



CITY OF
JOHN DAY

CITY COUNCIL MEETING AGENDA

Tuesday September 10, 2024,

EXECUTIVE MEETING: 6:15 pm

REGULAR MEETING: 6:30 pm

John Day Fire Station

316 S Canyon Blvd, John Day, OR 97845

(541)575-0028 www.cityofjohnday.com

This meeting is open to the public. This agenda includes a list of the principal subjects anticipated to be considered at the meeting. However, the agenda does not limit the ability of the Council to consider additional subjects. Meetings may be canceled without notice. Zoom Meeting participants should use the "raise your hand" feature during these times to alert the moderator that they would like to speak.

Join Zoom Meeting

City of John Day is inviting you to a scheduled Zoom meeting.

<https://zoom.us/j/95867942253?pwd=dHE5c3djSEx4OFBuZndPQU5HMGN3QT09>

Meeting ID: 958 6794 2253

Passcode: 776959

EXECUTIVE SESSION: 6:15 p.m.

ORS 192.660(2)(d): To conduct deliberations with persons you have designated to carry on labor negotiations. (NOTE: News organizations and media will be excluded from this executive session)

Call to Order: Regular Meeting 6:30 pm.

1. Call John Day City Council Meeting to Order
2. Pledge of Allegiance
3. Roll Call
4. Amend or Accept Regular Agenda

5. Public Comments (*Please Limit to 3 Minutes*)

Public Comments are an opportunity to present information or speak on an issue that is not on the agenda. Comments are limited to 3 minutes for each person. Visitors may state their comments and should not expect the council to engage in back and forth dialogue regarding the comment, council may either choose to add it to a follow up meeting or direct City Manager to follow up with the speaker.

6. Consent Agenda

All matters listed within the Consent Agenda have been distributed to every member of the City Council for reading and study, are considered routine, and will be enacted by one motion of the Council. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request.

- a. Accounts Payable through August 31, 2024
- b. Minutes for June 4 and July 9, 2024

7. Ducote Consulting Update on Grants/Projects

8. League of Oregon Cities 2025-26 Legislative Priorities (pick top 5 issues)

9. City Manager Comments

- a. Camping Ordinance; set date for next workshop (Place)

10. Mayor and Council Comments

11. Adjournment: **Next Meeting September 24, 2024**

Report Criteria:

Report type: Invoice detail
Check.Type = {<->} "Adjustment"

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Invoice Amount	Check Amount
AMAZON CAPITAL SERVICES, INC.							
08/12/2024	750211	1026	AMAZON CAPITAL SERVICES, INC.	1KM4-MR6V-3	01-000-63800	48.97	48.97
Total 750211:							48.97
BADGER METER INC.							
08/12/2024	750212	1041	BADGER METER INC.	80165162	02-000-66306	104.09	104.09
Total 750212:							104.09
BYRON'S EXCAVATING & LANDSCAPING							
08/12/2024	750213	1582	BYRON'S EXCAVATING & LANDSCAPI	9575	01-050-63550	64.50	64.50
Total 750213:							64.50
CITY OF SENECA							
08/12/2024	750214	1106	CITY OF SENECA	1092R108012	07-000-64798	141.43	141.43
Total 750214:							141.43
CLARK'S DISPOSAL							
08/12/2024	750215	1109	CLARK'S DISPOSAL	1144JULY24	01-050-64798	145.13	145.13
Total 750215:							145.13
DONOVAN ENTERPRISES INC.							
08/12/2024	750216	1597	DONOVAN ENTERPRISES INC.	1606	03-000-64100	2,800.00	2,800.00
Total 750216:							2,800.00
ED STAUB & SONS PROPANE							
08/12/2024	750217	1168	ED STAUB & SONS PROPANE	271780	26-050-63100	784.84	784.84
08/12/2024	750217	1168	ED STAUB & SONS PROPANE	276750	26-050-63100	407.50	407.50
Total 750217:							1,192.34
GIBCO							
08/12/2024	750218	1203	GIBCO	PO201400715	03-000-62500	219.50	219.50
Total 750218:							219.50
JOHN DAY AUTO PARTS							
08/12/2024	750219	1273	JOHN DAY AUTO PARTS	223859	26-050-64701	.99	.99
08/12/2024	750219	1273	JOHN DAY AUTO PARTS	223866	26-050-64701	3.51	3.51
08/12/2024	750219	1273	JOHN DAY AUTO PARTS	224719	26-000-63100	24.99	24.99
08/12/2024	750219	1273	JOHN DAY AUTO PARTS	225329	26-050-64701	20.78	20.78
Total 750219:							50.27
JOHN DAY FIREFIGHTERS ASSOC							
08/12/2024	750220	1276	JOHN DAY FIREFIGHTERS ASSOC	JDFJULY24	01-050-62950	658.00	658.00

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Invoice Amount	Check Amount
Total 750220:							658.00
JOHN DAY TRUE VALUE HARDWARE							
08/12/2024	750221	1280	JOHN DAY TRUE VALUE HARDWARE	613362	03-000-63400	119.99	119.99
08/12/2024	750221	1280	JOHN DAY TRUE VALUE HARDWARE	613650	03-000-62500	169.00	169.00
08/12/2024	750221	1280	JOHN DAY TRUE VALUE HARDWARE	613883	06-000-63877	94.92	94.92
Total 750221:							383.91
LANE COUNCIL OF GOVERNMENTS							
08/12/2024	750222	1314	LANE COUNCIL OF GOVERNMENTS	94322	10-000-63825	6,644.49	6,644.49
Total 750222:							6,644.49
LEAGUE OF OREGON CITIES							
08/12/2024	750223	1320	LEAGUE OF OREGON CITIES	R23189	01-000-63500	95.00	95.00
Total 750223:							95.00
MOSIER'S HOME FURNISHINGS							
08/12/2024	750224	1592	MOSIER'S HOME FURNISHINGS	9730	03-000-63400	770.00	770.00
Total 750224:							770.00
NORTH CENTRAL LABS							
08/12/2024	750225	1378	NORTH CENTRAL LABS	507003	03-000-63400	313.00	313.00
Total 750225:							313.00
ONE CALL CONCEPTS							
08/12/2024	750226	1387	ONE CALL CONCEPTS	4070401	06-000-64100	21.12	21.12
Total 750226:							21.12
OREGON CORRECTIONS ENTERPRISES							
08/12/2024	750227	1394	OREGON CORRECTIONS ENTERPRIS	0169524-IN	06-000-62900	64.00	64.00
Total 750227:							64.00
TARGET SOLUTIONS LEARNING							
08/12/2024	750228	1587	TARGET SOLUTIONS LEARNING	INV97462	01-050-64450	1,693.28	1,693.28
Total 750228:							1,693.28
Grand Totals:							15,409.03

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
01-000-20000	.00	2,632.32-	2,632.32-
01-000-63500	95.00	.00	95.00
01-000-63800	48.97	.00	48.97
01-000-64798	36.28	.00	36.28

