

Please reconsider the proposed Mill Race Urban Renewal Plan, the timing may be wrong right now or ~~the~~ not thought out completely. Our City leaders should consider entering new businesses to the area such as Louis in previous years; many displaced workers may have to leave our town to find work elsewhere which could create a ghost town.

Donna Trippett

From: duckhunter.gbbs <duckhunter.gbbs@gmail.com>
Sent: Monday, August 3, 2020 2:30 PM
To: Kelly Hart
Subject: No

[NOTICE: This message originated outside of your organization -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

10 million dollars for 20 homes to be built on Mill race station.

NO!!!

We have a sewage plant that doesn't work, fire bond, and so forth. How much more do you think the citizens of Lebanon will put up with?

The Lowes debacle was horrible. And your city council wants us to trust them?

Mr Larry Spires will not have to repay this. Why should Lebanon help that guy make a lot of money? He doesn't even pay city tax.

We have schools that are in need of repair, few clean parks, roads that are bad, buildings needing massive repairs..... should I go on?

If Lebanon goes along with Larry Spires, then be prepared for legal backlash.

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

Agenda Item 3



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, City Manager
From: Matt Apken, Finance Director
Subject: Proposed Amendment to City Fees Schedule

August 4, 2020

I. INTRODUCTION

Per ORS 294.160, the City shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee, an increase, or an increase in the rate or other manner in which the amount of a fee is determined or calculated. The last time the City of Lebanon's Fee Schedule was updated was August 2019.

II. CURRENT REPORT

At a duly noticed public hearing on August 12, Council will consider a Resolution Amending the Fees Schedule (Exhibit A). Departmental proposals are:

City Clerk: Candidate filing fee to \$25 to match city code.

Community Development & Planning Fees: Fees have been consolidated where appropriate and we have proposed some increases in fees that require multiple steps through the planning process such as public hearings before the planning commission and City council. The current fee only reflects the costs of a staff review. Many of these fees have not been increased since 2013. A fee analysis was conducted, and these fees are consistent with a other comparable Cities.

GIS Division Fees: These fees will be removed as we have gone to a digital platform that allows the public access to this information.

III. RECOMMENDATION

Move to adopt Resolution No. 2020-08 to amend the City Fees Schedule to become effective September 1, 2020.

**A RESOLUTION AMENDING FEES AND CHARGES) RESOLUTION NO. 2020-08
FOR CITY SERVICES AND REPEALING EXHIBIT A)
“FEE SCHEDULE” OF RESOLUTION NO. 2019-22)**

WHEREAS, Oregon Revised Statutes (ORS) 192.440(3) authorizes the City to charge fees associated with public records requests; and

WHEREAS, it remains the policy of the City of Lebanon to require that city fees charged reimburse the City for the actual costs associated with the requested city services, products or information; and

WHEREAS, the City Manager has caused a review of city fees and charges in order to fully recover all reasonable fees calculated to reimburse the City for the actual cost of providing city services, products and public information requests and recommends such adjustments to the City Council; and

WHEREAS, said review of all city fees and charges, as well as necessary and appropriate revisions are as provided in EXHIBIT A; and

WHEREAS, the City Council has reviewed the basis for establishing such fees as described in EXHIBIT A; and

WHEREAS, it is the City’s policy to conserve city resources so that city staff time, copying expenses and other related expenses are not exhausted on unspecified or unclear public information requests or with performing information requests that are not retrieved by the requester.

THEREFORE, THE LEBANON CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The following fees amendment attached hereto as EXHIBIT A and incorporated herein by this reference are adopted by the City and shall become effective immediately.

Section 2. The City Council hereby determines that the fees, rates and charges hereby adopted are not subject to the limits of Section 11 or 11b, Article XI of the Oregon Constitution.

Section 3. The City Council hereby finds that the fees proposed in EXHIBIT A are reasonably calculated and represents the City of Lebanon’s true, reasonable and actual cost of making public records available including costs for summarizing or compiling public records in response to public information requests.

This resolution shall be effective September 1, 2020.

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of August, 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

EXHIBIT "A" CITY OF LEBANON FEES AND CHARGES

Effective September 1, 2020 - Supercedes All Previous Schedules

TYPES OF FEES	CURRENT FEES
ADMINISTRATIVE FEES (CITY CLERK'S OFFICE)	
Copies:	
Audio/Video Copies	\$15.00 1st / \$5.00 add'l
Black/White - Letter 8-1/2" x 11", Legal 8-1/2" x 14" (per side)	\$0.25
Black/White - Executive 11" x 17" (per side)	\$0.50
Color copies (each side)	\$0.50
Records on a Flash Drive	\$6.50 plus staff time
Liquor License (original application)	*\$100.00
Annual Renewal of a Liquor License	*\$35.00
Change Application (in ownership, location, or privilege)	*\$75.00
OLCC Temporary Sales Application per Event	\$15.00
	<i>*not to exceed per ORS 471.166</i>
Notary Services (Municipal Court Personnel):	
An acknowledgement; verification upon an oath or affirmation; certifying a copy of a document; witnessing or attesting a signature; and protesting commercial paper, except a check drawn on insolvent financial institution in which case the fee is \$0.	(not to exceed) \$5.00
Administering an oath or affirmation without a signature; taking a deposition, each page; and all other notarial acts not specified.	(not to exceed) \$1.00
Public Records Request: (all requests must be made on a City Public Records Request Form)	
<i>If request exceeds \$25.00, the requester's authorization is required to proceed with request. If request exceeds \$100.00, a deposit may be required before commencing work.</i>	May require 50% deposit
Archived Electronic Information Retrieval (first 30 minutes no charge)	\$100.00/hr
Voters' Pamphlets:	
Candidate Filing Fee (with or without photo)	\$35 - \$25
BUSINESS LICENSES & MISC. PERMITS	
Animal Keeping Permit	\$35.00
Banner Permit (\$50 permit + \$100 installation)	\$150.00
Business License Fees* (after July 1 prorated):	
Auctions	\$150.00/year, \$25.00/each
Drug Paraphernalia Sales Annual Fee	\$75.00
Marijuana Dispensary Licenses - Annual Operator License	\$250.00
Secondhand Buyers and Sellers Annual Fee	\$75.00
Taxi Licenses - Annual Operator License	\$200.00
Business Registration Fees - Initial Application	\$25.00
Annual Renewal - submitted late	\$20.00
Annual Renewal - timely submitted (no changes)	\$0.00
Annual Renewal - with changes (ownership, responsible person, location or contact information)	\$7.50
Gambling License - Annual License	\$200.00
License for One-day Special Event (City property only)	\$50.00
License for One-day Special Event / Non-profit Organization	\$20.00
Liquor License	<i>See Administration/City Clerk's Office Fees</i>
Non-Profit Organizations	N/A
Parking Permit (per ORS 10.24.142):	
Daily / Annual Residential	\$15.00 / \$75.00
Peddler and Solicitors One-Year Permit	\$50.00
Public Event Applications:	
1-Day Event	\$100.00
2-3 Day Event	\$150.00
Master Permit	\$250.00

