

LEBANON CITY COUNCIL AGENDA

September 14, 2016 (6:00 p.m.)

Santiam Travel Station
750 3rd Street, Lebanon, Oregon

Mayor Paul Aziz

Councilor Jason Bolen
Councilor Robert Furlow

Council President Bob Elliott
Councilor Rebecca Grizzle

Councilor Floyd Fisher
Councilor Wayne Rieskamp

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

APPROVAL OF COUNCIL MINUTES: August 10, 2016 Regular Session Minutes

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 – September 14, 2016
BOARD APPOINTMENTS: Parks Committee/Tree Board – Greg Nervino & Rod Sell (reappointments)
BOARD MINUTES: Parks Committee/Tree Board – July 12, 2016
Planning Commission – June 15, 2016

PROCLAMATION / PRESENTATION / RECOGNITION:

- American Legion Day (September 16) Proclamation, read by Mayor Aziz
- Constitution Week (September 17-23) Proclamation, read by Mayor Aziz
- Patriot Day Proclamation, as read by Mayor Aziz at the September 11th Event

- 2015 Water/Wastewater Treatment Plant Annual Report, presented by Ron Whitlatch

PUBLIC COMMENTS: *The Council welcomes all respectful comments regarding the City's business. Citizens may address the Council by approaching the microphone, signing in, and stating their name and address for the record. Each citizen is provided up to 5 minutes to provide comments to the Council. The Council may take an additional two minutes to respond. The City Clerk will accept and distribute written comments at a speaker's request.*

REGULAR SESSION:

1) Approving a Linn County IGA and Road Transfer (Russell Drive)

Presented by: Ron Whitlatch, Engineering Services Director

Approval/Denial by RESOLUTION NO. 2016-30

2) Approving a Resolution Notifying Citizens that Discrimination is Prohibited by the Fair Housing Amendments Act

Presented by: Dean Baugh, Finance Director

Approval/Denial by RESOLUTION NO. 2016-31

3) Adopting a Housing and Urban Development Section 3 Plan

Presented by: Dean Baugh, Finance Director

Approval/Denial by RESOLUTION NO. 2016-32

4) Adopting a Limited English Proficiency Policy and Language Access Plan

Presented by: Dean Baugh, Finance Director

Approval/Denial by RESOLUTION NO. 2016-33

5) Adopting a Policy Regarding Nondiscrimination on the Basis of Handicapped Status

Presented by: Dean Baugh, Finance Director

Approval/Denial by RESOLUTION NO. 2016-34

6) City Manager's Report

Presented by: Gary Marks, City Manager

Discussion

ITEMS FROM COUNCIL

- **Gill's Landing RV Park Thank You Letter – Mayor Paul Aziz**

PUBLIC COMMENTS: *An opportunity for citizens to comment on items of city business.*

ITEMS FROM PRESS: *An opportunity for the Press to ask questions pertaining to city business.*

NEXT SCHEDULED COUNCIL MEETING(S)

- October 12, 2016 (6 p.m.) Regular Session
- November 9, 2016 (6 p.m.) Regular Session

ADJOURNMENT



Approval of Minutes

**LEBANON CITY COUNCIL
MINUTES – DRAFT
August 10, 2016**

Council Present: Mayor Paul Aziz and Councilors Bob Elliott, Robert Furlow, Rebecca Grizzle and Wayne Rieskamp

Staff Present: City Attorney Tré Kennedy, City Manager Gary Marks, City Clerk Linda Kaser, Police Chief Frank Stevenson, Engineering Services Director Ron Whitlatch and Finance Director Dean Baugh

CALL TO ORDER: Mayor Aziz called the Regular Session of the Lebanon City Council to order at 6:02 p.m. in the Santiam Travel Station Board Room.

ROLL CALL: Roll call was taken with Councilors Bolen and Fisher absent.

APPROVAL OF CITY COUNCIL MINUTES

Councilor Furlow moved, Councilor Elliott seconded, to approve the July 13, 2016 Regular and Work Session Minutes as presented. The motion passed unanimously.

CONSENT CALENDAR

AGENDA: City of Lebanon Council Agenda – August 10, 2016
BOARD MINUTES: Bike & Pedestrian Advisory Board – May 26 & June 23, 2016
Library Advisory Board – June 14, 2016
Parks Committee/Tree Board – April 12, 2016
EASEMENTS: River Drive (Hill) – Water Treatment Plant Project
River Drive (Cheadle Lake Properties) – Water Treatment Plant Project
REAL PROPERTY LICENSE: Fuller Lane (Coy) – Water Treatment Plant Project

Councilor Rieskamp moved, Councilor Grizzle seconded, to approve the Consent Calendar as amended [added Agenda Item 5 – Authorizing Saturday Sidewalk Sale]. The motion passed unanimously.

READINGS OF PROCLAMATIONS

Mayor Aziz proclaimed September as **Preparedness Month** and as **Senior Center Month**.

PRESENTATION – Lebanon Blue Zones Project

Robyn Dreibelbis, DO, Lebanon Blue Zones Team, introduced other members of their leadership team. She spoke about and showed a YouTube video encapsulating the Blue Zones project – a nationwide effort encouraging healthy changes to communities based on research of cities where the population lives the longest. Oregon is only one of six states across the nation that has a Blue Zones project. Klamath Falls was chosen to be the pilot demonstration for Oregon; there will only be two demonstration communities in the state. Cambia Health Foundation will contribute \$1 million for three years towards these efforts.

Deb Fell-Carlson, RN, MSPH, COHN-S, Lebanon Blue Zones Team, stated that this is much broader than what is typically seen in a traditional wellness program. Their original intent was to include all of East Linn County but, for measurement purposes, it was recommended that only area code 97355 be included, although this will also affect people outside of this zip code. She spoke about the documents included in the Council packets.

Dr. Dreibelbis stated that, due to the resounding support, they are applying for the project; applications are due on August 26, 2016. An email was sent out to many organizations because the community's voice is needed to help define the application. She requested 10,000 letters of support from individuals, business and organizations to include in the application packet. Even though a sample guide is provided, she asked people to use their own words to make the letter unique. The template can also be found on the Lebanon Blue Zones Facebook page. Letters of support can be sent to lebanonbluezones@gmail.com. Ms. Fell-Carlson added that a letter of support from the Council is an important piece because it shows backing from the community's leadership.

Mayor Aziz stated that two concerns he has are the total cost (\$200,000-\$400,000 annually for three years) and possible changes in legislation or policies. Dr. Dreibelbis explained that the financial commitment of \$200,000-\$400,000 is to show that we can sustain the efforts of those who are resourcing the project at \$1 million for those three years. Much of the policy work (including built structure and infrastructure) will have already occurred during the first three years, so it will be continuing those initial programs of creating the environment and culture and then allowing it to flourish after the three-year process. Councilor Furlow asked if funding can also come from in-kind contributions by organizations. Dr. Dreibelbis read a portion of the application and stated that there can be in-kind donations, mostly of space and people.

Regarding legislative issues that may have to come before the Council, Dr. Dreibelbis stated that policies are defined from within the community. Councilor Grizzle added that Council would make any decisions based on the group's recommendations. Ms. Fell-Carlson read examples of community policies, many of which Lebanon is already doing.

Responding to a question from Councilor Rieskamp, Dr. Dreibelbis stated that all leadership would come from the community because it is about sustainability. Five people from the community will be hired to devote their time and effort to this project full-time. National members will be integrally involved in the process to ensure that Oregon leaders have what they need to be successful.

Councilor Furlow asked City Manager Marks to comment about how this fits into our strategic plan. Marks stated that this lines up very nicely with what we wanted to accomplish, in regards to the healthy community focus area. It would be ideal to do this in an organized fashion through a program like this. Also, this is the kind of message we would like to send out when promoting our community. Regarding funding, this is either something the community will be able to raise or not.

While concern was expressed for long-term financing of the project, Council stated that they like the program. ***There was consensus to provide a letter supporting the Blue Zones Project.***

PUBLIC COMMENTS – *There were none.*

PUBLIC HEARING(S)

1) Water Treatment Plant Competitive Bid Exemption

Mayor Aziz opened the Public Hearing at 6:49 p.m. There were no objections to the notice that was sent out or to the jurisdiction of the body to hear and consider this case. There were also no declarations of ex parte contact, conflict or bias by any member of the Council.

Engineering Services Director Whitlatch stated that staff feels the findings have been met and he requested Council approval exempting the City from competitive bidding for the new Water Treatment Plant Project and proceeding with using a CM/GC to deliver the project. Staff believes this is the best route to take control – using a contractor and his knowledge to value engineer the project down to real-time costs. Firms will need to meet criteria set forth in the RFP, which is scheduled to go out on Monday.

In response to Councilor Rieskamp's question about timeline, Whitlatch said that he believes September 8 is the deadline to submit proposals, which will be reviewed and scored. Depending on how many are received, staff plans to interview the top three firms. Approval of the pre-construction work and the percentage portion of the CM/GC contract will be brought back to Council in October. The hope is to get to a maximum guaranteed price by February.

Responding to Councilor Furlow's question, Whitlatch indicated that an engineer's estimate is not part of the CM/GC process. The initial piece is an upfront fee based on the time they spend and the team they bring in. City staff, Carollo Engineers and the contractor will work as a team to develop the guaranteed maximum price, which will include the initial cost.

Councilor Rieskamp asked how the contractor will be selected. Whitlatch stated that the contractor will be selected based on five or six selection criteria.

Councilor Elliott asked whether Corolla Engineers will have a major part in this. Whitlatch said that Carollo will help the City through this process at no cost until the point of value engineering. Without throwing away everything designed to date, this is the fastest and least expensive route.

Hearing no comments in favor of or opposition to the proposal, Mayor Aziz closed the Public Hearing at 6:55 p.m.

Responding to Councilor Elliott's question, Whitlatch stated that the project is only being delayed by about six months. He added that the goal of the RFP is \$22 million-\$23 million, which is aggressive, but it may or may not end up being that price. Staff will be meeting on Friday with the IFA Board, who made a recommendation to add \$3 million to the project at 1% interest over 30 years with \$250,000 being forgivable.

Councilors Grizzle and Elliott commended City staff for doing a good job.

Councilor Furlow moved, Councilor Elliott seconded, to APPROVE EXEMPTING THE CITY FROM COMPETITIVE BIDDING FOR THE NEW WATER TREATMENT PLANT PROJECT AND PROCEEDING WITH USING A CM/GC TO DELIVER THE PROJECT. The motion passed unanimously.

2) Approval to Apply for a 2016 Community Development Block Grant from Oregon Business Development Department for the Linn Co. Housing Rehabilitation Program

Mayor Aziz opened the Public Hearing at 7:00 p.m. There were no objections to the notice that was sent out or to the jurisdiction of the body to hear and consider this case. There were also no declarations of ex parte contact, conflict or bias by any member of the Council.

Finance Director Baugh spoke about the Linn County Housing Rehabilitation Partnership Program and the Community Development Block Grant (CDBG) process. He requested Council approval of a resolution authorizing staff to apply for the 2016 CDBG and authorizing the City Manager to sign the necessary documents. If this is approved by Council, further required resolutions will be brought back in September.

Jim Moorefield, Willamette Neighborhood Housing Services Executive Director, spoke about the organization and the assistance they offer. The housing rehabilitation program is similar to the Blue Zones Program in that it is a

healthy community's sort of program. They have been grateful to the City more than once for sponsoring CDBG applications.

Liza Newcomb, Willamette Neighborhood Housing Services Manager, submitted for the record and read information on the 2016 CDBG and the Linn County Housing Rehabilitation Partnership Program.

Ms. Newcomb spoke about the marketing they use to inform people about their program, including being listed as a 211 resource.

Councilor Grizzle asked whether their delinquency ratio is measured. Ms. Newcomb explained that payment is deferred to when ownership changes or when the person who owns the home no longer lives there. Mr. Moorefield added that there is a lien on the home but non-payment could occur in rare instances.

Ms. Newcomb explained how funds stay in the service area. If someone pays their loan, those funds are loaned out again, so it is ongoing and serves many more homes than the original grant amount. She confirmed for Councilor Grizzle that, theoretically, their budget grows every year. Mr. Moorefield clarified that the amount they have to loan out varies since the loans have no terms.

Councilor Furlow asked how the \$400,000 grant number was figured. Ms. Newcomb stated that the IFA Oregon Business Development Department sets the funding level for rehab programs. Regarding the statement that "The maximum grant that a city or county can receive is \$2,500,000," Mr. Moorefield explained that this is the maximum amount associated with all programs that use CDBG funds.

In response to Councilor Furlow's question, Mr. Moorefield stated that they apply for this grant every two to three years. Local governments work together to ensure that they have a continuous program.

Councilor Elliott asked how the households are chosen. Ms. Newcomb explained that applications are made by the homeowners, processed in the order received, and evaluated to make sure they are eligible. She confirmed for Mayor Aziz that their organization, and not the City, is involved in the selection process. Mr. Moorefield made clear that households within the entire service area of the program are eligible to apply; applicants are not limited to residents of Lebanon for 2016 CDBG funds. Ms. Newcomb indicated that, to show need, 25 households must be on the waiting list; they currently have 23. Mr. Moorefield added that the State and HUD require that coalitions of local governments work together, which is what allows loan repayments to stay in local communities.

Hearing no comments in favor of or opposition to the request, Mayor Aziz closed the Public Hearing at 7:19 p.m.

City Attorney Kennedy read the title of RESOLUTION NO. 2016-27. ***Councilor Elliott moved, Councilor Rieskamp seconded, to APPROVE RESOLUTION NO. 2016-27, A RESOLUTION AUTHORIZING THE SUBMISSION OF THE GRANT APPLICATION FOR THE 2016 COMMUNITY DEVELOPMENT BLOCK GRANT. The motion passed unanimously.***

Mayor Aziz called for a five-minute recess.

REGULAR SESSION

3) Proposed City of Lebanon Logo

Strategic Plan Task Force Member Dala Johnson provided background, discussed the process and reported on their recommendations for a new City logo. They were unanimous in supporting the proposed logo, which is based on thematic concepts developed by the Task Force. It fits the Vision and Strategic Plan and captures Lebanon's uniqueness, as well as current progress and long-standing aspects of the community.

Marks stated that the existing logo served the City well for the time it has been in use. The upward facing chevrons speak to the City picking itself up from economic stagnation, but it does not say much more about the City unless abstract things are assigned to it. Since coming up with a community vision, it seemed appropriate to look at the visual messaging of who we are now. He showed a PowerPoint presentation on how the logo was developed based on thematic ideas (community values, friendliness, inclusivity, progress, community, optimism, a bright future and natural environment) and iconic images, including the north end water tower. The design portrays the blending of three major elements of our community – residential life, local government and the business community.

Committee Member Wyatt King stated that it was a good idea to ask the Task Force to review this because the group is made up of community members who spent months thinking about what Lebanon is. The logo represents the Strategic Plan perfectly and is unique and simple but also iconic and reproducible. It represents the City, both who we are and where we are going. In addition to the long standing aspects, the paint strokes metaphorically represent both the community's artistic quality and that we are a work in progress.

Councilor Grizzle commented that she likes the logo and thanked the Task Force for their work and for being able to come to a consensus. She also expressed appreciation to Marks for being able to take a step back. Mayor Aziz agreed.

Mr. King stated for Councilor Rieskamp that he sees the paint strokes as the City being a work in progress. Mayor Aziz added that he also saw the brush strokes as bringing the arts to downtown as part of its revitalization. The Mayor and Councilors spoke about different elements of the logo they liked.

Councilor Rieskamp asked about the logo's size. Marks stated that the proportions will remain the same and it will graphically give a lot of flexibility in placement. On City vehicles, he would like it to be the size that was shown, so that it is visible.

Marks thanked the Task Force and stated that their work on the Strategic Plan and logo will resonate positively for a very long time.

Councilor Furlow moved, Councilor Rieskamp seconded, to ADOPT THE NEW CITY LOGO. The motion passed unanimously.

4) Authorizing the Interfund Loan for Strawberry Plaza Construction

Baugh requested that Council authorize a short-term loan of up to \$300,000 with 0.5% interest from the Parks SDC's Fund to the VIP Fund for construction of Strawberry Plaza. Payments will be approximately \$62,000 per year for five years. This was originally approved last year but staff learned that interfund loans need to be approved by resolution.

Responding to Mayor Aziz's question, Baugh stated that Council previously approved a memo on this. In response to Councilor Furlow's question, Baugh indicated that the auditors identified this error.

Kennedy read the title of RESOLUTION NO. 2016-28. ***Councilor Rieskamp moved, Councilor Elliott seconded, to APPROVE RESOLUTION NO. 2016-28, A RESOLUTION AUTHORIZING THE INTERFUND LOAN FOR STRAWBERRY PLAZA CONSTRUCTION. The motion passed unanimously.***

5) Authorizing Saturday Sidewalk Sale

Lebanon Downtown Association President Dala Johnson introduced Main Street Program Manager Monica Pepin and asked for approval of a resolution allowing temporary downtown sidewalk sales from August through October.

She confirmed for Councilor Elliott that the Ralston Park Saturday Market will continue through the end of August. Councilor Furlow commented that this adds to the summer feel and encourages walking traffic.

Kennedy read the title of RESOLUTION NO. 2016-29. *Councilor Grizzle moved, Councilor Furlow seconded, to APPROVE RESOLUTION NO. 2016-29, A RESOLUTION ALLOWING TEMPORARY DOWNTOWN SIDEWALK SALES ON SELECTED SATURDAYS. The motion passed unanimously.*

6) **City Manager's Report** – Marks provided updates:

Homelessness Initiative – Two action items call for creation of a coalition of community organizations involved with poverty and homelessness issues. A working group consisting of City department heads, Kris Latimer and Marks is working to engage Dr. Robert Marbut, an expert who has developed an effective way of addressing this problem, for a homelessness summit. He would assess Lebanon's homeless population and advise us on ways to better manage and improve the situation.

The City will contribute \$2,000 and a little more than \$2,000 has already been raised, so about \$5,000 more from the community is needed. The resulting product will help us do meaningful work to address this issue, which will be inspiring and instructive to neighboring communities.

There will be an extensive outreach inviting people to the summit, which is projected for late October and will be held at the Boulder Falls Inn. A breakout session for practitioners will be held the following morning.

Councilor Rieskamp asked if neighboring communities will also be invited. Marks stated that they will be encouraged to, but it will be an assessment of Lebanon. Responding to Councilor Rieskamp's question, Marks stated that the question of other communities contributing funds can be broached. He confirmed for Councilor Furlow that county agencies will also be invited.

ITEMS FROM COUNCIL

Councilor Rieskamp asked whether strategic plan items have been given to the appropriate lead groups. Marks stated that the intent is to hold a Council goal setting session to look at action items that specify the City as the lead partner. Determining priorities in this five-year plan will help to guide staff. He recently met with Kris Latimer to discuss elements of the plan that the City is not the lead partner on, so we are beginning to work on something to bring those other lead partners together.

Mayor Aziz shared that the correct day of Congressman DeFazio's town hall meeting is Monday at 11:00 a.m.

Mayor Aziz commended Police Chief Stevenson and Johnson on the National Night Out event.

Councilor Elliott shared that he joined the Boys & Girls Club kids to see the totem pole that Marks has been working on. He commended Marks and stated that he cannot wait to see it painted.

ITEMS FROM PRESS

Mayor Aziz confirmed for Jennifer Moody, from the Albany Democrat-Herald, that the Blue Zones Project support letter is all that is needed at this point.