GL Account	Debit	Credit	Proof
01-050-62950	658.00	.00	658.00
01-050-63550	64.50	.00	64.50
01-050-64450	1,693.28	.00	1,693.28
01-050-64798	36.29	.00	36.29
02-000-20000	.00	1,547.41-	1,547.41-
02-000-64100	1,407.04	.00	1,407.04
02-000-64798	36.28	.00	36.28
02-000-66306	104.09	.00	104.09
03-000-20000	.00	3,034.81-	3,034.81-
03-000-62500	388.50	.00	388.50
03-000-63400	1,202.99	.00	1,202.99
03-000-64100	1,407.04	.00	1,407.04
03-000-64798	36.28	.00	36.28
06-000-20000	.00	165.96-	165.96-
06-000-62900	64.00	.00	64.00
06-000-63877	94.92	.00	94.92
06-000-64100	7.04	.00	7.04
07-000-20000	.00	141.43-	141.43-
07-000-64798	141.43	.00	141.43
10-000-20000	.00	6,644.49-	6,644.49-
10-000-63825	6,644.49	.00	6,644.49
26-000-20000	.00	1,242.61-	1,242.61-
26-000-63100	837.41	.00	837.41
26-050-63100	379.92	.00	379.92
26-050-64701	25.28	.00	25.28
Grand Totals:	<u>15,409.03</u>	<u>15,409.03-</u>	<u>.00</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Report type: Invoice detail

Check.Type = {<>} "Adjustment"

Report Criteria:
Report type: Invoice detail
Check.Type = {<->} "Adjustment"

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Invoice Amount	Check Amount
ACS - ADVANCED CONTROL SYSTEMS							
08/27/2024	750229	1013	ACS - ADVANCED CONTROL SYSTEM	39407	03-000-64100	415.00	415.00
Total 750229:							415.00
AMAZON CAPITAL SERVICES, INC.							
08/27/2024	750230	1026	AMAZON CAPITAL SERVICES, INC.	1K6H-LPFT-9	01-000-63800	35.95	35.95
08/27/2024	750230	1026	AMAZON CAPITAL SERVICES, INC.	1L1H-GPG4-1	01-050-63550	105.93	105.93
08/27/2024	750230	1026	AMAZON CAPITAL SERVICES, INC.	1MDV-3PVC-4	06-000-63877	83.20	83.20
Total 750230:							225.08
BIO-MED							
08/27/2024	750231	1053	BIO-MED	108695	02-000-63825	18.00	18.00
Total 750231:							18.00
BLUE MTN. CHIROPRACTIC HEALTH							
08/27/2024	750232	1059	BLUE MTN. CHIROPRACTIC HEALTH	99455-CDL	26-000-64450	135.00	135.00
Total 750232:							135.00
BOX R WATER ANALYSIS							
08/27/2024	750233	1062	BOX R WATER ANALYSIS	X059206	02-000-64100	50.00	50.00
08/27/2024	750233	1062	BOX R WATER ANALYSIS	X059207	02-000-64100	50.00	50.00
Total 750233:							100.00
BRYANT, LOVLIE, & JARVIS, PC.							
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18141	06-000-63450	50.00	50.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18142	01-050-63450	25.00	25.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18143	01-050-63450	575.00	575.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18144	07-000-63450	700.00	700.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18145	34-000-63450	50.00	50.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18146	06-000-63450	720.00	720.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18147	06-000-63825	720.00	720.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18148	06-000-63450	650.48	650.48
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18149	07-000-63450	150.00	150.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18150	06-000-63450	50.00	50.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18151	06-000-62850	160.00	160.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18152	06-000-63450	125.00	125.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18153	03-000-63450	150.00	150.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18154	07-000-63450	90.00	90.00
08/27/2024	750234	1067	BRYANT, LOVLIE, & JARVIS, PC.	18155	03-000-66230	4,680.00	4,680.00
Total 750234:							8,895.48
CASELLE, INC							
08/27/2024	750235	1083	CASELLE, INC	134971	03-000-63500	937.00	937.00
Total 750235:							937.00

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Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Invoice Amount	Check Amount
DUBOIS CHEMICALS, INC							
08/27/2024	750236	1162	DUBOIS CHEMICALS, INC	IN-30316890	02-000-63800	4,714.85	4,714.85
Total 750236:							4,714.85
DUCOTE CONSULTING, LLC							
08/27/2024	750237	1163	DUCOTE CONSULTING, LLC	2263	06-000-63825	8,500.00	8,500.00
08/27/2024	750237	1163	DUCOTE CONSULTING, LLC	2266	01-000-63825	3,574.50	3,574.50
Total 750237:							12,074.50
ED STAUB & SONS PROPANE							
08/27/2024	750238	1168	ED STAUB & SONS PROPANE	CL281950	26-050-63100	286.14	286.14
Total 750238:							286.14
EO MEDIA GROUP							
08/27/2024	750239	1173	EO MEDIA GROUP	0724EO10628	03-000-66230	1,035.00	1,035.00
Total 750239:							1,035.00
GRANT ESD							
08/27/2024	750240	1219	GRANT ESD	2024250013	03-000-64301	203.68	203.68
08/27/2024	750240	1219	GRANT ESD	2024250035	03-000-64301	216.24	216.24
Total 750240:							419.92
HOPE 4 PAWS GRANT COUNTY							
08/27/2024	750241	1602	HOPE 4 PAWS GRANT COUNTY	081424HOPE	10-000-62490	1,704.00	1,704.00
Total 750241:							1,704.00
IRON TRIANGLE RANCHES							
08/27/2024	750242	1612	IRON TRIANGLE RANCHES	REFUND	03-000-20131	239.01	239.01
Total 750242:							239.01
JOE & LINDSEY MADDEN							
08/27/2024	750243	1617	JOE & LINDSEY MADDEN	HIPMADDENO	34-000-62495	11,607.40	11,607.40
Total 750243:							11,607.40
KJDY							
08/27/2024	750244	1305	KJDY	CC-12407122	06-000-62100	349.00	349.00
Total 750244:							349.00
NORTH CENTRAL LABS							
08/27/2024	750245	1378	NORTH CENTRAL LABS	507449	03-000-63400	167.41	167.41
Total 750245:							167.41
OREGON TRAIL ELECTRIC CO-OP							
08/27/2024	750246	1406	OREGON TRAIL ELECTRIC CO-OP	JULY2024	06-000-64798	8,493.56	8,493.56
Total 750246:							8,493.56

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Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Invoice Amount	Check Amount
PECK RUBANOFF & HATFIELD PC							
08/27/2024	750247	1418	PECK RUBANOFF & HATFIELD PC	09921	06-000-63450	10,575.41	10,575.41
Total 750247:							10,575.41
TEC COPIER SYSTEMS LLC							
08/27/2024	750248	1500	TEC COPIER SYSTEMS LLC	218310	01-000-62900	92.87	92.87
Total 750248:							92.87
TEEL'S PLUMBING LLC							
08/27/2024	750249	1501	TEEL'S PLUMBING LLC	1479	06-000-63877	120.00	120.00
Total 750249:							120.00
TRIANGLE OIL							
08/27/2024	750250	1524	TRIANGLE OIL	124758	26-000-63100	481.86	481.86
Total 750250:							481.86
USA BLUEBOOK							
08/27/2024	750251	1534	USA BLUEBOOK	INV00447717	03-000-63400	212.16	212.16
Total 750251:							212.16
VERIZON							
08/27/2024	750252	1538	VERIZON	9971070432	02-000-64798	213.62	213.62
Total 750252:							213.62
WILSON'S WELDING & FABRICATION							
08/27/2024	750253	1552	WILSON'S WELDING & FABRICATION	32494	03-000-62500	187.50	187.50
Total 750253:							187.50
Grand Totals:							63,699.77

