



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

AGENDA PACKET 10/3/2023

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, October 3, 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, for other accommodations for persons with disabilities, or for remote access 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. Citizens Heard on Non-Agenda Items**
- 5. 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.
 - 5.1 Approval of minutes of the Regular City Council Meeting for September 19, 2023
- 6. 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.

6.1 Council Discussion – South Douglas Rodeo rabbit scramble response letter.

7. Ordinances and Resolutions

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 **Resolution No. 23-13** – Handbook of Fees and Charges revisions

7.2 **Ordinance 854** – FIRST READ – An Ordinance Amending the Myrtle Creek Municipal Code Chapter 3.05 Public Contracting and Repealing Ordinances 11-005 and 739.

8. City Administrator Report

9. Mayor and Councilor – Committee Reports and Councilor Comments

10. Executive Session

The Myrtle Creek City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. 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.

11. Adjournment



CITY OF MYRTLE CREEK

REGULAR MEETING OF THE CITY COUNCIL

DATE: September 19, 2023

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

PRESIDING OFFICER: Mayor Matthew Hald

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

COUNCILORS ABSENT: Luke Dillon

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 September 19, 2023 meeting to order at 5:30 PM

PUBLIC PRESENTATION

Paul Hillyer – South Umpqua School Superintendent

Paul Hillyer is the interim Superintendent for the South Umpqua School District. He introduced himself to the City Council and gave an update on the school district. Looking for a screening committee, set up in November. Applications will be on the district website.

CITIZENS HEARD ON NON-AGENDA ITEMS

Cathy Wragg - Maple Ave.

Had comments on the sidewalk discussion from the previous meeting.

Marcia Merri – 634 NW Orchard

Wanted to discuss an extension to move the cars located at her property on Division Street. Council consensus was that enough time had been given and that no further extensions would be offered.

CONSENT AGENDA

Motion was made by Councilor Burnett and seconded by Councilor Larson to approve the September 5, 2023, City Council minutes as presented in the September 19, 2023, council packet. Discussion: No

discussion followed.

Vote: Motion passed unanimously.

DEPARTMENT REPORTS

Planning Department

City Administrator Lonnie Rainville submitted the Community Development Report into record as written.

Finance Report

The Finance Report was submitted into record as written.

Police Department

The Police Department Report was submitted into record as written.

Fire Department

The Fire Department Report was submitted into record as written.

Public Works

City Administrator Lonnie Rainville submitted the Public Works Report into records as written.

REGULAR AGENDA

Recreational Trails Program Grant

City Administrator Lonnie Rainville presented to City Council the Recreational Trails Program Grant available from the State of Oregon. This grant if received would be used towards the expansion of the Millsite Nature Trail. This grant requires a 20% match which we can use staff time to apply to that cost.

Motion was made by Councilor Harris to approve the City to apply for the Recreational Trails Program Grant for an amount up to \$35,000. Motion was seconded by Councilor Chaney. Discussion: No discussion by Council followed.

Vote: Motion passed unanimously.

CITY ADMINISTRATOR REPORT

City Administrator Lonnie Rainville shared about research being done with a company out of Ashland to get a quote on what it would cost to add lighting under the bridge into town. This company is providing a scope of work and cost estimate. Main Street Association has scheduled their Cork & Keg walk November 17th. The Constitution reading was held on Sunday, September 17th at Millsite Park. The Airport BBQ is still being planned by the date was moved up a week to May 17-19, 2024.

MAYOR AND COUNCILOR – COMMITTEE REPORTS and COUNCILOR COMMENTS

Councilor Harris shared that the Taphouse donated \$4200 from the Brewfest to the Lions club. The Chamber is working on the Downtown Trick or Treating event which will be October 31st from 5 to 7 PM. The Community Thanksgiving Dinner is being planned and has been renamed the Ray Munoz

Memorial Community Thanksgiving Dinner, volunteers are needed. Preparations are also being made for the Winter Festival. Councilor Burnett shared about the Small Cities meeting in Rogue River. Councilor Chaney mentioned that there used to be a student representative that sat with Council during one meeting a month and asked the Superintendent if the school might be interested in starting that again. Mayor Matthew Hald shared that the Scarecrow Contest will be starting soon.

ADJOURNMENT

Mayor Matthew Hald adjourned the regular meeting of the City Council for September 5, 2023 at 6:36 P.M.

Matthew Hald, Mayor

Attest:

Joanna Bilbrey
City Recorder



South Douglas Rodeo

PO Box 266 ♦ Myrtle Creek, OR ♦ 97457

City of Myrtle Creek
City Council
PO Box 940
Myrtle Creek, OR 97457

September 15, 2023

Dear City Council,

Thank you for reaching out to us regarding the concern Julie Sproul Dillon presented at both your June 20 and July 18 Council meetings. Julie has also reached out to us directly regarding her concerns with the bunny scramble held at our annual event. During her presentation to us she stated that she caught her first rabbit at one of our rodeos, which began her love for rabbits. Your letter indicates Julie implies the event is unfavorable among many community members, we have found many rodeo goers and community members support of the event.

Our mission is to provide a family event and raise funds to give back to the youth in our community. We have followed up with some of the families that we know caught rabbits at our 2023 event. Some are now 4-H/FFA projects and one is now a litter box trained house pet.

We have made several changes to the rabbit scramble over the years which include the timing of the event and decreased the number of rabbits. We have boxes and food available along with care instructions that include a phone number to call in the event you are unable to care for your rabbit and need to rehome it. We have discussed other events to include all of the kids at the rodeo. Julie has also provided options she felt would be good replacements, however, many could cause harm to other rodeo livestock and horses. During the 2023 rodeo, we only held the rabbit scramble on one day with 25 livestock rabbits, which are bred for their meat and fur.

We understand Julie's concerns as she views the rabbits as an exotic animal, not livestock. We continue to offer to take any rabbits that are from our event, unfortunately we cannot control people choosing to release the rabbits into neighborhoods, just as people do with kittens or other animals they can no longer care for.

