
City of Florence
City Council Minutes
June 21, 2010

CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice President Alan Burns, Councilors Suzanne Roberts and Dave Franzen. Staff in attendance included City Manager Robert Willoughby, Assistant City Manager Jacque Morgan, Finance Director David Armstrong, Public Works Director Mike Miller, Community Development Director Sandra Belson, FEC Director Kevin Rhodes, Police Chief Maurice Sanders and City Recorder Pat Heinze.

SWEARING IN

Mayor Brubaker swore in Reserve Police Officer Rick Alexander. Mr. Alexander had his badge pinned on his uniform by his friend, Cheryl Lofton.

EMPLOYEE RECOGNITION

Mayor Brubaker said this was a proud moment for everyone who had known Lis Farm for many years. He said Lis was one of his first friends in Florence, a time when life was younger. We are recognizing Lis tonight for her many years of outstanding service to our city, community and FEC as Marketing Director. Mayor Brubaker then presented Lis with a plaque in appreciation from the City of Florence.

APPROVAL OF AGENDA

Mayor Brubaker asked for any additions or corrections to the agenda, hearing none he moved on to the next item.

PUBLIC COMMENTS

Mayor Brubaker explained that this was a time in the meeting that offered an opportunity for anyone in the audience who would like to address the council for a maximum of three (3) minutes for any item not otherwise listed on the agenda.

With no one coming forward Mayor Brubaker moved on to the consent agenda.

CONSENT AGENDA

MINUTES

Consider approval of minutes of the regular council meeting of June 7th.

Councilor Burns moved to approve the minutes of June 7, 2010 Second by Councilor Xavier. By voice all ayes motion carried unanimously.

Mayor Brubaker said it was brought to his attention that there was a mistake in a name listed as speaker representing Heceta Water District, in the minutes

of May 17th. He said it was Jerry Nordin who appeared on behalf of the water district discussing the emergency water agreement.

Councilor Burns moved to reapprove the May 17th minutes as corrected. Second by Councilor Roberts, by voice 4 ayes and 1 abstainion as Councilor Xavier was not in attendance at that meeting.

PUBLIC HEARING

Mayor Brubaker said what we will see this evening is a collection of actions involving tax rates, grants, levies, utilities rates, which all come together to give us a balanced and sustainable budget.

CM Willoughby said the state budget law requires that if any adjustments are made within the budget that exceeds 10%, a resolution has to be approved to formally revise the budget. He said there are a couple of things that make that necessary this year.

- The city received \$8,000 more in RTMP monies than we had budgeted.
- There were some expenditures at the FEC for a HVAC system and a new water heater that also exceeded the 10%.

SUPPLEMENTAL BUDGET AND APPROPRIATIONS FOR THE CURRENT YEAR (2009-2010)

Consider written and oral testimony on the proposed supplemental budget and making appropriations.

Mayor Brubaker opened the public hearing at 7:08 p.m. with no one coming forward he closed the public hearing at 7:09 p.m.

Consider approval of Resolution No. 16, Series 2010, a resolution adopting a 2009-2010 supplemental budget and making appropriations.

Councilor Burns moved to approve Resolution No. 16, Series 2010 a resolution adopting a 2009-2010 supplemental budget and making appropriations. Second by Councilor Roberts, by voice all ayes, motion carried unanimously.

RESOLUTION NO.16, SERIES 2010

A RESOLUTION ADOPTING A 2009-2010 SUPPLEMENTAL BUDGET AND MAKING APPROPRIATIONS

BE IT RESOLVED that the City of Florence hereby adopts a supplemental budget for the fiscal year 2009-2010 now on file at City Hall.

BE IT FURTHER RESOLVED that the City Council hereby makes appropriations in the current fiscal year, and for the purpose shown as follows:

Resource	SUMMARY OF SUPPLEMENTAL BUDGET		
	Amount	Requirement	Amount
RTMP GRANT FUND:			
Carryover	1,000	Transfers	<u>74,000</u>
RTMP Grant	<u>73,000</u>		
	74,000		74,000
ROOM TAX FUND:			
Carryover	29,000	Materials & Services - Chamber	50,000
Room Tax	<u>300,000</u>	Transfers	<u>279,000</u>
	329,000		329,000
EVENTS CENTER CAPITAL OUTLAY RESERVE FUND:			
Carryover	<u>85,000</u>	Capital Outlay	30,000
		Contingency	<u>55,000</u>
	85,000		85,000

BUDGET APPROPRIATION TRANSFERS

Consider approval of Resolution No. 17, 2010 a resolution transferring appropriations for the fiscal year 2009-2010

CM Willoughby said when we spend more than was appropriated in a fund, category or department an adjustment is required by Oregon budget law and that was the purpose of this resolution. He said this resolution would make the transfers that are necessary to keep the entire budget, departments and appropriations at or below what was appropriated.

Mayor Brubaker noted that in the staff report there is a line by line explanation of the various categories, mostly relating to the makeup of the merit increase from the prior year. He said there were a couple other items; the extra money we spent for the fire annexation and once again, we were \$30,000 over budget in legal fees but it was less than we were over last year.

Councilor Burns moved to approve Resolution No. 17, Series 2010 a resolution transferring appropriations for the fiscal year 2009-2010. Second by Councilor Roberts, by voice all ayes, motion carried unanimously.

RESOLUTION NO. 17, SERIES 2010 A RESOLUTION TRANSFERRING APPROPRIATIONS

WHEREAS, certain needs have arisen during the fiscal year that were unforeseen at the time the 2009-2010 budget was prepared, and

WHEREAS, certain expenditures need to be reclassified,

NOW, THEREFORE BE IT RESOLVED that the transfers as outlined below be hereby approved.

Transfer Appropriations 2009-10

General Fund

Decrease

Increase

Contingency	125,000	Personal Services	60,000
		Materials & Services	40,000
		Capital Outlay	25,000
Total General Fund	125,000		125,000
Other Funds			
Building Fund			
Contingency	10,000	Personal Services	10,000
FEC Operating Fund			
Materials & Services	20,000	Personal Services	20,000
Water Fund			
Materials & Services	30,000	Personal Services	30,000
Wastewater Fund			
Materials & Services	40,000	Personal Services	40,000
Stormwater Fund			
Materials & Services	20,000	Capital Outlay	20,000
Street SDC Fund			
Capital Outlay	100,000	Transfers Out	100,000
Water SDC Fund			
Capital Outlay	170,000	Transfers Out	170,000
Airport Operating Fund			
Contingency	16,000	Personal Services	1,000
		Materials & Services	10,000
		Capital Outlay	5,000
Total Other Funds	406,000		406,000
Total Contingency Transfers	151,000		151,000

PUBLIC HEARING

WATER AND WASTEWATER UTILITY RATE INCREASES

Consider written and oral testimony on the proposed water and wastewater utility rate increase

Mayor Brubaker said this item is something that our budget committee (which includes the city council) deals with every year and he felt it was important to point that out for the record. Among other steps taken this year to maintain a balanced budget we have to look at utility rate increases. He said a policy we have instituted for our utilities and our general fund; is the concept of building up “non-ear marked reserves,” monies within a fund that would prepare us for surprises in the future as well as planned capital replacement. He said this is

very difficult for government to do; in the age of no surpluses, the age of shortfall and in the age when everyone has been touched negatively to some extent by the great recession we're in. He said this is something the budget committee felt was important to do. He said as it relates to water rates, staff had recommended an 8% increase to keep our water utility functioning well, the budget committee also recommended an additional 2% to make it a total of 10% to keep the wells flowing.

