

**PUBLIC NOTICE
A MEETING OF THE HINES COMMON COUNCIL
March 24, 2020 AGENDA**

- I. Meeting begins at 6:30pm
- II. Flag Salute
- III. Approval of March 24, 2020 Agenda VOTE
- IV. Approval of previous meeting minutes from March 17, 2020 VOTE
- V. Approval of Accounts Payable for VOTE
March 24, 2020 in the amount of \$12,358.72

- VI. Department Reports
 - a) City Administrator, Kirby Letham

- VII. Public Comment – Non-Agenda Items ONLY (Speaking time limits may apply)

- VIII. Old Business
 - a) Brandon Mahon, Anderson Perry – Design and Bid Package Updates

- IX. New Business
 - a) Resolution 2281 – Declaration of a State of Emergency VOTE
 - b) Resolution 2282 – Temporary Suspension Ord. 317, 5.05.050 sec. P – Marijuana Delivery VOTE
 - c) Resolution 2283 – National Hazard Mitigation Plan VOTE

- X. Public Comment Period (Speaking time limitations may apply.)

- XI. Mayor and Council Comments

- XIII. Adjournment VOTE

This meeting is open to the public. It is anticipated to last approximately one hour and a half.

In accordance with ORS 192.630, City of Hines will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a sign language or foreign language interpreter may be available, with advance notice.


***Due to the effects of the COVID-19 pandemic, this meeting will be held as a teleconference meeting. Under direction of Executive Orders given by Governor Kate Brown, citizens are asked to remain at home and NOT to attend in person. If you wish to attend the meeting, please use your phone to dial-in using the following information:**

**DIAL-IN NUMBER - (425) 436-6354
Access code: 710647**

If you need assistance in any way, please call City Hall at 541-573-2251.

DATED this 24th day of March 2020

Kirby Letham, City Administrator

approved 3/24/20


Account Information

Date: March 24, 2020 6:13:51 PM
Dial-in number: 🇺🇸 (425) 436-6354
Access code: 710647
Account: #s12080374

Audio

Caller	Service Type	Start Time	End Time	Duration
+1 541 573 2251 - HINES CITY OF Host	🇺🇸	6:13:51 PM	7:22:44 PM	69m
+1 541 589 1588 - HUTCH HUTCHINS	🇺🇸	6:16:52 PM	7:22:45 PM	66m
+1 541 413 1248 - RAYMOND BRESHEA	🇺🇸	6:17:14 PM	6:20:50 PM	4m
+1 541 413 0675 - GARY MILLER	🇺🇸	6:18:22 PM	6:21:31 PM	4m
+1 509 476 2433 - Quick Steve	🇺🇸	6:23:52 PM	6:24:42 PM	1m
+1 541 263 1547 - Mahon Brandon A	🇺🇸	6:26:18 PM	6:48:55 PM	23m
+1 541 999 1597 - JULIE BEITZEL	🇺🇸	6:27:50 PM	7:07:08 PM	40m
+1 208 371 7608 - Sneddon David	🇺🇸	6:48:12 PM	7:09:47 PM	22m

Number of attendees: 8
Toll minutes: 229m

Note: All times in Pacific Time

Thank you for choosing FreeConferenceCall.com, the most recognized conferencing brand on the planet. Enjoy the conference? [Refer A Friend](#) today.

If you have any questions, please call our Customer Service Department at (844) 844-1322 or email us at support@freeconferencecall.com.

FreeConferenceCall.com

P O Box 41069 Long Beach, CA 90853

Tel: 🇺🇸 (844) 844-1322

Fax: (562) 432-5250

These 3 added to person

IX a) Re 2281

Ron, Ray, Ages.

~~IX~~ b) Res 2282

Ron, Ray, Ages.

c) Res 2283

Ron, Ray, Ages.

x Public

None

Ray - No

Miller - Are we prepared.

Quick - What about playgrounds??

Ron - Welcome Quick

Hutch - No

Mayor - Fencing - Bird - Between?