We continue to look for an alternate event as the expense for rabbits continues to increase, which decreases our funds to give back to the community. The 2024 South Douglas Rodeo is being planned for Saturday June 15 & Sunday June 16.

Please let me know if you have any questions or further concerns about our annual event. You can reach us via email at southdouglasrodeo@gmail.com or phone at 541-580-7788.

Sincerely,

Jamie McElmurry
South Douglas Rodeo Board of Directors

Myrtle Creek - City Council Agenda Report

Agenda item: Procurement Update to the Handbook of Fees and Charges

Meeting Date:	October 3, 2023	Primary Staff Contact:	Lonnie Rainville
Department:	Administration	E-Mail:	lrainville@myrtlecreek.org
Secondary Dept.:		Secondary Contact:	

Issue before the Council:

Update of the Handbook of Fees and Charges for the services provided by the City of Myrtle Creek.

Staff Recommendation:

Staff makes the recommendations to approve Resolution 23-13 to adopt the revised Myrtle Creek Handbook of Fees and Charges.

Background:

The City of Myrtle Creek maintains a Handbook of Fees and Charges for all the services the City provides. The last full review to the handbook was in 2019. City staff has provided recommendations for updates to the fees the City will charge. The recommended changes are outlined in the attached draft Handbook.

Related City Policies:

Fiscal Impact:

Increase in revenues based on the increase in fees.

Council Options:

Council can approve Resolution 23-13 amending the Handbook of Fees and Charges effective January 1, 2024

Council can request changes to what was presented and table decision until next meeting when changes will be presented for approval.

Council can take no action leaving the Handbook of Fees and Charges as is.

Potential Motion:

I make the motion to approve Resolution 23-13 updating the City of Myrtle Creek's Handbook of Fees and Charges effective January 1, 2024.

CITY OF MYRTLE CREEK



HANDBOOK OF FEES & CHARGES

**Adopted by Resolution No.
Effective**

ADMINISTRATION

Business License semi-annually	General	\$55.00 \$ 60.00 /year pro-rated Late Fee - 5% per month
	Peddler/Solicitor	\$ 50.00 - Annual One Person \$ 20.00 \$25.00 - Each Additional
Person		
Document or Report Copies		\$ 0.50 each (single sided) \$ 0.75 each (double sided)
Council Packet		\$ 5.00 \$10.00
Liquor License		\$ 20.00 \$25.00
Liquor Offsite License		10.00 \$20.00
Liquor License Renewal		\$ 20.00 \$25.00
Notarize Documents		No Charge to City Residents \$10.00 For residents outside city limits
CD rom (Audio copies of public meetings)		\$ 10.00 - remove
Temporary Trailer Sleeping Permit		\$ 25.00
Charge for checks returned for insufficient funds		\$ 25.00
Derelect Building Registration Fee		\$250.00
Derelect Building Monthly Registration		\$125.00
Derelect Payment Penalty		\$125.00
Lien Search Fee		\$ 25.00
Public Records Request	*minimum charge	\$ 8.00 \$10.00
*Additional fee when staff and attorney charges are applied		

PLANNING AND COMMUNITY DEVELOPMENT

Annexation

Annexation Fee	\$0	Ord. No. 652
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Land Use and Subdivision Application

Appeal Administrative Decision	½ of Application Fee	
Comprehensive Plan Amendment – Map/Text	\$900	
Comprehensive Plan Amendment - UGB	\$1200	
Conditional Use Permit *	\$450 \$475	
Lot Line Adjustment	\$200 \$225	
Land Partition (Administrative)	\$350 \$375	
Land Partition (Planning Commission)	\$500 \$550	
Manufactured Home Park Application	\$400.00 + \$20.00/Space	
Planned Development	\$750 \$1000 +20 \$25 /Unit	
Planned Unit Amendment	\$375 \$500 +\$10 \$25 /Unit	
Planning Clearance Work Sheet for County Building Permit	\$75	
Site Plan Review (Commercial)	\$350 \$400	
Site Plan Review (Residential)	\$200 \$250	
Subdivision	\$700 \$850 + \$10.00 \$25.00 /lot	
Subdivision (Final Plat)	\$500 \$750	
Temporary Use Permit*	\$200	
Property Vacation Fee	\$300	
Variance (Administrative)*	\$300 \$350	
Variance (Planning Commission)*	\$400 \$500	
Zone Change*	\$750 \$1250	

** Application fee may be waived when the request is processed simultaneously with an application carrying a similar or higher fee.*

DEVELOPMENT and CONSTRUCTION PERMITS

Sidewalk Improvement Permit	\$10.00
Curb & Gutter Permit	\$10.00
Sign Permit	\$10.00
Curb cut Permit	\$10.00
Sidewalk Installation Permit	\$10.00
Fence Permit (30" - 72")	No Charge
*Demolition Permit	Actual Cost
Alteration of Historic Structure	No Charge
*Structure Relocation Permit	Actual Cost

*Ordinance No. 474, Section 5, SPECIAL PERMIT FEES

POLICE DEPARTMENT SERVICES

Report Copies	\$5.00 \$10.00 for first five pages and .50 for each additional page
Antiabuse/Intoxilizer	\$50.00/month
Dog Impound	\$20.00 \$25.00 first offense \$30.00 \$50.00 second offense \$40.00 \$75.00 third offense \$50.00 \$100.00 fourth offense & each offense thereafter
Animal Board & Keep	\$5.00/day
Dog Disposal	\$20.00 \$25.00
Sale of Dog	\$15.00
Fingerprinting (non criminal)	\$25.00 for first 2(two) cards \$10.00 for all additional cards after first two
Bicycle License	No Charge
Administrative Fee for Impounded Vehicle	\$100.00
Audio Tape Copies & CD's Photographs Remove Audio Tape Copies & CD's	\$10.00 each