Ms. Moody asked about the cost involved in changing the logo on everything. Marks stated that it will take place over time. Supplies will be replaced as needed. If it is a significant expense, logos on City vehicles will be put on the new ones as others are retired. The north entry sign was included in this year's budget and will have the new logo. Over the next couple of years, the objective is to use transient room tax funds for entry signs at the east and west ends and major entry points, hopefully one per year. He confirmed that the electronic logo change would be done immediately.

Ms. Moody asked if the design was done by Marks. He stated that this was the product of graphic artist Rachel Urista, but he contributed extensively.

Regarding shrinking the logo to use on business cards, Ms. Moody asked how the City plans to combat the issue of losing detail. Marks stated that that the logo shows very well on business cards. Councilor Grizzle added that the smaller print may be difficult to read but something could be worked out.

PUBLIC COMMENTS

Deb Fell Carlson stated that it has been a long time since she has been to a Council meeting and she enjoyed it. She also thanked Council for the opportunity to speak about the Blue Zones Project. In response to her comment that she is intrigued about the homeless initiative, Marks stated that he would make sure she gets the flyer about the summit.

NEXT SCHEDULED COUNCIL MEETING(S)

- September 14, 2016 (6 p.m.) Regular Session
- October 12, 2016 (6 p.m.) Regular Session

ADJOURNMENT

Mayor Aziz adjourned the meeting at 8:30 p.m.

[Minutes prepared by Linda Kaser & Donna Trippett]

Minutes Approved by the Lebanon City Council on this 14th day of September 2016.

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

ATTESTED:

Linda Kaser, City Clerk

Consent Calendar

Appointments



MEMORANDUM

City Clerk's Office

To: Lebanon City Council **Date:** September 7, 2016
From: Linda Kaser, City Clerk
Subject: City Council – Parks Committees/Tree Board Reappointments

At the recommendation of the Parks Committee/Tree Board, Mayor Aziz is happy to (re)appoint **Greg Nervino** and **Rod Sell** to the Parks Committee/Tree Board for another four-year term at the September 14, 2016 City Council Meeting.

Council Action: Mayoral appointments are confirmed by the Council through the Consent Calendar.

C: Greg Nervino
Rod Sell
Ronn Passmore, Committee Chair
Jason Williams, Maintenance Department Director

/lgk

Board & Committee
Meeting Minutes



Parks Committee / Tree Board Meeting Minutes – July 12, 2016

Committee Members Present: Ronn Passmore, Gary Heintzman, Kathleen Koch, Thad Nelson, Greg Nervino and Rod Sell

Council Advisory Member Present: Council President Bob Elliott

Staff Members Present: Maintenance Services Director Jason Williams, Maintenance Services Supervisor Frank Frenzel and Development Services Technician Tammy Dickey

Call to Order: Vice Chair Heintzman called the meeting to order at 5:15 p.m. in the Santiam Travel Station. Sally Skaggs was absent [Ronn Passmore and Greg Nervino arrived late].

Approval of Minutes: *Nelson moved, Sell seconded, to approve the April 12, 2016 Regular Meeting Minutes as presented. The motion passed unanimously.*

Public Comments:

Jim McKinnon asked if he could do a general survey about who is using Cheadle Lake Park. It would include dates/times, number of people per day, whether they are in wheelchairs or brought pets, and kinds of use (boating, fishing, biking, jogging, bathroom break or other). This information may also be of interest to the Parks Committee/Tree Board. Williams stated that this would be a nice opportunity to receive feedback from the public. Sell added that this information would be helpful in applying for trails grants.

Mr. McKinnon confirmed for Nelson that he plans to sample on weekdays and weekends. There was discussion about the construction affecting use of the park. Someone mentioned that it would be interesting to see how much the park was used during construction and whether the improvements increased usage. Responding to Maintenance Services Director Williams' question, Mr. McKinnon indicated that his initial thoughts are to survey about four times per year.

Sell commented that it would also be nice to know how far people travel to the park. He shared that Mr. McKinnon is a Cheadle Lake Adopt-a-Park volunteer so is very familiar and would be the best candidate to do a survey.

Mr. McKinnon answered for Koch that special events would not be included because the surge of people would be out of the norm.

There was a brief discussion about the content of the survey. Williams stated that the committee and Mr. McKinnon could work on the questions.

There was consensus to endorse Mr. McKinnon's Cheadle Lake Park usage survey proposal.

Old Business:

River Park Grant Project Status Update – Williams shared that the restrooms are in; the concrete pad will be poured after the shelter is finalized. In the next weeks, all of the trail backfill will be complete with seeding, bollard placement and barriers put in. In response to Sell's question, Williams stated that the pad will be 10 feet surrounding the shelter and will tie into the concrete for the bathroom.

Clarification of Existing Parks Master Plan Project – Williams asked that this item be tabled until winter but continue to keep it on the agenda until then. Sell asked whether funding for a 2017 Parks Master Plan revision was going to be looked at or whether Williams was first going to review it. Williams said that he plans to organize the priorities to come up with a document that can be managed more effectively. The committee acknowledged that a full-scale revision was not needed. He would like this group, along with public involvement, to try to come up with a better document.

Nelson thought that it should be put on the next agenda to work toward that plan. Williams said that he would provide an update at every meeting. Sell stated that his interest in getting an update approved by Council is that, for grant applications, it would make it easier to defend.

Oregon Parks & Rec Grant Submittal for Christopher Columbus Park Playground Equipment – Williams shared that Oregon Parks & Rec approved moving forward to the National Parks Service. Once it reaches this status, the likelihood of being denied is low. We should hear back in August; a limited use notice to proceed will allow the City to do work that needs to be done during the summer so that it can be opened next spring. Because there was extra funding in the grant, Oregon Parks & Rec asked that the City take care of the basketball court surfacing. In response to Sell's question, Williams stated that the entire field will be turfed.

Ownership of Cheadle Lake Foundation Property – Williams has been meeting with City Manager Marks and Engineering Services Director Whitlatch to develop an operational plan before it is presented to Council. The difficulty will be in managing the park and organizing the events.

Sell expressed concern about maintenance and asked about the possibility for more parks funding to staff what will be the City's largest park. Williams agreed that there must be more funding for this to work. Williams and Sell spoke about how hard Board members and volunteers work but it is not sustainable in the long run.

Arbor Day Celebration Event Update – Williams shared that the Arbor Day Celebration was well-attended.

New Business:

Committee/Board Appointment Recommendations – Williams asked that this be tabled. Sell asked to see the third applicant's information prior to the next meeting to see what they have to offer the committee.

Parks Friends Program – Williams has not yet had a chance to meet with Mark Staneart about this program so this item was tabled to October.

Street Tree Selection/Trimming – Williams reported that because of the unsightly downtown tree topping, the City invited a certified arborist to do an inventory of trees. He distributed the arborist's report listing concerns and recommendations, which include replacing some of the street trees, so he would like to budget for those replacements to prevent further damage to the facilities around the trees.

Williams confirmed for Nelson that the report includes information about how to trim the remaining trees correctly; the arborist has also offered to come back when the trees are pruned. Sell stated that the committee recommending moving forward with this is a good way to contribute to the downtown improvements.

Sell moved, Koch seconded, that the Parks Committee/Tree Boards recommends that staff move forward with the arborist's report recommendations and budget as needed to make it happen. The motion passed unanimously.

Williams confirmed for Koch that all of the recommended trees meet ODOT standards. Williams and Sell added that the City's Street Trees Plan is more restrictive.

Sell moved, Koch seconded, that the Parks Committee/Tree Board recommends accepting the arborist's recommendation and having staff amend the Street Trees Plan by adding those specified trees as stated in the report. Those trees not appropriate should also be removed from the Street Trees Plan. The motion passed unanimously.

Committee Member Comments Concerning Parks and/or Trees

Sell shared that the Recreational Trails Program application to extend the west river trail from the paved section at Riverview Park to River Road was approved for \$103,000. Many things had to be done by the City to make this fairly complicated project happen. BLT also received a \$5,000 grant match from the Lebanon Tourism Committee for this project. Williams confirmed that the City owns Riverview Park.

Sell reported that BLT paid the City about \$13,800 for paving and is happy to be able to provide some funding in this great partnership. He thanked Williams, his staff, and especially Nelson for all of his hard work on their most difficult project since 2005. Nelson stated that they have tried to get community involvement where possible – the Lebanon Hospital Foundation donated \$3,000 and the Rotary Club planted trees and put in benches. BLT has told the City of their plan to pay two-thirds of the materials cost for a portion of trail that has no grant funding involved. The only piece that has to be completed is the actual railroad crossing, which should happen fairly soon. There was discussion about the portion of trail through the City of Albany property and other additions to the trail.

[Ronn Passmore joined the meeting.]

Williams agreed to meet with Sell to discuss upcoming projects since it will soon be grant season.

Williams announced that the Optimist Club will be finishing up with the Academy Square gazebo sidewalk ramp and steps. The City will then complete the project and have a grand opening celebration sometime around Labor Day. Koch shared concerns about supervision of the area and asked if there will be cameras. Williams stated that there will be night lighting but no cameras at this time due to budget constraints. Nelson stated that he does not feel it will be an issue like Ralston Park because of its location and openness. Sell added that neighbors watching the park is probably the best defense. Williams said that staff has been working with the Police Department to take care of problems in the parks. Sell stated that he does not believe the gazebo area is represented in the Parks Master Plan but if the City is looking for assistance to finish the paved walkways, it should be a small and easy grant application.

Koch shared that cedars of Lebanon are still available; it would be fun to try to grow a few of them. Nelson stated that BLT could plant and water them if she can get the trees.

Nelson asked about approaching Albany about clearing their property adjacent to River Park because of the homeless problem. Williams stated that Albany has to clean up the area; there should no longer be a problem once it is cleared. Sell and Nelson spoke about different options for BLT's plan for a trail from River Park to the Marks Slough trail.

Sell moved, Koch seconded, to move to reopen the discussion about the Committee/Board appointment recommendations since Passmore arrived. The motion passed unanimously.

[Greg Nervino joined the meeting.]

Passmore stated that he has not seen the third application for the Parks Committee/Tree Board vacancy. Sell reiterated that he would like to look at this because the candidate may be of benefit to the committee.

Nelson moved, Sell seconded, that this item be tabled until the next meeting. The motion passed unanimously.

Next Meeting:

The committee called a noon meeting on August 24th to discuss filling committee vacancies, Cheadle Lake ownership and the Park Friends program. The next regularly scheduled meeting will be held on October 11, 2016.

Adjourn: Vice Chair Heintzman adjourned the meeting at 6:32 p.m.

Respectfully submitted by: Tammy Dickey, Development Services Technician, and Donna Trippett, Administrative Assistant



City of Lebanon
Planning Commission
Meeting Minutes
June 15, 2016

Members Present: Vice-Chair Don Robertson, Commissioners John Brown, Brian Daniels, Brenda Hall, David McLain and Walt Rebmann.

Staff Present: Community Development Director Walt Wendolowski, AICP

1. FLAG SALUTE / CALL TO ORDER

Vice-Chair Robertson called the meeting of the Lebanon Planning Commission to order at 6:00 pm in the Santiam Travel Station Board Room at 750 3rd Street.

2. ROLL CALL

Roll call was taken, Chair Jeremy Salvage was excused, and Commissioner Cornell was absent. A quorum was declared.

3. APPROVAL OF MEETING MINUTES

The May 18, 2016 Meeting minutes were approved with modifications to the roll call.

4. CITIZEN COMMENTS - None

5. PUBLIC HEARING - Planning File 16-05-23 - An application by Justin Kruse for approval to create a 13-lot subdivision.

Vice-Chair Robertson opened the hearing. Community Development Director Wendolowski announced that the quasi-judicial hearing procedures apply and outlined the hearing process. Robertson asked if there were any ex parte contacts, conflicts or bias. None were declared and staff was directed to proceed.

Wendolowski provided the staff report. He located the property for the Commission, noting the site is composed of three parcels located on the northeast corner of the intersection of South Williams Street and East Milton Street. The area contains approximately 2.98 acres. The site is split zoned: Residential High Density on the west side and Residential Low Density on the east side. The applicant wishes to subdivide the combined property featuring the following:

- The project contains 13 lots – 9 located in the RH zoned and 4 in the RL zone. The RH zoned lots range in size from approximately 8,600 to 12,400 square feet and are designed for duplexes. The RL zoned lots are approximately 6,800 square feet each and designed for single family homes.
- Access is served by a 25-foot wide private street. At the entrance of the project, 11 parking spaces will be provided for residents. Parking along the roadway will be prohibited. In addition, access from Williams Street will be prohibited owing to the railroad right-of-way.

- Sanitary sewer, water and storm facilities are located in Milton Street and will be extended to serve the lots.
- A portion of east “D” Street to the east of Williams Street will need to be vacated.
- For the record, the applicant completed a property line adjustment on one of the parcels. Based on the adjusted boundaries, the submitted plan represents the final layout and does not include the existing home.

Wendolowski then summarized the comments submitted by Engineering Services and then began to review the decision criteria in Chapter 16.22. Wendolowski briefly summarized the material:

- A subdivision is permitted in the RH and RL zones. Within the RH zone, the minimum lot size for a duplex site is 7,000 square feet, while in the RL zone, the minimum lot size for a single family home is 6,000 square feet. Based on the submitted layout, the lots comply with the dimension requirements of their respective zone and for their respective use.
- The design provisions are not directly applicable as the subdivision can only be served by a single street. Given the proportions of the site, and location of the rail line, this is the only logical way to subdivide the property.
- Chapter 16.13 establishes minimum street improvement requirements. The City previously approved the creation of private streets (Ridgeway Butte) but does not have a specific private street standard. In this case, Engineering Services will accept a minimum 9-foot travel lane, this 18-feet of paving can be accommodated within the 25-foot private street easement.
- A turn-around area is provided for emergency vehicles.
- Public facilities are located in Milton Street and can be extended to serve the development. The applicant must submit appropriate engineering plans and installing the improvements to City specifications.
- The applicant must coordinate with ODOT Rail regarding street improvements and the intersection improvement at Milton/Williams.

Based on these factors, Wendolowski recommended the Commission approve the submitted subdivision subject to the conditions noted in the staff report.

Vice-Chair Robertson asked if there were any questions from the Commission. Commission Brown requested clarification of the suggested 18-foot paving width and the 20-foot fire access requirement. Wendolowski noted the requirement is for 20-feet of “free space” to allow placement of the truck’s outriggers. Not all of it needs paving. The 25-foot easement exceeds the fire code requirements. With no other questions, Robertson asked the applicant to testify.

The applicant Justin Kruse and his Engineer, Rich Catlin testified. Catlin noted he worked with staff to address the layout issues and provisions for public services. The facilities will come off of Milton Street and storm detention will be provided in the parking area. There is a turn-around on the north end for emergency vehicles. The street width and improvements meet fire code requirements. He reviewed the report and conditions and had no issues with findings and recommended conditions and requested Commission approval of the request.

Vice-Chair Robertson asked if there were any questions by the Commission. Commission Brown asked if there would be curb and gutter. Catlin replied no but storm water would be shed to one side and directed to Milton Street. Robertson asked whether the parking at the south end is on Tax Lot 6601. Catlin stated no; Tax Lot 6601 contains an existing duplex; the identified parking is located on Tax Lot 6600.

Robertson asked what steps would be taken to prevent access onto Williams Street from the hammer-head turning area. Catlin noted the City will require improvements (bollards) that would prohibit access. Robertson also asked how no-parking provisions are enforced. Catlin replied the fire code requires the placement of "no parking" signs.

Commissioner McLain want to know if the private street connected with the private driveway on the adjacent property. Initially Catlin stated no, but on further examination agreed the street goes that far north. A conversation followed where Catlin noted the City will prohibit the connection of the two access-ways and that fence or other barrier may be necessary. He also stated this separation was needed to ensure street maintenance is accorded to appropriate owners.

Commissioner (?) asked a question regarding storm drainage. Catlin responded the water is channeled to a detention area and then conveyed to Milton Street. All improvements must conform to City standards and be approved by City staff.

Seeing no further questions, Robertson asked whether anyone else wished to testify in favor of the application. Seeing none, Robertson asked whether anyone wished to testify in opposition.

Kelly Logsdon noted the location of her home and driveway on the adjacent property to the east. She voiced concern with people wandering through her land and wanted to be sure a sufficient barrier is installed to avoid trespassing. Commissioner Brown asked for clarification on the location of her property. Commissioner McLain asked what was at the end of her property – she stated grass field and construction debris. On further questioning she noted the debris was not on her land.

Vice-Chair Robertson asked for clarification that she was not opposed to the development but wanted to be sure vehicles and people would not cross over onto her property. Ms. Logsdon responded yes. Robertson asked if there were any further testimony in opposition.

Shelly Sullivan testified she was concerned with the street width. She noted her 30-foot driveway is barely able to accommodate the amount of traffic and parking for four homes. She did not believe the 18-foot street would be adequate for the number of homes. In addition she voiced concerns with cars driving in the field, school bus access to the site and traffic on Milton Street.

There was no further testimony and Vice-Chair Robertson asked if the applicant wished to rebut any testimony.

Rich Catlin spoke for the applicant. He indicated they would build a fence and make it as substantial as the City would allow to eliminate trespass. He noted school buses would not use the private street. Regarding the street width he demonstrated the 18-foot width is similar to travel lanes on local streets concluding it was functional for the proposed development.

Commissioner Brown asked whether the garages are single or double. Catlin noted single. Brown was concerned with the street width, lack of parking for residents and location of visitor parking at the south end of the development. Brown appreciated the developer wants to reduce improvement costs but the parking area was too far away to be usable for many homes. Catlin responded that this was the best location given the layout for the homes.

Vice-Chair Robertson asked whether the entire 25-foot easement could be paved. Catlin said it could but it would effectively encourage on-street parking and reduce access for emergency vehicles.

Seeing no further questions, Robertson closed the public testimony portion of the hearing stating all further discussion is between the Commissioners and staff.

Robertson opened the comments indicating the big concern is the street. With the exception of Commissioner Daniels the remaining Commissioners agreed. Robertson asked Community Development Director Wendolowski what are some options for the Commission to consider.

Wendolowski noted the Code does not have a private street standard. However, this appears the only feasible way to develop the site – the other option is apartments, but at least the proposal fits the area's development pattern. Engineering Services conclude the 18-foot street is adequate for the use. In addition, based on Code the garages are considered a parking space.

There is no major difference between a width of 18-feet or 20-feet. Expanding the width possibly invites on-street parking. The Commission faced a similar situation with Ridgeway Butte and established a precedence by allowing a private street built to a County standard of 20-feet. This would appear appropriate for this project and it will still address any storm drainage issues.

Wendolowski noted the applicant would install a fence and recommended a condition be placed for that purpose. For the record the maximum allowable fence height is 8-feet. Changing the width to 20-feet should not be an issue. The Commission may eventually want to consider Code standards for private streets.

Commissioner Rebmann asked about the garage space and off-street parking. Wendolowski agreed that if the garage is full there is a loss of a parking space but noted the Code is clear in that the garage space is included.

Brown commented that it would not be a major expense to increase the paving to 24-feet and allow parking on one side. He also stressed the need for the fence. Wendolowski noted 24-feet would allow an 8-foot parking space and two 8-foot travel lanes.

Vice-Chair Robertson recommended paving the west side of the easement to allow 7-feet of gravel surface for parking. A discussion between Robertson and Brown concluded that would ultimately not benefit storm drainage or solve parking. Commissioner Rebmann wanted to know if parking would be limited to one side and if it would be stripped. Wendolowski suggested parking would likely be limited to the east side owing to the number of driveways on the west side. At most nine spaces would be added.