Ray - good will - can only go so far

Adjourn : 7:22.

Williams
Quick

City Council Mtg - 3/24/20

Council Members Present: Mayor, Brodeurs, Miller, Quick, Williams; Hutch by phone.

I. ✓

II. ✓

III. Ron, Miller, Ayres

IV. Ron, Ray, Ayres

V. Ron, Ray, Ayres

VI. • Bringing BACK utility clerk

• Still closed

• Should we wait until 28th?? or - Pay Bills, email to Council

VII - Brandon Mahon

- Update: Design status, 100% drafted, ready for approval by Internal QC, and City.
- IFA is working and will be able to review
- DWS-SDWRIF. may delay, but we'll see (maybe 2 wks)
- Potential obstacles will be pre-contracting meetings.
- Contractors will need to "drop off" bids...
- We'll need to patient w/ process
- Hope to have everything to you next week.
- Do you (the City) have issues w/ advertising before 4/28 meeting??

Ron - Contractors are booming - concerned that this would be a problem. Brandon - 1) This is big, but some will already know. 2) Lots of specialty project; but

CA - S.O.E. , Brandon - may ask if we can.

**MINUTES FROM
A MEETING OF THE HINES COMMON COUNCIL
March 17, 2020**

Present:

Mayor:

Nikki Morgan

Council: (Present in Chambers)

Councilors Ron Williams, Duane Hutchins, and Robert Beers

Council (Present via Teleconference)

Councilors Raymond Breshears, Ron Miller and Marsallai Quick

City Staff:

City Administrator, Kirby Letham

Public Audience:

Ryan Huber, Tyson Whitney, Anna Iverson and Julie Beitzel. Terry Hellbusch was also present via teleconference.

***Mayor Nikki Morgan called the meeting to order at 6:30 pm and led the flag salute.**

Approval of March 17, 2020 Agenda:

The agenda for March 17, 2020 was reviewed by the Council. Councilor Beers made a motion to approve the agenda as presented. Councilor Williams seconded the motion. All ayes, the motion carried.

Appointment of Interim City Council Member:

The City received one letter expressing interest in assuming the role of City Councilor vacated by Hilda Allison. Marsallai Quick was nominated to the City Council as an Interim

Councilor. Councilor Beers made a motion to approve the appointment of Ms. Quick to the City Council. Councilor Williams seconded the motion. All ayes, the motion carried.

Approval of February 25, 2020 Meeting Minutes:

Councilor Williams made a motion to approve minutes from February 25, 2020 with no change. Councilor Beers seconded the motion. All ayes, the motion carried.

Accounts Payable:

Councilor Williams made a motion to approve the Accounts Payable from February 28, 2020 in the amount of \$4,785.62, from March 12, 2020 in the amount of \$387.30, and from March 17, 2020 in the amount of \$25,717.54. Councilor Hutchins seconded the motion. All ayes, the motion carried.

Department Head Reports

Police Chief, Ryan DeLange

Domestic violence calls are up. Some of it is drug related, some is not. DUIs have increased, unsure as to why. Meth and heroine continue to be issues. Attended executive training at the academy last week. Awesome class, learned a lot. Classes ended early due to Coronavirus issues. Attended LPSSC meeting today, trying to get answers to some of the mental health issues being faced. CIT training may be hosted here. The District Attorney is working on bring the training here. There is a push for the County to take over Hines PD. Chief DeLange has been approached, as has Chief Skunkcap from the City of Burns. Chief DeLange believes that it is related to dollars only. Moving under the County will not improve the police coverage already in place. The Chief advised the Council that he believes that each of the Councilors will be approached next as both local PD Chiefs have said no to the change. Mayor Morgan said this had already been dealt with in the past. Chief DeLange said that the cross coverage with Hines and Burns works very well and he sees no reason to change what is currently working well. He believes that it could be coming up again due to financial reasons at the County level. The Mayor said that in previous discussions the County could not provide more coverage, it would be on a call-out basis. There would be no cost savings to the City to move the PD under

the County. The Mayor explained how the City of Vale lost their police department when they moved under the County, and that although the County tries to keep a deputy local to Vale, it doesn't always happen. The Mayor said that if the County is serious about it, they can come to a City Council meeting and present to the Council. Councilor Hutchins asked for confirmation that we are getting 22 hours per day of police coverage in Burns and Hines. Chief DeLange said yes. Councilor Breshears commented that he believes that if we give up to the County, the City of Hines will not be able to achieve its goals.