SEWER DEPARTMENT SERVICES

Basic Monthly Rate - Residential	\$58.00 per unit
Basic Monthly Rate - Multi-Family	\$58.00 per unit
Basic Monthly Rate - Commercial	\$68.00 +.57 for each additional 100 cu ft of water usage
<u>Irrigation Adjustment – Commercial Resolution # 162</u>	<u>Not to be less than 150% of winter avg</u>
Monthly Rate - Outside City Limits	Double Inside City Limits Rates
New Sewer Connection Fee Inside or Outside City Limits	Materials and labor
System Development Charge	
Single-family home	\$ 2,412.00
Multi-family project, per unit*	\$ 1,737.00
Shopping centers and stores per 1,000 sq ft	\$ 844.00
Hotels/Motels without kitchen, per room	\$ 868.00
Restaurants, per seat	\$ 338.00
Travel trailer park, per space	\$ 1,185.00
Churches, assembly halls, theaters, per seat	\$ 24.00
Offices and warehouses, 1000 sq ft	\$ 121.00
Nursing homes, per resident	\$ 868.00
Hospital, per bed	\$ 2,147.00
Fast food, per employee	\$ 145.00
Building Sewer Permit & Inspection Fee	No Charge
Repair Permit	No Charge
Late Fee/Delinquent Letter	\$ 10.00 \$15.00

*According to Ordinance No. 214, Section 8, a unit is described as each separate store, office, or occupied space or rental on the same premises of every name, nature, and description.

WATER DEPARTMENT SERVICES

Water Deposit	
Inside City Limits	\$125.00
Outside City Limits	\$125.00

Reconnect Fee	\$35.00
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Late Fee/Delinquent Letter	\$10.00 \$15.00
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Water Rate - Inside City Limits

3/4" pipe	\$52.00 for first 400 cu ft and \$2.00 for each additional 100 cu ft
<i>[Effective 9/1/2012 RES-12-013: 7/1/2014: \$47.00; 7/1/2015: \$52.00]</i>	
1" pipe	\$53.25 for first 400 cu ft and \$2.00 for each additional 100 cu ft
<i>[Effective 9/1/2012 RES-12-013: 7/1/2014: \$48.25; 7/1/2015: \$53.25]</i>	
1 1/4" - 1 1/2" pipe	\$56.75 for first 400 cu ft and \$2.00 for each additional 100 cu ft
<i>[Effective 9/1/2012 RES-12-013: 7/1/2014: \$51.75; 7/1/2015: \$56.75]</i>	
2" and larger pipe	\$60.25 for first 400 cu ft and \$2.00 for each additional 100 cu ft
<i>[Effective 9/1/2012 RES-12-013: 7/1/2014: \$55.25; 7/1/2015: \$60.25]</i>	

Water Rate - Outside City Limits	Double Inside City Limits Rates
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New Water Installation Fee

Inside or Outside City Limits	Materials and labor
System Development Charge	
5/8" x 3/4" Meter	\$ 6,257.00
1" Meter	\$ 15,643.00
1 - 1 1/2" Meter	\$ 31,235.00
2" Meter	\$ 50,056.00
3" Meter	\$ 100,112.00
4" Meter	\$ 156,425.00
6" Meter	\$ 312,850.00
8" Meter	\$1,251,400.00

Temporary Turn-On Fee	\$ 5.00
After hours turn on / off	\$ 25.00

Bulk Water	
Under 100 Gallons	\$.20/gallon - minimum charge \$ 5.00
remove Bulk Water	

100 Gallons and over
\$20.00

\$.30/100 gallons - minimum charge

Park Services

Millsite & Evergreen Park Rentals

Non-Youth Baseball or Softball Tournaments	\$25.00/day/field
Commercial Uses	Determined by the Park Commission
Clean-Up Deposit	\$100.00
Electrical Use Fee	\$10.00/day
Recreational Vehicle Park	\$25.00/ \$35 space/night + \$ 5.00 registration fee *
Extra Vehicle	\$1.00/ \$5.00 night
Dump Station Fee	\$5.00/ \$10.00 discharge
Shower (non-campers)	\$1.00/shower
Tent Camping	\$25.00/ \$35.00 space/night *
Yurt	\$90.00/ + \$ 5.00 registration fee *

*Effective August 1, 2017

Picnic Shelter & Band Shell	\$100.00 \$125.00 per usage
Non shelter areas	\$30.00 \$50.00 per usage

Evergreen Park Gazebo	\$100.00 \$125.00 per usage
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Disc Golf Tournament Fee	\$100.00 plus \$1 per person
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Maggie Steinbaugh Park Gazebo	\$100.00 per usage
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Field / ~~Court~~ Reservations for Organized Sports Teams \$5.00/player up to \$10.00/family
Team roster and practice/game times must be submitted at time of payment.

Groups of over 100 persons and or the exchange of any funds (donations or otherwise) will require a Special Event Permit.

Note: Same clean-up deposit fees for all parks. Camping is not permitted in parks without permission from the City Administrator.

