



MYRTLE CREEK CITY COUNCIL
REGULAR COUNCIL MEETING AGENDA
MYRTLE CREEK COUNCIL CHAMBER

AGENDA PACKET 1/17/2023

All city public meetings are being digitally recorded for sound and video camera surveillance.

The City Council of the City of Myrtle Creek will meet on **Tuesday, January 17, 2023 at 5:30 PM** in the Myrtle Creek Council Chamber, 207 NW Pleasant Street, Myrtle Creek, Oregon.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to the City Recorder at 541-863-3171.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the study session and or/meeting.

REGULAR COUNCIL MEETING – 5:30 PM

Anyone wishing to speak on an agenda item should complete a Public Comment Form and give it to the City Recorder. Public Comment Forms are located at the entrance to the meeting place. Anyone commenting on a subject not on the agenda will be called upon during the “Citizens Heard on Non-Agenda Items” section of the agenda. Comments pertaining to specific agenda items will be taken at the time the matter is discussed by the City Council.

1. Call to Order/Roll Call

2. Pledge of Allegiance

3. Public Presentations – *Items that do not require immediate council action, such as presentations, discussions of potential future action items.*

4. Consent Agenda – *Requires a motion*

The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilor may have an item on the consent agenda removed and considered separately upon request.

Consent Agenda Part 1 – *Requires a motion*

4.1 Approval of minutes of the Regular City Council Meeting for January 3, 2022

Consent Agenda Part 2 – Requires a motion

4.2 Acknowledge receipt of Payroll & Claims Report for November & December 2022

5. Annual Audit Report

5.1 Acceptance of 2022 Audit

6. Department Reports

Items for discussion by the City Administrator and Department Heads as needed.

6.1 Planning/Community Development Report

6.2 Finance Officer Report

6.3 Police Department Report

6.4 Fire Department Report

6.5 Public Works Report

7. Regular Agenda

Citizens will be provided the opportunity to offer comments on action items after staff has given their report and if there is an applicant, after they have had the opportunity to speak. Action items are expected to result in motions, resolutions, orders, or ordinances.

7.1 Fire Department Equipment Request

7.2 Consideration of Police Collective Bargaining Agreement 2023-2026

7.3 Dyer Partnership Presentation – Water Plant Recommendations

8. Resolutions & Ordinances

8.1 **Resolution 23-02** – A Resolution of the City Council of the City of Myrtle Creek, Oregon Authorizing its Support of the Oregon Mayors Association’s Taskforce on Homelessness’s Proposal to Partner with the State to Fund Local Homelessness Response and Prevention Programs to Address Oregon’s Crisis of the Unhoused

8.2 **Resolution 23-03** A Resolution Adopting A Councilor Handbook.

9. Citizens Heard on Non-Agenda Items

10. City Administrator Report

11. Mayor and Councilor – Committee Reports and Councilor Comments

12. Executive Session

The Myrtle Creek City Council may go into Executive Session Under ORS 192.660(2)(d). All discussions are confidential and those present may disclose nothing from the Session.

Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660 but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

13. Adjournment



CITY OF MYRTLE CREEK

REGULAR MEETING OF THE CITY COUNCIL

DATE: January 3, 2023

PLACE: Council Chambers, 207 NW Pleasant St., Myrtle Creek, Oregon

PRESIDING OFFICER: Mayor Matthew Hald

COUNCILORS PRESENT: Councilors: Bill Burnett, Susan Harris, Robert Chaney, Sr.
Diana Larson, Luke Dillon

COUNCILORS ABSENT:

A quorum was present throughout the meeting.

STAFF IN ATTENDANCE: City Administrator Lonnie Rainville, City Recorder Joanna Bilbrey

CALL TO ORDER: Mayor Matthew Hald called the January 3, 2023 meeting to order at 5:30 PM

PLEDGE OF ALLEGIANCE

OATH OF OFFICE

Newly elected officials Matthew Hald, Mayor (second term); Luke Dillon, City Council Position 2 (first term); and Diana Larson, City Council Position 4 (first term) were sworn into their respective positions.

OFFICE APPOINTMENTS

Motion was made by Councilor Bill Burnett to appoint Susan Harris as City Council President for the 2023 calendar year. Motion was seconded by Councilor Larson. Discussion: none

Vote: Motion passed unanimously.

PUBLIC PRESENTATION

Michael Sherwood, 737 Springbrook Road, Representing Springbrook Special Road District
Mr. Sherwood shared that there are 40 or more potholes, some as deep as 5 inches, along the beginning City owned portion of Springbrook Road. In the past the potholes have been filled with gravel, but that method is not holding up. Last year gravel was placed in the holes and cold patch placed on top. He felt this method didn't really hold up. Mr. Sherwood would like to see the entire hole filled with the cold patch. He estimates that it could take approximately 30 to 40 sacks of cold patch to fill these holes. The council requested staff to create a cost estimate for the cost of the cold patch and to bring this back before the council as an action item.

CONSENT AGENDA

Part 1

Motion was made by Councilor Harris and seconded by Councilor Chaney to approve the Meeting Minutes for December 6, 2022, as presented. Discussion: None

Vote: Motion passed unanimously.

RESOLUTIONS

Resolution 23-01 A Resolution Adopting Revised Personnel Rules

An updated version of the City of Myrtle Creek Personnel Rules was presented to the City Council. Minor changes were suggested: Page 2, removal of the wording “common sense,” Page 3, added the ability to report harassment to the supervisor of the harasser; Page 6 removed reference of who the smoking policy applies to.

Motion was made by Councilor Chaney to approve Resolution 23-01– A Resolution Adopting Revised Personnel Rules. Motion was seconded by Councilor Larson. Discussion: Changes to the handbook discussed

Motion removed by Councilor Chaney and Councilor Larson

Motion was made by Councilor Chaney to approve Resolution 23-01– A Resolution Adopting Revised Personnel Rules, with the changes as noted. Motion was seconded by Councilor Larson. Discussion: none

Vote: Motion passed unanimously.

REGULAR AGENDA

Tag and SCADA System Upgrade

City Administrator Lonnie Rainville shared that the current SCADA system is approximately 20 years old. When a system upgrade was completed on the operating system there were compatibility issues. We were made aware that our version of the SCADA system is no longer supported. The system is working now, but it is recommended that we upgrade prior to there being an issue. The City is recommending that we use funding that was allocated for the centrifuge in the dryer, we can push that out as it is less critical than the SCADA system at this time.

Motion was made by Councilor Burnett to approve the City to upgrade the sewer plant SCADA system in the amount of \$89,446 which will be allocated to the sewer plant capital budget. Motion was seconded by Councilor Harris. Discussion: Councilor Larson asked if the new system will have the same life expectancy.

Vote: Motion passed unanimously

Suppression Tank Re-Lining & Coating Proposals

City Administrator Lonnie Rainville shared that during the last inspection of the south tank, it was identified that there were areas where the tank paint has begun to flake off and rust was forming. If

approved the project would be put out to bid in Mid-January with a closing date of mid-February. Half would be paid through ARPA funds and the other half through Water Construction Funds. An estimate for painting the exterior of the tank was given at \$195,300. The City Administrator is looking for approval to put this project out to bid.

Motion made by Councilor Larson to approve the City to put the painting of the south water tank out to bid. Motion seconded by Councilor Burnett. Discussion: Councilor Chaney asked if the quoted estimate is typical for this type of project.

Vote: Motion passed unanimously.

Homelessness Review Committee

Included in the Council Packet was a review of Homelessness in Public Spaces guidebook. There are new regulations and state requirements on how Cities can address homelessness on a local level. The City Administrator would like to put together a committee to begin reviewing how these changes will affect current ordinances and to make recommendations for changes. We would like to have at least one volunteer from the Council on the committee. Diana Larson volunteered to be on the committee. The first meeting will take place this month.

Annual Audit Review moved to January 17, 2023.

CITIZENS HEARD ON NON-AGENDA ITEMS

No citizen comments

CITY ADMINISTRATOR REPORT

The Council Handbook final discussion will be during the January 17th council meeting. We would like to set a date for a Goal Setting Workshop in February. Reminder that there will be an Urban Renewal Meeting on January 17th at 5:15 PM. City Administrator Lonnie Rainville shared that it is becoming more evident that continuing to put money into the Springbrook Water Plant is not the best use of City funds. The question was how to retain the water rights without operating the Springbrook Water Plant. The State Water Master shared that we can move the point of diversion from our Harrison Young Water Rights to our water intake at the South Umpqua River Plant. This is still in the conversation phase with the Water Master.

MAYOR AND COUNCILOR – COMMITTEE REPORTS AND COUNCILOR COMMENTS

Councilor Chaney shared that the Lions Club Crab Feed has been moved to February 11, 2023 due to the crab season being postponed. Councilor Harris shared that the striping on Division and Third is gone. Councilor Harris asked about a service for Donny Ray and if the City staff are helping out at the park. Councilor Larson asked about the dog kennel at the public works yard. Mayor Hald and Councilor Chaney mentioned that there is some maintenance needed around the sign at the entrance to town.

Executive Session called at 6:29 pm

Executive Session held pursuant to ORS192.660(2)(d)

To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

Representative of the News Review was present.

Mayor Matthew Hald adjourned the Executive Session at 7:27 P.M.

ADJOURNMENT

Mayor Matthew Hald adjourned the regular meeting of the City Council for January 3, 2023 at 7:30 PM

Matthew Hald, Mayor

Attest:

Joanna Bilbrey
City Recorder

**CITY OF MYRTLE CREEK
PAYROLL AND CLAIMS
DECEMBER ~~ 2022**

FUND #	FUND DESCRIPTION	BILLS	P/R	TOTAL
100	GENERAL FUND	228,667.75	14,641.70	243,309.45
200	SEWER FUND	45,759.76	29,771.60	75,531.36
210	SEWER CONSTRUCTION	15,235.00	-	15,235.00
250	WATER FUND	61,611.25	23,135.14	84,746.39
255	METER DEPOSITS	-	-	-
260	WATER CONSTRUCTION	3,587.50	-	3,587.50
280	AIRPORT FUND	512.73	-	512.73
300	STREET FUND	9,055.39	9,509.42	18,564.81
420	SEWER EFFLUENT LOAN	-	-	-
430	WWTP REPAY FUND	-	-	-
450	WTP E RES DEBT FUND	-	-	-
500	PARK DEVELOPMENT	-	-	-
550	RV Park	895.45	-	895.45
580	CAPITAL PROJECTS FUND	-	-	-
	TOTAL ALL FUNDS	365,324.83	77,057.86	442,382.69

Accounts Payable

Checks by Date - Detail by Check Date

User: lhiscocks
Printed: 1/3/2023 11:11 AM



City of Myrtle Creek

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
46886	4561	ADVANTAGE SECURITY LLC	12/01/2022	
	7494703	CONTRACTUAL SERVICES- WASTE WATER		37.95
	7494703	CONTRACTUAL SERVICES- WATER TREAT		45.95
Total for Check Number 46886:				83.90
46887	8025	CHAD BEAM	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		270.00
Total for Check Number 46887:				270.00
46888	8950	JAMES BRANSON	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		50.00
Total for Check Number 46888:				50.00
46889	0032	TEISHA BROWN	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		20.00
Total for Check Number 46889:				20.00
46890	2176	BOBBY CAVANER	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		600.00
Total for Check Number 46890:				600.00
46891	4490	CCD BUSINESS DEVELOPMENT CORP	12/01/2022	
	23-261	STREET IMPROVEMENTS- STREETS		650.00
Total for Check Number 46891:				650.00
46892	099W	CITY OF MC - WATER BILLS	12/01/2022	
	Nov22	WATER & SEWER - LIBRARY	502	124.33
	Nov22	WATER & SEWER - FIRE	1135	132.25
	Nov22	WATER & SEWER - PARKS	PARKS	606.69
	Nov22	WATER & SEWER - COMM CTR	77	128.75
	Nov22	WATER & SEWER - POOL	108	70.05
	Nov22	WATER & SEWER - PUB BLDGS	2, 1	248.00
	Nov22	WATER & SEWER - PUB WORKS	871	124.00
	Nov22	WATER & SEWER - WWTP	875, 875-001	124.10
Total for Check Number 46892:				1,558.17
46893	1507	COOPERS PEST CONTROL	12/01/2022	
	15984	BLDG AND GROUND MAINT- PUBLIC BUI		94.00
Total for Check Number 46893:				94.00
46894	8007	LARRY DOUD	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		455.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46894:				455.00
46895	1671 2193	DOUGLAS CO ENVIRONMENTAL HEA OPERATING SUPPLIES- POOL	12/01/2022	345.00
Total for Check Number 46895:				345.00
46896	1940 DCSO-FY23-1 DCSO-FY23-2	DOUGLAS CO SHERIFF'S OFFICE JAIL EXPENSE JULY- POLICE JAIL EXPENSE AUGUST- POLICE	12/01/2022	2,154.90 1,273.35
Total for Check Number 46896:				3,428.25
46897	1912 2022	CECIL T EARP CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46897:				600.00
46898	1103	EBS TRUST PR Batch 00002.11.2022 Dental Premium 5% PR Batch 00002.11.2022 Dental Insurance PR Batch 00002.11.2022 Medical/Vision Premiu PR Batch 00002.11.2022 Medical/Vision Insurar PR Batch 00003.11.2022 Dental Premium 5% PR Batch 00003.11.2022 Dental Insurance PR Batch 00003.11.2022 Medical/Vision Premiu PR Batch 00003.11.2022 Medical/Vision Insurar	12/01/2022 PR Batch 00002.11.2022 Den PR Batch 00002.11.2022 Den PR Batch 00002.11.2022 Med PR Batch 00002.11.2022 Med PR Batch 00003.11.2022 Den PR Batch 00003.11.2022 Den PR Batch 00003.11.2022 Med PR Batch 00003.11.2022 Med	119.70 2,274.90 1,576.83 29,960.45 7.40 140.66 92.46 1,756.79
Total for Check Number 46898:				35,929.19
46899	5007 2022	BRANDON EVERETT CONTRACTUAL SERVICES- FIRE	12/01/2022	195.00
Total for Check Number 46899:				195.00
46900	8027 2022	CAMERON EVERETT CONTRACTUAL SERVICES- FIRE	12/01/2022	125.00
Total for Check Number 46900:				125.00
46901	8011 2022	ADAM FRASER CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46901:				600.00
46902	8961 2022	AMANDA GIBSON CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46902:				600.00
46903	8951 2022	MIKE GIBSON CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46903:				600.00
46904	8150 2022	GAGANDEEP GILL CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46904:				600.00
46905	8014 2022	JERRY GREEN CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46905:				600.00
46906	1500 2022	STEVE HALL CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46906:				600.00
46907	8966 2022	BRANDY HANDEL CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46907:				600.00
46908	8016 2022	TERRY HERRINGTON CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46908:				600.00
46909	0901 NOV 2022	HOLMATRO RESCUE EQUIPMENT EQUIP MAINT AND REPAIR- FIRE	12/01/2022	1,180.00
Total for Check Number 46909:				1,180.00
46910	4558	I.B.E.W. LOCAL UNION 659 PR Batch 00002.11.2022 Union Dues PR Batch 00002.11.2022 Union Dues	12/01/2022 PR Batch 00002.11.2022 Union PR Batch 00002.11.2022 Union	268.13 35.21
Total for Check Number 46910:				303.34
46911	UB*00304	KEVIN & MELODY JOHNSON Refund Check	12/01/2022	125.00
Total for Check Number 46911:				125.00
46912	8017 2022	JEFFREY KELLY CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46912:				600.00
46913	8036 2022	BRANDON KERNS CONTRACTUAL SERVICES- FIRE	12/01/2022	410.00
Total for Check Number 46913:				410.00
46914	UB*00305	HARRY & SUE LEE, JR. Refund Check Refund Check Refund Check	12/01/2022	55.30 54.40 3.20
Total for Check Number 46914:				112.90
46915	8855 2022	MAX AARON LINCECUM CONTRACTUAL SERVICES- FIRE	12/01/2022	370.00
Total for Check Number 46915:				370.00
46916	8963 2022	ROBERT LOWDEN CONTRACTUAL SERVICES- FIRE	12/01/2022	600.00
Total for Check Number 46916:				600.00
46917	1407 2023	M C VOLUNTEER FIRE DEPT CONTRACTUAL SVCS & VOL- FIRE	12/01/2022	5,000.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46917:				5,000.00
46918	UB*00307	PETER MAFFIA	12/01/2022	
		Refund Check		23.11
		Refund Check		27.80
		Refund Check		1.63
Total for Check Number 46918:				52.54
46919	8032 2022	KYLA MAYS CONTRACTUAL SERVICES- FIRE	12/01/2022	525.00
Total for Check Number 46919:				525.00
46920	1116 2533	MYRTLE CREEK AUTO SUPPLY VEHICLE MAINT AND REPAIR- POLICE	12/01/2022	7.05
Total for Check Number 46920:				7.05
46921	1140 L0388316448 L1462058272	OR DEPT OF REVENUE REGULATORY SERVICES- WASTE WATER T REGULATORY SERVICES- WASTE WATER T	12/01/2022	544.00 143.00
Total for Check Number 46921:				687.00
46922	8153 2022	BENNETT PALMER CONTRACTUAL SERVICES- FIRE	12/01/2022	170.00
Total for Check Number 46922:				170.00
46923	8028 2022	TANNER PENCE CONTRACTUAL SERVICES- FIRE	12/01/2022	330.00
Total for Check Number 46923:				330.00
46924	8964 2022	MADelyn PETTIBONE CONTRACTUAL SERVICES- FIRE	12/01/2022	370.00
Total for Check Number 46924:				370.00
46925	2933 2022	QUINN PICKERING CONTRACTUAL SERVICES- FIRE	12/01/2022	240.00
Total for Check Number 46925:				240.00
46926	1154 3316668523	PITNEY BOWES GLOBAL FINANCIAL OPERATING SUPPLIES- SUPPORT SERVICE	12/01/2022	164.55
Total for Check Number 46926:				164.55
46927	UB*00306	TONY POPE Refund Check Refund Check Refund Check	12/01/2022	63.49 3.73 48.54
Total for Check Number 46927:				115.76
46928	1159 28877516 28877516	QUILL CORPORATION OPERATING SUPPLIES- POLICE OPERATING SUPPLIES- COURT	12/01/2022	131.89 19.99

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46928:				151.88
46929	1283	CITY OF ROSEBURG	12/01/2022	
	Dec2022	TRAVEL EXPENSE	Judge Services	75.00
	Dec2022	CONTRACTUAL SVCS-COURT	Judge Services	1,175.00
Total for Check Number 46929:				1,250.00
46930	0311	JEREMIAH SINCLAIR	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		30.00
Total for Check Number 46930:				30.00
46931	8967	ANTONIO SMITH	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		35.00
Total for Check Number 46931:				35.00
46932	8969	NICHOLAS SMITH	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		600.00
Total for Check Number 46932:				600.00
46933	1220	U S NATIONAL BANK	12/01/2022	
		PR Batch 00002.11.2022 Police Union Dues	PR Batch 00002.11.2022 Poli	200.00
		PR Batch 00003.11.2022 Police Union Dues	PR Batch 00003.11.2022 Poli	50.00
Total for Check Number 46933:				250.00
46934	1200	UMPQUA RESEARCH COMPANY	12/01/2022	
	M068360	REGULATORY SERVICES- WATER TREATM		96.00
Total for Check Number 46934:				96.00
46935	0205	US CELLULAR	12/01/2022	
	0543449628	CONTRACTUAL SERVICES- SUPPORT SER		52.12
Total for Check Number 46935:				52.12
46936	1648	USA BLUE BOOK	12/01/2022	
	182940	OPERATING SUPPLIES- WATER TREATMEN		53.50
Total for Check Number 46936:				53.50
46937	8965	JOSHUA VAN HECK	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		600.00
Total for Check Number 46937:				600.00
46938	8040	DANIEL WALTON	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		405.00
Total for Check Number 46938:				405.00
46939	4613	STEVEN WRIGHT	12/01/2022	
	2022	CONTRACTUAL SERVICES- FIRE		600.00
Total for Check Number 46939:				600.00
888120122	1195	STANDARD INSURANCE	12/01/2022	
	221601	LIFE INSURANCE - FIRE		264.09
	221601	LIFE INSURANCE - PARKS		13.78

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	221601	LIFE INSURANCE - STREETS		9.20
	221601	LIFE INSURANCE - WATER PLANT		15.36
	221601	LIFE INSURANCE - WATER MT		16.85
	221601	LIFE INSURANCE - WWTP		18.33
	221601	LIFE INSURANCE - SEWER MT		13.78
	221601	LIFE INSURANCE - SUPP SVCS		36.76
	221601	LIFE INSURANCE - PUB BLDGS		4.60
	221601	LIFE INSURANCE - POLICE		81.52
	221601	LIFE INSURANCE - COURT		9.20
Total for Check Number 888120122:				483.47
Total for 12/1/2022:				65,173.62
950113022	050S	UMPQUA BANK-EFTPS (STATE)	12/02/2022	
	950113022	STATE WH TAXES		3,276.86
	950113022	STATE TRANSIT TAXES		52.64
Total for Check Number 950113022:				3,329.50
Total for 12/2/2022:				3,329.50
88812722	8430	SNIDER ENERGY / PACIFIC PRIDE	12/07/2022	
	CL93930	GAS/OIL/ LUBE- POLICE		284.80
	CR95111	GAS/OIL/ LUBE- POLICE		314.71
Total for Check Number 88812722:				599.51
Total for 12/7/2022:				599.51
46941	2398	911 SUPPLY INC	12/09/2022	
	INV-1-27842	Uniform Allowance-PD		83.98
	INV-1-27985	Uniform Allowance-PD		288.92
	INV-1-27986	Uniform Allowance-PD		118.76
Total for Check Number 46941:				491.66
46942	2288	C & K MARKET	12/09/2022	
	Nov 2022	Dog Control-PD		30.99
	Nov 2022	Operating Supplies-WWTP		18.97
	Nov 2022	Dog Control-PD		24.88
Total for Check Number 46942:				74.84
46943	2165	CNA SURETY	12/09/2022	
	65742981	Insurance-CA Bond-SS		350.00
Total for Check Number 46943:				350.00
46944	1597	DAY OR NIGHT ELECTRIC	12/09/2022	
	11206	Equip Maint & Repair-SM		584.00
Total for Check Number 46944:				584.00
46945	7755	DOUGLAS AUTO PARTS	12/09/2022	
	ID-270832	Veh Maint & Repair-Fire		165.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46945:				165.00
46946	1940 DCSO-2023-01-FD	DOUGLAS CO SHERIFF'S OFFICE Contractual Services-Dispatch-FD	12/09/2022	5,500.00
Total for Check Number 46946:				5,500.00
46947	1422 621	DOUGLAS COUNTY MAIL Contractual Services-SS	12/09/2022	60.00
Total for Check Number 46947:				60.00
46948	8688 1234340 1234340 287200 287200	DOUGLAS FAST NET Telephone-WWTP Telephone-WTP Contractual Services-Airport Contractual Services-RV	12/09/2022	317.77 317.77 122.10 112.49
Total for Check Number 46948:				870.13
46949	1583 1137155 1152145 1160044	FERGUSON WATERWORKS #3011 Pipes & Fittings-WM Equip Maint & Repair-WTP Equip Maint & Repair-WTP	12/09/2022	77.39 4,186.02 890.00
Total for Check Number 46949:				5,153.41
46950	8833 12-29230	FRESH AIRE OFFICE FRAGRANCING C Contractual Services-SS	12/09/2022	44.00
Total for Check Number 46950:				44.00
46951	8523 Reimb AG Mkt	Matthew Hald Misc-SS	12/09/2022	59.00
Total for Check Number 46951:				59.00
46952	5701 5701 5701 5701 5701 5701	HAYS OIL COMPANY Gas/Oil/Lube-Fire Gas/Oil/Lube-WWTP Travel Expenses-P/W Travel Expenses-SS Travel Expenses-Parks	12/09/2022	325.96 48.44 408.87 50.83 156.31
Total for Check Number 46952:				990.41
46953	2015 3118890345	IDEXX LABORATORIES, INC Operating Supplies-WWTP	12/09/2022	532.38
Total for Check Number 46953:				532.38
46954	2273 20835 20835 20835 20835 20835	LOWE'S BUSINESS ACCOUNT Operating Supplies-Parks Bldg & Grounds Maint-PB Bldg & Grounds Maint-PB Operating Supplies-Streets Tools-Parks	12/09/2022	26.58 18.97 427.63 227.88 18.98
Total for Check Number 46954:				720.04
46955	1407	M C VOLUNTEER FIRE DEPT	12/09/2022	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	C & K Nov 2022	Operating Supplies-Fire		22.99
	Sherms Nov 2022	Operating Supplies-Fire		230.33
	UCC CPR Instruc	Membership & Training-Fire		346.00
Total for Check Number 46955:				599.32
46956	1089	NAPA AUTO PARTS	12/09/2022	
	104222	Equip Maint & Repair-Parks		18.04
	104951	Operating Supplies-PW		45.26
	104968	Equip Maint & Repair-PW		4.20
	105120	Equip Maint & Repair-Parks		7.97
	105121	Equip Maint & Repair-Parks		39.99
	105145	Equip Maint & Repair-Parks		12.99
Total for Check Number 46956:				128.45
46957	2716	OCCU HEALTH	12/09/2022	
	18067	Contractual Services-WTP		35.00
Total for Check Number 46957:				35.00
46958	1833	ONE CALL CONCEPTS, INC	12/09/2022	
	2110433	Contractual Service-SM		18.90
Total for Check Number 46958:				18.90
46959	2854	OR DEPT OF CONSUMER & BUSINESS	12/09/2022	
	730003008658	Bldg & Grounds Maint-Pool-Boiler Permit		44.80
Total for Check Number 46959:				44.80
46960	2775	OREGON CORRECTIONS ENTERPRISE	12/09/2022	
	0157256-IN	Street Signs-Streets		90.00
Total for Check Number 46960:				90.00
46961	1251	OREGON LINEN	12/09/2022	
	Nov 2022	Operating Supplies-PB		71.91
	Nov 2022	Operating Supplies-PD		272.57
	Nov 2022	Contractual Services-WWTP		19.18
	Nov 2022	Operating Supplies-Fire		49.68
Total for Check Number 46961:				413.34
46962	1159	QUILL CORPORATION	12/09/2022	
	29383332	Operating Supplies-SS		129.74
Total for Check Number 46962:				129.74
46963	7978	RAFILSON & ASSOCIATES, LLC	12/09/2022	
	1201	Testing & Recruitment-PD		1,200.00
Total for Check Number 46963:				1,200.00
46964	1175	SHIRTCLIFF OIL COMPANY	12/09/2022	
	356956	GAS - PARKS		284.00
	356956	GAS - PUBLIC WORKS		211.00
	356956	GAS - AIRPORT		48.00
	356956	GAS - FIRE		93.00
	356956	GAS - RV		80.00
Total for Check Number 46964:				716.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
46965	1341	SOUTH UMPQUA DISPOSAL	12/09/2022	
	November 2022	Operating Supplies-PW		126.00
	November 2022	Bldg & Grounds Maint-CC		100.60
	November 2022	Bldg & Grounds Maint-Fire		100.60
	November 2022	Contractual Services-WWTP		166.75
	November 2022	Operating Supplies-WTP		126.00
	November 2022	Bldg & Grounds Maint-Airport		41.10
	November 2022	Operating Supplies-RV		338.50
	November 2022	Operating Supplies-PB		131.10
Total for Check Number 46965:				1,130.65
46966	2305	SPRINGBROOK HOLDING COMPANY I	12/09/2022	
	INV-011264	OPERATING SUPPLIES - STREETS	Online Bill Pay	23.79
	INV-011264	OPERATING SUPPLIES - WATER MT	Online Bill Pay	333.06
	INV-011264	OPERATING SUPPLIES - SEWER MT	Online Bill Pay	436.15
Total for Check Number 46966:				793.00
46967	8832	SYSTECH	12/09/2022	
	5460	Contractual Services-SS		1,104.50
	5460	Contractual Services-WWTP		124.50
	5460	Contractual Services-RV		50.00
	5460	Contractual Services-WTP		124.50
Total for Check Number 46967:				1,403.50
46968	4622	TAG The Automation Group, Inc.	12/09/2022	
	W12454	Equip Maint & Repair-WWTP		3,073.45
Total for Check Number 46968:				3,073.45
46969	1200	UMPQUA RESEARCH COMPANY	12/09/2022	
	M068428	Regulatory Services-WWTP		148.50
Total for Check Number 46969:				148.50
46970	3948	UNITED RENTALS (NORTH AMERICA)	12/09/2022	
	213667979-001	ARP-Scissor Lift		12,000.00
Total for Check Number 46970:				12,000.00
46971	7979	US BANK EQUIPMENT FINANCE	12/09/2022	
	487637571	Contractual Services-Fire		69.25
	487637571	Contractual Services-SS		207.72
Total for Check Number 46971:				276.97
46972	1205	VALLEY TIRE CENTER POINT S	12/09/2022	
	87809	ARP-Parks Veh		915.92
	87915	Veh Maint & Repair-PW		109.95
Total for Check Number 46972:				1,025.87
46973	4532	XYLEM WATER SOLUTIONS USA INC,	12/09/2022	
	3556C50711	Equip Maint & Repair-WTP		7,948.42
Total for Check Number 46973:				7,948.42
Total for 12/9/2022:				46,770.78

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
999113022	1224	OREGON PERS	12/12/2022	
	999113022	Employer Amount		8,718.78
	999113022	Pickup Amount		2,921.76
Total for Check Number 999113022:				11,640.54
Total for 12/12/2022:				11,640.54
121522	1832	NATIONWIDE RETIREMENT SOLUTIO	12/15/2022	
	12152022	PR Employee 457B Plan	25992001	1,400.00
Total for Check Number 121522:				1,400.00
941121522	050F	UMPQUA BANK-EFTPS (FED)	12/15/2022	
	941121522	Federal WH Taxes		4,132.69
	941121522	Medicare Taxes		1,520.14
	941121522	FICA Taxes		6,499.98
Total for Check Number 941121522:				12,152.81
950121522	050S	UMPQUA BANK-EFTPS (STATE)	12/15/2022	
	950121522	STATE WH TAXES		3,251.32
	950121522	STATE TRANSIT TAXES		51.15
Total for Check Number 950121522:				3,302.47
999121522	1224	OREGON PERS	12/15/2022	
	999121522	Pickup Amount		3,057.50
	999121522	Employer Amount		9,048.31
Total for Check Number 999121522:				12,105.81
Total for 12/15/2022:				28,961.09
46975	1226	AFLAC INSURANCE	12/16/2022	
		PR Batch 00001.12.2022 AFLAC INS	PR Batch 00001.12.2022 AFL	35.49
		PR Batch 00001.12.2022 AFLAC INS (Pretax)	PR Batch 00001.12.2022 AFL	314.88
Total for Check Number 46975:				350.37
46976	8853	RA OUTDOORS LLC ASPIRA	12/16/2022	
	MYCR1222	CONTRACTUAL SERVICES- RV PARK		99.00
	MYCRBYS1122	CONTRACTUAL SERVICES- RV PARK		175.00
Total for Check Number 46976:				274.00
46977	1097	AT&T MOBILITY	12/16/2022	
	12112022	TELEPHONE- POLICE		380.35
Total for Check Number 46977:				380.35
46978	2137	AVISTA UTILITIES	12/16/2022	
	NOV 2022	GAS HEAT- POOL		17.51
	NOV 2022	GAS HEAT- PUBLIC BUILDINGS		565.02
	NOV 2022	GAS HEAT- PUBLIC WORKS		225.30
	NOV 2022	GAS HEAT- FIRE		489.30
	NOV 2022	GAS HEAT- COMM CENTER		416.49
	NOV 2022	GAS HEAT- SEWER MAINT		167.06
	NOV 2022	GAS HEAT- WASTE WATER TREATMENT PI		1,705.81

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	NOV 2022	GAS HEAT- SEWER MAINT		19.01
			Total for Check Number 46978:	3,605.50
46979	1818	C & S FIRE SAFE SERVICES	12/16/2022	
	12465061	CONTRACTUAL SERVICES- PUBLIC BUIL		194.00
	12465062	EQUIPMENT MAINT AND REPAIR- POLICE		168.50
	12465064	CONTRACTUAL SERVICES- PUBLIC BUIL		58.00
	12465065	CONTRACTUAL SERVICES- PUBLIC BUIL		58.00
	12465067	OPERATING SUPPLIES- SPRINGBROOK		98.25
	12465072	MISC- PUBLIC WORKS		453.00
	12465080	OPERATING SUPPLIES- WASTE WATER TRI		440.00
	12465081	CONTRACTUAL SERVICES- PUBLIC BUIL		99.25
	12465083	CONTRACTUAL SERVICES- PUBLIC BUIL		244.50
			Total for Check Number 46979:	1,813.50
46980	1311	CASCADE COLUMBIA DIST CO	12/16/2022	
	854232	CHEMICAL- WATER TREATMENT PLANT		5,714.79
			Total for Check Number 46980:	5,714.79
46981	1431	CHARTER COMMUNICATIONS	12/16/2022	
	0128070113022	TELEPHONE- FIRE		243.57
	0128070113022	MEMBERSHIP AND TRAINING- FIRE		99.98
			Total for Check Number 46981:	343.55
46982	1507	COOPERS PEST CONTROL	12/16/2022	
	14899	CONTRACTUAL SERVICES- WASTE WATER		396.00
	17356	CONTRACTUAL SERVICES- PUBLIC BUIL		196.00
			Total for Check Number 46982:	592.00
46983	1494	THE DYER PARTNERSHIP ENGINEERS	12/16/2022	
	29442	CONTRACTUAL SERVICES- STREETS		755.00
	29443	CAPITAL OUTLAY- SEWER CONSTRUCTIO		7,825.00
	29444	CAPITAL OUTLAY- WATER CONSTRUCTIO		3,587.50
			Total for Check Number 46983:	12,167.50
46984	1583	FERGUSON WATERWORKS #3011	12/16/2022	
	1154376-1	SYSTEM IMPROVEMENTS- WATER MAINT		4,995.00
			Total for Check Number 46984:	4,995.00
46985	1705	FERRELLGAS	12/16/2022	
	49189207	GAS HEAT- SPRINGBROOK		250.00
			Total for Check Number 46985:	250.00
46986	2073	GOSSELIN CONSTRUCTION	12/16/2022	
	12142022	MISC- STREETS		365.00
			Total for Check Number 46986:	365.00
46987	4529	HRA VEBA TRUST	12/16/2022	
		PR Batch 00001.12.2022 HRA-VEBA Benefit	PR Batch 00001.12.2022 HRA	3,825.00
			Total for Check Number 46987:	3,825.00
46988	4558	I.B.E.W. LOCAL UNION 659	12/16/2022	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
		PR Batch 00001.12.2022 Union Dues	PR Batch 00001.12.2022 Union Dues	263.28
		Total for Check Number 46988:		263.28
46989	2015	IDEXX LABORATORIES, INC	12/16/2022	
	3119240393	EQUIP MAINT AND REPAIR- WASTE WATER		3,287.40
	3119312098	EQUIP MAINT AND REPAIR- WASTE WATER		750.00
		Total for Check Number 46989:		4,037.40
46990	2205	LASKEY-CLIFTON CORPORATION	12/16/2022	
	1	CAPITAL OUTLAY- SEWER CONSTRUCTION		7,410.00
	5966	EQUIP MAINT AND REPAIR- WATER TREATMENT		5,253.82
		Total for Check Number 46990:		12,663.82
46991	4628	LOCAL GOVERNMENT LAW GROUP P	12/16/2022	
	64840	CONTRACTUAL SERVICES- WATER MAINT		377.00
	64840	CONTRACTUAL SERVICES- SEWER MAINT		377.00
	64840	CONTRACTUAL SERVICES- STREETS		377.00
	64840	OPERATING SUPPLIES- PUBLIC WORKS		377.00
		Total for Check Number 46991:		1,508.00
46992	0740	MARY HOISINGTON, LMFT LLC	12/16/2022	
	6177	TESTING AND RECRUITMENT- POLICE		640.00
		Total for Check Number 46992:		640.00
46993	1039	MSK BUILDING SUPPLY	12/16/2022	
	Nov 2022	OPERATING SUPPLIES- WATER TREATMENT		6.58
	Nov 2022	OPERATING SUPPLIES- PUBLIC WORKS		6.90
	Nov 2022	BLDG AND GROUND MAINT- RV PARK		40.46
	Nov 2022	BLDG AND GROUND MAINT- PARKS		78.00
	Nov 2022	GAS/OIL/LUBE- POLICE		2.00
	Nov 2022	BLDG AND GROUNDS MAINT- PUBLIC BUILDING		21.78
	Nov 2022	EQUIP MAINT AND REPAIR- WASTE WATER		21.48
		Total for Check Number 46993:		177.20
46994	1119	MYRTLE CREEK SAW SHOP	12/16/2022	
	339508	OPERATING SUPPLIES- PUBLIC WORKS		56.00
	339584	MEMBERSHIP AND TRAINING- WASTE WATER		88.00
		Total for Check Number 46994:		144.00
46995	2850	OR DEPT OF AGRICULTURE	12/16/2022	
	JW Dec2022	MEMBERSHIP AND TRAINING- PARKS		50.00
		Total for Check Number 46995:		50.00
46996	1140	OR DEPT OF REVENUE	12/16/2022	
	dec2022	COURT ASSESSMENTS- COURTS		1,753.59
		Total for Check Number 46996:		1,753.59
46997	1509	PHOENIX HYDRAULICS & MACHINE	12/16/2022	
	2212058	VEHICLE MAINT AND REPAIR- PUBLIC WORKS		22.71
	2212115	VEHICLE MAINT AND REPAIR- PUBLIC WORKS		111.62
	2212126	VEHICLE MAINT AND REPAIR- PUBLIC WORKS		6.15
		Total for Check Number 46997:		140.48