Acting Superintendent, Jerry Lewellen

Continuing to check and clean sewers. This time of year, they plug up. Cleaning the pump at the lagoon daily to get rid of the baby wipes being flushed. He believes it will get worse due to the toilet paper shortage. Administrator Letham said that he has considered putting a PSA on the radio advising residents NOT to flush wipes down their toilets. The City is currently pumping approximately 150,000 gallons per day and the same to the overflow lagoon. Pumping approximately 180,000 gallons per day of drinking water. Burning weeds and grass around the lagoons. Bob Spence will help burn the field as it will give the firefighters some training. Got called for a dead deer, contacted Fish & Game and they helped pick it up. Two weekends ago got a call out to the Aspens for a water leak at 2:00am. The line did not belong to the City. Short school that AS Lewellen was to attend has been canceled. Will attend the class in September.

City Administrator, Kirby Letham

Administrator Letham explained that Chief Spence needed to be excused. He had to go to Medford to get a part for the air tank trailer, as the current part was failing. Chief Spence's report will be presented at the next Council meeting. Anderson Perry has final designs ready. Brandon Mahon is planning to attend the next Council meeting. They would like to begin soliciting for bids so that at one of the April meetings the bids could be opened. Tentative plan is to have the bids returned between April 17th – 24th and open them April 28th. Anderson Perry also sent a box of door hangers to deal with easement issues. Public Works has already started hanging them on doors explaining that if residents have things in the way, those things will be moved. There was a meeting

between Administrator Letham, Anderson Perry and the City Attorney. The agreement was that as the Contractor goes through, if there are things in the way, they will be removed and when the Contractor is done with that area, the items will be returned to where they are supposed to be. The Mayor mentioned that some of the alleyways and easements have concrete and rebar in them. AS Lewellen said that Public Works had gone through and cleaned up a lot of that. It was brought up that there are sheds and fences in some of those areas. Administrator Letham said that advantage of us putting things back, then we get to put them where they belong. We are preparing for feedback from residents. At this time, Administrator Letham has not made the decision to close the city office. We are down below the 10 people gathered. We have 3 people in the office, and the occasional police officer, we are on the back side of the billing cycle, so we don't have as many people coming in to the office. Today we had only 3 community members come in to the office. Staff is disinfecting multiple times per day. We have disinfectant spray, bleach wipes, hand sanitizer and soap & water. Unless mandated otherwise by the State, he plans to keep the office open. He has received the plans for the bathroom. He will email everyone, with plans to discuss at the next meeting.

Public Comment – Non-Agenda Items

Ryan Huber – Loves the Hines City Park. He would like to donate a Bear Bench for the park. He would like to do more to help the community and the park. Believes that the occupation drove the community apart and would like to bring the community back together. Would like to collaborate with the City to do something positive for the community. Chief DeLange asked if he were the artist that did the Scottie Dog at the Withee's house. He is. The Mayor asked if he is on Facebook, he is. He has found that giving and love are the most important things. He would like to be a part of bringing the community back together. Councilor Williams asked Mr. Huber that if he were to sell the bench he is donating to the City, how much would it cost? Mr. Huber said he would probably be able to sell it for \$2,000.00. Material costs were approximately \$150.00. The Mayor asked him to bring in his business cards.