CM Willoughby said he would like to make a few points that came from the budget message and discuss a rate study delivered to the budget committee. He said a year ago the utilities were in a very difficult situation where they had been chronically underfunded; the rate increase last year certainly helped the situation, but it did not solve all of the long term issues. He said those long term issues required some additional funding to be able to fully fund the things that we needed to do to protect the city's investment in infrastructure.

He said the well rehabilitation fee was one that was desperately needed and since that was implemented and it has paid dividends as we start to go through the regular rehabilitation of those wells on a regular cycle. He said some of those wells had never seen any rehabilitation and due to the iron and other chemicals that are in our water, we will now have to re-drill one of those wells that didn't get the proper maintenance. He said the rate study identified the need to do some of that deferred maintenance and deferred maintenance can be more expensive than doing maintenance as you go. He said with the 10% increase the water fund will only have a 4.6% contingency, so even with the 10% increase we are barely covering the immediate needs for the water fund. He said this will not build up a reserve that we need to start working on for unforeseen contingencies that come up in the future. He said 4.6% is too low for the size and complexity of our water utility.

CM Willoughby said the wastewater fund budgeted an 8% increase which was also called for in the rate study last year; this is necessary to help maintain the reserve for our current debt service, to pay back the bonds that we sold to build the new wastewater treatment plant. He said there would be some capital improvements in wastewater; there are some projects like the bottle neck project that is necessary to get done.

He said the good news for wastewater is that the State of Oregon gave the city a zero percent loan, and we had budgeted for paying some interest on that loan. He said we're not recommending any increase for stormwater; we're sensitive to the economic situation and the need to keep these rate increases to an absolute minimum. If we don't increase the rates this year, we would only have a 4.7% contingency in the stormwater fund and there are some things we are not able to fund with the stormwater utility at the current rates.

Mayor Brubaker noted that the resolution includes no changes in the well rehab fee and said there was a corrected Res. 18 on the council dais that reflects that.

Mayor Brubaker opened the public hearing for water/wastewater utility rate increases at 7:18 p.m.; with no one coming forward he closed the public hearing at 7:19 p.m.

RESOLUTIONS FOR WATER AND WASTEWATER UTILITY FEES

Consider approval of Resolution No. 18, Series 2010, a resolution increasing water service charges by 10%

Mayor Brubaker said the water rates for residential customers would go up \$1.16/month. The wastewater rates (sewer) will go up by \$3.11/month and it would go into effect July 1, 2010.

Councilor Roberts asked PWD Miller about the pictures he had shown during one of their earlier meetings regarding the wells. She asked if any of the other wells were in that bad of a condition.

PWD Miller said this is part of the process of the well rehab relocation program; to go through each individual well. He said the wells have varying degrees of accumulation, wells 4 and 2 are the worst; there are a couple other wells in the well field that have had a marked decrease but well 4 has dropped of severely.

CM Willoughby said he would like to clarify something in the memo – with the \$.10 coming off of the well rehab fee, and increased rate, that the same user would generate a billing of \$28.74/month – that \$.10 did not get backed out of that total for the month. He clarified on the base rate there is no water included in the base rate; what people pay for the water will also go up 10%.

Councilor Burns moved to approve Resolution No. 18, Series 2010 a resolution a resolution increasing water service charges by 10%. Second by Councilor Franzen, by voice all ayes, motion carried unanimously.

CITY OF FLORENCE RESOLUTION NO. 18, SERIES 2010 A RESOLUTION AMENDING THE WATER RATES

WHEREAS, Florence City Code 9-2-5-6 provides for the City Council to fix water rate charges and to amend, or alter, from time to time, at the discretion of the Council by resolution; and,

WHEREAS, The maintenance necessary to ensdure reliable, clean drinking water grow each year; and

WHEREAS, The Budget Committee of the City of Florence has recommended that the water rates be increased to provide needed funding for current and ongoing maintenance; and

WHEREAS, Dedicated funding is needed for current and future well rehabilitation; and

WHEREAS, The Budget Committee of the City of Florence has also recommended that water rates be adjusted annually for inflation or deflation, and as a means of stabilizing future rate adjustments.

NOW, THEREFORE, BE IT RESOLVED by the Florence City Council that the water rates, base and commodity, hereby be increased by 10% beginning July 1, 2010, and shall be reviewed annually, thereafter by the City Council., The rates shall be as follows:

Residential (\$/month)	12.74
Small Commercial - Low Volume (\$/month)	12.74
Small Commercial – High Volume (\$/month) (\$/month)	63.76
1 ½” Commercial (\$/month)	63.76
2” Commercial (\$/month)	98.92
3” Commercial (\$/month)	308.00
4” Commercial (\$/month)	388.22
6” Commercial (\$/month)	1,591.65
Greentrees East	1,690.57
8” Commercial (\$/month)	4,996.43
Commodity Rate in \$/cubic foot (first 1,000 cu. ft.)	0.0150
Commodity Rate in \$/cubic foot (1,001-1,500 cu ft.)	0.0164
Commodity Rate in \$/cubic foot (1,501 plus cu. ft.)	0.0196
Fire Standby Meter	5.71
Irrigation Only meters (same as residential or commercial size 1 ½” and above).	
Well Rehab Fee (per account per month) no change	1.00
Other Individual Rates (plus 108%)	

Consider approval of Resolution No. 19, Series 2010, a resolution increasing wastewater service charges by 8%.

Councilor Burns moved to approve Resolution No. 19, Series 2010 a resolution increasing wastewater service charges by 8%. Second by Mayor Brubaker, by voice all ayes, motion carried unanimously.

**CITY OF FLORENCE
RESOLUTION NO. 19, SERIES 2010
A RESOLUTION AMENDING THE WASTEWATER RATES**

WHEREAS, Resolution No. 38, Series 1998 established wastewater rates for customers; and

WHEREAS, Paragraph three states that “The City is aware actual demand, system requirements, and available funds may change from this projection and future rate adjustments may become necessary.” And,

WHEREAS, The Budget Committee of the City of Florence has recommended that the wastewater rates be increased to provide needed funding for current and ongoing maintenance; and,

WHEREAS, The Budget Committee of the City of Florence has also recommended that wastewater rates be adjusted annually for inflation or deflation, and as a means of stabilizing future rate adjustments.

NOW, THEREFORE, BE IT RESOLVED by the Florence City Council that the Wastewater rates hereby be increased by 8% beginning July 1, 2010, and shall be reviewed annually, thereafter by the City Council., The rates shall be as follows:

Single Family Flat Rate	
Single Family Residential Unit (\$/month)	41.97
Step System	54.93
Viking Concrete	150.93
Coast Village (\$/month/equivalent residential unit)	38.83
Greentrees (\$/month/equivalent residential unit)	36.40
Greentrees surcharge (\$/month)	627.60

Quantity Charge	
I/I cost per unit/month (\$month/equivalent residential unit)	5.78
PLUS	
Multifamily (\$/cubic foot)	0.0571
Commercial (\$/cubic foot)	0.0571
Other Individual Rates (plus 83%)	

PUBLIC HEARING

STATE REVENUE SHARING

Consider written or oral testimony on the use of State Revenue Sharing funds.