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
46998	1276 0041110	SUNRISE ENTERPRISES of ROSEBURG CONTRACTUAL SERVICES- SUPPORT SER	12/16/2022	1,203.37
Total for Check Number 46998:				1,203.37
46999	8832 1970	SYSTECH ARPA	12/16/2022	8,415.82
Total for Check Number 46999:				8,415.82
47000	3312 W12489 W12490	The Automation Group EQUIP MAINT AND REPAIR- WATER TREAT EQUIP MAINT AND REPAIR- WATER TREAT	12/16/2022	1,917.50 1,337.65
Total for Check Number 47000:				3,255.15
47001	1237 59788	TINKER'S PUMP SERVICE BLDG AND GROUND MAINT- PARKS	12/16/2022	515.00
Total for Check Number 47001:				515.00
47002	1220	U S NATIONAL BANK PR Batch 00001, 12, 2022 Police Union Dues	12/16/2022 PR Batch 00001, 12, 2022 Poli	200.00
Total for Check Number 47002:				200.00
47003	1200 M068638 M068700	UMPQUA RESEARCH COMPANY REGULATORY SERVICES- WASTE WATER T REGULATORY SERVICES- WASTE WATER T	12/16/2022	2,118.15 929.80
Total for Check Number 47003:				3,047.95
47004	4598 UVT-0	UMPQUA VALLEY TRACTOR ARPA- TRACTOR SUBFRAME	12/16/2022	1,300.00
Total for Check Number 47004:				1,300.00
47005	7979 487637571	US BANK EQUIPMENT FINANCE COPIER EXPENSE- SUPPORT SERVICES	12/16/2022	141.31
Total for Check Number 47005:				141.31
47006	1205 88201	VALLEY TIRE CENTER POINT S EQUIP MAINT AND REPAIR- PARKS	12/16/2022	32.00
Total for Check Number 47006:				32.00
47007	4146 38083 38083 38083	WESTERN SYSTEMS EQUIPMENT- WATER EQUIPMENT- SEWER EQUIPMENT- SEWER	12/16/2022	9,193.27 5,000.00 5,000.00
Total for Check Number 47007:				19,193.27
47008	1687 NOV 2022 NOV 2022 NOV 2022 NOV 2022 NOV 2022	ZIPLY FIBER TELEPHONE- POLICE TELEPHONE- SUPPORT SERVICES TELEPHONE- FIRE TELEPHONE AND FAX- POLICE OPERATING SUPPLIES- SPRINGBROOK WA	12/16/2022	123.97 708.95 7.13 129.16 10.75
Total for Check Number 47008:				979.96

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for 12/16/2022:				94,338.16
122022	2855	BMS TECHNOLOGIES	12/20/2022	
	80023	POSTAGE & ENVELOPES - SEWER MT		449.88
	80023	POSTAGE & ENVELOPES - WATER MT		343.54
	80023	POSTAGE & ENVELOPES - STREETS		24.54
Total for Check Number 122022:				817.96
Total for 12/20/2022:				817.96
47009	4489	BATTERIES PLUS #208	12/23/2022	
	P58139784	EQUIP MAINT AND REPAIR- SEWER MAIN		105.00
Total for Check Number 47009:				105.00
47010	1592	CAMTRONICS	12/23/2022	
	4028	REGULATORY SERVICES- WASTE WATER 1		451.50
Total for Check Number 47010:				451.50
47011	1507	COOPERS PEST CONTROL	12/23/2022	
	17239	BUILDING GROUND AND MAINT- FIRE		444.00
Total for Check Number 47011:				444.00
47012	7980	CTX - Copytronix - A Xerox Company	12/23/2022	
	3134545	COPIER EXPENSE- SUPPORT SERVICES		85.64
	3134545	OPERATING SUPPLIES- FIRE		7.85
Total for Check Number 47012:				93.49
47013	1583	FERGUSON WATERWORKS #3011	12/23/2022	
	1147686	PIPES AND FITTINGS- WATER MAINT		261.16
	1154301-1	MISC- WATER MAINT		24.06
	1154366	SYSTEM IMPROVEMENTS- WATER MAINT		2,350.44
	1164003	EQUIPMENT- WATER TREATMENT PLANT		875.00
	1164040	EQUIP MAINT AND REPAIR- WATER TREAT		490.68
Total for Check Number 47013:				4,001.34
47014	2073	GOSSELIN CONSTRUCTION	12/23/2022	
	121522	CONTRACTUAL SERVICES- WATER MAINT		5,120.00
Total for Check Number 47014:				5,120.00
47015	5701	HAYS OIL COMPANY	12/23/2022	
	CL72623	GAS/OIL/LUBE- FIRE		221.67
	CL72623	GAS/OIL/LUBE- PARKS		329.88
	CL72623	GAS/OIL/LUBE- PUBLIC WORKS		797.36
Total for Check Number 47015:				1,348.91
47016	6590	HOME DEPOT PRO formerly Supply Wor	12/23/2022	
	720668813	OPERATING SUPPLIES- STREETS		81.42
	721366110	OPERATING SUPPLIES- PUBLIC BUILDING		179.19
Total for Check Number 47016:				260.61

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
47017	2233 18571	NEXCom Networks CONTRACTUAL SERVICES- WATER TREAT	12/23/2022	54.50
Total for Check Number 47017:				54.50
47018	1190 2023-313	OREGON FIRE SERVICE MUSEUM MEMBERSHIP AND TRAINING- FIRE	12/23/2022	117.00
Total for Check Number 47018:				117.00
47019	1147 12202022 12202022 12202022 12202022 12202022 12202022 12202022 12202022 12202022 12202022 12202022 12202022 12202022	PACIFIC POWER & LIGHT ELECTRICITY- PUBLIC WORKS ELECTRICITY- POOL ELECTRICITY- FIRE ELECTRICITY- SEWER MAINT ELECTRICITY- LIBRARY ELECTRICITY- PARKS ELECTRICITY- COMMUNITY CENTER ELECTRICITY- SEWER PLANT ELECTRICITY- WATER PLANT ELECTRICITY- SPRINGBROOK ELECTRICITY- AIRPORT ELECTRICITY- STREETS ELECTRICITY- PUBLIC BUILDINGS	12/23/2022	95.40 63.12 858.94 727.18 342.48 1,528.08 113.12 9,303.91 4,821.59 118.08 301.53 1,433.80 470.31
Total for Check Number 47019:				20,177.54
47020	3017 1699374	POLYDYNE, INC SOLIDS HANDLING- WASTE WATER TREAT	12/23/2022	8,474.58
Total for Check Number 47020:				8,474.58
47021	1158 18080 18080 18080	QUALITY FENCE CO EQUIP MAINT AND REPAIR- PUBLIC WORKS EQUIP MAINT AND REPAIR- WATER TREATMENT EQUIP MAINT AND REPAIR- WASTE WATER TREATMENT	12/23/2022	2,361.66 2,361.67 2,361.67
Total for Check Number 47021:				7,085.00
47022	3450 1307	SHARP IMPRESSIONS OPERATING SUPPLIES- SUPPORT SERVICE	12/23/2022	60.00
Total for Check Number 47022:				60.00
47023	3530 9845445028	STAPLES OPERATING SUPPLIES- WASTE WATER TREATMENT	12/23/2022	127.83
Total for Check Number 47023:				127.83
47024	1200 M068711 M068712	UMPQUA RESEARCH COMPANY REGULATORY SERVICES- WATER TREATMENT REGULATORY SERVICES- WATER TREATMENT	12/23/2022	24.00 24.00
Total for Check Number 47024:				48.00
47025	1648 207195 208652 212776	USA BLUE BOOK OPERATING SUPPLIES- WASTE WATER TREATMENT OPERATING SUPPLIES- WATER TREATMENT OPERATING SUPPLIES- WASTE WATER TREATMENT	12/23/2022	78.23 448.85 420.61
Total for Check Number 47025:				947.69

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
47026	4045 9922868728	VERIZON WIRELESS TELEPHONE- PLOICE	12/23/2022	309.41
Total for Check Number 47026:				309.41
Total for 12/23/2022:				49,226.40
888122822	1195	STANDARD INSURANCE	12/28/2022	
	223981	LIFE INSURANCE - PARKS		13.78
	223981	LIFE INSURANCE - FIRE		282.47
	223981	LIFE INSURANCE - PUB BLDGS		4.60
	223981	LIFE INSURANCE - SUPP SVCS		36.76
	223981	LIFE INSURANCE - SEWER MT		13.78
	223981	LIFE INSURANCE - POLICE		81.52
	223981	LIFE INSURANCE - COURT		9.20
	223981	LIFE INSURANCE - WWTP		18.33
	223981	LIFE INSURANCE - WATER MT		16.85
	223981	LIFE INSURANCE - WATER PLANT		15.36
	223981	LIFE INSURANCE - STREETS		9.20
Total for Check Number 888122822:				501.85
888363057	1449	CARD MEMBER SERVICES	12/28/2022	
	12282022	GAS/OIL/LUBE- POLICE		100.00
	12282022	MEMBERSHIP AND TRAINING- SUPPORT SE		199.53
	12282022	OPERATING SUPPLIES- SUPPORT SERVICE		210.22
	12282022	POLICE SEIZURE AND TRAINING- POLICE		-113.70
	12282022	MISC- SUPPORT SERVICES		123.15
	12282022	OPERATING SUPPLIES- PUBLIC BUILDING		270.99
	12282022	TOOLS- PARKS		69.98
	12282022	OPERATING SUPPLIES- PARKS		219.47
	12282022	EQUIP MAINT AND REPAIR- POLICE		63.96
	12282022	MEMBERSHIP AND TRAINING- PARKS		108.00
	12282022	PIPES AND FITTINGS- WATER MAINT		196.22
	12282022	TOOLS AND EQUIPMENT- WATER TREATM		68.90
	12282022	OPERATING SUPPLIES- POLICE		127.97
	12282022	UNIFORM ALLOWANCE- POLICE		287.94
	12282022	COVID ARPA GRANT- SECURITY CAMERA		776.82
	12282022	MEMBERSHIP AND TRAINING- POLICE		576.12
	12282022	EMPLOYEE AWARDS- SUPPORT SERVICES		295.67
	12282022	CITY COUCIL EXPENSE- SUPPORT SERVIC		49.33
Total for Check Number 888363057:				3,630.57
Total for 12/28/2022:				4,132.42
47027	UB*00309	DARLENE CADE & DENNIS ARGO	12/30/2022	
		Refund Check		2.27
		Refund Check		29.46
		Refund Check		38.51
Total for Check Number 47027:				70.24
47028	099W	CITY OF MC - WATER BILLS	12/30/2022	
	Dec 2022	WATER & SEWER - PUB WORKS	871	124.00
	Dec 2022	WATER & SEWER - PUB BLDGS	2, 1	248.00
	Dec 2022	WATER & SEWER - POOL	108	71.05
	Dec 2022	WATER & SEWER - PARKS	PARKS	609.78

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	Dec 2022	WATER & SEWER - FIRE	1135	132.25
	Dec 2022	WATER & SEWER - LIBRARY	502	124.00
	Dec 2022	WATER & SEWER - COMM CTR	77	128.75
	Dec 2022	WATER & SEWER - WWTP	875, 875-001	133.21
Total for Check Number 47028:				1,571.04
47029	1597 11257	DAY OR NIGHT ELECTRIC Equip Maint & Repair-SM	12/30/2022	225.00
Total for Check Number 47029:				225.00
47030	1017 Membership 2023 Membership 2023	DCUCC Membership & Training-SM Membership & Training-WM	12/30/2022	75.00 75.00
Total for Check Number 47030:				150.00
47031	1125 79804	DOLE COALWELL Contractual Services-Court	12/30/2022	3,397.60
Total for Check Number 47031:				3,397.60
47032	1103	EBS TRUST PR Batch 00002.12.2022 Medical/Vision Insuranc PR Batch 00002.12.2022 Dental Premium 5% PR Batch 00002.12.2022 Dental Insurance PR Batch 00002.12.2022 Medical/Vision Premiu	12/30/2022 PR Batch 00002.12.2022 Mec PR Batch 00002.12.2022 Den PR Batch 00002.12.2022 Den PR Batch 00002.12.2022 Mec	29,967.78 119.34 2,269.70 1,577.22
Total for Check Number 47032:				33,934.04
47033	8833 12-29513	FRESH AIRE OFFICE FRAGRANCING C Contractual Services-SS	12/30/2022	44.00
Total for Check Number 47033:				44.00
47034	4558	I.B.E.W. LOCAL UNION 659 PR Batch 00002.12.2022 Union Dues PR Batch 00002.12.2022 Union Dues	12/30/2022 PR Batch 00002.12.2022 Unio PR Batch 00002.12.2022 Unio	228.06 35.22
Total for Check Number 47034:				263.28
47035	UB*00314	KYLE JOHNSON Refund Check Refund Check Refund Check	12/30/2022	5.01 6.32 0.37
Total for Check Number 47035:				11.70
47036	UB*00310	DAVID KING Refund Check Refund Check Refund Check	12/30/2022	40.30 52.69 3.09
Total for Check Number 47036:				96.08
47037	1407 Reimb. Lowes	M C VOLUNTEER FIRE DEPT Vehicle Maint & Repair-Fire	12/30/2022	70.94
Total for Check Number 47037:				70.94
47038	0740	MARY HOISINGTON, LMFT LLC	12/30/2022	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	6184	Testing & Recruitment-Police		640.00
			Total for Check Number 47038:	640.00
47039	7757 Reimbursement	NICHOLAS F. MURTHA Uniform Allowance-Police	12/30/2022	51.59
			Total for Check Number 47039:	51.59
47040	UB*00311	MICHAEL O'SULLIVAN Refund Check Refund Check Refund Check	12/30/2022	68.00 52.00 4.00
			Total for Check Number 47040:	124.00
47041	4434 OR4100550	OHA OREGON HEALTH AUTHORITY Regulatory Services-WTP-Cross Connection An	12/30/2022	200.00
			Total for Check Number 47041:	200.00
47042	2111 119855	OVERHEAD DOOR COMPANY Bldg & Grounds Maint-Fire	12/30/2022	880.00
			Total for Check Number 47042:	880.00
47043	1260 403	PATTON MACHINE SHOP Equip Maint & Repair-WWTP	12/30/2022	830.00
			Total for Check Number 47043:	830.00
47044	1058 3N00032	PLATT ELECTRIC SUPPLY Bldg & Grounds Maint-PB	12/30/2022	22.73
			Total for Check Number 47044:	22.73
47045	UB*00308	PREMIER HOMES Refund Check Refund Check	12/30/2022	114.31 8.81
			Total for Check Number 47045:	123.12
47046	1159 29716754 29732637	QUILL CORPORATION Operating Supplie-SS Operating Supplie-SS	12/30/2022	25.82 36.09
			Total for Check Number 47046:	61.91
47047	UB*00313	CHARLENE RUIZ Refund Check	12/30/2022	125.00
			Total for Check Number 47047:	125.00
47048	1220	U S NATIONAL BANK PR Batch 00002.12.2022 Police Union Dues	12/30/2022 PR Batch 00002.12.2022 Poli	200.00
			Total for Check Number 47048:	200.00
47049	1200 M068938	UMPQUA RESEARCH COMPANY Regulatory Services-WWTP	12/30/2022	148.50
			Total for Check Number 47049:	148.50

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
47050	7979	US BANK EQUIPMENT FINANCE	12/30/2022	
	490022050	Copier Expense-SS		207.72
	490022050	Operating Supplies-Fire		69.25
Total for Check Number 47050:				276.97
47051	8040	DANIEL WALTON	12/30/2022	
		Membership & Training-WM		48.98
Total for Check Number 47051:				48.98
47052	UB*00312	MICHAEL & KRISTINE YOUNG	12/30/2022	
		Refund Check		47.00
		Refund Check		3.62
		Refund Check		61.46
Total for Check Number 47052:				112.08
123022	8430	SNIDER ENERGY / PACIFIC PRIDE	12/30/2022	
	CL96463	GAS/OIL/LUBE- POLICE		332.97
	CL97689	GAS/OIL/LUBE- POLICE		395.07
Total for Check Number 123022:				728.04
12302022	1832	NATIONWIDE RETIREMENT SOLUTIO	12/30/2022	
	25992001	PR Employee 457B Plan	25992001	1,400.00
Total for Check Number 12302022:				1,400.00
941123122	050F	UMPQUA BANK-EFTPS (FED)	12/30/2022	
	941123122	FICA Taxes		6,499.26
	941123122	Federal WH Taxes		3,972.98
	941123122	Medicare Taxes		1,519.98
Total for Check Number 941123122:				11,992.22
Total for 12/30/2022:				57,799.06
950123122	050S	UMPQUA BANK-EFTPS (STATE)	12/31/2022	
	950123122	STATE WH TAXES		3,146.89
	950123122	STATE TRANSIT TAXES		51.13
Total for Check Number 950123122:				3,198.02
Total for 12/31/2022:				3,198.02
Report Total (180 checks):				365,987.06

**CITY OF MYRTLE CREEK
PAYROLL AND CLAIMS
NOVEMBER ~~ 2022**

FUND #	FUND DESCRIPTION	BILLS	P/R	Transfers	TOTAL
100	GENERAL FUND	73,399.44	18,309.02		91,708.46
200	SEWER FUND	31,292.92	29,445.40		60,738.32
210	SEWER CONSTRUCTION	2,027.98			2,027.98
250	WATER FUND	27,876.41	18,773.02		46,649.43
260	WATER CONSTRUCTION	960.00	-		960.00
280	AIRPORT FUND	562.48	-		562.48
300	STREET FUND	5,854.55	9,495.01		15,349.56
430	WWTP REPAY FUND	-	-		-
450	WTP E RES DEBT FUND	307,775.32	-		307,775.32
500	PARK DEVELOPMENT	3,763.68	-		3,763.68
550	RV PARK FUND	1,373.00	-		1,373.00
580	CAPITAL PROJECTS FUND	165,119.00	-		165,119.00
	TOTAL ALL FUNDS	620,004.78	76,022.45	-	696,027.23

Accounts Payable

Checks by Date - Detail by Check Date

User: lhiscocks
Printed: 12/6/2022 8:42 AM



City of Myrtle Creek

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
11072022	8430 CL86245	SNIDER ENERGY / PACIFIC PRIDE gas/oil/lube- police	11/07/2022	425.26
Total for Check Number 11072022:				425.26
Total for 11/7/2022:				425.26
46809	2137	AVISTA UTILITIES	11/08/2022	
	10-22	GAS HEAT- FIRE		28.69
	10-22	GAS HEAT- COMM CENTER		46.07
	10-22	GAS HEAT- POOL		17.51
	10-22	GAS HEAT- PUBLIC BUILDINGS		65.94
	10-22	GAS HEAT- PUBLIC WORKS		35.89
	10-22	GAS HEAT- SEWER MAINT		18.75
	10-22	GAS HEAT- SEWER MAINT		17.51
	10-22	GAS HEAT- WASTE WATER TREATMENT PI		1,347.24
Total for Check Number 46809:				1,577.60
46810	2288	C & K MARKET	11/08/2022	
	1764341	DOG CONTROL- POLICE		35.98
Total for Check Number 46810:				35.98
46811	099W	CITY OF MC - WATER BILLS	11/08/2022	
	OCT2022	WATER & SEWER- FIRE		133.85
	OCT2022	WATER & SEWER- LIBRARY		131.78
	OCT2022	WATER & SEWER-PARKS (EVERGREEN)		159.39
	OCT2022	WATER & SEWER-PARKS (MILLSITE)		31.16
	OCT2022	WATER & SEWER-PARKS (MILLSITE)		129.89
	OCT2022	WATER & SEWER-PARKS (MILLSITE RV PA		149.04
	OCT2022	WATER & SEWER-PARKS (MILLSITE IRRIG		72.40
	OCT2022	WATER & SEWER-PARKS (MEM. GARDEN)		39.88
	OCT2022	WATER & SEWER-PARKS (CREEKSIDE PAR		149.30
	OCT2022	WATER & SEWER-PARKS (POOL IRRIGATIC		70.51
	OCT2022	WATER & SEWER-COMM CENTER		129.36
	OCT2022	WATER & SEWER-POOL		70.52
	OCT2022	WATER & SEWER- PUBLIC BUILDINGS		124.00
	OCT2022	WATER & SEWER- PUBLIC BUILDINGS POI		124.00
	OCT2022	WATER & SEWER- CITY SHOPS		124.00
	OCT2022	WATER & SEWER- SEWER PLANT		60.75
	OCT2022	WATER & SEWER- SEWER PLANT OFFICE		70.59
Total for Check Number 46811:				1,770.42
46812	7980	CTX - Copytronix - A Xerox Company	11/08/2022	
	3021594	COPIER EXPENSE- SUPPORT SERVICES		44.79

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46812:				44.79
46813	1050	DOUGLAS CO TAX COLLECTOR	11/08/2022	
	R121238	CONTRACTUAL SERVICES- WATER MAINT		385.66
	R121238	CONTRACTUAL SERVICES- WASTE WATER		385.65
	R121239	CONTRACTUAL SERVICES- WATER MAINT		493.95
	R121239	CONTRACTUAL SERVICES- WASTE WATER		493.96
	R61488	CONTRACTUAL SERVICES- SEWER MAINT		1,339.29
	R61488	CONTRACTUAL SERVICES- WASTE WATER		1,339.30
	R61509	CONTRACTUAL SERVICES- SEWER MAINT		1,196.44
	R61509	CONTRACTUAL SERVICES- WASTE WATER		1,196.43
	R61887	CONTRACTUAL SERVICES- WASTE WATER		180.18
	R61887	CONTRACTUAL SERVICES- SEWER PLANT		180.18
	R62335	CONTRACTUAL SERVICES- SEWER PLANT		803.53
	R62335	CONTRACTUAL SERVICES- WASTE WATER		803.54
	R62342	CONTRACTUAL SERVICES- SEWER PLANT		732.94
	R62342	CONTRACTUAL SERVICES- WASTE WATER		732.93
	R62349	CONTRACTUAL SERVICES- WASTE WATER		252.95
	R62349	CONTRACTUAL SERVICES- SEWER PLANT		252.95
Total for Check Number 46813:				10,769.88
46814	8688	DOUGLAS FAST NET	11/08/2022	
	OCT2022	TELEPHONE - WTP	1234340	500.00
	OCT2022	TELEPHONE - AIRPORT	287200	249.20
	OCT2022	INTERNET - RV PARK	287200	224.98
	OCT2022	INTERNET - PUBLIC WORKS	1234340	280.61
	OCT2022	TELEPHONE - WWTP	1234340	500.00
Total for Check Number 46814:				1,754.79
46815	1186	FLURY SUPPLY CO, INC	11/08/2022	
	1500	OPERATING SUPPLIES- STREETS		36.00
Total for Check Number 46815:				36.00
46816	8833	FRESH AIRE OFFICE FRAGRANCING C	11/08/2022	
	12-28984	CONTRACTUAL SERVICES- SUPPORT SERV		44.00
Total for Check Number 46816:				44.00
46817	1039	MSK BUILDING SUPPLY	11/08/2022	
	10312022	OPERATING SUPPLIES- PUBLIC WORKS		17.99
	10312022	BUILDING/GROUNDS MAINT- AIRPORT		18.99
	10312022	BUILDING/GROUNDS MAINT- RV PARK		98.09
	10312022	BUILDING/GROUNDS MAINT- PARKS		62.67
	10312022	BUILDING/GROUNDS MAINT- POOL		71.96
	10312022	BUILDING/GROUNDS MAINT- LIBRARY		23.99
	10312022	OPERATING SUPPLIES- POLICE		10.00
	10312022	BLDG & GROUNDS MAINT- PUBLIC BUILD		21.29
	10312022	OPERATING SUPPLIES- STREETS		9.99
	10312022	EQUIP MAINT AND REPAIR- WASTE WATER		1.38
	10312022	BUILDING GROUNDS AND MAINT- FIRE		93.46
Total for Check Number 46817:				429.81
46818	1089	NAPA AUTO PARTS	11/08/2022	
	101825	VEHICLE MAINT AND REPAIR- PUBLIC WORKS		28.98
	101949	VEHICLE MAINT AND REPAIR- PUBLIC WORKS		15.99
	101962	EQUIP MAINT AND REPAIR- WATER TREAT		36.58

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	102860	VEHICLE MAINT AND REPAIR- PUBLIC WC		45.24
			Total for Check Number 46818:	126.79
46819	1253 2008030	THE NEWS REVIEW OPERATING SUPPLIES- SUPPORT SERVICE	11/08/2022	124.85
			Total for Check Number 46819:	124.85
46820	2716 17642 17642	OCCU HEALTH CONTRACTUAL SERVICES- WATER PLANT CONTRACTUAL SERVICES- PUBLIC BUILD	11/08/2022	35.00 110.00
			Total for Check Number 46820:	145.00
46821	4096 23107	OR DEPT OF FORESTRY CONTRACTUAL SERVICES- WATER MAINT	11/08/2022	1,693.28
			Total for Check Number 46821:	1,693.28
46822	1140 Oct 2022	OR DEPT OF REVENUE	11/08/2022	1,200.00
			Total for Check Number 46822:	1,200.00
46823	1251 856829 856847 856848 862442 862458 862460	OREGON LINEN CONTRACTUAL SERVICES- WASTE WATER CONTRACTUAL SERVICES- SUPPORT SERV OPERATING SUPPLIES- POLICE CONTRACTUAL SERVICES- WASTE WATER OPERATING SUPPLIES- FIRE CONTRACTUAL SERVICES- SUPPORT SERV	11/08/2022	9.59 39.15 32.57 9.59 49.68 32.76
			Total for Check Number 46823:	173.34
46824	1159 28615970	QUILL CORPORATION OPERATING SUPPLIES- SUPPORT SERVICE	11/08/2022	51.98
			Total for Check Number 46824:	51.98
46825	1283 MONTHLY MONTHLY	CITY OF ROSEBURG CONTRACTUAL SVCS-COURT TRAVEL EXPENSE	11/08/2022 Judge Services Judge Services	1,175.00 75.00
			Total for Check Number 46825:	1,250.00
46826	3450 1295 1296 1297	SHARP IMPRESSIONS MISC- SUPPORT SERVICES MISC- SUPPORT SERVICES MISC- SUPPORT SERVICES	11/08/2022	216.00 10.00 70.00
			Total for Check Number 46826:	296.00
46827	1175 OCT2022 OCT2022 OCT2022 OCT2022 OCT2022 OCT2022	SHIRTCLIFF OIL COMPANY GAS/OIL/LUBE- FIRE GAS/OIL/LUBE- AIRPORT GAS/OIL/LUBE- WASTE WATER TREATMEN GAS/OIL/LUBE- RV PARK GAS/OIL/LUBE- PUBLIC WORKS GAS/OIL/LUBE- PARKS	11/08/2022	324.00 53.00 136.50 86.90 963.05 703.35
			Total for Check Number 46827:	2,266.80

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
46828	1341	SOUTH UMPQUA DISPOSAL	11/08/2022	
	10312022	BLDG AND GROUNDS MAINT- FIRE		100.60
	10312022	OPERATING SUPPLIES- RV PARK		338.50
	10312022	OPERATING SUPPLIES- CITY SHOPS		126.00
	10312022	OPERATING SUPPLIES- WATER PLANT		126.00
	10312022	OPERATING SUPPLIES- PUBLIC BUILDING		131.10
	10312022	BLDG AND GROUND MAINT- COMMUNIT		100.60
	10312022	BLDG & GROUNDS MAINT- AIRPORT		41.10
	10312022	CONTRACTUAL SERVICES- SEWER TREAT		166.75
Total for Check Number 46828:				1,130.65
46829	1263	SPRINGBROOK NATL USERS GROUP	11/08/2022	
	3717	MEMBERSHIP AND TRAINING- SUPPORT S		100.00
Total for Check Number 46829:				100.00
46830	8832	SYSTECH	11/08/2022	
	4991	CONTRACTUAL SERVICES- WATER MAIN		124.50
	4991	CONTRACTUAL SERVICES- RV PARK		50.00
	4991	CONTRACTUAL SERVICES- SEWER MAIN		124.50
	4991	CONTRACTUAL SERVICES- SUPPORT SER		1,104.50
Total for Check Number 46830:				1,403.50
46831	1200	UMPQUA RESEARCH COMPANY	11/08/2022	
	M067226	REGULATORY SERVICES- WASTE WATER T		594.00
	M068176	REGULATORY SERVICES- WASTE WATER T		53.10
	M068214	REGULATORY SERVICES- WASTE WATER T		53.10
Total for Check Number 46831:				700.20
46832	7979	US BANK EQUIPMENT FINANCE	11/08/2022	
	485263446	EQUIP MAINT AND REPAIR- FIRE		276.97
Total for Check Number 46832:				276.97
46833	1648	USA BLUE BOOK	11/08/2022	
	159650	OPERATING SUPPLIES- WASTE WATER TRI		98.39
Total for Check Number 46833:				98.39
Total for 11/8/2022:				27,501.02
46834	2398	911 SUPPLY INC	11/10/2022	
	1-26999	UNIFORM ALLOWANCE- POLICE		94.00
Total for Check Number 46834:				94.00
46835	1067	ALL ROCK LLC	11/10/2022	
	22021/671514	CAPITAL PROJECTS- RARK DEVELOPMEN		3,300.00
Total for Check Number 46835:				3,300.00
46836	4489	BATTERIES PLUS #208	11/10/2022	
	P56736846	EQUIP MAINT AND REPAIR- PUBLIC WOR		18.99
Total for Check Number 46836:				18.99
46837	1309	BI-MART	11/10/2022	
	874560900	OPERATING SUPPLIES- WASTE WATER TRI		61.94

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46837:				61.94
46838	1369 1215740	CARDINAL SERVICES, INC CONTRACTUAL SERVICES- PARK DEVELC	11/10/2022	154.56
Total for Check Number 46838:				154.56
46839	1431 0128070103022	CHARTER COMMUNICATIONS OPERATING SUPPLIES- FIRE	11/10/2022	343.55
Total for Check Number 46839:				343.55
46840	1125 79501	DOLE COALWELL CONTRACTUAL SERVICES- COURTS	11/10/2022	2,914.00
Total for Check Number 46840:				2,914.00
46841	1583 1154213 1154376	FERGUSON WATERWORKS #3011 PIPES AND FITTINGS- WATER MAINT PIPES AND FITTINGS- WATER MAINT	11/10/2022	1,757.89 4,995.00
Total for Check Number 46841:				6,752.89
46842	5701 CL70492 CL70492 CL70492 CL70492	HAYS OIL COMPANY TRAVEL EXPENCE- SUPPORT SERVICES GAS/OIL/LUBE- PARKS GAS/OIL/LUBE- PUBLIC WORKS GAS/OIL/LUBE- FIRE	11/10/2022	40.33 178.52 230.23 84.90
Total for Check Number 46842:				533.98
46843	6590 714502796 714502796	HOME DEPOT PRO formerly Supply Wor OPERATING SUPPLIES- PUBLIC BUILDING OPERATING SUPPLIES- PARKS	11/10/2022	68.72 68.71
Total for Check Number 46843:				137.43
46844	8565 123642 123642	i-Secure Information Security OPERATING SUPPLIES- POLICE OPERATING SUPPLIES- COURTS	11/10/2022	102.50 102.50
Total for Check Number 46844:				205.00
46845	9122 SEPT2022	BRIAN KELLY CONTRACTUAL SERVICES- WATER TREAT	11/10/2022	500.00
Total for Check Number 46845:				500.00
46846	1119 338026 338253 339273	MYRTLE CREEK SAW SHOP OPERATING SUPPLIES- PARKS OPERATING SUPPLIES- PARKS OPERATING SUPPLIES- PARKS	11/10/2022	8.50 22.00 10.00
Total for Check Number 46846:				40.50
46847	1833 2100433	ONE CALL CONCEPTS, INC CONTRACTUAL SERVICES- WATER MAINT	11/10/2022	42.30
Total for Check Number 46847:				42.30
46848	3450 1301	SHARP IMPRESSIONS MISC- SUPPORT SERVICES	11/10/2022	21.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46848:				21.00
46849	2305	SPRINGBROOK HOLDING COMPANY J	11/10/2022	
	011037	CONTRACTUAL SERVICES- WATER TREAT		390.00
	011037	CONTRACTUAL SERVICES- WATER MAINT		390.00
Total for Check Number 46849:				780.00
46850	1276	SUNRISE ENTERPRISES of ROSEBURG	11/10/2022	
	0041020	CONTRACTUAL SERVICES- PUBLIC BUILD		601.69
	0041020	CONTRACTUAL SERVICES- SUPPORT SERV		601.68
Total for Check Number 46850:				1,203.37
46851	3312	The Automation Group	11/10/2022	
	W12380	EQUIP MAINT AND REPAIR- WASTE WATER		2,017.20
Total for Check Number 46851:				2,017.20
46852	1648	USA BLUE BOOK	11/10/2022	
	167760	EQUIP MAINT AND REPAIR- WASTE WATER		1,618.10
Total for Check Number 46852:				1,618.10
46853	1205	VALLEY TIRE CENTER POINT S	11/10/2022	
	87151	EQUIP MAINT AND REPAIR- PARKS		17.00
Total for Check Number 46853:				17.00
46854	4532	XYLEM WATER SOLUTIONS USA INC,	11/10/2022	
	3556C46730	EQUIP MIAINT AND REPAIR- WATER TREAT		6,451.00
Total for Check Number 46854:				6,451.00
Total for 11/10/2022:				27,206.81
11142022	8430	SNIDER ENERGY / PACIFIC PRIDE	11/14/2022	
	CL87506	gas/oil/lube- police		510.06
Total for Check Number 11142022:				510.06
Total for 11/14/2022:				510.06
218880	1195	STANDARD INSURANCE	11/15/2022	
	218880	LIFE INSURANCE - PUB BLDGS		4.60
	218880	LIFE INSURANCE - COURT		9.20
	218880	LIFE INSURANCE - SEWER MT		13.78
	218880	LIFE INSURANCE - WWTP		18.33
	218880	LIFE INSURANCE - POLICE		81.52
	218880	LIFE INSURANCE - SUPP SVCS		27.57
	218880	LIFE INSURANCE - PARKS		13.78
	218880	LIFE INSURANCE - STREETS		9.20
	218880	LIFE INSURANCE - WATER PLANT		6.17
	218880	LIFE INSURANCE - WATER MT		7.66
	218880	LIFE INSURANCE - FIRE		264.09
Total for Check Number 218880:				455.90