Old Business:

Resolution 2278 – Unanticipated Funds: Water Project Draw #15

Administrator Letham read Resolution No. 2278 in its entirety. Resolution 2278 is a resolution of the City of Hines to accept certain identified unanticipated revenues, in the form of grant and loan funds from Biz Oregon to be added to the Water Department and authorizing its expenditure in the amount of \$61,740.00 Funds will go to the Water System/Tower Project. Councilor Williams motioned Resolution No. 2278 be approved with no changes. Councilor Beers seconded the motion. All ayes, the motion carried.

Resolution 2279 – Unanticipated Funds: Speed Grant

Administrator Letham read Resolution No. 2279 in its entirety. Resolution 2279 is a resolution of the City of Hines to accept certain identified unanticipated revenues, in the form of a Speed Control grant, and a Distracted Driver Traffic Safety grant from ODOT to be added to the General Fund Police Department and authorizing its expenditure in the amount of \$3,500.00 for police overtime. Chief DeLange commented that this will be the last grant of this type as the State has changed its requirements. Councilor Williams motioned Resolution No. 2279 be approved with no changes. Councilor Beers seconded the motion. All ayes, the motion carried.

New Business:

Resolution 2280 – Unanticipated Funds: Water Project Draw #16

Administrator Letham read Resolution No. 2280 in its entirety. Resolution 2280 is a resolution of the City of Hines to accept certain identified unanticipated revenue, in the form of grant and loan funds from Biz Oregon to be added to the Water Department and authorizing its expenditure in the amount of \$3,995.00. Funds will go to the Water System/Tower Project. Councilor Beers motioned Resolution No. 2278 be approved with no changes. Councilor Breshears seconded the motion. All ayes, the motion carried.

Corbett Field Donation

The Corbett Field Renovation Committee has requested a donation of \$185.00 for the Burns High School Lights project. This is the annual request that the City previously

committed to. Councilor Williams motioned the donation be approved. Councilor Beers seconded the motion. All ayes, the motion carried.

Temporary Ordinance Suspension Request

Julie Beitzel of Tumbleweed Cannabis Co. addressed the Council with the request that the City allow a temporary suspension of Ordinance 317 regarding delivery of cannabis products. Tumbleweed Cannabis Co. has contacted the OLCC and has the necessary approvals in place to allow delivery of their products. She requested the suspension due to the Coronavirus, explaining that they have clients with suppressed immune systems that should not go out in public and need the medication. She believes it will help curtail use of the black market. The Chief advised a temporary suspension and/or re-writing the current ordinance to allow delivery. The City attorney has suggested that the City institute an expiration date if they agree to allow the suspension. The Mayor is concerned that with the change that it could begin allowing alcohol delivery. Ms. Beitzel explained that the OLCC requires tracking of all orders, and they must prepare a manifest for any deliveries. Councilor Williams motioned the creation of an ordinance to allow temporary suspension of current Ordinance 317 to allow delivery of cannabis products in the City of Hines. Councilor Hutchins seconded the motion. All ayes, the motion carried.

COVID-19 Coronavirus

Administrator Letham included a handout in the packet regarding COVID-19 updates. Discussion of how meetings can be held, such as Zoom meetings or teleconferences. Administrator Letham stated that he is willing to do what needs to be done to keep the City open for business and asked for comments from the Councilors. Councilor Hutchins said he believes the safest thing would be to hold Council meetings telephonically. Councilor Miller doesn't like the telephone as it is difficult to hear everyone. The Mayor said she is open to both Council chambers and telephone. Administrator Letham said he will explore other venues such as video conferencing. Councilor Hutchins said play it by ear. The Mayor then said if you're sick, do NOT come in, call.

Public Comments:

NO COMMENT

Council Comments:

Councilor Breshears – Thank you to all departments. Keep up the good work.