TYPES OF FEES	CURRENT FEES
BUSINESS LICENSES & MISC. PERMITS (continued)	
Transfer of Ownership/Change of Location or Name	\$10.00
Non-Profit Organizations	N/A
RV Permit (1 - 15 days)	\$35.00
Renewal Periods - 15 Days (no more than two renewals)	\$25.00/each
ENGINEERING FEES	
Bid Document	\$50.00
Contractor Pre-qualification	\$50.00
Deferral of Improvements	\$200.00
Easement/ROW Dedication Process Fee	\$165.00/each
Engineering Fees:	
Developer Assurance Agreement	\$100.00
Engineered Site Plan Review (Engineering)	\$500.00 + \$350.00/acre
Reapplication Fee (for up to "2" resubmittals)	33% of original fee
New Residential Site Plan Review (Engineering)	\$50.00
Street/Alley Vacation (Engineering)	\$1,200.00
Easement Vacation (Engineering)	\$750.00
Public Improvement Drawing Review (for up to "2" resubmittals)	\$250 + 2% of cost up to \$1 million \$250 + 1% of cost \$1 million-\$4 million \$250 + 0.5% of cost \$4 million+
Public Improvement Permit:	
First \$50,000 of Construction Cost	\$250 + 4% of cost up to \$50,000
Amount above \$50,000	\$250 + 3% of cost above \$50,000
Water Retest Fee	\$200-\$300/linear foot
Right-of-Way Encroachment Surcharges:	
Basic Right-of-Way Encroachment Fee	\$85.00
Curb Cut	\$20.00
Street Pavement Cut	\$30.00
4" Sanitary or Storm Connection	\$75.00
6" or greater Sanitary or Storm Connection	Public Imp. Fee Schedule min. \$110.00
Standard Drawings	\$20.00
FINANCE FEES	
Audit Report (available at no charge online or at the Library)	\$25.00
Budget Document (available at no charge online or at the Library)	\$50.00
Collection Fee (accounts turned over to Linn Co. or collection agency)	\$100.00
Fax Service (for public)	\$2.00 first page / .75 each add'l
Foreclosures Notice	\$100.00
Housing Rehab Payoff and Reconveyance	\$50.00
Lien Search (online)	\$30.00
Non Sufficient Funds (NSF) (charge back fees for debit/credit card & returned checks)	\$30.00
Stop Payment & Reissue Check Fee	\$15.00
Tall Weeds & Grass or Nuisance Abatement	Actual cost + \$200 admin. fee
Tall Weeds & Grass or Nuisance Abatement (abatement over \$1000)	Actual cost varies + 20% admin. fee
GIS-DIVISION FEES	
City Street Map with UGB	\$12.00
Zoning Map	\$25.00
Custom Data	\$75.00/hour
City-wide GIS on CD	\$75.00
LIBRARY FEES	
Collection Fee (accounts turned over to collection agency)	\$10.00
Community Meeting Room Rental Fees:	
Rental per Hour - (2-hour minimum) (depending on time and entity)	\$10.00 - \$25.00
Refundable Deposit (depending on time and entity)	\$100.00 or \$250.00

TYPES OF FEES	CURRENT FEES
LIBRARY FEES (continued)	
Refundable key deposit, after hours use	\$200.00
Non-refundable After Hours Use	\$35.00
Non-Refundable Weekend use	\$50.00
PA System	\$10.00
AV System	\$20.00
Copies (self-serve, per page):	
B/W Letter 8-1/2" x 11", Legal 8-1/2" x 14"	\$0.10
B/W Executive 11x17	\$0.20
Color Letter 8-1/2" x 11", Legal 8-1/2" x 14"	\$0.50
Color Executive 11x17	\$1.00
Interlibrary Loan (per item)	\$3.00
Lost Library Card Replacement Fee	\$1.00
Non-resident Cards:	
Household (12-month)	\$50.00
Household (6-month)	\$30.00
Senior Citizen (60+ years) Household (12-month)	\$40.00
Overdue Items per Day per Item (up to a maximum of \$5.00)	\$0.20
Overdue (cumulative fines up to a maximum of \$25.00)	\$25.00
Hold Reshelving Fee (per item - if not cancelled or checked out)	\$0.50
MUNICIPAL COURT FEES	
Appeal to Linn County Circuit Court	\$25.00 plus certified copy cost
Certified Copy (\$6.00 for certification/\$.25 per sheet)	\$6.25 minimum
Court Costs:	
Cite or Arrest Warrant	\$50.00
Notice of Court Action of Driving Privileges to DMV	\$15.00
Court Costs (per Trial):	
Criminal (non-jury - if convicted)	\$20.00
Jury trial (if convicted)	\$50.00
Traffic (if convicted)	\$15.00
DUII Diversion Extension Fee	\$25.00
Expungement Filing Fee (State mandated)(waived for charges not filed or dismissed)	\$252.00
Expungement Packet Fee	\$5.00
Fee for Turning to Collection (customer pays directly to collection agency)	40% of the principal balance
Jury Fee (if canceled after arrival of jurors)	\$10.00/juror
Late Payments	\$20.00
Non Sufficient Funds (NSF) (charge back fees for debit/credit card & returned checks)	\$30.00
Payment Extension Fee	\$30.00
Payment Extension Interest	(9% per annum)
Suspension Packet Administration Fee (if convicted)	\$12.00
PARK FEES - SHELTER & CAMPING FEES	
Academy Square Gazebo	\$75.00
Booth Park Shelter	\$15.00
Century Park Shelter	\$30.00
Cheadle Lake Park South	
Daily Fee	\$600.00
Electrical Daily Fee	\$500.00
Water Daily Fee	\$50.00
Christopher Columbus Park Shelter	\$30.00
Ralston Park Gazebo	\$55.00
River Park Main Shelter	\$50.00
River Park Horseshoe Area Picnic Table Shelter	\$20.00