Swimming Pool

ADMISSION

\$ 1.00 **\$2.00**

LAP SWIM

\$ 2.00/CLASS

ADULT CLASSES

\$ 2.00 **\$5.00**/CLASS

LESSONS

\$30.00/session

PRIVATE LESSONS

\$12.00 **\$15.00** per lesson

PRIVATE GROUP LESSONS

\$16.00 **\$15.00** per lesson **per person**

SWIM CLUB SEASONAL

\$60.00 per person **\$75 per person**

PASSES (RESIDENT)

10 – VISIT PASS FOR SWIMMERS

\$ 10.00 **\$15.00**

20-VISIT PASS FOR SWIMMERS

\$ 20.00 **\$30.00**

20-VISIT PASS FOR LAP SWIM/WORKOUT

\$ 35.00

UNLIMITED INDIVIDUAL SEASON PASS

\$ \$60.00 **\$75.00**

(cannot be used by multiple swimmers)

Pool Rental Fees

\$75.00 **\$100.00**/hour includes 2 lifeguards; over 50 swimmers requires an additional lifeguard at \$25.00/**\$35.00** hour

Community Center

Daily Use	\$100.00/day
Commercial Use	\$125.00/day
Refundable cleaning/damage deposit	\$ 100.00
Youth Groups	\$ 10.00/meeting
Public Health Groups	\$ 10.00/meeting
Non-Profit Groups	\$ 25.00/meeting
For Profit Groups	
6 month lease	\$ 30.00/meeting
1 year lease	\$ 25.00/meeting
City Sponsored Events	No Charge
Alcohol and/or Drug Prevention Groups	No Charge

Note: Other fees and leases may be determined by the City Administrator

PUBLIC WORKS DEPARTMENT SERVICES

Street Sweeper	\$100.00 \$175 /hour
Vactor Truck	\$180.00/ \$250 hour
Bucket Truck	\$80.00 \$150 /hour
Backhoe	\$90.00 \$165 /hour
Dump Truck	\$100.00 \$175 /hour
Tractor with Flail Attachment	\$85.00 \$150 /hour
Dump Trailer	\$110 /hour
Excavator	\$165 /hour

- *A 15% administrative fee will be added to the above charges.*

* *All equipment charges include an operator and a minimum charge of one (1) hour.*

AIRPORT DEPARTMENT SERVICES

Landing and Parking	No Charge
Tie Down - Overnight	No Charge for first night
Per Day/space	\$ 3.00/ \$5.00 day SEL
Per Month/space	\$ 25.00/month
Ground Lease	
Private	\$0.21/sq ft per year
Commercial	\$0.21/sq ft per year
Auto Parking	
Up to 10 days while flying	No Charge
Per month/vehicle	\$ 10.00 \$25.00
Ag Operations	
Daily Use	\$ 25.00
Aviation related trailer parker	\$50.00 per month
Airport Crew Quarter Space	\$365.00 per month

STREET DEPARTMENT SERVICES

Single Family Residential Unit: 1 unit x \$4.00 = \$4.00 per month

Multi-family Residential Unit: Number of units x \$4.00 = \$ x per month

Commercial/Industrial Unit: Number of units x \$4.00 = \$ x per month

PUBLIC SAFETY FEE

Single Family Residential Unit: 1 unit x \$4.00 = \$4.00 per month

Multi-family Residential Unit: Number of units x \$4.00 = \$ x per month

Commercial/Industrial Unit: Number of units x \$4.00 = \$ x per month



**CITY OF MYRTLE CREEK
OREGON
RESOLUTION NO. 23-13**

**A RESOLUTION AMENDING THE CITY OF MYRTLE CREEK
HANDBOOK OF FEES AND CHARGES**

WHEREAS, Ordinance #572 provides that all fees and charges will be set forth in a Handbook of Fees and Charges which will be established by City Council Resolution; and

WHEREAS, it appears to be in the best interest of the City to update the Fees & Charges in some areas; and

WHEREAS, the City Council reviewed the Handbook of Fees and Charges at their regular meeting held October 3, 2023; and

WHEREAS, the City Council approved by unanimous motion to accept the recommended changes made by city staff and the City Council; and

NOW, THEREFORE, BE IT RESOLVED that the Myrtle Creek City Council hereby approves their recommended changes to the Handbook of Fees & Charges and declares that these changes shall be effective January 1, 2024.

PASSED AND APPROVED THIS 3rd DAY OF October, 2023.

Matthew Hald, Mayor

ATTEST:

Joanna Bilbrey
City Recorder

Myrtle Creek - City Council Agenda Report

Agenda item: Procurement Code Changes

Meeting Date:	October 3, 2023	Primary Staff Contact:	Lonnie Rainville
Department:	Administration	E-Mail:	lrainville@myrtlecreek.org
Secondary Dept.:		Secondary Contact:	

Issue before the Council:

Ordinance number 854 which will replace Ordinance 739 and 11-005 that will amend Myrtle Creek Municipal Code (MCMC) 3.05 Public Contracting, reflect changes to state procurement law made through the passage of Senate Bill 1047.

Staff Recommendation:

Staff recommends approval of Ordinance 854 the changes shown in attachment A.

Background:

The state of Oregon passed Senate Bill (SB) 1047 which increases the limits for procurement and public contracting that local governments must adhere to. The changes increase the limit a local government can sole source contract from \$10,000 to \$25,000 and increases the limit for intermediate procurement from \$150,000 to \$250,000. The city has drafted amendments to MCMC 3.05 that reflect the new limits approved in SB 1047. The Changes presented also increase the contracting authority for the City Administration to \$25,000.

Related City Policies:

Procurement policy

Fiscal Impact:

No impact.

Council Options:

Council can approve Ordinance 854 an ordinance amending MCMC 3.05 as presented.

Council can request changes to what was presented and table decision until next meeting when changes will be presented for approval.

Council can take no action leaving MCMC 3.05 as is.

Potential Motion:

I make the motion to approve Ordinance 854 **AN ORDINANCE AMENDING THE MYRTLE CREEK MUNICIPAL CODE CHAPTER 3.05 PUBLIC CONTRACTING AND REPEALING ORDINANCES NO. 11-005 AND 739.**

**MYRTLE CREEK
OREGON
ORDINANCE NO. 854**

AN ORDINANCE AMENDING THE MYRTLE CREEK MUNICIPAL CODE CHAPTER 3.05 PUBLIC CONTRACTING AND REPEALING ORDINANCES NO. 11-005 AND 739

WHEREAS, the 2003 Oregon Legislature adopted HB 2341 and in accordance with HB 2341, the Attorney General adopted Model Rules (“the Model Rules”) to implement the Public Contracting Code. The Public Contracting Code allows the City to adopt contracting rules in areas not covered by the Public Contracting Code or the Model Rules; and

WHEREAS, the 2023 Oregon Legislature adopted SB 1047 which amends contracting policy in ORS 279B.065, 279B.070, and 279C.335 that directly affects MCMC Chapter 3.05 Public Contracting; and

WHEREAS, it is necessary to update the Myrtle Creek Municipal Code to reflect the amendments to SB 1047 and in doing so repealing Ordinances No 11-005 and 739; and

NOW, THEREFORE, the City of Myrtle Creek ordains as follows:

CHAPTER 3.05 SECTION 1. Adoption of Rules.