Councilor Hutchins – Thanked Mr. Huber for his donation and said he'd really like to work with him on park improvements. Ms. Beitzel commented that they would like to help the City spruce up the park. They would like to buy the paint if someone would volunteer to do the work. Administrator Letham advised that there are 2 groups in the community that would like a project, so he asked Ms. Beitzel to research the paint needed. Administrator Letham will have AS Lewellan work with Ms. Beitzel on the paint needed to paint the playground equipment. AS Lewellan mentioned that the parks need garbage cans. Said that the ones we currently have are no longer available. Need to look at a new system.

Councilor Williams also thanked Mr. Huber for his donation to the park.

The Mayor thanked both Mr. Huber and Ms. Beitzel for their community spirit.

Adjournment:

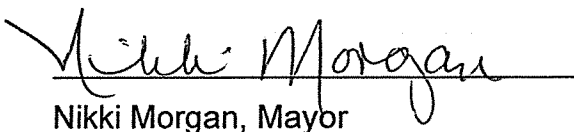
There being no further business, Councilor Williams made a motion to adjourn the meeting. Councilor Beers seconded the motion. *All ayes, the motion carried and the meeting adjourned at 7:38 pm.*

Respectfully Submitted:

Kirby Letham

City Administrator

ACCEPTED AND APPROVED BY THE CITY COUNCIL ON MARCH 24th, 2020


Nikki Morgan, Mayor

[illegible]

RESOLUTION NO. 2281

A RESOLUTION DECLARING A STATE OF EMERGENCY IN THE CITY OF HINES CAUSED BY THE CORONAVIRUS (COVID-19) PANDEMIC IN THE STATE OF OREGON AND UNITED STATES

FINDINGS: In recent months, the Coronavirus (COVID-19) pandemic has spread from China to the rest of the world. Each day, the number of cases and deaths increase in the United States. Oregon has seen similar increases in the last month. The President, Governor and County Commissioners have declared a state of emergency in response to the spread of COVID-19.

WHEREAS, the City of Hines has the authority under ORS Chapter 401 and the Emergency Operations Plan, including section IA-8 which provides direction to the City, its officials, and others in the event of an emergency that exists within the City, and which provides for the responsibility in times of emergency and delegates authority to declare an emergency to the City Council; and

WHEREAS, multiple cases of COVID-19 have been detected in many counties throughout the State of Oregon, including Grant County to the north and Deschutes County to the west, and several cases have been detected in the Boise, Idaho area to the east; and

WHEREAS, the existence of the COVID-19 pandemic may constitute a threat of imminent widespread illness, human suffering, loss of life, and financial loss to residents, businesses and the City of Hines; and

WHEREAS, the Hines City Council has the responsibility to respond to protect residents and property within the City of Hines; and

WHEREAS, a coordinated response with other agencies through mutual aid agreements and partnerships is the appropriate action to undertake.

NOW THEREFORE, BE IT RESOLVED BY THE HINES CITY COUNCIL THAT A STATE OF EMERGENCY NOW EXISTS IN ALL AREAS WITHIN THE CITY OF HINES, AS FOLLOWS:

Section 1.

A state of emergency exists within the entire City of Hines upon adoption by the City Council and signed by the Mayor through April 30, 2020.

Section 2.

The City and its officials shall be authorized to take legal actions and issue orders as are determined necessary to protect the public, property and to conduct activities that strive to minimize and/or mitigate the effect of the emergency.

Section 3.


The City shall take the necessary steps authorized by law to coordinate response and recovery from this emergency, including but not limited to, requesting assistance and potential reimbursements from the State of Oregon and appropriate federal agencies.

Section 4.

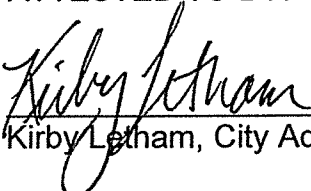
The City shall examine emergency procurements of goods and services that are authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279.380(4), and other applicable rules.

APPROVED and ADOPTED by the Hines Common Council this 24th day of March 2020 by a vote of 5 for and 0 against.