TYPES OF FEES	CURRENT FEES
PARK FEES - SHELTER & CAMPING FEES (continued)	
Strawberry Plaza	
Dawn to 3:00 p.m.	\$30.00
3:00 p.m. to Dusk	\$30.00
All Day	\$60.00
Wynn Mill	\$25.00
City Park Liquor Permit per Event - must provide proof of liability insurance (min. \$1 million)	\$35.00
Camping:	
Daily Rate:	\$40.00
Senior/Military Discount	\$35.00
Group Discount (3 or more sites)	\$35.00
Weekly Rate:	\$230.00
Senior/Military Discount	\$200.00
Monthly Rate:	\$800.00
Construction Workers in the City of Lebanon	\$700.00
Extra Vehicle (per night)	\$5.00
Cancellation Fee	\$15.00
Sewage Dump Station Fee	\$5.00
PLANNING / LAND USE FEES	
Note: For land use applications that require more than one approval, the applicant shall be charged the highest individual application fee with all subsequent applications charged at half-price.	
Administrative Review	\$750.00 \$450.00
Administrative Review (Planning Commission)	\$1,500.00
Annexation	\$2,500.00 \$1,500.00
Appeal of Planning Commission Decision	Minimum \$250.00 or 50% of original fee (whichever is greater) \$500.00
Appeal of Staff Decision	\$250.00
Code Interpretation	\$250.00 \$100.00
Comprehensive Plan Map Amendment	\$2,500.00 \$2,000.00
Comprehensive Plan Documents	\$25.00
Conditional Use Permit- Residential / Commercial / Industrial	\$1,500.00
Development Code	\$40.00
Extension of Time Request	25% of original fee
Fire District Plan Review Fee	\$100.00
Historic Reviews & Register Updates: Administrative / Quasi-Judicial / Legislative	\$750.00 / \$1,500.00 / \$2,500.00
Administrative	\$300.00
Quasi-Judicial	\$300.00
Legislative	\$600.00
Home Occupation	\$75.00 \$50.00
Lot Line Adjustment	\$250.00
Measure 56 Mailing	Actual Cost
Ministerial Review	\$250.00 \$150.00
Modification to Approved Application	25% of original fee
Non-Conforming Uses and Developments	\$750.00 \$450.00
Partition	\$750.00 \$450.00
Planned Development - Preliminary	\$2,500.00
Planned Development Final Plan - Ministerial / Administrative / Quasi-Judicial	\$250.00 / \$750.00 / \$1,500.00
Final Plan - Administrative	\$200.00
Final Plan - Quasi-Judicial	\$450.00
Final Plan - Quasi-Judicial	\$750.00
Residential Plot Plan Review	\$75.00 \$25.00
Residential Remodels (fee incurred if outside of original footprint)	\$25.00
Sidewalk Café Permit	\$65.00/annually

TYPES OF FEES	CURRENT FEES
PLANNING / LAND USE FEES (continued)	
Sign Review	\$75.00
Subdivision: Tentative Plat / Final Plat	\$750.00 / \$1,500.00
Tentative Plat	\$2,000.00 + \$15.00/lot
Final Plat	\$800.00 + \$15.00/lot
Tree Felling (steep slopes)	\$150.00 + \$5.00/tree
Temporary Use	\$75.00 \$35.00
UGB Amendment	Actual Cost
Variance - Minor Adjustment / Adjustment / Variance	\$250.00 / \$750.00 / \$1,500.00
Class 1 - Minor Adjustment	\$150.00
Class 2 - Adjustment	\$450.00
Class 3 - Variance	\$1,000.00
Zone Change	\$2,500.00 \$1,000.00
POLICE DEPARTMENT FEES	
Abandoned Vehicle Abatement (if not abated within 10 days)	\$50.00
Archived Reports (up to 10 pages)	\$10.00
Additional Pages	\$1.00/page
Crash Report	\$5.00
Information Exchange Only	No Charge
Dog Permit (for potentially dangerous dogs per ORS)	\$50.00
Deferral Classes, Other (\$35 to \$50 maximum) (seatbelt/cell phone)	\$50.00
False Alarm Billing - 1st Alarm	\$0.00
2nd Alarm and Each Subsequent Alarm	\$25.00
Incident	\$1.00/each
Letter of Clearance (includes the required local records check)	\$15.00
Local Records Check (waive fee for Armed Forces)	\$10.00
Ordinance Research/Copy (up to 5 pages)	\$5.00
Additional Pages	\$1.00/page
Police Case Reports - Current Report	\$10.00
Photographs (copied on paper or disc)	\$5.00/sheet or \$10.00/disc
Public Fingerprinting	\$20.00
Additional Cards	\$5.00
Vehicles:	
Impounded Vehicle Release (Admin. Fee)	\$100.00
SENIOR CENTER FEES	
Bus Transportation:	
Seniors and Disabled Persons (one-way)	\$1.00
Public (one-way)	\$2.00
5 years of Age and Under	No Charge
Copies:	
Letter 8-1/2" x 11" or Legal 8-1/2" x 14"	\$0.25
Color Copies (Letter or Legal)	\$0.50
Facility Rental (dependent on space, time and entity renting)	\$10.00-\$35.00/hr/room
Refundable Deposit - Non-Profit, Government or Public Group	\$100.00
Refundable Deposit - Private Groups	\$250.00
Building Usage for Senior Services	20% of fees charged
Non-refundable After Hours Use	\$35.00
Non-refundable Fee for Weekend Cleanup (Functions over 100 People)	\$50.00
Open/Close Partitions in Auditorium or Between Classrooms 1 & 2	\$35.00
PA System, Slide Projector or TV/VCR	\$10.00
Audio/Visual System (including Projector)	\$20.00