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
11152022	1832	NATIONWIDE RETIREMENT SOLUTIO	11/15/2022	
	11152022	PR Employee 457B Plan	25992001	1,400.00
Total for Check Number 11152022:				1,400.00
941111522	050F	UMPQUA BANK-EFTPS (FED)	11/15/2022	
	941111522	FICA Taxes		6,243.86
	941111522	Medicare Taxes		1,460.26
	941111522	Federal WH Taxes		4,094.32
Total for Check Number 941111522:				11,798.44
950111522	050S	UMPQUA BANK-EFTPS (STATE)	11/15/2022	
	950111522	STATE TRANSIT TAXES		49.09
	950111522	STATE WH TAXES		3,121.47
Total for Check Number 950111522:				3,170.56
999111522	1224	OREGON PERS	11/15/2022	
	999111522	Pickup Amount		2,898.75
	999111522	Employer Amount		8,631.30
Total for Check Number 999111522:				11,530.05
Total for 11/15/2022:				28,354.95
46855	1226	AFLAC INSURANCE	11/18/2022	
		PR Batch 00001.11.2022 AFLAC INS	PR Batch 00001.11.2022 AFL	35.49
		PR Batch 00001.11.2022 AFLAC INS (Pretax)	PR Batch 00001.11.2022 AFL	314.88
Total for Check Number 46855:				350.37
46856	8853	RA OUTDOORS LLC ASPIRA	11/18/2022	
	MYCR 1022	CONTRACTUAL SERVICES- RV PARK		99.00
	MYCR BYS 1022	CONTRACTUAL SERVICES- RV PARK		220.00
Total for Check Number 46856:				319.00
46857	8891	AXON ENTERPRISE, INC.	11/18/2022	
	113509	CONTRACTUAL SERVICES- POLICE		3,156.00
Total for Check Number 46857:				3,156.00
46858	1144	BENTLEY WELDING	11/18/2022	
	65686	EQUIP MAINT AND REPAIR- FIRE		2,513.30
Total for Check Number 46858:				2,513.30
46859	1369	CARDINAL SERVICES, INC	11/18/2022	
	1215069	CONTRACTUAL SERVICES- PARK DEVELC		154.56
	1216218	CONTRACTUAL SERVICES- PARK DEVELC		154.56
Total for Check Number 46859:				309.12
46860	1507	COOPERS PEST CONTROL	11/18/2022	
	16516	BLDG & GROUNDS MAINT- FIRE		48.00
Total for Check Number 46860:				48.00
46861	8898	DOUGLAS CO SOLID WASTE	11/18/2022	
	149152	MISC- PUBLIC WORKS SHOP		16.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	149153	MISC- PUBLIC WORKS SHOP		16.00
			Total for Check Number 46861:	32.00
46862	1583	FERGUSON WATERWORKS #3011	11/18/2022	
	1154301	OPERATING SUPPLIES- PUBLIC WORKS		724.00
	1154303	PIPES AND FITTINGS- WATER MAINT		432.90
	1155825	PIPES & FITTINGS- WATER MAINT		302.04
	1156237	PIPES AND FITTINGS- SEWER MAINT		264.04
			Total for Check Number 46862:	1,722.98
46863	0297	FOLEY ROOFING	11/18/2022	
	NOV2022	CAPITAL BUILDING- CAPITAL PROJECT (R		15,250.00
			Total for Check Number 46863:	15,250.00
46864	4529	HRA VEBA TRUST	11/18/2022	
	Nov 2022	PR Batch 00001.11.2022 HRA-VEBA Benefit	PR Batch 00001.11.2022 HR/	3,675.00
			Total for Check Number 46864:	3,675.00
46865	4558	I.B.E.W. LOCAL UNION 659	11/18/2022	
	11.15.22	PR Batch 00001.11.2022 Union Dues	PR Batch 00001.11.2022 Unic	263.28
			Total for Check Number 46865:	263.28
46866	4628	LOCAL GOVERNMENT LAW GROUP P	11/18/2022	
	64611	CONTRACTUAL SERVICES- WATER MAINT		322.33
	64611	CONTRACTUAL SERVICES LEGAL- POLICI		322.34
	64611	CONTRACTUAL SERVICES- SEWER MAINI		322.33
			Total for Check Number 46866:	967.00
46867	1407	M C VOLUNTEER FIRE DEPT	11/18/2022	
	2389	MEMBERSHIP AND TRAINING- FIRE		20.00
	2390	MEMBERSHIP AND TRAINING- FIRE		81.50
	2391	OPERATING SUPPLIES- FIRE		77.80
			Total for Check Number 46867:	179.30
46868	8686	MISSION COMMUNICATIONS, LLC	11/18/2022	
	1070577	CONTRACTUAL SERVICES-WASTEWATER		928.80
			Total for Check Number 46868:	928.80
46869	1147	PACIFIC POWER & LIGHT	11/18/2022	
	39123421-001 4	ELECTRICITY- POOL		57.01
	39123421-001 4	ELECTRICITY- AIRPORT		200.19
	39123421-001 4	ELECTRICITY- FIRE		625.10
	39123421-001 4	ELECTRICITY- LIBRARY		216.71
	39123421-001 4	ELECTRICITY- PARKS		967.50
	39123421-001 4	ELECTRICITY- PUB BUILDINGS		403.01
	39123421-001 4	ELECTRICITY- PUB WORKS		72.59
	39123421-001 4	ELECTRICITY- SEWER MAINT		2,508.02
	39123421-001 4	ELECTRICITY- SEWER PLANT		7,795.22
	39123421-001 4	ELECTRICITY- WATER PLANT		4,371.20
	39123421-001 4	ELECTRICITY- COMMUNITY CENTER		112.06
	39123421-001 4	ELECTRICITY- STREETLIGHTING		1,400.84
	39123421-001 4	ELECTRICITY- SPRINGBROOK		101.44

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Total for Check Number 46869:				18,830.89
46870	1220 11.15.22	U S NATIONAL BANK PR Batch 00001.11.2022 Police Union Dues	11/18/2022 PR Batch 00001.11.2022 Poli	200.00
Total for Check Number 46870:				200.00
46871	4045 9920488797 9920488798 9920488799 9920488799 9920488799 9920488800	VERIZON WIRELESS TELEPHONE- POLICE TELEPHONE- SUPPORT SERVICES TELEPHONE- PUBLIC WORKS TELEPHONE- WATER PLANT TELEPHONE- PUBLIC WORKS TELEPHONE- FIRE	11/18/2022	309.62 40.01 20.28 20.29 20.28 79.22
Total for Check Number 46871:				489.70
46872	4532 3556C48787	XYLEM WATER SOLUTIONS USA INC, EQUIP MAINT AND REPAIR- WATER TREAT	11/18/2022	2,424.25
Total for Check Number 46872:				2,424.25
46873	1687 0649 0650 3171 5221 5221	ZIPLY FIBER TELEPHONE- FIRE OPERATING SUPPLIES- SPRINGBROOK TELEPHONE- SUPPORT SERVICES TELEPHONE- POLICE TELEPHONE- POLICE	11/18/2022	7.13 10.75 708.49 123.97 129.16
Total for Check Number 46873:				979.50
Total for 11/18/2022:				52,638.49
79621	2855 79621 79621 79621	BMS TECHNOLOGIES POSTAGE & ENVELOPES - STREETS POSTAGE & ENVELOPES - WATER MT POSTAGE & ENVELOPES - SEWER MT	11/20/2022	24.58 344.10 450.60
Total for Check Number 79621:				819.28
Total for 11/20/2022:				819.28
112222	8430 CL88879 CL92576	SNIDER ENERGY / PACIFIC PRIDE GAS/OIL/LUBE- POLICE GAS/OIL/LUBE- POLICE	11/22/2022	482.77 403.63
Total for Check Number 112222:				886.40
11222022	1449 11222022 11222022 11222022 11222022 11222022 11222022 11222022 11222022 11222022	CARD MEMBER SERVICES OPERATING SUPPLIES- POLICE BLDG AND GROUNDS MAINT- PARKS OPERATING SUPPLIES- COURT OPERATING SUPPLIES- WATER TREATMEN EQUIPT MAINT AND REPAIR- WATER TRE/ MEMBERSHIP AND TRAINING- WATER TRI OPERATING SUPPLIES- SEWER MAINT POLICE SEIZURE- EQUIP- POLICE BLDG AND GROUNDS MAINT- POOL	11/22/2022	46.82 70.96 107.68 14.99 110.22 335.00 23.25 765.89 1,049.48

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	11222022	TOOLS- PARKS		97.16
	11222022	MEMBERSHIP AND TRAINING- PARKS		58.00
	11222022	BLDG AND GROUND MAINT- PUBLIC BUI		392.25
	11222022	CITY COUCIL EXPENSE- SUPPORT SERVIC		22.99
	11222022	MISC- SUPPORT SERVICES		366.78
	11222022	ECONOMIC DEVELOPMENT- SUPPORT SEI		32.91
	11222022	EMPLOYEE AWARDS- SUPPORT SERVICES		110.99
	11222022	MEMBERSHIP AND TRAINING- SUPPORT S		900.00
	11222022	OPERATING SUPPLIES- SUPPORT SERVICE		433.61
	11222022	UNIFORM ALLOWANCE- POLICE		34.13
Total for Check Number 11222022:				4,973.11
Total for 11/22/2022:				5,859.51
46874	2853	BUSINESS OREGON	11/23/2022	
	S08002	WTP CONST DEBT REPAY EAST RESERVOI		80,171.45
	S08002	WTP CONST DEBT REPAY EAST RESERVOI		29,856.48
	S10004	WTP CONSTRUCTION DEBT REPAY INTER		40,458.13
	S10004	WTP CONSTRUCTION DEBT REPAY- WATE		157,289.26
Total for Check Number 46874:				307,775.32
46875	7980	CTX - Copytronix - A Xerox Company	11/23/2022	
	3071688	OPERATING SUPPLIES- FIRE		13.80
	3071688	COPIER EXPENSE- SUPPORT SERVICES		171.99
Total for Check Number 46875:				185.79
46876	4006	DeVecchio Law, LLC	11/23/2022	
	112022	COURT APPOINTED LEGAL FEES- COURTS		6,000.00
Total for Check Number 46876:				6,000.00
46877	1494	THE DYER PARTNERSHIP ENGINEERS	11/23/2022	
	29318	CAPITAL OUTLAY- WATER CONSTRUCTIO		960.00
	29319	CAPITAL OUTLAY- SEWER CONSTRUCTIO		2,027.98
	29320	STREET IMPROVEMENTS- STREETS		4,327.88
Total for Check Number 46877:				7,315.86
46878	1131	GOVERNMENT ETHICS COMMISSION	11/23/2022	
	AIE18154	CITY COUNCIL EXPENSE- SUPPORT SERVI		43.91
Total for Check Number 46878:				43.91
46879	5701	HAYS OIL COMPANY	11/23/2022	
	CL71221	GAS/OIL/LUBE- PUBLIC WORKS		370.58
	CL71221	GAS/OIL/LUBE- PARKS		203.80
	CL71221	GAS/OIL/LUBE- FIRE		301.27
	CL71221	GAS/OIL/LUBE- SEWER		51.63
Total for Check Number 46879:				927.28
46880	1253	THE NEWS REVIEW	11/23/2022	
	2008030	OPERATING SUPPLIES- SUPPORT SERVICE		17.70
Total for Check Number 46880:				17.70
46881	0216	PACWEST MACHINERY	11/23/2022	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	40416134	CAPITAL PROJECTS- EQUIP STREET SWEE		149,869.00
			Total for Check Number 46881:	149,869.00
46882	4000	PITNEY BOWES - Purchase Power	11/23/2022	
	1021794573	OPERATING SUPPLIES- SUPPORT SERVICE		84.99
	7910	OPERATING SUPPLIES- SUPPORT SERVICE		520.99
			Total for Check Number 46882:	605.98
46883	1159	QUILL CORPORATION	11/23/2022	
	27693102	OPERATING SUPPLIES- SUPPORT SERVICE		14.99
	29087080	OPERATING SUPPLIES- SUPPORT SERVICE		152.92
			Total for Check Number 46883:	167.91
46884	3530	STAPLES	11/23/2022	
	4836	OPERATING SUPPLIES- SEWER		343.71
			Total for Check Number 46884:	343.71
46885	1878	WHITNEY EQUIPMENT CO, INC	11/23/2022	
	96438	EQUIPT MAINT AND REPAIR- WATER TRE/		1,386.74
			Total for Check Number 46885:	1,386.74
			Total for 11/23/2022:	474,639.20
11302022	050V	UMPQUA BANK/VISA FEES	11/30/2022	
	112022			844.35
	112022			46.06
	112022			255.53
	112022			644.78
	112022			129.74
	112022			129.74
			Total for Check Number 11302022:	2,050.20
941113022	050F	UMPQUA BANK-EFTPS (FED)	11/30/2022	
	941113022	Medicare Taxes		1,563.44
	941113022	Federal WH Taxes		4,174.81
	941113022	FICA Taxes		6,685.20
			Total for Check Number 941113022:	12,423.45
			Total for 11/30/2022:	14,473.65
			Report Total (89 checks):	632,428.23



INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and City Council
City of Myrtle Creek, Oregon

Report on the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Myrtle Creek as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the City of Myrtle Creek's basic financial statements, as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Myrtle Creek as of June 30, 2022, and the respective changes in financial position and, where applicable, cash flows thereof, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis of Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of City of Myrtle Creek and to meet our other ethical responsibilities relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about City of Myrtle Creek's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

• .

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements. Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Myrtle Creek's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about City of Myrtle Creek's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion on pages 2-9, the schedules of revenues, expenditures, and changes in fund balances – budget and actuals on pages 58-60 and the pension and OPEB schedules on pages 61-65 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context.

We have applied certain limited procedures to the management's discussion and analysis and the pension schedules in accordance with the auditing standards generally accepted in the United States of America, which consisted principally of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The schedules of revenues, expenditures and changes in fund balances – budget and actuals described above on pages 58-60 are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. The schedules of revenues, expenditures and changes in fund balances – budget and actuals have been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedules of revenues, expenditures and changes in fund balances – budget and actuals are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

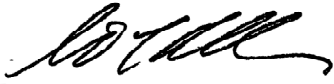
Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Myrtle Creek's basic financial statements. The supplementary information on pages 66-83 is presented for purposes of additional analysis and is not a required part of the basic financial statements of the City of Myrtle Creek.

The supplementary information on pages 66-83 is the responsibility of management and was derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain other procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, other supplementary data is fairly stated in all material respects in relation to the financial statements taken as a whole.

Report on Other Legal and Regulatory Requirements

In accordance with the *Minimum Standards for Audits of Oregon Municipal Corporations*, we have issued our report dated December 28, 2022, on our consideration of the City of Myrtle Creek's compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing and not to provide an opinion on the City's compliance.

A handwritten signature in black ink, appearing to read 'Steve Tuchscherer', written over a horizontal line.

Steve Tuchscherer, CPA
Umpqua Valley Financial LLC
Roseburg, Oregon
December 28, 2022



Community Development Department Monthly Report

January 17, 2023

2022 General Planning Statistics:

30 Planning Clearances

- 4 Fence permits
- 6 Accessory structures
- 8 Remodels
- 4 New home construction
- 4 Solar installation
- 3 Sign permits
- 1 School building

1 Legislative Amendments

Marijuana- Land Use Amendment

1 Subdivision – Neal Ln

3 Minor Variance

Front yard setback

1 Annexation

1 Major Variance

Parking Standards

1 Lot Line Adjustments

1 Land Use Compatibility Statement

Significant Planning Activities:

Derelict Hospital Building

Clean-up has started at the hospital. The public works crew is clearing brush and trash from the site in preparation for the contractor to begin abatement work

of lead and asbestos. Contract was signed in December with the True North Restoration. They plan to be on-site starting the week of January 17th.

Klimback Ln Subdivision

The Klimback Subdivision may have a new owner. I received a call from the current owner in late December stating he is in the final stages of negotiating the sale of the property. The new owner has indicated that they may want to modify the existing approved plan to increase the size of the lots. This would require a modification of the tentatively approved sub-division plan requiring Planning Commission approval.



City of Myrtle Creek

207 NW Pleasant, P.O. Box 940, Myrtle Creek, OR 97457
Phone 541-863-3171, Fax 541-863-6851

FINANCIAL REPORT DECEMBER 2022

2022-2023 Balances as of 012/31/2022 - 50% of Fiscal Year

Comparison - Actual to Budgeted

BUDGETED AMOUNT	FUND	ESTIMATED CARRYOVER	REVENUE	YR TO DATE REVENUES	YR TO DATE EXPENSES	Comparison - Actual to Budgeted	
						Revenue %	Expend %
		Carryover 7/1/2022	Add Revenues	Total Revenue & Carryover	Minus Expenses		
4,160,995	100 GENERAL FUND	1,409,490	1,309,092	2,718,582	1,184,198	65.3%	28.5%
2,064,985	200 SEWER FUND	339,728	782,033	1,121,761	808,036	54.3%	39.1%
2,286,871	210 SEWER CONSTRUCTION	2,094,635	9,973	2,104,608	83,630	92.0%	3.7%
1,852,049	250 WATER FUND	564,484	601,848	1,166,332	636,893	63.0%	34.4%
2,287,672	260 WATER CONSTRUCTION	2,085,158	61,409	2,146,567	4,548	93.8%	0.2%
113,559	280 AIRPORT FUND	85,309	29,292	114,601	7,657	100.9%	6.7%
1,381,809	300 STREET FUND	879,539	280,976	1,160,515	211,111	84.0%	15.3%
45,160	330 STORMWATER FUND	30,060	70	30,130	0	66.7%	0.0%
1,247,600	430 WWTP REPAYMENT	253,967	992,234	1,246,201	1,233,265	99.9%	98.9%
555,190	450 WTP REPAYMENT	246,415	308,359	554,774	307,775	99.9%	55.4%
379,481	500 PARK DEVELOPMENT	333,281	4,929	338,210	87,535	89.1%	23.1%
118,500	550 RV PARK	0	86,205	86,205	7,720	72.7%	6.5%
1,114,672	580 CAPITAL PROJECTS	914,132	2,750	916,882	219,986	82.3%	19.7%
17,608,543	TOTALS	9,236,198	4,469,169	13,705,367	4,792,353	77.8%	27.2%

This chart shows our revenue and expenses for the month of December. This month we have received about half of the current property taxes that are expected. We have also received both the scissor lift and tractor this month.

Lesley Hiscocks, Finance Officer



City of Myrtle Creek

207 NW Pleasant, P.O. Box 940, Myrtle Creek, OR 97457
Phone 541-863-3171, Fax 541-863-6851

FINANCIAL REPORT NOVEMBER 2022

2022-2023 Balances as of 011/30/2022 - 41.65% of Fiscal Year

Comparison - Actual to Budgeted

		Carryover 7/1/2022	Add Revenues	Total Revenue & Carryover	Minus Expenses	% Revenue	% Expend
BUDGETED AMOUNT	FUND	ESTIMATED CARRYOVER	REVENUE	YR TO DATE REVENUES	YR TO DATE EXPENSES	Revenue	Expend
4,160,995	100 GENERAL FUND	1,409,490	763,446	2,172,936	982,064	52.2%	23.6%
2,064,985	200 SEWER FUND	339,728	662,512	1,002,240	732,649	48.5%	35.5%
2,286,871	210 SEWER CONSTRUCTION	2,094,635	9,973	2,104,608	68,395	92.0%	3.0%
1,852,049	250 WATER FUND	564,484	520,497	1,084,981	552,398	58.6%	29.8%
2,287,672	260 WATER CONSTRUCTION	2,085,158	61,409	2,146,567	960	93.8%	0.0%
113,559	280 AIRPORT FUND	85,309	8,405	93,714	7,144	82.5%	6.3%
1,381,809	300 STREET FUND	879,539	250,868	1,130,407	192,555	81.8%	13.9%
45,160	330 STORMWATER FUND	30,060	70	30,130	0	66.7%	0.0%
1,247,600	430 WWTP REPAYMENT	253,967	992,234	1,246,201	1,233,265	99.9%	98.9%
555,190	450 WTP REPAYMENT	246,415	308,359	554,774	307,775	99.9%	55.4%
379,481	500 PARK DEVELOPMENT	333,281	4,929	338,210	87,535	89.1%	23.1%
118,500	550 RV PARK	0	85,021	85,021	6,824	71.7%	5.8%
1,114,672	580 CAPITAL PROJECTS	914,132	2,750	916,882	219,986	82.3%	19.7%
17,608,543	TOTALS	9,236,198	3,670,473	12,906,671	4,391,550	73.3%	24.9%

This chart shows our revenue and expenses for the month of November. This month we have made our yearly payments to the water plant loan and the East Reservoir Construction loan. We have also received and paid for the new street sweeper.

Lesley Hiscocks, Finance Officer



MYRTLE CREEK POLICE

P.O. BOX 940, 215 NW PLEASANT ST., MYRTLE CREEK OR 97457

(541) 863-5222 FAX (541) 863-6690

"Where Nature Is Your Neighbor"

Staff Report December 2022

SHOP WITH A COP

The police department participated in the Shop with a Cop program at the Roseburg Walmart on December 3, 2022. Each child was given a \$100.00 gift card to buy gifts for their family for Christmas. Officers helped the children shop and then helped them wrap the gifts. Each of these children are in foster care or have been in foster care and this is a much more positive interaction with law enforcement than some of them have experienced in the past.

TRUCK LIGHT PARADE

The truck light parade went well this year and was well attended. It appeared there might have been a few less people due to the heavy rain, but for the weather conditions it was a good turnout.

AWARD RECIPIENTS

Former Myrtle Creek Police Officer Matt Kennedy and myself received an award in Bend from the Oregon State Sheriff's Association (OSSA) for our involvement in a critical incident on Weaver Road during May of 2022. Officer Kennedy and myself received the Distinguished Action Award. Three Douglas County Sheriff's Deputies that were involved in the incident received awards as well.

OFFICER UPDATE

Officer Michael Oneslager began attending the basic DPSST Police Academy in Salem at the beginning of December. Officer Oneslager is doing very well at the academy so far.

New Hire

We were finally able to fill the open police officer position and hired Chance Johnson. Chance grew up in the Winston area and then enlisted in the Navy for several years. After his service in the Navy, Chance became a patrol deputy in 2019 for the Klamath County Sheriff's Office. Johnson wanted to move back closer to family and applied with the Myrtle Creek Police

Department. It is very beneficial to the police department to obtain Chance as he will not have to attend the 16-week Police Academy.

CALLS FOR SERVICE

Officers responded to 137 calls for service for the month of December and arrested 25 individuals.

Respectfully submitted,
Chief Jonathan Brewster
Myrtle Creek Police



MYRTLE CREEK POLICE

P.O. BOX 940, 215 NW PLEASANT ST., MYRTLE CREEK OR 97457

(541) 863-5222 FAX (541) 863-6690

"Where Nature Is Your Neighbor"

Department Report November 2022

GUEST SPEAKER

I had the privilege to be a guest speaker at the Veterans Day Ceremony in Canyonville. This may have been the last Veterans Day Ceremony in Canyonville as the veteran's post who sponsors the event does not have enough members to maintain their post. It was an honor to speak at this event and honor all the brave men and women who have served and fought for our freedoms.

GUEST SPEAKER

Detective Taggart was a guest speaker for the Stand Up Presentation that was held at the Roseburg Library. This is in regards to a program that is being taught in Douglas County Schools regarding educating students and staff on Human Trafficking. Detective Taggart represents the Myrtle Creek Police Department well with this program.

TRAINING

Officers from the department participated in their quarterly firearms range. The range was instructed by the Sutherlin Police Department and was an extremely good firearms range that helped build the officers speed and accuracy with their firearms.

Ballistic Vests

The police department received our new ballistic vests and outer carriers. The officers are really enjoying the new vests and carriers and advise the new setup is more comfortable and is helping with back pain.

CALLS FOR SERVICE

Officers from the department responded to a total of 186 primary calls for service for the month of November. Officers also arrested 14 individuals during the month.

Respectfully submitted
Chief Jonathan Brewster
Myrtle Creek Police

2022 MCFD Call Responses

Call Type	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
MVA-Non Injury	4	1	3	1	4	2	2	4	2	9	5		37
MVA - UTL			1		2					1			4
MVA - Injury	3		3	5		3	2	3		4	1	4	28
MVA - Fatal													0
MVA - Cancelled											1		1
Medical Aid	21	16	18	14	15	20	5	16	14	10	6	6	161
Medical Aid - Cancelled	1	2	1	1	1	1	4		2	1	1		15
Public Assist		3			2			2	2	1			10
Public Assist-Lift Assist	19	15	7	12	6	15	18	36	27	25	17	18	215
Public Safety		1	2	6	1	2	2	8	7	1	3	3	36
Unattended Death	1	1							1		1	1	5
Fire/Carb Alarm	4	1					2		1	1		1	10
False Alarm Activation		1						1			1		3
Alarm Testing					2								2
Flue Fire		1	1								1		3
Fire - Vehicle				1		1	1	1	1		1	1	7
Fire													0
Fire - Illegal Burn		3	1	1	3	7	6	3	2	3	2	3	34
Fire - Controlled Burn	2	4	2	1	2	3				4	2	3	23
Fire - UTL	1	2	3	2		3	1	4	2	3	3	2	26
Fire-Nat Cover			1	1	1			2		2			7
Fire - Cancelled		3	1		3				1	1		1	10
Structure Fire	1	2	1	1	1			1	1	1	2	1	12
Structure Fire - Cancelled	1	2	2							1	2	2	10
Structure Fire -Commercial	1	2		1	1		1					3	9
Over Bank Rescue													0
Water Rescue			1										1
Water/Over Bank-Cancelled											1		1
TOTAL	59	60	48	47	44	57	44	81	63	67	49	51	670

Public Works and Parks

December 2022 Activities Report

- Streets
 - 10 Utility Locates
 - Weekly downtown garbage collection
 - New Sweeper was delivered and is now in use
 - Regular street sweeping
 - Hung Christmas Lights Along Main Street
 - Cleared Storm Drains
- Sewer
 - Weekly lift station maintenance
- Water
 - 27 delinquent water turnoffs in December
 - Monthly meter reads
 - 3 service line repair
 - 1st St
 - Johnson St
 - Forest St
- Parks and Public Building Department
 - Monthly park maintenance
 - LED light conversion at fire hall
 - Leaves pickup in parks
 - Jeremy Williams (Parks Employee) obtained his pesticide applicators license
 - Replaced water pump in fountain at Millsite Park
- Water Treatment
 - South Umpqua River Plant produced 15.652 (MG) - 31 days of operation
- Wastewater Treatment
 - Total effluent flow to the South Umpqua River = 34.365 M.G.
 - Total Effluent flow to the M.C. Golf Course = 0 M.G.
 - Myrtle Creek influent flow = 18.166 M.G.
 - Tri-City Influent Flow = 18.263 M.G.
 - Total Effluent = 34.635 M.G.

Myrtle Creek - City Council Agenda Report

Agenda item: Fire Department Equipment Purchase

Meeting Date:	January 17, 2023	Primary Staff Contact:	Manie Pires
Department:	Myrtle Creek Volunteer Fire Department	E-Mail:	
Secondary Dept.:		Secondary Contact:	

Issue before the Council:

Purchase of Monitor/Defibrillator for Myrtle Creek Volunteer Fire Department

Staff Recommendation:

Staff recommends approving the purchase of the Zoll X Series Advanced Monitor/Defibrillator

Background:

The Myrtle Creek Fire Department is in need of a Monitor/Defibrillator to have on hand when responding to medical calls

Related City Policies:

Procurement policy

Fiscal Impact:

\$45,841.06 to be paid from ARPA funds

Council Options:

Council can approve the purchase of the Monitor/Defibrillator
Council can deny the purchase of the Monitor/Defibrillator.

Potential Motion:

I make the motion to approve the City to purchase the Zoll X Series Advanced Monitor/Defibrillator for the Myrtle Creek Volunteer Fire Department in the amount of \$45,841.06

**ZOLL Medical Corporation**

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Quote No: Q-33904 Version: 4

Myrtle Creek Fire Dept
601 Riverside Dr
Myrtle Creek, OR 97457

ZOLL Customer No: 319734

Kaitlyn Lowden
5416203352
mcfmedofficer@gmail.com

Quote No: Q-33904
Version: 4

Issued Date: November 22, 2022
Expiration Date: December 31, 2022

Terms: NET 30 DAYS

FOB: Shipping Point
Freight: Free Freight

Prepared by: Travis Potter
Territory Manager
travis.potter@zoll.com
+1 3602984664

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
1	949804	601-2231111-01	X Series Advanced Monitor/Defibrillator - 12-Lead ECG, Pacing, SpO2, SpCO, EtCO2, BVM, NIBP, CPR Expansion Pack Includes: TBI Dashboard, 4 trace tri-mode display monitor/ defibrillator/ printer, advisory algorithm, advanced communications package (Wi-Fi, Bluetooth, USB cellular modem capable) USB data transfer capable and large 6.5in (16.5cm) diagonal screen. Accessories Included: MFC cable and CPR connector, A/C power cord, One (1) roll printer paper, 6.6 Ah Li-ion battery, Operators Manual, Quick Reference Guide, and One (1)-year EMS warranty. Parameter Details: Real CPR Help - Dashboard display of CPR Depth and Rate for Adult and Pediatric patients, Visual and audio prompts to coach CPR depth (Adult patient only), Release bar to ensure adequate release off the chest, Metronome to coach rate for Adult and Pediatric patients. See-Thru ® CPR artifact filtering • Interpretative 12-Lead ECG (Full 12 ECG lead view with both dynamic and static 12-lead mode display. 12-Lead OneStep ECG cable - includes 4-Lead limb lead cable and removable precordial 6-Lead set) • ZOLL Noninvasive Pacing Technology • Real BVM Help: Dashboard provides real-time ventilation feedback on both volume and rate for intubated and non-intubated patients. AccuVent Cable included. (Accuvent disposable sensors sold separately) • Welch Allyn NIBP with Smartcuff. 10 foot Dual Lumen hose and SureBP Reusable Adult Medium Cuff • Masimo SpO2 & SpCO with Signal Extraction Technology (SET), Rainbow SET® • EtCO2 Oridion Microstream Technology. Microstream tubing set sold separately •	1	\$48,971.00	\$37,841.36	\$37,841.36
2	949804	8900-0400	CPR Stat-padz HVP Multi-Function CPR Electrodes - 8 pair/case	1	\$666.00	\$482.16	\$482.16

**ZOLL Medical Corporation**

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Myrtle Creek Fire Dept
Quote No: Q-33904 Version: 4

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
3	949804	8300-000208	Microstream Advance Adult-Pediatric Intubated CO2 Filter Line, Short Term Use, Box of 25	1	\$303.00	\$233.75	\$233.75
4	949804	8300-000200	Microstream Advance Adult Oral-Nasal CO2 Filter Line With O2 Tubing, Short Term Use, Box of 25	1	\$391.00	\$301.75	\$301.75
5		8000-001128	Accuvent Flow Tube (Box of 10)	1	\$708.00	\$580.56	\$580.56
6	949804	8000-0895	Cuff Kit with Welch Allyn Small Adult, Large Adult and Thigh Cuffs	1	\$173.00	\$133.87	\$133.87
7	949804	8000-001392	Masimo rainbow® RC-4 - 4FT, Reusable EMS Patient Cable	1	\$278.00	\$200.90	\$200.90
8	949804	8000-000371	rainbow® DCI® SpO2/SpCO/SpMet Adult Reusable Sensor with connector (3 ft)	1	\$957.00	\$676.00	\$676.00
9	949804	8000-0580-01	Six hour rechargeable Smart battery	2	\$890.00	\$421.00	\$842.00
10	949804	8200-000100-01	Single Bay Charger for the SurePower and SurePower II batteries	1	\$1,124.00	\$704.50	\$704.50
11	949804	8000-000876-01	Paper, Thermal, w/Grid, BPA Free (Box of 6)	1	\$27.00	\$19.66	\$19.66
12	949804	8707-000502-01	X Series Accessory Carry Case - Printer Chute with Single Zipper	1	\$589.00	\$0.00	\$0.00
13	949804	8900-0810-01	Pedi-padz II Pediatric Multi-Function Electrodes Designed for use with the AED Plus. The AED recognizes when pedi?padz II are connected and automatically proceeds with a pediatric ECG and adjusts energy to pediatric levels. Twenty four (24) month shelf-life. One pair.	2	\$108.00	\$81.79	\$163.58
14	949804	8000-002005-01	Cable Sleeve, Propaq / X Series, ZOLL Blue	1	\$58.00	\$40.91	\$40.91
15	949804	8012-0206	12-lead ECG Simulator	1	\$1,267.00	\$793.96	\$793.96
16	949804	8900-0190	Training CPR Stat-padz Includes one training cable with CPR Sensor, Y Connector for simulator connection, and one pair of replacement training electrodes.	1	\$106.00	\$66.35	\$66.35
17	949804	8300-000676	OneStep Cable, X Series	1	\$506.00	\$348.07	\$348.07
18	949804	8900-000219-01	OneStep Pediatric CPR Electrode (1 pair)	2	\$104.00	\$75.34	\$150.68

**ZOLL Medical Corporation**

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Myrtle Creek Fire Dept
Quote No: Q-33904 Version: 4

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
19		20100000302011010	AED Plus® with Professional Interface (no circle of icons) Includes: LCD screen showing voice prompt messages, device advisory messages, elapsed time, shock count and chest compression bar. Supplied with Public Safety PASS Cover, Softcase, Operator Guide and (5) five year limited warranty.	1	\$2,261.00	\$2,261.00	\$2,261.00

Subtotal: \$45,841.06

Total: \$45,841.06

Contract Reference	Description
949804	Reflects GPO Npp 2020 - Contract No. PS20200 contract pricing. Notwithstanding anything to the contrary herein, the terms and conditions set forth in NPP 2020 - Contract No. PS20200 shall apply to the customer's purchase of the products set forth on this quote.

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to this quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <https://www.zoll.com/about-zoll/invoice-terms-and-conditions> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

1. This Quote expires on December 31, 2022. Pricing is subject to change after this date.
2. Applicable tax, shipping & handling will be added at the time of invoicing.
3. All purchase orders are subject to credit approval before being accepted by ZOLL.
4. To place an order, please forward the purchase order with a copy of this quotation to esales@zoll.com or via fax to 978-421-0015.
5. All discounts from list price are contingent upon payment within the agreed upon terms.
6. Place your future accessory orders online by visiting www.zollwebstore.com.



ZOLL Medical Corporation

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Myrtle Creek Fire Dept
Quote No: Q-33904 Version: 4

Order Information (to be completed by the customer)

☐ Tax Exempt Entity (Tax Exempt Certificate must be provided to ZOLL)

☐ Taxable Entity (Applicable tax will be applied at time of invoice)

BILL TO ADDRESS	SHIP TO ADDRESS
Name/Department:	Name/Department:
Address:	Address:
City / State / Zip Code:	City / State / Zip Code:

Is a Purchase Order (PO) required for the purchase and/or payment of the products listed on this quotation?

☐ Yes PO Number: _____ PO Amount: _____
(A copy of the Purchase Order must be included with this Quote when returned to ZOLL)

☐ No (Please complete the below section when submitting this order)

For organizations that do not require a PO, ZOLL requires written execution of this order. The person signing below represents and warrants that she or he has the authority to bind the party for which he or she is signing to the terms and prices in this quotation.

Myrtle Creek Fire Dept

Authorized Signature:

Name: _____
Title: _____
Date: _____

PHYSIO CONTROL ACLS Defibrillator...



PHYSIO CONTROL ACLS Defibrillator Package: Semi- Auto with Manual Override, Up to 10 sec

Item **454M19**

Mfr. Model **99577-001959**

Web Price ⁱ
\$51,165.14 / each

Qty
1

Add to Cart

☒ Ship

☐ Pickup

Ships from supplier. Expected
to arrive on or before
Fri. Jan 13.

Ship to **97470** | [Change](#)

Shipping Weight **18 lbs**

[Ship Availability Terms](#)

[Add to List](#)

Product Details Catalog Page N/A

Operation Mode **Semi-Automatic with Manual Override**

Energy **Adult (150J, 150J, 200J), Pediatric (50J, 50J, 50J)**

Battery **Lithium**

Waveform / Measurement Stored

All Events and Associated Waveforms are Digitally Stored In The Patient Record As Reports, Which You Can Print, Transmit, or Download to The LIFENETR System, or To Post-Event Review Products Such As CODE-STAT(TM) or DT EXPRESS(TM) Software

CPR Feedback **No**

Charging Time **Up to 10 sec**

Electrodes

Quick-Combo Adult Electrodes, Pak Adult Electrodes, ECG Lifepak Patch, 10/12 Electrodes Non-Invasive Pacing Electrodes, Pediatric Electrodes

Cable Length **48 in; 72 in; 144 in**

Height **12.5 in**

Width **15.8125 in**

Depth **9.125 in**

Information Displayed **Instructions**

Screen Size **8-13/16 in**

Compliance & Restrictions



This item is restricted for
international sale.



This item is manufactured or
supplied by a small, minority,
woman, veteran or
disadvantaged business.