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
01-000-20000	.00	8,090.89-	8,090.89-
01-000-62490	104.70	.00	104.70
01-000-62900	92.87	.00	92.87
01-000-63450	3,915.26	.00	3,915.26
01-000-63800	35.95	.00	35.95
01-000-63825	1,931.25	.00	1,931.25
01-000-64000	262.36	.00	262.36
01-000-64798	556.40	.00	556.40
01-050-63450	600.00	.00	600.00
01-050-63550	105.93	.00	105.93
01-050-64000	18.74	.00	18.74
01-050-64798	467.43	.00	467.43
02-000-20000	.00	14,818.28-	14,818.28-
02-000-20131	80.00	.00	80.00

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(Handwritten initials)

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GL Account	Debit	Credit	Proof
02-000-62100	104.70	.00	104.70
02-000-63450	3,915.26	.00	3,915.26
02-000-63800	4,714.85	.00	4,714.85
02-000-63825	1,911.75	.00	1,911.75
02-000-64000	271.73	.00	271.73
02-000-64100	307.50	.00	307.50
02-000-64798	3,512.49	.00	3,512.49
03-000-20000	.00	17,483.18-	17,483.18-
03-000-20131	120.00	.00	120.00
03-000-62100	716.70	.00	716.70
03-000-62500	187.50	.00	187.50
03-000-62850	3,699.26	.00	3,699.26
03-000-63400	379.57	.00	379.57
03-000-63450	2,259.75	.00	2,259.75
03-000-63500	271.73	.00	271.73
03-000-63825	562.50	.00	562.50
03-000-64100	207.50	.00	207.50
03-000-64301	70.76	.00	70.76
03-000-64798	1,717.41	.00	1,717.41
03-000-66230	7,290.50	.00	7,290.50
06-000-20000	.00	5,060.34-	5,060.34-
06-000-62100	34.90	.00	34.90
06-000-62850	16.00	.00	16.00
06-000-63450	1,217.11	.00	1,217.11
06-000-63825	1,115.75	.00	1,115.75
06-000-63877	203.20	.00	203.20
06-000-64000	93.70	.00	93.70
06-000-64798	2,379.68	.00	2,379.68
07-000-20000	.00	3,573.61-	3,573.61-
07-000-63450	940.00	.00	940.00
07-000-63825	2,562.00	.00	2,562.00
07-000-64798	71.61	.00	71.61
10-000-20000	.00	1,949.00-	1,949.00-
10-000-62490	1,704.00	.00	1,704.00
10-000-64798	245.00	.00	245.00
26-000-20000	.00	1,028.06-	1,028.06-
26-000-63100	573.70	.00	573.70
26-000-64000	18.74	.00	18.74
26-000-64450	135.00	.00	135.00
26-000-64798	106.32	.00	106.32
26-050-63100	194.30	.00	194.30
34-000-20000	.00	11,657.40-	11,657.40-
34-000-62495	11,607.40	.00	11,607.40
34-000-63450	50.00	.00	50.00
99-000-15000	39.01	.00	39.01
99-000-20000	.00	39.01-	39.01-
Grand Totals:	63,699.77	63,699.77-	.00

Report Criteria:

Report type: Invoice detail
Check.Type = {<>} "Adjustment"

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Invoice GL Account	Invoice Amount	Check Amount
US POSTMASTER							
08/28/2024	750255	1533	US POSTMASTER	082824POSTA	03-000-63460	1,000.00	1,000.00
Total 750255:							1,000.00
Grand Totals:							1,000.00

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
01-000-20000	.00	200.00-	200.00-
01-000-63950	200.00	.00	200.00
02-000-20000	.00	400.00-	400.00-
02-000-63950	400.00	.00	400.00
03-000-20000	.00	400.00-	400.00-
03-000-63460	400.00	.00	400.00
Grand Totals:	1,000.00	1,000.00-	.00

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

CITY OF JOHN DAY
CITY COUNCIL MINUTES AUGUST 13, 2024

COUCILORS PRESENT:

David Holland, Councilor
Chris Labhart, Councilor
Eric Bush, Councilor
Edwin Newby, Councilor
Ron Phillips, Councilor
Sherrie Rininger, Council President

COUNCILORS ABSENT

STAFF PRESENT:

Melissa Bethel, City Manager
Nick Ducote, Contract Grant writer &
administrator

Agenda Item No. 1—Call Meeting to Order

The City Council meeting was called to order at 6:30 pm.

Agenda Item No. 2—Pledge of Allegiance

The City Council stood for the Pledge of Allegiance.

Agenda Item No. 3—Roll Call and Attendance

All councilors were present.

Agenda Item No. 4—Amend or Accept Regular Agenda

Councilor Bush would like to add in strategic planning at the end.

Councilor Labhart moved to accept the agenda as amended. The motion was seconded by Councilor Bush and passed unanimously.

Agenda Item No. 5—Public Comments

No public comments were made.

Agenda Item No. 6—Consent Agenda

Items on the consent agenda for approval:

- a) Accounts Payable through July 31, 2024
- b) Minutes for June 4 and July 9, 2024.

Councilor Bush moved to accept the consent agenda as published. The motion was seconded by Councilor Newby and passed unanimously.

Councilor Labhart wanted to put on record that since the new fiscal year has started the City has spent \$39,549 in legal fees with only a \$91,000 budget.

Agenda Item No. 7—Public Hearing

Pursuant to ORS 221.725, the John Day City Council (the “Council”) will hold a public hearing to discuss the sale of certain City-owned real property, including a commercial building located thereon (the “Building”), commonly known as 300 Barnes Ave., Seneca, Oregon 97873. The Council considers it necessary or convenient to sell the Property because the Property is no longer needed for City purposes. In accordance with ORS 221.725, City residents will have the opportunity to present written or oral testimony at the public hearing concerning the proposed transfer.

Councilor Labhart made a motion to open the public hearing pursuant to ORS 221.725. The motion was seconded by Councilor Bush and passed unanimously.

Councilor Holland stated because the City is putting the building up for sale, a public hearing needs to be held.

Shannon Adair: If the City sells this property, Adair asked how it will impact the Cybermill and if it will be affected. Councilor Rininger stated it won’t be negatively affected if it is sold.

Councilor Bush moved to close the public hearing. The motion was seconded by Councilor Labhart and passed unanimously.

Agenda Item No. 8—Community Grant Application—Hope for Paws: Request for \$1,700

Paul Smith shared some highlights regarding Hope 4 Paws. Smith asked Council to consider donating \$1 per person (per city population). Councilor Labhart declared a conflict of interest because he is a board member for Hope 4 Paws but will be voting due to not having a financial impact on this.

Councilor Bush made a motion to donate \$1,704 from the Community Grant Fund. The motion was seconded by Councilor Labhart and passed unanimously.

Agenda Item No. 9—R3 Offer to Purchase City-Owned Real Property

Janet Robertson: Ms. Robertson expressed how she is in favor of the City selling this building. She feels like it is a liability to the City.

Councilor Bush moved to have the Council direct the City Manager and City Attorney to negotiate a potential purchase agreement with R3 for the sale of the building because the City has no use for it and it is in the best interest of the public. The motion was seconded by Councilor Labhart and passed unanimously.