TYPES OF FEES	CURRENT FEES
WATER / WASTEWATER SPECIAL SERVICE FEES	
Backflow Prevention Devices Inspection Fee	\$50.00
Fire Hydrant Charges:	
Deposit	\$500.00
Deposit - Santiam Canal Industrial Park	\$50.00
Meter Installation	\$25.00
Industrial Pretreatment Program Fees	\$500.00
Initial Issue for 1 to 5 Years	\$250.00
Annual Monitoring & Compliance Review	.085/gallon
IPP Hauled Waste Dump Fee - per gallon	\$250.00
IPP Wastewater Discharge Permit Application	\$250.00
IPP Contaminated Waste Discharge Permit: Issued for < or less	\$25.00
Meter Charges:	
5/8" x 3/4" Water Meter Service Connection Fee	\$1,500.00
1", 1/2", 2" Water Meters (cost of materials & labor - deposit required)	Actual Cost
Installing a 5/8" x 3/4" Meter to an Existing Service	\$325.00
Installing a 3/4" Meter to an Existing Service	\$375.00
Installing a 1" Meter to an Existing Service	\$425.00
Installing a 1 1/2 " Meter to an Existing Service	\$1,550.00
Installing a 2" Meter to an Existing Service	\$1,775.00
WATER / WASTEWATER SPECIAL SERVICE FEES	
Finance/Utility Billing Department Functions	
Customer Service Charges:	
After Hours Meter Turn On	\$100.00
Deposit (Renter/Non-owner) (non-refundable until account reconciled/closed)	\$200.00
Deposit (Renter/Non-owner with bad payment history) (non-refundable until account reconciled and closed)	\$300.00
Door Hanger	\$15.00
Late Payment Fee/Utility Bill (added to late payment notice)	\$5.00 + 2% delinquent amount
Non Sufficient Funds (Charge Back Fees for debit/credit card & returned checks)	\$30.00
Meter Equipment/Service Charges:	
Hand Valve - 3/4"	\$35.00
Lock-Off (Meter)	\$50.00
Lower or Raise Water Meter	Actual Cost Varies (\$50 minimum)
Move Water Meter Location	Actual Cost Varies (\$50 minimum)
Remove an Existing and Replace a Water Meter Box	Actual Cost Varies
Remove Meter due to Tampering	\$100.00
Replace a Damaged Meter Box Lid	\$45.00
Replace a Damaged Meter Lock	\$50.00
Replace a Damaged Meter Locking Cap	\$50.00
Replace a Damaged Meter (by customer tampering)	\$500.00
Replace a Damaged Meter Resetter	\$60.00
Repair a Broken Angle Stop	\$200.00
Test Water Meter (refund when test indicates meter runs fast)	\$25.00
Test Water Meter - if an independent agency is requested	\$100.00
Water Meter Box	\$70.00
Tampering with City Property:	
First Violation within a 24-month Period	\$25.00
2nd Violation	\$50.00
3rd Violation and each Subsequent Violation	\$250.00

Agenda Item 4



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, City Manager
From: Matt Apken, Finance Director
Subject: Utility Billing During COVID-19

August 4, 2020

I. INTRODUCTION

In March when COVID-19 was thrust upon us we stopped doing lock offs for non-payment did almost ever other utility that I know of. We have remained at this status.

II. CURRENT REPORT

We are experiencing a growing number of accounts that are past due. As of July 21, we had 192 accounts that were past due with over 50 that had not made a payment since the end of March. Of those 50 there were 44 that have a history of being locked off. 21 of the 44 are renters.

As we get further into this pandemic if we continue to refrain from performing lock offs we have customers that will have really high past due balances. Some of the past due customers already owe over \$1,000. Even working with payments plans this can take a long time for a person to pay off. Are we helping if we continue to suspend lock offs?

III. RECOMMENDATION

Staff recommends a discussion on when to resume utility lock offs.

Agenda Item 5



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, City Manager
From: Matt Apken, Finance Director
Subject: Wastewater Revenue Bond Refinancing

August 4, 2020

I. INTRODUCTION

In October of 2010 the City issued Wastewater Revenue and refunding bonds in the amount of \$7,010,000. As of March 1, 2020, those bonds still outstanding can be redeemed at cost.

II. CURRENT REPORT

The current market conditions have reduced interest rates below those at the time of our initial bonds. In working with PFM Financial Advisors LLC, it is believed by refinancing we can save around 10% of the outstanding bond amount or around \$300,000 after the fees to refinance. We discussed the different options to refinance and at this time it seems best for the City to do a direct placement as opposed to a public offering. One of the biggest reasons is the size that we are refunding and the costs of a public offering. Doing a direct placement, we can work with the various lenders and work out terms that will most benefit the City.

This resolution authorizes Ron or Myself to work with our financial advisors and our bond counsel to complete this refinancing.

III. RECOMMENDATION

Staff recommends passing this resolution to allow for the refinancing of the 2010 Wastewater Revenue bonds.

A RESOLUTION AUTHORIZING THE) RESOLUTION NO. 2020-18
ISSUANCE AND NEGOTIATED SALE)
OF A FULL FAITH AND CREDIT)
FINANCING AGREEMENT AND)
NOTES TO REFINANCE OUTSTANDING)
OBLIGATIONS OF THE CITY;)
DESIGNATING AN AUTHORIZED)
REPRESENTATIVE, FINANCIAL)
ADVISOR, AND SPECIAL COUNSEL;)
AND RELATED MATTERS)

WHEREAS, the City of Lebanon, Linn County, Oregon (the “City”), is authorized pursuant to the Constitution and the laws of the State of Oregon, specifically Oregon Revised Statutes (“ORS”) Sections 271.390 and 287A.315 to enter into financing agreements to finance and refinance real or personal property that the City determines is needed and pledge its full faith and credit; and

WHEREAS, the Charter of the City does not (1) prohibit the City from entering into a financing agreement and pledging its full faith and credit as security for the financing agreement, nor (2) require a non-appropriation clause to be included in the financing agreement; and

WHEREAS, on or about October 27, 2010 the City issued its Wastewater Revenue and Refunding Bonds, Series 2010 in the original principal amount of \$7,010,000 (the “2010 Bonds”) to provide funds to (1) refund the City’s Wastewater Revenue Bonds, Series 2000, (2) make improvements to the City’s wastewater system; and (2) pay costs related to the 2010 Bonds (the “2010 Project”); and

WHEREAS, the 2010 Bonds maturing on March 1, 2025, and on any date thereafter may be redeemed at the option of the City at any time on or after March 1, 2020, in whole or in part; and

WHEREAS, the City desires to authorize and enter into a financing agreement to refund all or a portion of the 2010 Bonds and pay costs incidental thereto.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

Section 1. Authorization. The Council of the City hereby authorizes:

The City authorizes the issuance and negotiated sale of a full faith and credit financing agreement, together with a note (collectively, the “Financing Agreement”) with a lender in an amount not to exceed an amount sufficient to refund all or a portion of the 2010 Bonds and pay related costs of the Financing Agreement.

Section 2. Security.

A. All of the payments under the Financing Agreement shall be payable from the general, non-restricted revenues of the City and other funds which may be available for that purpose, including taxes levied within the restrictions of Sections 11 and 11b, Article XI of the Constitution of the State of Oregon. The obligation of the City to make payments under the Financing Agreement shall be a full faith and credit obligation of the City, not subject to appropriation. The Financing Agreement will not be secured by any lien or security interest on any property, real or personal.

Section 3. Designation of Authorized Representative.