Vice-Chair Robertson indicated the applicant would like to re-address the Commission. Brown suggested the Commission proceed with a motion and let the applicant respond. Wendolowski noted that if the hearing is re-opened for additional applicant testimony, the Commission must re-open to allow anyone else to speak. Brown again suggested to increase the paving width and require a fence. Robertson noted the applicant may provide an additional option that they have not considered. The consensus of the Commission was to re-open the public hearing.

Rich Catlin spoke for the applicant. He indicated the applicant could extend the hammerhead to the north to provide additional parking spaces. Also an additional driveway parking space can be added to each unit. Brown noted that even with signs, people would still park creating the same safety issue. Catlin noted that ultimately it is an enforcement matter. Vice-Chair Robertson stated that even with 20-feet of paving there would only be 5-feet available for parking. Catlin agreed noting that is not sufficient. Wendolowski asked for clarification that the additional off-street space would be for each unit – Catlin concurred.

Brown asked what has really changed with the proposal. Wendolowski noted that each unit would have three off-street spaces instead of two. Catlin also noted he is not sure how much additional parking would be possible if it is located on the street but the proposed change adds 18 spaces. Robertson asked for additional clarification on the north end. Catlin stated it might be possible to add three spaces.

Robertson asked if there were any additional comments, noting they can only relate to previous testimony and cannot provide new testimony.

(?) was concerned with vehicles turning off Williams Street and into the hammerhead. Wendolowski clarified that there would be no access to the site from Williams Street. Based on her experience with garage sales, Kelly Logsdon was concerned no one would use the proposed parking spaces and the “no parking” requirements would not be enforced. Shelly Sullivan was concerned with the back-up of cars at the Milton Street/Williams Street intersection.

Having no additional testimony, Robertson asked if the applicant would like a rebuttal. The applicant offered no rebuttal and Robertson then closed the public testimony portion of the hearing.

Robertson asked whether the additional information helped with the parking issue. Commissioner Daniels noted with additional driveway parking it should be okay, McClain agreed. The general consensus was the parking improvements were acceptable.

Robertson stated he agrees that a 20-foot clear space is required. Wendolowski concurred noting that has always been the Fire District's position. Brown asked who polices the private street. Wendolowski noted this would be complaint driven. What is being enforced is a fire lane which applies to public and private properties.

Brown restated his concern over the street width and parking. McClain asked whether the issue was the street width. Brown noted he understood the cost factor in developing the site. He would still prefer a wider street stating parking on the street will occur regardless of the signage.

Robertson asked whether the street is a separate entity. Wendolowski responded that it would likely be a separate tract. Robertson asked who maintains the street. Wendolowski noted there is a condition requiring a home owners association to maintain the street and parking. McClain asked about weeds. Wendolowski stated that would also apply and the City can enforce on a nuisance basis.

Commissioner Rebmann asked how the drainage would go from the roofs to the streets and drain system. Wendolowski noted it it's the responsibility of the applicant to develop a plan showing how drainage would be addressed. Rebmann asked for specific improvements. Wendolowski noted there are likely a number of options such as a concrete ditch along the driveways. Robertson asked whether that was up the applicant's engineer. Wendolowski agreed stating before any construction can occur or plats recorded, the City must approve engineered plans – the development cannot proceed otherwise.

Commissioner Daniels asked whether any decision was made regarding the width. Robertson stated none had been made.

Daniels then made a motion to approve Planning File 16-05-23 with the findings and recommends with the following modifications: a fence or barrier will be installed, 20-feet of paving is required and one extra driveway parking space be provided. Robertson asked whether the motion included the additional off-street parking on the north end; Daniels agreed. McClain seconded the motion.

The motion passed 5-1 with Commissioner Brown voting no.

6. WORK SESSION – (None)

7. COMMISSION BUSINESS & COMMENTS

Wendolowski provided an update on current activities with the following highlights:

- Jared Cornell resigned from the Commission.
- Commission appointments will be reviewed by the Council in July. Brenda Hall will be a permanent member, Brian Daniels and Dave McLain will be re-appointed and the new member will be appointed as an alternate.
- Very little planning activity, mainly building activity at this point. At this time there are no applications for the July meeting.

- Starbucks will submit their application next week for development at the old Ford dealership. Wendolowski provided a summary of the project in response to Commissioner Hall's question.
- The Council rejected all bids for the water treatment plant. Robertson asked on the status of the project. Wendolowski noted it will go forth with a modified proposal with the goal of reducing the bid price. Also, off-site work will begin soon – the City is holding a neighborhood meeting to discuss the matter with residents.

Commissioner Brown again raised the issue of street improvements for a private street. Robertson asked how we might proceed. Wendolowski noted staff would certainly support a private street standard as a means to help staff and applicants. So far the Commission approved private streets for Ridgeway Butte. That was unique situation with the steep slopes and drainage issues. Robertson noted it would also help the Commission. McLain asked how long the process would take. Wendolowski summarized the procedures noting it takes 4 to 6 months. Robertson noted that by trimming the lots a bit, a wider street was possible – Rebmann concurred. Wendolowski again discussed possible options on storm drainage. Commissioner Brown discussed his experience with drainage improvements.

8. ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:17 pm.

[Meeting minutes prepared by Walt Wendolowski, AICP]

Proclamation/Presentation/
Recognition



"American Legion Day"

September 16, 2016

PROCLAMATION

WHEREAS, the American Legion was chartered by Congress in 1919 on September 16 as a wartime veterans organization based on the four pillars of Veterans Affairs & Rehabilitation, National Security, Americanism, and Children & Youth; and

WHEREAS, over the years, the American Legion has become a preeminent community service organization which now numbers more than 2.5 million members in over 14,000 American Legion posts worldwide working a variety of programs that support the four pillars and benefit our nation's veterans, its service members, their families, the youth of America and its citizens; and

WHEREAS, the members of the American Legion are dedicated to upholding the ideals of freedom and democracy, while working to make a difference in the lives of fellow Americans; and

WHEREAS, the 2016 observance of American Legion Day provides an opportunity to recognize **Local Santiam Post #51** and the Legionnaires in our community for their many contributions to our community.

NOW, THEREFORE, I, Paul R. Aziz, Mayor of the City of Lebanon, do hereby proclaim September 16, 2016 as **"AMERICAN LEGION DAY."**

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 14th Day of September, 2016.

Linda Kaser, City Clerk



September 17 – 23, 2016

Proclamation

WHEREAS, September 17, 2016, marks the 229th anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, the U.S. Constitution defined two axioms for our nation: the first for basic human equality and the second for a right to life, liberty, and the pursuit of happiness; and

WHEREAS, the U.S. Constitution declared that governing would be upheld by three branches: the executive, the legislative, and the judicial branch; and

WHEREAS, through all its changes, the Constitution's foundation has endured and adapted; and

WHEREAS, Constitution Week is an opportunity to acknowledge the work of our Founding Fathers and to honor the U.S. Constitution;

NOW, THEREFORE, I, Paul Aziz, Mayor of the City of Lebanon do hereby proclaim September 17 –23, 2016 as "**Constitution Week**" in the City of Lebanon and call this observance to the attention of all our citizens.

*Paul Aziz, Mayor
City of Lebanon, Oregon*

In witness whereof, I hereunto place the great seal of the City of Lebanon to be affixed on this 14th Day of September, 2016.

Linda Kaser, City Clerk



"Patriot Day" – September 11, 2016

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 left behind 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, Paul R. Aziz, Mayor of the City of Lebanon, do hereby proclaim September 11, 2016 as "**PATRIOT DAY AND NATIONAL DAY OF SERVICE AND REMEMBRANCE**" in our city 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 14th Day of September
2016.*

Linda Kaser, City Clerk

Presentation

2015 Water/Wastewater Treatment Plant Annual Report

Ron Whitlatch
Engineering Services Director

Operations Management Services



2015 Annual Report

Lebanon, Oregon





Contents

- Executive Summary1
- CH2M's Management Systems..... 2
- Wastewater 4
 - Construction Projects 4
 - 2015-2016 Repairs 5
 - Biosolids Management 5
- Water 6
- Safety Management Program..... 7
- Maintenance 8
 - Maintenance Services and Activities 8
 - Environmental Laboratory Services..... 8
- Community Involvement..... 9
- Summary..... 10
 - Looking forward..... 10

Exhibits

- Exhibit 1 Lebanon Management Systems 2
- Exhibit 2 Lebanon Organization Chart..... 3

Executive Summary

CH2M is pleased to present the Annual Client Report for 2015-2016 to our client, the City of Lebanon (the City). The completion of our work in 2015-2016 marks another year of quality service we've provided to the citizens of Lebanon. This report highlights accomplishments in the last year.

CH2M's delivery of service revolves around management systems that allow our team to meet the requirements defined in the Services Agreement. Exhibit 1 outlines these management systems.



The City of Lebanon Water and Wastewater Treatment facility.

CH2M's Management Systems

Exhibit 1
Lebanon Management Systems

Capital Improvement Planning	Recommendation and implementation (as requested/funded) of system improvements
Chemical Management	Establishment of chemical usage and management plan
Communication Management Systems	Documentation provided according to client's format and schedule
Community Involvement	Activities to demonstrate good corporate citizenship in our community
Compliance and Regulatory Interface	Regulatory compliance planning, coordinating with agencies and tracking of compliance
Computerized Maintenance Management System (CMMS)	Software system used to track costs, as well as preventive and corrective maintenance (CM) activities
Computerized Operations Data System	Software system used to track process control data for water and wastewater treatment processes
Emergency Preparedness and Response	Coordination with local agencies and preparedness for emergencies
Associate Training and Development	Program for training and development of operations and maintenance (O&M) personnel
Energy Management	Establishment of energy conservation plan
Facility Appearance Plan	Standards applied to facility, grounds, and personal appearance
Everyday Excellence	Associate training to provide highest quality, customer-focused services
Procurement Procedures	Negotiation of best value for goods and services, procured locally or through alternate suppliers
Project Evaluation	Corporate review of facilities and systems for conformance with highest industry and CH2M standard practices
Quality as a Business Strategy	Management and leadership system to guide and focus service delivery
Quality Assurance/Quality Control	Assurance of data quality and reliability for water and wastewater treatment processes
Safety and Security	Site and facility security and adherence to associate safety standards
Standard Operating Procedures	Documented standard approaches for treatment process operation and onsite activities
Warranty Protection	Tracking and support for new equipment warranties

CH2M's
delivery of service
revolves around
**management
systems.**

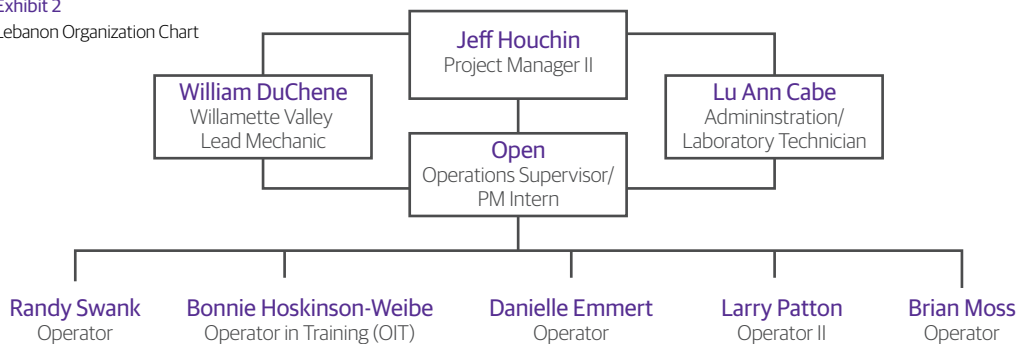
CH2M provides many hours of training for job, safety, and quality control aspects of operations and management. CH2M also supports associates efforts to obtain and hold State of Oregon certifications for water and wastewater related operations as required by state law. This includes paying for training, travel, and other related costs. This provides improved associate retention and recruitment efforts, in what has become a highly competitive job market.

Cross training continues to be a top priority. In addition to onsite training, all staff participates in numerous other trainings, both onsite and offsite. Training is essential and allows operations to continue uninterrupted during vacations and/or illnesses.

CH2M continues rewarding individual and team accomplishments through the Rewards and Recognition Program.

We currently have 8 full time employees, with assistance to other nearby projects and help from the Willamette Valley Mechanic on electrical issues and larger repair items. Our organizational chart is located in Exhibit 2.

Exhibit 2
Lebanon Organization Chart



Associates are supported by CH2M Technical Services Group and Regional Operations and Maintenance Specialists. This support includes:

- Consulting Services - Process troubleshooting, facility startups, performance testing, and system improvement recommendations
- IT Solutions and Services - Computer hardware, software and network solutions, and upgrades
- Asset Services - Condition assessments using proprietary software, determining facility asset operating longevity, lifecycle cost and risk, and estimating repair and capital replacement costs
- Optimization Services - Optimization that lowers variable costs, benchmarking against database of more than 100 facilities, and providing a web-enabled portal for data access and analysis
- Contracted Lower Chemical Costs - By working with vendors, we are able to negotiate lower chemical costs for our projects
- Willamette Valley Lead Mechanic/Electrician to assist with all major repairs and electrical projects at CH2M northwest projects

Wastewater

Highlights of our wastewater activities in 2015-2016 include:

- Treated 1,293,621,000 gallons of wastewater
- Demolished and removed the obsolete aluminum chlorohydrate tank in the filter building
- Drained and cleaned both aeration basins on a weekly basis during spring through fall
- Drained, cleaned, and inspected clarifiers 1, 2, and 3
- Installed a new E-Pure de-ionizer in the laboratory
- Purchased a new incubator for the bacteriological testing in the laboratory



Aerial view of the wastewater treatment facilities.

Construction Projects

During 2015-2016, CH2M completed the following construction projects:

- The old effluent pumping system was removed and replaced with a modern, energy efficient submersible pumping system
- New effluent pumps were put into service in October 2015
- Completed planter area in front of Wastewater administration building



Completed planter area in front of Wastewater administration building.



Old above ground turbine pumps and piping.



New effluent pumps were put into service in October 2015.



Alternate view of the new effluent pumps.

2015-2016 Repairs

During 2015-2016, CH2M completed the following repairs:

- Replaced influent pump variable frequency drives (VFDs) for number 1 and 2
- Rebuilt pump #1 at the Park and Garvord lift station
- New modems were installed at all lift stations
- Drained and cleaned the digester and replaced defective diffusers
- Removed anoxic mixer L40 for rebuild
- Lower compactor screw at headworks was rebuilt along with both upper and lower gear reducers
- Replaced the autorake motor and clutch at headworks
- Replaced the number 2 pump at Wood's RV Park lift station
- The influent composite sampler was defective and was replaced under warranty
- Removed and repaired the cannibal compactor screw

Biosolids Management

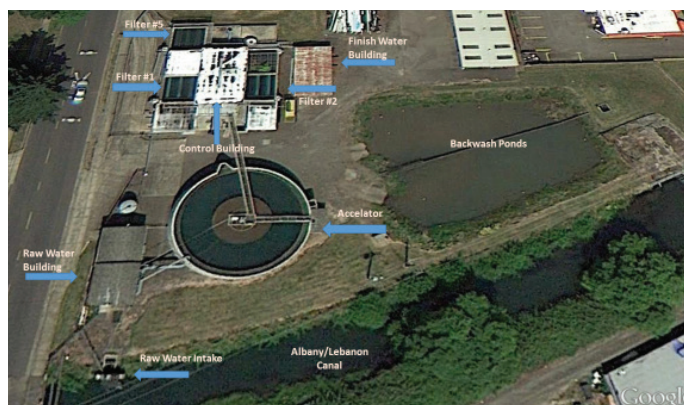
CH2M hauled a total 327 loads of biosolids to Sommers, Morgan, and Nofziger's fields in 2015. We also transferred 45,586 gallons of digested sludge to the drying beds. In addition, Heard Farms hauled 236,482 gallons of biosolids for us to their Roseburg facility.

327 loads of biosolids
is equal to **1.6 million**
gallons of digested sludge.

Water

The following is an overview of activities at the water treatment facility:

- The water treatment plant produced 838,354,000 gallons of drinking water in 2015
- Liquivision inspected the clear well at the water treatment plant
- Oregon Health Authority (OHA) conducted a Sanitary Survey at the water treatment plant
- Rebuilt finish water pump #1 impeller and shaft
- Inspected and tested finish pump #2
- Drained and cleaned the Accelerator; ran the water plant with direct filtration during cleaning process with no water quality issues
- Removed old anthracite coal fines from all three filters and added 3,000 pounds of new anthracite coal to each filter
- The new 4 million gallon reservoir on 5th street has been in service since December 22, 2014
- Took the old 5th street 2 million gallon reservoir off line on January 23, 2015



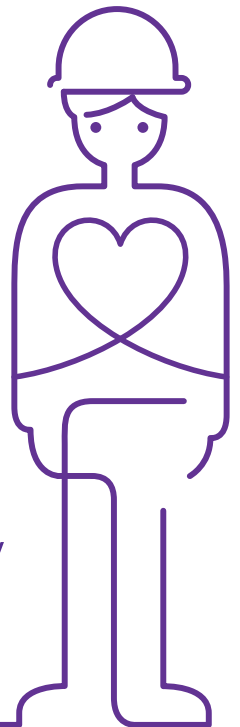
Aerial view of Lebanon water treatment facility.

Safety Management Program

Safety is a fundamental approach to how we conduct business. We are recognized leaders in the field of safety, and we apply this experience and knowledge for the benefit of the City, our associates, our subcontractors, and the community. We always intend to provide our associates with a safe and healthful work environment and to comply fully with all applicable federal, state, and local regulations regarding safe practices.

A proactive approach to identifying and addressing potential hazards is critical to the success of our Safety Management Program. All associates are trained to look for and to report unsafe conditions and acts. The Project Safety Team completes a monthly inspection and documents any unsafe condition or act and CH2M specialists perform a quarterly walkthrough of all facilities. Any hazards we identify as a result of these efforts, either formal or informal, are mitigated immediately. We use our CMMS program to issue and track work orders for hazards requiring repairs; in the interim, these areas are blocked off by temporary means such as cones or tape. We make associates aware of hazards in our weekly tailgate sessions and each associate receives an average of 63 hours of safety training during the year.

There has **not been a recordable** injury at this facility for **more than nine years.**



Maintenance

As of August 2015, CH2M has been using a new maintenance program, Maintenance Connection. This new program is more efficient in tracking work orders, costs, materials, and man hours. It is also more sustainable, as we no longer have to print work orders as each associate can access the program and be accountable for their assignments. The program also makes us accountable outside of our project to our corporate level management team. The old Antero maintenance program is no longer available on the computer, but all the Antero records prior to August 2015 are on file. Highlights of our maintenance program include:

- We issued 728 maintenance work orders; which took 381 hours to complete
- Fabricated and installed safety guards on various pieces of equipment, handrails at multiple locations, and covers over gaps and trip hazards throughout the facility in order to meet OSHA requirements

Maintenance Services and Activities

CH2M classifies maintenance activities at the sites we manage into three major categories:

Preventive Maintenance:

Preventive maintenance (PM) is defined as those routine and/or repetitive activities required or recommended by manufacturers and/or internal standards to maximize the service life and reliability of the equipment, vehicle, facility, or any component thereof. Proper PM is critical first line of defense against deterioration and failure.

Predictive Maintenance

Under CH2M predictive maintenance (PM) program, major electrical equipment is scheduled for testing using infrared thermography equipment annually to confirm that components are in working order with no loose or faulty connections. Readings are recorded in the CMMS. Additional PM activities include more detailed equipment condition assessments and vibration monitoring.