Standards

FCC Port 15 Compliant, AHA,BLS,ALS,ACLS Compliant, ECC Complaint, Vibration
MIL-STD-810E Method 514.4, EMC-EN60601-1-2,2001

Includes

**Lifepak 15, Leads, Operating Manual, (2) Rolls of Printing Paper, Quick-Combo
Electrodes**

Product Type **ACLS Defibrillator Package**

UNSPSC **42172101**

Country of Origin **USA (subject to change)**

PHYSIO CONTROL ACLS Defibrillator...



PHYSIO CONTROL ACLS Defibrillator Package: Semi- Auto with Manual Override, Up to 10 sec

Item **454M23**

Mfr. Model **99577-001588**

Web Price ⁱ
\$73,404.04 / each

Qty
1

Add to Cart

☒ Ship

☐ Pickup

Ships from supplier. Expected
to arrive on or before
Fri. Jan 13.

Ship to **97470** | [Change](#)

Shipping Weight **18 lbs**

[Ship Availability Terms](#)

[Add to List](#)

Product Details Catalog Page N/A

Operation Mode **Semi-Automatic with Manual Override**

Energy **Adult (150J, 150J, 200J), Pediatric (50J, 50J, 50J)**

Battery **Lithium**

Waveform / Measurement Stored

All Events and Associated Waveforms are Digitally Stored In The Patient Record As Reports, Which You Can Print, Transmit, or Download to The LIFENETR System, or To Post-Event Review Products Such As CODE-STAT(TM) or DT EXPRESS(TM) Software

CPR Feedback **No**

Charging Time **Up to 10 sec**

Electrodes

Quick-Combo Adult Electrodes, Pak Adult Electrodes, ECG Lifepak Patch, 10/12 Electrodes Non-Invasive Pacing Electrodes, Pediatric Electrodes

Cable Length **48 in; 72 in; 144 in**

Height **12.5 in**

Width **15.8125 in**

Depth **9.125 in**

Information Displayed **Instructions**

Screen Size **8-13/16 in**

Compliance & Restrictions

This item is restricted for international sale.

This item is manufactured or supplied by a small, minority, woman, veteran or disadvantaged business.

Standards

**FCC Port 15 Compliant, AHA,BLS,ALS,ACLS Compliant, ECC Complaint, Vibration
MIL-STD-810E Method 514.4, EMC-EN60601-1-2,2001**

Includes

**Lifepak 15, Leads, Operating Manual, (2) Rolls of Printing Paper, Quick-Combo
Electrodes**

Product Type **ACLS Defibrillator Package**

UNSPSC **42172101**

Country of Origin **USA (subject to change)**



To convene, network, train, and empower Mayors

October 14, 2022

Oregon Legislature
900 Court Street, NE, H-269
Salem, Oregon 97301

Re: Partnership Needed to Solve Statewide Homelessness Emergency

We write to you as leaders, partners and voters seeking collaboration and action. Cities are facing a crisis as we respond to the emergency of homelessness across Oregon.

Last week at the League of Oregon Cities conference, Mayors came together from across the state to discuss critical policies and programs that impact Oregonians. The number one issue throughout Oregon – in both rural and urban communities, large and small – is homelessness. We know this humanitarian crisis is impacting both the individuals directly experiencing homelessness as well as communities at large.

Many jurisdictions have developed new programs, expanded service efforts, built regional partnerships, and are making substantial investments of local general fund and American Rescue Plan Act (ARPA) funds to respond to the unhoused emergency. Yet, this humanitarian crisis exceeds our individual capacity. While active projects, programs, and partnerships are in place in many cities in Oregon, the state has an opportunity to partner with local governments to build upon these efforts to make an immediate and impactful difference.

Cities cannot be left to solve this statewide crisis by ourselves. No one single approach is effective without a collaborative and coordinated strategy to work together to create the quality of life we all want for everyone who lives in our cities and state. Cities are one part of what must be a statewide approach. We need state leadership to allocate direct funding that is scaled to respond to the gravity of this crisis facing cities statewide.

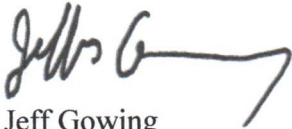
This past May, the Oregon Mayors Association formed a Taskforce on Homelessness. Twenty-five mayors, representing cities of all sizes from around the state, studied Oregon's homelessness crisis. And while the crisis may seem insurmountable, given that the symptoms and solutions look different between urban and rural communities and vary based on a city's size, geography and available service providers, local government leaders have developed a solution to Oregon's crisis of the unhoused.

The solution is that the State of Oregon and its 241 cities must come together in partnership to establish and expand local, community-based responses. Time and time again, local programs, which are community-centered, are the programs that provide immediate shelter, needed services, and secure safety for unhoused Oregonians.

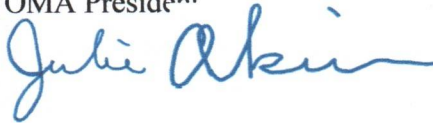
For this crisis to be humanely and timely addressed, the State must partner with cities to fully fund local homelessness response and prevention programs. Fully funding local programs requires direct allocations to each incorporated city in Oregon, totaling \$123,575,800 annually. In addition to direct, annual allocations, coordinated capital construction investments for specific shelter and transitional housing projects, statewide, is also required.

Oregon's mayors are leading the on-the-ground response on homelessness, but we cannot do so alone and need joint leadership from state government to support cities and our county partners. We call on Oregon's next governor and legislature to fund the services and housing needed to make an impact on Oregon's homelessness crisis.

Sincerely,



Jeff Gowing
Mayor of Cottage Grove
OMA President



Julie Akins
Mayor of Ashland



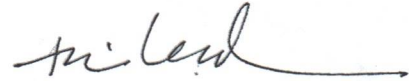
Gena Goodman-Campbell
Mayor of Bend



Beth Wytoski
Mayor of Dayton



Lucy Vinis
Mayor of Eugene



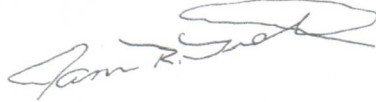
Teri Lenahan
Mayor of North Plains
OMA President Elect



Lacey Beaty
Mayor of Beaverton



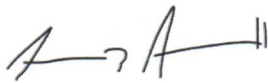
Meadow Martell
Mayor of Cave Junction



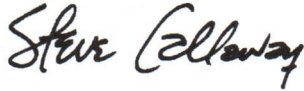
Jim Trett
Mayor of Detroit



Carol MacInnes
Mayor of Fossil



Travis Stovall
Mayor of Gresham



Steve Callaway
Mayor of Hillsboro



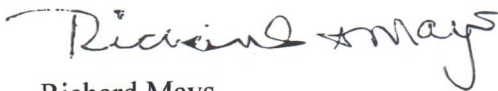
Carol Westfall
Mayor of Klamath Falls



Randy Sparacino
Mayor of Medford



Ted Wheeler
Mayor of Portland



Richard Mays
Mayor of the Dalles



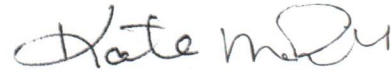
Rod Cross
Mayor of Toledo



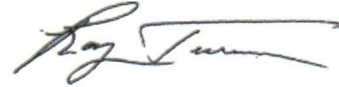
Henry Balensifer III
Mayor of Warrenton



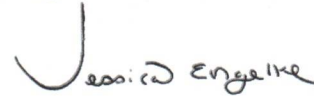
Dave Drotzmann
Mayor of Hermiston



Kate McBride
Mayor of Hood River



Ray Turner
Mayor of Lakeview



Jessica Engelke
Mayor of North Bend



Michael Preedin
Mayor of Sisters



Jason Snider
Mayor of Tigard



Tom Vialpando
Mayor of Vale

cc: Christine Drazen, Gubernatorial Candidate
Betsy Johnson, Gubernatorial Candidate
Tina Kotek, Gubernatorial Candidate

**CITY OF MYRTLE CREEK
OREGON
RESOLUTION 23-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MYRTLE CREEK,
OREGON AUTHORIZING ITS SUPPORT OF THE OREGON MAYORS
ASSOCIATION'S TASKFORCE ON HOMELESSNESS'S PROPOSAL TO PARTNER
WITH THE STATE TO FUND LOCAL HOMELESSNESS RESPONSE AND
PREVENTION PROGRAMS TO ADDRESS OREGON'S CRISIS OF THE UNHOUSED**

Whereas, the Oregon Mayors Association (OMA) created a Taskforce on Homelessness, consisting of 25 mayors from across the state, in May of 2022, to develop a response to homelessness that would help all communities statewide, regardless of size, or location, to address Oregon's crisis of the unhoused; and

Whereas, over the summer and fall of 2022, the OMA Taskforce on Homelessness met regularly to develop its homelessness plan, finalizing the same on October 14, 2022; and

Whereas, the plan proposed by the OMA Taskforce on Homelessness calls for a partnership between the state and Oregon's 241 cities to allow for the establishment and expansion of local, community-based responses that provide immediate shelter, needed services, and secure safety for unhoused Oregonians; and

Whereas, the OMA Taskforce on Homelessness's plan requires the enactment of two separate, yet parallel, budget proposals during the 2023 Legislative Session: (1) a budget package which provides direction allocation to cities for homelessness response and prevention services; and (2) an allocation that provides capital improvement funding for cities; and

Whereas, the budget package proposing a direction allocation to cities for homelessness response and prevention services recommends providing each city with funds in an amount equal to \$40 per resident, in accordance with the latest official population estimates from Portland State University, with no city receiving less than \$50,000 in direct funding, and requires the funds to be used by the city, or a community partner of the city's choice, for homelessness response and prevention services; and

Whereas, the City Council of the City of Myrtle Creek supports the plan proposed by the OMA Taskforce on Homelessness.

NOW, THEREFORE, BE IT RESOLVED that the Myrtle Creek City Council does hereby resolve as follows:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. The City Council hereby authorizes the Mayor and the City of Myrtle Creek to:

- Sign letters of support of the plan proposed by the OMA Taskforce on Homelessness;
- Speak with state legislators, the Governor, the Governor's staff, or other state government officials in support of the plan proposed by the OMA Taskforce on Homelessness; and,
- Provide testimony, either written or verbal, to the Oregon Legislature in support of the plan proposed by the OMA Taskforce on Homelessness.

Section 3. The City Council recognizes and acknowledges that the plan proposed by the OMA Taskforce on Homelessness may be subject to amendment and provided the spirit of the plan (direct allocation of funding to cities and/or capital funds directed to Oregon cities) is maintained, the authorization provided by Section 2 is applicable.

Section 4. This Resolution will take effect upon adoption.

ADOPTED BY THE CITY COUNCIL this 17th day of January 2023.

PASSED AND APPROVED BY THE MAYOR this 17th day of January 2023.

Matthew Hald, Mayor

ATTEST: _____
Joanna Bilbrey
City Recorder

**CITY OF MYRTLE CREEK
OREGON
RESOLUTION 23-03**

A RESOLUTION ADOPTING A COUNCILOR HANDBOOK

Whereas, Ordinance No. 791 established City Council Rules and Procedures; and

Whereas, the need has been found to place those rules and procedures along with other helpful material into a handbook as a useful tool for Councilor; and

Whereas, the Councilor Handbook is presented as Attachment A; and

Whereas, the information provided is to guide and assist City Councilors; and

Whereas, changes to this handbook shall be adopted by Resolution, and changes to the Rules and Procedures set forth by Ordinance No. 791, MCMC 20.01, shall be passed by Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the Myrtle Creek City Council hereby adopts the Councilor Handbook presented as Attachment A. This Resolution shall be effective upon its approval and adoption.

ADOPTED BY THE CITY COUNCIL this 17th day of January 2023.

PASSED AND APPROVED BY THE MAYOR this 17th day of January 2023.

Matthew Hald, Mayor

ATTEST: _____
Joanna Bilbrey
City Recorder



**CITY COUNCIL
MEMBER**

**COUNCILOR
HANDBOOK**

JANUARY, 2023

This handbook is subject to change as policies are amended or modified. The City Recorder and City Administrator's Office does not give legal advice. This handbook is not intended to be legal advice.



Table of Content

Getting Started.....	1
Things to Know Before You Begin	
Vision, Mission and Core Values	
Myrtle Creek's Form of Government	4
Council-Administrator	
Rules of Procedure.....	6
Chapter 1 General Governance	
Chapter 2 Meeting Time, Frequency and Location	
Chapter 3 Ordinances and Resolutions	
Chapter 4 Land Use Hearings	
Chapter 5 Motions, Debate, Voting and Minutes	
Chapter 6 Appointments	
Chapter 7 Ethics, Decorum, Outside Statements	
Chapter 8 Interactions with Staff & City Attorney	
Chapter 9 Censure [and Removal]	
Chapter 10 Amendment and Repeal	
City Council Meetings	32
Understanding Your Role	
Myrtle Creek's Meeting Laws	
Other Types of Meetings	
Parliamentary Procedure	
Department Communication	45
Land Use.....	51
Expense Reimbursements.....	54
Meetings, Conferences and Trainings	
Technology Use	55
iPad/Technology Policy	
Communications & Marketing.....	56
Community Engagement	

Social Media Policy for Elected Officials
News Media Resources
Responding to Potential Litigation

Oregon Government Ethics Laws	60
Oregon Ethics Laws Guide for Public Officials	

Appendix A: Local Government Basics.....	63
(10 Essentials for City Officials)	
Published by the League of Oregon Cities	

Appendix B: Budgeting Basics	87
Published by the League of Oregon Cities	

Appendix C: Administrative Regulation.....	95
Harassment and Non-Discrimination – Administrative Regulation	
Violence Free Workplace - Administrative Regulation	
Travel and Training Expenses	



Getting Started

Things to Know Before You Begin

Council Mailboxes: Each Council Member has a box located at City Hall. Staff will place items received, mail, or additional material required for meetings in your box on a regular basis. Please check your box at least once a week to ensure you are up-to-date.

Name Tag: A name tag is provided for your use at City events outside of City meetings.

Photo: The City Administrator's Office will work with you to schedule an appointment to have your photo taken. The photo will be placed in the City Hall lobby and used for promotional materials.

Bio: A bio is needed for our website. If you have one prepared, please provide it to the City Administrator's Office. Otherwise, our office can assist you in drafting your bio.

Training: The League of Oregon Cities offers free training for new Council Members on their website at www.orcities.org. See the Policies section of this handbook for more information on training and travel expenses.

Meeting Schedule: The City Recorder will issue a meeting schedule the last Friday of the month. The meeting schedule outlines all Council meetings, and other meetings that are upcoming in the month. Be aware that meetings can be added or changed on a regular basis.

Meetings: Council meetings are generally held in the Council Chambers located at City Hall.

Chambers Seating: Seating at the dais is set by the Council President and could change each year.

Recordings: Meetings are recorded so be aware that voices may be recorded. Anything said during that time will be recorded and available for the public when uploaded to the website. They are uploaded to the City's website within a week.

Agendas: Council meeting and work session agendas will be available no later than the Friday before the meeting is held. Agendas will be accessible in the Dropbox account that will be on your iPad.

If documentation is submitted after the agenda is prepared, it will be added to drop box or placed on the dais.

Notebooks: Each Council Member will be provided a notebook to take notes during council meetings and work sessions. Please leave your notebook on the dais at the end of each meeting.

iPads: You will receive an iPad to use for accessing your meeting agendas and documents. iPads are property of the City and activities on the iPads are subject to public records requests. See iPad/Technology Policy and Public Records Law in this handbook.



Myrtle Creek Vision, Mission, and Guiding Principles

VISION

Create a unified community working together bridging past, present and future.

MISSION STATEMENT

The City of Myrtle Creek is committed to promoting the highest quality of life for all residents of the community by providing leadership, administration and services reflecting the pride and values of the City.

GUIDING PRINCIPLES

The City of Myrtle Creek has a set of principles to help steer us in the right direction and serve as touchstones for our decision-making. The following basic values guide all of our actions:

Integrity

The City of Myrtle Creek maintains an organization reputation for openness, honesty, and integrity. Our actions and decision flow from these guiding principles.

Customer Service

We are committed to providing services to our Citizens in a professional, timely and courteous manner.

Compassion

Our community cares about itself by caring for others. Our well-being is the responsibility of the entire community.

Fiscal Responsibility

We are committed to the careful stewardship of our resources including financial as well as physical. In our management of public funds, we constantly strive for the greatest possible efficiency.

Teamwork

We commit ourselves to a continuous civic dialog to build community strength and self-sufficiency.

Excellence

We are committed to continuous improvement and growth through proactive leadership, vision, courage, and professionalism.



Myrtle Creek Form of Government

The City of Myrtle Creek Charter establishes a Council-Manager form of government, which vests policy authority in a volunteer City Council and administrative authority for day-to-day operations in an appointed, professional City Administrator. The Myrtle Creek City Council consists of five Council Members who serve staggered four-year terms. The Mayor is the presiding officer for the Council, is not a member of the Council and serves a four-year term.

Mayor

The Mayor serves as the City's presiding official and Chair of the Council. He or she is elected by the City at large on a nonpartisan ballot for a four-year term of office. The Mayor serves without compensation and is the formal representative of the City.

City Council

The City Council, Myrtle Creek's legislative body, has five members. The Council Members are elected on a nonpartisan ballot for four-year terms and serve without compensation.

The Council sets City goals, enacts legislation, adopts policies and plans, and determines the services the City provides. The Council adopts the City budget, which specifies how much money can be spent for each City service. The Mayor and Council also appoint volunteers to committees to advise the City on a wide range of issues.

The Council elects one officer: one of its members to serve as Council President. The President presides over the Council in the Mayor's absence and often represents the Mayor and Council on special occasions.

City Administrator

Under the Council-Manager form of government, the Council appoints a City Administrator who manages the City's staff and departments. The City Administrator is responsible for the day-to-day operations of the City of Myrtle Creek. The City Administrator hires Department Heads to assist in providing City services and enforcing City ordinances.

Role of the City Administrator

The City Administrator serves as the City of Myrtle Creek's chief executive with responsibility for the administration of the various functions of City government as described in the City Charter and in accordance with legislative policy established by the City Council.

Duties:

Leads by contributing to the vision for the City's future; balances long term strategic needs with the day-to-day operation needs of the City; promotes ethical practices and encourages individual integrity.

Builds an effective management team to plan, direct and coordinate a varied work program;

supervises and delegates responsibility; meets with citizen groups and organizations to address concerns or opportunities; establishes and maintains effective working relationships with the community at large, the City Council, subordinate officials and employees, and public officials of other jurisdictions.

Integrates knowledge of management theory and practice; municipal organization and procedures; and laws, rules and regulations concerning the operation of municipal government into City management. Represents management of the City to appropriate labor organizations and unions.

Identifies opportunities for productivity increases by implementing new processes, organization structure and individual assignments, utilizing technology, reducing or avoiding costs, and enhancing revenue.

Analyzes efficiency and productivity of the workforce; improves the quality of life for the workforce through leadership, support, training and resources; and measures customer satisfaction with quality of work. Increases quality standards incrementally as continuous improvement is sought.

Communicates objectives and results to the work force, elected officials, and the community; and demonstrates that efforts were effective. Provides professional judgment to elected officials in identifying, analyzing and communicating policy issues significant to the community and provision of public services.

Implements processes and projects to fulfill vision, mission and goals as adopted by elected officials; and leads and motivates the work force to accomplish the same.



Rules of Procedure

Authority

It shall, by resolution enacted by two-thirds vote of the whole Council, adopt rules for the government of its members and proceedings.

The Council shall review these rules periodically and not less frequently than every two years at its second meeting in January of odd-numbered years to coincide with the possible election of new Council Members. Amendments to this handbook shall be adopted by Resolution, amendments to MCMC Chapter 2.01 shall be adopted by Ordinance. The Council rules are not intended to replace or supersede any applicable federal or state laws or regulations or provisions of the City Charter.

The Council may by majority vote in an open Council meeting waive any Council rule for a specific situation.



Table of Contents

CHAPTER 1 General Governance	8
CHAPTER 2 Meeting Time, Frequency and Location.....	13
CHAPTER 3 Ordinances and Resolutions.....	15
CHAPTER 4 Land Use Hearings	16
CHAPTER 5 Motions, Debate, Voting and Minutes	20
CHAPTER 6 Appointments.....	23
CHAPTER 7 Ethics, Decorum, Outside Statements	25
CHAPTER 8 Interactions with Staff & City Attorney.....	29
CHAPTER 9 Censure [and Removal].....	30
CHAPTER 10 Amendment and Repeal	31



Chapter 1

General Governance

I. Rules of Procedure

The presiding officer shall conduct all meetings of the Council in accordance with Robert's Rules of Order, Revised ("Robert's Rules"). However, the validity of an act of the Council shall not be affected by failure to observe Robert's Rules of Order. Notwithstanding this provision and the provisions of Myrtle Creek Municipal Code (MCMC) 2.01.070 to Council Meeting proceedings when inconsistent with Robert's Rules.

II. Quorum

- A. A majority of members of the Council shall constitute a quorum necessary for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance.
- B. The Mayor, or in his absence the Council President shall call the meeting to order at the hour designated for the meeting. If a quorum is not present, the City Recorder shall immediately inform the absent members, except those known to be unavoidably detained, that their presence is required to enable the Council to proceed. If the absent member or members do not appear after the notice, the members present shall adjourn until a specific time or until the next regular meeting.
- C. Councilors unable to attend a meeting for pre-planned or unexpected reasons must notify the City Recorder and City Administrator as soon as the member knows they will be absent. In the event of an extended absence of two or more meetings, Councilors shall provide written notice to the Mayor, Council President, and City Administrator. Absence from the City for over 30 days without the Council's consent or from all meetings of the Council within a 60-day period creates a vacancy.

III. Presiding Officer

- A. The Mayor shall be the presiding officer of the City Council but shall not vote upon any question except in case of a tie and the Mayor shall then cast the deciding vote.
- B. At its first meeting of each year, the Council shall elect a President from its membership. In the Mayor's absence from a Council meeting, the President shall preside over it, but shall retain the right to vote on each question. Whenever the Mayor is unable to perform the other functions of the office, the President, shall act as Mayor.

IV. Other Elected and Appointed Officers

- A. The City Administrator and such other officers as the Council designates shall be entitled to sit with the Council but shall have no vote on questions before it. The City Administrator may take part in all Council discussions.
- B. The recorder shall serve ex officio as clerk of the Council, attend all its meetings unless excused therefrom by the Council, keep accurate record of its proceedings, and sign all orders on the treasury.

V. Agendas

- A. The City Administrator or designee shall prepare an agenda of the business to be presented at a regular council meeting. Agenda items should be submitted at the time determined by the City Administrator per Administrative Regulation. Council Members and the Mayor shall endeavor to have subjects they wish considered submitted in time to be placed on the agenda.
- B. Council Officers shall meet, as needed, to discuss items of interest/concern that may require Council action in open meetings or executive sessions and shall advise the City Administrator on the agenda priority of such items.

VI. Order of Business

The order of business at council meetings shall be as follows:

- a. Roll call
- b. Pledge of Allegiance
- c. Public Presentations
- d. Consent Agenda
- e. Department Reports
- f. Regular Agenda
- g. Public Hearings
- h. Ordinances and Resolutions
- i. Citizens Heard on Non-Agenda Items
- j. City Administrator Report
- k. Council Business (including propositions and remarks from the Mayor and Council Members)
- l. Adjournment

The order of business at council meetings is subject to change at the discretion of the presiding officer in accordance with the needs of the Council. Upon motion and second, any change in the order of business by the presiding officer may be overridden or changed by majority vote of Council Members present.

Roll Call

The city recorder shall conduct a roll call to determine which members of the council are present and which are absent.

- A. The attendance shall be properly reflected in the minutes.
- B. If roll call determines that a quorum is not present, the City Recorder shall immediately attempt to inform the absent members, except those known to be unavoidably detained, that their presence is required to enable the Council to proceed. If it is determined that a quorum cannot be obtained within a reasonable period of delay, the meeting shall be adjourned.

Pledge of Allegiance

The Mayor will request all people in attendance to stand for the reciting of the Pledge of Allegiance.

Public Presentations

Reserved for employee recognitions and reports from agencies or other community groups with information relevant to City business.

Citizens Heard on Non-Agenda Items**Public Comment**

- A. A period for public comment will be reserved for every regular meeting of the council. Each period shall not exceed a maximum of 30 minutes unless a majority of councilors present vote to extend the time to continue at the end of Council Business. Public comment shall be limited to items placed on the agenda, other than public hearings, or any other city business issue.
- B. Persons wishing to speak during public comment must complete a “request to speak” form with the person’s name and address and the topic upon which the person wishes to speak, not later than five minutes after the Public Comment has been opened by the Mayor or presiding officer. All remarks shall be addressed to the council as a body and not to any member thereof.
- C. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about any quasi-judicial matter, including land use; to testify on an item that is not a public matter; to testify on a matter which has been or is scheduled to be heard by a hearing’s official; or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.
- D. Speakers are limited to three minutes. Generally, speakers will be called upon in the order in which they have submitted their request to speak form, prioritizing Myrtle Creek residents. Speakers shall identify themselves by their names and by their place of residence. Speakers may state their physical address. The presiding officer may allow additional persons to

speak if they have not signed the speaker's roster and sufficient time is left in the 30-minute period.

- E. Should there be more speakers than can be heard for three minutes each during the period provided for public comment, the presiding officer may shorten the requests to speak in order to afford the greatest opportunity for each topic to be heard.
- F. Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option and shall attempt to limit questions and responses to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.
- G. Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize city-provided audio or visual equipment located in the council chambers as a part of their comment but must provide the materials in a readable format to city staff prior to the meeting so that it may be installed on the city's equipment to avoid a delay or disruption of the meeting.

Written Comment

- A. Unsolicited communications to the Mayor and/or council concerning matters on the agenda, other than public hearings, or any other city business issue shall be provided to the council and be individually itemized in the minutes if received by noon the day of the meeting.
- B. Unsolicited communications to the Mayor and/or council concerning matters that are not clearly identified for inclusion under the agenda item intended for public comment shall be forwarded to the Mayor and/or council but shall not be included in the minutes.
- C. Anonymous and unsigned communications shall not be introduced in Council meetings.
- D. The City Administrator may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the council, and making a recommendation for council action.

Consent Agenda

In order to make more efficient use of meeting time, the City Administrator shall place all items which are routine in nature and concerning which no debate is expected on a "consent calendar." Any item placed on the consent Agenda shall be removed at the request of the Mayor or a Council Member prior to the time a vote is taken on the consent calendar items. All remaining items on the consent Agenda shall be disposed of by a single motion "to adopt the consent agenda," which shall not be debatable. Adoption of the consent agenda shall be by the affirmative vote of all Council Members present at the time the vote is taken and shall have the same effect as a separate vote for each item. If there are dissenting votes, each item on the consent calendar shall be voted upon separately in the usual manner.

Department Reports

Monthly reports from each department about the activities that are occurring within each City

Department. Department Reports consist of Planning, Finance, Police, Fire, and Public Works.

Regular Agenda Items

The City Administrator shall place all items which may require discussion or debate as a Regular Agenda Item. Any item placed on the Regular Agenda shall be discussed and if needed, voted upon separately in the usual manner.

Ordinances and Resolutions – see Chapter 3

Public Hearings

- A. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
- B. Persons wishing to speak shall sign a request to speak form with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
- C. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the city, and may give their address. For land use matters, persons offering comment are required to provide an address for purposes of mailing final decisions. All remarks shall be addressed to the council as a body and not to any member thereof.
- D. For matters that are legislative or administrative and are not quasi-judicial, comments are limited to 3 minutes per individual, group or organization.
- E. For quasi-judicial matters, comments are limited to a total of 30 minutes for applicants and/or their representatives. They may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant, they will also be allowed a total of 30 minutes. All other participants will be limited to 4 minutes.

City Administrator Report

To focus on reporting on progress on Council goals and related work plan, as well as other timely community or City-related announcement and Use Matters – See Chapter 4

Council Business

The Council Liaison shall provide regular updates to the entire Council as to the concerns or issues for a board or commission during a Council meeting, under the Committee Reports and Communications portion of the agenda.

Adjournment

Official closing of the meeting.



Chapter 2

Meeting Time, Frequency, and Location

I. Regular Meetings

- A. Unless the Council sets a different date and time for a particular meeting, the Council shall meet at 5:30 p.m. on the first and third Tuesdays of each month in the Council Chambers. If business is not finished by 9:00 p.m., the Mayor shall adjourn the meeting, unless a majority of the Council Members present vote to continue in session. Unfinished business shall automatically be placed on the next regular Council agenda, unless the Council specifies a different time for consideration of such items. On holidays, the Council shall either vote to cancel the meeting at the preceding meeting or meet on the Tuesday next following the holiday.
- B. In the event Council Chambers is not available for a meeting, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the city.
- C. In the event Council meetings are held virtually due to state restrictions with public gatherings, such as pandemic-related constraints, council shall meet virtually using published operation protocols. No in-person public comments will be heard under the Citizens Heard on Non-Agenda Items agenda Item during the meeting, but in-person comments may be received during public hearings. The City Council encourages written comments. Comments may be submitted by regular mail to City Council, PO Box 940, Myrtle Creek OR 97457 or by email at JBilbrey@myrtlecreek.org. Comments must be received by noon the date of the meeting to be noted in the record.

II. Special Meetings

- A. The Mayor or any two Council Members may call a special meeting of the Council. Notice of a special meeting shall be in such form and delivered or otherwise given in such manner as may be prescribed by the Council's rules of government and state statute.
- B. The rules of procedure for special sessions shall be the same as provided for regular sessions of the council.

III. Executive Sessions

An executive session (meeting closed to the public) may be held in accordance with state law. Care will be taken to ensure that proper and timely notice is made in accordance with statutory requirements. Executive sessions may be held during, or in conjunction with, regular,

special or emergency meetings, so long as appropriate statutory requirements are met.

- A. No formal actions can be taken during an executive session. When the Council reconvenes in open session, formal action may be taken. Only the Council, City Administrator, City Recorder and specific staff members, news media representatives and others specifically invited can attend an executive session.
- B. A major reason for allowing members of the news media to attend executive sessions is to ensure that the issues discussed are proper subjects and actions under the state laws related to executive sessions and to keep them informed concerning the background of deliberations so they have a better understanding of any decisions made as a result of the meeting. Members of the press shall be told that they may not report the substance of an executive session.
- C. Minutes or a recording of executive sessions are required.
- D. Material discussed during an executive session should not be disclosed outside the executive session or other privileged communications.

IV. Notice

The city recorder, or other appropriate City staff, shall provide notice of all meetings in accordance with Oregon's public meeting law and other applicable federal or state laws or regulations.



Chapter 3

Ordinances and Resolutions

I. Ordinances

A. ENACTING CLAUSE. The enacting clause of all ordinances hereafter enacted shall be, the City of Myrtle Creek ordains as follows:

MODE OF ENACTMENT.

- 1) Except as the second and third paragraphs of this section provide to the contrary, every ordinance of the Council shall, before being put on its final passage, be read fully and distinctly in open Council meeting on two different days.
 - 2) If such ordinance has been available for public inspection in the office of the City Recorder not less than three days prior to the meeting, the ordinance, and any amendments thereto, may be enacted at a single meeting of the Council unless there is more than one dissenting vote, upon being read first as in this chapter provided.
 - 3) Any of the readings may be by title only, if no Council Member present at the meeting requests to have the ordinance read in full, or if a complete copy of the ordinance is provided for each Council Member prior to the meeting.
- B. Ordinances and resolutions shall be introduced and passed at regular or special sessions of the council. Before introduction, all proposed ordinances and resolutions shall be delivered to the recorder, who shall endorse on them the Ordinance number assigned to each. The number shall be the consecutive number identifying each ordinance, Resolutions numbered using the year follows by a sequential number beginning each year with the number 01 for the first bill of that year (i.e., 22-01, 22-02, etc.). Proposed ordinances and resolutions shall from the time of numbering be referred to in the minutes or records of the recorder as council bills.

Motions, Debate, and Voting on ordinances and resolutions – See Chapter 5

The recorder shall record all ordinances passed by the council and approved by the Mayor in a book to be kept for that purpose



Chapter 4

Land Use Hearings

I. General Conduct of Hearings.

- A. Any party may speak in person; through an attorney; through an agent authorized in writing; or through a representative, authorized in writing.
- B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the City Recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City Recorder, it shall not be included in the record for the proceeding.
- C. No person may speak more than once without obtaining permission from the presiding officer.
- D. Upon being recognized by the presiding officer, any member of the Council, or the City Administrator, or designee, may question any person who testifies.
- E. Testimony shall be directed toward any standards and criteria applicable to the proposal before the council.
- F. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the City Recorder shall note the numbers of such persons for the record in the minutes.

II. Quasi-Judicial Land Use Matters.

The contents of this section shall govern the conduct of all quasi-judicial public hearings before an advisory body/approving authority. A copy of this section shall be available for public inspection at each quasi-judicial hearing and in the Planning Department. The conduct of public hearings on legislative matters shall be at the discretion of the presiding officer.

- A. Nature of Hearing. All parties with standing shall have an opportunity to be heard, to present and rebut evidence before an impartial tribunal, to have the proceedings recorded, and to have a decision rendered in accordance with the facts on record and the law.
- B. Authority of Presiding Officer. The presiding officer of the advisory body/approving authority shall have authority to:
 - 1) Regulate the course and decorum of the meeting.
 - 2) Dispose of procedural requests and similar matters.
 - 3) Impose reasonable limitations on the number of witnesses heard and set reasonable time limits for oral presentation, questions, and rebuttal testimony.
 - 4) Question any person appearing and allow other members to question any such person.

- 5) Waive, at their discretion, the application of any rule herein where the circumstances of the hearing indicate that it would be expedient and proper to do so, provided that such waiver does not act to prejudice or deny any party their substantial rights as provided herein or otherwise by law.
 - 6) Take such other action as authorized by the approving authority to appropriately conduct the hearing.
- C. Challenge or Reversal of Presiding Officer Ruling. A ruling of the presiding officer may be challenged by any member of that advisory body/approving authority present at the hearing. The challenge must be seconded. A ruling may be reversed by a majority of the members present and voting. A tie vote upholds the presiding officer's decision.
- D. Conduct of Participants. Proceedings shall at all times be orderly and respectful. The presiding officer may refuse to recognize or exclude from the hearing anyone who:
- 1) Is disorderly, abusive, or disruptive;
 - 2) Takes part in or encourages audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive to the hearing;
 - 3) Testifies without first receiving recognition from the presiding officer and stating his full name and residence; and,
 - 4) Presents irrelevant, immaterial, or repetitious evidence.
- E. Order of Procedure. The presiding officer shall conduct the hearing in an orderly fashion, within the guidelines set forth herein. The hearing shall proceed in the following manner:
- 1) Commencement: At the commencement of a hearing under a Comprehensive Plan or land use regulation, a statement shall be made to those in attendance that lists the applicable substantive criteria; states that testimony and evidence must be directed toward the criteria described in this subsection or other criteria in the plan or land use regulation which the person believes to apply to the decision; and states that failure to raise an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal based on that issue.
 - 2) Abstentions, Conflict of Interest and Challenges. All members shall comply with ORS 244.120 and 244.130 regarding actual or potential conflicts of interest. Any member who is disqualified or wishes to abstain from participation in the hearing on a proposal shall identify the reasons for the record and shall not thereafter participate in the discussion as a member or vote on the proposal. Any challenges to the impartiality shall also be decided at this time.
 - 3) Planning Department's Report. The presiding officer shall request that the Planning staff member report on the criteria and standards and the basic factual evidence applicable to the case and indicate the action required to be taken.
 - 4) Applicant's Case. The presiding officer shall allow the applicant or applicant's

representative to present evidence in support of the application. The applicant shall be allowed to produce witnesses on their behalf. Other parties in favor of the proposal shall thereafter be allowed to present their evidence. Applicant may then reserve time for rebuttal. The Planning Director may appear as an applicant on a staff proposal.

- 5) Opponent's Case. The presiding officer shall allow opponents to present evidence in opposition to the proposal. Opponents shall be allowed to produce witnesses on their behalf.
- 6) Staff Summary and Recommendations. The Planning staff person may present any additional evidence, comments and recommendations at the close of the hearing.
- 7) Final Discussion. Upon conclusion of the evidence, members shall be allowed to openly discuss the proposal and further question any party appearing for or against the proposal as necessary.
- 8) Unless there is a continuance, if a participant so requests before the conclusion of the initial evidentiary hearing, the record shall remain open for at least seven days after the hearing. Such an extension shall not be subject to the limitations of ORS 227.178, "120 Day Rule."
- 9) When the advisory body/approving authority re-opens a record to admit new evidence or testimony, any person may raise new issues which relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue.
- 10) The failure of the property owner to receive notice shall not invalidate such proceedings if the city can demonstrate by affidavit that such notice was mailed. The notice provisions shall not restrict the giving of notice by other means, including posting, newspaper publication, radio and television.