Agenda Item No. 10—League of Oregon Cities 2025-26 Legislative Priorities (pick top 5 issues)

Councilor Holland asked for more time to look through this because there are several good things in there and would feel more comfortable if he had more time to look into it deeper.

Agenda Item No. 11—Strategic Planning

Councilor Bush gave a presentation on strategic planning. He elaborated on what the Cities vision statement is and thinking about what the goal is for the future.

Agenda Item No. 12—City Manager Comments

a. Camping Ordinance Update

The City is still working on the camping ordinance.

b. Website update

Civic plus is doing a platform update for our website and asked the City not to post anything the week of the 26th so the August 27th meeting will be cancelled.

Agenda Item No. 13—Mayor and Council Comments

Councilor Labhart has been addressed by the public regarding the sidewalks and who is in charge of that. Bethel stated it is an ODOT project and they ran into underground issues they weren't anticipating and will try to get an update for Council.

Councilor Holland asked Councilor Bush how he got copies of his emails that was brought up a couple meetings ago. Councilor Bush responded that he filed a public records request.

Adjourn:

There being no further business before council, Councilor Labhart moved to adjourn the meeting. The motion was seconded by Councilor Bush and passed unanimously.

Melissa Bethel, CM

John Day Sewer & Oregon Pine Improvements July/August 2024 Progress Report for City Council

John Day’s Sewer Improvements Project and the Oregon Pine Companion Projects have six primary tracks that are the focus of our efforts:

1. Section 7/Environmental Compliance
2. USDA and Other Funding Applications
3. DEQ Permitting Compliance
4. Preliminary Site Preparation for Companion Projects
5. Engineering Design and Package Plant Procurement
6. Community Engagement and Outreach

This memo provides a progress summary for all six tracks over July-August 2024. Our top priorities currently are Task 1) environmental compliance and Task 2) completing the funding application(s); and Task 5) Services Procurements.

High Notes:

- Task 1: The Environmental Notices were published in-late July and have now both cleared USDA and OBDD processes
- Task 2: USDA funding being finalized; need the PER updated to proceed.
- Task 4: The City is unable to draw \$45,913 on its OPRD grant because of changes made to the design and work completed prior to grant award.
- Task 5: Final Design Engineering Scope of Work EXECUTED.
- Task 6: Initial meeting held with Steve Donovan for the rate study. He’s begun work.

Task %	Task
100%	WWTF Complete!
90%	Construct the WWTF
80%	Bid the WWTF Construction
70%	Package Plant Procurement
60%	Construction Funding Secured
50%	Final Design Engineering
40%	Environmental Clearance
30%	Preliminary Engineering
20%	Procuring Engineers and
10%	Securing Final Design Funding

Council Action – N/A.

1. SECTION 7/NEPA ENVIRONMENTAL COMPLIANCE (TASK 1)

The City has received Release of Funds for USDA and Business Oregon! This means construction and equipment procurement can begin as soon as the engineering is ready for those steps.

Additional Task Updates:

- Environmental notices completed their publication run in August. Final releases will be issued in early-September.



2. USDA, COSTS, AND OTHER FUNDING APPLICATIONS (TASK 2)

The City applied for Congressionally Directed Spending/Community Initiated Project for the wastewater treatment plant project in Q1 2024 and also DEQ-CWSRF funding in Q4 2023. This funding would be earmarked for construction.

Status:

- Ducote will work with Donovan Enterprises and City Manager to develop funding scenarios that minimize rate impact on residents. It's possible that increasing the CWSRF loan, which has far better terms, will be a better option than a large USDA loan.
- Ducote working with Business Oregon to reappropriate past expenses and clear up grant funding for additional work.

Current WWTF Project Budget Status			
<i>Funding</i>	<i>Number</i>	<i>Amount Awarded</i>	<i>Balance</i>
Community Development Block Grant	P18011	\$2,500,000	\$2,149,546
Water/Wastewater Financing Program	Y21006	\$2,500,000	\$2,228,891
HB-5006/DAS ARPA Funds	8154	\$1,500,000	\$ -
TOTALS		\$6,500,000	\$4,378,437

Pending Funds		
<i>Funding</i>	<i>Status</i>	<i>Amount</i>
DEQ-Clean Water State Revolving Fund	Awarded, uncommitted	\$4,000,000
Congressionally Directed Spending (EPA-CG)	Not yet awarded	\$1,000,000
USDA WEP	In process	???

3. DEQ PERMITTING (TASK 3)

The Department of Environmental Quality (DEQ) issued a new wastewater pollution control facility (WPCF) permit effective on May 1, 2022 (Permit Number: 103281; File Number: 127619). The permit is good for ten years and expires December 31, 2032.

Status:

- Ongoing discussions between City, CwM-H2O, and DEQ regarding surface and groundwater testing.
- Final locations of groundwater monitoring wells need to be determined

4. PRELIMINARY AREA PREPARATION FOR COMPANION PROJECTS (TASK 4)

- The management and implementation of OPRD Recreational Trails Program (RTP) grant #RT21-008 will result in \$45,913.01 of grant funds “left on the table.” The City will not be able to fully reimburse those costs.
 - According to Public Works Director Meyers, this is because a trail design on West 7th St. Extension was changed to a sidewalk and because the Hill Family Park work was completed prior to OPRD grant award and execution.
 - The work, as described in the OPRD RTP grant application, was not accomplished in the way it was described.
 - Ducote Consulting, Sisul Engineering, and City Staff worked on this for several months to rectify the situation and get the City the funds. Any further effort is a lost cause at this point.

5. ENGINEERING DESIGN, SERVICES PROCUREMENT, AND PACKAGE PLANT PROCUREMENT (Task 5)

City has hired a Final Design Engineering team, Rate Study Consultant, and Well Driller.

Next Steps:

- Rate Study – Donovan Enterprises
 - PSA negotiated and executed. Initial meeting held in late-July to discuss next steps.
 - Donovan is waiting for the City to get more project costing and funding information before proceeding.
- Final Design Engineering – Flagline/Kennedy Jenks
 - PSA negotiated and executed.
 - Kickoff meeting to be held during the week of 9/3 – 9/6.
- Well Driller Procurement – Yellow Jacket Drilling
 - Waiting for Flagline/KJ to determine some final pieces of the alignment before drilling monitoring wells.

6. COMMUNITY ENGAGEMENT AND OUTREACH (TASK 6)

Status:

- Canyon City rate negotiation are on-going, Rate Study consultant will be able to assist with that negotiation.
- Monthly John Day Council updates are being given in written and verbal format by Ducote Consulting.



League of Oregon Cities

2024 LOC Member Voter Guide

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2024 Member Voter Guide

Background: Each even-numbered year, the LOC appoints members to serve on seven policy committees, which are the foundation of the League's policy development process. Composed of city officials, these committees analyze policy and technical issues and recommend positions and strategies for the upcoming two-year legislative cycle. This year, seven committees identified 23 legislative policy priorities to advance to the full membership and LOC Board of Directors. It's important to understand that the issues that ultimately do not rise to the top based on member ranking are not diminished with respect to their value to the policy committee or the LOC's advocacy. These issues will still be key component of the LOC's overall legislative portfolio for the next two years.