Corrective Maintenance

Corrective Maintenance (CM) encompasses activities required for operational continuity, safety, and performance. The status of CM work orders is maintained using the CMMS and work is scheduled within groups of equipment to save time and reduce labor costs.

CH2M evaluates CMMS information to benchmark maintenance performance and to supplement benchmarking with our proprietary Maintenance Matrix tool. This unique tool tracks and compares monthly maintenance performance to other CH2M managed sites.

Environmental Laboratory Services

The environmental laboratory provides the sampling and analysis required for wastewater and water process control and environmental compliance reporting to Oregon Department of Environmental Quality (DEQ) and the U.S. Environmental Protection Agency (U.S. EPA) in accordance with all state and federal laws. Our award winning quality control and quality assurance program, coupled with our internal audit process, allows for perfect compliance and perfect reporting of non-compliance.

Community Involvement

Community involvement is an essential part of the way CH2M does business. Our associates take pride in giving back to the community where they live and work. The CH2M associates determine which projects they want to be involved in, and seek input from the City to see if there are any special projects where the CH2M team can help. Specific examples of community involvement activities include:

- Lions Club booth assistance at the Strawberry Festival, set up and takedown of booth, as well as working during the busy times of the Festival
- Providing tours of the wastewater and water treatment plants
- Supporting vocational rehabilitation programs for retraining of injured workers into a new field. Several trainees have passed through and gained employment at the end of their training schedule
- Providing assistance to the Linn Benton Community College students in regards to the actual workings of a wastewater or water treatment plant
- Project Manager II Jeff Houchin was elected the Vice President of the West Central Oregon Section of the Pacific Northwest Clean Water Association (WCOS PNCWA). This organization is formed with local operators, engineers, and managers who provided updates and training for wastewater and collections operators in our area. The training we provided is vital for operators to stay current on regulations and state certifications

Community involvement is an essential part of the way CH2M does business.



Summary

CH2M is committed to the City of Lebanon and its citizens by providing the best service at the lowest reasonable price. Our priority is being proactive to reduce equipment downtime by concentrating on PdM and PM measures, addressing problems before they occur and responding to our customer needs in a quick and effective manner.

Looking forward

Our nation needs to invest more than \$1 trillion for drinking water infrastructure over the next 25 years, according to the American Water Works Association. As utilities nationwide struggle to replace aging infrastructure, we are pleased to partner with the City of Lebanon to take proactive measures to combat these challenges.

We continue to work closely with city staff to keep them informed of actual and potential problems at the facilities. We will inform them if there are areas or equipment that could cause safety, health, or violations in the permit requirements. We work together to come up with a solution to correct the problem.

We look forward to serving the City of Lebanon and community in the future, providing the best services, and continue to be Lebanon's partner for clean water solutions.

Agenda Item 1



MEMORANDUM

Engineering Services

To: Mayor Aziz and City Council
From: Ron Whitlatch, Engineering Services Manager
Subject: **APPROVAL ROAD TRANSFER AGREEMENT AND IGA**
Russell Drive/ River Road Improvements
Project No. 15703

Date: September 6, 2016

RECOMMENDATION

Staff recommends that City Council approve the attached Resolution and IGA for the Russell Drive / River Road improvements Project and Road Transfer Agreement with Linn County.

BACKGROUND

Over the past year, Staff has been working on the attached agreement with Linn County to make improvements to Russell Drive and River Road from Highway 20 to the entrance of Cheadle Lake Park. This section of roadway is currently under Linn County Jurisdiction. The IGA provided splits the cost of improvements equally between Linn County and the City of Lebanon, with a maximum provided by Linn County of \$1,250,000. Upon completion of the improvements, the City of Lebanon will take jurisdiction of this section of roadway. The IGA also changes jurisdiction of a portion of Taylor Street (Porter to Willow) and Willow Street which is being done to facilitate proposed improvements to Porter Park (aka The Community Gardens).

The existing two lane county standard road has very little pedestrian facilities and no designated bicycle lanes. This, along with the condition of the roadway is the primary reasons that City and County Staff have proposed the attached IGA. The project is currently being designed by City Staff and Udell Engineering. These improvements will most likely be included with the Airport Road Extension Project.

All told the project, including the Airport Road extension will be approximately \$4.4 Million. Proposed funding will be provided by Linn County, the Cheadle Lake URD, and the City of Lebanon's Surface Transportation Funds. The project is on schedule to be advertised for bids in early 2017, pending approval of the IGA.

Attached to this memo is the IGA that has been approved and signed by the Linn County Board of Commissioners as well as a Resolution accepting the Road Transfer from Linn County.

Engineering Services

**A RESOLUTION SURRENDERING
JURISDICTION OF CERTAIN COUNTY
ROADS**

)
)
)

RESOLUTION NO. 2016-30

WHEREAS, the City Council of the City of Lebanon deems it necessary, expedient and for the best interest of the City of Lebanon to obtain jurisdiction over certain portions of Linn County Roads.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The City Council of the City of Lebanon hereby determines that it is necessary, expedient, and for the best interests of the City of Lebanon to accept jurisdiction over certain portions of Linn county roads described in Exhibit "A" attached hereto.

Section 2. The Lebanon City Council hereby requests the Board of Commissioners for Linn County to surrender jurisdiction of said portions of Linn County Roads.

Section 3. A copy of this resolution shall be forwarded by the City Clerk of the City of Lebanon to the Board of Commissioners of Linn County upon the passage hereof.

Section 4. This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 14th day of September, 2016 by a vote of ____yeas and ____nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk

EXHIBIT A

RUSSELL DRIVE/RIVER ROAD VICINITY IMPROVEMENT & JURISDICTIONAL TRANSFER

INTERGOVERNMENTAL AGREEMENT

(Pursuant to Linn County Resolution & Order No. 2016-140)

THIS AGREEMENT is made and entered into by and between the City of Lebanon, a municipal corporation of the State of Oregon, (City) and Linn County, a political subdivision of the State of Oregon, (County) the promises of each being given in consideration of the promises of the other.

RECITALS

1. WHEREAS, ORS. 190.003 et seq. provides for intergovernmental cooperation in the interest of furthering economy and efficiency of local government; and
2. WHEREAS, ORS. 190.003 for purposes of such intergovernmental cooperation defines a unit of local government as including a county, city, district, or other public corporation, commission, authority, entity organized and existing under statute or city or county charter; and
3. WHEREAS, OR 190.010 provided that a unit of local government may enter into a written agreement with any other unit or units of local government for the performance of any or all functions and activities that a party to the agreement, its officers or agencies, have authority to perform; and
4. WHEREAS, Russell Drive (CR0718) and River Road (CR0719), from Primrose Street easterly to southeasterly a distance of approximately 4,550 linear feet, to the west side of the Linn County Bridge (0716-0076) crossing the Albany – Santiam Canal, Taylor Street (CR0778C) from Porter Street (CR0778) to Willow Street (CR0778A), and Willow Street from Taylor Street to Russell Drive, hereinafter referred to as "Project", are roads under the jurisdiction of the County, lying partially or entirely within the incorporated limits of the City, and are in need of improvement.
5. WHEREAS, City and County desires to make certain roadway improvements to Project including roadway widening/reconstruction, curbs, sidewalks/multi-use paths, driveways, and a storm drainage system, hereinafter referred to as "Improvements;" and
6. WHEREAS, County desires to forfeit jurisdiction of Project and City desires to obtain jurisdiction of Project prior to completion of Improvements.

NOW THEREFORE, the premises being in general as stated in the forgoing recitals, it is agreed by and between the parties hereto as follows:

TERMS OF AGREEMENT

The City will develop the plans and specifications, as well as provide construction management for the Improvements to the Project

A. COUNTY OBLIGATIONS

1. County shall review and comment on the proposed construction drawings and specifications prior to award of any construction contract. County shall provide funding to accommodate one-half of the contract construction cost of the Improvements to the Project (including unforeseen change orders), excluding any domestic water or sanitary sewer facilities and subject to the maximum amount shown in A.2. below.
2. After City opens bids but before contract is awarded, County shall provide bid award recommendation concurrence to City. Upon concurrence, the County shall be obligated to one-half the construction costs of Improvements, up to a maximum of \$1,250,000.
3. County shall reimburse City every two months based on construction pay estimates for approved Improvements.
4. County shall surrender jurisdiction of Project by appropriate Board of Commissioners action prior to completion of the Improvements.

B. CITY OBLIGATIONS

1. City shall prepare plans, specification, and contracts for the Improvements. City shall also advertise for bids and award the contract for Improvements (upon County concurrence).
2. The City shall provide construction management and inspection for the duration of the construction of Improvements, which will include preparation of invoicing to the County.
3. After City opens bids, but before contract is awarded, City shall provide bid award recommendation to County for concurrence.
4. City shall request jurisdiction of Project by appropriate Council action prior to the completion of the Improvements.

C. GENERAL PROVISIONS

1. This agreement shall become effective upon the date that each party has signed this agreement and shall terminate upon parties, completion of all obligations listed below or by mutual consent of both parties.
2. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the parties prior to termination.
3. To the extent allowed by Oregon Constitution and ORS 30.260 through 30.300 each party agrees to defend, indemnify, and – hold harmless the other party, its officers, agents, and employees, against any claims for injury or damages and all loss, liability, cost, or expense, including court costs and attorney fees, which may result from that party's actions or failures to act pursuant to the terms of this agreement.
4. Upon reasonable written notice and during the normal business day each party may inspect, audit and copy the financial management records of the other party pertaining to the services performed under this agreement.
5. At all times each party shall be responsible for its own costs and attorney fees.
6. This agreement and attached exhibits constitute the entire agreement between the parties. Any modification to this agreement shall be in writing signed by the parties.

[Signature page follows]

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

CITY OF LEBANON

LINN COUNTY, by and through its Board of Commissioners

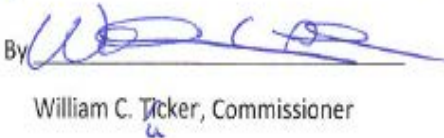
By _____
Mayor

By 
Roger Nyquist, Chairman

Date _____

By 
John Lindsey, Commissioner

APPROVED AS TO LEGAL SUFFICIENCY

By 
William C. Tucker, Commissioner

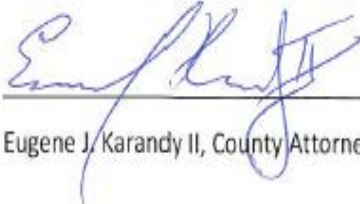
By _____
City Attorney

Date August 23, 2016

APPROVED AS TO CONTENT

By 
Darrin L. Lane, Roadmaster

APPROVED AS TO LEGAL SUFFICIENCY

By 
Eugene J. Karandy II, County Attorney

RETURN AGREEMENT TO:
Darrin L. Lane, Roadmaster
3010 Ferry St SW
Albany, OR 97322

Agenda Item 2



MEMORANDUM

Finance Department

To:	Mayor and City Council	Date: 8/24/16
From:	Dean Baugh, Finance Director	
Subject:	Resolution to notify all citizens that discrimination is prohibited by title VIII of the federal fair housing amendments act of 1988	

The City of Lebanon is eligible to apply for a 2016 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

The City of Lebanon is preparing an application for a 2016 Community Development Block Grant from the Oregon Business Development Department for the Linn County Housing Rehabilitation Partnership Program in rural Linn County which includes the incorporated cities of Lebanon, Brownsville, Halsey, Harrisburg, Scio, Sodaville, Lebanon, Tangent, Waterloo and all unincorporated areas of Linn County.

Part of the application process is to have a resolution notifying all citizens that discrimination is prohibited by title VIII of the federal fair housing amendments act of 1988.

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

Council Action: Staff requests Council approval of the attached resolution notifying all citizens that discrimination is prohibited by title VIII of the federal fair housing amendments act of 1988.

**A RESOLUTION TO NOTIFY ALL CITIZENS
THAT DISCRIMINATION IS PROHIBITED BY
TITLE VIII OF THE FEDERAL FAIR HOUSING
AMENDMENTS ACT OF 1988**

)
)
)
)

RESOLUTION NO. 2016-31

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

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Council of the City of Lebanon herein authorizes that within the resources available to the City through city, county, state, federal and community volunteer sources, the City will assist all persons who feel they have been discriminated against because of race, color, religion, disability (physical and mental), familial status (children) or national origin in the process of filing a complaint with the Oregon Civil Rights Division or the U. S. Department of Housing and Urban Development, Seattle Regional Office Compliance Division, that they may seek equity under federal and state laws.

Section 2. The City shall publicize this Resolution and through this publicity shall cause real estate brokers and sellers, private home sellers, rental owners, rental property managers, real estate and rental advertisers, lenders, builders, developers, home buyers and home or apartment renters to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances. This Resolution is effective immediately upon its passage.

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

Section 4. This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 14th day of September, 2016 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

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

ATTESTED BY:

Linda Kaser, City Clerk

Agenda Item 3



MEMORANDUM

Finance Department

To:	Mayor and City Council	Date: 8/24/16
From:	Dean Baugh, Finance Director	
Subject:	Resolution to adopt the section 3 plan to comply with 24 CFR, part 135 of the united states department of housing and urban development section 3.	

The City of Lebanon is eligible to apply for a 2016 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

The City of Lebanon is preparing an application for a 2016 Community Development Block Grant from the Oregon Business Development Department for the Linn County Housing Rehabilitation Partnership Program in rural Linn County which includes the incorporated cities of Lebanon, Brownsville, Halsey, Harrisburg, Scio, Sodaville, Lebanon, Tangent, Waterloo and all unincorporated areas of Linn County.

As part of the application process, the City is required to adopt a Section 3 plan to comply with 24 CFR, Part 135 of the United States Department of Housing and Urban Development Section 3.

The purpose of the plan is to provide a guide of Section 3 requirements. The plan provides a description of the requirements and a copy of the forms that must be completed for compliance.

Section 3 requirements apply to community development and housing assistance projects which are provided by Lebanon via CDBG funds or any other funds issued by the HUD. A Section 3 covered project involves the construction or rehabilitation of housing (including reduction of lead-based paint hazards), housing construction, or other public construction such as street repair, sewage line repair or installation, updates to building facades, etc.

Council Action: Staff requests Council approval of the attached resolution adopting a Section 3 Plan to ensure compliance with Federal Law and to designate the City Manager as the Section 3 Coordinator for the City.

**A RESOLUTION TO ADOPT THE SECTION 3)
PLAN TO COMPLY WITH 24 CFR, PART 135 OF)
THE UNITED STATES DEPARTMENT OF)
HOUSING AND URBAN DEVELOPMENT)
SECTION 3.)**

RESOLUTION NO. 2016-32

WHEREAS, the United States Congress passed Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701 u) (Section 3) to further the goal of ensuring that federal funds benefit the residents of projects funded wholly or in part by those funds; and

WHEREAS, Part 135 of Section 3 is to establish the standards and procedures to be followed to ensure that the objectives of Section 3 are met; and

WHEREAS, City of Lebanon staff has developed a Section 3 Plan in adherence to 24 CFR, Part 135 that more comprehensively addresses the standards and procedures prescribed in the Act; and

WHEREAS, the Section 3 Plan has been reviewed by the City of Lebanon staff and their comments incorporated into the Plan.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Council of the City of Lebanon herein authorizes the adoption and implement the Section 3 Plan to ensure compliance with Federal Law and to designate the City Manager as the Section 3 Coordinator for the City.

Section 2. This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 14th day of September, 2016 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk

CITY OF LEBANON, OREGON

SECTION 3 PLAN

PURPOSE

As a recipient of Community Development Block Grant (CDBG) funds, the City of Lebanon, Oregon is required to comply with the provision Section 3 of the Housing and Urban Development Act of 1968. The purpose of this plan is to provide a guide of Section 3 requirements. The plan provides a description of the requirements and a copy of the forms that must be completed for compliance.

BACKGROUND

Section 3 requires that, to the greatest extent feasible, training and employment opportunities arising out of a project assisted under a program providing direct federal financial assistance from the US Department of Housing and Urban Development (HUD) be given to low and very low income residents of the service area and, where appropriate, contracts for work in connection with the project be awarded to business concerns (firm) which are located in or owned in substantial part by persons residing in the area of the project.

APPLICABILITY

Section 3 requirements apply to community development and housing assistance projects which are provided by Lebanon via CDBG funds or any other funds issued by the HUD. A Section 3 covered project involves the construction or rehabilitation of housing (including reduction of lead-based paint hazards), housing construction, or other public construction such as street repair, sewage line repair or installation, updates to building facades, etc.

Section 3 requires that when employment or contracting opportunities are generated because such projects or activities undertaken by a sub-recipient of covered HUD financial assistance necessitates the employment of additional personnel through individual hiring or awarding contracts, the sub-recipient must give preference to hiring low and very low income persons and/or businesses owned by these persons or that substantially employ these persons within Lebanon, Oregon.

GOOD FAITH EFFORT

The City of Lebanon shall verify that the sub-recipient, contractor, and subcontractor have completed a variety of tasks outlined in this section to demonstrate its "good faith effort" to comply with Section 3 requirements. Sub-recipients, contractors and subcontractors shall retain all records associated with all attempts to provide a good faith effort and provide the City of Lebanon and HUD with said records upon request.

Construction may not commence until the City has recognized that the sub-recipient, contractor and subcontractor have demonstrated a "good faith effort" to meet the numerical goals of Section 3. Failure to be recognized as demonstrating a "good faith effort" may result in penalties including disbarment from submitting bids on future HUD funded projects and penalty of payment.

If the sub-recipient, contractor, or subcontractor have the need to hire new persons to complete the Section 3 covered contract or needs to subcontract portions of the work to another business, they are required to direct their newly created employment and/or subcontracting opportunities to Section 3 residents and

business concerns.

Examples of sub-recipients, contractors, and subcontractors demonstrating a "good faith effort" include targeting recruitment of Section 3 residents and business concerns by:

- A. Noticing of vacant training and employment positions arising out of work to be performed under Section 3 covered projects with lower income project area residents shall contain the following statement: "In compliance with Section 3 of the Housing and Urban Development Act of 1968, as amended, training and employment opportunities arising out of a project assisted under a program providing direct financial assistance from the U.S. Department of Housing and Urban Development shall be given, to the greatest extent feasible, to lower income residents or businesses owned by lower income residents of Lebanon. Low income residents or business owned by a low income resident of Lebanon are encouraged to apply".
 - B. Said notice shall be provided for at least two (2) weeks.
 - C. Said notice shall contain the name, mailing address, telephone number, and website of the contracting firm.
 - D. Said notice may be included in any policy manual, newsletter, website, annual report, and be posted on employee bulletin boards accessible to all employees at each location where construction work is performed.
 - E. Said notice may be provided to contractor's labor organizations or representatives advising the contractor's commitments under "Section 3 Clause".
 - F. Said notice may be disseminated to local newspapers, websites, radio advertising, neighborhood publications, minority publications, trade publications and associations, and bulletin boards throughout City buildings.
 - G. Said notice may also be posted at the job site.
 - H. Said notice may be directly distributed to an eligible list of Section 3 Business Concerns, should a contractor or subcontractor maintain such list.
1. Said notice may be directly distributed to agencies that administer HUD Youthbuild programs.

The City of Lebanon will assist all sub-recipients, contractors, and subcontractors to comply with this "good faith effort" requirement by allowing sub-recipients, contractors and subcontractors the opportunity to post job notifications on City property (e.g. the Courthouse, within City rights-of-way, other City buildings, etc.)