Mayor Brubaker said this public hearing is on State Revenue Sharing. He said the budget committee had recommended revenue sharing amounts that were included in the agenda staff report.

- \$25,000 – Rhody Express
- \$12,000 – Siuslaw Outreach Center
- \$8,000 - Miscellaneous
- \$11,000 – General Fund Contingency – for a total of \$56,000

Mayor Brubaker opened the public hearing at 7:22 p.m. with no one coming forward he closed the public hearing at 7:23 p.m.

Consider adoption of Resolution No. 20, Series 2010, a resolution declaring the city’s election to receive State Shared Revenues

Councilor Burns moved to approve Resolution No. 20, Series 2010, a resolution declaring the city’s election to receive State Shared Revenues. Second by Councilor Franzen, by voice all ayes, motion carried unanimously.

**RESOLUTION NO. 20, SERIES 2010
A RESOLUTION DECLARING THE CITY’S ELECTION TO RECEIVE STATE-SHARED REVENUES.**

BE IT RESOLVED, that the City of Florence City Council ordains that, pursuant to ORS 221.770, the City hereby elects to receive State Shared Revenues for the fiscal year 2010-2011.

APPROVED BY THE COUNCIL AND SIGNED BY THE MAYOR THIS 21st DAY OF JUNE, 2010.

Consider adoption of Resolution No. 21, Series 2010, a resolution certifying the city’s eligibility to receive State Shared Revenue

Councilor Xavier moved to approve Resolution No. 21, Series 2010, a resolution certifying the city’s eligibility to receive State Shared Revenues. Second by Councilor Franzen, by voice all ayes, motion carried unanimously.

**CITY OF FLORENCE
RESOLUTION NO. 21, SERIES 2010**

A RESOLUTION CERTIFYING THE CITY'S ELIGIBILITY TO RECEIVE STATE-SHARED REVENUES.

WHEREAS, State Revenue Sharing Law, ORS 221.760, provides as follows:

Section 1: The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.280 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

1. Police protection
2. Fire protection
3. Street construction, maintenance, and lighting
4. Sanitary sewer
5. Storm sewers
6. Planning, zoning, and subdivision control
7. One or more utility services, and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Florence hereby certifies that it provides the following municipal services, which is four or more than the municipal services enumerated in section 1, ORS 221.760.

1. Police protection
2. Fire protection
3. Street construction, maintenance, and lighting
4. Sanitary sewer
5. Storm sewers
6. Planning, zoning, and subdivision control
7. One or more utility services

Section 2: This resolution will be effective immediately upon adoption.

CITY OF FLORENCE FISCAL YEAR 2010-2011 BUDGET

PUBLIC HEARING

Consider written or oral testimony on the proposed Fiscal Year 2010-2011 Budget.

Mayor Brubaker said this is where we deal with property taxes and the general fund. He said they had taken several steps already on the things for utilities, but here we are proposing to adopt a \$23,105,083 budget involving a general fund tax levy of \$2.861/thousand.

CM Willoughby asked staff for clarification for any citizen who might ask, "What about the promise to reduce the \$.39 for the fire annexation," and FD Armstrong said no will see any increase in their taxes because of the fire district annexation until next year's budget.

CM Willoughby went on to say that this year's budget is intended to be a belt tightening budget. The City of Florence had weathered the great recession pretty well as compared to other governmental entities, but we still need to be prepared for an ongoing slow growing economic recovery. He said we also need

to reflect in the budget, the reality that some of our costs have been going up faster than some of our revenues and we need to get a handle on that situation.

He said this budget will reflect that we have made progress in several areas to maintain costs. He said the summary submitted by the department heads to the budget committee; reflect to the best of the staff's ability, to implement the will of the council as stated in their goals for this year. The budget committee stated at their first meeting in February that they felt we should tighten our belt. He said he sent a directive to city staff to control personal services costs whenever we could; which was also a goal for the council. Staff was directed not to replace any employees; contract or regular without an analysis as to whether replacing the employee was necessary. He thought the institution of the Health Savings Account was very important in helping us to achieve what success we have made, especially in the general fund where we saved \$120,000 which is spread over all of the departments and part of that is in the general fund.

He said staff has been mindful of an increasing headcount in the city over the past few years; our total employment peaked at 64.4 FTE in the 2008-2009 fiscal year and since then we have decreased our numbers to 63.1 in 2009-2010 and we're proposing 60 FTE for the budget that is being considered this evening. He said in terms of the general fund there are four areas that we called to the attention of the budget committee that we need to continue to monitor and look for ways to deal with these known issues, not necessarily in this fiscal year, but in future budgets.

- PERS increase which may have become more complicated with some things that have been in the news lately. We know that we have about \$170,000 at issue. This has to do with some investment requirements that the federal government imposed that may require PERS to review the \$170,000. He said they hoped since Oregon was conservative in the amount of reserves that they require PERS to already maintain, that it will not make a significant difference to the \$170,000 we've already talked about.
- Fire District Annexation was a great concern to the staff and budget committee; had it not passed there would have been significant increases in the cost of providing fire services that would have been supported by the general fund which had no reserves identified to cover those costs.
- Possibility of a continued weakness in the economy and the recovery has been very slow; we don't know if this recession will involve a single dip, or multiple dips. We need to be prepared to sustain the level of services over a longer period of time.
- Issues with things like the roof at the Justice Center and some of our infrastructure aging as has happened with the Events Center this year with the need to make some repairs to the HVAC system and a new water heater. As the buildings age we need to be prepared to make those types of improvements in the future.

CM Willoughby said all of these things mentioned required staff to take a hard look at our costs in the general funds and others like the Airport and the FEC fund. The budget committee reviewed our estimates; they spent a lot of time asking questions and making suggestions. In addition the council has as one of its goals, asked that staff prepare a long term financial plan; which we're in the process of starting now. He said staff would have that plan later this year for the council and the budget committee to approve; that is where we're going to take the longest and hardest look at not only our revenues but also our costs and make recommendations for a sustainable budget for next year and for the next 4-5 years after that.

He said this process is just beginning; we have what appears to be a very capable candidate for a consultant to come in and assist the city in the study. He said he and ACM Morgan will be interviewing her this Wednesday; so we may have someone in place as early as July 11th. He said the budget committee suggested a budget planning committee and it was suggested that the Chair of the budget committee, John Murphey and committee member Debra Menthe be considered for that committee. He said he intends to come back with the consultant to meet with the council and talk about the policy issues that need to be made before we start this process.

He said some of the questions to be answered are:

- What is a financial plan in the council's mind and how many years are we looking at
- What are our primary goals
 - Is it sustainability of services
 - Is it level of services
 - Is it a sustainable budget that maximizes or comes as close as we can to the current level of services.
 - Is one of our primary goals to reach some specific goal in the way of contingencies and reserves to deal with issues like the roof at the Justice Center and the need for other improvements in the future?