F. Standing. A person has the right to appear as a party to a quasi-judicial proceeding if the person:

- 1) received official written notice of the hearing or was entitled to receive such notice, or
- 2) has interests which could be adversely affected by the decision.

III. Legislative Land Use Matters.

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

- 1) Call for abstentions. Inquire whether any member of the council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.
- 2) Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
- 3) Presentation of the Case. For matters that are legislative or administrative and are not quasi-judicial, comments are limited to 4 minutes per individual, group, or organization.

For citizen-initiated code amendments the presiding officer may allow additional time for the applicant(s) to comment.

- 4) Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
- 5) Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.



Chapter 5

Motions, Debate, Voting, and Minutes

I. Motions.

All motions shall be distinctly worded.

A. The following rules shall apply to motions:

- 1) If a motion does not receive a second, it dies.
- 2) The council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
- 3) Any motion can be reduced to writing if requested by a member of the council and approved by the majority.
- 4) A motion to amend can be made to a motion that is on the floor and has been seconded. Only one amendment can be considered at a time. No secondary amendments can be made until the initial amendment has been put to a vote.
- 5) A motion may be withdrawn by the mover at any time with the consent of the second.
- 6) Amendments are voted on first, then the main motion if voted on as amended.
- 7) A call for the question is intended to close the debate on the main motion; requires a second and is not debatable.
 - a) A call for the question fails without a majority vote.
 - b) Debate on the main subject resumes if the motion fails.
- 8) The Mayor breaks a tied Council vote. In the Mayor's absence, a motion that receives a tie vote fails.
- 9) The presiding officer shall repeat the motion in substance prior to a vote.
- 10) A motion to adjourn cannot be amended.

B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

- 1) No motion to reconsider shall be made more than once.
- 2) The motion to reconsider shall be made before the final adjournment of the meeting when the item goes out of possession of the council.

II. Debate.

The following rules shall govern the debate of any item being discussed by the council:

A. Every member desiring to speak shall address the presiding officer, and, upon recognition by

the presiding officer, shall confine themselves to the question under debate, at all times acting and speaking in a respectful manner.

- B. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

III. Voting

- A. Except as otherwise provided, the express concurrence of a majority, but not less than three, of those voting on the question shall be necessary and sufficient to decide any question before the Council.
- B. Only a member who is present shall be permitted to vote when the "ayes" and "nays" on a question are called for. Presence shall be determined by the following:
1. When a member's name is called in the regular order, in the case of a roll call vote; or
 2. In any other case, when the question is put.
- C. The President of the council or a Council Member acting as President pro tem may vote on all questions in all cases in which they might vote if not so acting.
- D. On a motion to adopt an ordinance, or to adopt a resolution authorizing any disposition of public funds, or in the course of special assessment proceedings, there shall be a roll call vote. On all other motions it is sufficient to put the question in the following form: "All in favor say 'aye', opposed 'nay'." If the presiding officer is then uncertain of the votes cast or if a division is called for, the presiding officer shall call for a roll call vote.

[Summary: A roll call vote is only required for a) an ordinance; b) a resolution authorizing disposition of public funds; c) special assessment proceedings; and d) calls for division.]

- E. In order to carry an authorization to expend public funds, a majority and least three members of the council shall vote affirmatively for the proposition.

IV. Minutes.

Minutes shall be prepared with sufficient detail to meet their intended uses. Verbatim minutes are not required.

- A. Council meeting minutes shall contain:
- 1) The name of Council Members present.
 - 2) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
 - 3) The result of any votes, including ayes and nays and the names of the
 - 4) Council Members who voted.

- 5) A brief summary of the substance of the discussion on any matter.
 - 6) Reference to any document discussed at the meeting.
- B. The Council may amend the minutes to more accurately reflect what transpired at a meeting. Upon receipt of the minutes in the Council agenda packet, the Council Members should read them and if possible, submit any changes, additions or corrections to the City Recorder in order that the recording of the meeting can be reviewed and a corrected copy can be prepared prior to the meeting for approval. Under no circumstances shall the minutes be changed following approval by the Council, unless the Council authorizes the change by majority vote.



Chapter 6 Appointments

I. City Staff

- A. The City Administrator shall be chosen by the Council without regard to political considerations and solely with reference to executive and administrative qualifications. The City Administrator shall be appointed for an indefinite term and may be removed at the pleasure of the Council.
- B. The municipal judge shall be appointed with the approval of the Council. The municipal judge is subject to being removed by a two-thirds vote of the whole Council for cause as defined by ordinance in effect prior to the occurrence of the grounds for cause.

II. Boards & Commissions

- A. Except as otherwise provided herein or by ordinance, the council shall appoint the members of committees or commissions of the City.
- B. Myrtle Creek Municipal Code or state law outlines the appointments for the following boards and commissions:
 - 1) ORS 294.414 Budget Committee: Appointed by Mayor and Council
 - 2) 2.10 Parks & Recreation Commission: Appointed by Mayor and Council. Youth: Appointed by Mayor
 - 3) 2.15 and ORS 227 Planning Commission: Appointed by Mayor and Council
 - 4) ORS 294 Urban Renewal Agency Budget Committee: At large members appointed by Mayor and Council.

[Note: Where City Council has, by ordinance, provided that the “Mayor and Council” shall appoint members of the above-named boards and commissions, the Mayor is authorized to vote on those appointments.]

III. Council Vacancies

- A. Vacant elective offices in the City shall be filled by a majority vote of the whole Council.
- B. Before filling a vacancy in an elective office, the Council shall:
 - 1. Cause a notice of the vacancy to be published once a week for two consecutive weeks in the newspaper published in the city that has the largest local circulation. The notice shall indicate the vacant position and state the deadline for submitting a written application for the position, which shall not be less than 30 days after first publication. The City may supplement this notice through other means, including but not limited to

social media or the City's website.

2. Prescribe a form of application to be used by all applicants.
 3. Offer all eligible persons who submitted an application before the deadline an opportunity to appear before the Council for interviews.
- C. No one shall be selected to fill a vacancy in elected office unless that person applied in writing and appeared in person before the Council for interviews. If the Council is not satisfied with the field of applicants, it may repeat the process as many times as it deems necessary. Once an applicant has submitted an application and has been interviewed, it is not necessary to submit a new application or appear for another interview for the same position, unless specifically requested by the Council to do so.
- D. The procedures listed in this section shall not commence until after the Council Member has actually vacated his or her position on Council. As used in this section, "vacancy" refers to an actual vacancy where a Council Member has already ceased his or her role as a Council Member, and not a declared intent to vacate the position in the future.
- E. The procedures for filling the Council vacancy prescribed by this section shall not be temporarily suspended.
- F. The procedures as set forth needs to be completed within 60 days of the vacancy.



Chapter 7

Ethics, Decorum, Outside Statements

I. Ethics

- A. All members of the council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:
 - 1) Disclosing confidential information.
 - 2) Taking action which benefits special interest groups or persons at the expense of the city as a whole.
 - 3) Expressing an opinion contrary to the official position of the council without so saying.
 - 4) Conducting themselves in a manner so as to bring discredit upon the government of the city.
- B. Each Council Member shall be entitled to vote when present at a regular or special meeting of the council, except that a Council Member shall not vote when they have a conflict of interest. A conflict of interest exists if the action to be taken can confer on them a significant economic benefit or impose a significant economic loss not shared by the public generally. If there is such a conflict of interest, the Council Member shall identify it before taking part in any discussion.

II. Decorum

- A. Except by permission of the presiding officer, a Council Member shall address any remarks to the council, and not to the audience. Upon recognition and with permission of the presiding officer, a person in the audience may address the council relative to any matter being considered by the council at that time.
- B. All members shall preserve order and decorum during meetings and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer.
- C. All members shall:
 - 1) confine themselves to questions or issues then under discussion; not engage in personal attacks;
 - 2) not impugn the motives of any speaker;
 - 3) not chastise, denigrate, or criticize anyone;
 - 4) set an example of good ethical conduct; and
 - 5) at all times, while in session or otherwise, conduct themselves in a manner appropriate

to the dignity of their office.

In general, Council Members shall conduct themselves so as to bring credit upon the government of the City by respecting the rule of law, ensuring non-discriminatory delivery of public services and keeping informed concerning the matters coming before the Council. Council Members must abide by all decisions of the Council, whether or not the member voted on the prevailing side. Abiding by decisions of the Council does not preclude a Council Member from advocating for repeal or amendment of the decision.

City Council Ground Rules. Mayor and Council Members shall:

- A. Honor the expertise in the room
- B. Avoid blame, speculation, and inflammatory language
- C. Ensure that all are heard and encourage participation
- D. Acknowledge and respect differences
- E. Agree to disagree
- F. Look for common ground
- G. Come to meetings prepared
- H. Ask questions of staff in advance whenever possible
- I. Active listening – Listen to understand, not to respond
- J. WAIT – Why am I talking? / Why aren't I talking?
- K. Stay on topic
- L. Provide actual direction
- M. Be respectful to all
- N. Follow functional procedural rules Amendments, tabling, vote on items (piece meal)

Staff and Public Conduct:

The rules of conduct for members of city staff and the public shall generally be the same as for the Council. Per Case Law *State v. Seidel*, the presiding officer has the ability to order a member of the public removed for the duration of a public meeting for disrupting the meeting, and have that individual arrested if they refuse to leave the meeting when instructed.

Electronic Communications During Meetings:

"Electronic communications" means email, text messages, virtual meeting chat or other forms of communications transmitted or received by technological means. "Electronic communications devices" means laptop computers, smart phones, cell phones, notebooks, or other similar devices capable of transmitting or receiving messages electronically.

Any electronic communications regarding a quasi-judicial matter to be considered by Council is an ex parte contact and shall be disclosed as required by law.

Virtual Meetings:**Before the meeting:**

- A. Take measures to minimize interruptions and distractions.
- B. If possible, use a room where you can close the door.
- C. Try to isolate yourself from pets, children or others who may be noisy.
- D. Use a location with a neutral background.
- E. Eat before the meeting; eating during the meeting can be distracting to others.
- F. Consider the use of headphones to reduce background noise and avoid feedback.
- G. Review the agenda packet ahead of time. If possible, send any questions to the City Administrator ahead of time so staff can provide requested information in their presentation.
- H. Check your email beforehand to review any public comments that were received.

Public Meeting Reminders:

- A. Virtual meetings are public record.
- B. All rules pertaining to in-person meetings apply to electronic virtual meetings, including quorum, minutes, voting and confidentiality requirements.
- C. All policies relating to in-camera meetings and conflicts of interest apply equally for all participants.
- D. Council's decorum rules apply during virtual meetings.
- E. Any statements made during the meeting are "on the record."

Attending the Meeting:

- A. Arrive on time. Plan to login to the meeting at least 10 minutes prior to the meeting, to ensure you are setup before the meeting starts.
- B. Login using your individual Zoom link sent via email.
- C. The video camera shall be turned on and remain on throughout the majority of the meeting. This helps confirm attendance and quorum requirements if you inadvertently leave the meeting. In the event the camera will be shut off intentionally, inform the presiding officer of your intent and reason.
- D. Verify that your first and last name are displayed at all times.
- E. Remain muted except when speaking to prevent background noise.
- F. Mayor, or his designee, will chair the meeting.
- G. Prevent side conversations during the meeting. They can be distracting and whispers are easily picked up on microphones.
- H. Refrain from using the Chat feature for conversations with other attendees.
 - 1. Chat messages may be broadcast during live meetings.
 - 2. Any conversation held using Chat are considered part of the public record and will be retained.

3. Comments made using Chat may be read aloud to participants and be considered in discussions.
- I. If you arrive after the meeting starts, please use the Chat feature to notify the Recorder when you arrive.
 1. Please notify staff via Chat if you briefly leave and return to an active meeting.
 2. If you are leaving the meeting and will not return, please use the Raise Hand feature to notify participants.
 3. Notifying staff of your arrivals/departures ensures a quorum is present and provides accurate information for the minutes without interrupting the meeting.
- J. Use the Raise Hand feature and wait to be recognized by the Mayor before speaking or making a motion.
- K. At adjournment, Mayor will clearly state the closure and time of meeting for the record.
- L. Recordings are placed on the City's website for public viewing.

III. Outside Statements

A. Representing City.

If a member of the Council, to include the Mayor, appears as a representative of the city before another governmental agency, the media or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the Council.

B. Personal Opinions.

If a member of the Council, to include the Mayor, appears in their personal capacity before another governmental agency, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.



Chapter 8

Interactions with Staff & City Attorney

I. Staff

All members of the council shall respect the separation between the Council's role and the City Administrator's responsibility by:

- A. Not interfering with the day-to-day administration of city business, which is the responsibility of the City Administrator.
- B. Refraining from actions that would undermine the authority of the City Administrator or a department head.
- C. Questions of city staff should be directed to the City Administrator.
- D. Any request, which requires more than one hour of staff time, will need to be approved by the City Administrator.
- E. Questions from individual members of the council requiring significant time or resources (two hours or more) shall normally require approval of the council.
- F. Individual Councilor requests, when acting in their individual capacities rather than as members of the council, for information that constitute a public record under the law should be requested through the appropriate public records request.

II. City Attorney

Requests to the City Attorney for advice requiring extensive legal research shall not be made by an individual Council Member except with the concurrence of the majority of the Council.



Chapter 9

Censure and Removal

I. Censure

To assure the public confidence in the integrity of the City of Myrtle Creek, Council Members are held to a high standard of conduct. For this reason, Council Members believe the Rules are important to the public process. It is recognized there may be times when action is required to correct and/or prevent behavior that violates the Rules.

A Council Member or the Mayor may be censured by the other Council Members for misconduct, nonperformance of duty or failure to obey the laws of the federal, state, or local government. Misconduct includes not honoring the provisions of the Council Rules.

Early recognition of the questioned conduct is encouraged. Progressive counsel may occur with the Council Member but is not required prior to passage of a Council Resolution of Censure by the other Council Members.

A violation of the Rules will not be considered a basis for challenging the validity of any Council decision.

II. Removal

A. No member of the Council shall, in any manner, directly or indirectly, by suggestion or otherwise, attempt to coerce or influence the City Administrator in the making of any appointment or any removal or in the award of any contract within the Administrator's authority or in any disciplinary action against a City employee; nor shall any member of the Council exact any promise relative to any appointment from any candidate for City Administrator or discuss directly or indirectly with any such candidate the matter of appointments to any City office or employments. Any violation of the foregoing provisions of this section shall work a forfeiture of the office of the offending member of the Council who may be removed therefrom by the Council or any court of competent jurisdiction. Nothing contained herein, however, shall be construed as prohibiting the Council, while in open session, from discussion with or suggesting to the City Administrator anything pertaining to City affairs.

B. Absence from the City for over 30 days without first giving notice to the Council or absence from all meetings of the Council within a 60-day period without the express written consent of the council.



Chapter 10

Amendment & Repeal

The Council will review its rules at its second meeting in January of odd- numbered years. Amendments will be made as deemed necessary. The next review will occur in January 2025.

Conclusion of the Adopted Rules of Procedure



City Council Meetings

Understanding Your Role

I. Role of the Mayor

A. The Mayor is the Presiding Officer or Chair of the Council meetings. The duties of the Chair are:

1. Open the meeting on time and call the meeting to order
2. Request a roll call
3. Announce in proper sequence the business on the agenda
4. Recognize members who are entitled to the floor
5. State and put to a vote all legitimate questions that arise during the meeting
6. If a motion is out of order, the Chair should rule it out of order
7. Enforce the rules regarding debate and keep order
8. Expedite business in a way compatible with the rights of the members
9. Decide all questions of order
10. Respond to inquiries of members
11. Declare the meeting adjourned

B. The Mayor represents the City at community functions or other events

II. Role of the Council Members

A. Effective Council Members understand the Council adopted Rules of Procedure as well as parliamentary procedure and abide by them

B. Council Members should address all remarks through the Mayor

C. Council Members should use their parliamentary knowledge in a constructive manner, rather than hindering or obstructing the business of the meeting

D. Council Members should be knowledgeable and familiar with the issues before them so they can participate in the meeting by:

1. Introducing motions;
2. Seconding another Council Member's motion;
3. Debating the issue according to the rules or asking questions of staff regarding issues; and
4. Voting

E. A Council Member may vote but cannot be forced to do so. A Council Member should not vote on questions of direct personal or pecuniary interest not common to other Council Members or the public generally.

F. A Council Member may change a vote before the Mayor announces the result of the vote.

- After the result is announced, a majority of the Council must vote to allow the change.
- G. A Council Member may request a rising vote by calling “Division” when a voice vote or show of hands is in doubt.

III. Role of Council Officers

- A. Following are general suggestions concerning activities of the Council Officers.
1. Council Officers include the Mayor and Council President.
 2. Council President provides leadership for the meetings and other called upon activities
 3. Council Officers shall meet, as needed, to discuss items of interest/concern that may require Council action in open meetings or executive sessions and shall advise the City Administrator on the agenda priority of such items
 4. Consult with the City Administrator on potential Council meeting agenda items, recommending agenda priorities. The City Administrator has the responsibility to build Council agendas
 5. Respond to items of request, e.g. letters of support, that do not require Council action; copies of responses will be forwarded to Council Members
 6. Meet with delegations, reporting details to Council
 7. Sign other correspondence when directed by Council
 8. Council President manages the process to select individuals for City Committees, Commissions and Boards
 9. Council President manages the process for Council to evaluate the City Administrator’s work performance
 10. Council President recommends Council Liaisons to Boards and Commissions
 11. Council President proposes to Council, individuals to represent the City as voting members of Council to outside organizations
 12. Council President monitors the orientation of new Council Members
 13. Council President represents the City/Council at community functions or other events
 14. Mayor appoints members to Council/City Committees or taskforces when authorized formally or informally by Council
- B. Council Officers do not:
1. Establish policy
 2. Give direction to staff, direction is correctly the responsibility of the Council as a whole
- C. Questions the Mayor or a Council Member can ask to improve discussions
1. To Open Discussion:
 - a. “Could we clarify the terms connected with this topic?” “What do you think the general idea or problem is?”

- b. “What are the elements essential to understanding the topic?”
 - c. “Would anyone care to offer suggestions on facts we need to better our understanding of the problem or topic?”
- 2. To Broaden Participation:
 - a. “Now that we have heard from a number of our Council Members, would others who have not spoken like to add their ideas?”
 - b. “How do the ideas presented thus far sound to those of you who have been thinking about them?”
- 3. To Limit Participation:
 - a. “We appreciate your contributions. However, it might be well to hear from some of the others. Would some of you who have not spoken care to add your ideas to those already expressed?”
 - b. “You have made several good statements, and I am wondering if someone else might like to make some remarks.”
 - c. “Since all Council Members have not yet had an opportunity to speak, I wonder if you could hold your comments until a little later.”
- 4. To Focus Discussion:
 - a. “Where are we now in relation to our goal for this discussion?”
 - b. “Would you like to have me review my understanding of the things we have said and the progress we have made in this discussion?”
 - c. “Your comment is interesting. However, I wonder if it is quite on target for the problem we are discussing.”
- 5. To Help the Group Move Along:
 - a. “I wonder if we have spent enough time on this phase of the problem Should we move to another aspect of it?”
 - b. “Have we gone into this part of the problem far enough so that we might now shift our attention and consider this additional area?”
 - c. “In view of the item we have set for ourselves, would it not be well to look at the next question before us?”
- 6. To Help the Group Reach a Decision:
 - a. “Am I right in sensing agreement on these points?” (Mayor provides brief summary.)
 - b. “Since we tend to be moving in the direction of a decision, should we consider what it will mean for our group if we decide the matter in this way?”

7. To Lend Continuity to the Discussion:
 - a. “Since we had time for a particular consideration of the problem at the last meeting, would someone care to review what we covered then?”
 - b. “Since we cannot reach a decision at this meeting, what are some of the points we should take up at the next meeting?”
 - c. “Would someone care to suggest points which need further study before we convene again?”

Myrtle Creek's Meeting Law

The Myrtle Creek Municipal Code listed in the previous section Adopted Rules of Procedure outlines the procedures of the City of Myrtle Creek Council meetings.

I. Implementation

Council Members receive a copy of the adopted Council Rules of Procedure and will affirm in writing that they have received and read the Rules, understand the provisions, and pledge to conduct themselves by the Rules. A periodic review of the Rules will be conducted to ensure that they are an effective and useful tool.

II. Legislative Actions

The City Council is the legislative body of the City. The Council may adopt laws or policies applicable to all persons within the City, subject to any limitations imposed by the City Charter or conflicting or preemptive provisions in state or federal law. The manner in which the Council acts depends to some degree on the subject matter under consideration. In some instances, state statutes or City code provisions dictate the form the action must take.

III. Ordinances

Ordinances constitute the City's local laws, referred to as the Myrtle Creek Municipal Code (MCMC). An ordinance will be utilized to add, amend, or repeal sections of the Myrtle Creek Municipal Code, and may also involve any other subject matter where the intent is to establish a permanent or long-term rule, policy or procedure. In addition, some Oregon statutes, City Charter and code provisions require that the Council act by ordinance in specific situations.

Some common examples include:

- A. authorizing certain agreements;
- B. granting franchises;
- C. withdrawing annexed territories from special districts (water, parks, etc.);
- D. levying certain assessments; and
- E. amending comprehensive land use plans.

In general terms, the Myrtle Creek City Charter authorizes the Council to enact ordinances to maintain and establish the peace, good order, health, cleanliness, prosperity and general welfare of the city, provided the ordinances are not inconsistent with the constitution and laws of the state. Formal action, with adoption by a majority of the Council, is required to enact an ordinance. Once Council approves an ordinance and the Mayor signs an ordinance, it takes effect 13 days after approval unless ordinance was declared emergent where it will take effect immediately.

If the Mayor does not sign the ordinance within 13 days, the ordinance takes effect at the end of 13 days without the Mayor's signature. An ordinance may also include provision of a specific effective date (subject to the limitations noted above) in order to implement its provisions at a time certain.

Unless an ordinance directs a specific action or contains its own expiration date, it remains in effect until amended or repealed by another ordinance. Some ordinances will contain findings that in essence provide a legislative history for the action being taken, while others, such as land use ordinances, are required to contain findings that show conformance with statewide planning goals.

IV. Resolutions

Resolutions generally deal with matters of a special or temporary nature and reflect an expression of Council opinion or policy. Resolutions are adopted by majority vote. They are, however, separate written documents that can be readily accessed to confirm the nature of the action taken. Resolutions often contain findings or recitals that provide information about the action being taken. Resolution may (this is a nonexclusive list):

- A. Call public hearings
- B. Adopt specific policies or plans (other than land use plans)
- C. State an official position on global or statewide political concerns
- D. Commend or honor an individual's service to the City or community
- E. Adopt the budget
- F. Establish City funds and authorize transfers between funds
- G. Form a local improvement district
- H. Call an election.

Because resolutions generally deal with matters of a special or temporary nature, when the purpose of the resolution has been accomplished it ceases to have any further effect. However, in those instances where specific procedures of an on-going nature are involved, such as adoption of a specific program or procedures to be followed in administering a specific program, those procedures remain in effect until amended or repealed by another resolution or an ordinance.

V. Administrative Rules and Orders

The City Administrator is responsible for the day-to-day operations of the City, and therefore, Myrtle Creek Code grants the City Administrator authority to adopt regulations to carry out the functions of that office. These regulations or rules may implement provisions of the City code or other ordinances or may be administrative orders establishing fees or delegating duties. Specific procedures must be set forth for the manner in which orders are to be adopted to ensure adequate public notice and an opportunity to be heard before implementation. The City Administrator also has authority to adopt emergency or

temporary orders without prior notice when necessary because of newly enacted code provisions or an imminent threat to public safety that would occur if the rules were not effective immediately.

The City Administrator may also utilize administrative orders to appoint department heads, create or disband City departments, or delegate authority to others to act on the City Administrator's behalf, such as limited contract signing authority or authority to enforce specific provisions or chapters of the code or ordinances.

Other Types of Meetings

I. ORS 192.660 Executive Session

Executive sessions are regulated by the Oregon Revised Statute. The City Council may hold an executive session for very specific reasons, mainly to protect confidentiality of the topic. Executive sessions are closed to the public and attendance is limited. Members of the press may be present, but cannot report on matters discussed. All information and discussions during an executive session are confidential and not to be discussed outside of the session. The information and discussions during executive session should not deviate from the stated reason for holding the session.

II. ORS 294.414 City Budget Committee

The Mayor and all Council Members are members of the City Budget Committee along with six members of the public. The City Budget Committee reviews the budget document and may either approve it as submitted by the City Manager or revise it. At budget hearings, the Committee hears the budget presentation by the City Manager and staff, and hears persons wishing to speak on the budget.

III. Myrtle Creek Urban Renewal Board

All Council Members serve as the Urban Renewal Board and make decisions for the Urban Renewal District. The MCURA Board typically meets at 5:00 p.m. on an as needed basis.

IV. Myrtle Creek Urban Renewal Budget Committee

The Urban Renewal Budget Committee is an advisory committee to the Urban Renewal Board. All Council Members are members of the Urban Renewal Budget Committee, along with six citizens. The committee is an advisory committee to the Urban Renewal Board and reviews the budget for consistency with the City Center Revitalization Plan as submitted by the City Administrator.

V. Myrtle Creek's Quorum Requirements

A quorum is reached by the participation of 51% of the number of members of the governing body. Myrtle Creek City Council has a quorum with three (3) members present (5 members total). A gathering of less than a quorum is not a meeting under the meetings law. The law applies to committees, subcommittees and other advisory groups that are charged by the Council with making recommendations. The recommendations no longer must be the result of formal votes taken at meetings at which a quorum was present as decided by the Court of Appeals June 2018 in the *Tri- County Metropolitan Transportation District of Oregon*

v. *Amalgamated Transit Union Local*. The decision determined that emails using “Reply All” were considered decision-making of a governing body that does not occur in a meeting. See Serial Meetings & Email Meetings under the Other Types of Meetings section.

NO BUSINESS CAN BE TRANSACTED IN THE ABSENCE OF QUORUM.

A recess may be called to provide time to call absent members in hope of obtaining a quorum for an important meeting. A motion may be made to fix the time to which to adjourn, which provides for a continuation of business scheduled for the meeting. The requirement of a quorum serves to protect against an unrepresented action taken by a small number of individuals on behalf of the entire meeting body. Any actions taken without a quorum can be declared null and void at the next meeting.

Parliamentary Procedure

Parliamentary Procedure is the basic method of conducting business. Business is brought before an assembly by means of a motion. Business meetings are generally governed by Roberts Rules of Order, Newly Revised.

The City Administrator's Office has copies of the latest Roberts Rules of Order available to checkout for review.

I. Basic Principles

- A. All members must receive a notice of the meeting
- B. There must be quorum present at the meeting
- C. There can be only one main motion or resolution before the assembly at a time.
- D. Motions have a definite and logical order of precedence.
- E. Every member has the right to express his/her opinion fully and freely without interruption, and must be given the opportunity to do so
- F. A question must be decided by taking a vote, decided by the majority, and that vote becomes the decision of the assembly. A subject once decided may not be presented again in the same form
- G. Action cannot be taken outside the scope of the organization's object or purpose
- H. The Mayor must remain impartial

II. Quorum

Before calling the meeting to order, it is the duty of the Mayor to know whether a quorum is present. See the Oregon Public Meetings Law Section of this handbook for additional information regarding quorum.

III. Motions

A motion is the means by which business is brought before an assembly. A motion is sometimes referred to as "the question". The following steps are essential in handling a motion.

A. To Obtain the Floor

- 1. Address the Mayor by proper title
- 2. Receive recognition from the Mayor
- 3. Then states the motion by saying "I move that..."
- 4. Another Council Member seconds the motion
- 5. Mayor repeats the motion and then says
 - a. "It has been moved and seconded that (motion). Is there any discussion?"
- 6. Council Members discuss the motion

7. When discussion ceases, Mayor requests the roll call
8. Mayor announces the result of the vote

A motion is a formal proposal and once made and seconded, the Mayor places the question before the meeting body by restating the motion. Exact wording is of the utmost importance in recording motions and amendments. Motions require a second before being opened for discussion or being put to a vote. If there was no second to the motion, the motion dies.

B. Types of Motions

1. **Main Motion:** A main motion is a motion brought before the body for its consideration on a particular subject. Only one main motion can be considered at a time.
2. **Amendment:** There are three basic processes of amendment, to:
 - a. Insert a word or add words
 - b. Strike out words or a paragraph
 - c. Combine both of these. An amendment needs a second and is debatable. It needs a majority vote to pass. To amend a pending motion is the most widely used form of subsidiary motion. An amendment must be closely related to the subject of the main motion.
3. **Second Amendment:** A secondary amendment must relate to the primary amendment and cannot introduce a totally different subject. The second amendment must be made by motion and seconded. After discussion, Mayor takes the vote on the second amendment first; announces the vote; and proceeds to take the vote on the primary amendment; and then takes the vote on the main motion as amended if the amendments pass.
4. **Previous Question:** Previous question is the motion used to bring the body to an immediate vote on one or more pending questions. It closes debate and stops further amendment. It is out of order when another has the floor. It must be seconded and is not debatable and non-amendable. Previous question requires a two-thirds vote (super majority). If a motion for the previous question fails to gain the two-thirds vote, debate continues as if the motion had not been made.
5. **Division of the Assembly:** When a Council Member doubts the correctness of a vote taken by voice, he or she may call for division of the assembly by calling out "Division". No second is needed and the Mayor must immediately take the vote again and ask the Council Members to either raise their hands or to rise.
6. **Reconsider:** A motion to reconsider is in order during the meeting after a motion has been acted upon either at the same meeting or the next meeting. It must be made by a

member who voted on the prevailing side, i.e. if a motion fails to pass, reconsideration must be moved by one who voted against the motion. It is debatable and requires a majority vote.

7. Point of Order: When a Council Member believes the parliamentary rules are being violated, he or she can make a “point of order” by calling upon the Mayor to request the parliamentarian for the rule which the Mayor should enforce.
8. Division of the Question: If a question contains more than one part, each of which could stand as a separate questions, a motion may be made to divide the question and vote on each part separately. The motion to divide requires a second and may be amended, but is not debatable.
9. Lay on the Table: The motion to “lay on the table” enables the Council to lay the pending question aside temporarily in such a way that (1) there is no set time for taking the matter up again; and (2) its consideration can be resumed at the will of the majority. By adopting the motion to “lay on the table”, a majority has the power to halt consideration of the question immediately without debate.
This motion takes precedence over all subsidiary motions. It is out of order when another has the floor. It must be seconded and is non-debatable and non-amendable, but it is appropriate for the maker of the motion to explain the reasons for the motion. It requires a majority vote.
10. Take from the Table: When a matter is taken from the table, everything is in the same condition as it was when laid on the table. A motion that has been taken from the table can be laid on the table again when an unforeseen matter requires immediate attention. If a matter is laid on the table, it remains there until taken from the table or until the close of the next regular meeting. If not taken up by that time, the motion dies. To consider another motion on the same subject, it is necessary first to take the question from the table and then move the new proposal as a substitute or to make whatever other motion is appropriate to the cases.
11. Adjourn: This means to close the meeting immediately. It requires a second and it is non-debatable and non-amendable. It requires a majority vote. Council Members should not leave their seats until this motion is made. If an hour has been set by adoption of the Council, no motion to adjourn is necessary when the hour arrives. The Mayor declares the meeting adjourned. When it appears there is no further business, the Mayor can ask if there is any further business to be considered, instead of waiting for a motion. If there is no response, the Mayor can say, “Since there is no further business, the meeting is adjourned.”

12. Fix the time to which to Adjourn: The object of this motion is to set the time and place for another meeting to continue business of the session with no effect on when the present meeting will adjourn. It is appropriate to use this motion when there are no existing provisions for another meeting. It must be seconded and is debatable. It can be amended and a vote on it can be reconsidered.

C. Amending a Motion

Changing the wording of a motion is amending it. The main motion and some secondary motions can be amended. Here are some rules to remember:

1. The motion to amend requires recognition and a second, and must be stated by the Mayor. It is debatable and may be amended. The amendment must be voted on; then another amendment is in order, each acted on in order. The fact that the amendment has been acted on does not mean that the main motion is also acted on. After all amendments are acted on, the final vote is on the main motion as amended.
2. If the amendment has failed to carry, it cannot be made again.
3. An amendment improves the main motion. The purpose is to express more clearly and definitely the intent of the motion, therefore an amendment cannot change one form into another.
4. An amendment is debatable in all cases except where the motion to be amended is un-debatable.
5. An amendment is out of order if it nullifies the proposition or if it makes it dilatory.
6. An amendment is out of order if it strikes out words NOT consecutive or if it strikes out and inserts in separate places.
7. No amendment is in order that increases the modification of the rule to be amended.
8. The word "Substitute" is used correctly when referring to a paragraph not to a word. A completely reworded motion is a substitute.

D. Ways to Amend a Motion

1. By adding words at the end
2. By inserting a word or consecutive words
3. By striking out a word or consecutive words
4. By striking out a word or consecutive words and inserting a word or consecutive words
5. By substitution (replacing the motion with a similar motion) Correct way to state amendment:

"I move to amend the motion by (one of the ways listed above)..."

E. Motions not Specifically Classified

There are some motions that are not specifically classified. The ones most commonly used are:

1. To make a nomination: This is a motion not formally moved, but an assumed motion "That...be elected". A member rises and without recognition says, "I nominate..." No second is required but as an assumed motion, it is debatable.
2. To fill a blank: This is closely related to the motion to amend. While there can be only one primary and one secondary amendment pending at the same time, there are times when a number of choices would be more advantages; such as,
 - selecting a date, time, place, amount, number of persons, or names, or places.

A member may move that a blank be spent for books: or a blank may be created by a motion to strike out a date, time, place, amount, number, names, etc. and insert a blank. If the motion to strike out and insert a blank has carried, then any number of members may suggest, without a second, a different date, time, amount, etc. Each suggestion can be debated if necessary. When all suggestions have been made, a vote is taken on the suggestions until one suggestion receives a majority vote, then that suggestion is placed in the blank and the remaining suggestions are not voted upon. The motion with the blank filled is then considered.

3. Call up the motion to reconsider: If the Mayor neglects to announce the reconsideration of a motion, any member may 'call up' the consideration by rising and obtaining the floor and saying, "I call up the motion to reconsider the vote taken on the motion (state the motion)..." No second is necessary. The Mayor then proceeds to state the motion by saying, "The motion to reconsider the vote on (state the motion)...is called up. Those in favor of reconsidering the vote on the motion will please say Aye." pause "Those opposed will please say no." If the Ayes have it, the motion is open to debate (if it is a debatable motion). After debate, a vote is taken on the motion that was reconsidered.



Department Communication

I. Communication with Staff

- A. Channel Communications through the Appropriate Senior City Staff** Questions of City staff should be directed to the City Administrator then to the appropriate Department Head. The City Administrator will be copied on responses to Council by the City staff. Council Members should not set up meetings with department staff directly, but work through the City Administrator, who will attend any meetings with Council members. Nothing in these protocols is intended to hinder Council from gaining information that is required to fulfill their duties.

All Council Members Should Have the Same Information

When responding to a Council request for information, the response will be sent to the entire Council and the City Administrator. This allows for full disclosure of information to all of the elected officials.

B. Staff's Preferred Form of Communication – Email

Staff prefers that email be sent to them with a request for information. Staff also prefers the City Administrator be copied on all email.

C. Phone Calls

Staff will respond to requests for information via phone calls as well. Staff will return the call, but will follow-up with an email to inform the City Administrator.

D. Senior Staff List

Note that all City staff have the same email format. It is their first initial and last name @ MyrtleCreek.org. For example, John Smith's email would be JSmith@MyrtleCreek.org.

<u>Department</u>	<u>Senior Staff</u>	<u>Title</u>
City Administrator's Office	Lonnie Rainville	City Administrator
City Administrator's Office	Joanna Bilbrey	City Recorder
Finance	Lesley Hiscocks	Finance Officer
Police	Jonathan Brewster	Police Chief
Fire	Manie Pires	Fire Chief
Public Works	Steve Ledbetter	Public Works Director
Parks and Buildings	Michael Branson	Parks and Buildings Coordinator

E. Respect the “One Hour” Rule for Staff Work

City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Council Members. Individual Councilor requests for information that constitute a public record under the law should be requested through the appropriate Public Records Request process. Requests for staff support should be made according to the protocol for channeling communications. Any request, which requires more than one hour of staff time, will need to be approved by the City Administrator.