Ballot/Voting Process: Each city is asked to review the recommendations from the seven policy committees and provide input to the LOC Board of Directors, which will formally adopt the LOC's 2025-26 legislative agenda. While each city may have a different process when evaluating the issues, it's important for cities to engage with your mayor and entire council to ensure the issues are evaluated and become a shared set of priorities from your city. During its October meeting, the LOC Board will formally adopt a set of priorities based on the ranking process and their evaluation.

Each city is permitted one ballot submission. **Once your city has reviewed the proposed legislative priorities, please complete the electronic ballot to indicate the top 5 issues that your city would like the LOC to focus on during the 2025-26 legislative cycle.** The lead administrative staff member (city manager, city recorder, etc.) will be provided with a link to the electronic ballot.

Important Deadline: The deadline for submitting your city's vote is **5 p.m. on September 27, 2024.**

Community and Economic Development Committee

Contact: Jim McCauley, jmccauley@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY WATER AND WASTEWATER COMMITTEE)

RECOMMENDATION: *The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.*

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 billion of infrastructure funds needed (\$6.4 billion for water and \$5.5 billion for roads).

Combined with the federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon’s housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

SHELTER AND HOMELESS RESPONSE

RECOMMENDATION: *The LOC will support a comprehensive homeless response package to fund the needs of homeless shelter and homeless response efforts statewide. Funding should include baseline operational support to continue and strengthen coordinated regional homeless response and include a range of shelter types and services, including alternative shelter models, safe parking programs, rapid rehousing, outreach, case management, staffing and administrative support, and other related services. The LOC will also support capital funding for additional shelter infrastructure and site preparation. Oregon's homeless response system must recognize the critical role of cities in homeless response and meaningfully include cities in regional funding and decision-making, in partnership with counties, community action agencies, continuums of care, housing authorities, and other service provider partners.*

Background: The LOC recognizes that to end homelessness, a cross-sector coordinated approach to delivering services, housing, and programs is needed. Despite historic legislative investments in recent years, Oregon still lacks a coordinated, statewide shelter and homeless response system with stable funding. Communities across the state have developed regional homeless response collaboratives, beginning with the HB 4123 pilot communities funded by the Legislature in 2022 and the more recently established Multi-Agency Collaboratives and Local Planning Groups created by Governor Kotek's [Executive Order on Affordable Housing and Homelessness](#). As Oregon continues to face increasing rates of unsheltered homelessness, the LOC is committed to strengthening a regionally based, intersectional state homeless response system to ensure all Oregonians can equitably access stable housing and maintain secure, thriving communities.

EMPLOYMENT LANDS READINESS AND AVAILABILITY

Legislative Recommendation: *The LOC will support incentives, programs and increased investment to help cities with the costs of making employment lands market-ready, including continued investment in the state brownfields programs. The LOC also recognizes the deficit of industrial land capacity in strategic locations and will support efforts to build a more comprehensive industrial lands program by strengthening the connection between the DLCDC Goal 9 Program and Business Oregon IL programs and resources.*

Background: Infrastructure cost is a significant barrier for cities that are looking to increase the supply of market-ready industrial land. Cities require a supply of industrial land that is ready for development to recruit and retain business operations. For sites to be attractive to site selectors, the basic infrastructure must be built out first. For example, the Regionally Significant Industrial Site (RSIS) program within Business Oregon is designed to help cities with the cost of readiness activities

through a reimbursement program, but many cities are not able to take advantage of this program due to a lack of staff capacity and up-front capital for investments.

FULL FUNDING AND ALIGNMENT FOR HOUSING PRODUCTION

RECOMMENDATION: *The LOC will advocate to maintain and increase state investments to support the development and preservation of a range of needed housing types and affordability, including: publicly supported affordable housing and related services; affordable homeownership; permanent supportive housing; affordable modular and manufactured housing; middle housing types; and moderate-income workforce housing development. In addition, the LOC will seek opportunities to address structural barriers to production of different housing options at the regional and state level. This includes: streamlining state agency programs, directives, funding metrics, and grant timelines that impact development; aligning state programs with local capital improvement and budget timelines; and increasing connections between affordable housing resources at Oregon Housing and Community Services (OHCS) with the land use directives in the Oregon Housing Needs Analysis (OHNA) and Climate Friendly and Equitable Communities (CFEC) programs at the Department of Land Conservation and Development (DLCD).*

Background: Recent legislation and executive orders have made significant changes to the state’s land use planning process, including new housing production directives for cities and counties. These updates have resulted in extensive, continuous, and sometimes conflicting efforts that are not supported by adequate state funding. Cities do not have the staff capacity or resources needed to implement existing requirements. Additional state support is needed to assist local implementation, including technical assistance and education for local staff and decision makers, and workforce development. The state should prioritize implementation and coordination of existing programs in the 2025-2026 legislative sessions before considering any new policies.

General Government Committee

Contact: Scott Winkels, swinkels@orcities.org

RESTORATION OF RECREATIONAL IMMUNITY

RECOMMENDATION: *The LOC will introduce legislation to protect cities and other landowners who open their property for recreational purposes from tort liability claims.*

Background: An adverse court ruling stemming from a recreational injury sustained on a city owned trail opened cities and other public and private landowners to tort claims for injuries sustained by people who are recreating. The Legislature enacted a temporary restoration of the immunity in 2024 that will expire

on July 1, 2025. Legislation to make the immunity permanent will be needed for cities to offer recreational amenities without fear of tort liability lawsuits or excessive risk premiums.

BEHAVIORAL HEALTH ENHANCEMENTS

RECOMMENDATION: *The LOC will introduce and support legislation to expand access to behavioral health treatment beds and allow courts greater ability to direct persons unable to care for themselves into treatment through the civil commitment process.*

Background: While Oregon has historically ranked at or near the bottom nationally for access to behavioral healthcare, the state has made significant investments over the past four years. It will take time for investments in workforce development and substance abuse treatment to be realized, and areas for improvement remain. The standard for civilly committing a person into treatment remains very high in Oregon, and as a result, individuals who present a danger to themselves or others remain untreated, often producing tragic results. Additionally, the number of treatment beds for residential care does not meet demand, with services unavailable in multiple areas of the state.

CONTINUED ADDICTION POLICY REFORM

RECOMMENDATION: *The LOC will Introduce and support legislation to allow drug related misdemeanors to be cited into municipal court; provide stable funding for services created in HB 4002 in 2024; allow more service providers to transport impaired persons to treatment; establish the flow of resources to cities to support addiction response; and monitor and adjust the implementation of HB 4002.*

Background: The Legislature passed significant changes to Oregon’s approach to the current addiction crisis with the creation of a new misdemeanor charge designed to vector defendants away from the criminal justice system and into treatment. Changes also included: sentencing enhancements for drug dealers; investments in treatment capacity; and expanded access to medical assisted addiction treatment. HB 4002 did not include stable funding for the services created or provide cities with direct access to resources, or the ability to cite the new offense into municipal courts. Additionally, the new law will likely require adjustments as the more complicated elements get implemented.