He went on to say that would be something that would come back to the council in July with regard to the long term plan. He said those are the issues that were dealt with in this budget and we will continue to deal with as we go through this process of doing the long term financial plan.

Mayor Brubaker opened the public hearing at 7:35 p.m. with no one coming forward he closed the public hearing at 7:36 p.m.

ADOPTION OF THE BUDGET

Consider adoption of Resolution No. 22, Series 2010, a resolution adopting an annual budget for the fiscal year beginning July 1, 2010, making appropriations, imposing and categorizing the ad valorem taxes

Councilor Burns moved to approve Resolution No. 22, Series 2010, a resolution adopting an annual budget for the fiscal year beginning July 1, 2010, making appropriations, imposing and categorizing the ad valorem taxes. Second by Councilor Roberts, by voice all ayes, motion carried unanimously.

RESOLUTION NO. 22, SERIES 2010

**A RESOLUTION ADOPTING 2010-2011 BUDGET
MAKING APPROPRIATIONS,
IMPOSING AND CATEGORIZING AD VALOREM TAXES**

BE IT RESOLVED that the City Council of the City of Florence hereby adopts the budget for fiscal year 2010-2011 in the sum of \$23,105,083 now on file at City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2010 and for the purposes shown below are hereby appropriated as follows:

General Fund		Materials & Services	36,673
Planning & Development	332,396	Contingency	<u>767</u>
Municipal Court	249,355	Total	232,459
Parks	241,302		
Police Operations	2,303,181	911 Fund	
Fire Services	250,050	Transfer to General Fund	196,000
City Council/Mayor	26,925	Contingency	<u>1,093</u>
City Manager	472,373	Total	197,093
Finance	390,854		
City Hall	90,134	Housing Rehab. Loan Fund	
Non-Departmental	47,000	Materials & Services	28,000
Contingency		Contingency	<u>63,273</u>
<u>516,633</u>		Total	91,273
Total	4,920,203		
		RTMP Fund	
General Debt Service Fund		Transfer to FEC	65,000
Debt Service	278,689	Contingency	<u>175</u>
Unappropriated Ending Fund Balance		Total	65,175
<u>326,533</u>			
Total	605,222	Room Tax Fund	
		Materials & Services	50,000
Street Fund		Transfer to Events Center	150,000
Personal Services	91,342	Contingency	<u>15,966</u>
Materials & Services	312,531	Total	215,966
Capital Outlay	234,317		
Contingency		Events Center Operating Fund	
<u>151,124</u>		Personal Services	284,125
Total	789,314	Materials & Services	256,409
		Contingency	<u>8,356</u>
Grant Projects Fund		Total	548,890
Personal Services	100,000		
Materials & Services	300,000	FEC Reserve Fund	
Capital Outlay	1,400,000	Materials & Services	25,000
Contingency	<u>200,000</u>	Contingency	<u>33,522</u>
Total	2,000,000	Total	58,522
Building Permit Program Fund		FEC Debt Service Fund	
Personal Services	195,019	Debt Service	155,472

Contingency	<u>469</u>
Total	155,941
Water Fund	
Personal Services	
522,926	
Materials & Services	649,360
Capital Outlay	74,000
Debt Service	395,764
Transfer to General Fund	81,000
Contingency	<u>97,518</u>
Total	1,820,568

Water Systems Development Fund	
Materials & Services	800
Capital Outlay	300,000
Contingency	<u>109,729</u>
Total	410,529

Stormwater System Development Fund	
Materials & Services	750
Capital Outlay	400,000
Debt Service	54,000
Contingency	<u>91,438</u>
Total	546,188

Wastewater Fund	
Personal Services	543,273
Materials & Services	
806,854	
Capital Outlay	4,048,260
Debt Service	889,325
Transfer to General Fund	
129,600	
Contingency	<u>634,187</u>
Total	7,051,499

Airport Operating Fund	
Personal Services	7,539
Materials & Services	138,354
Capital Outlay	7,886
Debt Service	52,107
Contingency	<u>125</u>
Total	206,011

Stormwater Fund	
Personal Services	162,658
Materials & Services	291,841
Capital Outlay	5,000
Contingency	<u>30,652</u>
Total	490,151

Airport Capital Projects Fund	
Capital Outlay	233,783
Contingency	<u>366,715</u>
Total	600,498

Wastewater Systems Development Fund	
Materials & Services	1,150
Contingency	<u>656,975</u>
Total	658,125

Bancroft Bond Fund	
Debt Service	65,275
Contingency	<u>642,071</u>
Total	707,346

Street Systems Development Fund	
Materials & Services	30,000
Capital Outlay	500,000
Contingency	<u>54,010</u>
Total	584,010

Spruce Street LID Bond Fund	
Debt Service	149,400
Contingency	<u>700</u>
Total	150,100

Total Appropriations	23,105,083
Total Requirements	23,105,083

BE IT FURTHER RESOLVED that the City Council for the City of Florence hereby imposes the taxes provided for in the adopted budget at the rate of \$2.8610 per \$1,000 of assessed value, plus an amount of \$288,526; and that these taxes are hereby imposed and categorized upon the assessed value of all taxable property within the City. The following allocations constitute the above aggregate levy:

General Fund	\$2.8610/\$1,000
General Debt Service Fund	\$288,526

BE IT FURTHER RESOLVED that the City Council of the City of Florence hereby categorizes the imposed taxes for fiscal year 2008-2009 as follows:

ACTION ITEMS**UPDATING SYSTEM DEVELOPMENT CHARGES BASED ON ANNUAL INDEXING**

Consider approval of Resolution No. 23, Series 2010, a resolution updating the City of Florence SDC's based on annual indexing per the Engineering News Record. (ENR).

Mayor Brubaker said this item relates to updating our system development charges; it has been our policy to do annual indexing per the Engineering News Record (ENR).

PWD Miller said this was simply keeping up with inflation and 2.6% is the rate this last year according to (ENR). When asked by Mayor Brubaker if it was 2.6% across the board, PWD Miller replied, yes.

Mayor Brubaker said this is adopting a 2.6% higher street fund charge for generated vehicle trip; water, sewer and stormwater charges for single family units.

Councilor Roberts asked if she was correct that sometime in July or August we're going to be looking into these SDC's again, as we requested a study around the first of the year. PWD Miller replied yes; and said we're just wrapping up the Water Master Plan, so those capital improvements play into the SDC's charges. He said likewise we have a real quick update to the wastewater capital and stormwater that is ready to go. He said once those are ready to go, we'll revisit the methodology and then come back to council to see if they want any changes before updating the SDC's. He said it will probably take effect later in the fall or first of the calendar year.

CM Willoughby added that we will employ Deb Galardi who did the rate study last year for water and wastewater. He said she will be reviewing those funds in light of the increase in the budget for next year and looking at how that impacts her 5 year plan and reevaluate that based on the budget. He said when that is completed she will do some work on all three SDC's in terms of the amount of SDC's fees and that information would be given to the consultant doing the long term financial plan.

Councilor Franzen moved to approve Resolution No. 23, Series 2010, a resolution updating the City of Florence SDC's based on annual indexing per the Engineering News Record. (ENR). Second by Mayor Brubaker, by voice all eyes, motion carried unanimously.