THRESHOLD

Funding thresholds are minimum dollar amounts that trigger Section 3 requirements. Section 3 requirements only apply when any of the following thresholds are reached:

Sub-recipient threshold: A sub-recipient that receives community development or housing assistance covered by Section 3 for which the amount of assistance exceeds \$200,000.

Contractor and subcontractor thresholds: Section 3 requirements apply to contractors and subcontractors performing work on the Section 3 covered project(s) for which the total amount of

assistance exceeds \$100,000; and the contract and subcontract exceeds \$100,000.

Professional services contracts (e.g. architectural services) are covered under Section 3 provided that work to be performed by the professional is for work generated by the expenditure of Section 3 covered assistance or for work arising in connection with a Section 3 project (e.g. housing rehabilitation, housing construction, or other public construction project.). Section 3 covered contracts do not include contracts issued for the purchase of materials, supplies, or equipment, unless installation "work" is involved.

Threshold met for sub-recipients, but not contractors or subcontractors: If a sub-recipient receives Section 3 covered housing or community development assistance in excess of \$200,000, but no contract exceeds \$100,000, the Section 3 preference requirements only apply to the operation of the sub-recipient (see "Responsibilities").

NUMERICAL GOALS

If a sub-recipient, contractor or subcontractor has the need to hire new persons to complete the Section 3 covered contract or needs to subcontract portions of the work to another business, they are required to direct their newly created employment and/or subcontracting opportunities to Section 3 residents and business concerns.

Federal regulations set numerical goals for all HUD jurisdictions for the hiring/training of Section 3 residents and contracting with Section 3 business concerns on HUD assisted projects. If the following numerical goals are not reached, sub-recipients, contractors and subcontractors shall demonstrate a "Good Faith Effort" to achieve the numerical goals.

Training and Employment: Goals are based on the percentage of new hires.

- 1) Housing assistance: employ Section 3 residents as 10% of the aggregate number of new hires for each year over the duration of the Section 3 project.
- 2) Community development assistance: Employ Section 3 residents as 30% of the aggregate number of new hires for each year over the duration of the Section 3 project.

Contracts: Each contractor and subcontractor that meets the threshold requirements may demonstrate compliance with the requirements of Section 3 by committing to award Section 3 business concerns:

- 1) At least 10% of the total dollar amount for all Section 3 covered contracts for building trades work for maintenance, repair, modernization or development of public housing, housing construction and other public construction.
- 2) At least 3% of the total dollar amount of all non-construction contracts covered under the Section 3 requirements.

Section 3 residents are not guaranteed employment and Section 3 business concerns are not guaranteed contracting opportunities. Section 3 residents must demonstrate that they meet the qualifications for new employment opportunities created as a result of the expenditure of covered assistance. Likewise, Section 3 business concerns must submit evidence to the satisfaction of the party awarding the contract to demonstrate that they are responsible firms and have the ability to perform successfully under the terms and

conditions of the proposed contract.

Contract awards shall only be made to responsible contractors possessing the ability to perform under the terms and conditions of the proposed contract. Preference to Section 3 business concerns means that a recipient's or contractor's procurement procedure include methods to provide preference to Section 3 business concerns. Accordingly, if a Section 3 business concern is a responsible bidder, but their bid price is slightly higher than a non-Section 3 firm, the sub-recipient may give preference to the Section 3 business in an effort to meet its numerical goals annually.

CERTIFICATION AND REPORTING

Any resident seeking Section 3 preference in awarding of contracts, training, or employment shall complete the Participant Eligibility for Preference form in Exhibit A. Any business or individual seeking Section 3 preference in the awarding of contracts or purchase agreements with the City of Lebanon shall complete the Certification For Business Concerns Seeking Section 3 Preference, in Contracting and Demonstration of Capability form (found in Exhibit B). The business seeking Section 3 preference must be able to provide adequate documentation as evidence of eligibility for preference under the Section 3 Program. Businesses seeking Section 3 preference for construction and professional service contracts must also complete the Section 3 Opportunities Plan found in Exhibit C. All sub-recipients, contractors and subcontractors shall report efforts to meet the numerical goals of Section 3 annually starting on July 1, and ending on June 30. Reports shall be returned to the Section 3 coordinator by no later than July 15 or completion of the work; whichever comes first.

RESPONSIBILITIES

Lebanon shall assist the sub-recipient, contractors and subcontractors by performing the following activities:

- 1) Notifying all applicants for CDBG and other HUD funded projects of the Section 3 applicability;
- 2) "Section 3 Clause" shall be included in all applicable bids and contracts;
- 3) Providing clarification of the Section 3 requirements;
- 4) Providing the appropriate guidelines and forms;
- 5) Assisting sub-recipients, contractors and subcontractors with notifying Section 3 residents and business concerns of new opportunities as outlined in "good faith effort";
- 6) Monitoring, verifying and notify with regard to compliance;
- 7) Moderate Section 3 complaints;
- 8) Collect all applicable forms and reports;
- 9) Report all required data to HUD.

The sub-recipient must comply with Section 3 requirements in its own operation. This responsibility includes:

- 1) Notifying Section 3 residents and business concerns about jobs and contracts generated by Section 3 covered assistance so that they may submit bids / proposals for available contracts and jobs opening with the sub-recipient;

- 2) Notify potential contractors of Section 3 requirements;
- 3) Include the Section 3 Clause in all applicable contracts;
- 4) Document action(s) taken to meet the numerical goals.
- 5) Complete and submit the applicable forms shown in Exhibits A, B, and C when the assistance exceeds \$200,000.
- 6) Sub-recipients have a responsibility to "ensure compliance" of their contractors and subcontractors. This means that a sub-recipient must:
 - a. Notify contractors of their responsibilities under Section 3 including, but not limited to, incorporating the Section 3 Clause in all contract documents;
 - b. Refrain from contracting with subcontractors as to whom they have received notice or have knowledge that the subcontractors have been found in violation of the requirements of 24 CFR Part 135;
 - c. Respond to Section 3 complaints;
 - d. Cooperate with Lebanon and HUD in obtaining compliance of contractors and subcontractors when allegations are made of non-compliance.
 - e. Complete and submit the applicable forms shown in Exhibits A, B, and C when the assistance exceeds \$100,000. All contractors must comply with Section 3 by doing the following:
 1. Notify subcontractors of their responsibilities under Section 3 including, but not limited to, incorporating Section 3 Clause in subcontract documents;
 2. Refrain from contracting with subcontractors as to whom they have received notice or have knowledge that the subcontractors have been found in violation of the requirements of 24 CFR Part 135;
 3. Maintain records that document a good faith effort to utilize Section 3 residents and business concerns. This is required of both contractor and subcontractor;
 4. Document action(s) taken to meet the numerical goals;
 5. Complete and submit the applicable forms shown in Exhibits A, B, and C when the assistance exceeds \$100,000.

NON-SECTION 3 BUSINESSES

Sub-recipients, contractors, and subcontractors will, to the greatest extent feasible, offer contracting opportunities to Section 3 business concerns. However, in the event no Section 3 business bids on a contract, or bids but is not able to demonstrate to the City's satisfaction that it has the ability to perform successfully under the terms and conditions of the proposed contract, then that contract will be awarded to a non-Section 3 business concern that can meet the terms and conditions of the proposed contract through the competitive bidding process.

That business concern must meet, as all business must (including Section 3 businesses), the general conditions of compliance (refer to Section 3 Clause [Construction Contracts] and Section 3 Clause [Non-Construction Contracts]). This will include:

1. Submitting a list of all positions necessary to complete contract, name of employees who will fill those positions, names of all other employees.
2. Posting notices of any vacant positions, including training and/or apprenticeship positions, qualifications for positions, place where applications will be received and starting date of employment.
3. To the greatest extent possible, making available vacant positions, including training and/or apprenticeship positions, to Section 3 residents (all categories) in order to priority.
4. As positions are vacated during completion of contract, following guidelines enumerated in numbers 2 and 3 above.
5. Submitting Compliance Reports as required.
6. If notified of non-compliance, correcting non-compliance within allowable time period.

SECTION 3 CLAUSE

All sub-recipients, contractors, and subcontractors shall include the "Section 3 Clause" in all applicable covered bids and distribute the appropriate forms related to the below paragraph to all interested parties prior to the opening of bids and entering into contracts.

At a minimum, contractors shall complete the applicable forms shown in Exhibits A, B, and C at the bid opening. Forms shall be verified by the City or sub-recipient prior to the bid opening. The tasks will ensure the contractor understanding of the applicability of Section 3 requirements to the project.

All Section 3 covered contracts shall include the following clause (referred to as the Section 3 clause):

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701 u (section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HOD assistance or HOD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low-and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HOD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the

subcontractor has been found in violation of the regulations in 24 CFR part 135.

- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

COMPLAINT PROCEDURE

In an effort to resolve complaints generated due to non-compliance through an internal process, Lebanon encourages submittal of such complaints to its Section 3 Coordinator. A complaint of non-compliance shall be provided in writing and must contain the name of the complainant and a brief description of the alleged violation of 24 CFR Part 135.

Complaints must be filed within thirty (30) days after the complainant becomes aware of the alleged violation. An investigation will be conducted if the complaint is found to be valid. The City will conduct an informal, but thorough investigation affording all interest parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint. The City will provide written documentation detailing the findings of the investigation no later than thirty (30) days after the filing of the complaint.

If the complainant wishes to have their concerns considered outside Lebanon, a complaint may be filed with:

Assistant Secretary for Fair Housing and Equal Opportunity
US Department of Housing & Urban Development
451 Seventh Street, SW
Washington, DC 20410

The complaint must be received not later than 180 days from the date of the action or omission upon which the complaint is based, unless the time for filing is extended by the Assistant Secretary for good cause shown.

ENFORCEMENT AND MONITORING

To enforce the decision-making process pertaining to determining applicable percentages for resident hiring, enforcement strategies are set forth below.

During the post award or pre-bid conference, the objective shall be to impact critical Section 3 information to the contractor prior to commencement of the work/project. The following contract requirements shall be discussed in detail: (Non-construction contracts does not require Davis-Bacon)

Davis-Bacon
Minority and Women Owned Business Participation
Resident Hiring Professional

Each representative will define specific functional requirements and require the contractor to certify its

understanding of the terms and conditions of the contract as they pertain to Davis-Bacon, resident hiring and Minority and Women Owned Business participation.

The function of monitoring and enforcing resident hiring will be carried out by the Lebanon Section 3 Coordinator, including all field activities.

DEFINITIONS

Business Concern -a business entity formed in accordance with State law, and which is licensed under State, county or municipal law to engage in the type of business activity for which it was formed.

Contractor -any entity which contracts to perform work generated the expenditure of Section 3 covered assistance, or for work in connection with a Section 3 covered project.

Employment Opportunities Generated by Section 3 Covered Assistance -all employment opportunities generated by the expenditure of Section 3 covered public assistance (i.e., operating assistance, development assistance and modernization assistance, (as described in Section 135.3 (a) (1)). With respect to Section 3 covered housing and community development assistance, this term means all employment opportunities arising in connection with Section 3 covered projects (as described in Section 135.3 (a) (2)), including management and administrative jobs. Management and administrative jobs include architectural, engineering or related professional services required to prepare plans, drawings, specifications, or work write-ups; and jobs directly related to administrative support of these activities, e.g., construction manager, relocation specialist, payroll clerk, etc.

Housing Development -low-income housing owned, developed, or operated by public housing agencies in accordance with HUD's public housing program regulations codified in 24 CFR Chapter IX.

HUD Youthbuild Programs -programs that receive assistance under subtitle D of Title IV of the National Affordable Housing Act, as amended by the Housing and Community Development Act of 1992 (42 U.S.C. 12899), and provide disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low-and very low-income families.

Low-income person -families (including single persons) whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Office of Management and Budget, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families.

Metropolitan Area -a metropolitan statistical area (MSA), as established by the Office of Management and Budget.

New Hires -full-time employees for permanent, temporary or seasonal employment opportunities.

Recipient -any entity which receives Section 3 covered assistance, directly from HUD or from another recipient and includes, but is not limited to, any State unit of local government, PHA, or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferee of any such entity, but does not include any ultimate beneficiary under the BUD program to which

Section 3 applies and does not include contractors.

Section 3 -Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

Section 3 Business Concern -a business concern:

1. That is 51 percent or more owned by Section 3 resident: or
2. Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents; or,
3. That provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontractors to be awarded to business concerns that meet the qualifications set forth in paragraphs 1 or 2 above.

Section 3 Covered Assistance -

- 1) Public housing development assistance provided pursuant to Section 5 of the 1937 Act;
- 2) Public housing operating assistance provided pursuant to Section 9 of the 1937 Act;
- 3) Public housing modernization assistance provided pursuant to Section 14 of the 1937 Act;
- 4) Assistance provided under any HUD housing or community development program that is expended for housing rehabilitation, construction, or other public construction project (which includes other buildings or improvements, regardless of ownership).

Section 3 Clause -the contract provisions set forth in Section 135.38.

Section 3 Covered Contracts -a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project.

Section 3 Covered Project -the construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction which includes buildings or improvements (regardless of ownership) assisted with housing or community development assistance.

Section 3 Resident -persons who live in the area where a HUD-assisted project is located and who have a household income that falls below HUD's income limits (see application current income limits). Low income is defined as 80% or below the area median income of the area. Very low income is defined as 50% or below the median income of the area. See accompanying Table for income limits set by HUD for Lebanon.

Service area -the area where a HUD-assisted project is located. It is a geographical area in which the persons benefiting from the Section 3 covered project reside. *The service area does not extend outside of Lebanon.*

Subcontractor -any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor's obligation for the performance of work generated by the expenditure of Section 3 covered assistance, or arising in connection with a Section 3 covered project.

Sub-recipient -an organization receiving HUD funds from Lebanon (recipient) for a housing and community development related project.

Very low-income person -families (including single persons) whose income do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

EXHIBIT A

Lebanon

RESIDENT EMPLOYMENT OPPORTUNITY DATA ELIGIBILITY FOR PREFERENCE CERTIFICATION FORM

Eligibility for Preference

A section 3 resident seeking the preference in training and employment provided by this part shall certify, or submit evidence to the recipient contractor or subcontractor, if requested, that the person is a Section 3 resident, as defined in Section 135.5. (An example of evidence of eligibility for the preference is evidence of receipt of public assistance, or evidence of participation in a public assistance program.)

Certification for Resident Seeking Section 3 Preference in Training and Employment

I, _____, am a legal resident of Lebanon, Oregon and certify that I meet the income eligibility guidelines for a low-or very-low-income person as published on the reverse.

My permanent address is:

I have attached the following documentation as evidence of my status:

- a. Copy of lease demonstrating proof of residency in a public housing development
- b. Copy of receipt of public assistance such as a Section 8 certificate or voucher
- c. Copy of evidence of participation in a public assistance program such as Youthbuild, JTP A, Job Corps etc.
- d. Income tax records
- e. Other

Signature: _____

Print Name: _____ Date: _____

SECTION 3 INCOME LIMITS All residents of public housing developments qualify as Section 3 residents. Additionally, individuals residing in Lebanon who meet the income limits set forth below, can also qualify for Section 3 status. A picture identification card and proof of current residency is required.		
Number in Household	Very Low Income	Low Income
1 individual	\$18,800	\$30,050
2 individual	\$21,450	\$34,350
3 individual	\$24,150	\$38,650
4 individual	\$26,800	\$42,900
5 individual	\$28,950	\$46,350
6 individual	\$31,100	\$49,800
7 individual	\$33,250	\$53,200

EXHIBIT B

CERTIFICATION FOR BUSINESS CONCERNS SEEKING SECTION 3 PREFERENCE IN CONTRACTING AND DEMONSTRATION OF CAPABILITY

Name of Business _____

Address of Business _____

Type of Business: () Corporation () Partnership () Sole Proprietorship () Joint Venture

Attached is the following documentation as evidence of status:

__ For Business claiming status as a Section 3 resident-owned enterprise:

() Copy of resident lease () Copy of receipt of public assistance () Copy of evidence of participation in public assistance program () Other evidence

__ For business entity as applicable:

() Copy of Articles of Incorporation () Certificate of Good Standing () Assumed Business Name Certificate () Partnership Agreement () List of owners/stockholders and % ownership of each () Corporation Annual Report () Latest Board minutes appointing officers () Organization chart with names and titles and brief function statement () Additional documentation

__ For business claiming Section 3 status by subcontracting 25 percent of the dollar awarded to qualified Section 3 business:

() List of subcontracted Section 3 business(es) and subcontract amount

__ For business claiming Section 3 status, claiming at least 30 percent of their workforce are currently Section 3 residents or were Section 3 eligible residents within 3 years of date of first employment with the business:

() List of all current full-time employees () List of employees claiming Section 3 status () PHA/IHA Residential lease less than 3 years from day of employment () Other evidence of Section 3 status less than 3 years from date of employment

__ Evidence of ability to perform successfully under the terms and conditions of the proposed contract:

() Current financial statement () Statement of ability to comply with public policy () List of owned equipment () List of all contracts for the past two years

Authorizing Name and Signature

(Corporate Seal)

Attested by: _____

EXHIBIT C

INSTRUCTIONS FOR COMPLETING THE SECTION 3 OPPORTUNITIES PLAN (SERVICE & PROFESSIONAL CONTRACTS)

The purpose of Section 3 is to ensure that jobs and economic opportunities generated by HUD financial assistance for housing and community development programs shall be directed to low and very low income persons, particularly those who are recipients of government assistance for housing and business concerns which provide economic opportunities to low and very low income persons,

Section I

The Section 3 Opportunities Plan is to be completed for construction and professional service contracts. There are four (4) ways in which Section 3 can be fulfilled. They are listed in order of preference:

1. Subcontract or joint venture with a Section 3 resident owned business. The business must be 51% or more owned by Section 3 residents or Subcontractor/joint venture with a business whose permanent full-time employees include persons at least 30% of whom are currently Section 3 residents or within 3 three years of the date of first employment with the business concern were Section 3 residents, or
2. Direct hiring Section 3 residents of the service area or the neighborhood in which the covered project is located, or
3. Incur the cost of providing skilled training for residents in an amount commensurate with the sliding scale set forth. Such training shall be determined after consultation with the Section 3 Coordinator of Lebanon, or
4. Contribute to a Section 3 resident educational fund in an amount commensurate with the sliding scale included in the Section 3 Conditions.

If a prime contractor is unable to satisfy the Section 3 resident hiring requirements per the above, the requirements may be satisfied through any subcontractors that may be involved in the project:

1. If the (sub)contractor has identified a resident owned business or a business which employs 30% or more Public Housing or Neighborhood residents, this paragraph is to be completed by indicating the number of resident owned businesses that will be used on the contract/spec number shown at the end of the paragraph,
2. If the (sub)contractor plans to hire Public Housing or Neighborhood residents to work for its company, paragraph two (2) must be completed with the contract/spec number and the percentage of compliance in hiring the resident(s).

For example, if your contract amount is \$100,000.00, the Section 3 dollar amount that must be expended is 10% of your labor dollars or \$10,000.00. If the whole dollar amount is to be expended on the resident's salary, then 100% is to be inserted on the percent line. If a percentage amount less than 100% will be expended on the resident's salary, that amount must be inserted on the line and the remaining percentage must be expended through subcontracting/joint venturing with a resident owned business or a business that employs

30% or more residents, or placed into the Section 3 Resident Educational Fund. In which case, the corresponding paragraph must be completed.

3. If the (sub)contractor has exhausted the first two (2) options, then the full amount of the contractor's Section 3 obligations will be placed into Resident Educational Fund, in which case paragraph three (3) must be completed and paragraphs one (1) and two (2) will contain zeroes in the percentage lines.