The City hereby authorizes the City Manager, the Finance Director, or their designee (each an “Authorized Representative”) to act as the authorized representative on behalf of the City and determine the terms of the Financing Agreement as delegated in Section 4 below.

Section 4. Delegation of Final Terms of Financing Agreement and Additional Documents.

The Authorized Representative is authorized, on behalf of the City, to:

A. select a lender, negotiate the terms of the Financing Agreement, and enter into a commitment letter or purchase agreement related to the Financing Agreement;

B. establish the maturity and interest payment dates, dated date, principal amounts, prepayment provisions, interest rates, denominations, fees, covenants, financial reporting requirements, whether to obtain insurance or some other form of guaranty or security for the payment of the Financing Agreement, whether the Financing Agreement will be issued on a taxable or tax-exempt basis, and such other provisions and all other terms of the Financing Agreement as the Authorized Representative determines to be in the best interest of the City, and to execute and deliver the Financing Agreement;

C. designate the Financing Agreement as a “qualified tax-exempt obligation” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), so long as the City and all subordinate entities do not reasonably expect to issue more than \$10,000,000 of tax-exempt obligations during the calendar year in which the Financing Agreement is entered into;

D. approve, execute and deliver a Tax Certificate; and

E. appoint consultants necessary or desirable in connection with the refinancing, execute and deliver a certificate specifying the action taken pursuant to this Resolution and any other documents, agreements or certificates that the Authorized Representative determines are necessary and desirable to enter into the Financing Agreement in accordance with this Resolution and take any other actions that the Authorized Representative determines are

necessary or desirable to finance the Project with the Financing Agreement in accordance with this Resolution.

Section 6. Compliance with Internal Revenue Code.

The City hereby covenants for the benefit of the lender to use the Financing Agreement proceeds and the Project financed with Financing Agreement proceeds in the manner required, and to otherwise comply with all provisions of the Code, so that interest paid on the Financing Agreement will not be includable in gross income of the lender for federal income tax purposes. The City makes the following specific covenants with respect to the Code:

- A. The City will not take any action or omit any action if it would cause the Financing Agreement to become an arbitrage bond under Section 148 of the Code.
- B. The City shall operate the 2010 Project so that the Financing Agreement does not become a “private activity bond” within the meaning of Section 141 of the Code.
- C. The City shall comply with appropriate Code reporting requirements.
- D. The City shall pay, when due, all rebates and penalties with respect to the Financing Agreement that are required by Section 148(f) of the Code.

The covenants contained in this Section 6 and any covenants in the closing documents for the Financing Agreement shall constitute a contract with the lender, and shall be enforceable by it. The Authorized Representative may enter into covenants on behalf of the City to protect the tax-exempt status of the Financing Agreement.

Section 7. Appointment of Special Counsel.

The City appoints Mersereau Shannon LLP as special counsel to the City for the Financing Agreement.

Section 8. Appointment of Financial Advisor.

The City appoints PFM Financial Advisors LLC as financial advisor for the Financing Agreement.

Section 9. Resolution to Constitute Contract.

In consideration of the purchase and acceptance of the Financing Agreement, the provisions of this Resolution shall be part of the contract of the City with the lender and shall be deemed to be and shall constitute a contract between the City and the lender. The covenants, pledges, representations and warranties contained in this Resolution, in the Financing Agreement or in the closing documents executed in connection with the Financing Agreement and the other covenants and agreements herein set forth to be performed by or on behalf of the City shall be

contracts for the benefit, protection and security of the lender and shall be enforceable by the lender.

Section 10. Effective Date.

This resolution shall take effect immediately upon its adoption by the Council.

Passed by the Lebanon City Council and executed by the Mayor on this 12th day of August 2020 by a vote of _____ yeas and _____ nays.

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

ATTEST:

Kim Scheafer, MMC, City Recorder

Agenda Item 6



925 S. Main Street
Lebanon, Oregon 97355

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

Replaces Item #6

MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Approval to Award Project**
Sherman Street Waterline Replacement
Project No. 19705

Date: August 12, 2020

I. INTRODUCTION

On January 8, 2020, City Council authorized City Staff to advertise the Sherman Street Waterline Replacement Project for bids.

II. CURRENT REPORT

Bids for the project were opened Tuesday, August 11, 2020. There was a total of thirteen bids received; a comparison of the bids with the Engineer's Estimate is presented below:

Black Pearl Paving & Excavation	\$335,825.00	Pacific Excavation, Inc.	\$273,295.00
BRX, Inc.	\$311,600.00	Pacific Underground Co.*	\$374,065.00
D & I Excavating, Inc.*	\$0	Pro Home Builders*	\$0
Emery & Sons Construction	\$358,291.00	RJ Armstrong & Assoc.	\$302,310.00
Jesse Rodriguez Construction*	\$344,117.00	Trench Line Excavation	\$398,200.00
M.L. Houck Construction	\$288,435.00	Wildish Construction	\$329,875.00
North Santiam Paving	\$352,965.00	Engineer's Estimate	\$388,280.00

*Bids did not meet requirements for submittal and were not opened or opened and rejected.

The lowest responsive bid was submitted by Pacific Excavation, Inc. Their bid is approximately thirty (30) percent lower than the Engineer's Estimate.

III. RECOMMENDATION

This memo requests a City Council motion to award the Sherman Street Waterline Replacement Project to Pacific Excavation, Inc. of Eugene, Oregon.

Agenda Item 7



925 S. Main Street
Lebanon, Oregon 97355

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

MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council
From: Ron Whitlatch, Engineering Services Director
Subject: **Approval to Advertise Project for Bids**
Gills Landing Boat Dock Replacement
Project No. 20710

Date: August 3, 2020

I. INTRODUCTION

During the flooding event in April 2019, the dock at Gills Landing was torn off and washed away. The dock was later discovered downstream near Jefferson, Oregon and was retrieved by city crews. In order to retrieve the dock, city crews had to cut the dock into small enough pieces to fit on a truck and trailer and the dock was taken to Coffin Butte Landfill.

City Staff has been working with the Federal Emergency Management Agency for funding to replace the dock and has recently been successful in receiving a portion of the funding needed to replace the dock.

II. RECOMMENDATION

I recommend that City Council pass a motion authorizing City staff to advertise the Gills Landing Boat Dock Replacement Project for bids.

