



**CONFEDERATED TRIBES OF
COOS, LOWER UMPQUA & SIUSLAW INDIANS**

PLANNING DEPARTMENT

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Jacque M. Betz
City Manager
City of Florence
Florence City Hall
250 Highway 10
Florence, Oregon 97439

Sunday, June 09, 2013

RE: Transit Services

Ms. Betz,

The Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians ("Tribes") request the City of Florence ("City") provide Transit services for the Tribes at the Three Rivers Casino (TRC). The City is the provider of transit services in Florence, Oregon and TRC employs over 300 City residents and over 70 Tribal members both of which indicate a need for such service. The expansion of the City transit services to TRC would benefit the entire community but particularly Tribal members, City residents, elderly individuals and individuals with disabilities.

The Tribes request the City consider an intergovernmental agreement ("Agreement") between the City and the Tribes that details the requested transit services and the City's requirements for providing the services. The Tribes receive Elderly and Disabled Special Transportation Fund (STF) moneys as defined in ORS § 391.810 and anticipate utilizing this funding as the source to compensate the City for providing the requested transportation services as authorized by ORS § 391.830.

The Tribes are specifically authorized under ORS § 391.810 (5) to enter into the Agreement and as stated under ORS § 391.830 (2) are required to determine the amount of money to be distributed and the purposes for which the money will be used. The City of Florence and the Tribes are both authorized under ORS 190 to enter into the Agreement when it furthers economy and efficiency in local government which this mutually beneficial agreement certainly would accomplish. A separate Transit service operated by the Tribes in Florence directly competing with the City of Florence Transit service is not an efficient use of State funding and minimizes the effectiveness of the City funding. Further, the intergovernmental agreement would help to ensure the viability of the City of Florence Transit service into the future in the face of growing uncertainty in State or Federal funding levels.

The contents of the agreement would follow ORS § 190.020 (Contents of agreement).

- 1) An agreement under ORS 190.010 (Authority of local governments to make intergovernmental agreement) shall specify the functions or activities to be performed and by what means they shall be performed. Where applicable, the agreement shall provide for:
 - (a) The apportionment among the parties to the agreement of the responsibility for providing funds to pay for expenses incurred in the performance of the functions or activities.
 - (b) The apportionment of fees or other revenue derived from the functions or activities and the manner in which such revenue shall be accounted for.
 - (c) The transfer of personnel and the preservation of their employment benefits.
 - (d) The transfer of possession of or title to real or personal property.
 - (e) The term or duration of the agreement, which may be perpetual.
 - (f) The rights of the parties to terminate the agreement.
- 2) When the parties to an agreement are unable, upon termination of the agreement, to agree on the transfer of personnel or the division of assets and liabilities between the parties, the circuit court has jurisdiction to determine that transfer or division.

Thank you for taking the time to consider the Tribes request.

A handwritten signature in black ink, appearing to read 'Jeffrey Stump', with a stylized, cursive script.

Jeffrey Stump
Tribal Planner/STF Administrator