Section II

The second portion of the Section 3 Opportunities Plan begins with the specification or request for proposal title and number.

Section III

The third section is to be completed by listing current staff to be used to complete the work bid upon.

1. List the job titles,
2. Complete the Needed column if additional staff will be required to fulfill the classification,
3. In the Total column, list the total number of staff plus the number needed,
4. In the low and very low income area residents (LIAR) columns, list the number of current staff who are residents of public housing, or who are low or very low income neighborhood residents,
5. In the To Be Filled column, list the number of positions that fit into the low and very low-income public housing residents and low and very (LIAR) who will be hired.
6. In the Hiring Goal column, list the number of Public Housing residents or LIAR you intend to hire.

Section IV

The final section is to be completed after the contract has been awarded, interviews have taken place and residents have been hired. The completed Section 3 Opportunities Plan must be submitted to the Lebanon Section 3 Coordinator. Each contractor is required to attend a pre-construction conference with the Lebanon Section 3 coordinator where contractual obligations will be explained, the contractor's Section 3 dollar amount will be determined, and the contractor's hiring goals will be discussed. The Section 3 coordinator will refer qualified residents to be interviewed by the contractor. The Section 3 Opportunities Plan that is submitted with the QBS/RFQ/RFP/IFB and the final copy that is submitted to the Section 3 Coordinator must be signed and include the title of person executing the plan.

SECTION 3 OPPORTUNITIES PLAN

Business Opportunities and Employment Training of Lebanon Public Housing Residents and Low and Very Low Income Neighborhood Residents

Section I. Opportunities Plan

The Contractor has identified ____ Section 3 resident owned business(es) or ____ business(es) which employ 30% or more Section 3 residents to comply with ____ % of its Section 3 requirements covered under Contract# _____, (Option 1) Alternately, the Contractor hereby agrees to comply with all the provisions of Section 3 as set forth in 24 CFR 135,1 et seq. and Lebanon Section 3 plan implemented through Resolution # _____ dated _____, The Contractor hereby submits this document to identify employment opportunities for Section 3 public housing residents and low and very low-income area residents, during the term of the contract between the Contractor and Lebanon, The Contractor affirms that the jobs identified shall be for meaningful employment that may or may not be related to the scope of services covered under Contract # _____, The Contractor has committed to employ the following in order to comply with ____ % of its Section 3 requirements, (Option 2) The above percentage(s) for Option 1 and 2 equal(s) 50% of the Contractor's Section 3 obligations, Option three (3) on page 1 of the instructions equal 25% of compliance and Option four (4) on page 1 of the instructions equals 25% of compliance, You may choose one option to comply or all; however, total compliance must equal 100%, The Contractor hereby agrees by signing below that any remaining percentages will be deducted from payouts placed in the _____ Section 3 Educational Fund,

Section II. Labor Survey

Project Title: _____
 Job Title: _____
 Local Contract/Agreement Number: _____

Job Title (1)	Needed (2)	Number of Positions			Hiring Goal		
		Filled (3)			To be Filled (4)	LICSDR (a)	LIAR (b)
Total (a)	LICSDR(b)	LIAR (c)					

Section III. Resident List

Section 3 resident employee information (jobs to be filled)

Job Title	LICSPHAR or LIAR Name	Address	Social Security Number

LISPHAR= Low and very low income public housing authority resident

LIAR= Low and Very low income area resident

Please check the Option(s) that describe your contracting efforts:

- Option 1: Subcontract with Section 3 Business(es) – 25%
- Option 2: Hire Section 3 residents/participants – 25%
- Option 3: I have a training program in place and am willing to train _____ residents – 25%
- Option 4: Contribute to the _____ training/educational fund for resident training – 25%

In the event I am awarded the contract, I have the option to submit my check in the compliance amount of the start of contract date, or allow _____ to deduct payment from my draw requests. (Compliance amount is based upon the labor dollars of the contract award.)

You may comply by choosing one or all options. Remember your compliance must be equal to 100% as noted on page 1, paragraph three (3), or any remaining percentages will be deducted from payouts and placed in the _____ resident training/educational fund account.

The failure of the contractor to comply with the above-approved plan shall be a material breach of the contract.

Contractor's Signature and Title

SECTION 3 OPPORTUNITIES PLAN CERTIFICATION

NAME OF PRIME CONTRACTOR/ PROFESSIONAL SERVICES PROVIDER: _____

Local contract/.Agreement

#: _____

CONTRACT

Name: _____

WARNING: THIS DOCUMENT IS REQUIRED FOR ALL CONSTRUCTION OR LABOR RELATED PROCUREMENTS AND PROFESSIONAL SERVICE AGREEMENTS.

The Contractor hereby agrees to comply with all the provisions of Section 3 as set forth in 24 CFR 135.38 implementing Section 3 requirements. The contractor hereby submits this Section 3 Opportunities Plan.

The Contractor shall provide a status report identifying its progress in meeting the Section 3 goals established in this Section 3 Opportunities Plan on a quarterly basis throughout the contract period. The quarterly status report shall be submitted no later than 10 days after the end of each calendar quarter of the contract (e.g., April 10 for calendar quarter January 1 to March 31). The status report shall be in at least the same level of detail as the approved Section Opportunities Plan. For any goal not met, the report shall identify any other economic opportunities, which the contractor has provided, or intend to provide to Section 3 and neighborhood residents.

The failure of the Contractor to comply with the approved plan shall be a material breach of the contract.

Each Bidder/Proposer for a construction or labor related contract and professional services agreement must complete the Section 3 Opportunities Plan and submit all relevant information required herein. A prime contractor, through its' subcontractors may satisfy the Section 3 Resident Hiring Requirements. Please complete the Skill Needs Table in Section 1 of Section 3 Opportunities Plan in the following columns.

1. Indicate each category of employment for all phase of this contract;
2. The number of positions which will be needed in each category;
3. How many of those positions are currently filled;
 - a. The number filled by neighborhood residents, excluding _____ and _____ residents;
 - b. The number filled by Public Housing residents;
 - c. How many positions need to be filled;
4. Indicate your goal for the number of positions you intend to fill with:
 - a. Section 3 Residents
 - b. Low and Very low income area residents.

NOTE: The minimum of trainees is that which can reasonably be utilized in each occupation, and no less than the number established by the U.S. Secretary of Labor for construction and non-construction

labor related occupations. The contractor shall fill all vacant positions with low-income persons (earning less than 80% of the median income in the City of Lebanon _____) and these positions shall not be filled immediately prior to undertaking work in order to circumvent regulations as set forth at 24 C.F.R. Part 135 et seq: as amended.

II. SECTION 3 BUSINESSES SUBCONTRACTING OPPORTUNITIES

In a one (1) page letter on your company's letterhead:

1. Indicate the goals, expressed in terms of percentage of planning subcontracting dollars, for the use of Section 3 business concerns as subcontractors.
2. A statement of the total dollar amount to be subcontracted, total dollar amount to be subcontracted to Section 3 business concerns for building trades, and total dollar amount to be subcontracted to Section 3 business concerns for other than building trades work (maintenance, repair, modernization and redevelopment).
3. A description of the method used to develop the goals above and the efforts to be undertaken by the Contractor to meet those goals.

Acknowledged by:

(President or Authorized Officer)

Date: _____

Agenda Item 4



MEMORANDUM

Finance Department

To:	Mayor and City Council	Date: 8/24/16
From:	Dean Baugh, Finance Director	
Subject:	Resolution to adopt the Limited English Proficiency (LEP) policy and language access plan.	

The City of Lebanon is eligible to apply for a 2016 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

The City of Lebanon is preparing an application for a 2016 Community Development Block Grant from the Oregon Business Development Department for the Linn County Housing Rehabilitation Partnership Program in rural Linn County which includes the incorporated cities of Lebanon, Brownsville, Halsey, Harrisburg, Scio, Sodaville, Lebanon, Tangent, Waterloo and all unincorporated areas of Linn County.

As part of the application process, the City is required to adopt a Limited English Proficiency (LEP) Policy and language access plan.

The purpose of the plan is to ensure that persons with Limited English Proficiency (LEP) shall not be discriminated against nor denied meaningful access to, and participation in, the programs and services provided by the City.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance.

Under regulations implementing Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (Title VI), recipients of federal financial assistance have a responsibility to ensure meaningful access to their programs and activities by persons with LEP. The purpose of the LEP is to ensure that the City, as a recipient of Federal Funding, is complying with its Title VI responsibilities and that access to their programs or activities, normally provided in English, are accessible to LEP persons.

Housing and Urban Development, in its final guidance for providing program access to LEP individuals, has detailed a 'Safe Harbor' where providing a certain level of translated

materials for a LEP population of a specified size will "be considered strong evidence of compliance with the recipient's written translation obligations." The City of Lebanon has determined that, in regards to its LEP language populations, the Spanish LEP population is below both 5% and 1,000 individuals, and thus translated vital documents are not required. The City of Lebanon's remaining LEP populations for each spoken language are also below 5% and 1,000 persons. According to the 'Safe Harbor' Guidelines, any language population that falls below 1,000 individuals and 5% of the service population is not required to receive any written translations. As the remaining LEP populations fall below this level, the City of Lebanon is not required to provide any translated documents under 'Safe Harbor' guidelines to non-Spanish LEP individuals. Ongoing monitoring of LEP contact with the City will occur, and should the level or difficulty of serving this population increase, the City is prepared to add resources.

Council Action: Staff requests Council approval of the attached resolution adopting a Limited English Proficiency (LEP) policy and language access plan.

**A RESOLUTION TO ADOPT THE LIMITED
ENGLISH PROFICIENCY POLICY AND
LANGUAGE ACCESS PLAN.**

)
)
)

RESOLUTION NO. 2016-33

WHEREAS, the City of Lebanon undertakes to ensure that persons with Limited English Proficiency (LEP) shall not be discriminated against nor denied meaningful access to, and participation in, the programs and services provided by the City; and

WHEREAS, the LEP Plan applies to all City administered programs, services and facilities, regardless of whether they receive Federal financial support or not; and

WHEREAS, it is the intent of the City, in providing language services to LEP persons, to achieve a balance that ensures meaningful access to programs and services while not incurring undue burdens on City resources; and

WHEREAS, the City Manager's Office is the central coordinator for the LEP Plan and language services, and provides oversight for the implementation of the LEP Plan.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Council of the City of Lebanon herein authorizes the adoption and implementation of the Limited English Proficiency Policy and Language Access Plan for the City.

Section 2. This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 14th day of September, 2016 by a vote of ____ yeas and ____ nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk



City of Lebanon Limited English Proficiency (LEP) Plan

CONTACT INFORMATION

Paul Aziz City Mayor paziz@ci.lebanon.or.us

Gary B. Marks City Manager gmarks@ci.lebanon.or.us

City of Lebanon-City Hall 925 S. Main Street Lebanon, OR
97355

Phone: (541) 258-4900

This document addresses the needs of the citizens of the City of
Lebanon with Limited English Proficiency

City of Lebanon Oregon Limited English Proficiency Plan

Introduction

The City of Lebanon Oregon is situated in Linn County, Oregon with an approximate population of 15,982 (July 2014). The city provides a multitude of services, including Community Development, Finance, Parks and Recreation, Police, Public Works, and a Library. Lebanon's form of government is Council/Manager.

The population of Lebanon is predominantly English speaking, with the largest minority language being Spanish¹. Other minority languages include a variety of other Indo-European, Asian and Pacific Islander, and other unidentified languages. English is the primary language of approximately 94.3% of the population. 1.7% of the population speak Spanish, 2.8% speak other Indo European Languages as their primary language and 1.2% speak Asian and Pacific Island and other languages. Of the non-English as primary language populations, less than 1.5% (96 persons) speaks English less than very well. No other language populations are identified in the City of Lebanon.

The City of Lebanon (City) undertakes to ensure that persons with Limited English Proficiency (LEP) shall not be discriminated against nor denied meaningful access to, and participation in, the programs and services provided by the City. In order to ensure meaningful access and participation for LEP persons, the City takes reasonable steps to see that language services are provided according to the provisions of the City's LEP Plan as described below.

The LEP Plan applies to all City administered programs, services and facilities, regardless of whether they receive Federal financial support or not. However, the LEP Plan does not apply to the operation or administration of any properties or projects wherein the City is not the primary owner (i.e., the City is a funding agency and not the entity with primary control over said property) and the primary owner qualifies as recipient or sub-recipient of federal financial assistance.

It is the intent of the City, in providing language services to LEP persons, to achieve a balance that ensures meaningful access to programs and services while not incurring undue burdens on City resources.

Lebanon's City Manager's office is the central coordinator for the LEP Plan and language services. The office provides oversight for the implementation of the LEP Plan, coordinates and facilitates delivery of LEP language services, ensures that staff are informed on LEP services and procedures, and directs the monitoring and assessment of the LEP Plan's effectiveness.

Definitions:

Limited English Proficiency person. Any person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English. Such person or persons shall be entitled to language assistance at no cost to

¹ See Exhibit A-Lebanon Oregon Limited English Proficiency Population, US Census American Fact Finder

themselves with respect to a *particular type of service, benefit, or encounter*.

Vital document. Any document that contains information that is critical for obtaining or maintaining the services or benefits that are supported by Federal funds, or that are required by law. Such documents may include but are not limited to applications, consent forms, notices of participant rights and responsibilities, disciplinary notices, letters or notices that require a response from the participant or beneficiary, legal notices, and notices advising LEP persons of the availability of free language services.

Interpretation. The act of listening to spoken words in one language (the source) and orally translating it into another language (the target).

Translation. The replacement of a written text from one language into an equivalent written text in another language. NOTE: Some LEP persons cannot read in their own language and back up oral interpretation services may be needed for written documents.

Four-Factor Assessment. This is an assessment tool used by the City, as a recipient of federal funding, to determine the extent of its obligation to provide LEP services. These four factors are: (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided the program to people's lives; and (4) the resources available to the grantee/recipient and costs.

Who is covered?

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance.

Under regulations implementing Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (Title VI), recipients of federal financial assistance have a responsibility to ensure meaningful access to their programs and activities by persons with LEP. The purpose of the LEP is to ensure that the City, as a recipient of Federal Funding, is complying with its Title VI responsibilities and that access to their programs or activities, normally provided in English, are accessible to LEP persons.

In order to avoid discrimination against LEP persons on grounds of national origin, the City has taken adequate steps to ensure that LEP persons receive the language assistance necessary to afford them meaningful access to the programs, services, and information the City provides, free of charge.

Pursuant to Executive Order 13166, the meaningful access requirement of the Title VI regulations and the four-factor analysis set forth in the LEP Guidance of the Federal Register (FR-4878-N-01) are to apply to programs and activities receiving federal assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Federally assisted recipients are required to make reasonable efforts to provide language assistance to ensure meaningful access for LEP persons to the recipient's programs and activities. To do this, the recipient has: (1) conducted the four-factor assessment; (2) developed a language access plan (LAP); and (3) provided access to appropriate language assistance.

Coverage under Title VI and Executive Order 13166 extends to all of a recipient's programs or activities, (i.e., to all parts of a recipient's operations). This is true-even if only one part of the recipient receives the federal assistance.

As the City of Lebanon encompasses a variety of services, application of the Four-Factor analysis varies depending on the specific service.

Four-Factor Assessment

1) Population Size of LEP Persons who Need Language Services Assistance

The City has used the following methodology and data sources to identify and determine the number of LEP persons currently using the City's services, the number of LEP persons in the City's area of operations who may be eligible for programs and services and the particular languages used by both groups. The City used various methods to identify LEP persons with whom they have contact. These included:

- Past experiences with LEP by City staff.
- Latest Census Department data. Census data has been reviewed and matched to the extent possible with the City area of operations. When Census data is updated, it will be reviewed to identify commonly encountered languages other than English.

Assessment: Housing and Urban Development, in its final guidance for providing program access to LEP individuals, has detailed a 'Safe Harbor' where providing a certain level of translated materials for a LEP population of a specified size will "be considered strong evidence of compliance with the recipient's written translation obligations." The City of Lebanon has determined that, in regards to its LEP language populations, the Spanish LEP population is below both 5% and 1,000 individuals, and thus translated vital documents are not required. The City of Lebanon's remaining LEP populations for each spoken language are also below 5% and 1,000 persons. According to the 'Safe Harbor' Guidelines, any language population that falls below 1,000 individuals and 5% of the service population is not required to receive any written translations. As the remaining LEP populations fall below this level, the City of Lebanon is not required to provide any translated documents under 'Safe Harbor' guidelines to non-Spanish LEP individuals.

2) Frequency of Contact with LEP Persons who Need Language Services Assistance

Linn County is the primary provider of social services within Lebanon, and has the most contact with LEP persons who need language service assistance. The majority of contact the City has with non-English speaking citizens is through Police Department stops and other activity. Frequency of contact with LEP persons for other City services such as applications, consent forms, notices of participant rights and responsibilities, disciplinary notices, letters or notices that require a response from the participant or beneficiary, and public legal notices is relatively rare, less than once a year. City staff indicates that generally, individuals with limited English proficiency will bring a family member or friend, who will

translate.

Assessment: Need for LEP services approximates the percentage of Lebanon residents with limited English proficiency-less than 1% of staff encounters or contacts. Ongoing monitoring of LEP contact with the City occurs, and should the level or difficulty of serving this population increase, the City is prepared to add resources.

3) Nature and Importance of Programs and Service Utilized or Needed by LEP Persons

The City recognizes that, within the range of programs and services it provides, some programs and services, such as those that directly impact the well-being of the local population, are of higher priority than others. While it is the City's intent to provide meaningful access to all participants and eligible persons, the availability of resources may limit the provision of language services in some instances.

Activities such as outreach, intake forms, leases, rules of occupancy, legal actions, life and safety notices, and the like have a high priority. Information about and an understanding of these activities should be effectively communicated to all persons affected by them. Other activities such as recreation programs, social activities, optional meetings, and related areas are of a lesser priority.

Assessment: Given that Police stops are generally where the City has the highest contact with LEP individuals, the City has designated translation services to be available during normal working hours within the Police Department. For other services, the City provides on call translation services and public information in multiple languages on its website.

4) Availability of Resources to LEP Persons Who Need Language Assistance

The City of Lebanon may contract with authorized interpreters who are available over the telephone. Other sources for interpretation may include:

- Qualified bilingual staff members of the City.

- Individuals employed exclusively to perform interpretation services.

- Contracted in-person interpreters.

- Other qualified interpreters from other local agencies or organizations within the Lebanon Community.

Language assistance may be available from community volunteers who have demonstrated competence in their monolingual (direct) communication and/or in interpretation or translation as noted above and have been approved by the City to communicate with LEP individuals.

Where qualified bilingual staff members or other authorized interpreters are unavailable to assist approved community volunteers who have demonstrated competence may be called upon when appropriate.

Family and friends of an LEP individual may offer to assist with communication or interpretation.

Assessment: The City is both pro-active in providing persons with limited English proficiency public information about Lebanon's public services, and in having translation resources available to those having direct contact with City staff. The City works to provide translation in other languages when arranged for in advance.

City of Lebanon Limited English Proficiency (LEP) Plan

The City provides language services to LEP persons by a variety of methods based upon the relative numbers of such persons and the frequency of contacts or anticipated contacts.