**CITY OF FLORENCE
RESOLUTION NO. 23, SERIES 2010**

A RESOLUTION UPDATING SYSTEM DEVELOPMENT CHARGES BASED ON ANNUAL INDEXING PER THE ENGINEERING NEWS RECORD (ENR)

WHEREAS, Florence City Code Title 9, Chapter 1 provides for Utilities Systems Enlargement and the establishment of systems development charges for water, sewer, streets, and stormwater improvements; and

WHEREAS, Resolution No. 29, Series 2002 identified that unit costs shall be adjusted annually July 1 of each year, based upon increase or decrease reflected in the Engineering News Record 20-City Construction Cost index average for the preceding year; and

WHEREAS, Resolution No. 21, Series 2007 allowed the use of the reported index to be June of the current year to more accurately reflect the cost increase or decrease; and

WHEREAS, the costs associated with cement, lumber, structural steel and labor (components used by ENR to determine factors influencing project costs) has increased; and

WHEREAS, The Engineering News Record reported an index of 8804.79 for June 2010 for the 20-City Construction Cost Index resulting in a 2.6% increase from 2009.

NOW, THEREFORE, BE IT RESOLVED by the Florence City Council that the system development charges be adjusted effective July 1, 2010 as follows:

System Development Charge	FY 2009-10	FY 2010-11
Street	\$83.20 per generated vehicle trip	\$85.36 per generated vehicle trip
Water	\$3,268.48 per dwelling unit or equivalent	\$3,353.46 per dwelling unit or equivalent
Sewer	\$4,093.97 per dwelling unit or equivalent	\$4,200.41 per dwelling unit or equivalent
Stormwater	\$1,883.29 per single family unit \$10,371.60 net acre or \$7,778.43 gross acre	\$1,932.26 per single family unit \$10,641.26 net acre or \$7,980.67 gross acre

WORKER’S COMPENSATION INSURANCE TO VOLUNTEERS OF THE CITY OF FLORENCE

Consider the approval of Resolution No. 24, Series 2010, a resolution extending the City’s worker’s compensation insurance to volunteers of the City for the policy year 2010-2011.

Mayor Brubaker said this resolution extends workman’s compensation coverage to city volunteers for the coming fiscal year at an estimated cost to the city’s insurance premium of \$5,000 for dozens of volunteer employees.

Councilor Burns moved to approve Resolution No. 24, Series 2010, a resolution extending the city’s worker’s compensation insurance to volunteers of the city for the policy year 2010-2011. Second by Councilor Xavier, by voice all ayes, motion carried unanimously.

**CITY OF FLORENCE
RESOLUTION NO. 24, SERIES 2010**

A RESOLUTION EXTENDING THE CITY OF FLORENCE’S WORKER’S COMPENSATION INSURANCE TO VOLUNTEERS OF THE CITY OF FLORENCE FOR THE POLICY YEAR 2010-2011

WHEREAS, the City of Florence elects the following:

Pursuant to ORS 656.031 worker's compensation coverage will be provided to the classes of volunteer workers listed on the attached Volunteer Election form.

1. An assumed monthly wage of \$2,500 for police reserve officers, and \$800 for police auxiliary volunteers; and
2. Non-public safety volunteers will keep track of their hours and have their assumed payroll reported in the correct class code for the type of work being performed using Oregon minimum wage; and
3. Court-mandated community service workers/inmates on work release may be covered for worker's compensation benefits by the sentencing court. Coverage will be determined prior to work inception and stipulated to in writing between the City of Florence and the respective sentencing court. Court-mandated volunteers will keep track of their hours and have their assumed payroll reported in Class Code 7720V using Oregon minimum wage; and
4. A roster of active volunteers (FEC volunteers, public safety, non-public safety, and community service workers/inmates on work release) will be kept monthly for reporting purposes. It is acknowledged that City/County Insurance services may request copies of these rosters during yearend audit; and
5. Unanticipated volunteer projects or exposure not addressed herein will be added onto the City of Florence's coverage agreement (1) by endorsement, (2) with advance notice to CIS, and (3) allowing two weeks for processing. It is hereby acknowledged that coverage of this type cannot be backdated.

NOW, THEREFORE, BE IT NOW RESOLVED, by the Florence City Council of the City of Florence to provide for worker's compensation coverage as indicated above. This resolution will be updated annually.

OREGON COASTAL MANAGEMENT PROGRAM

Consider approval of Resolution No. 25, Series 2010, a resolution authoring the City of Florence to receive grant funds for technical assistance from the Oregon Coastal Management Grant Program.

Mayor Brubaker said this is a proposal to accept a Coastal Management Grant in the amount of \$8,000 to be matched by the city; we would be using part of the grant to pay a filing fee.

CDD Belson said the \$8,000 requires a match in that amount of "in-kind" which we have no problem doing with our regular staff work. She said this is an annual grant that we had been getting for years; even before she came to work for the city.

Mayor Brubaker asked if this was a general grant to help with general planning needs. CDD Belson replied, correct. She said it helps balance our general fund budget and assists with staffing reports.

Councilor Burns moved to approve Resolution No. 25, Series 2010, a resolution authorizing the City of Florence to receive grant funds for technical assistance

from the Oregon Coastal Management Grant Program. Second by Mayor Brubaker, by voice all ayes, motion carried unanimously.

**CITY OF FLORENCE
RESOLUTION NO. 25, SERIES 2010
A RESOLUTION AUTHORIZING THE CITY OF FLORENCE TO ACCEPT
A COASTAL ZONE MANAGEMENT GRANT FROM
THE OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT FOR
PLANNING RELATED EXPENSES WITHIN
OREGON'S FEDERALLY-APPROVED COASTAL ZONE**

WHEREAS, the Oregon Department of Land Conservation and Development is awarding the City of Florence with a Coastal Zone Management Grant; and

WHEREAS, the City of Florence desires to participate in this grant program to the greatest extent possible as a means of providing needed planning related funding for federally approved coastal zones; and

WHEREAS, the use of grant funds will support administrative actions including zone changes, conditional uses, variances, permits, partitions and other development applications; and

WHEREAS, the use of grant funds will support legislative land use amendments to comprehensive plans and land use regulations; and

WHEREAS, the use of grant funds will support the update and reprint of maps, development of GIS data, inventory data and plan documents, and monitoring.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Florence authorizes the Community Development Department to accept a Coastal Management Grant from the Oregon Department of Land Conservation and Development for planning related expenses within Oregon's federally-approved coastal zone.

DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

Consider authorizing staff to accept funds for periodic review from DLCD

CM Willoughby said there is a reason that staff recommended that this item be approved by the council, but staff understands the reluctance of the council to involve the city with anything that involves co-adoption or trying to convince the county commissioners to do anything. He asked CDD Belson to explain why staff recommended that we accept these funds.

CDD Belson said the city started periodic review in 1994; got the notice and started the work program in 1995. We adopted the city's Comp Plan Realization 2020 in 2002. She said Work Task Number 8 in periodic review has to do with the Comp Plan; periodic review requirements and does not require that the county co-adopt it; the requirement that the county co-adopt our Comp Plan comes from our IGA with Lane County.