F. Submit Questions Regarding Council Agenda Items Ahead of the Meeting

In order to provide the Council with timely information, Council Members are encouraged to submit their questions on agenda items to the City Administrator as far in advance of the meeting as possible so that staff can be prepared to respond at the Council meeting. Having a practice of “no surprises” between the Council and City staff and vice versa fosters a productive working relationship.

G. Avoid Attendance at Staff Meetings Unless Requested by Staff

Even if the Council Member does not say anything, your presence may imply support, show partiality, intimidate staff, or hamper staff’s ability to do its job objectively.

H. Depend Upon Staff to Respond to Citizens Concerns and Complaints

It is the role of Council Members to inform constituents on the proper process for bringing forward concerns and complaints. Council Members can communicate citizen issues to the City Administrator who will determine the proper course to proceed.

I. Depend Upon Staff to Make Independent and Objective Recommendations

Staff is expected to provide its best professional recommendations on issues, providing information about alternatives as appropriate, as well as pros and cons for recommendations and alternatives. Staff respects the role of Council as policy makers for the City and understands that Council must consider a variety of opinions and community values in their decision-making in addition to staff recommendations.

J. The City Administrator and Staff are Supporters and Advocates for Adopted Council Policy

Regardless of whether it was staff’s preferred recommendation or not, staff will support and act upon the adopted Council policy and direction.

II. City Departments

A. Buildings/Parks Department

The Building/Parks Department is to provide opportunities for a full range of recreational facilities and programs for all age groups within our expanding population. Through provision of recreation and park services, the department enhances Myrtle Creek's quality of life and nurtures the health and well-being of its citizens, the environment, and economy. The department is responsible for the care and maintenance of all City owned park land. The department is also responsible for the care and maintenance of all City facilities.

B. City Administrator's Office (CAO)

The City Administrator serves as the Chief Executive Officer over City operations, oversees preparation and management of the fiscal budget, and implements City Council policy. The City Administrator and their staff provide direct support to the Mayor and City Council members.

All City employees except the Municipal Judge are under the City Administrator's supervision. The City Administrator's staff assist them by coordinating various interdepartmental projects, developing reports, reviewing the budget, and conducting financial and other analyses.

The City Recorder serves as the clerk for the Council and is responsible for recording and preparing official minutes of Council meetings. The City Recorder serves as elections officer for the City by issuing official measures to be voted on by Myrtle Creek citizens, takes applications for the position of Mayor or positions on the City Council, and administers the oath of office to elected officials and police officers.

C. Finance Department

The Finance Department Includes general accounting, purchasing and utility billing. The department provides for effective fiscal management and accounting in accordance with generally accepted accounting principles and Oregon Revised Statutes. The department provides general accounting services for the City of Myrtle Creek and the Myrtle Creek Urban Renewal Agency including the issuing of bonds; the processing of accounts receivable, accounts payable, special assessment collections, payrolls, banking and investments, budget preparation, and fixed asset accounting.

D. Fire Department

The mission of the Myrtle Creek Volunteer Fire Department is to serve, educate, and protect its citizens from the effects of hostile fire, medical emergencies, hazardous material exposures, and natural and man-made disasters.

D. Planning Department

The Planning Department has three primary areas of focus in the division overseeing Long-range and Current Planning, and Housing & Community Development.

Long-range planning develops, maintains and administers the Comprehensive Plan. The Comprehensive Plan is the official statement of the City's long-range goals and policies governing growth, development, public facilities, and environmental protection. Oregon land use law requires comprehensive plans to be consistent with the Statewide Planning Goals.

Current Planning administers development review and permit applications enforcing land use regulations in the Myrtle Creek Land Development Code (MLDC). The MLDC contains a description of each of the City's land use zones and what types of uses are allowed. Current Planning applies the MLDC set of procedures that must be utilized during the initial local-level decision and the procedures that must be adhered to on appeal. Housing & Community Development creates and implements the Myrtle Creek Five-Year Consolidated Plan. The Consolidated Plan is a comprehensive planning document that identifies the City's overall needs for housing and community development and outlines a five-year strategy to address those needs adopted by City Council. This area conducts the City's Analysis of Impediments to Fair Housing Choice and implements the Homeless System Action Plan. In addition, Housing & Community Development administers the Community Development Block Grant (CDBG), General Fund Grant, Housing Opportunity Fund, and Homeless System Action Plan funding programs.

E. Police Department

The Police Department provides services to protect the life and property of Myrtle Creek citizens, including patrol operations, criminal investigations, and code enforcement.

Community service officers, school resource officers, and additional personnel who are responsible for property, records and statistical maintenance and retrieval further support these operations.

F. Public Works Department

The Public Works Department's mission is to plan, design, build and maintain quality public facilities that will provide the citizens of Myrtle Creek with a trouble-free environment in which to live.

Public Works coordinates and performs maintenance activities for streets and public rights of way, storm and sanitary sewer systems, traffic control systems such as signals, signing and pavement markings. The division also maintains the City's fleet of

police, public works and parks vehicles and equipment.

G. Public Works – Wastewater Treatment Division

Public Works operates and maintains the City's Wastewater Treatment facility as well as overseeing the planning, design and construction of capital improvements related to collections and treatment facilities. Under an agreement with the Tri City Water and Sanitation District, the Myrtle Creek Wastewater Treatment Division provides wastewater treatment for the Tri-City.

H. Myrtle Creek Water Treatment Division

Responsibility for operation of the City's water supply system lies with the Myrtle Creek Water Treatment Division. The Myrtle Creek's primary source of water is the South Umpqua River, The Springbrook system of springs is used as a supplemental source during spring, fall and winter.



Land Use

Land use matters are highly regulated by state statutes. Not only is there significant substantive regulation (i.e. what use can be made of land), but there also are pervasive regulations governing how a local government must make decisions that involve the use of land.

I. State Land Use Laws

In 1973, the Legislature adopted Senate Bill 100 established a statewide planning and land use management program which is implemented by local governments through land use decisions. The legislation also established the Land Conservation and Development Commission (LCDC) to develop Statewide Planning Goals and Guidelines. Local governments were required to adopt comprehensive land use plans to implement the Goals developed by LCDC. Local governments' comprehensive plans have been approved, or "acknowledged" by LCDC to ensure Goal compliance.

As a result of a 1973 decision by the Oregon Supreme Court, the courts began to separate land use decisions into different types: legislative, quasi-judicial, and administrative/ministerial actions, which are detailed in subsequent sections.

II. Comprehensive Plan

A Comprehensive Plan sets out a City's goals and direction for land use and public facility planning and must cover a period of 20 years. Myrtle Creek's Comprehensive Plan includes provisions which implement each Statewide Planning Goal in a way that applies to the specific area covered by the Comprehensive Plan, i.e., lands within the Myrtle Creek Urban Growth Boundary (UGB). It contains data, inventories, analysis of the data, conclusions based on the analysis, policies and findings related to the conclusions, and goals. The policy provisions prevail when implementing or interpreting the plan. Other textual provisions may help to interpret the policies but may not be given greater weight than the policies. The Comprehensive Plan also contains the General Land Use Plan (GLUP) Map and defines the City's Urban Growth Boundary and the land use designations within that boundary.

III. City Land Use/Development Code

In addition to a comprehensive plan, cities have a land use/development code that implements the land use policies and map contained in the comprehensive plan. The code contains specific zoning designations, consistent with the land use designations on the land use plan map. In addition, the code sets out procedures for making land use decisions, and the criteria and standards that the decision-maker must apply for each type of decision.

The Myrtle Creek Land Development Code is found in Chapter 18 of the Municipal Code and contains a description of each of the City's land use zones and what types of uses are allowed. In

each zone, there may be uses that are permitted outright, without the need for a public process (for example, public hearings). Other uses may be allowed only if certain standards and criteria are found to be met. These often involve a public hearing. These may include such requirements as the proposed development not causing unreasonable street congestion or preventing access to adjoining property. The code also contains development standards that govern how a particular use may be developed. These standards include such things as setbacks, lot coverage, parking, and landscaping.

The procedural provisions in the code designate a decision-maker for each type of decision and whether or not there is an opportunity for an appeal to another local decision-maker. The Code sets out the procedures that must be applied during the initial local-level decision and the procedures that must be adhered to on appeal.

IV. Types of Land Use Decisions

In general, there are four types of land use decisions. For each, there is a different procedure to follow.

A. Ministerial Decisions

A ministerial decision is one that requires and authorizes no discretion of the decision-maker, because the applicable standards are clear and highly prescriptive. Examples of this type of decision include issuance of building permits and sign permits. For this type of decision, the state requires no notice or public hearing requirements.

B. Administrative Decisions

An administrative decision is one that requires little discretion. City staff (typically the City Administrator) usually makes the initial decision, and, if appealed, a hearing will be conducted before a commission or City Council. An example of an administrative decision is the approval of a proposal to develop multifamily housing on 3 gross acres or less.

C. Quasi-Judicial Decisions

Quasi-judicial decisions involve specific parcels of property and require a public hearing at which a hearings body (the Planning Commission, for example) takes evidence and hears arguments. Common examples of quasi-judicial decisions include consideration of subdivisions, zone changes, or applications for a conditional use permit. A quasi-judicial decision requires a hearing prior to the initial decision. In most cases, the hearing is conducted by the Planning Commission which renders a final decision. The City Council is the hearings body for an appeal of this decision. In Myrtle Creek, some quasi-judicial decisions are made by the City Council, such as General Land Use Plan Map amendments.

D. Legislative Decisions

Legislative decisions are those which result in policy-making by the City Council. They affect the community as a whole rather than a small area or a few individuals. These decisions give

the decision making body a great deal of discretion. The most common example of a legislative decision is the adoption or amendment of a land use regulation or large area plan. For these decisions, there are fewer objective criteria for the Council to consider. Rather, the Council makes determinations about the legislative decision's consistency with other land development code provisions (if the decision is regarding a code provision), the Comprehensive Plan and Statewide Planning Goals.

Notice is generally required through publication according to Myrtle Creek Municipal Code 18.185.170 and ORS 222.120 and 197.610. Because these decisions result in the adoption of policy or legislation, the final decision is made by the City Council; appeals are made directly to the state Land Use Board of Appeals (LUBA).



Expense Reimbursement

Council members serve without compensation. Expenses incurred in the performance of their official duties may be reimbursed with City Council approval according to the City Charter. The City Administrator's Office assists you with the preparation of necessary paperwork for reimbursements and any travel and training arrangements.

I. Local Meetings and Functions:

Council members officially designated as liaison or representative to an organization who attend local meetings and functions may be reimbursed for meals served during the meeting or function as well as mileage from the Council member's home or normal place of work. Authorized meetings and functions include the following: meetings of Boards, Commissions, or other groups if the Council member is appointed to represent the City Council at the meeting; and any other event/trip approved for reimbursement by City Council.

II. Out-of-Town Travel:

Council Officers approve all trainings and travel for all budgeted conferences and events. Non-budgeted travel must be approved in advance by the City Council for reallocation of funds. Council members will be reimbursed upon return as per Administrative Regulation.

III. Office Supplies, Postage and Services:

Office supplies shall be requisitioned through the City if needed by a Council member for the performance of duties. Items to be mailed shall be delivered to the City Administrator's Office for posting. City staff will perform any necessary services. No reimbursements will be allowed for these items.

IV. Other Expenses:

Other legitimate expenses incurred in the performance of official duties may be allowed at the discretion of City Council if it is in the best interest of the City.



Technology Use

I. iPad/Technology

City Council members are provided with technology, which is to be used for City of Myrtle Creek business purposes only. Technology is defined as including cell phones, iPads, laptops, desktop computers and other devices. Technology equipment, its component parts, all hardware and software and its stored electronic memory are the sole property of the City and are subject to Oregon Record Retention rules. Therefore, no expectation whatsoever of privacy as to any communication generated, received by, sent by or stored in the technology device(s) should be assumed.

II. E-Mail

The City maintains an electronic mail (email) system and internet access. This is provided to assist in the conduct of the business of the City and should be used for City-related work purposes only. Use of email and/or Internet access is prohibited for personal, recreational, or non-City business. Users of the City's email system have no expectation of privacy regarding email or internet use.

Council members are expected to sign a Technology Use Agreement.



Communications

Community Engagement

The City's communication efforts provides official city information and communications to the public across multiple platforms including print publications, broadcast video, web communications and social media.

Communication Channels

- A. City website
- B. Social Media: Facebook,
- C. E-Newsletters
- D. Utility Bill Insert
- E. News Releases

Social Media Guidance for Elected Officials

I. Purpose.

The City maintains an official City website and other official social media, and has adopted a policy related to such media, which does not apply to Elected Officials. This section outlines the roles, responsibilities, and best practice recommendations for use of social media by the City's elected officials ("Council members"), when they may be using personal or professional social media to communicate in their official capacity, including as a means to disseminate information or provide for engagement with constituents. It is primarily each Council Member's responsibility to understand the law when using social media as a public elected official and to ensure compliance.

II. Definitions:

A. Social media:

Any digital platform that allows the user to create and share information, ideas or questions with other users or audiences. Social media channels include but are not necessarily limited to Facebook, Twitter, Instagram, Pinterest, and others.

B. Post:

Any content generated or shared on social media presences. Posts can include, but are not

limited to, messages, links, images, maps, videos and emoticons.

C. Content:

The text, messages, maps, links, photos, images, or videos used in a post.

D. Comment:

A post made in response to a post or another comment.

E. Political Advocacy:

Only that political advocacy restricted by ORS 260.432 - supporting or opposing ballot measures, candidates, recalls, political committees, or petitions. Supporting or opposing political issues which do not fall into any of these categories is not restricted by the statute or this policy.

III. Public Records Act Compliance.

Any content maintained in social media format that is related to City business, including communication between an individual Council member and constituents or the general public, or a site's listing of "friends" or "followers," may be considered a public record subject to disclosure under the Oregon Public Records Act. The Council member is responsible for maintaining records for any required retention periods.

IV. Open Meetings Act Compliance.

Communication between Council members via social media, as with email, may constitute a "meeting" under the Open Public Meetings Act if it involves the discussion of public business subject to open meetings laws. For this reason, Council members are discouraged from commenting or posting on each other's social media pages.

In addition, receiving or making comments regarding quasi-judicial matters via social media may violate rules for quasi-judicial proceedings. Councilors are encouraged to exercise caution in inviting any comments related to land use proceedings that may include a quasi-judicial matter, and to refrain from making comments on any pending application. Council members should also be cognizant that any statements they make on an issue that involves or eventually involves a quasi-judicial proceeding could be raised as evidence of bias, prejudgment, or personal interest that the Council Member would then be obligated to address in response to a challenge on that basis.

V. Link to City Website.

A social media site used by a Council member to communicate with a constituent on City business should include a link back to the City's official website for detailed information if relevant to the specific discussion.

VI. Political Advocacy and Campaigning.

Council members who use social media for political advocacy may not request public employees on the job or in an official capacity to engage in political advocacy, including by

editing, reviewing, or creating political advocacy content.

VII. Blocking.

If a Council member uses social media in their official capacity for communication with constituents, they may be creating a limited public forum subject to First Amendment speech protections. Therefore, Council members shall not deny access to social media to any individual based in whole or in part on content or viewpoint, which includes disagreement with or opposition to the Council member or their viewpoints.

VIII. Notice.

Any Council member who uses social media for City business should include a notice on his or her platform stating the following:

“This page expresses the personal opinions of the Councilor. It is not the official page for the City of Myrtle Creek and does not represent the position of the City of Myrtle Creek.”

All content submitted by members of the public may be subject to public disclosure to third parties under Oregon Public Records law.”

Comments should relate to the post and issue being discussed. Once comments are posted, the Elected Official reserves the right to determine which submissions are unacceptable for its page and delete them, including those that contain profane or obscene language, personal attacks of any kind, or language or content that targets, disparages, or discriminates against individuals or groups based on race, ethnicity, religion, color, gender, age, sexual orientation, mental or physical disability, gender identity, national origin, or other protected status under applicable law. Further, the Elected Official reserves the right to delete comments, when possible, that: (i) are spam or include links to other sites; (ii) are clearly off topic; (iii) advocate illegal activity; (iv) promote particular services, products or political organizations; (v) infringe on copyrights or trademarks; (vi) are comments in support of or opposition to current political campaigns, candidates, or ballot measures; or (vii) contain solicitations of commerce or charitable or other contributions, except for official City-sponsored activities.

News Media Resources

I. Council adopted Rules of Procedure provide the protocol for providing outside statements. Options for responding to requests include:

- A. Council can appoint a spokesperson based on topic. The Council should discuss what areas of expertise they would like to be contacted for comments and staff can direct the media to those members wishing to comment. This would allow for multiple members to be available to the media for comments.
- B. Council can choose to allow media to contact them directly on any/all subjects and that

those members wishing to comment can do so according to the Rules of Procedure.

- C. Contact the City Administrator if details or a status update on the topic is needed.
- D. The City Administrator can assist with responding to questions and coordinate interviews, if necessary.

II. Media Interview Tips:

- A. Anticipate the questions. Decide how you will answer ahead of time.
- B. What are the key messages you want to come across? If possible, limit yourself to one to three key points. Decide on these ahead of time. Again, the City Administrator can help you develop key messages.
- C. Know your key messages and how to articulate them. It is your mission to work your key messages into one or more of your responses. Don't wait for the "right" question. Try to use a key message in response to every question.
- D. Capsulate your answer in a clear and concise statement.
- E. Do not use city jargon. Be conversational. Envision that you are having a conversation with someone who doesn't know how the city and government works.
- F. Sometimes the best answer is "I'm not going to answer that." It is absolutely acceptable not to answer if you feel the question is inappropriate or if the interview is taking a direction that makes you uncomfortable.
- G. If you don't know the answer to a question, don't fake it. Tell the reporter you will have to get back to him or her.

Responding to Potential Litigation

All requests from the media for a Council response to pending litigation should be referred to the City Attorney's office. These requests are handled on a case-by-case basis and the response is tailored to the particular litigation matter.



Oregon Ethics Laws

I. Government Ethics

Public office is a public trust. This concept is enforced through state law in provisions that prohibit public officials from using their positions to enrich themselves, their families or businesses with which they or their close relatives are associated.

For more comprehensive information, please refer to the Guide for Public Officials or contact the Oregon Government Ethics Commission.

II. Actual and Potential Conflicts of Interest

Public officials may face situations in which their actions may, or will, result in pecuniary benefit for themselves, their relatives, or businesses with which they or their relatives are associated. In such cases, the state ethics law describes the proper response. The response depends upon whether the conflict is an **actual** conflict or a **potential** conflict. Keep in mind, however, that under no circumstances may an official use their office for the purpose of benefiting the official, a relative or an associated business.

III. Actual Conflict of Interest

An actual conflict of interest exists when a public official is faced with acting, deciding or recommending an action, and the effect of that action certainly **would** be to the private pecuniary benefit or detriment of the official, the official's relative, or any business with which the person or a relative of the person is associated.

Example: A Council Member owns one of two construction companies in the City. The Council is voting upon whether to adopt a proposed ordinance that would impose licensing fees on construction companies. His vote will certainly have the effect of a financial detriment or benefit upon his company.

Example: A systems operation official approves an employment agreement with a technical support company that employs her son. The approval would be to the pecuniary benefit of a business with which her relative is associated.

ORS 244.040(6) also states "No person shall attempt to represent or represent a client for a fee before the governing body of a public body of which the person is a member".

Example: The member of the Planning Commission is prohibited from appearing before that same Planning Commission to represent a client for a fee, but a business partner of the Planning Commission member could represent the same client for a fee.

IV. Potential Conflict of Interest

A potential conflict of interest exists when a public official is faced with acting, deciding or recommending an action, and the effect of that action could be to the private pecuniary benefit or detriment of the official, the official's relative, or any business with which the person or a relative of the person is associated.

Example: If the public official as an independent contractor performs services for a business that comes before the public body upon which the official sits, a potential conflict exists. The decisions of the public body could result in private pecuniary benefit to the official.

V. Conflict of Interest Exceptions

Actions affecting an entire class do not create a conflict of interest. In other words, no conflict exists if the public official's action would affect other members of a large class of people in the same way it would affect the public official.

For example, if the City Council was voting to adopt a City-wide tax cut for retail businesses, Council Members who owned retail businesses would not have a conflict because of the exception.

However, if the Council was voting to adopt a tax cut for software companies, and a Council Member owned one of only three software companies in the City, the Council Member would have an actual conflict of interest for which the "class" exemption would not apply. In this case, three software companies would not be considered a large enough class to gain the exemption.

Other exceptions include the following:

Membership in a particular class required by law as a prerequisite to holding office does not give rise to a conflict of interest. For example, a commission which recommends fees for the use of certain chemicals requires that one of its positions be filled by a representative of a company which uses such substances. That person is not faced with conflict when deliberating upon the amount of a fee.

No conflict exists when the pecuniary benefit or detriment arises out of unpaid membership in or membership on the board of directors of a nonprofit corporation which is tax-exempt under section 501(c) of the Internal Revenue Code.

VI. Methods of Handling Actual or Potential Conflicts of Interest

In every case in which a public official is met with an actual or potential conflict of interest, the official must disclose the conflict. Elected or appointed officials serving on a board or commission must publicly announce the nature of the conflict. The conflict must be recorded in the official minutes of the public body. A public official need only announce a conflict of interest once during the course of the particular meeting, even though discussion or action

may be interrupted.

When faced with an **actual conflict** of interest, a public official must, after disclosing the conflict, refrain from participating as a public official in any discussion or debate on the issue out of which the actual conflict arises or from voting on the issue. The public official should make certain that the minutes reflect that the public official did not participate in the discussion or vote.

VII. Rule of Necessity:

If the official's vote is necessary to meet a requirement of minimum number of votes to take official action, then the official is eligible to vote, but not to participate as a public official in any discussion or debate on the issue out of which the actual conflict arises.

CAVEAT: If voting under the "rule of necessity" would violate the code of ethics (for example, where a vote would constitute "using" the office to obtain financial gain or avoid financial detriment), then the public official may not vote.

When faced with a **potential conflict** of interest, a public official must announce publicly the nature of the potential conflict prior to taking any action thereon in the capacity of a public official. Following the declaration of the conflict, the official may discuss and vote on the matter.

CAVEAT: A public official may not take official action after declaring a potential conflict of interest if such action would violate any provision of the code of ethics.

Appendix A

Local Government Basics

LOCAL GOVERNMENT

The Basics

LOCAL GOVERNMENT BASICS

10 Essentials for City Officials

1. Home Rule.....	4
2. Public Meetings	7
3. Property Taxes	11
4. Public Records	13
5. Budgeting Basics	14
6. Gift Limits.....	17
7. Code Enforcement.....	18
8. Political Activity.....	19
9. Water Rights	20
10. Land Use	22

Fundamentals of Home Rule

The League of Oregon Cities was first established in 1925 to protect against the erosion of local “home rule” by the state Legislature. The League has fought to protect home rule since that time. But what, exactly, is “home rule,” and why does it matter?

In Oregon, home rule forms the legal basis for city governments to act. Home rule is thus an important legal concept with real-world implications for a city’s ability to serve the needs of its citizens. The following article briefly explains the origins of home rule in Oregon, how home rule impacts city government authority, and the continuing fight between city and state government over the scope of local authority.

CITIES DERIVE THEIR EXISTENCE FROM THE STATES

The United States of America is a “federal republic,” meaning that government authority is divided between the federal government and the states. The United States Constitution grants limited powers to the federal government and reserves the remaining powers to the state governments. But what about local governments, such as cities and counties?

Interestingly, the United States Constitution makes no mention of local governments. Instead, it places all government authority not granted to the federal government with the states. Thus, the courts have uniformly concluded that cities derive their authority and existence from state governments and lack any inherent authority. In fact, the Supreme Court of the United States has stated that cities are simply “convenient agencies”¹ of their states, and that states may abolish or reorganize cities at any time.

DILLON’S RULE

Under the United States Constitution, cities derive their authority from the states. For that reason, judges and legal scholars took the view that city governments could only act in areas expressly authorized by a state legislature. That principle is often called “Dillon’s Rule,”² and is still followed in many states.

1 *Hunter v. City of Pittsburgh*, 207 US 161, 178–79 (1907).

2 Dillon’s Rule is named for John F. Dillon, an Iowa Supreme Court Justice and federal judge. See 1 John F. Dillon, *The Law of Municipal Corporations*, § 9(b), at 93 (2d ed 1873).

MORE INFORMATION ON HOME RULE

For a more detailed examination of home rule in Oregon, please see **“The Origins, Evolution, and Future of Municipal Home Rule in Oregon”** (June 2017), available at <https://bit.ly/2D0buNX>.

In a Dillon’s Rule state, local governments lack authority to act unless they can show how a state law allows them to take an action, such as levying property taxes, maintaining a fire department, or operating a parks system.

The Dillon’s Rule model allows a state legislature to closely control local government structure, the methods of financing local government activities, local procedures, and local government authority to address local problems.

DILLON’S RULE IN OREGON

In the late 1800s, the Oregon Supreme Court formally endorsed the Dillon’s Rule model of state-local relations.³ Under Dillon’s Rule, Oregon’s cities were not able to effectively respond to local problems, as no local action could be undertaken without permission from the state Legislature, which only met for short biennial sessions.

THE SHIFT TOWARDS HOME RULE

In the early twentieth century, a wave of political populism began to sweep the country. As a part of that political movement, cities and political reformers in Oregon began to push for a “home rule” amendment to the Oregon Constitution.

Frustrated by the special interests that dominated the legislature and by the time it took to address local problems, a group of Oregonians led by William Simon U’Ren sought to amend the Oregon Constitution and vest in the voters the authority over local affairs through the adoption of home rule charters. In U’Ren’s view, such cities would exist independently from the Legislature and would derive their authority from the charter, not from the state.

3 *City of Corvallis v. Carlile*, 10 Or 139 (1882).

In 1906, consistent with a wave of home rule reform sweeping the nation, the voters of Oregon adopted a constitutional amendment that granted the people the right to draft and amend municipal charters. That provision states:

“The Legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city or town. The legal voters of every city and town are hereby granted power to enact and amend their municipal charter, subject to the Constitution and criminal laws of the state of Oregon[.]”⁴

At the same election, the voters of Oregon “reserved” initiative and referendum powers “to the qualified voters of each municipality and district as to all local, special and municipal legislation of every character in or for their municipality or district.”⁵

Note that the home rule amendments do not use the term “home rule,” nor do they specifically confer substantive lawmaking authority. Rather, the amendments prevent the legislature from enacting or amending municipal charters, and free cities from the burden of seeking approval from the state before amending their charter. What that means, in practice, is that cities—and their voters—now possess substantial lawmaking authority independent of the state, although the precise relationship between cities and the state has evolved over the last 100-plus years, primarily through judicial interpretation of the home rule amendments. One of the most significant aspects of that relationship is the ability of the legislature to preempt certain municipal policy decisions.

HOME RULE CHARTERS

For a city to become a home rule city, its residents must vote to adopt a home rule charter. By doing so, a community vests all possible legal authority in its city government. A city charter operates much like a state constitution in apportioning authorities to various officials and setting out the system of government for that community, whether it be a commission, mayor-council, council-manager, or strong mayor form of government. Today, all 241 cities in Oregon have home rule charters.

Once adopted, a home rule charter vests in the city the authority to do all things necessary to address matters of local concern without legislative authorization. The League’s

⁴ Or Const, Art XI, § 2.

⁵ Or Const, Art IV, § 1(5).

“The legal voters of every city and town are hereby granted power to enact and amend their municipal charter.”

– *Oregon Constitution*

HOME RULE INCLUDES THE POWERS TO:

- Regulate for protection of public health, safety, morals & welfare;
- To license;
- To tax; and
- To incur debt.

Home rule is the right to local self-government, without express or implied legislative authorization.

model charter, based on the council-manager form of government, was written to provide a city with as much authority as permitted under the Oregon Constitution.

Oregon is a home rule state, which gives voters the authority to establish their own form of local government and empowers that government to enact substantive policies. Unlike a Dillon’s Rule state, home rule authority allows cities to act as policy innovators and quickly address social problems, especially when faced with inaction from the state and federal government.

PREEMPTION

The following list highlights some of the areas in which the state has preempted local governments from acting. Please note that the list is not comprehensive. For a comprehensive list of preemptions on local authority, please see the Legal Guide to Oregon’s Statutory Preemptions of Home Rule (November 2017), available at www.goo.gl/RsyPnn.

Taxing

- Cities may not impose or collect a business license tax from licensed real estate brokers.

(continued on page 6)

In a home rule city, the community vests all possible legal authority in its city government.

Fundamentals of Home Rule

STATE OF OREGON



All **241 cities** in Oregon have home rule charters

- ▶ The state has the exclusive right to tax tobacco products.
- ▶ The state has the exclusive right to tax alcoholic beverages.

General Governance

- ▶ Cities must hold elections in compliance with Oregon election law.
- ▶ Public officials, including city officials, must comply with the Oregon Ethics Code.
- ▶ City government must comply with Oregon's public records and meetings law.

Land Use

- ▶ Cities are required to comply with statewide land use and development goals.
- ▶ Cities may not prohibit certain types of housing.

Personnel

- ▶ Cities must offer PERS coverage to police and firefighters.
- ▶ State minimum wage laws preempt contrary city ordinances or charter provisions.
- ▶ State sick leave requirements preempt contrary city ordinances or charter provisions.
- ▶ State law restricts the use of credit score reports for hiring purposes.

Regulatory Authority

- ▶ State preemption of regulations on vending machines that dispense tobacco or e-cigarette systems.

ONLINE RESOURCES

LOC-TV: HOME RULE

Learn more about home rule in Oregon by viewing the free LOC-TV episode on the League's YouTube channel: <https://bit.ly/343uya4>.

The episode provides a comprehensive overview of home rule topics including:

- Where do local governments get their legal authority?
- What is home rule and where does it come from?
- What is preemption and the legal standard by which we evaluate whether legislation is preemptive?



- ▶ State preemption of local laws concerning various liquor uses and consumption.
- ▶ State building code preempts local ordinances.
- ▶ Preemption of local ordinances that makes a shooting range a nuisance or trespass.
- ▶ Preemption of local regulations on cell phone use in vehicles. ■

Public Meetings:

What Every Elected Official Needs to Know

INTRODUCTION

To ensure that the public is aware of the deliberations and decisions of governing bodies, as well as the information that forms the basis of those decisions, Oregon law contains a policy of open decision-making at the various levels of government.¹

The key requirements of the Oregon Public Meetings Law (OPML) include:

- ▶ Conducting meetings that are open to the public—unless an executive session is authorized;
- ▶ Giving proper notice of meetings; and
- ▶ Taking minutes or another record of meetings.

Further, the law imposes other requirements regarding location, voting and accessibility to persons with disabilities.

Please note that this article is not a substitute for legal advice, nor is it comprehensive. The OPML is quite complicated and public officials are encouraged to speak with their legal counsel for case-by-case advice.

ENTITIES SUBJECT TO THE PUBLIC MEETINGS LAW

Understanding which entities are subject to the OPML is critical for ensuring compliance with the provisions of the law. In short, the OPML applies to any (1) governing body of a public body, (2) when that governing body holds a meeting for which a quorum is required to make a decision or deliberate toward a decision on any matter. ORS 192.610(5); ORS 192.630(1).

The OPML applies to meetings of a “governing body of a public body.” A public body is the state, any regional

“A quorum may be subject to the public meetings law even if it does not engage in a formal ‘meeting’.”

council, a county, a city, a district, or any other municipal or public corporation. A “public body” also includes a board, department, commission, council, bureau, committee, subcommittee, or advisory group of any of the entities in the previous sentence. If two or more members of any public body have “the authority to make decisions for or recommendations to a public body on public body on policy or administration,” they are a “governing body” for purposes of the OPML.

MEETINGS SUBJECT TO THE PUBLIC MEETINGS LAW

Not every action that a governing body takes, of course, is subject to the OPML. The law defines a “meeting” as the convening of any of the “governing bodies” subject to the law “for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.” Thus, the definition of a meeting has three elements: (1) the convening of a governing body; (2) for which a quorum is required; (3) to make a decision or deliberate toward a decision on any matter. The first of those elements was addressed in the previous section.

The term “quorum” is not defined in the OPML. For cities, quorum requirements are often set by charter, bylaws, council rules, or ordinance. A gathering of less than a quorum of a

(continued on page 8)

¹ ORS 192.160 establishes Oregon’s policy of open decision-making through public meetings:

“The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly.”

Public Meetings

An **executive session** is defined as “any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.”

governing body of a public body is not a “meeting” under the OPML.²

Finally, staff meetings are typically not covered by the OPML, as they are usually held without a quorum requirement. A staff meeting called by a single official is not subject to the law because the staff do not make decisions for or recommendations to a “governing body.” Importantly, however, if a quorum of a governing body, such as a five-member commission, meets with staff to deliberate on matters of “policy or administration,” the meeting is within the scope of the OPML.

REQUIREMENTS OF THE LAW

The last two sections covered which entities are subject to the law, and what meetings of those entities trigger the OPML. This section addresses the substantive requirements of the OPML, including notice, space and location, accessibility, public attendance, control of meetings, voting, and minutes and recordkeeping.

² In *Handy v. Lane County*, 274 Or App 644, 664-65 (2015), the Oregon Court of Appeals held that a series of discussions among a quorum of a governing body of a public body, even without a contemporaneous gathering of that quorum—a so-called “serial meeting”—could give rise to a violation of the prohibition set out in ORS 192.630(2). In other words, even in the absence of a formal “meeting” under ORS 192.630(1), a governing body of a public body could violate the OPML through a series of discussions among members of the governing body that added up to a quorum. On review, the Oregon Supreme Court held that the evidence in the case failed to show that a quorum of county commissioners did deliberate towards a decision, meaning there was not violation of the OPML, and thus the court declined to address the “serial meetings” issue raised by the Court of Appeals. See *Handy v. Lane County*, 360 Or 605 (2016). Recently, in *TriMet v. Amalgamated Transit Union Local 757*, 362 Or 484 (2018), the Oregon Supreme Court held that ORS 192.630(2)—which states that a “quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter”—is broader than the requirement in ORS 192.630(1). In other words, a quorum of a governing body may be subject to the public meetings law even if it does not engage in a formal “meeting.”

Notice

The OPML requires that notice be provided of the time and place of public meetings, including regular, special and emergency meetings as defined in ORS 192.640. For regular meetings, notice must be reasonably calculated to provide actual notice to the persons and the media that have stated in writing that they wish to be notified of every meeting. Special notice requirements apply to executive sessions.

Space, Location, and Accessibility

For any meeting, the public body should consider the probable public attendance and should meet where there is sufficient room to accommodate that attendance. In the event of an unexpectedly high turnout, the public body should do its best to accommodate the greater number of people.

► Geographic Location

The OPML states that meetings of a governing body of a public body must be held within the geographic boundaries of the area over which the public body has jurisdiction, at its administrative headquarters, or at “the other nearest practical location.” In the case of an actual emergency necessitating immediate action, however, a governing body may hold an emergency meeting at a different location than one described in ORS 192.630(4).

► Nondiscriminatory Site

Governing bodies are prohibited from holding meetings at any place where discrimination based on race, color, creed, sex, sexual orientation, national origin, age or disability is practiced. A governing body may hold a meeting at a location that is also used by a restricted-membership organization if the use of the location by such an organization is not its primary use.

► Accessibility to Persons with Disabilities

The OPML imposes two requirements relating to accessibility to persons with disabilities (*see* ORS 192.630(5) (a)). First, meetings subject to the OPML must be held in places accessible to individuals with mobility and other impairments. Second, the public body must make a good-faith effort to provide an interpreter at the request of deaf or hard-of-hearing persons.

Voting

All official actions by a governing body of a public body must be taken by public vote. The vote of each member must be recorded unless the governing body has 26 or more members. Even then, any member of the governing body may request that the votes of each member be recorded. The governing body may take its vote through a voice vote or through written ballots, but ballots must identify each member voting and the vote must be announced. Secret ballots are prohibited. State law preempts any local charter or ordinance that permits voting through secret ballots.

Recorded or Written Minutes

The OPML requires that the governing body of a public body provide for sound, video or digital recording, or written minutes, of its public meetings. The record of the meeting—in whatever format—must include at least the following information:

- The members present;
- All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- The results of all votes and, except for governing bodies consisting of more than 25 members unless requested by a member of the governing body, the vote of each member by name;
- The substance of any discussion on any matter; and
- Subject to the Oregon Public Records Law, ORS 192.410 to 192.505, a reference to any document discussed at the meeting.³

Written minutes need not be a verbatim transcript and sound or video recordings need not contain a full recording of the meeting. Rather, the record must provide “a true reflection of the matters discussed at the meeting and the views of the participants.” The record must be made available to the public “within a reasonable time after the meeting.”