Energy and Environment Committee

Contact: Nolan Pleše, nplese@orcities.org

BUILDING DECARBONIZATION, EFFICIENCY, AND MODERNIZATION

RECOMMENDATION: *The LOC will support legislation to protect against any rollback and preemptions to allow local governments to reduce greenhouse gas emissions from new and existing buildings while ensuring reliability and affordability. In addition, the LOC will lead and back efforts that support local governments, including statewide capacity, expertise, and resources to allow local governments to pursue state and federal funding and continue to support off-ramps for local governments unable to meet the state's new building performance standards.*

Background: Homes and commercial buildings consume nearly one-half of all the energy used in Oregon, according to the Oregon Department of Energy. Existing buildings can be retrofitted and modernized to become more resilient and efficient, while new buildings can be built with energy efficiency and energy capacity in mind.

Oregon cities, especially small to mid-sized and rural communities, require technical assistance and financial support to meet the state's goals. Without additional support, some communities will be unable to meet the state's building performance standards. Off-ramps are necessary to protect cities unable to meet the state's goals to ensure they are not burdened by mandates they can't meet.

Some initiatives may include local exceptions for building energy codes and performance standards, statewide home energy scoring, or financial incentives from the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), state incentives, and other financial incentives like CPACE (Commercial property-assessed clean energy).

For cities to meet their climate resilience and carbon reduction goals while maintaining home rule authority, their flexibility must be preserved to allow for a successful transition from fossil fuels. State pre-emptions should not prohibit cities from exceeding state goals and achieving standards that align with their values.

INVESTMENT IN COMMUNITY RESILIENCY AND CLIMATE PLANNING RESOURCES

RECOMMENDATION: *The LOC will support investments that bring resiliency and climate services (for mitigation and adaptation) together in coordination with public and private entities, and work to fill the existing gaps to help communities get high-quality assistance. These resources are needed for local governments to effectively capture the myriad of available state and federal funding opportunities that cannot be accessed due to capacity and resource challenges. The LOC will work with partners to identify barriers and potential*

solutions towards resiliency opportunities, such as local energy generation and battery storage, and to support actions that recognize local control.

Background: Oregon communities have unique resources and challenges, and increasingly need help to plan for climate and human-caused impacts and implement programs to reduce greenhouse gases. Oregon should focus on maintaining the reliability of the grid while supporting safe, healthy, cost-effective energy production that includes external costs.

Although many opportunities for building resiliency exist, not all will not be built or managed by cities. Cities support efforts to build resiliency hubs in coordination with public, private, and non-profit interests and will seek more investments in programs that support resiliency hubs.

Cities also have a broad range of perspectives on how to address the impacts of the climate crisis. Concerns about costs and reliability during this energy transition have surfaced in many cities. At the same time, others who share those concerns also aim to have stronger requirements that meet their cities' climate goals. To meet these challenges, cities oppose additional mandates but support exceptions and additional support that recognize each city's unique perspectives, resources, and experience while preserving local authority.

Oregon's small to mid-sized communities and rural communities are particularly in need of technical assistance, matching funds, and additional capacity to address climate impacts. Without assistance, these communities face unfunded mandates due to low resources and capacity challenges to go after many available opportunities.

ADDRESS ENERGY AFFORDABILITY CHALLENGES FROM RISING UTILITY COSTS

RECOMMENDATION: *The LOC will: support actions to maintain affordable and reliable energy resources; invest in programs and new technology that support energy efficiency, renewable energy, and battery storage to help reduce overall energy costs and demands; and address grid challenges during peak energy demand and the associated rising costs, while balancing the pace of energy production and power supply that impact rates.*

Background: In recent years, rising utility costs have increased the energy burden on Oregonians, particularly low-income Oregonians, those with fixed incomes, and those who are unable to work. Costs contributing to these increases include, infrastructure upgrades, maintenance, and modernization, climate impacts from increased extreme weather events (wildfires, ice storms, snowstorms, flooding, etc.) and mitigation costs associated with them, fuel costs, inflation, legislative and gubernatorial actions, and investments in new energy-producing technology, and battery storage, are some of many reasons that are impacting utility rates.

While many investment opportunities exist, more cooperation and collaboration

needed to find a path forward that reduces the need for large rate increases that impact Oregonians. Rate increases should balance and prioritize vital labor, infrastructure, and mitigations necessary to sustain present and future energy demands with compensation.

In addition, the LOC would advocate for new tools and utilizing existing tools to modernize rate structures to provide flexibility and account for the time of year of rate increases (phasing in of rate increases) and recognize the higher burden for low and moderate-income and fixed-income Oregonians.

Finance and Taxation Committee

Contact: Lindsay Tenes, ltenes@orcities.org

LODGING TAX FLEXIBILITY

RECOMMENDATION: *The LOC will advocate for legislation to increase flexibility to use locally administered and collected lodging tax revenue to support tourism-impacted services.*

Background: In 2003, the Legislature passed the state lodging tax and restricted local transient lodging tax (TLT) by requiring that revenue from any new or increased local lodging tax be spent according to a 70/30 split: 70% of local TLT must be spent on “tourism promotion” or “tourism related facilities” and up to 30% is discretionary funds.

Tourism has created an increased demand on municipal service provision. Some of the clearest impacts are on roads, infrastructure, public safety, parks, and public restrooms. Short term rentals and vacation homes also reduce the housing supply and exacerbate housing affordability issues.

Cities often play an active role in tourism promotion and economic development efforts, but requiring that 70% of lodging tax revenue be used to further promote tourism is a one-size fits all approach that does not meet the needs of every tourism community. Cities must be allowed to strike the balance between tourism promotion and meeting the needs for increased service delivery for tourists and residents.

MARIJUANA TAX

Legislative Recommendation: *The LOC will advocate for legislation that increases revenue from marijuana sales in cities. This may include proposals to restore state marijuana tax losses related to Measure 110 (2020), and to increase the 3% cap on local marijuana taxes.*

Background: The state imposes a 17% tax on recreational marijuana products. Until

the end of 2020, cities received 10% of the state's total tax revenues (minus expenses) on recreational marijuana products. Measure 110 largely shifted the allocation of state marijuana revenue by capping the amount that is distributed to the recipients that previously shared the total amount (the State School Fund, the Oregon Health Authority, the Oregon State Police, cities and counties) and diverted the rest to drug treatment and recovery services. Starting in March of 2021, quarterly revenue to cities from state marijuana taxes saw a decrease of roughly 74%. Marijuana revenue has also been on a downward trend because the market is oversaturated, which has continually reduced sale prices (high supply, steady demand). Marijuana is taxed on the price of the sale and not on volume.

ALCOHOL TAX

RECOMMENDATION: *The LOC will advocate for increased revenue from alcohol taxes. This includes support for any recommendation by the HB 3610 Task Force on Alcohol Pricing to increase the beer and wine tax that maintains 34% shared distribution to cities. This may also include legislation to lift the pre-emption on local alcohol taxes.*

Background: Cities have significant public safety costs related to alcohol consumption and must receive revenue commensurate to the cost of providing services related to alcohol.

Oregon is a control state and the Oregon Liquor and Cannabis Commission (OLCC, formerly known as the Oregon Liquor Control Commission) acts as the sole importer and distributor of liquor. Cities and other local governments are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% share of net state alcohol revenues. The OLCC has also imposed a 50-cent surcharge per bottle of liquor since the 2009-2011 biennium, which is directed towards the state's general fund. Oregon's beer tax has not been increased since 1978 and is \$2.60 per barrel, which equates to about 8.4 cents per gallon, or less than 5 cents on a six-pack. Oregon's wine tax is 67 cents per gallon and 77 cents per gallon on dessert wines. Oregon has the lowest beer tax in the country and the second lowest wine tax.