Agenda Item 8



CITY MANAGER'S REPORT

Reporting period: July 2020

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

- 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 II) of City Buildings closed due to COVID-19. This includes timing (based on Governors guidelines), acquiring PPE, and determining additional measures to keep employees and public safe. We are now preparing for Phase II.
- Working with Finance Department for reimbursement of COVID related expenses
- Spent time reviewing Interim City Manager Contract
- Spent time with several departments discussing HR issues

B. HUMAN RESOURCES – Angela Solesbee, HR Director

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

- **City Council Meetings:** Regular Session August 12, 2020
- **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, candidate election filings, and preparing electronic records for transfer to the State's Records Management System.
- **Liquor License Applications:** One Special Event Liquor License Application and one new On & Off Premises Liquor License Application have been received since the last packet was published.
- **ORMS Implementation:** The kick-off meeting with the State Archives was held on July 16 with seven of the 10 key users for the City. Virtual meetings are being held with key users over the next few weeks to set up the file structure for their records.
- **Public Records Requests:** Two Public Records Request have been received since the last packet was published.
- **Candidate Filings:** The following people have completed their paperwork to run for office in the November General Election:
 - Mayor – Paul Aziz
 - Councilor Ward 1 - Kyle Randleman, Wayne Dykstra and Zach Beck
 - Councilor Ward 2 - Rebecca Grizzle
 - Councilor Ward 3 – Jason Bolen

III. COMMUNITY DEVELOPMENT – Kelly Hart, Director

A. Planning:

- The Planning Commission held a Planning Commission meeting on July 15, 2020. Under consideration included 3 agenda items: the continuation of the hearing for the 24-unit apartment complex on Weldwood Drive; consideration

THE CITY THAT FRIENDLINESS BUILT

of a 78-unit apartment complex on Russell Drive; and consideration of the proposed Mill Race Urban Renewal Plan. At the applicant's request, the project on Weldwood Drive was reopened for public comment, and the hearing was continued to the August 19th Planning Commission meeting. The City has received a significant amount of public comment on this application. For the apartment project on Russell Drive, the hearing was continued to the August 19th meeting to allow for further public comment. The City has received one public comment on this project. Finally, the Planning Commission received a briefing on the Mill Race Urban Renewal Plan. At the conclusion of the briefing, the Planning Commission unanimously voted that the proposal was consistent with the Comprehensive Plan.

- A portion of the month has been focused on supporting the City Manager with the response to the COVID-19 pandemic as we are continuing to monitor the situation, participate in weekly updates with the League of Oregon Cities, communicate with the Regional Solutions Team in the Governor's Office and representatives of OHA.
- Staff is currently processing eleven planning projects:
 - Admin Review for a four-unit development on Cooper Street (waiting for the applicant to respond to comments)
 - Modification to an approved Planned Development for the construction of the Physical Therapy College (Hearing postponed at the request of the Applicant)
 - 24-unit apartment complex project on Weldwood Drive (held initial hearing on June 17/24 and July 15; application decision postponed, next hearing on August 19)
 - Minor Land Partition for the division of a parcel and associated dedication for public right-of-way associated with the apartment project on Weldwood Drive (Public Notice issued)
 - Comprehensive Plan Map Amendment application for a property on Stoltz Hill Road (application scheduled for review by the Planning Commission on August 19)
 - 78-unit apartment complex on the south side of the intersection of Franklin Street and Russell Drive (continued Planning Commission hearing until August 19)
 - Ministerial Review for a landscape business on Airport Road (Applicant to provide additional information)
 - Annexation of property on Stoltz Hill Road (Application to be reviewed by the Planning Commission on August 19)
 - Annexation of property on S 9th Street (Applicant to provide additional information)
 - Conditional Use Permit to resume legal nonconforming operations of a drive-thru coffee cart on Airport Road (Application to be considered by the Planning Commission on August 19)
 - Property Line Adjustment and Administrative Review for the development of an 18-unit apartment complex on Primrose Street (Application under review by the interested departments for comment and conditions)
- Three DRT meetings were held during the month of July. Discussion included a possible project on 5th Street, and staff coordination on current projects.

B. Building:

- The city processed 64 permits in June. Total fees received were \$38,654.41 and valuation of construction was \$2,865,155.00. By comparison, in June 2019, 45 permits were processed. Total fees received were \$10,345.92 and valuation of construction was \$521,188.00.
- 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)
 - Gerig Industrial Building (Tennessee Road)

C. Economic Development:

- The Economic Development Catalyst in coordination with the Community Development Director has been diligently working on finding funding opportunities to help the local business community. The following are the prospects that are currently being pursued:

- Small Business Assistance program update - The Economic Development Catalyst has attended meetings and webinars in regards 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. There has been no changes to the efforts for this program. The project is in a holding pattern until we have a response from the Oregon Community Foundation regarding the grant application and/or response from the Lebanon Industrial Development Corporation (LIDC) regarding a request for funds to support this effort. The LIDC is in the midst of adding more board members in order to process the request for funds to further the efforts of creating a Small Business Assistance Program.
- CDBG - Business Oregon has reallocated funds for additional Community Development Block Grants (CDBG) for economic development. These funds are currently being considered to assist low-income residents with paying utility bills, as well as supplying PPE for local businesses.
- Central Willamette Small Business Grant for Linn County – Central Willamette Credit Union applied for a received \$50,000 as a CDFI from Business Oregon during the second round of funding from the State for Economic Recovery. The Economic Development Catalyst met with the Lebanon Chamber Director and Main Street Manager to find small businesses (primarily sole proprietors and underrepresented business owners) that have less than 5 employees and have not received federal funds from PPP or EIDL to apply for this grant.
- Sweet Home Lebanon IGA – The Economic Development Catalyst worked with the Community and Economic Development Director from the City of Sweet Home to create an Intergovernmental Agreement between the City of Lebanon and the City of Sweet Home to allow for the City of Sweet Home to apply for the Community Development Block Grant to obtain funds directed at the Boys and Girls Club of the Greater Santiam in order to provide childcare for essential workers.
- The Mid Valley Partners (MVP, formally the 8 Cities in rural Linn and Benton Counties) – The MVP group met to discuss the future of the partnership with RAIN and how the communities will continue to work together for economic recovery.
 - City of Sweet Home was successful on their application on behalf of Linn County (excluding Albany) to obtain a Community Development Block Grant for job creation and retention. The funds come from Business Oregon and will be administered through Community Lending Works.
 - The funding gap that resulted from the City of Lebanon's budget constraints regarding RAIN in the next fiscal year was partly covered by Harrisburg, Halsey, and Brownsville. The MVP group will meet with Corey Wright in August to discuss the changes to the MOU as a result of the financial changes and to further understand how RAIN is shifting their events and metrics during this time of COVID.
 - Also discussed was the restructuring of how contributions are calculated for future years, the new model would more evenly distribute the financial costs of the larger Cities (Lebanon's contribution would decrease by \$3,000).
 - The timeline on the recently approved IGA with the other 7 cities was also discussed and the potential to approach other rural communities to join the MVP group (Tangent and Scio).
 - The MVP group will meet again in late September to decide what the goals are moving forward and create action items and timelines associated with the goals.
- Local Recovery Efforts - The Economic Development Catalyst created a summary of the programs and initiatives that the surrounding communities have created or implemented in order to spark economic recovery, please see attached.
 - Albany - Albany is working with Community Lending Works to distribute \$200,000 in loans for businesses with fewer than 40 employees. Loans are for up to \$15,000 at 2% interest rate with no payments for the first 6 months. A portion of these funds were from the City of Albany themselves while the remainder came from Business Oregon in the first round of grant funding from the State's Economic Development Recovery efforts.
 - Sweet Home - Sweet Home created a grant for small businesses with 25 or fewer employees and that have not received any federal aid (Payroll Protection Program or Economic Injury Disaster Loan). The grant award