³ Note that reference to a document in meeting minutes does not change the status of the document under public records law. ORS 192.650(3).

ONLINE RESOURCES

LOC-TV: PUBLIC VS. PRIVATE MEETINGS

Do you know what qualifies as a public meeting? Confused about what's required under Oregon law? This training video answers those questions and others to help you ensure compliance with Oregon public meetings law. <https://bit.ly/37qCFPN>



LOC-TV: HOW TO DO EXECUTIVE SESSIONS RIGHT

This LOC-TV episode covers the basic guidelines for holding private meetings as a public body, known as executive sessions. Laws outlining approved topics, notice requirements, media attendance and procedural requirements are discussed, along with consequences and available resources. <https://bit.ly/2s36A0t>

EXECUTIVE SESSIONS

Governing bodies are permitted to meet in executive (closed) sessions in certain circumstances (*see* ORS 192.660). An “executive session” is defined as “any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.”

Executive sessions are not the same thing as meetings that are exempt from the OPML. Indeed, an executive session is a type of public meeting and must conform to all applicable provisions of the OPML. Importantly, the authority to go into executive session does not relieve a governing body of its duty to comply with other requirements of the OPML.

Permissible Purposes

A governing body is permitted to hold an open meeting even when the law permits it to hold an executive session, but a governing body may only hold an executive session in certain

(continued on page 10)

Public Meetings

circumstances. ORS 192.660 lists the circumstances in which a governing body may hold an executive session. Those purposes include:

- ▶ Employment of public officers, employees and agents;
- ▶ Discipline of public officers and employees;
- ▶ Performance evaluations of public officers and employees;
- ▶ Labor negotiation consultations;
- ▶ Real property transactions;
- ▶ Discussion of public records exempt from disclosure; and
- ▶ Discussions with legal counsel.

Final Decision Prohibition

The OPML provides: “No executive session may be held for the purpose of taking any final action or making any final decision.” Although a governing body may reach a final consensus in an executive session, the purpose of the final-decision prohibition is to allow the public to know of the result of any such consensus. A formal vote in a public session satisfies the requirement, even if the vote merely confirms the consensus reached in executive session.

Method of Convening an Executive Session

A governing body is permitted to hold a public meeting consisting of only an executive session. The notice requirements for such a meeting are the same as those for any other meeting (*see* ORS 192.640). In addition, the notice must cite to the statutory authority for the executive session.

Alternatively, an executive session may be called during a regular, special, or emergency meeting for which notice has already been given in accordance with ORS 192.640. The person presiding over the meeting must announce the statutory authority for the executive session before going into the executive session.

CONCLUSION

The OPML is an important, nuanced law. A single article cannot fully describe all of its provisions or how it applies in various factual circumstances. For more detail on the OPML, please see the Oregon Attorney General’s Public Records and Meetings Manual (2014), available at www.goo.gl/ikzw5B. ■

ONLINE RESOURCES

GUIDE TO EXECUTIVE SESSIONS (2017)

A comprehensive review of where, when and how cities may conduct executive sessions, complete with model forms and policies.

Available at: <https://bit.ly/35lvQNG>.



HANDLING DISRUPTIVE PEOPLE IN PUBLIC MEETINGS (2017)

A legal guide to help cities know their options for dealing with disruptive behavior. The guide covers when the public has a right to speak at public meetings, constitutional speech protections, and issues involved in removing someone from a council meeting.

Available at: <https://bit.ly/2XvVvaa>.

MODEL RULES OF PROCEDURE FOR COUNCIL MEETINGS (2017)

A guide providing cities with a starting point in creating their rules of procedure, where required by the city charter, or where a council so desires.

Available at: <https://bit.ly/2Owbqe7>.

FAQ ON NOTICE REQUIREMENTS FOR PUBLIC MEETINGS (2017)

Answers to common questions about the notice requirements associated with public meetings.

Available at: <https://bit.ly/2D1Xwv1>.

Property Tax Basics

Oregon's current property tax system was shaped by Measures 5 and 50, two constitutional amendments passed in the 1990s. Prior to Measures 5 and 50, Oregon jurisdictions used a levy-based system for assessing property taxes. Put simply, each taxing district (city, county, etc.) imposed the levy in the amount needed to cover the taxing district's budget, which was based on community service demands. County assessors estimated the real market values of all property in the state. The levy for each taxing district was then divided by the total real market value in the district to arrive at a district tax rate. The taxes each district imposed equaled its tax rate, multiplied by its real market value. Generally, levies for each district were constitutionally limited to an annual growth rate of 6 percent, and levies that would increase by more than 6 percent required voter approval. The levy system was dramatically altered with the passage of Measure 5 in 1990.

MEASURE 5: TAX LIMITS & COMPRESSION

In 1990, Oregon's voters amended the state constitution by approving Ballot Measure 5, which set limits on the amount of tax that a taxing jurisdiction can impose on the real market value (RMV) of property. For example, education districts could levy no more than \$5 per \$1,000 of RMV, and general government districts (including cities and counties) could levy no more than \$10 per \$1,000 of RMV. The caps apply only to operating tax levies, not bonds. If property tax rates exceed the limits, the taxes must be reduced until they meet the limits imposed by Measure 5. Reducing the property tax rate to meet Measure 5 limits is commonly called "compression," and results in millions of dollars of lost revenue for taxing districts every year.

MEASURE 50: PERMANENT RATES, ASSESSED VALUE & GROWTH LIMITS

In 1997, the voters of Oregon again decided to profoundly alter the property tax system by approving the passage of Ballot Measure 50.

First, Measure 50 imposed a permanent operating tax rate limit on all existing taxing districts. The permanent rate for

Reducing the property tax rate to meet Measure 5 limits is commonly called "**compression**," and results in millions of dollars of lost revenue for taxing districts every year.

each taxing district was primarily determined by combining the levies that existed locally when Measure 50 was passed. Neither a taxing district nor the voters can alter Measure 50 permanent rates—they remain at 1997 levels in perpetuity.

Second, Measure 50 also changed the concept of assessed value to which the tax rates are applied. Assessed value is no longer equal to the real market value of a property. Instead, the amount of tax is based on the property's "assessed value" as defined by Measure 50. Measure 50 stated that a property's assessed value is calculated by reducing the property's real market value in the 1995-96 tax year by 10 percent. That method of calculating assessed value codified inequities between comparable properties. Prior to Measure 50, the real market value of properties within a county was determined across a six-year reappraisal cycle. When Measure 50 passed, some properties had been recently assessed, while other properties had not been assessed for four or five years.

Third, Measure 50 limited the annual growth rate of taxable property to 3 percent of assessed value—well below the average rate of inflation. By setting assessed values at 90 percent of 1995-96 market levels and capping the annual rate of growth, Measure 50 permanently codified imbalances in assessed values. As a result, similarly valued properties may pay dramatically different property tax amounts.

For new properties or those that undergo a significant change, such as remodeling, new construction, rezoning or subdivision, the assessed value is determined according to Oregon Revised Statutes 308.149 to 308.166, known as the changed property

(continued on page 12)

Property Taxes



Neither a taxing district nor the voters can alter Measure 50 permanent rates – they remain at 1997 levels in perpetuity.

ratio (CPR) statutes. The new assessed value is determined by applying the ratio of the assessed value to the market value of all existing property within the same class (residential, commercial, etc.) in either the city or the county to the improved or changed property. In most of the state, CPR is calculated on a county-wide basis. In Multnomah County, cities can elect to calculate CPR on a city-wide basis, provided the city passes an ordinance or resolution as required by law.

THE IMPACTS OF MEASURES 5 & 50

Measures 5 and 50 have caused significant revenue challenges for taxing authorities in Oregon. Following the passage of Measure 50, statewide property tax revenue immediately fell by \$51.4 million, due to the changing of the property tax system to one based on assessed values rather than one based on market values. Since 1997, inflation has regularly exceeded the 3 percent limit set out in Measure 50, particularly for city expenses like employee healthcare and pension costs. Thus, cities have seen a growing disparity between property tax revenue relative to costs, even as property values continue to rise.

For a more detailed look at the effects of Measure 5 and 50 over time, please see the League's Primer on Measures 5 and 50, available here: www.goo.gl/ykuFiw.

THE EFFECTS OF COMPRESSION

To determine a property's tax obligation each year, a county assessor must determine the property's assessed value (as required by Measure 50) and the property's real market value

ONLINE RESOURCES

CITY PROPERTY TAX REPORT (2016)



Statistical information regarding property taxes for cities, counties, school districts and special districts. The report includes data on tax revenues received, assessed and real market values, city tax rates, compression losses and property tax exemptions.

Available at: <https://bit.ly/2QBqpGr>.

(as required by Measure 5). When a property's assessed taxes exceed the Measure 5 limits, the tax obligation is compressed to the Measure 5 limits. The difference between the assessed value and the compressed limit is forever lost to the taxing district—typically, millions of dollars every year across the state. In fiscal year 2016-17, for example, more than 65 percent of Oregon's cities were negatively affected by compression, representing \$31.4 million in lost property tax revenue.

The League continues to seek reforms to Oregon's property tax system that is fair for property owners, effective for cities, and does not inhibit economic growth. ■

Five Things to Know About Public Records

1. WHAT ARE PUBLIC RECORDS?

State law defines a public record as: “[A]ny writing that contains information relating to the conduct of the public’s business *** prepared, owned, used or retained by a public body regardless of physical form or characteristics.”¹ The term “writing” is defined broadly and includes any “handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds or symbols, or combination thereof, and all papers, maps, files, facsimiles or electronic recordings.” When determining whether a record is public, the question is whether the record relates to the business of the public, not the format of the record. This often means that emails, text messages and social media posts—even those created, delivered and stored on a personal device—could be considered a public record. If a record has a relationship to a city’s business, then it’s a public record.

2. DUTIES OF A CITY

Cities have the duty to make available a written procedure for making public records requests. The procedure must include the name of at least one city contact to whom requests may be sent, and the amounts of and manner of calculating fees that the city charges for responding to public records requests.

Once received, a city must acknowledge receipt of the public records request or provide a copy of the requested record within five business days.

Within 10 business days of the date it was required to acknowledge the request, the city must either complete its response to the request, or provide a written statement that it is still processing the request, along with an estimated completion date. These timeframes do not apply if compliance would be impracticable.² However, a city must still complete the request as soon as practicable and without unreasonable delay.

3. DISCLOSURE OF PUBLIC RECORDS

The public has the right to inspect any public record in a city’s possession. A city may withhold certain public records from disclosure if they are exempt by law. Cities must segregate exempt records from nonexempt records and disclose all non-exempt material. The primary list of public records exemptions may be found under ORS 192.345 and 192.355, though exemptions are scattered throughout both state and federal law. There are two primary types of exemptions: conditional and unconditional. Conditional exemptions—those found in

ORS 192.345—require a city to consider the public’s interest in disclosure. Unconditional exemptions either require their own separate consideration or none at all. Remember, when in doubt, Oregon law favors disclosure.

4. FEES FOR RESPONDING TO PUBLIC RECORDS REQUESTS

A city may assess reasonable fees to get reimbursed for the actual costs incurred while responding to a public records request. The city may assess a fee for the time spent by city officials and staff researching the records, providing redactions, and the city attorney’s time spent reviewing the records and redacting exempt materials. If the city wishes to charge a fee greater than \$25, the city must notify the requester in writing of the estimated amount of the fee, and the requester must confirm in writing that it wishes to proceed. The city may request prepayment. If the actual cost incurred by the city is less than the amount paid, the city must promptly refund any overpayment.³

5. APPEALS AND CONSEQUENCES TO THE CITY

A person who is denied access to a public record may appeal the city’s denial. The appeal may be made to the district attorney in the county in which the city is located, if the denial was by the city. If the district attorney denies any part of a petition, the requester may seek review in the circuit court for the county in which the city is located, or the Marion County Circuit Court. If the denial was made by an elected official, the appeal may be made by petitioning the circuit court for the county in which the elected official is located or the Marion County Circuit Court. If the requester prevails in full, the city is required to compensate the requester for the cost of litigation and trial. If the requester prevails only in part, an award of costs and attorney’s fees is discretionary.

Additional guidance is available on the League’s website and in the Oregon Attorney General’s Public Records and Meetings Manual available online at: <https://goo.gl/PKazDW>.

1 Generally public records law is covered by ORS 192.

2 Reasons where compliance would be impracticable include staffing, performance of other necessary services, or the volume of other simultaneous public records requests.

3 Oregon Attorney General’s Public Records and Meetings Manual (2014), Public Records Chapter, page 17.

Budgeting 101

A city's adopted budget is one of the most important and informative documents city officials will use. This budget is prepared for each fiscal period and serves as a financial plan. Cities in Oregon operate within a fiscal year that begins July 1 and concludes the following June 30, or some cities will use a biennial budget, which covers a 24-month period beginning July 1 of the first fiscal year and ending on June 30 of the second fiscal year.

The adopted budget is a legal document that establishes the authorization to receive and spend money, and limits how much money can be spent for a specific activity or program. It presents the estimated costs of expenditures (goods or services the city plans to purchase in the coming fiscal year) and other budget requirements (contingency for unanticipated expenses) that must be planned for, but may not actually be spent. It also presents the anticipated and actual revenues that will be available to pay for those expenditures.

Preparing a budget allows a city to look at its needs in light of the funds available to meet those needs. In Oregon, all local governments must plan a balanced budget, meaning that the resources and requirements are equal. A city cannot plan to purchase more items or services than it has money to pay for them.

A CITY'S BUDGET PROCESS

Appoint a Budget Officer

The budget officer—who is either appointed by the city council or defined in the city charter—prepares the proposed budget in a format that meets the requirements set out in state statutes. The budget officer develops the budget calendar, which maps out all the steps that must be followed for the legal adoption of the city budget. A budget calendar is not required by law, but is highly recommended.

Appoint Electors to the Budget Committee

The budget committee is an advisory group comprised of the city council and an equal number of appointed members. The appointed members of the budget committee must be electors of the city. Budget committee members are appointed for staggered three-year terms, and cannot be employees, officers or agents of the city.

THE BUDGET PROCESS

1. Appoint a budget officer
2. Appoint electors to the budget committee
3. Budget officer prepares a proposed budget
4. Public notice of budget committee meeting
5. Budget committee meets
6. Budget committee approves the budget
7. Budget summary and notice of budget hearing are published
8. Hold budget hearing
9. Adopt budget, make appropriations, impose taxes, categorize taxes
10. Certify taxes
11. Post-adoption budget changes

Source: Local Budgeting Manual 150-504-420, found under Forms & Publications at www.oregon.gov/DOR.

Budget Officer Prepares a Proposed Budget

After the budget calendar is set, the budget officer begins to develop the estimates of resources and requirements for the coming year or biennial cycle.

Every city budget will have at least one fund—the general fund—which accounts for daily operations. In practice, a

city budget will have a number of funds, each designed to account for a specific purpose. A budget should include enough different types of funds to clearly show what services and programs a local government is providing and how it is paying for expenditures. However, it is advisable to not have too many funds, as this makes the budget harder to read and understand.

There are seven types of funds used in most city budgets:

General Fund – records expenditures needed to run the daily operations of the local government.

Special Revenue Fund – accounts for money that must be used for a specific purpose.

Capital Project Fund – records the money and expenditures used to build or acquire capital facilities, such as land, buildings or infrastructure.

Debt Service Fund – records the repayment of general obligation and revenue bonds and other financing obligations.

Trust and Agency Fund – accounts for money that is held in trust for a specific purpose as defined in a trust agreement or when the government is acting as a custodian for the benefit of a group.

Reserve Fund – functions as a savings account to pay for any service, project, property or equipment that the city can legally perform or acquire in the future.

Enterprise Fund – records the resources and expenditures of acquiring, operating and maintaining a self-supporting facility or service—such as a city water or wastewater utility.

Oregon budget law requires that each year a city's budget provides a financial history of each fund. The financial history must include:

- The actual revenues and expenditures for the prior two years;
- The budgeted revenues and expenditures for the current year;
- The estimated balanced budget as proposed by the budget officer for the coming year which includes columns for the budget approved by the budget committee; and
- The final budget adopted by the governing body.

The budget also includes a column for the descriptions of expenditures and resources.

THE BUDGET MESSAGE

The budget message gives the public and the budget committee information that will help them understand the proposed budget. It is required by statute to contain a brief description of the financial policies reflected in a proposed budget and, in connection with the financial policies, explain the important features of the budget. The budget message must also explain proposed changes from the prior year's budget and any major changes in financial policies.

Public Notice of the Budget Meeting

The budget committee must hold at least one meeting for the purpose of receiving the budget message and the budget document, and to provide the public with an opportunity to ask questions about and comment on the budget.

The city must give public notice for the budget meeting(s) either by printing notice two times in a newspaper of general circulation, or once in the newspaper and posting it on the city's website. If the budget committee does not invite the public to comment during the first meeting, the committee must provide the opportunity for public comment in at least one subsequent meeting. The notice of the meeting(s) must tell the public at which meeting comments and questions will be taken.

Budget Committee Meets

The budget message is prepared in writing so it can become part of the budget committee's records. It is delivered at the first meeting of the budget committee by the budget officer, the chief executive officer or the governing body chair.

A quorum, or more than one-half of the committee's membership, must be present in order for a budget committee to conduct an official meeting. Any action taken by the committee first requires the affirmative vote of the majority of the membership.

(continued on page 16)

Budgeting

Budget Committee Approves the Budget

One of the budget committee's most important functions is to listen to comments and questions from interested citizens and consider their input while deliberating on the budget. The budget committee can revise the proposed budget to reflect changes it wants to make in the local government's fiscal policy provided that the revisions still produce a balanced budget. When the committee is satisfied, it approves the budget.

When approving the budget, the budget committee must also approve a property tax rate or the tax amounts that will be submitted to the county assessor. The budget committee should make a motion to approve the property tax so that the action is documented in the committee meeting minutes.

Upon approval of the budget by the budget committee, the budget officer completes the budget column labeled "approved by budget committee," noting any changes from the original proposed budget.

Budget Summary and Notice of Budget Hearing are Published

A summary of the approved budget, which includes a narrative description of prominent changes to the budget from year to year, is published in the newspaper with the notice of a public hearing to adopt the budget five to 30 days before the budget hearing date.

Hold Budget Hearing

The city council must conduct a budget hearing by June 30 to receive the budget committee's approved budget, conduct deliberations, and consider any additional public comments. The council can make any adjustments it deems necessary (with some restrictions) to the approved budget before it is adopted by June 30. The budget hearing and the resolutions or ordinances necessary to adopt the budget and impose taxes can be conducted at the same public meeting.

Adopt Budget, Make Appropriations, Impose Taxes, Categorize Taxes

The council may adopt the budget at any time after the budget hearing so long as it is adopted by June 30. It is not a requirement that the budget be adopted at the hearing.

To adopt the budget, the city council enacts a resolution or ordinance which provides the legal authority to:

- Establish or dissolve funds;
- Make appropriations for expenditures;
- Adopt a budget; impose and categorize taxes; and
- Perform all other legal actions pertaining to budgeting and authorizing tax levies.

All enactment statements can be combined into one resolution (or ordinance), which must be signed by the mayor before submission to the county assessor's office.

Certify Taxes

Any property taxes must be certified to the county assessor annually, even if the city adopts a biennium budget. By July 15 of each year, a city must submit two copies of the resolution (or

ONLINE RESOURCES

OREGON DEPARTMENT OF REVENUE RESOURCES



LOCAL BUDGETING MANUAL

An introduction to the requirements of Local Budget Law, including information on biennial budgets.

Available at <http://goo.gl/gGdnwk>.

LOCAL BUDGETING IN OREGON

A supplement to the *Local Budgeting Manual*, covering the requirements of Oregon's Local Budget Law.

Available at <http://goo.gl/h5ptkS>.

LOCAL BUDGET LAW WEBPAGE

A webpage dedicated to helping local governments prepare and adopt their budgets. The page contains forms, glossary of terms, sample budgets and information on free training sessions.

Available at <http://goo.gl/JCKgSE>.

ordinance) to the county tax assessor. In addition, the notice of property tax certification (form LB-50) and successful ballot measures for local option taxes or permanent rate limits must be submitted.

In addition to the county tax assessor's copies, a copy of the resolutions required to receive shared revenue must be submitted to the Oregon Department of Administrative Services by July 31. Finally, a copy of the published adopted budget document, including the publication and tax certification forms, must be submitted to the county clerk's office by September 30.

Post-Adoption Budget Changes

While it is possible for changes to be made to an adopted budget once the fiscal year begins, this can only happen under specific circumstances. Two such examples are council-approved resolution transfers of funds and supplemental budgets that make changes to adopted expenditure appropriations and estimated resources. These are actions that must be taken before more money is spent beyond what is appropriated in the adopted budget. Any changes made to the adopted budget require that the budget remain in balance after the change. ■

What You Need to Know About Gift Limitations

THE BASICS

During a calendar year, a public official, candidate, or relative or member of the household of the public official or candidate may not:

- Solicit or receive
- Directly or indirectly
- Any **gifts** with an aggregate value above **\$50**
- From any single source
- Reasonably known to have a **legislative or administrative interest**.

A GIFT IS...

- Something of economic value
- Without cost, at a discount, or as forgiven debt
- Not available to the general public on the same terms.
- Examples:
 - Meals
 - Lodging
 - Event Tickets

LEGISLATIVE OR ADMINISTRATIVE INTEREST MEANS...

- Economic interest
- Distinct from that of the public
- In a matter subject to the decision or vote of a public official acting in that capacity.

THE FOLLOWING ARE NOT CONSIDERED 'GIFTS':

- Gifts from relatives or members of the household
- Unsolicited token of appreciation with a resale value less than \$25
- Publications and subscriptions related to official duties
- Campaign contributions
- Waiver or discount of certain registration expenses or materials at a continuing education event to satisfy a professional licensing requirement
- Entertainment that is incidental to the main purpose of the event
- Received as part of the usual and customary practice of one's private business or employment and unrelated to holding public office
- Offers of lawful benefits to public officials offered by the public entity the public official represents.

WHAT TO ASK YOURSELF BEFORE ACCEPTING A GIFT

- **Is it a "gift?"** A gift is something of economic value not offered to others who aren't public officials (relatives or household members) on the same terms and conditions.
- **Exceptions:** Do any of the exceptions apply?
- **Source:** Does the gift giver have a legislative or administrative interest in my decisions or votes?
- **Value:** If so, does the value of the gift, along with any other gift received from that source this calendar year, exceed \$50?

For more information please contact the Oregon Government Ethics Commission – www.oregon.gov/OGEC.



Successful Code Enforcement

Six Tips to Consider

Code enforcement can be a tricky job. Finding the right balance between ensuring a city's codes are properly followed and providing good customer service to a city's constituents is no easy task.

A successful code enforcement officer excels in these six areas:

1. They know their code. Successful code enforcement officers are experts on their city's codes. They excel at knowing what the code regulates, and what it does not. The best code enforcement officers can easily point to pertinent sections of their city's code when questioned by superiors and members of the public.

2. They review their code annually. Code enforcement officers work with their city's codes perhaps more than any other city employee. It is often the code enforcement officer who finds the code's flaws or the proverbial loophole. Successful code enforcement officers are the ones who annually review their city's code so that, when necessary, appropriate amendments can be submitted to their city council.

3. They believe in interdepartmental cooperation. An exemplary code enforcement officer works cooperatively with employees from various city departments. Code enforcement officers regularly stumble upon problem properties that necessitate the involvement of numerous city departments. Knowing which employees in the various departments need to be looped into resolving the problems at a property is a unique skill possessed by successful code enforcement officers.

4. They engage in successful community outreach. A good code enforcement officer not only knows her city's code, she also educates property owners and community members about the code's requirements. Code enforcement officers with high rates of success are those who frequent neighborhood association meetings, engage with the chamber of commerce, and have regular contact with key stakeholders in the community. Making sure the community knows the code as well as she does is the mark of a successful code enforcement officer.

5. They directly engage with citizens who are in violation of the city code. Notifying property owners that they are in violation of the city's code is never a fun task. While it can be easier to try and deal with code violations via written notices, emails and phone calls, successful code enforcement officers know that sometimes face-to-face contact is the most effective way to remedy a violation. Meeting with a person whose property is in violation of the city code allows the code enforcement officer the opportunity to fully explain the violation, listen to the reasons behind the violation, and engage with the property owner in how to successfully and most expeditiously achieve compliance.

6. They enforce the city's code consistently and equally. Successful code enforcement officers are fair code enforcement officers. A fair code enforcement officer is one that enforces the city's code equally against all property owners, regardless of their position in the community or the location of the property. ■

ASK LOC

Q: Does the state impose restrictions on political campaigning by public employees?

A. Each election season, the League is asked to

- clarify the restrictions on political campaigning by public employees. ORS 260.432 generally prohibits public employees from using their work time to support or oppose measures, candidates, recalls, petitions or political committees. Furthermore, elected officials cannot direct their employees to engage in political activity.

Who is a public employee?

A public employee is any person employed by the state of Oregon, a county, a city or a special district. Examples of public employees include: full-time city employees; part-time city employees; city volunteers that receive no compensation for their service; and appointed board or commission members when they are acting in their official capacity.

Elected officials are not public employees. The statutes prohibiting public employees from supporting or opposing measures, candidates, recalls, petitions and political committees do not apply to elected officials. Elected city mayors, councilpersons and auditors are not public employees.

Contractors are also not public employees. However, contractors cannot be directed to engage in political activity as part of the contractual service they are providing a city.

When are public employees “on the job?”

An employee is “on the job” when he or she is performing work for the city in an official capacity, regardless of when and where the work is performed. For example, if a city’s parks director is required to attend a chamber of commerce event in her official capacity, the parks director is prohibited from asking event attendees to support a local ballot measure that would raise money for the city to build a new swimming pool.

Some common activities that are always considered to be performed in an official capacity include:

- Posting material to an official city website;
- Drafting or distributing an official city publication;
- Appearing at an event as the city’s representative.

How does a public employee engage in political campaigning during her personal time when everyone in the community identifies her as a public employee?

Some public employees are in high profile positions that make them regularly known in their communities. And in small communities, public employees are known by all residents as working for the city. In these instances, it can be hard for members of the public to distinguish the times when a public employee is speaking on behalf of the city as opposed to speaking on behalf of him or herself. Similarly, a public employee who wishes to engage in political campaigning during his or her own private time should make it clear to all that he or she is acting in their personal capacity and is not working for or representing the city.

Can public employees express their own personal political views while on the job?

Yes. Public employees can express their own personal political views while at work. Employees can display political stickers on their personal vehicles and wear political buttons on their clothing (providing such an action doesn’t violate the city’s uniform or personnel policies).

Also, cities should note that public employee unions can have designated bulletin boards in city buildings to post information. The content of union bulletin boards is determined through a collective bargaining process and is not subject to ORS 260.432.

Conclusion

Understanding and knowing when and how public employees can engage in political campaigning can be confusing. To assist public employees and elected officials in understanding and complying with ORS 260.432 the League has created a document entitled “FAQ about Restrictions on Political Campaigning by Public Employees.” If city employees or leaders have questions about ORS 260.432, they are encouraged to consult with their city attorney for additional guidance.

Oregon Water Rights Basics

BY RICHARD M. GLICK

Securing a safe and reliable water supply is a priority concern for every Oregon community. Most cities in Oregon operate their own water systems, while others are served by various forms of water districts or contracts with other cities. Municipal and industrial water use constitutes just a fraction of the total amount of water withdrawn from streams or pumped from aquifers in comparison to irrigated agriculture, but efforts to acquire or expand municipal water supplies attract a lot of attention and sometimes controversy. The availability of new water rights is shrinking, while regulatory requirements expand.

Oregon water law, as in other Western states, follows the rule of Prior Appropriation, often described as “first in time is first in right.” Prior to enactment of the state’s water code in 1909, the common law was that whoever first diverts water out of a stream for a beneficial use can prevent later comers from interfering with that use. That is, the prior appropriator has a legal right to withdraw the full amount used under the original claim, even if it means junior appropriators are denied water. There is no sharing of shortages under the Wild West rule of prior appropriation.

WATER RIGHTS ADMINISTRATIVE PROCESS

New water rights follow a three-step process. First, an application is filed with the Oregon Water Resources Department (OWRD), and the date of the application establishes the priority date. That’s important because the entire water right process can take considerable time to complete. Second, if the OWRD finds that water is available for appropriation, and withdrawal would not “impair or be detrimental to the public interest,” then it issues a permit. The permit allows development of water works and initial use. Third, when construction is complete, the permittee files a Claim of Beneficial Use with OWRD that documents how the water is being used, which may differ from the rate of diversion or volume of water specified in the permit. The OWRD then issues a certificate, which is conclusive evidence of a fully vested water right.

As long as the certificate holder continues to use the water in accordance with the certificate, the right continues in perpetuity. Generally, certificated water rights may be forfeited for five consecutive years of non-use. However, municipal water rights are the exception and cannot be lost for non-use.

WATER RIGHTS ADMINISTRATIVE PROCESS

1. Application filed with OWRD
2. If water is available, OWRD issues a permit
3. Once construction is complete, a Claim of Beneficial Use is filed with OWRD by the permittee

That’s straightforward enough, what could possibly go wrong? Water rights permitting is a very public process. When the OWRD issues a proposed final order to issue a permit, the public has the right to file a protest, which could set off a trial-like “contested case” hearing process. For example, a protestant may claim that the new appropriation would deprive fish of needed flows or interfere with other water rights. Any dissatisfied party to the contested case is entitled to review by the Oregon Court of Appeals. From there, a party may petition the Oregon Supreme Court, but the court can decline to hear the case.

WATER RIGHT TRANSFERS

As the water system is developed, sometimes the permit holder finds that a change in permit conditions, such as the point of diversion, is necessary. That can be accomplished through a permit amendment. After the certificate is issued, however, the process is a bit more complicated. In that case, a “transfer” application must be filed, and the test is whether other water right holders may be “injured” by the change. An example is a change in point of diversion higher up in the watershed, which could mean withdrawals of water above someone else’s diversion. Like proposed final orders for permits, proposed transfers are also subject to protest and hearings.

MUNICIPAL EXTENSIONS OF TIME

The time allowed for full development of municipal water rights has become a contentious issue. Generally, a new permit will include a date to commence and complete construction, usually within the first year. That date can be extended for five years for good cause. The problem is that cities must plan for long-term growth. The goal of most cities is to lock in a supply that will meet anticipated demand decades down the road. A city would then develop a system in increments when it was confident the demand would be there, along with the ratepayers to carry the debt service. This reality has created tension between the legal requirement of prompt development and responsible municipal planning.

For decades, the OWRD had simply issued successive five-year municipal extensions to avoid this problem. That practice was disallowed by the courts in 2004, and in 2005 the Legislature enacted special laws pertaining to municipal water right extensions. Under that statute, new municipal water permits would extend the initial development period to 20 years, with the possibility of additional extensions of time. Following a 2013 court decision, water right permits that have not been fully developed must go through a special process that includes the potential for limits on withdrawals under the permit to protect fish flows.

ALTERNATIVE APPROACHES TO WATER SUPPLIES

Acquiring new community water supplies is a challenge calling for creative solutions. Most Oregon streams are over-appropriated, meaning that there is no water available for future appropriations. Even where water is available, conditions imposed by the OWRD in new permits to protect fish flows can result in curtailment during a significant part of the year. Also, such water rights would be the junior-most in the stream and subject to senior rights.

An alternative used by some municipalities is to purchase existing water rights from farmers or other cities. Others pay farmers to improve irrigation efficiency, for example to install sprinklers to replace flood irrigation, or pipe to replace open canals. No doubt other innovative approaches to municipal water supply will emerge to meet the challenge.

There is no new water in the world, and competition for this scarce resource will only increase, especially as the effects of climate change are better understood. The League of Oregon Cities, working with other stakeholders, is working hard to ensure that the Legislature and the courts understand the imperative and support public water supplies. ■

Mr. Glick is a partner with the law firm of Davis Wright Tremaine LLP.

Resources for City Officials

The League has a large online library of publications, guides, FAQs and models available to assist public officials in carrying out their duties. All of these are available at www.orcities.org/resources/reference/reference-library.

- Guide to Executive Sessions
- Guide to Incorporation
- Guide to Local Government Regulation of Firearms in Oregon
- Guide to Local Regulation of Marijuana in Oregon
- Guide to Recruiting a City Administrator
- Guide to Recruiting a City Attorney
- Legal Guide to Collecting Transient Lodging Taxes in Oregon
- Telecommunications Toolkit
- Model Charter for Cities
- Model Department of Revenue Marijuana Tax Collection Agreement
- Model Policy for Public Contracting & Purchasing
- Model Resolution on Trade Promotion, Fact-Finding Missions & Economic Development Activities
- Model Rules of Procedure for Council Meetings
- Legal Guide to Handling Disruptive People in Public Places
- Measures 5 & 50: A Primer
- The Origins, Evolution & Future of Municipal Home Rule in Oregon
- Understanding Oregon's Unfunded Mandate Law
- FAQ on Emergency Procurements
- FAQ on Garrity Warnings
- FAQ on Initiatives & Referendums
- FAQ on Loudermill Rights
- FAQ on Notice Requirements for Public Meetings
- FAQ on Oaths of Office
- FAQ on Public Record Fees
- FAQ on President's Immigration Orders
- FAQ on Quasi-Judicial vs. Legislative Hearings
- FAQ on Restrictions on Political Campaigning by Public Employees
- FAQ on Right-of-Way Vacations
- FAQ on Surplus Property
- 2017 Legislative Bill Summary

A City's Role in the Land Use Process

BY EMILY JEROME, DEPUTY CITY ATTORNEY, CITY OF EUGENE

Oregon is known for its strict regulation of land use, with literally hundreds of state statutes and rules on whether, how and when a city may allow land to be developed. State laws also govern how a city must notify and engage its residents when the city is considering a proposed change to its land use regulations, or considering a landowner's application for a land use approval. Complying with these state laws takes time, methodical decision-making and staff expertise.

STATEWIDE GOALS & CITY PROCEDURES

Oregon's land use laws relate to 19 "Statewide Planning Goals" that address all aspects of land use planning, including: Citizen Involvement (Goal 1), Natural Resources (Goal 5), Economic Development (Goal 9), Housing (Goal 10), Public Facilities (Goal 11), Transportation (Goal 12), and Urbanization (Goal 14). State law requires every city in Oregon to have a state-approved comprehensive plan to implement the Statewide Planning Goals and to serve as a high-level planning document for the city. Each city's comprehensive plan must include local policies and a land use diagram that are implemented through the city's zoning map and land use code.

The zoning map and land use code are a city's primary land use documents. The map assigns a land use zone to every parcel of land inside the city limits. The code sets out development standards for each zone, including requirements and limits for things like building height, property line setbacks, landscaping and parking spaces. The code also lists the land uses allowed in each zone. For each zone, the code specifies which of the allowed uses are permitted "outright" and which require a more intense approval process. To establish an outright permitted use, a landowner needs only to obtain a building permit, processed by city staff to make sure that applicable development standards are met. To obtain city approval of other uses, the landowner must submit the specified land use application (such as a subdivision or conditional use permit) and demonstrate how the development proposal meets criteria set out in the code.

A city's land use code sets out the procedures it uses to consider land use applications. To a great extent, these procedures are prescribed by state law, though city procedures often exceed state requirements. Each review process includes

mailed notices to surrounding property owners and an opportunity for interested persons to provide written testimony. For certain kinds of applications, a public hearing is required. Many city codes include several different procedural paths with varying notice and hearing requirements. For most land use applications, the city's final decision must be made within 120 days of an application's submittal.

CITY ROLES & DECISION-MAKING

When it comes to land use, city officials play two different roles. Sometimes city officials act like the Legislature, considering the adoption of changes to the land use code that apply city-wide or within an entire zone. This role is referred to as "legislative decision-making." In other cases, city officials act like the judiciary, reviewing a landowner's land use application, holding hearings, considering testimony, and applying code criteria to decide whether the city must approve or deny the proposed development. This is referred to as "quasi-judicial decision-making." There are different rules for city officials, depending upon which role is being played.

When acting in a legislative role, city officials are considering a change in city policy that will be generally applicable. City officials may exercise broad discretion when considering whether to vote for or against the proposed change. In fact, the officials may decide to simply abandon the idea without voting at all. City officials may talk with residents about a legislative proposal and may do their own research about it. They are bound only by the general ethics laws that apply to all city actions.