The following (hereinafter “these rules”) shall be public contracting rules for the city of Myrtle Creek. Except as provided within these rules, public contracting by the city shall be governed by the public contracting code and the model rules. The Myrtle Creek city council is the city’s contract review board (board). Except as otherwise provided in these rules, the powers and duties of the contract review board will be exercised by the city council and the powers and duties given or assigned to contracting agencies will be exercised by the city council. The city council may, through formal action, from time to time delegate its powers to conduct certain procurements to various members of its staff.

The city administrator is authorized to contract for personal, professional and consulting services and to purchase goods and services pursuant to this chapter without prior approval of the city council when the amount of the contract is less than ~~\$10,000~~ \$25,000.

CHAPTER 3.05 SECTION 2. Definitions.

As used herein, the following phrases have the following meanings. (All words and phrases not defined herein shall have the meanings ascribed to them in the public contracting code or in the model rules.)

“Contracting Agency” means the city and includes any person authorized by the city council to conduct a procurement on behalf of the city.

“Personal Services Contract” means a contract for services that require specialized technical, artistic, creative, professional or communication skills or talent, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the service depends on attributes that are unique to the service provider, other than contracts for an architect, engineer, land surveyor or provider of related services as defined in ORS [279C.100](#). Contracts for personal services include but are not limited to the following contracts or classes of contracts:

- (1) Accountants and auditors;
- (2) Appraisers;
- (3) Computer consultants;
- (4) Lawyers;
- (5) Insurance consultants;
- (6) Training consultants;
- (7) Investigators;
- (8) Management system consultants.

CHAPTER 3.05 SECTION 3. Exemptions from Competitive Procurement.

The following contracts and classes of contracts are exempt from the competitive procurement requirements of the public contracting code and the model rules and may be awarded as provided herein, or otherwise in any manner which the contracting agency deems appropriate including by direct appointment or purchase:

(1) Contracts up to ~~\$5,000~~ \$25,000. Any procurement of goods or services or any combination thereof not exceeding ~~\$5,000~~ \$25,000 may be awarded in any manner deemed practical or convenient by the contracting agency, including by direct selection or award. Procurements shall not be artificially divided or fragmented so as to constitute a smaller procurement than specified in this section.

(2) Contracts up to ~~\$150,000~~ \$250,000. Any procurement of goods or services or any combination thereof, other than public improvement contracts, exceeding ~~\$5,000~~ \$25,000 but not exceeding ~~\$150,000~~ \$250,000, may be awarded using the following procedures for informal solicitation in lieu of the procedures set forth in the model rules:

(a) Solicitation of Offers. When authorized by these regulations, an informal solicitation may be made by general or limited advertisement to a certain group of vendors, by direct inquiry to persons selected by the contracting agency, or in any other manner which the contracting agency deems suitable for obtaining competitive quotes or proposals. The contracting agency shall deliver or otherwise make available to potential offerors a written scope of work, a description of how quotes or proposals are to be submitted and description of the criteria for award.

(b) Award. The contracting agency shall attempt to obtain a minimum of three written quotes or proposals before making an award. If the award is made solely on the basis of price, the contracting agency shall award the contract to the responsible offeror that submits the lowest responsive quote. If the award is based on criteria other than, or in addition to, price, the contracting agency shall award the contract to the responsible offeror that will best serve the interest of the city, based on the criteria for award.

(c) Records. A written record of all persons solicited and offers received shall be maintained. If three offers cannot be obtained, a lesser number will suffice; provided, that a written record is made of the effort to obtain the quotes.

(3) Equipment Repair. Contracts for equipment repair or overhauling may be awarded without competition, provided the service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing.

(4) Sole Source Contracts. Contracts for goods or services which are available from a single source may be awarded without competition.

(5) Renewals. Contracts that are being renewed in accordance with their terms are not considered to be newly awarded contracts and are not subject to competitive procurement procedures.

(6) Temporary Extensions or Renewals. Contracts for the temporary extension or renewal of a single period of one year or less of an expiring and nonrenewable, or recently expired, contract, other than a contract for public improvements, are not subject to competitive procurement procedures.

(7) Contracts Required by Emergency Circumstances.

(a) In General. When an official with authority to enter into a contract on behalf of the contracting agency determines that immediate execution of a contract within the official's authority is necessary to prevent substantial damage or injury to persons or property, the official may execute the contract without competitive selection and award, but, where time permits, the official shall attempt to use competitive price and quality evaluation before selecting an emergency contractor.

(b) Reporting. An official who enters into an emergency contract shall, as soon as possible, in light of the emergency circumstances, (i) document the nature of the emergency, the method used for selection of the particular contractor and the reason why the selection method was deemed in the best interest of the contracting agency and the public; and (ii) notify the city council of the facts and circumstances surrounding the emergency execution of the contract.

(c) Emergency Public Improvement Contracts. A public improvement contract may only be awarded under emergency circumstances if the contracting agency has made a written declaration of emergency. Any public improvement contract award under the emergency conditions must be awarded within 60 days following the declaration of an emergency unless the contracting agency grants an extension of the emergency period. Where the time delay needed to obtain a payment or performance bond for the contract could result in injury or substantial property damage, the contracting agency may waive the requirement for all or a portion of required performance and payment bonds.