amounts are based on the size of the business, the more employees the more funds allotted per business. A portion of these funds were from the City of Sweet Home themselves while the remainder came from Business Oregon in the first round of grant funding from the State's Economic Development Recovery efforts.

- Corvallis - Corvallis created a Business Use of Right-of Way Permit Program for outdoor dining and retail use. This program provides the opportunity for restaurants and retail businesses to use the public parking spaces adjacent to structures in which they are located for the purpose of providing outdoor seating, queuing or shopping areas. The program does not allow for this process to happen on state highways.
 - Eugene - Sreatery Program: The City of Eugene closed a section of one of the roads to motor vehicles in the downtown to enable expanded café seating for area bars and restaurants. A Business Help Team was created to assist employers with questions about financing options, reopening guidelines and other topics. The City of Eugene is planning a long-term community recovery strategy to re-establish a healthy, functioning community that will sustain itself over time. <https://www.eugene-or.gov/4361/Long-term-Community-Recovery>
 - Springfield and Eugene (combined with Lane County) - The county is working with Community Lending Works to distribute \$400,000 was put toward small business loans. Of the initial \$400,000, \$200,000 was Contributed by Eugene and Springfield while the rest went to rural areas in Lane county. Additional funds were obtained through Business Oregon as well.
 - Silverton - distributing reusable cloth masks to businesses, each business is eligible to receive 50 masks that are good for up to 15 washes.
- The Economic Development Catalyst attended a webinar regarding opportunities for outdoor space being utilized for restaurants and retail businesses. From this webinar research has been done into other Oregon communities that has implemented inventive ways to use public spaces like parking spots and sidewalks. The Economic Development Catalyst as well as the Main Street Manager are calling all restaurants in Lebanon to determine if this something that they would want as an option as well as which model would work best for our local businesses.
 - 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.
 - 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 Economic Development Catalyst has also been attending meeting for Virtual Greeters (Zeeters), The Museum Foundation, Optimist and other webinars.

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 is currently designing several projects for construction this summer/Fall that will fix these high inflow areas. Currently we have identified three sanitary sewer lines for replacement based solely on the amount of infiltration they are taking in.
- Staff is continuing to work with Build Lebanon Trails on multiple projects. The Old Mill Trail is the next priority. Staff is currently designing the trail which goes from Gills landing to Mountain View Park. Funding for this is still unknown, as we are waiting on several grant opportunities.
- The playground structure for Porter Park will be installed as soon as Maintenance Crews have a break in their schedule. 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 the project approximately 70% designed. 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. Once we have a wetland permit from Division of State lands, we can move forward on the Loan Agreement. It is anticipated that permitting will take 4-6 months.

- David Evans & Associates will be submitting a proposal to be the City's "Owners Rep" for the Westside Interceptor Project. The City is not able to administer Federal Aide Projects, thus the need to have a firm on board who is. DEA's role will be to help with the process of selecting a CM/GC Contractor, along with the contract support and administrative overview on behalf of the City during construction. This is a very similar scenario as was used for our Water Treatment Plant Project. The proposal will be brought to the City Council for approval in September.
- 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 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 recommending award of the Sherman Street Waterline at the August City Council Meeting. out for bids in summer 2020. This project replaces an existing 2-inch line on Sherman from Tenth to Seventh with an 8-inch line.
- Staff is continuing to work with David Evans and Associates 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 a minor half street on Vine Street.
- 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 likely be moving forward with a plan to update the Street and Water SDC's. We intend to work with our consultant to update the Transportation SDC's first, which will begin in August 2020. 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. Kittleson Engineering will be completing the design for the City. 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.
- Staff is slowly stripping items out of the Old Water Treatment Plant that can be used elsewhere in the City. We are also working on preliminary plans to demo all of the structures associated with the Old WTP. This will likely be done in Spring of 2020.
- 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. Building under construction.
- Mill Race Multi Use site plan have been approved, building construction in process with onsite utilities.
- Mill Race Apartments Complex Phase I- site plans have been approved, building permits have been issued construction to start soon. Site grading in process.
- 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. Project has been awarded and to start shortly.

- River Place at the Lakeside subdivision plans have been approved, construction in process with onsite clearing under way.
- Site plan for Hall Duplexes off Oak Street have been reviewed, engineering working on revisions. One single family home building permit issued.
- 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 signed and recorded with building permits issued for two tax lots.
- Garden View Apartments plans have been stamped approved construction in process. Construction in process with final walk through scheduled this week.
- 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 completed sewer extension of main. Working on onsite utilities.
- N 5th apartments plans have been stamped approved, construction to start soon.
- Water main extension for Franklin Street for single family home construction started and making progress with extensions.
- Gerig warehouse and water line extension water line complete and sewer tap to manhole. Contractor working on punch list items.
- Cam Multi-family 10th & Leonard contractor working on storm line extension and base rock. Sewer tested and passed on Leonard street. Contractor working on other improvements.
- 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 completing onsite utilities and building.
- Cordle Construction project on Third Street, contractor working on site improvements, sewer connections complete.
- Redbud Apartments on Airport Road, contractor working on site utilities and building.
- Vine Half Street improvements, public improvements complete and final walk through scheduled this week.
- Welch Apartments (Walker Rd)- sewer main extension across Walker Road complete, contract working on site plan.
- Applegate civil and site plans reviewed, and revisions submitted to the Engineer.
- Site plan and public improvements for Prism Manor corner of Russell and Franklin received and under review.