She said the other Work Task that at this point is "incomplete;" is Task 6 and that is the Coastal Goal Task. The council approved amendments to the Comp Plan and zoning code last fall and the piece that we still need to complete is the coordination piece for Task 8. That coordination piece is what needs to get finished for the city to finish periodic review. There are two ways we can do that:

1. Submit our application to Lane County for co-adoption of those Coastal Goals amendments.
2. If we feel that would be fruitless; then we would write up a memo explaining to the State how we have attempted coordination with Lane County; what we did to involve county comments during our process of the Coastal Goals; the fact that we gave them opportunity to comment during our public hearing and explaining how difficult it is to get them to co-adopt our plan. Since they won't adopt our plan we are going to ask for co-adoption of an amendment to that plan.

She said she applied for this grant last fall to provide for some assistance and in the spring we found out that they would be willing to award it to us. She told DLCDC that the city wanted to hold off and see how things went, because things were not going smoothly with Lane County, she had expected the city's plan to be co-adopted by the end of the last calendar year and it wasn't. She told them to wait until May when the county had the item on their agenda for how many ever readings it was at that point. She said in the meantime the DLCDC was trying to see if they could give some money directly to Lane County, and Lane County said no, they didn't want to be a part of the grant.

She said the \$12,000 application fee is not grant eligible; that is something that the city would have to pay; it was in our budget last year because we were expecting to apply for co-adoption this past fiscal year. She said we did not spend the money and it was moved over into next year's budget for that application fee and the state is willing to pay \$30,000 which is hopefully more than what it would actually cost in terms of staff time for staff to go through that process.

CDD Belson said Dave Perry was able to convince some of the people at the State, that "yes, the city did need \$30,000, even though in most counties it is "pro forma," in Lane County it is not pro forma. She said that is where we are at the moment and she realized that there is some hesitation on part of the council, which she understood and she would not be disappointed if this did not move forward. She said one potential option if there was any thought that we do want to continue to try, that we submit our grant but wait after August when the county board meets again, before we submit our application to Lane County and apply for that \$12,000. She said if we wanted to keep our options open we could accept the grant now, but then wait before we paid the fee, see how things are going, and if it's still the same, then we just say to the State, we're going to turn this money back to you. She guessed that if we turned the money back in, either now or later, it would not stay with DLCDC, but go back into the State's general fund to help with their budget shortfall.

CDD Belson said if the commissioners were still hesitant to take any action; the best that could come out of this at the State level is that the city is getting more attention at the State in terms of this issue with Lane County. If the State is actually investing money and seeing that the county is not taking action that might raise this to a higher level, that may along with other issues

going along with the county raise as a bigger concern at the State level; but she didn't know what the State would be able to do about it.

Mayor Brubaker referred to the staff report which stated that Carol Heinkel's time would be \$18,000 and asked if we would be spending that money if we didn't get the grant. CDD Belson replied, no, if we didn't get the grant, we might have her help a little bit, but not very much. All we would do is write the coordination piece, we have to document how we have coordinated with Lane County and why we are not going forward with further requests for co-adoption.

Councilor Roberts said \$30,000 is state money, and as far as she was concerned to do this study, from the history that we have from the people we're dealing with – the county commissioners – it is money down the sewer. She said we all pay State taxes; she didn't want \$30,000 of hers going to restudy an issue that has been part of the council since she had been on the council and specifically the last 2 years. She expressed her distain for the way city staff was treated at the hearing and how much money the city had spent in time and materials. At the meeting where staff sent out over 3,000 notices only 11 or 12 people showed up and the county commissioners were incredibly rude and disrespectful to our staff. She said there were so many things that the county commissioners had done including trying to hold the city hostage over the IGA with the water district. She said the commissioners do not consider the city an equal partner. She said the Lane County Planning Commission approved our 2020 Comp Plan, 6-1 and the nay was the member that Commissioner Fleenor appointed from west Lane County. It was set up as a legislative hearing instead of quasi judicial so the city had no rebuttal, and the commissioners kept speaking of things like secret maps that the city was suppose to have.

Mayor Brubaker said if we don't accept the grant does it cost us money that we've used to balance our general fund budget? CDD Belson you might have to move some money around, because the money we had budgeted for Carol won't be coming in or going out so the \$12,000 in materials and services would go away but then we wouldn't get \$12,000 to pay for her time, so there might be an adjustment above and below that line of personal services/material and services.

Councilor Roberts said the next meeting is in August and the same commissioners are going to be there so she didn't think their feelings were going to change. She referred to the Lane Code Chapter 12 amendment of which the commissioners are going to change annexation, UGB expansion, etc. She said there was no notification to anybody on this, this came to us out of the woodwork.

Councilor Xavier asked for clarification that in this whole process, has our plan been accepted by the State and CDD Belson said that was correct, it had been acknowledged. Councilor Xavier said the only issue that is sitting out there that that continues to be a problem, is co-adoption with the county and the

city has not made any progress with the county on that. She agreed with Councilor Roberts, she did not want to spend \$30,000 of taxpayer's money down this route.

Mayor Brubaker said the action before the council that evening was to do one of three things. If the council chose option 3, the letter would be sent to the State.

Councilor Burns moved to approve option 3, "do not accept the grant, the council would direct the staff to prepare a memo explaining our coordination efforts with Lane County and how we have not met our periodic review requirements. This effort would not be grant-funded and would affect the city's budget for the fiscal year 2010-2011." Second by Councilor Franzen, by voice all ayes, motion carried unanimously.

GROUNDWATER AND SURFACE WATER QUALITY AND QUANTITY MONITORING PROGRAM

Consider approval of the general location of the groundwater monitoring areas.

PWD Miller said he wanted to speak about groundwater monitoring locations. He said through our grant funded project with the EPA; the Siuslaw Estuary Partnership we were to identify 30 locations for groundwater monitoring wells and surface water locations. In general this had been to the water quality/quantity team group to talk about potential locations for different sites for groundwater monitoring wells. The idea is that it is very holistic and comprehensive look to try to get more information on where the ground water is going, the quantity of the ground water, and what the constituents of the ground water are; pollutants or other items of concerns, to get a better handle on what is happening in Florence. He said this is built upon the earlier studies that were done in the early 80's.

He showed a map and referred to the yellow circles which were potential sites for stream flow information and said what we are primarily looking at is outflow of Munsel Lake a location on the main stem of Munsel Creek in the area of 37th-38th Street and then another one towards the confluence of the Siuslaw River, either right behind the public works shops or somewhere in that location. This will give us a better understanding of the surface waters; Munsel Creek has no gauging stations whatsoever and that is one of the critical information pieces that we need, not just for groundwater development, but also for stormwater. How urbanization is either affecting/not affecting the creek as it runs through town. He said on Friday he spent some time looking at potential locations (these are not all the locations, but a good start) that will either be in public rights-of-way or on publically owned land or land that we know the owner will allow us to put a small geo-probe type well, (2-3" bore 20 ft in the ground) off to the side of the road.

1. First site is on the hospital campus; it is downgrading it from the hospital and represents the longest groundwater flow underneath the business and commercial area so picking up the wave of the water flow.