(8) State Law Exemptions. There shall be an exemption for any other contract or class of contract exempted by the public contracting code or the model rules.

(9) Other Exemptions Adopted in Future. There shall be an exemption for any other contract or class of contracts expressly exempted from competitive procurement requirements pursuant to procedures permitted by the public contracting code or the model rules.

(10) Public Improvements. Public improvement contracts estimated by the contracting agency not to exceed \$100,000, or not to exceed \$50,000 in the case of a contract for a highway, bridge or other transportation project, may be awarded by competitive quotes under the following procedures:

(a) The contracting agency shall informally solicit at least three price quotes from prospective contractors. If three prospective contractors are not available, then fewer quotes may be solicited, and the contracting agency shall maintain records of the attempts to obtain quotes.

(b) The contracting agency shall award the contract to the prospective contractor whose quote will best serve the interests of the contracting agency, taking into account price and other applicable factors, such as experience, specific expertise, past record of performance and conduct, availability, familiarity with local area and access to local resources, project understanding, contractor capacity, and contractor responsibility. If the contract is not awarded on the basis of the lowest price, the contracting agency shall make a written record of the basis for the award.

(c) A procurement may not be artificially divided or fragmented to qualify for the informal contract award procedures provided by this section.

CHAPTER 3.05 SECTION 4. Personal Services Contracts Rules.

Personal services contracts (other than a personal services contract for an architect, engineer, land surveyor or provider of related services) are subject to the rules established by this section:

(1) All personal services contracts shall contain all contract provisions mandated by state law. These provisions may be incorporated in the personal services contract by reference to state law, unless state law provides otherwise. The attorney for contracting agency when requested will prepare model contract provisions for use in personal services contracts.

(2) The following procedures shall be observed in the selection of personal services contractors:

(a) For personal services contracts involving an anticipated fee of ~~\$20,000~~ \$25,000 per annum, the contracting agency may negotiate a contract for such services with any qualified contractor the contracting agency selects.

(b) For personal services contracts involving an anticipated fee of more than ~~\$20,000~~ \$25,000 per annum, the contracting agency shall solicit prospective contractors who shall appear to have at least minimum qualifications for the proposed assignment, notify each prospective contractor in reasonable detail of the proposed assignment, and determine the prospective contractor's interest and ability to perform the proposed assignment.

(c) The contracting agency may arrange for any or all interested prospective contractors to be interviewed for the assignment by an appropriate employee or by an interview committee.

(d) Following a review of the qualifications and interview, where conducted, of the interested prospective contractors, the contracting agency shall select the prospective contractor, and shall prepare a personal services contract.

(3) Some or all of the following criteria shall be considered in the evaluation and selection of a personal services contractor:

(a) Experience in the type of work to be performed.

(b) Familiarity with the local area and access to local resources.

(c) Capacity and capability to perform the work, including any specialized services within the time limitations for the work.

(d) Educational and professional record, including past record of performance on contracts with governmental agencies and private parties with respect to cost control, quality of work, ability to meet schedules, and contract administration, where applicable.

(e) Any other factors relevant to the particular contract.

(4) The above provisions regarding selection procedures and criteria do not apply to renewals, amendments or modifications of existing personal services contracts.

(5) The selection procedures described in this section may be waived by the contracting agency at its discretion where an emergency exists that could not have been reasonably foreseen and requires such prompt execution of a contract to remedy the situation that there is not sufficient time to permit utilization of the selection procedures.

CHAPTER 3.05 SECTION 5. Disposition of Surplus Personal Property.

Disposition of surplus personal property may be made, at the discretion of the contracting agency, under provisions of the public contracting code or the model rules or under the provisions of this section:

(1) General Methods. Surplus property may be disposed of by any of the following methods upon a determination by the contracting agency that the method of disposal is in the best interest of the city. Factors that may be considered by the contracting agency include costs of sale, administrative costs, and public benefits to the city. The contracting agency shall maintain a record of the reason for the disposal method selected, and the manner of disposal, including the name of the person to whom the surplus property was transferred.

(a) Governments. Without competition, by transfer or sale to another city department or public agency.

(b) Auction. By publicly advertised auction to the highest bidder.

(c) Bids. By publicly advertised invitation to bid.

(d) Liquidation Sale. By liquidation sale using a commercially recognized third-party liquidator selected in accordance with rules for the award of personal services contracts.

(e) Fixed Price Sale. The contracting agent may establish a selling price based upon an independent appraisal or published schedule of values generally accepted by the insurance industry, schedule and advertise a sale date, and sell to the first buyer meeting the sales terms.

(f) Trade-In. By trade-in, in conjunction with acquisition of other price-based items under a competitive solicitation. The solicitation shall require the offer to state total value assigned to the surplus property to be traded.

(g) Donation. By donation to any organization operating within or providing a service to residents of the city which is recognized by the Internal Revenue Service as an organization described in Section 501(c) of the Internal Revenue Code of 1986, as amended.

(2) Disposal of Property with Minimal Value. Surplus property which has a value of less than \$500.00, or for which the costs of sale are likely to exceed sale proceeds, may be disposed of by any means determined to be cost-effective, including by disposal as waste. The official making the disposal shall make a record of the value of the item and the manner of disposal.

(3) Restriction on Sale to City Employees. City employees shall not be restricted from competing, as members of the public, for the purchase of publicly sold surplus property, but shall not be permitted to offer to purchase property to be sold to the first qualifying bidder until at least three days after the first date on which notice of the sale is first publicly advertised.

CHAPTER 3.05 SECTION 6. Negotiations.

If bids or quotes are solicited for a public improvement contract, and all bids or quotes exceed the budget for the project, the contracting agency may, prior to contract award, negotiate for a price within the project budget under the following procedures:

(1) Negotiations will begin with the lowest responsive and responsible bidder or proposer. If negotiations are not successful, then the contracting agency may begin negotiations with the second lowest responsive bidder or proposer, and so on.