When considering a land use application in their quasi-judicial role, city officials are bound by additional laws. To ensure a fair process, city officials should not form an unchangeable opinion about an application until they have received all testimony and evidence. Also, city officials should not read or talk about the pending application outside of the formal hearing and review process. If such an "ex parte" communication does occur, the city official should alert the planner so that remedial steps can be taken. The city's decision on a land use application must be based on written findings addressing the application's consistency with the approval criteria from the code, and no other considerations. The applicable criteria are those that were in place at the time the application was submitted. ■



**1201 COURT ST. NE, SUITE 200
SALEM, OREGON 97301
(800) 452-0338
WWW.ORCITIES.ORG**

Appendix B

Budgeting Basics

Budgeting Basics

A look at the budget process, common elements and current law



A city's adopted budget is one of the most important and informative documents city officials will use. In simple terms, the city's budget is a financial plan that is prepared for one fiscal year or a two-year (biennial) cycle. Cities in Oregon operate within a fiscal year that begins July 1 and concludes the following June 30, or some cities will use a biennial budget, which covers a 24-month period beginning July 1 of the first fiscal year and ending on June 30 of the second fiscal year.

The adopted budget is a legal document that establishes the authorization to receive and spend money, and limits how much money can be spent for a specific activity or program. It presents the estimated costs of expenditures (goods or services the city plans to purchase in the coming fiscal year) and other budget requirements (contingency for unanticipated expenses) that must be planned for, but may not actually be spent. It also presents the anticipated and actual revenues that will be available to pay for those expenditures.

Budgeting is actually a cycle, which takes 12 months to complete. The budgeting process in Oregon has nine required steps, composed of four phases in which the budget is: prepared, approved, adopted and executed. After adopting the budget, the governing body makes the necessary appropriations and certifies to the county assessor the tax to be imposed. In order to levy taxes through a county assessor, cities must prepare a budget following the specific process as set out in state law.

Oregon's Local Budget Laws

In Oregon, cities are required to adhere to the state's local budget law, a group of statutes that requires local governments to prepare and adopt annual or biennial budgets following a very specific process. Budget laws have been written to accomplish very specific objectives, including:

- Setting standard procedures for preparing, presenting and using budgets for most of Oregon's local governments;
- Encouraging citizen involvement in the preparation and deliberations of the budget before it's formally adopted;
- Providing a method for estimating expenditures, resources and proposed taxes; and

- Offering a way of outlining the programs and services provided by the local governments, and the fiscal policy used to carry them out.

Preparing a budget allows a city to look at its needs in light of the funds available to meet those needs. In Oregon, all local governments must plan a balanced budget, meaning that the resources and requirements are equal. A city cannot plan to purchase more items or services than it has money to pay for them.

A CITY'S BUDGET PROCESS

Phase 1: The Budget Officer Prepares a Proposed Budget

The first step in the budget process is to appoint a budget officer, who may be appointed by the governing body (the city council) or designated in the city's charter. The budget officer reports to the executive officer or the governing body and is responsible for preparing the proposed budget or supervising its preparation. The budget officer must prepare the proposed budget in a format that meets the requirements set out in state statutes.

The budget officer develops the budget calendar, which maps out all the steps that must be followed for the legal adoption of the city budget. A budget calendar is not required by law, but is highly recommended. By scheduling the steps of budget preparation, a city can be more certain that it is allowing sufficient time to complete the entire budget process before June 30, as required by state law. After the budget calendar is set, the budget officer begins to develop the estimates of resources and requirements for the coming year or biennial cycle. A sample budget calendar, including all of the required steps, is shown on page 31.

Every city budget will have at least one fund, the general fund, which accounts for the daily operations of the city. In practice, a city budget will have a number of funds, each designed to account for a specific purpose. A budget should include enough different types of funds to clearly show what



services and programs a local government is doing and how it is paying for expenditures. However, it is advisable to not have too many funds, as this makes the budget harder to read and understand.

There are seven types of funds used in most city budgets:

General Fund – records expenditures needed to run the daily operations of the local government and the money that is estimated to be available to pay for these general needs.

Special Revenue Fund – accounts for money that must be used for a specific purpose and the expenditures that are made for that purpose.

Capital Project Fund – records the money and expenditures used to build or acquire capital facilities, such as land, buildings or infrastructure. This is a type of special purpose fund and is only used while a project is being completed.

Debt Service Fund – records the repayment of general obligation and revenue bonds and other financing obligations. The expenditures in the fund are the principal and interest payments. Money dedicated to repay these obligations cannot be used for any other purpose.

Trust and Agency Fund – accounts for money that is held in trust for a specific purpose as defined in a trust agreement or when the government is acting as a custodian for the benefit of a group. *Example:* gifts of investments or securities given to the city with provisions that the income be used to aid the library or park system.

Reserve Fund – accumulates money to pay for any service, project, property or equipment that the city can legally perform or acquire. It functions as a savings account. A special resolution or ordinance of the governing body is needed to set up a reserve fund. *Example:* money set aside to pay for the future replacement of city vehicles at the end of their useful lives.

Enterprise Fund – records the resources and expenditures of acquiring, operating and maintaining a self-supporting facility or service—such as a city water or wastewater utility.

Oregon budget law requires that each year a city's budget provides a brief financial history of each fund. To meet this requirement, the annual budget will include detailed information on: the actual revenues and expenditures for the prior two years; the budgeted revenues and expenditures for the current year; the estimated balanced budget as proposed by the budget officer for the coming year which includes columns for the budget approved by the budget committee; and the final budget adopted by the governing body. The budget also includes a column for the descriptions of expenditures and resources. The box on page 30 illustrates typical resources and expenditures found in a city budget.

Phase 2: The Budget Committee Approves the Budget

As defined by statute, a budget committee is an advisory group comprised of the city council and an equal number of appointed members. If the city council cannot identify enough citizens willing to serve on the budget committee, then the committee is made up of the citizens who have volunteered to serve along with the entire city council.

The appointed members of the budget committee must be electors of the city, meaning they must be qualified voters who have the right to vote on the adoption of any measure. The members of the budget committee are appointed for staggered three-year terms, and cannot be employees, officers or agents of the city. No member of the budget committee can receive compensation for serving on the committee except reimbursement of expenses incurred while serving.

Among its many functions, the budget committee conducts public meetings to hear the budget message and review the budget proposed by the budget officer. One of its most

Common Resources & Expenditures in a City Budget

Resources:

Net Working Capital – fund balance from previous year

Taxes – estimated collections from property taxes or voter-approved special levies to be received during year

Franchise Fees – user fees charged to utility and refuse companies by the city for use of public rights-of-way

Fines and Forfeitures – payments imposed by the city for traffic, criminal and code violations and offenses

Charges for Services – charges for services provided to individuals by the city such as water and wastewater charges

Interest Income – interest earned by investing city funds

Intergovernmental – revenues received from other governments such as grants, shared revenues and gas taxes

Transfers In and Inter-fund Loans – the receipt of money or loan proceeds made between city funds that is authorized by a resolution or ordinance

Licenses, Fees and Permits – revenues from the sale of municipal licenses such as business licenses, fees for services such as planning fees and park user fees, and permits issued by the city

Miscellaneous Revenue – revenues that do not fit within one of the other major categories

Expenditures:

Personnel Services – employee wages, employer taxes, health insurance, workers' compensation, retirement and other employment benefits

Materials and Services – includes a wide range of operating expenditures such as property and liability insurance, utilities, building maintenance, supplies, vehicle maintenance, fuel, training and professional services contracts

Capital Outlay – purchase of items that are considered to be capital assets. Capital assets are defined either by a set amount in financial policies or based on the useful life of the item. Capital outlay can include furniture, vehicles, buildings, land, software systems and other types of equipment.

Debt Service – annual principal and interest payments made on city loans and bonds

Transfers Out – cash transfers to another city fund to pay for expenditures or to repay an inter-fund loan that is authorized by resolution or ordinance

Contingency – money that is appropriated for use during the year to deal with unanticipated operating expenditures. Use of contingency funds must be authorized by a resolution or ordinance

Unappropriated Ending Fund Balance – money that is not budgeted and purposely remains in the fund at the end of the current fiscal year to be used as a cash carryover to the next year's budget. The purpose is to ensure that the city begins the following year with enough net working capital to operate until tax revenues are received. It cannot be spent during the year it is unappropriated except in qualifying emergency situations as defined by state statute such as a natural disaster or civil disturbance.

important functions is to listen to comments and questions from interested citizens and consider their input while deliberating on the budget. The budget committee can revise the proposed budget to reflect changes it wants to make in the local government's fiscal policy provided that the revisions still produce a balanced budget. When the committee is satisfied, it approves the budget. (Note: the budget committee does not have the authority to negotiate employee salaries.)

The Budget Message

The budget message gives the public and the budget committee information that will help them understand the proposed budget. It is required by statute to contain a brief description of the financial policies reflected in a proposed budget and, in connection with the financial policies, explain the important

features of the budget. The budget message must also explain proposed changes from the prior year's budget and any major changes in financial policies.

The budget message is prepared in writing so it can become part of the budget committee's records. It is delivered at the first meeting of the budget committee by the budget officer, the chief executive officer or the governing body chair.

Budget Committee Meetings

A quorum, or more than one-half of the committee's membership, must be present in order for a budget committee to conduct an official meeting. Any action taken by the committee first requires the affirmative vote of the majority of the membership. In the event that only a quorum is present at a meeting, all members must then vote in the affirmative for an action to be taken.

Sample Budget Calendar	Sample Dates	Your Dates
1. Appoint budget officer	December 7	
2. Appoint budget committee members	January 30	
3. Prepare proposed budget	February 27	
4. Print first notice of budget committee meeting (not more than 30 days before the meeting)	March 13	
5. Print second notice of budget committee meeting (not less than 5 days before the meeting)	March 22	
6. Budget committee meets	March 29	
7. Budget committee meets again, if needed	April 5	
8. Publish notice of budget hearing (5 to 30 days before the hearing)	April 19	
9. Hold budget hearing (governing body)	May 3	
10. Enact resolutions to: adopt budget, make appropriations, impose and categorize taxes (<i>can be done at the same meeting as the public hearing</i>)	June 28	
11. Submit tax certification documents to the assessor by July 15	July 12	

Local budget law requires that a budget committee hold at least one meeting for the purpose of receiving the budget message and the budget document, and to provide the public with an opportunity to ask questions about and comment on the budget. The city must give public notice for the meeting(s) held for these two purposes, either by printing notice two times in a newspaper of general circulation, or once in the newspaper and posting it on the city's website. If the budget committee does not invite the public to comment during the first meeting, the committee must provide the opportunity in at least one subsequent meeting. The notice of the meeting(s) must tell the public at which meeting comments and questions will be taken.

When approving the budget, the budget committee must also approve a property tax rate or the tax amounts that will be submitted to the county assessor. The budget committee should make a motion to approve the property tax so that the action is documented in the committee meeting minutes.

Upon approval of the budget by the budget committee, the budget officer completes the budget column labeled "approved by budget committee," noting any changes from the original proposed budget. A summary of the approved budget, which includes a narrative description of prominent changes to the budget from year to year, is published in the newspaper with the notice of a public hearing to adopt the budget five to 30 days before the hearing date.

Phase 3: The Budget is Adopted and Property Taxes are Certified (when appropriate)

The city council must conduct a budget hearing by June 30 to receive the budget committee's approved budget, conduct deliberations and consider any additional public comments. The council can make any adjustments that it deems necessary (with some restrictions) to the approved budget before it is adopted prior to July 1. The budget hearing and the resolutions or ordinances necessary to adopt the budget and impose taxes can be conducted at the same public meeting. The types of changes the governing body can make are:

- Increasing expenditures in any fund in the annual budget up to \$5,000 (\$10,000 in a biennial) or 10 percent, whichever is greater. If the increase needs to be greater than these limits, the council must republish the budget summary and hold a second public hearing (before July 1);
- Reducing expenditures of any fund—does not require republishing;
- Increasing the amount or rate of taxes to be imposed above what the budget committee approved. This can only be done if the budget is republished and a second budget hearing is held. However, the council cannot raise taxes above legal limits—the city's permanent rate limit, a voter-approved local option tax rate or dollar amount, and bond principal and interest requirements;
- Reducing the tax rate or amount approved by the budget committee—does not require republishing; and

Adjusting the other resources in each fund—does not require republishing.

Adoption of the Budget

Interestingly, it is not a requirement that the budget be adopted at the hearing. The council has the option to wait until closer to the end of the fiscal year to formally adopt the budget. By waiting, the budget can include a better estimate of resources. However, the budget must be adopted by June 30.

To adopt the budget, the city council enacts a resolution or ordinance which provides the legal authority to: establish or dissolve funds; make appropriations for expenditures; adopt a budget; impose and categorize taxes; and perform all other legal actions pertaining to budgeting and authorizing tax levies. To accomplish this, cities do not have to pass multiple resolutions (or ordinances). All the enactment statements can be combined into one resolution (or ordinance), which must be signed by the mayor before submission to the county assessor's office.

By July 15 of each year, a city must submit two copies of the resolution (or ordinance) adopting the budget, making appropriations, and imposing and categorizing the tax to the county tax assessor. In addition, the notice of property tax certification (form LB-50) and successful ballot measures for local option taxes or permanent rate limits must be submitted.

In addition to the county tax assessor's copies, a copy of the resolutions required by Oregon Revised Statutes 221.760 and 221.770 must be submitted to the Oregon Department of Administrative Services by July 31. Finally, a copy of the published adopted budget document, including the publication and tax certification forms, must be submitted to the county clerk's office by September 30.

Phase 4: Changing the Adopted Budget

On July 1, cities begin operating within the appropriation authority that was adopted by the council for the budget. While it is possible for changes to be made to an adopted budget once the fiscal year begins, this can only happen under specific circumstances. Two such examples are council-approved resolution transfers of funds and supplemental budgets that make changes to adopted expenditure appropriations and estimated resources. These are actions that must be taken before more money is spent beyond what is appropriated in the adopted budget. Any changes made to the adopted budget require that the budget remain in balance after the change.

It is unlawful to spend public money in excess of the amounts budgeted. Public officials can be sued for such actions if the expenditure is found to be malfeasance in office or willful or wanton neglect of duty. Creating a supplemental budget or a resolution transfer after the expenditure is made does not protect the governing body members from a lawsuit. ■

Page left Blank
Intentionally

Appendix C

Administrative Regulations



Administrative Regulation

Title: Harassment and Non-Discrimination

Purpose:

The City is committed to providing equal employment opportunities to all persons regardless of race; color; religion; ancestry; national origin; age; marital or veteran status; physical or mental disability; on-the-job injuries; sex or pregnancy; sexual orientation, gender expression, or gender identity; military service; domestic violence victim; or any other legally protected status under State or Federal law, unless it is a bona fide occupational requirement reasonably necessary to the operation of the City's business. This includes but is not limited to hiring, termination, layoffs, job assignments, promotions, and pay.

We are also committed to providing a work environment that is free of all forms of unlawful harassment or discrimination. We will not tolerate the harassment or discrimination of our employees by anyone, including but not limited to: supervisors, co-workers, interns, volunteers, members of the public, elected or appointed officials, vendors or contractors.

Definitions:

Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature if (1) submission to the conduct is in any way made a term or condition of employment; (2) submission to (or rejection of) the conduct is used as the basis for any employment-related decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. This means no sexual or sexist language, jokes or innuendo; nude, profane, or obscene cartoons, drawings or photographs; whistling or catcalling; staring or leering; pinching, patting, inappropriate touching, unwelcome touching, unwelcome hugging or kissing; etc., or other conduct that might create or contribute to a hostile or offensive working atmosphere.

Workplace Harassment

Unwelcome, unwanted or offensive conduct based on or because of a person's protected class is Workplace Harassment. We want to maintain a working environment free from all forms of unlawful harassment, whether based on race; color; religion; ancestry; national origin; age; marital or veteran status; physical or mental disabilities; on-the-job injuries; sex or pregnancy; sexual orientation or gender identity; military service; domestic violence victim; or any other legally protected characteristic

or status. This means no ethnic jokes; religious slurs; use of offensive "slang" or derogatory terms or slurs denoting race, age, national origin, disability, etc.; mimicking one's speech, accent, or disability; derogatory comments regarding protected statuses or characteristics; or other conduct that might create or contribute to a hostile or offensive working atmosphere.

Policy:

Higher Standard Supervisors, managers, and department heads are held to a higher standard and are responsible to ensure that harassment does not occur in their work areas. They are expected to exercise reasonable care to prevent and promptly correct any discrimination, workplace harassment, or sexual harassment they know about or should know about. Supervisors and managers who know or should know of conduct in violation of this policy and who fail to report such behavior or fail to take prompt, appropriate action may be subject to disciplinary action up to and including termination.

Reporting Unlawful Discrimination or Harassment

Anyone who is subject to or are aware of what they believe to be discrimination, workplace harassment, sexual harassment or sexual assault should report that behavior to a supervisor, department head OR directly to the City Administrator if you are not comfortable doing so at the supervisor or department head levels.

Reports can be made verbally or in writing and should contain the name of the person making the complaint and the name of the person who has been discriminated or harassed if they are not the same person. The names of those involved including witnesses and the specifics of the conduct, action or behavior the complainant believes is a violation of this policy. The date and/or time frame in which the alleged conduct occurred.

A report should be made to the designated individual within five (5) years of the occurrence.

Upon receipt of a report of prohibited discrimination, workplace harassment, sexual harassment, or sexual assault, the designated individual or their designee shall provide a copy of this policy to the employee. The designated individual or their designee shall maintain appropriate records of all complaints.

Designated Individual

The City Administrator or their designee is the designated individual responsible for receiving reports of prohibited conduct and ensuring that all complaints are promptly and thoroughly investigated in as confidential a manner as possible under the circumstances. If a report is received alleging prohibited conduct by the City Administrator, notify the Mayor and City Council President of the allegation. Whenever a supervisor witnesses or

receives a complaint of harassment or discrimination, he/she shall report the incident to the City Administrator. Appropriate corrective action will be taken, up to and including termination, where violations have occurred.

No employee will be discriminated or retaliated against in any way for bringing a question or complaint to our attention or cooperating in an investigation of harassment.

Investigation

The designated individual will coordinate and conduct or delegate responsibility for coordinating and conducting an investigation into the allegation.

Any complaint will be taken seriously, and an investigation will be initiated as soon as possible.

Unless the victim signs a waiver of the employer's responsibility to conduct follow-up contacts with the victim, the employer shall follow-up with the victim of the alleged workplace harassment once every three months for a calendar year following the date on which the City received the report of workplace harassment to determine whether the alleged harassment has stopped or if the victim has experienced retaliation.

Retaliation

This policy prohibits retaliation against employees as a result of them:

- filing a complaint;
- participating in an investigation;
- reporting/observing discrimination, workplace harassment or sexual harassment.

Employees who believe they have been retaliated against for actions cited herein are encouraged to report the matter to their supervisor, manager, department head OR directly to the City Administrator if they are not comfortable doing so at the supervisor, manager, or department head levels.

Confidentiality

All complaints will be dealt with in a discreet and confidential manner, to the extent possible. All parties are required to cooperate with the investigation and keep information regarding the investigation confidential.

Notice of Completion

The City Administrator/designee will notify the complainant and the accused when the investigation is concluded. The complainant will be advised if any part of the complaint is substantiated, and that action has been taken. The complainant will not be given the

specifics of the action. The complainant and the accused will be notified if the complaint is not substantiated.

Documentation

Any supervisor, department head or City Administrator or their designee who receives a report of discrimination or harassment, must document such reports.

Any employee, supervisor or department head who observes or experiences what they believe to be incidents of discrimination or harassment should also document such incidents.

The City must maintain records of workplace harassment including:

- The date of the incident
- The date the complaint was received by the designated individual or their designee.
- The dates the investigation was started and closed.
- The investigation report.
- The outcome of the investigation and any actions taken by the City.
- The dates the City followed up with the victim, or a signed waiver of the City's responsibility to conduct follow up contacts with the victim.

Violations

Employees whose conduct violates this Administrative Regulation will be subject to disciplinary action up to and including termination.

Supervisors and Department Heads who know or should know of conduct in violation of this A/R who fail to report such behavior or fail to take prompt, appropriate action may be subject to disciplinary action up to and including termination.

Prohibited Employment or Settlement Agreements

The City of Myrtle Creek will not require, coerce or enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation or the receipt of benefits that contains a non-disclosure provision, a non-disparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing conduct that:

- Constitutes discrimination prohibited by ORS 659A.30, including conduct that constitutes sexual assault; or

- Constitutes discrimination prohibited by ORS 659A.082 or 659A.112 and that occurred between employees or between the employer and an employee in the workplace at a work-related event that is off the employment premises and coordinated by or through the employer; or
- Occurred between an employer and an employee off the employment premises.

Exceptions:

The City may enter into a settlement, separation or severance agreement that includes one or more of the following, only when an employee claiming to be aggrieved by conduct described under Prohibited Employment or Settlement Agreements section in this policy requests to enter into the agreement:

1. A provision described in section titled Prohibited Employment or Settlement Agreements of this policy;
2. A provision that prevents the disclosure of factual information relating to a claim of discrimination or conduct that constitutes sexual assault; or
3. A no-rehire provision that prohibits the employee from seeking re-employment with the employer as a term or condition of the agreement.

An agreement entered into under the Exceptions subsection of this section must provide the employee at least seven days after executing the agreement to revoke the agreement.

The agreement may not become effective until after the revocation period has expired.

If an employer makes a good faith determination that an employee has engaged in conduct prohibited by ORS 659A.030, including sexual assault, conduct prohibited by ORS 659A.082 or 659A.112, or conduct prohibited by this section, the employer may enter into a settlement, separation or severance agreement that includes one or more of the following:

1. A provision described in the section titled Prohibited Employment or Settlement Agreements of this policy;
2. A provision that prevents the disclosure of factual information that relates to a claim of discrimination or conduct that constitutes sexual assault; or
3. A no-rehire provision that prohibits the employee from seeking re-

employment with the employer as a term or condition of the agreement.

For violations that occur after October 1, 2020, an employee may file a complaint under ORS 659A.820 for violations of this section and may bring a civil action under ORS 659A.885 and recover relief as provided by ORS 659A.885 (1) to (3).

This section does not apply to an employee who is tasked by law to receive confidential or privileged reports of discrimination, sexual assault or harassment.

A victim of workplace harassment may voluntarily disclose information regarding an incident of workplace harassment that involves the victim.

Other Reporting Options:

Nothing in this policy prevents any person from filing a formal grievance in accordance with a Collective Bargaining Agreement (CBA); a formal complaint with the Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC).

Nothing in this policy prevents any person from seeking remedy under any other available law, whether civil or criminal.



Title: Violence Free Workplace

Purpose:

This regulation is intended to protect public health and safety and to minimize the city's liability exposure, and provide a workplace safe from threats or incidents of violence of any form.

Definitions:

"Threats or acts of violence" include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the workplace conditions at the City of Myrtle Creek, or to create a hostile, abusive, or intimidating work environment for one or more City of Myrtle Creek employees, volunteers, elected or appointed officials.

Examples of Workplace Violence

General examples of prohibited workplace violence include, but are not limited to, the following:

- 1) All threats or acts of violence occurring on City of Myrtle Creek property, regardless of the relationship between the City and the parties involved in the incident.
- 2) All threats or acts of violence not occurring on City property but involving someone who is on work time or acting in the capacity of a representative of the City of Myrtle Creek.
- 3) All threats or acts of violence not occurring on City property involving employees, volunteers, elected or appointed officials of the City of Myrtle Creek if the threats or acts of violence affect the legitimate interests of the City of Myrtle Creek, including but not limited to conduct committed while in City uniform or while driving a City vehicle .

Any threats or acts resulting in the conviction of an employee or agent of the City of Myrtle Creek, or of an individual performing services on the City's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests and goals of the City of Myrtle Creek.

Specific Examples of "Threats or Acts of Violence"

Specific examples of conduct that may be considered "threats or acts of violence" prohibited under this policy include, but are not limited to, the following:

- 1) Hitting or shoving an individual.
- 2) Threatening to harm an individual or his/her family, friends, associates, or their property.
- 3) The intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Myrtle Creek.
- 4) Making harassing or threatening telephone calls, letters or other forms of written or electronic communications.
- 5) Intimidating or attempting to coerce an individual to do wrongful acts that would affect the business interests of the City.
- 6) Harassing surveillance, also known as "stalking", the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.
- 7) Suggesting or otherwise intimating that an act to injure persons or property is "appropriate."
- 8) Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property.

While employees of the City may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as authorized by law, it is the City's policy that employees are to use them only in accordance with departmental operating procedures and all applicable City codes and regulations and State and Federal laws.

Policy:

All employees, volunteers, members of the public, elected or appointed officials, vendors, or contractors are responsible for maintaining a safe and healthful work environment. Acts or threats of physical violence, including intimidation, harassment, coercion, or other disruptive behavior which involves or affects the City of Myrtle Creek or which occur on City property will not be tolerated. It is expected that employed, contracted, elected or appointed individuals with the City treat their coworkers and other members of the public with dignity and respect at all times. Civility in the workplace is an expected form of behavior.

Further, the City will respond appropriately to all reported incidents; will act to stop inappropriate behavior; and supervisors and all of the departments involved in responding to incidents will be supported by the City's management team in their efforts to deal with violent and potentially violent situations.

Application of Prohibition:

The City of Myrtle Creek's prohibition against threats and acts of violence applies to all persons involved in the City's operation, including but not limited to City personnel, contract and temporary workers, elected or appointed officials and anyone else on City of Myrtle Creek property. Violations of this policy by any individual on City property, by any individual acting as an employee or agent of the City while not on City

property, or by any individual not on City property when his/her actions affect the public interest or the City's business interests will be followed by legal action, as appropriate.

Violation of any provision of this policy may lead to disciplinary action up to and including termination, as provided in the Municipal codes, City Administrative Rules and Regulations or applicable collective bargaining agreement.

Procedures:

Actions to be Taken

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on City of Myrtle Creek property will be removed from the premises by a police officer as quickly as safety permits, and shall remain off the City of Myrtle Creek's premises pending the outcome of an investigation. The City will initiate a decisive and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

Whenever the City Administrator, after consultation with the affected department and the Police Department, determines that an individual terminating employment with the City of Myrtle Creek may pose a threat to employees of the City, the employee shall be advised that he/she is barred from City property, and the City Administrator shall notify other city departments of the trespass order, and the need for precautionary actions pursuant to departmental safety plans and procedures. The City Administrator shall divulge only information necessary to protect the safety of all employees.

Employee Obligations

Each employee of the City is required to report incidents of threats or acts of physical violence of which he/she is aware. The report must be made to the reporting individual's immediate supervisor, or if the immediate is not available or the employee does not feel comfortable reporting the issue to the immediate supervisor, to either a management level supervisory employee or the City Administrator. The City understands the sensitivity of the information reported and will recognize and respect the privacy of the reporting individual(s) to the extent possible. Identification of the reporting party shall be provided on a confidential basis to the fullest possible extent consistent with the purposes of this policy.

Supervisory Obligations

Each supervising employee shall promptly refer any such incident to the City Administrator and an appropriate management level supervisor, who shall take corrective action in accordance with the City Policy, City Administrative Rules and Regulations and any applicable collective bargaining agreement.

Concurrently with the initiation of any investigation leading to a proposed disciplinary action, the management level supervisor shall report the incidents of threats or acts of physical violence to the Myrtle Creek Police Department, which shall make a follow-up report to the City Administrator.

Nothing in this policy alters any other reporting obligation established in City policies or in state, federal or other applicable law.

Non-Employee Reporting

In cases where the reporting individual is not a City employee, the report should be made to the City of Myrtle Creek Police Department. The Police Department will advise the City Administrator of the reported incident to ensure appropriate action.

Restraining or Protective Order

All individuals who apply for or obtain a protective or restraining order which lists specific City locations as being protected areas shall provide to a management representative of the City a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

Dissemination of Policy

All employees, elected or appointed officials will be given copies of this policy, and asked to acknowledge that they have read and understand it. All new employees, elected or appointed officials will be given a copy of this policy as part of their orientation.

Employee Questions

Questions regarding an employee's rights and obligations under this policy should be directed to the employee's department head or the City Administrator.



Title: Travel and Training Expenses

Purpose:

The purpose of this administrative regulation is to establish procedures for the proper expenditure of public funds, the authorization and approval of travel and related expenses and the required documentation and audit trail for all expenses. This regulation applies to all individuals traveling on behalf of the City such as employees, City Councilors and Boards and Commission members. Employees should refer to collective bargaining agreements, if applicable and Administrative Regulation for Travel Training Time for additional mandatory and voluntary travel information. In the event of conflict, contradiction or inconsistency between this policy, and your collective bargaining agreement (CBA), the terms and provisions of the CBA will prevail. Each department is responsible to ensure that travel expenses are in accordance with these regulations. **A waiver of any provision of this administrative regulation due to unusual or extenuating circumstances must be authorized by the City Administrator.**

Travel Arrangements:

Travel arrangements, including hotel reservations, airline reservations, car rentals and conference registrations may be made through the City Recorder, or by the departments using a credit card (card). If using a card, departments must utilize available City-arranged price agreements, such as state contracts and Enterprise. Flights that are less expensive through a site other than the state contract will be accepted, provided they are paid for on a City card. An individual may accumulate airline and/or hotel travel points consistent with the IRS regulations.

Travel Expenses:

Travel out of town may be by personal vehicle, city vehicle, or public modes of transportation. Public air carrier is strongly encouraged for trips over 300 miles one way, when the use of a vehicle will result in substantial loss of City time, or when the public carrier is less expensive to the City than the use of a personal vehicle. If driving is selected for trips over 300 miles one way, the cost comparison of a round trip ticket must be obtained a minimum of two (2) weeks before the travel takes place and submitted and approved with the Travel Authorization and Disbursement form. The reimbursement is limited to the lesser cost of travel.

Air Travel. The City shall pay actual cost for an individual's City business travel. All individuals shall utilize coach when traveling commercial airline. Reservations, when possible, should be made at least 14

or more days in advance to take advantage of any and all available discounts. Increased fees related to late booking may be disallowed unless documented with a sound business reason. Individuals may, at their own expense, pay the difference to upgrade their airline accommodations or alter their flight itinerary for personal business.

City Vehicles. If the employee drives a City vehicle to the training, a credit card will be provided for fuel.

Rental Cars. The City will pay for economy or compact rental vehicles. Groups of three or more, or individuals carrying large amounts of equipment, may rent a larger vehicle. All vehicles must be returned with the same or greater amount of fuel as when the car was rented.

Taxi Cabs, Shuttles, Other Car Services. An individual may utilize a taxi cab, airport shuttle, or other form of car service (Uber, Lyft, etc.) for airport transportation to and from their home or hotel or other documented work purpose. The City will not cover such expenditures for personal entertainment while on City travel.

Personal Vehicle. The City may authorize individuals to use their own vehicles for City travel when it is in the benefit of the City. The city does not insure personal vehicles for any physical damage and also will not participate in any claims involving personal vehicles used for City travel. When an individual uses their personal vehicle for City travel, the City shall reimburse the individual for mileage up to, but not more than, the Federal per mile reimbursement rate. An employee who uses their personal vehicle instead of a City provided vehicle when one is available will only be reimbursed for fuel and only with receipts. Total allowable mileage shall be calculated from Myrtle Creek City Hall. Travel routes must be the most direct and normally traveled route, or by the least expensive itinerary. The routes and mileage will be determined using either MapQuest or Google Maps. If individuals travel by an indirect route or more expensive route for personal reasons, they are responsible for any additional costs.

Mileage reimbursement for required travel not associated with an out-of-town conference, training or meeting must be submitted on a Mileage Expense Report. The deadline for submitting the report is the end of the month following the calendar quarter. Any individual who fails to meet these deadlines will not be reimbursed unless an extension is granted by the City Manager, or designee.

Meal Expenses:

A daily per diem is provided for meals and incidentals. The per diem is set by the General Services Administration (GSA) by city and county in which the travel and hotel stay take place. The following website lists the per diem rates by city, <http://www.gsa.gov/portal/content/104877>.

To determine the county in which travel takes place, please visit the following website, <http://www.naco.org/Counties/Pages/CitySearch.aspx>. If the city or county in which the individual is

traveling to is not listed, the base per diem default rate will apply. Meals provided by the hotel, training or conference will not be deducted from the per diem rates. If the City pays an additional charge for any meal options on the scheduled, but not provided by the conference, the per diem will be reduced accordingly.

Lodging Expenses:

Lodging expenses are paid by the City at actual cost up to the specific GSA daily maximum allowable rate in effect at the time of travel for the specific area or locality. The GSA rate may be waived for individuals sharing a room, if approved in advance by the City Administrator.

Conference/Training Official Hotel. If an individual attends a conference or training, the City shall cover, within reason, all actual lodging costs at the official hotel where the conference or training is being held if the rate exceeds the GSA lodging per diem allowance for the city. The individual must book the cheapest available room or personally pay the difference between the room they book and the room with the lowest rate. This exception serves to save the City additional costs such as a rental car or other transportation fees.

Airbnb, Vacation Rental by Owner (VRBO), or Similar. A group or individual attending a conference or training may elect to stay in a rental residential-type unit as those available through Airbnb, VRBO or similar. If an individual selects this mode of lodging, the cost, in total including all fees, must be less than the GSA lodging per diem allowance for the city unless documentation regarding an overall savings to the City (reduced transportation costs to conference or other) similar to a higher cost for the Conference Hotel is documented. Cancellation policies may be too restrictive and should be considered in the overall cost.

Conference Fees and Tuition:

All course cost; tuition, materials, professional membership fees or conference fees shall be paid by the City for approved trainings.

Incidental Expenses:

Authorized incidental expenses include but are not limited to parking at the airport, airline baggage fees for one checked personal bag and any checked items deemed necessary by the department head to fulfill any training responsibilities.

The City will never reimburse the cost of alcoholic beverages.

Generally, entertainment expenses are not paid for by the City, with the exception of entertainment

included in the basic registration fee related to a conference.

Entertainment expenses that the city shall not pay for include, but are not limited to, the following:

- Movies, including in-room
- Sporting Events
- Golf (Including Conference-related Tournaments)
- Spa Services
- Conference Organized Tours that are unrelated to the individual's duties.

Other Information:

Travel Authorization and Disbursement must be approved by the appropriate Department Director. The City Administrator shall approve all Department Director's Travel Authorization and Disbursements.

Lodging after the conference will not be reimbursed, without prior written approval from the appropriate Department Director.

Combining Personal Travel with City Business Travel

The City's policy for business travel does allow for combining personal travel with business travel. Employees may use vacation time before or after the conference, if approved by the Department Director. Personal time is deemed to end at the start of the conference and to begin when the employee would have otherwise returned to work. If an individual combines personal travel with City business travel, the City will pay only the actual costs associated with City business. Any additional cost shall be incurred by the individual and must be covered on the individual's personal accounts.

When an individual combines personal travel with City business travel and airfare is required, the City shall pay no more than the cost of round trip coach airfare for the days that the City business would have required. Any additional cost due to an extended personal stay shall be borne by the individual. A cost comparison must be obtained a minimum of two weeks before the travel takes place and submitted with the Travel Authorization and Disbursement.

Spouses or guests may attend conferences at their own expense. Any additional costs, such as spouse's meals and additional room costs must be paid by the individual. City staff time cannot be utilized to arrange spouse or guest travel, conferences and/or activities.

Important Deadlines:

Only employees may submit for per diem and mileage prior to the date of travel on the Travel Authorization and Disbursement form. Checks will be issued within one (1) week of departure date,

unless provided with a written request for early issuance. Properly approved requests must be submitted to the Finance Department two (2) weeks prior to travel.

All other per diem requests and reimbursements must be submitted on a Travel Authorization and Disbursement form and submitted to the Finance Department within 10 days upon arriving to Myrtle Creek. Any individual who fails to meet these deadlines will not be reimbursed unless an extension is granted by the City Administrator or designee.

Travel expenses charged to the employee's card will be processed through the normal reporting and approval cycle for card use.



Acknowledgement

I acknowledge that I have received a copy of Council Handbook containing the adopted Council Rules of Procedures, Oregon Government Ethics Law, and rules for Harassment, Non-Discrimination, and Violence Free Workplace.

I acknowledge I have read the Council Handbook thoroughly and will seek clarification from the City Administrator's Office should I have any questions.

Signature: _____

Date: _____

Printed name: _____