2. The next one is 12th and Greenwood, at the end of 12th Street by the Justice Center, another good location to look at the flow pattern as the water is traveling through Florence underneath the business industrial area.
3. We also looked at the area over by Singing Pines on Kingwood; it will be just off of Kingwood in Singing Pines Park another big representation of the groundwater flow.
4. We also looked at the 18th Street Pocket Park, another good indication of how the groundwater flows have a good understanding of the residential area what's going on with all the streets and infrastructure that's in the ground what is really happening.
5. Rolling Dunes Park is another site for a potential monitoring well; it is down gradient from the golf course which is an area of concern because of the nature of golf course operations and herbicide and pesticide use; this is information that we can use.
6. Area 6 is up at a little park off of Munsel Lake Road next to the boat ramp; there is a spot there that we will need to get county permission, a good indication of the groundwater at the start because it is up gradient from most of the development.
7. Site next to the Harbor Vista Campground off of North Jetty Road entrance into the campground a good spot; but we will have to ask for county permission to locate it there.
8. Rhododendron Loop off of Rhododendron Drive that is a good spot for picking up water as it moves through the developed areas.
9. Area over by the 40 acres of the county property; its mid-gradient so it is in the middle, up stream development and down stream development, it is right in the center.
10. Property off of Hwy 101 over by the substation. One of the criteria we are looking for is access for the "rig?" It's a small drill rig, but it is still a rig that needs to drive on a gravel road and improved surfaces so that location off of Hwy 101 is a good candidate.
11. Driftwood Shores at the county park a good spot with the water coming through the aquifer through that area.
12. Veteran's Park area
13. FEC

He said we're shooting for 30 sites and this is just the first 12-13 that we've looked at. Depending on what we find; we'll expand the program. One of things the consultant team asked is if there were any drycleaners in the area. We'll check with folks who have a longer history with the city and know of businesses that have done that type of work and the types of chemicals that were used in the day. He said the City of Corvallis is dealing with a cleanup of a dry cleaner that is going on right now. We talked about an area up by Fred Meyer in the Oak Street corridor, putting a monitoring well up in that location putting sampling wells in our well fields which would not disrupt our production wells, it's just another indication of what is happening with the groundwater and would help with managing the well water too.

PWD Miller said this is just a snapshot; we plan on bringing this back to the water quality/quantity team for them to look at and provide input, and make any other suggestions. We're also looking at another location down by the North Fork. We're hoping to have wells scattered throughout the system, a holistic very comprehensive look; building on the information we already have so that we can enhance the model that has already been established and use it to help us define future wells. This will help us find out what is happening with urbanization and have a better understanding of what is happening to the ground water.

Mayor Brubaker asked if there was room along the new Rhody drive right of way going all the way out to Driftwood Shores to put wells in if we need to. PWD Miller replied, yes and said one of the locations is right near Rhododendron Drive and Rhododendron Loop. He said we're looking for spots where we can pull over with a rig, but noted that portion of Rhododendron Drive is not under city jurisdiction now so we'll have to ask the county for permission.

Councilor Burns asked about the water study done in the 1980's and what about the study that was done in the 1990's? He said the city did a study back in 94 or 95 identifying the water flow and you keep bringing up the one in the 80's but he never hears about the one done in 95 or 96. PWD Miller said the earlier one is the one that "vouched" the dunal aquifer that's the one that we always refer back to, but there was some other work done trying to help us identify where the future wells fields were suppose to go. The Water Source Protection Plan that the city completed in the 90's or early 2000's and all the other studies will be all be tied together; no information will be lost.

He said our consultant team with Groundwater Solutions, includes Dennis Nelson who helped not only with the Water Source Protection Plan but he also did the modeling for us when he was with the state and he is a great resource and one of the reasons that firm was selected. He said the team will be able to bring all that information together and enhance it and make this a very world class tool to use in the future.

Mayor Brubaker asked what action if any, was being requested that evening and when will we see the rest of proposed study.

PWD Miller said the only time we had to do the site visits was in the afternoon on Friday. He said we are having a meeting in July with the water quality/quantity team and after we get feedback from that we'll be bringing it back to council. He said we would like to know if the council approves of these locations and if so, they would start working the proposals for cost so we can act right away.

CM Willoughby asked the council if staff was on the right track with what they had identified so far, did they see any flaws in the logic so far that might help us correct those.

Mayor Brubaker asked once this was all settled, what would be the timeline for drilling the wells. PWD Miller said the wells will start construction in August, and said that September and October were fairly dry months. Mayor Brubaker said what the public will see is a water well truck like you see out in the farm land driving around to a spot and drilling a 2-3" bore about 20 ft down and then it is capped off, locked off and the area is left the same as it was before. PWD Miller replied correct. When asked how long would they be in one spot drilling; PWD Miller replied set up and take down will take about an hour per location.

Mayor Brubaker said he thought it would relieve the concerns of those outside the city limits in the north end of town that this is not a septic system witch hunt. He said we are primarily concerned about what is going on in the city and the safety of our wells along with the flows moving east/west and northeast/southwest north of town to pick up these other sites. He said it will cover any type of ground pollution of the very important watershed along Munsel Creek. He hoped that staff could provide a visual aid to the newspaper to illustrate this point.

The council concurred with the direction staff was going.

REPORTS

MONTHLY REPORTS

Mayor Brubaker allows each councilor to make comments to ask questions about each department's monthly report.

Court

Mayor Brubaker noted that they did not receive a report from the court, but would possibly see two next month.

Code Enforcement Officer

Mayor Brubaker said he thought that 16 citations were quite a bit more than the total year to date of 29. ACM Morgan said it could be Rhody related or parking violations, but staff would verify that with Brandon.

Community Development

Mayor Brubaker noted that there was a public hearing scheduled on the Parks Master Plan. CDD Belson added that we had the public workshop in June and the first public hearing on the draft Parks and Recreation Master Plan will be at the first meeting in July (13th) of the Planning Commission. She added that all of the information was on the front page of the city's website for the public to see.

Public Works

Pedestrian Crossings

Councilor Roberts asked about the highway crossings; she thought they would be working on the one she considered the most important and she didn't see it mentioned, and that is the 7th and 8th Street crosswalk. PWD Miller said it was

scheduled for the same bid opening; we don't have any right of way issues for 7th and 8th streets in midblock, this is just capturing some of the issues of the right-of-way acquisition. CM Willoughby said the other two crosswalks have issues that we're dealing with and said that the 8th Street crosswalk was easier so it was moving forward.

Transients in Gallagher Park

Councilor Roberts noted that crews cleaned up a transient camp in Gallagher and was told it was not as extensive as the ones on the bike path.

Police

Canine

Councilor Roberts said this as the first time she had seen Dale, the drug sniffing canine, mentioned since he came on board. She said it was reported that he walked the lockers at the Siuslaw School and she wondered if he was successful or what was the outcome? Staff said they would have to find out.

CITY MANAGER REPORT

Department of Transportation Funds Received for Municipal Airport

PWD Miller said we have received the grant request from FAA to do the planning for the apron extension, chain link fence relocation and to begin the process of relocating the fuel island. He said we have not received the official word or grant papers from FAA, but once we do we will notify the consultants to begin the process of doing the work. Construction will be late May, June or the next fiscal year. When Mayor Brubaker asked if the city's match came from the Airport Capital Projects Fund; PWD Miller replied it comes from Connect Oregon Free Grant, there is a 5% match and we're waiting on word for that process. Mayor Brubaker asked if we were using state grant money to match federal money, and PWD Miller replied yes.