CITY OF HINES

By: 
NIKKI MORGAN, Mayor

ATTESTED TO BY:


Kirby Letham, City Administrator

RESOLUTION NO. 2282

A RESOLUTION OF THE CITY OF HINES OREGON, TEMPORARILY SUSPENDING THE REGULATION FOUND IN ORDINANCE #317 REGULATING THE HOME DELIVERY OF RECREATIONAL MARIJUANA

FINDINGS: In recent months, the Coronavirus (COVID-19) pandemic has spread from China to the rest of the world. Each day, the number of cases and deaths increase in the United States. Oregon has seen similar increases in the last month. The President, Governor and County Commissioners have declared a state of emergency in response to the spread of COVID-19.

WHEREAS, the City, through its governing body, has declared a State of Emergency as of March 24, 2020; and

WHEREAS, Governor Brown by Executive Order, including Executive Order 20-12 has caused many residents to be homebound during the Coronavirus pandemic; and

WHEREAS, the State of Oregon, through the Oregon Liquor Control Commission (OLCC) has made allowable by licensure the delivery of recreational marijuana to a home location within the city limits in which the dispensary is licensed; and

WHEREAS, the OLCC in a special meeting held March 22, 2020, voted to allow drive-up and curbside delivery of recreational marijuana; and

WHEREAS, the City of Hines through Ordinance number 317, section 5.05.050, Paragraph P – Sales and Transfer specifically bans all walk-up, drive through, or home delivery sales of recreational marijuana;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF HINES, OREGON:

That effective immediately, Paragraph P – Sales and Transfer, found in section 5.05.050 of City Ordinance number 317, is temporarily suspended. Retail dispensaries may, for a time, until the temporary suspension is terminated by resolution of the City Council of Hines, deliver recreational marijuana in the following ways:

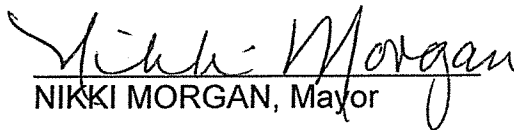
- 1- Home Delivery – is allowed if dispensary has or obtains proper licensing through the OLCC and strictly adheres to all of the OLCC Home Delivery Requirements.

- 2- Drive-up, or Curbside Delivery – is allowed, as expressly allowed by Executive Order 20-12 and by strict adherence to OLCC rules established March 22, 2020.

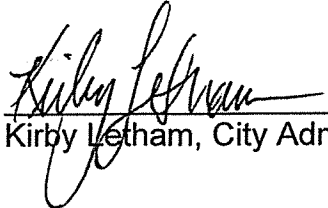
The City of Hines may review this suspension at any time. A review will be automatically triggered at the time a State of Emergency in the City of Hines is removed, Governor Brown removes all Executive Orders requiring citizens to stay at home, or the OLCC overturns their recent changes allowing drive-up and curbside delivery.

APPROVED and ADOPTED by the Hines Common Council this 24th day of March 2020.

CITY OF HINES

By: 
NIKKI MORGAN, Mayor

ATTESTED TO BY:


Kirby Letham, City Administrator

Administrator

From: BORUP Amanda * OLCC <Amanda.Borup@oregon.gov>
Sent: Tuesday, March 17, 2020 4:34 PM
To: Administrator
Subject: RE: Tumbleweed - Home Delivery

Hi Kirby,

We do allow for home delivery if the retailer has the proper endorsement. We do not allow a mobile premises (like a marijuana food cart). Tumbleweed does have the allowance for home delivery if it is allowed by the local jurisdiction. Here is the law and rules that discuss delivery. I gave you a link to our rules, they outline how the retailer would need to take orders, record of information, where they are allowed to deliver and security details.

ORS 475B.206 Restrictions on delivery or receipt; waiver by commission. (1) Except as provided in ORS 475B.136 and 475B.873, a marijuana producer that holds a license issued under ORS 475B.070, marijuana processor that holds a license issued under ORS 475B.090 or marijuana wholesaler that holds a license issued under ORS 475B.100 may deliver marijuana items only to or on a premises for which a license has been issued under ORS 475B.070, 475B.090, 475B.100 or 475B.105, or to a registry identification cardholder or designated primary caregiver as allowed under ORS 475B.010 to 475B.545.