V. FINANCE SERVICES – Matt Apken, Finance Director

- **Accounts Payable**
 - FY19/20 payments made in July 2020, 99 invoices were processed for payments of \$170,630
 - FY20/21 payments made in July 2020, 132 invoices were processed for payments of \$360,282
- **Utility Billing for July 2020:**
 - 5,665 Billing statements mailed by the end of July = \$944,664.
 - Active accounts: 6312
 - Penalties were waved due to the Coronavirus and no lien notices were sent out.
 - 0 Pre-lock off IVR calls sent out
 - Lock offs were not done due to the Coronavirus.
 - 46 delinquent sewer and stormwater accounts transferred to Linn County tax assessor.

- Total of 214 Service orders: 16 read request, 0 Lock offs, 2 Turn offs, 25 Turn on, 49 Move Outs, 85 Move ins, 2 reconnects, 4 Returned Mail, 8 Leak Checks, 0 Pressure Test, 10 Meter Change out, 4 New Meter Installations, 1 Quality Checks, 0 Door Hangers, 1 Dead meters, 7 misc. other.

	July 19	Aug 19	Sept 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	Mar 20	Apr 20	May 20	June 20	July 20
Active Accounts	6,281	6,281	6,279	6,295	6,294	6,295	6,296	6,299	6,301	6,304	6,305	6,306	6,312
Penalty applied	918	1,175	1,185	788	853	959	822	822	0	0	0	0	0
Lock Offs	97	48	72	64	48	61	49	49	0	0	0	0	0

VI. INFORMATION TECHNOLOGY SERVICES – Brent Hurst, Director

- Deployed Oregon State records management system to staff and participated in training for the new system.
- Worked on new firewall rules for next gen firewall implementation.
- Participated in multiple virtual meetings over the past month to facilitate City business in online Zoom format.
- Produced data for Corollo to show Water Treatment Plant data points since inception.
- Repaired SCADA & IT equipment at Water Treatment Plant.
- Review cyber security policies with CIS.
- Installed new WiFi equipment at Senior Center.
- Resolved VPN issues for Lebanon Fire substations.
- Continued Water System Flush project for GIS.
- Continued Hydrant Maintenance project with maintenance staff.
- Remotely attended ESRI global User Conference for further GIS training.
- Completed as-built project 15CCOM20190037- Good Well Subdivision
- Address multiple break fix issues over the past month.
- We have addressed multiple other normal break-fix issues, equipment replacements, and maintenance renewals for IT. During the past month, the IT Department closed 293 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

- We are monitoring OHA guidelines regarding the COVID-19 pandemic. In light of the increased number of positive cases and further restrictions regarding face coverings and occupancy levels we continue to limit the number of people in the building to 25% of capacity. Our current hours of operation to the public remain 12:00pm-6:00pm, Monday thru Thursday. We are still offering curbside service between 10:00am-12:00pm, Monday thru Thursday, and from 10:00am-4:00pm Friday and Saturday. (This allows us to offer the required accommodation for those who cannot wear face coverings.)
- We still have lots of prizes to give out so we are extending our Summer Reading Program to August 20th.
- We continue to engage with our patrons via social media, offering virtual storytimes, craft and STEM demonstrations.
- Volunteers have still not returned (partly to help us maintain occupancy levels and partly because many of them are at higher risk of becoming severely ill with COVID-19). Library staff members continue to perform all volunteer tasks.

VIII. MAINTENANCE – Jason Williams, Director

IX. POLICE – Frank Stevenson, Chief of Police

- The Patrol Division had approximately 1,1284 calls for service, made 91 arrests, issued 38 traffic citations and wrote 133 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.

- There was a total of five use-of-force incidents during the month of July; no injuries were reported. All of the incidents were reviewed extensively, found to be justified, and verified to make sure they were handled in accordance with policy.
- Lebanon Jail has opened back up, keeping cautionary measures in the forefront. As of July 23rd, 27 individuals were booked and released, brought to Lebanon Municipal Court or Linn County Court, transported to/from Linn County Jail, or sentenced to the Lebanon Jail.
- Detectives remain busy with involved sex abuse cases and narcotics investigations. They were assigned 3 new cases this month, cleared 6, and made 3 arrests. Detectives also assisted outside agencies with search warrant executions.
- Traffic Safety Class resumed virtually this month, with a total of 16 participants.
- We have opened a process for a full-time officer position and so far, have received a total of 41 applications. Further screening will take place during the month of August.
- The Reserve Officer recruitment process is underway, and we plan to interview a total of five individuals during the first part of August.
- An internal promotional process to fill a new, additional lieutenant position began 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). Panel interviews were conducted today, and an executive board will assemble on August 12th.
- 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.
- National Night Out has been postponed until October 6th, 2020, and will be focused this year on neighborhood block parties.
- A new program has been implemented where business and homeowners can register their security camera systems with LPD, with the ultimate purpose of allowing the public to share resources when crime occurs. For those participating, we will now be able to use their surveillance footage in conjunction with incident location. This is another way LPD is partnering with the community to help reduce crime.

X. SENIOR SERVICES and LINX – Kindra Oliver, Director

- The Senior Center received funding for a building energy trust project to replace all the existing lights in the facility with LED bulbs. The new lighting will result in less energy used and annual savings of approximately \$2,600. The project is funded at 100%, so there is no cost to the City.
- As COVID-19 cases in Lebanon and Linn County decrease, we will be adding in person classes that follow the Governor's current guidelines. Most will be hybrid classes, capped at 10 participants in person and will be recorded so others can view at a later time. We don't currently have these scheduled for August, but will be evaluating on a regular basis and add classes a little at a time.
- 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 August.
 - Mystery Team Project
 - Mind Matters: How to Combat Social Isolations and Loneliness
 - Journey: Prompt driven oral story telling
 - Crafternoon
 - Engage Your Brain Activity Packets
 - And more!

- 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 assist with prescription pick-ups for our senior population and those whose immune systems are compromised. Please call 541-258-4919 for assistance.
- LINX is submitting a new CARES ACT Fund grant for additional funds for driver wages for paid furlough, additional \$2/hour for hazard pay, PPE (masks, sanitizer, disinfectant, etc.), decontamination unit for the vehicles, loss in farebox revenue, other COVID-19 response related expenses, contingency and another vehicle to address capacity limitations with social distancing on the bus. There is no match required for this grant.
- 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.
- We're hoping to add more LINX Transit service back in September, as long as positive COVID-19 cases aren't increasing in Lebanon and Linn County.

*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.*

Agenda Item 9