Letter from Attorney Carrie Connelly

CM Willoughby said he had sent the councilors an email about a letter from the city's attorney, Carrie Connelly that she sent to Lane County concerning their Chapter 12 amendments. He said this came to the city's attention just a few weeks ago and none of the cities, including Eugene or Springfield, had seen or were aware that the Chair of the Task Force, Mia Nelson, who is also involved with Goal 1 Collation in Lane County had proposed some changes to how we deal with annexation or expansion of the UGB.

CDD Belson added without looking at the proposal, her understanding is that while the state has criteria that must be met, compliance with state goals for expansion of the UGB or amendments that would affect buildable lands inventories, that the county thought that they should have their own list of criteria as well. She said the commissioners were looking at adding some criteria that plans must show compliance with those criteria before the county would adopt them. She said she didn't think that they dealt with annexation it was more expansion of the UGB. She said the cities were concerned about an added level of bureaucracy when we had sufficient test with the state rules and statutes.

CM Willoughby said what concerned all of the cities is that the cities had been told that this process was for the county to deal with its Code and its issues and had nothing to do with any issue that affects the city, but clearly Mia Nelson as Chair was proposing something that was directly affecting cities and we were not given any notice of that proposal when it was made and had we not discovered it, he wasn't sure we would have ever been invited to the table. He said we were concerned enough that the five cities that employed (Carrie Connelly is a partner of Ross Williamson in the firm that we use) Speer Hoyt talked and decided that we needed to have her monitor this process and intervene whenever appropriate.

CDD Belson said that Mia Nelson was also the lead person in terms of the population coordination issues that resulted in the commissioners doing that big study instead of accepting what the cities had proposed. CM Willoughby said we spent a year on that process only to end of up with population within 1% of what was originally proposed by LCOG.

He said Attorney Connelly sent the letter that was forwarded to the council today; she pointed out in the letter that this affects the cities and the cities want to be at the table and in fact we should be part of the Task Force. He said our attorney immediately receive a call immediately upon receipt of our attorney's letter, from a Ms. Wilkinson, who we believe is a planning staff person, to assure her that the amendments that the cities were concerned about, those submitted on or before April 30th particularly those submitted by Ms. Nelson were not currently under consideration by the Task Force despite what the web site says.

He said the county has now assured us that these are not under consideration despite what their website says. Ms. Wilkin relayed that the county staff and Task Force members involved in the amendment process continued to be confused about what is under consideration, however the real story is that the April 30th proposal had been packaged and forwarded to the commissioners for consideration as to whether they should move forward at all and if so how they would move forward. He said apparently the amendments the Task Force are considering were proposed by the Goal 1 Collation group, they involve only issues of county concern such as housekeeping changes, general surface water issues and county zoning updates.

Those Goal 1 proposals were forwarded to the Task Force for analysis in March of 2010, there was a public outcry following that part of their process as only the Goal 1 Collation had been able to submit any proposed amendments to the county code. So once again we can see what the BCC consider good governance and open government. Thereafter the commissioners opened an official public comment period which ended on April 30th, the second batch of comments contained Ms. Nelson comments regarding Chapter 12 and this process that CDD Belson just described involving the expansion of the UGB. The commissioners have yet to determine what if anything will be done with these broad ranging suggestions, Ms. Wilkinson will forward our attorney's

letter to the commissioners not to the current Task Force and they will be considered along side of the later amendment proposals, that way if the commissioners decide to move forward the city's request will also be considered.

He said hopefully we have their attention, we have Ms. Wilkinson's attention and she is going to share those concerns with the county commissioners. He said this is fairly typical in his 3½ years of working with Lane County. He said he does not get the sense that the cities in Lane County are considered partners; we are not a political subdivision of Lane County, we're a political subdivision of the State of Oregon, but he was not sure that the commissioners recognize that fact or respect it. He said the county commissioners recently sent the city a letter saying they wanted to get involved in our processes early so we could avoid misunderstandings and that is way good governance happens, and now this is how they treat the cities with regard to an issue, which clearly, directly affects us.

Councilor Burns asked if we have a copy of the proposals that were sent to the commissioners at their April 30th meeting. CDD Belson said she was sure we could obtain that. CM Willoughby said he assumed we could get that, but one of the things he found frustrating in terms of Lane County as opposed to anywhere he had ever worked, in terms of the relationship between the city and the county. We have to ask to get things and even then we don't always get it. CDD Belson said for example, what was originally advertised as a reading on the county co-adoption, there was reference to a letter submitted by Attorney Dan Stotter to the commissioners, and she requested a copy of that letter and has yet to receive it and it has been more than a month, and in fact none of the county staff seem to have it.

CM Willoughby said we are the applicant and you don't put together a record that you send to the commissioners on the decision that impacts the applicant without providing a copy; we shouldn't have to ask for it.

MAYOR AND COUNCIL REPORTS

City of Florence sponsorship of the 4th of July concert at the Port of Siuslaw

Mayor Brubaker said the Chair of the Port Commission has asked him for \$150.00 for the concert that will take place before the fireworks. He said we could pay this out of Transit Room Tax and the council agreed.

Judge Evaluation

Mayor Brubaker asked if there were two councilors who would like to evaluate the judge and bring back a recommendation to the council. Councilors Xavier and Roberts volunteered to do the evaluation.

Update on Emergency Water Agreement with Heceta Water District

Mayor Brubaker said this was just for the emergency water agreement and went on to say and they approved the draft with two additional changes.

He said the first one is that the draft did not specify who declares the emergency and they want their Board to declare the emergency. They also wanted our council to declare the emergency and he told them that it was the city manager's business because he is our CEO. He said he replied back on that one and they have no problem with how we do it.

He said the only other point was that the city had proposed a one year termination clause where we adopt it; it is in effect for perpetuity; with one year notice. Their attorney recommended only 90 days, which is not a great show of confidence, but he thought their attorney was referring more to a typical cancellation clause and anything is 90 days.

Mayor Brubaker said the important fact is the cost we'd be charging each other is 65% of our base water rate, the lowest tier rate meaning, neither the city nor the water district would make a profit from the other. He said all of this passed 4-1; there was one vote against it, the one voting against it felt the city was getting too good of a deal. He said the only sticking point is the 90 days versus one year and he told Bob Hursh that as far as he was concerned if the water district wanted 90 days that was fine, but the city would give them a year and let it go; it is not making a difference in the long run. He said the agreement would come back to the council for their approval and adoption.

He said this is an emergency agreement and only if an emergency is declared; but it is a place to start. He said he told Mr. Hursh to get something back to the city regarding what their board approved at their last meeting in writing. We'll have staff look at it and report back to the council.

LCOG Meeting at FEC

Councilor Roberts asked about the LCOG meeting at the FEC on the 24th. Mayor Brubaker said there is a meeting Thursday night. Dinner starts at 5:40 p.m. and the meeting starts at 6:00 p.m.

Western Lane Alliance

Meeting on the 30th in Veneta; CM Willoughby, ACM Morgan and Councilor Roberts will attend.

With no further business, Mayor Brubaker adjourned the meeting at 8:41 p.m.

Phil Brubaker, Mayor

ATTEST:

Pat Heinze, City Recorder