Reasonable steps are taken to accomplish this. Specifically, this LEP Plan outlines the City's approach to working with persons needing language assistance:

- I. Identification of LEP individuals who need language assistance: Activities include:
 - Posting of notices in City Hall and in separate lobbies of other City facilities accessible by the public. These posted notices will be in commonly encountered languages and will encourage LEP persons needing language assistance to self-identify.
 - "Language Identification" cards (www.lep.gov/ISpeakCards2004.pdf) will be available in the languages identified in the City's area of operations. The cards will also be used by staff on a day-to-day basis to determine and document the need for particular language services during routine activities and encounters.
 - Notification to applicants for assistance, licensing, or permits that language services will be provided at no cost.
 - Periodic reviews with staff to determine if the needs of residents with limited English continue to be met.

- II. Provision of Language Assistance Measures: Procedures and activities for the provision language assistance include:
 - A. Types of Language Services Available
 1. Written Translation Measures
 - Postings in conspicuous places in City Hall, Police Department Main Lobby, and any other City facility accessed by the public informing applicants or members of the general public that translation services are available at no charge to the individual who is seeking services or information regarding such services. The City has a list of interpreters and translators for staff to use when language services are required for LEP persons.
 - Bi-lingual public notice communications and outreach. The City also provides language services in the conduct of its web-based outreach efforts which are intended to make the general public aware of its programs and services. In this manner, LEP persons who are a part of the population in the City's area of operations have an equal opportunity

to learn about the City's programs and services and to access and participate in them.

2. Oral Translation Measures

- The City shall strive to have bilingual staff available during normal business hours. Should the City not have bilingual Spanish speaking staff, the City will contract with a telephone interpretive service that will allow tenants, applicants or members of the general public who do not speak English to communicate with staff at the time they call or come into City Hall, the Police Department, and any other City facility regularly accessed by the public.
- The City shall offer oral interpretation at no charge at meetings, events, and other activities, provided that the need is identified by the participant(s) at least forty eight (48) hours prior to the event, dependent upon the availability of an interpreter for the requested language.

3. Additional Measures to be Considered and Used Based on an Assessment of Need

The following list outlines potential future measures that could be undertaken, should the level of need for LEP services increase from the current assessment.

- Use of and/or hiring bilingual staff to handle the majority of the verbal and written translation duties for the City. (Essential in the daily operations.) At the time of adoption of this LEP plan, 1 bilingual staff member is available during normal working hours.
- Contracting with qualified interpreters and translators, either individually or through an interpreting service agency which provides such persons when other City employees are not available or not skilled. (Essential when accuracy and details are important or critical.)
- Centralizing language services and/or sharing language services with other City if/when available. (If needed to minimize costs.)
- Use of telephone (or video conferencing) interpreter services. (If prompt delivery of interpretation services is required.)
- Pooling resources and/or standardization of documents and forms. (If needed to minimize costs.)

B. Connecting Staff to Available Language Services Available

City staff should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The City will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The City will use all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept City provided LEP services at no cost or they may choose to provide their own.

City provided LEP services may include, but are not limited to the assistance methods described in this policy.

C. Telephone System Protocols

If City staff cannot understand a LEP caller, and a translator is not immediately available, the caller's phone number is taken, and a bi-lingual interpreter/translator calls the individual back.

D. Responding to Written Communications from LEP Persons

The City will utilize a bi-lingual interpreter/translator to read and respond in the LEP's language in written communications.

E. Responding to In-Person Contact with LEP Persons

Should staff be unable to communicate with a LEP person, the City's bilingual interpreter/translator is contacted, and communications are either continued in-person or over the phone. Should the interpreter/translator be unavailable, contact information for the individual will be recorded, including nature of the inquiry, and an interpreter/translator will re-contact the person.

F. Ensuring the Competency of Interpreter and Translator Services

The City makes every reasonable effort to assure that the language services it provides to LEP persons are of the highest quality and that the competency of interpreters and translators is appropriate to the situation. This applies to both the use of internal bilingual employees and contracted interpreters and translators.

- 1) Interpreters (outside the use of internal bilingual employees). Oral interpretation of encounters, interviews, meetings and the like require a certain level of competency and professionalism on the part of the interpreter. These characteristics do not necessarily exist in a person who is simply bilingual. Likewise, formal certification while helpful may not always be required. Often the importance of the encounter or the consequences will direct the level of professionalism needed. When using an interpreter, the City uses the following general criteria to ensure effective communications with LEP persons:
 - a) Demonstrated proficiency in and ability to communicate information accurately in both English and in the other language and able to identify and employ the appropriate mode of interpreting (consecutive, simultaneous, summarization, or sight translation).
 - b) Knowledge in both languages of any specialized terms or concepts particular to the City programs or services and of any particularized vocabulary and phraseology used by the LEP person, or the ability to explain either in English or the necessary language, the specialized term(s), concept(s), particularized vocabulary or phraseology.
 - c) Understanding of and ability to follow confidentiality and impartiality rules to the same extent that the City employee for whom they are

interpreting or to the extent that their position requires or both.

d) Understanding of and adherence to their role as interpreter without deviating into a role as counselor, legal advisor, or other role.

e) Awareness of regionalisms (dialects) used by the LEP persons for whom they are interpreting.

2) Translators (outside the use of internal bilingual employees). When selecting translators, the list of criteria applied to determine competency and professionalism for interpreters above shall be applied to the extent that those criteria are appropriate. If a staff member who speaks the necessary language is not available, the City shall obtain translation and interpretation services from a certified translation/interpretation service.

III. Staff Training to Be Provided

The City reviews its LEP Plan with staff. The frequency of staff encounters with LEP persons determines the level of review. All employees who are likely to have contact with LEP persons are informed of the City's LEP Plan, and on how to work effectively with in-person and telephone interpreters, and to understand the dynamics of interpretation among LEP providers and interpreters.

Staff having the greatest contact are the first to be trained to effectively implement the LEP Plan. Those staff having the least amount of contact with LEP persons, at a minimum, are trained to be fully aware of the Plan so that they may reinforce its importance and ensure implementation by other staff.

LEP training is part of the orientation for all new employees who work with LEP persons. On-going employees receive an orientation on the LEP Plan.

IV. Provision of Notice to LEP Persons

The City provides appropriate notice to LEP persons and language groups of the availability of free language services that ensure meaningful access to programs and services provided by the City. Notices in those appropriate languages informing LEP persons and groups shall be posted in common areas, offices, and anywhere that applications are taken. These notices shall explain how to receive language services.

V. LEP Plan Monitoring and Updating

The City monitors implementation of the LEP Plan on an ongoing basis, making revisions to policies and procedures as may be required periodically. The City also reviews (not less than annually) the overall effectiveness of its LEP Plan. This review considers information from the following sources and criteria as well as other factors as may be appropriate:

- 1) Changes in demographics including new language groups and changes in the proportion of existing language groups, types of services, and other needs.
- 2) Frequency of encounters with LEP persons. Whether existing language services are meeting needs of LEP persons.
- 3) Whether existing language services are meeting the needs of LEP persons.
- 4) Availability of new resources including technology.
- 5) Whether identified sources for assistance are still available and viable.

- 6) How well staff understand and have implemented the LEP plan.
- 7) Feedback from the community at large and from minority language groups and persons.

Based upon findings of the periodic review, the City shall revise the LEP Plan in order to ensure its effectiveness in meeting the access and participation needs of LEP groups and persons.

VI. Complaint Procedures and EO Monitoring

For regularly encountered LEP language groups, LEP persons are provided notice of their opportunity to file a discrimination complaint in accordance with federal regulations. For infrequently encountered LEP language groups, LEP persons shall be advised orally of the opportunity to file a discrimination complaint pursuant to the regulations.

Exhibit A – Lebanon Oregon Limited English Proficiency Population, US Census American Fact Finder

Subject	Lebanon city, Oregon					
	Total		Percent of specified language speakers			
	Estimate	Margin of Error	Speak English "very well"		Speak English less than "very well"	
			Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	14,534	+/-236	99.3%	+/-0.5	0.7%	+/-0.5
Speak only English	94.3%	+/-2.8	(X)	(X)	(X)	(X)
Speak a language other than English	5.7%	+/-2.8	88.4%	+/-6.9	11.6%	+/-6.9
Spanish or Spanish Creole	1.7%	+/-1.1	86.0%	+/-17.3	14.0%	+/-17.3
Other Indo-European languages	2.8%	+/-2.2	88.3%	+/-9.6	11.7%	+/-9.6
Asian and Pacific Island languages	0.3%	+/-0.3	65.9%	+/-53.1	34.1%	+/-53.1
Other languages	0.9%	+/-1.1	100.0%	+/-20.9	0.0%	+/-20.9

US Census: American Fact Finder. 2014 Total Population Estimate; 2010-2014 American Community Survey 5-Year Estimates

Agenda Item 5



MEMORANDUM

Finance Department

To:	Mayor and City Council	Date: 8/24/16
From:	Dean Baugh, Finance Director	
Subject:	Resolution adopting a policy regarding nondiscrimination on the basis of handicapped status and establishing a grievance procedure for complaints of alleged discrimination based upon disability.	

The City of Lebanon is eligible to apply for a 2016 Community Development Block Grant from the Oregon Business Development Department. Community Development Block Grant funds come from the U.S. Department of Housing and Urban Development. The grants can be used for public facilities and housing improvements, primarily for persons with low and moderate incomes.

The City of Lebanon is preparing an application for a 2016 Community Development Block Grant from the Oregon Business Development Department for the Linn County Housing Rehabilitation Partnership Program in rural Linn County which includes the incorporated cities of Lebanon, Brownsville, Halsey, Harrisburg, Scio, Sodaville, Lebanon, Tangent, Waterloo and all unincorporated areas of Linn County.

As part of the application process, the City is required to adopt a policy regarding non-discrimination on the basis of handicapped status in accordance with the Department of Housing and Urban Development's regulations regarding Section 504 (24CFR Part 8. Dated June 2, 1988) which includes a grievance procedure for complaints of alleged discrimination.

The State of Oregon through the infrastructure Finance Authority has requested confirmation of these policies for eligibility to receive Community Development Block Grant funds for conducting Housing Rehabilitation Projects for qualifying owner occupied homes in Lebanon and Linn County.

Council Action: Staff requests Council approval of the attached resolution adopting a policy regarding nondiscrimination on the basis of handicapped status and establishing a grievance procedure for complaints of alleged discrimination based upon disability.

**A RESOLUTION ADOPTING A POLICY)
REGARDING NONDISCRIMINATION ON THE)
BASIS OF HANDICAPPED STATUS AND)
ESTABLISHING A GRIEVANCE PROCEDURE)
FOR COMPLAINTS OF ALLEGED)
DISCRIMINATION BASED UPON DISABILITY)**

RESOLUTION NO. 2016-34

WHEREAS, the City of Lebanon desires to adopt a policy regarding nondiscrimination on the basis of handicapped status in accordance with the Department of Housing and Urban Development's regulations regarding Section 504 (24CFR Part 8. Dated June 2, 1988) which includes a grievance procedure for complaints of alleged discrimination; and

WHEREAS, the State of Oregon, through the infrastructure Finance Authority, has requested confirmation of these policies for eligibility to receive Community Development Block Grant funds for conducting Housing Rehabilitation Projects for qualifying owner occupied homes in Lebanon and Linn County.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. The Council of the City of Lebanon herein adopts the following policy on discrimination based on handicapped status:

Policy:

1. The City of Lebanon does not discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in, its federally assisted programs or activities.

The person named below has been designated to coordinate compliance with the non-discrimination requirements contained in the Department of Housing and Urban Developments (HUD) regulations implementing Section 504 (24CFR Part 8. Dated June 2, 1988).

Name:	City Manager	
Address:	925 S. Main Street Lebanon, Oregon 97355	
Telephone:	541-258-4902	Voice
	711	TTY (Oregon Relay Service)

2. Grievance Procedure for Complaints of Alleged Discrimination Based on Disability
 - a. Submit complaint in writing to the City Manager for resolution. A record of the complaint and action taken will be maintained. A decision by the City Manager will be rendered within 15 working days.
 - b. If the complaint cannot be resolved to your satisfaction by the City Manager,
 - i. It will be forwarded to a committee appointed by the governing body. This committee's membership, its ground rules or procedures for hearing

complaints and how the committee can be contacted will be available to the public. The committee will be directed to hear such complaints in an objective, public manner, and after adequate public notice. A written decision will be made within 30 working days. Proceedings of the committee will be recorded and maintained.

OR

- ii. The complaint will be heard by the governing body and discussed at an open, public meeting of the elected body. A written decision will be made within 30 working days. The decision of the governing body is final
- c. A record of action taken on each complaint will be maintained as a part of the records or minutes at each level of the grievance process

Section 2. This Resolution is effective immediately upon its passage.

Passed by the Lebanon City Council and executed by the Mayor on this 14th day of September, 2016 by a vote of ____yeas and ____nays.

CITY OF LEBANON, OREGON

Paul R. Aziz, Mayor
Bob Elliott, Council President

ATTESTED BY:

Linda Kaser, City Clerk

Agenda Item 6



CITY MANAGER REPORT

Reporting Period: August 2016

I. A. ADMINISTRATION – Gary Marks, City Manager

- **Economic Development.** I began work in August on Strategic Action Plan Item 4.5 to create a Downtown Building Restoration Program. This action item envisions a program that will incentivize structural and decorative building improvements in context with Lebanon's historic style. I helped create similar programs in two of my previous cities. In those cases, the city partnered with local financial institutions. Building Improvement Loans were offered to downtown building owners by the financial institutions and the city paid all interest on the loans through an identified revenue source. In August I began the process of meeting with financial institutions to build support for a similar program for Lebanon. My current work plan foresees bringing a proposal to the City Council for approval in either November or December. I have continued to work with Larry Spires concerning his potential interest in a local improvement district (LID) as a vehicle for the development of infrastructure for the proposed Mill Race Project located on property north of Reeves Parkway and west of Highway 20. These discussions have included input from several department directors. If an LID proves to be an appropriate financing mechanism staff will present it to the City Council at a future Council meeting. I began working with Ron Whitlatch in August regarding a northside "Welcome" sign for the community. The sign is budgeted for this fiscal year in the Visitor Improvement Program division of the Transient Room Tax Fund. The sign will be erected adjacent to Highway 20 with the exact location yet to be determined. The scope of the project is currently being considered with options for either a monument sign or an archway over the highway. I will update the Council on this project as more is known. I also met with various parties in August who are interested in economic development projects in Lebanon. These discussions have been of a proprietary nature. As plans progress I hope to provide details about these efforts.
- **Poverty and Homelessness Initiative.** Work has continued on the implementation of Strategic Plan Action Items 17.2 and 17.3 which call for the creation of a coalition of community organizations involved with homelessness issues to develop a coordinated multi-organizational strategy to address the same. Dr. Robert Marbut, Ph.D., a nationally recognized expert on the assessment and development of effective methods/strategies to address homelessness and its associated issues, has been contracted to help guide this effort. He is scheduled to visit Lebanon on September 1st through September 5th to conduct his initial assessment of the homeless situation in Lebanon. He will return on October 27th to lead a Homelessness Summit to be held at the Boulder Falls Conference Center. The Summit will occur from 6:00 to 8:00 p.m. A community-based fundraising effort to raise \$12,000 to cover Dr. Marbut's fees and expenses has currently raised \$11,000 (\$10,000 in cash and \$1,000 in-kind). The City has contributed \$2,000 to the project.
- **Totem Pole.** On August 9th I hosted a group of kids from the Boys and Girls Club of the Greater Santiam at the City's Cheadle Lake Shop to show them my restoration work on the Lebanon "Welcome" Totem Pole and to discuss its history and meaning. Mayor Aziz and Council President Elliott also attended. I totally enjoyed my time with the kids!
- **City Logo.** Work on the new City logo continued in August with key meetings with members of the Strategic Action Plan Task Force and a presentation to the City Council. After the Council approved the new logo at the August 10th Council meeting I worked with Leigh Matthews Bock, Communications Coordinator, to prepare the approved logo for its various electronic and physical applications.
- **Community/Regional/Professional Meetings.** In addition to those items listed above I participated in a number of community events and meetings in August. These included the National Night Out at Ralston Park where I

volunteered to be dunked in the dunk tank; a lunch meeting with Kim Ketcham of COMP-Northwest to discuss various City and school matters; a Blue Zones meeting at COMP-Northwest on August 8th; an Optimist Club Social Event at Schmizza Public House; the Annual Employee Safety Barbeque Lunch held at the Maintenance Shop (where I updated staff on safety related matters); a Town Hall meeting held by Congressman Peter DeFazio at the Lebanon Library; the Chamber of Commerce Forum Lunch on August 26th; a Library Staff Breakfast Meeting on August 30th; and a meeting with officials from the Oregon Cascades West Council of Governments on August 31st. I also attended my usual weekly Rotary and Optimist Club lunch meetings.

B. HUMAN RESOURCES – Debi Shimmin, HR Generalist

- **Employee Salary Schedules:** Implemented a written step increase policy for part-time staff. Previously there was no mechanism for moving staff from one step to the next. This policy aligns with the other city salary schedules that are governed by a collective bargaining agreement. The policy will go into effect on July 1, 2017, and the step increases already budgeted for the 2016/17 year will be applied.
- **Employee Training:** Attended the annual LGPI (Local Government Personnel Institute) conference on August 17-18 in Salem. Will attend the PERS retirement readiness seminar on September 7 in Albany.
- **Personnel File:** All personnel documents were filed and the personnel files brought current. Continuing to work on the medical files, transferring to the new filing protocol. Target date for completion will be the December 2016.
- **Safety/Wellness Committee:** The annual Safety BBQ had another great turnout this year, and the committee gave each employee a fire extinguisher.
Free flu shots will be available to staff and family members on September 15.
We are still waiting for the OSHA inspection report from May 31.
Annual Bloodborne Pathogen training for staff is due in September.
Staff met with SAIF on August 3, to review the previous year and meet with our new Senior Safety Management Consultant Liz Hill.
- **Springbrook HR Software:** After four months, the Personnel Action problem was finally resolved and all PA's are in the database and have been processed correctly. We will continue to monitor this function over the next few months to make sure there are no other unresolved issues.
- **Volunteer Background Checks:** Have begun working with Chief Stevenson to develop a background check standard and update the current city resolution, which no longer complies with state law.

II. LEGISLATIVE / CITY CLERK – Linda Kaser, City Clerk

- **Advisory Boards/Committees Recruitments.** The Parks Committee/Tree Board met August 24 and recommended Greg Nervino and Rod Sell for reappointment at the September 14 City Council Meeting.
- **City Council Meetings.** The next regular session is September 14 at 6:00 p.m. At this juncture, there are no Work Sessions scheduled for September.
- **City Candidate Deadlines for 2016 Election:** Candidates must file their **Statement for Electronic Voter's Pamphlet** to the City Clerk **no later than August 31, 2016**. The Form and compete instructions are located in the back of the Candidate Handbook. Specific instructions regarding the statement as well as the candidate's photo is listed on the front and back of the form. Both should be provided electronically to the City Clerk.
Candidates that *wish to withdraw* from their candidacy must do so no later than September 2, 2016. A Candidate Filing Withdrawal Form (SEL 150) must be completed and turned into the City Clerk no later than 5:00 p.m. that day.
- **Liquor Licenses.** We had two special event licenses issued this month – another for Oaks Assisted Living benefitting Alzheimer's Disease (August 6) and one for the Tortuga Pirate Festival (September 2 through 5).