Broadband, Cybersecurity, Artificial Intelligence (AI), and Telecommunications Committee

Contact: Nolan Plese, nplese@orcities.org

DIGITAL EQUITY AND INCLUSION

RECOMMENDATION: *The LOC will support legislation and policies that help all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy through programs such as digital*

navigators, devices, digital skills, and affordability programs like the Affordable Connectivity Program (ACP) and the Oregon Telephone Assistance Program (OTAP – also known as Lifeline) that meet and support community members where they are.

Background: Connectivity is increasingly relied on for conducting business, learning, and receiving important services like healthcare. As technology has evolved, the digital divide has become more complex and nuanced. Now, the discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds, and to the skills they need to effectively use it. Recognizing individual knowledge and capacity, abilities, and lived experience is now vital, and programs that offer devices, digital literacy skills, cybersecurity, and support for internet affordability, are critical to closing the digital divide.

CYBERSECURITY & PRIVACY

RECOMMENDATION: *The LOC will support legislation that addresses privacy, data protection, information security, and cybersecurity resources for all that use existing and emerging technology like artificial intelligence (AI) and synthetic intelligence (SI), including, but not limited to: funding for local and state government cyber and information security initiatives; interagency and government coordination and cooperative arrangements for communities that lack capacity; statewide resources for cyber and AI professionals and workforce development; vendor and third-party vendor accountability; regulations of data privacy; or standards for software/hardware developers to meet that will make their products more secure while ensuring continued economic growth. The LOC will oppose any unfunded cybersecurity and/or AI mandates and support funding opportunities to meet any unfunded insurance requirements.*

Background: Society's continued reliance on technology will only increase with the emergence of artificial intelligence (AI) and synthetic intelligence (SI). This will mean an increased risk for cybercrimes. Cybersecurity encompasses everything that pertains to protecting our sensitive and privileged data, protected health information, personal information, intellectual property, data, and governmental and industry information systems from theft and damage attempted by criminals and adversaries.

Cybersecurity risk is increasing, not only because of global connectivity but also because of the reliance on cloud services to store sensitive data and personal information. As AI and SI technology and adoption accelerate, the ability to guard against cyber threats and threats created through AI will increase. Strengthening coordination between the public and private sectors at all levels is essential for decreasing risks and quickly responding to emerging threats. This ensures resilience is considered to reduce the damage caused by cyber threats.

RESILIENT, FUTUREPROOF BROADBAND INFRASTRUCTURE AND PLANNING INVESTMENT

RECOMMENDATION: *The LOC will support legislation to ensure broadband systems are built resiliently and futureproofed, while also advocating for resources to help cities with broadband planning and technical assistance through direct grants and staff resources at the state level. The LOC will oppose any preemptions that impede local government's ability to maintain infrastructure standards in the local rights-of-way. Municipalities' have a right to own and manage access to poles and conduit and to become broadband service providers.*

Background:

Broadband Planning and Technical Assistance

Most state and federal broadband infrastructure funding requires communities to have a broadband strategic plan in place in order to qualify. Many cities do not have the resources or staff capacity to meet this requirement. Cities will need to rely on outside sources or work with the state for assistance and support the state setting up an office to aid local governments.

Resilient and Long-Term Systems

As broadband continues to be prioritized, building resilient long-term networks will help Oregonians avoid a new digital divide as greater speeds are needed with emerging technologies like artificial intelligence (AI). Important actions that will ensure resilient broadband include: dig once policies; investing in robust middle-mile connections; ensuring redundancy and multiple providers in all areas' sharing current and future infrastructure to manage overcrowding in the right-of-way (ROW); and undergrounding fiber instead of hanging it on poles. Additionally, infrastructure should be built for increased future capacity to avoid a new digital divide by allowing Oregon to determine speeds that reflect current and future technology.

Optional Local Incentives to Increase Broadband Deployment

Cities need flexibility to adequately manage public rights-of-ways (ROW). Instead of mandates, the state should allow cities the option to adopt incentives that could help streamline broadband deployment. Flexibility for cities to fund conduit as an eligible expense for other state infrastructure (most likely water or transportation projects) would reduce ROW activity. Additionally, local governments can work with state and federal partners to streamline federal and state permitting to reduce delays in broadband deployment.

Regulatory Consistency Amidst Convergence

With rapid changes in communication, standards and policy should keep pace. When a converged technology utilizes differing communications technologies, it may be

required to adhere to multiple standards and regulations, or providers may argue that some parts of their service is not subject to regulations. The LOC will support legislation that addresses the inconsistency of regulations applied to traditional and nontraditional telecommunications services as more entities move to a network-based approach.

ARTIFICIAL INTELLIGENCE (AI)

RECOMMENDATION: *The LOC will support legislation that promotes secure, responsible and purposeful use of artificial intelligence (AI) and synthetic intelligence (SI) in the public and private sectors while ensuring local control and opposing any unfunded mandates. Cities support using AI for social good, ensuring secure, ethical, non-discriminatory, and responsible AI governance through transparent and accountable measures that promotes vendor and third-party vendor accountability, improving government services while protecting sensitive data from use for AI model learning, and fostering cross-agency, business, academic, and community collaboration and knowledge sharing.*

Background: While artificial intelligence (AI) and synthetic intelligence (SI) are not new, the recent advancements in machine learning and the exponential growth of artificial and synthetic intelligence require governments and providers to be responsible and purposeful in the use of this technology. The opportunities and risks that AI and SI present demand responsible values and governance regarding how AI systems are purchased, configured, developed, operated, or maintained in addition to ethical policies that are transparent and accountable. Policies should also consider the implication of AI on public records and retention of information on how AI is being used. Additionally, governments need to consider how procurements are using AI, how they are securing their systems, and any additional parties being used in the process.

AI systems and policies should:

- Be Human-Centered Design - AI systems are developed and deployed with a human-centered approach that evaluates AI-powered services for their impact on the public.
- Be Secure & Safe - AI systems should maintain safety and reliability, confidentiality, integrity, and availability through safeguards that prevent unauthorized access and use to minimize risk.
- Protect Privacy - Privacy is preserved in all AI systems by safeguarding personally identifiable information (PII) and sensitive data from unauthorized access, disclosure, and manipulation.
- Be Transparent - The purpose and use of AI systems should be proactively communicated and disclosed to the public. An AI system, its data sources,

operational model, and policies that govern its use should be understandable, documented, and properly disclosed publicly.

- Be Equitable - AI systems support equitable outcomes for everyone; urban, rural, suburban, frontier, and historically underrepresented communities. Bias in AI systems should be effectively managed to reduce harm to anyone impacted by its use.
- Provide Accountability - Roles and responsibilities govern the deployment and maintenance of AI systems. Human oversight ensures adherence to relevant laws and regulations and ensures the product's creator is ultimately responsible for reviewing the product prior to release and held accountable.
- Be Effective - AI systems should be reliable, meet their objectives, and deliver precise and dependable outcomes for the utility and contexts in which they are deployed.
- Provide Workforce Empowerment - Staff are empowered to use AI in their roles through education, training, and collaborations that promote participation and opportunity.