(2) Negotiations may include value engineering and other options to attempt to bring the project cost within the budgeted amount.

(3) A contract may not be awarded under this section if the scope of the project is significantly changed from the description in the original solicitation or bid documents.

(4) The contracting agency will adhere to the provisions of ORS 279C.340 in applying this section.

PASSED BY CITY COUNCIL UPON ITS FIRST READING this ____ day of October 2023.

APPROVED BY CITY COUNCIL UPON ITS SECOND READING this ____ day of October 2023.

APPROVED BY THE MAYOR this ____ day of October 2023.

Matthew Hald, Mayor

ATTEST:

Joanna Bilbrey
City Recorder

Enrolled Senate Bill 1047

Sponsored by Senator WAGNER; Representative GRAYBER (at the request of Governor Tina Kotek)

CHAPTER

AN ACT

Relating to equity in public procurements; creating new provisions; amending ORS 279B.065, 279B.070 and 279C.335; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 279B.065 is amended to read:

279B.065. (1) A contracting agency may award a [procurement of] **public contract for** goods or services that does not exceed [\$10,000] **a contract price of \$25,000** in any manner the contracting agency deems practical or convenient, including by direct selection or award. A contract awarded under this section may be amended to exceed [\$10,000] **\$25,000** only in accordance with rules adopted under ORS 279A.065.

(2) **A state contracting agency that awards a public contract with a contract price of \$10,000 or more using a method permitted under this section shall document in the state contracting agency's procurement file the actions the state contracting agency takes to:**

(a) **Comply with ORS 200.035; and**

(b) **Consider for the procurement businesses or enterprises that the Certification Office for Business Inclusion and Diversity certifies under ORS 200.055.**

[(2)] (3) A contracting agency may not artificially divide or fragment a procurement so as to constitute a small procurement under this section.

SECTION 2. ORS 279B.070 is amended to read:

279B.070. (1) A contracting agency may award a [procurement of] **public contract for** goods or services that exceeds [\$10,000] **a contract price of \$25,000**, but does not exceed [\$150,000] **a contract price of \$250,000**, [in accordance with intermediate procurement procedures] **as provided in subsection (4) of this section**. A contract awarded under this section may be amended to exceed [\$150,000] **\$250,000** only in accordance with rules adopted under ORS 279A.065.

(2) **A state contracting agency that awards a public contract with a contract price of \$10,000 or more using a method permitted under this section shall document in the state contracting agency's procurement file the actions the state contracting agency takes to:**

(a) **Comply with ORS 200.035; and**

(b) **Invite to participate in the procurement qualified businesses or enterprises that the Certification Office for Business Inclusion and Diversity certifies under ORS 200.055.**

[(2)] (3) A contracting agency may not artificially divide or fragment a procurement so as to constitute an intermediate procurement under this section.

[(3)] (4) When conducting an intermediate procurement, a contracting agency shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The contracting agency shall keep a written record of the sources of the quotes or pro-

posals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the contracting agency shall make a written record of the effort the contracting agency makes to obtain the quotes or proposals.

[(4)] (5) If a contracting agency awards a **public** contract, the contracting agency shall award the **public** contract to the offeror whose quote or proposal will best serve the interests of the contracting agency, taking into account price as well as considerations including, but not limited to, experience, expertise, product functionality, suitability for a particular purpose and contractor responsibility under ORS 279B.110.

SECTION 3. ORS 279C.335 is amended to read:

279C.335. (1) A contracting agency may award a public improvement contract only in response to competitive bids, except for:

(a) A public improvement contract with a qualified nonprofit agency that provides employment opportunities for individuals with disabilities under ORS 279.835 to 279.855.

(b) A public improvement contract that is exempt under subsection (2) of this section.

(c) A public improvement contract with a value of less than ~~[\$10,000]~~ **\$25,000. A state contracting agency that awards a public improvement contract with a contract price of \$10,000 or more under this paragraph shall document in the state contracting agency's procurement file the actions the state contracting agency takes to:**

(A) Comply with ORS 200.035; and

(B) Invite to participate in the procurement qualified businesses or enterprises that the Certification Office for Business Inclusion and Diversity certifies under ORS 200.055.

(d) A public improvement contract with a contract price that does not exceed \$100,000 made under procedures for competitive quotes in ORS 279C.412 and 279C.414.

(e) A contract to repair, maintain, improve or protect property the Department of Veterans' Affairs obtains under ORS 407.135 and 407.145 (1).

(f) An energy savings performance contract that a contracting agency enters into in accordance with rules of procedure adopted under ORS 279A.065.

(g) A public improvement contract with an estimated contract price of \$250,000 or less that a contracting agency awards to an emerging small business certified under ORS 200.055 and funds with moneys from the Emerging Small Business Account established under ORS 200.180. A contracting agency that awards a public contract exempted from competitive bidding under this paragraph shall solicit competitive quotes as provided in ORS 279C.414 before making the award.

(2) Subject to subsection (4)(b) and (c) of this section, the Director of the Oregon Department of Administrative Services, a local contract review board or, for contracts described in ORS 279A.050 (3)(b), the Director of Transportation may exempt a public improvement contract or a class of public improvement contracts from the competitive bidding requirement of subsection (1) of this section after the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board approves the following findings that the contracting agency submits or, if a state agency is not the contracting agency, that the state agency that is seeking the exemption submits:

(a) The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts.