III. COMMUNITY DEVELOPMENT – Walt Wendolowski, Director

A. Planning:

- **The Commission** met in August and approved a Conditional Use application for converting the old Community Services building into a church. The Commission postponed consideration of private street regulations to a future meeting.
- **The Commission** will meet in September to review an Annexation and Zone Change to allow an expansion of the ODVA Veterans' Home facilities to the west.
- The Department approved an Administrative Review for the new **Strawberry Plaza**, an Adjustment to setback requirements, three Property Line Adjustments and a Partition on residential property.
- **The Transportation System Plan** is moving along. Initial "kick-off" meetings were held with the Technical Advisory Committee (TAC) and the Citizen's Policy Advisory Committee (PAC). The first four "Task" memorandums were also completed and reviewed by the TAC and the PAC. Period updates and a comments map may be found at www.lebanontsp.org.

B. Building:

- And so begins another fiscal year! The City processed 65 permits in July, down from 93 in June but ahead of 51 in May. Total fees were \$23,679 on \$1,529,395 in valuation. By comparison, for the same period in the previous fiscal year fees were \$33,482 on \$3,074,923 in valuation. Large projects – such as the hotel expansion – are not expected until later this fiscal year.

IV. ENGINEERING SERVICES – Ron Whitlatch, Director

- The RFP for CM/GC services began advertising on August 15th. There are seven General Contractors who have requested the documents. There have been very few questions regarding the RFP from contractors which is not too surprising since the project has been out to bid previously. We were finally issued our permit from the Corps of Engineers for the project. The holdup was the Biological Opinion from National Marine Fisheries. We are currently working with the City of Albany and FERC (Federal Energy Regulatory Commission) to get approval for our raw waterline and Cheadle lake outfall culvert crossing of the canal. This has been ongoing since March and is likely not going to be resolved until early 2017. However; this should have no impact on the overall completion of the project.
- Emery & Sons Construction is making good progress on the Offsite Utility Project associated with the New Water Treatment Plant. The goal was to have all utilities installed up to the west entrance of Mt. River Drive prior to school starting. Due to several unforeseen private utility conflicts, Russell Drive will only be open from HWY 20 up to Franklin Street. Riverview School is aware of this and a press release and detour map have been issued to ensure traffic can get to and from the school. Russell Drive should be open to through traffic from HWY 20 up Mt. River Drive in mid-September. The project is scheduled for completion in January 2017.
- The two Intergovernmental Agreements with the City of Albany have been finalized. Staff will begin working on several required elements of the agreement over the next six months, primarily the storm drainage analysis.
- Udell Engineering will be completing a TOPO Survey of Dodge Street between Williams Street and Bromil Street within the next few months. Staff has received numerous complaints citing the lack of safe pedestrian facilities in this neighborhood. Once the survey is complete, we can make a determination of what can be accomplished, and at what cost.
- As time allows, Staff will be working on the design for replacement of the 'E' Street Sanitary Sewer from 7th Street to 4th Street. This sewer has multiple failure areas and is the number one priority for this year's Small Sewer Replacement Program.
- Staff is continuing with the design of the Airport Road Extension Project. To date, we are approximately 75% complete. This project is tentatively scheduled for construction in 2017. Currently, we are approaching multiple property owners along Russell Drive requesting right-of-way purchase in order to avoid a sub-standard roadway upon completion of the project. Staff will be hiring a Traffic Signal Consultant to design the signal upgrades at Airport Road and HWY 20.
- An IGA will be brought to the City Council for approval in September to complete the re-construction of River Drive/Russell Drive with Linn County. The costs of the project will be split 50/50 and are proposed to happen with the Airport Road Extension Project in 2017. Upon completion the road jurisdiction would be transferred to the City of Lebanon. Due to heavy Staff workload, Udell Engineering will be completing a portion of the design.

- Stangeland & Associates and Udell Engineering are continuing with the design of Porter Park. There will likely need to be a Project Amendment to the Cheadle Lake URD before this project can be constructed. Staff will be working with a consulting firm to prepare the amendment for Council Approval.
- We are currently in the process of requesting ODOT approval of a proposed Archway over Main Street. When and if approval is given, an RFP for design will be issued. Staff is still working on proposed locations on Main Street for installation of the Archway.
- Staff is working with Lebanon School District and Linn County to determine feasibility of purchasing property (for right-of-way) at the intersection of Crowfoot and Cascade Drive. The property would be used in future intersection re-alignment (likely a round-about). If an agreement between the parties can be reached, the proposal will be brought to Lebanon City Council and Linn County Commissioners for approval.
- The additional street and utility improvements are nearly complete in the north area of the Samaritan Campus project. The improvements included widening the east side of 5th Street north of Pioneer School. Additionally, 5th Street improvements were extended to the south edge of the future LBCC Medical Occupations Building. Improvements also included additional parking on the west side of 5th Street in front of Pioneer School which was recently paved in anticipation of school starting. Streetscape landscaping and planting street trees is completed along Boulder Falls Drive. Streetscape landscaping and planting of street trees along the east side of 5th Street is expected soon.
- The new parking lot area of Samaritan Campus site just west of the hotel has been excavated, rocked and graded. Underground storm drainage utilities are expected soon.
- The expansion of the Linn-Benton Community College Advanced Transportation Technology Center (Heavy Equipment Center, and Innovation Center) at the far west end of the City on Oak Street is underway. Site utilities and foundations have been constructed. The steel framing for both buildings is up and exterior siding is nearly complete.
- Construction of the new Linn-Benton Community College Health Occupations Center has commenced. The site has been excavated and rocked. 5th Street improvements are completed, but streetscaping is yet to be completed. The utilities are installed and the site fire hydrant is operational. The building's steel framing is nearing completion.
- Expansion of the Lebanon Hospital Emergency Department continues. The public sanitary sewer was extended north to the northern driveway and the helicopter pad was relocated. Building additions are presently under construction. The exterior of the building addition is nearly completed.
- Construction of the Conser "Aspen Place" Apartments on 2nd Street just south of Airport Rd has commenced. Site excavation and base rock placement are complete. Storm utility connection was also completed. Public water line construction and construction of the site sewer has begun. Building foundation work and site utilities are expected soon.
- Construction of phase 1 of the Bender Storage project located on Weirich Drive just east of the Lebanon Fire District Station #34 is complete. The self-storage complex includes fully enclosed storage units within 6 different buildings and 49 covered storage units that will be available to store vehicles such as RVs, boats, cars, trucks, etc. Phase 1 of the project is the east 2/3 of the site. Phase 2 (west 1/3) storm utilities and some foundation slabs are constructed.
- Gleanns at River Place II is an additional residential subdivision between Kokanee Way and the Santiam canal. The public improvements are nearly complete. Site grading is also nearly complete. Staff expects to receive a final land division plat soon.
- Staff is working with a developer and consultant preparing a new subdivision approved by the Lebanon Planning Commission over the vacant land along the railroad tracks at Williams and Milton Streets. Staff has been communicating with ODOT Rail Safety Division and Rick Franklin Corporation regarding a proposed pedestrian crossing over the railroad tracks. Staff has also been assisting the developer with a proposed right of way vacation in the middle of the site. Staff contacted Rick Franklin Corporation again regarding pedestrian improvements, but no progress has been made this month.
- Staff reviewed public improvement drawings for utilities serving new duplexes that will be constructed at the northwest corner of 7th Street and Airport Road, but no further progress has been made.
- Home construction continues in the Eagle View Subdivision (east of South Main south of Joy), Heather Estates Subdivision (west of South Main Road south of Joy), Santiam Riverfront Estates (east of Mountain River Drive by the Santiam River), and the Gleann Subdivision (formerly known as Santiam River Place 3 along Kokanee Way). Staff continues to review site plans for additional homes for these subdivisions and other home sites throughout the City.

V. FINANCE SERVICES – Dean Baugh, Director

- City Auditors will be conducting final audit fieldwork Sept 14-16

- Linn County Sheriff's department is preparing an MOU to allow the City to utilize the reverse 911 system, this will allow us to make calls to customers subject to disconnect or in case of a utility emergency
- Continued working on the CDBG housing grant application, prepared resolutions to be presented at the Sept Council meeting.
- February 24th council work session on utility billing process, beginning process to bring back to council new procedures, biggest change proposed will be property owner responsibility for water/sewer billings
- Continued our analysis of the proposed IVR system, another option allowing customers to pay their utility bills over the phone 24 hours per day
- Attended the LCHRP Board meeting (Housing Group)
- Working with Albany Eastern RR on a new lease for Santiam Travel station and the reload facility, Working with Valley Landfills Inc., on a new lease for the transfer station property
- Working on Cheadle Lake URD amendment
- Reviewing Mill Race Proposal, met with bonding agent and bond attorney
- Accounts Payable; FY16/17 payments made in August, 529 invoices were processed for payments of \$785,446.59. FY15/16 payments made in August, 2 invoices were processed for payments of \$88,233.06.
- **Utility Billing for August 2016:**
- 5725 Billing statements mailed by the end of August
- 910 Accounts received a penalty (past due 8/15/16)
- 227 lien letters mailed to property owners
- 123 accounts were locked off for non-payment on 8/10/16 for bills due 7/15/16.
- 1- pre-lock off notices was delivered to -1- Mulit-Family buildings, accounts paid and not locked off
- 93 accounts were reconnected the same week. The balance was vacant properties or the tenants moved out and property is back in the owner's name.
- Total of 581 Service orders: 74 Move Outs, 70 Move ins, 5 Turn offs, 47 Turn on, 106 reconnects, 66 read request, 0 Dead meters, 15 Leak Checks, 1 Lid Hazard checks, 124 Lock offs, 30 Meter Change out, 13 New Meter Installations, 0 Pressure check, 30 misc. other.

	Sept 15	Oct 15	Nov 15	Dec 15	Jan 16	Feb 16	March 16	April 16	May 16	June 16	July 16	Aug 16	1 yr. ago August 15
Billing Statement	6001	5642	5685	5872	5600	5613	5942	5568	5578	5952	5712	5725	5651
Penalty applied	1038	1236	997	754	925	661	925	1256	859	1082	1194	910	1371
Lock Offs	140	85	105	140	83	120	114	62	100	151	68	123	77

VI. INFORMATION TECHNOLOGY SERVICES – Brent Hurst, Director

- Rebuild/upgrade of new workstation for Library Front Counter. 2040 Strategy 8.2
- Updates of Fire medic units for new staff with access codes. 2040 Strategy 15.7
- Worked to finish application upgrade of new plotter for Engineering.
- Decommissioning of City cell phones and data plans no longer used and upgrade of phone equipment that will not be supported by year end on cellular carrier networks.
- Assisted with installation and placement of new microfilm scanner at Library. 2040 Strategy 8.2
- Starting process of upgrading core data center switch with new switches. Work remains to be done on this project.
- Starting project to upgrade camera monitoring system to accommodate larger number of cameras and to update software. Additional work needed to complete. 2040 Strategy 15.3
- Troubleshoot non-functioning cameras at Santiam Travel Station. 2040 Strategy 15.3
- Created multiple maps and GIS data exports for the Engineering, Police, Community Service, and Planning Departments as well as the Fire District. 2040 Strategy 8.2

- E-cycled outdated and old computer equipment at Gartner in Salem.
- Routine user and equipment break-fix issues.

VII. LIBRARY – Carol Dinges, Director

- A new microform reader/scanner has been installed in the genealogy room. In addition to viewing and printing historical newspaper pages and other archival documents, this equipment allows the user to clip specific articles, email, save, and add to Ancestry and other genealogy programs directly. Patrons may use this to access articles from the library's collection of historical newspapers on microfilm or to bring in their own microfilm or microfiche to work with. This equipment was purchased with a grant from Trust Management Services of Oregon.
- The 2016 Summer Reading Program concluded on August 18, with 110 kids and 58 parents attending the invitation-only After-Hours Party – an invitation was earned by reading at least 20 hours during the summer. This year 855 children and adults kept reading journals – a 20% increase over last year's record number – and they read for a total of 11,930 hours, which also broke last year's record. Our new "Movement Storytime" for younger children was a particular success, with an average of 30 children attending each week.
- The University of Oregon is no longer preserving Oregon newspapers on microfilm as of 2015. In order to make post-2014 local newspapers available for future research, publishers must grant the University specific copyright permission to digitize them and include them in the Oregon Digital Newspaper Program. I met with Mid-Valley Newspapers publisher Jeff Precourt to discuss this with him, and he was fully supportive of giving ODNP the rights to include the Lebanon Express, Albany Democrat-Herald, and Corvallis Gazette-Times, thus preserving our most important source of local historical information. He later notified me that he had completed and submitted the paperwork required for this.

VIII. MAINTENANCE – Jason Williams, Director

- We are operating business as usual with normal day to day operations.
- Broke ground for Strawberry Plaza on August 31, 2016

IX. POLICE – Frank Stevenson, Chief of Police

- The Community Services Division remains actively involved with many community events. This past month, time was spent facilitating Lebanon Peer Court and starting up a new Neighborhood Watch group; a business assessment and a Park Watch meeting were also conducted. Jr. Citizens Academy finished up in August, with 32 youths from Boys and Girls Club graduating. Staff was very busy this past month putting on what turned out to be another hugely successful National Night Out! They also facilitated the last "Concerts in the Park" for the season. Their efforts now are focused on preparing for the upcoming 9/11 ceremony scheduled to take place at Boulder Falls.
- A Traffic Safety class for 15 individuals was conducted. This class teaches proper seatbelt use and emphasizes the dangers of using cell phones while driving.
- "Coffee With A Cop" event was held at Sugar Vibes Doughnuts, where the public was invited to share a cup of coffee with local law enforcement in a relaxed setting.
- LPD hosted Oregon Fallen Badge Foundation's "Supervisory Responsibilities in Line of Duty Death Situations" class, designed to assist law enforcement, corrections, communications and parole/probation personnel.
- The Patrol Division had approximately 1,811 calls for service this month, made 148 arrests, wrote 238 case reports and issued 74 traffic citations. We had a total of 54 Part 1 crimes reported (i.e., criminal mischief, domestic abuse, burglary, robbery, assault and theft).
- As of August 30th, 45 individuals were booked and released, brought to Lebanon Municipal Court or Linn County Court, transported to/from Linn County Jail, or sentenced to Lebanon Municipal Jail. A combined 143 days were served by inmates in the Lebanon Jail.
- The Detectives Division remains busy, working on several investigations. A total of 14 cases were assigned to them for direct follow-up. Detectives were able to clear 12 involved cases, resulting in 7 arrests for various crimes. They served several property and computer-related search warrants involving narcotics and sex offenses.

- Chief Stevenson, our Community Policing Officer and LPD volunteers participated in the “Lunch with the Chiefs” event, where the Lebanon Police and Lebanon Fire Department served 152 hot dogs and interacted with local children and residents.

X. **SENIOR SERVICES** – Kindra Oliver, Director

- We continue to work with Oregon Department of Transportation staff and their consultants on the Transit Development Plan process. We are still in the information gathering stage. I'll update as we continue with the project.
- We've refined some of the reports that can be generated from the GPS units on the buses, which are helping staff to create more efficiencies for the daily schedules.
- The cameras have been installed on the buses and we are working with the vendor to set up training. Thank you to our I.T. department for overseeing this project for us!
- On September 16th, we will be holding a Silver Follies Show, which will showcase local senior talent. We have 10-12 acts currently signed up and we're looking for more! Acts include synchronized swimming (land-based), skits, song performance, and more! Please contact us if you're interested in signing up or for more information.
- A full schedule of September events for the Lebanon Senior Center can be found on the website and Facebook.

ITEMS FROM COUNCIL

*GILL'S LANDING RV PARK
THANK YOU LETTER*

– Mayor Aziz

**From The Desk Of
Chuck & Carla Byers**



August 17, 2016

Mayor Paul Aziz
City of Lebanon
225 Main Street
Lebanon, OR 97355

RE: Gills Landing RV Park

As an avid RV'r for over 50 years, it is rare indeed to find campgrounds offering outstanding quality, service and facilities like Gills Landing RV Park.

Although we could only get a reservation for 1 night (we needed 2) because the whole campground was already booked, Ladean Williams went out of her way to see if there was any way we could get 2 nights. After a couple days, she called us and advised she was able to get the 2nd night for us. This extraordinary service is totally unheard in the campground industry.

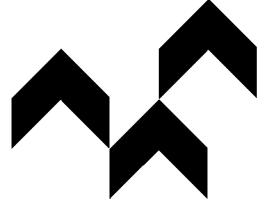
The campground facilities, rest rooms, utility services and site maintenance were incredibly nice and clean. When we arrived, Bob Cartwright even took the time to make sure we were comfortable at our site and assured the 'off site' parking for our tow vehicle was safe.

If Gills Landing had a scoring system, I'd give it a 10+. The City of Lebanon should be very proud with having such wonderful campground hosts as Ladean and Bob. No wonder the campground is usually booked.

Please extend our sincere appreciation to Ladean and Bob for their professional service and dedication for excellence.

My best,

Chuck Byers
7244 Lattigo Drive
Nampa, Idaho 83687



CITY OF LEBANON
It's easier from here.

Zimbra

tcordier@peak.org

Pedestal Move 398 Joy St., Lebanon, Oregon whole story

From : tcordier@peak.org
Subject : Pedestal Move 398 Joy St., Lebanon, Oregon whole story
To : tcordier <tcordier@peak.org>

Sun, Aug 28, 2016 08:39 PM

----- Forwarded Message -----

From: Jerolyn Ochs <Jerolyn.Ochs@CenturyLink.com>
To: 'tcordier@peak.org' <tcordier@peak.org>
Cc: 'BUTLER Margie D.' <margie.d.butler@state.or.us>
Sent: Wed, 10 Aug 2016 06:56:28 -0700 (PDT)
Subject: RE: Pedestal Move 398 Joy St., Lebanon, Oregon

Mr. Cordier-

The field has given you the best pricing associated with the work to be performed. Any further discussions will need to be conducted with the field once you determine whether or not you want the work performed.

Thanks.

From: tcordier@peak.org [mailto:tcordier@peak.org]**Sent:** Tuesday, August 09, 2016 11:26 PM**To:** Ochs, Jerolyn; Margie**Subject:** RE: Pedestal Move 398 Joy St., Lebanon, Oregon

Ms. Ochs

The PUC stated they could not require Centurylink to discount the price if I were to do the trench work myself. I'm asking Centurylink to volunteer to discount the cost of moving the pedestal if I do the trench work myself. This seems to be a simple reasonable request. Please advise.

tom cordier 541 926 7651

----- Original Message -----

From: Jerolyn Ochs <Jerolyn.Ochs@CenturyLink.com>

To: 'tcordier@peak.org' <tcordier@peak.org>

Sent: Tue, 09 Aug 2016 07:50:17 -0700 (PDT)

Subject: RE: Pedestal Move 398 Joy St., Lebanon, Oregon

Mr. Cordier-

You filed with the commission and that is who I sent my response to. Please confer with them on this issue.

Thank you.

From: tcordier@peak.org

To: Jerolyn Ochs <jerolyn.ochs@centurylink.com>

Sent: Sat, 30 Jul 2016 07:28:29 -0700 (PDT)

Subject: Pedestal Move 398 Joy St., Lebanon, Oregon

Hello Jerolyn

My request for an accommodation to reduce my cost of moving your pedestal has been referred to you. See below the referral and background information. Your help in this matter will be much appreciated.

Best Regards

Tom cordier

541 926 7651

----- Forwarded Message -----

From: Stephanie M Pinch <Stephanie.Pinch@centurylink.com>

To: tcordier@peak.org, Daniel McGraw <Daniel.McGraw@CenturyLink.com>

Cc: Leland Wilson <Leland.Wilson@CenturyLink.com>

Sent: Fri, 22 Jul 2016 08:53:39 -0700 (PDT)