Transportation Committee

Contact: Jim McCauley, jmccauley@orcities.org

2025 TRANSPORTATION PACKAGE

RECOMMENDATION: *The LOC supports a robust, long-term, multimodal transportation package focused on: stabilizing funding for operations and maintenance for local governments and ODOT; continued investment in transit and bike/ped programs, safety, congestion management, and completion of projects from HB 2017. As part of a 2025 package, the funding level must maintain the current State Highway Fund (SHF) distribution formula and increase investments in local programs such as Great Streets, Safe Routes to Schools, and the Small City Allotment Program. In addition, the package should find a long-term solution for the weight-mile tax that stabilizes the program with fees that match heavier vehicles' impact on the transportation system. The funding sources for this package should be diverse and innovative. Additionally, the package should maintain existing choices and reduce barriers for local governments to use available funding tools for transportation investments.*

Background: Oregon has one of the country's most transportation-dependent economies, with 400,000 jobs (1 in 5) related directly to transportation via rail, road, and ports. The State Highway Fund (SHF) is the primary revenue source for the state's transportation infrastructure, and comes from various sources, including gas

and diesel tax, weight mile tax, vehicle registration fees, vehicle title fees, and driver's license fees. These funds are distributed using a 50-30-20 formula, with 50% to the state, 30% to counties, and 20% to cities. Continued investment in transportation infrastructure is critical for public safety objectives such as "[Safe Routes to Schools](#)" and the "[Great Streets](#)" program. The Legislature must develop a plan to match inflationary costs and a plan to transition from a gas tax to an impact fee based on miles traveled to stabilize transportation investment.

FUNDING AND EXPANDING PUBLIC AND INTER-COMMUNITY TRANSIT

RECOMMENDATION: *The LOC supports expanding funding for public transit operations statewide, focusing on inter-community service, service expansion, and a change in policy to allow for the use of funds for local operations and maintenance.*

Background: During the 2017 session, HB 2017 established Oregon's first statewide comprehensive transit funding by implementing a "transit tax," a state payroll tax equal to one-tenth of 1%. This revenue source has provided stable funding of more than \$100 million annually.

These funds are distributed utilizing a formula. Investments made since the 2017 session helped many communities expand and start transit and shuttle services to connect communities and provide transportation options. Many communities, however, still lack a viable public transit or shuttle program and would benefit greatly from expanded services.

SHIFT FROM A GAS TAX TO A ROAD USER FEE

RECOMMENDATION: *The LOC supports replacing Oregon's gas tax with a Road User Fee (RUF) while protecting local government's authority to collect local gas tax fees. An RUF will better measure a vehicle's impact on roads and provide a more stable revenue stream.*

Background: Oregon's current gas tax is 40 cents per gallon. Depending on the pump price, the gas tax represents a small portion of the overall cost of gas. Due to the improved mileage of new vehicles and the emergence and expected growth of electric vehicles, Oregon will continue to face a declining revenue source without a change in the fee structure. Capturing the true impact of vehicles on the transportation system requires a fee structure that aligns with use of roads. The federal tax has remained at 18 cents per gallon since 1993, effectively losing buying power or the ability to keep up with inflation.

COMMUNITY SAFETY AND NEIGHBORHOOD LIVABILITY

RECOMMENDATION: *The LOC supports a strong focus on funding safety improvements on large roads, such as highways and arterials, that run through all communities. This includes directing federal and state dollars toward safety improvements on streets that meet the Great Streets criteria but are not owned by ODOT, and increasing funding for the*

Great Streets program. For those cities that don't qualify for existing programs, ODOT should explore funding opportunities for cities with similar safety needs. Additionally, more funding should be directed to the Highway Safety Improvement Program (HSIP) and All Roads Transportation Safety (ARTS) programs.

Background: Community safety investment remains a critical challenge for local governments, reducing their ability to maintain a transportation system that supports the safe and efficient movement of people and goods. Traffic fatalities and serious injuries continue to grow to record levels in many communities. The lack of stable funding for these basic operations and maintenance functions prevents local governments from meeting core community expectations. Without increases in funding for transportation, this problem is expected to get even worse, as costs for labor and materials continue to increase.

Water and Wastewater Committee

Contact: Michael Martin, mmartin@orcities.org

INFRASTRUCTURE FUNDING (CO-SPONSORED BY COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE)

RECOMMENDATION: *The LOC will advocate for a comprehensive infrastructure package to support increased investments in water, sewer, stormwater and roads. This includes: funding for system upgrades to meet increasingly complex regulatory compliance requirements; capacity to serve needed housing and economic development; deferred maintenance costs; seismic and wildfire resiliency improvements; and clarity and funding to address moratoriums. The LOC will also champion both direct and programmatic infrastructure investments to support a range of needed housing development types and affordability.*

Background: Cities continue to face the challenge of how to fund infrastructure improvements – to maintain current, build new, and improve resiliency. Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. Infrastructure development impacts economic development, housing, and livability. The level of funding for these programs has been inadequate compared to the needs over the last few biennia, and the funds are depleting and unsustainable without significant program modifications and reinvestments. This priority will focus on maximizing both the amount of funding and the flexibility of the funds to meet the needs of more cities across the state to ensure long-term infrastructure investment. The 2024 LOC Infrastructure Survey revealed the increasing need for water and road infrastructure funding. The results show \$11.9 Billion of infrastructure funds needed (\$6.4 billion for water and \$5.5

billion for roads).

Combined with federal-cost share decline on water infrastructure projects – despite the recent bi-partisan infrastructure law investment – cities face enormous pressure to upgrade and maintain water infrastructure. At the same time, cities across the state are working urgently to address Oregon’s housing crisis. To unlock needed housing development and increase affordability, the most powerful tool the Legislature can deploy is targeted investments in infrastructure to support needed housing development.

PLACE-BASED PLANNING

RECOMMENDATION: *The LOC will advocate for funding needed to complete existing place-based planning efforts across the state and identify funding to continue the program for communities that face unique water supply challenges.*

Background: Oregon’s water supply management issues are complex. In 2015, the Legislature created a place-based planning pilot program in Oregon administered through the Oregon Water Resources Department that provides a framework and funding for local stakeholders to collaborate and develop solutions to address water needs within a watershed, basin, surface water, or groundwater. In 2023, the Legislature passed a significant bipartisan Drought Resilience and Water Security package (BiDRAWS), which included \$2 million into a place-based planning water fund to continue efforts to address a basin-by-basin approach.

OPERATOR-IN-TRAINING APPRENTICESHIPS

RECOMMENDATION: *The LOC will advocate for funding for apprenticeship training programs and the expansion of bilingual training opportunities to promote workforce development of qualified wastewater and drinking water operators due to the significant lack of qualified operators.*

Background: Water utilities must resolve a human-infrastructure issue in order to keep our water and wastewater systems running. Currently, water utilities face challenges in recruiting, training, and retaining certified operations employees. In addition, retirements of qualified staff over the next decade will exacerbate the problem.

In 2023, the Legislature approved one-time funding for the development of a training facility for certified operators and technical assistance staff in partnership with the Oregon Association of Water Utilities. Sustained funding for regional training facilities and direct funding for utilities hosting training programs is needed to train the next generation of water and wastewater operators.