(b) Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the contracting agency or the state agency that seeks the exemption or, if the contract is for a public improvement described in ORS 279A.050 (3)(b), to the contracting agency or the public. In approving a finding under this paragraph, the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

(A) How many persons are available to bid;

(B) The construction budget and the projected operating costs for the completed public improvement;

(C) Public benefits that may result from granting the exemption;

(D) Whether value engineering techniques may decrease the cost of the public improvement;

(E) The cost and availability of specialized expertise that is necessary for the public improvement;

(F) Any likely increases in public safety;

(G) Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;

(H) Whether granting the exemption will affect the sources of funding for the public improvement;

(I) Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;

(J) Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;

(K) Whether the public improvement involves new construction or renovates or remodels an existing structure;

(L) Whether the public improvement will be occupied or unoccupied during construction;

(M) Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; and

(N) Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

(c) As an alternative to the finding described in paragraph (b) of this subsection, if a contracting agency or state agency seeks an exemption that would allow the contracting agency or state agency to use an alternative contracting method that the contracting agency or state agency has not previously used, the contracting agency or state agency may make a finding that identifies the project as a pilot project for which the contracting agency or state agency intends to determine whether using the alternative contracting method actually results in substantial cost savings to the contracting agency, to the state agency or, if the contract is for a public improvement described in ORS 279A.050 (3)(b), to the contracting agency or the public. The contracting agency or state agency shall include an analysis and conclusion regarding actual cost savings, if any, in the evaluation required under ORS 279C.355.

(3) In making findings to support an exemption for a class of public improvement contracts, the contracting agency or state agency shall clearly identify the class using the class's defining characteristics. The characteristics must include a combination of project descriptions or locations, time periods, contract values, methods of procurement or other factors that distinguish the limited and related class of public improvement contracts from the agency's overall construction program. The agency may not identify a class solely by funding source, such as a particular bond fund, or by the method of procurement, but shall identify the class using characteristics that reasonably relate to the exemption criteria set forth in subsection (2) of this section.

(4) In granting exemptions under subsection (2) of this section, the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board shall:

(a) If appropriate, direct the use of alternative contracting methods that take account of market realities and modern practices and are consistent with the public policy of encouraging competition.

(b) Require and approve or disapprove written findings by the contracting agency or state agency that support awarding a particular public improvement contract or a class of public im-

provement contracts, without the competitive bidding requirement of subsection (1) of this section. The findings must show that the exemption of a contract or class of contracts complies with the requirements of subsection (2) of this section.

(c) Require a contracting agency or state agency that procures construction manager/general contractor services to conduct the procurement in accordance with model rules the Attorney General adopts under ORS 279A.065 (3).

(5)(a) A contracting agency or state agency may hold a public hearing before approving the findings required by subsection (2) of this section and before the Director of the Oregon Department of Administrative Services, the Director of Transportation or the local contract review board grants an exemption from the competitive bidding requirement for a public improvement contract or a class of public improvement contracts.

(b) Notification of a proposed exemption under subsection (2) of this section must be published in at least one trade newspaper of general statewide circulation a minimum of 14 days before the date on which the contracting agency intends to take action to approve or disapprove the exemption.

(c) The notice must state that in response to a written request, the contracting agency or state agency will hold a public hearing for the purpose of taking comments on the draft findings for an exemption from the competitive bidding requirement.

(d) If the contracting agency or state agency conducts a public hearing, the contracting agency or state agency shall offer an opportunity for any interested party to appear and comment.

(e) If a contracting agency or state agency must act promptly because of circumstances beyond the agency's control that do not constitute an emergency, notification of the proposed exemption may be published simultaneously with the agency's solicitation of contractors for the alternative public contracting method, as long as responses to the solicitation are due at least five days after the agency intends to take action to approve or disapprove the proposed exemption.

(6) The purpose of an exemption is to exempt one or more public improvement contracts from competitive bidding requirements. The representations in and the accuracy of the findings, including any general description of the resulting public improvement contract, are the bases for approving the findings and granting the exemption. The findings may describe anticipated features of the resulting public improvement contract, but the final parameters of the contract are those characteristics or specifics announced in the solicitation document.

(7) A public improvement contract awarded under the competitive bidding requirement of subsection (1) of this section may be amended only in accordance with rules adopted under ORS 279A.065.

(8) A public improvement contract that is excepted from the competitive bidding requirement under subsection (1)(a), (c), (d), (e), (f) or (g) of this section is not subject to the exemption requirements of subsection (2) of this section.

SECTION 4. The Oregon Department of Administrative Services shall promote and apply a policy of diversity, equity and inclusion in public contracting by engaging in efforts to increase public contracting opportunities for businesses and enterprises that the Certification Office for Business Inclusion and Diversity has certified under ORS 200.055. The department shall undertake the following actions:

(1) Review and evaluate the recommendations of a statewide study of disparities in awarding public contracts;

(2) Develop a plan to implement the priority recommendations set forth in the study described in subsection (1) of this section;

(3) Implement the priority recommendations set forth in the study described in subsection (1) of this section; and

(4) Report to the Governor's Policy Advisor for Economic and Business Equity concerning the department's plan and implementation every six months until the earlier of the date on which the department has fully implemented the priority recommendations or June 30,

2025. The department shall submit the first report not later than 90 days after the completion of the study described in subsection (1) of this section.

SECTION 5. Section 4 of this 2023 Act and the amendments to ORS 279B.065, 279B.070 and 279C.335 by sections 1 to 3 of this 2023 Act apply to procurements that a contracting agency advertises or otherwise solicits or, if the contracting agency does not advertise or otherwise solicit the procurement, to public contracts into which the contracting agency enters on or after the operative date specified in section 6 of this 2023 Act.

SECTION 6. (1) The amendments to ORS 279B.065, 279B.070 and 279C.335 by sections 1 to 3 of this 2023 Act become operative on January 1, 2024.

(2) A contracting agency that adopts rules under ORS 279A.065 or 279A.070 may adopt rules and take any other action before the operative date specified in subsection (1) of this section that is necessary for the contracting agency to undertake and exercise all of the duties, functions and powers conferred on the contracting agency by the amendments to ORS 279B.065, 279B.070 and 279C.335 by sections 1 to 3 of this 2023 Act.

SECTION 7. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.

Passed by Senate April 10, 2023

.....
Lori L. Bocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 16, 2023

.....
Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

.....
Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Secretary of State