(2) A licensee to which marijuana items may be delivered under subsection (1) of this section may receive marijuana items only from:

(a) A marijuana producer that holds a license issued under ORS 475B.070, marijuana processor that holds a license issued under ORS 475B.090, marijuana wholesaler that holds a license issued under ORS 475B.100, marijuana retailer that holds a license issued under ORS 475B.105 or a laboratory licensed under ORS 475B.560;

(b) A researcher of cannabis that holds a certificate issued under ORS 475B.286 and that transfers limited amounts of marijuana, usable marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts in accordance with procedures adopted under ORS 475B.286 (3)(d) and (e);

(c) A marijuana grow site registered under ORS 475B.810, marijuana processing site registered under ORS 475B.840, or a medical marijuana dispensary registered under ORS 475B.858, acting in accordance with procedures adopted by the Oregon Liquor Control Commission under ORS 475B.167; or

(d) A marijuana grow site registered under ORS 475B.810, acting in accordance with ORS 475B.825 and any procedures adopted by rule by the commission.

(3) The sale of marijuana items by a marijuana retailer that holds a license issued under ORS 475B.105 must be restricted to the premises for which the license has been issued, but deliveries may be made by a marijuana retailer to consumers pursuant to a bona fide order received at the premises prior to delivery.

(4) The commission may by order waive the requirements of subsections (1) and (2) of this section to ensure compliance with ORS 475B.010 to 475B.545 or a rule adopted under ORS 475B.010 to 475B.545. An order issued under this subsection does not constitute a waiver of any other requirement of ORS 475B.010 to 475B.545 or any other rule adopted under ORS 475B.010 to 475B.545. [Formerly 475B.160; 2019 c.391 §11]

OLCC rules <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3873>
845-025-2880

Delivery of Marijuana Items by Retailer

Let me know if you have any follow up questions,
Amanda



OREGON LIQUOR CONTROL COMMISSION

Retailer Home Delivery Guide

What is this document?

A retailer may register with the Commission to engage in the home delivery of marijuana items to recreational customers. This document explains the privileges and restrictions applicable to any home delivery. If you hold a retailer license and wish to engage in the home delivery of recreational marijuana items to consumers, you should be familiar with this guide and the administrative rules relating to home delivery.

Who can deliver marijuana items to a consumer's home?

Only a retailer and that retailer's representatives may engage in this privilege. Any person delivering marijuana items on behalf of a retailer must be registered in the Cannabis Tracking System (CTS) as an employee of that retailer with a valid marijuana worker permit number and be declared on the required transport manifest as recorded in CTS.

I want to hire another company such as a wholesaler to do my home deliveries. How do I do that?

This is not permitted. Although a wholesaler licensee may transfer marijuana items between licensed premises on behalf of another licensee, in order for a person to provide home delivery of marijuana on behalf of a retailer, that person must be an employee of the retailer and must be recorded as such in the Cannabis Tracking System. A person may not be an employee representing multiple retailers simultaneously and may not provide home delivery for multiple retailers simultaneously.

Can I make multiple deliveries to the same address in a single day?

No. A retailer may not make more than one delivery to the same address in a single day, even if the delivery is to a different individual.

Can I deliver non-marijuana items as well?

Nothing in OLCC's administrative rules prohibits a retailer licensee from delivering non-marijuana items to a residence. However, these items may not be "bundled" with marijuana items; each item must have a separate price and a licensee may never discount a marijuana item contingent upon the purchase of any other item.

For example, a licensee may not sell a non-marijuana item at an inflated price in order for a customer to receive a marijuana item at a discounted price and a licensee may not require the purchase of a non-marijuana item in order to receive a marijuana item.



OREGON LIQUOR CONTROL COMMISSION

Retailer Home Delivery Guide

Delivery Requirements

- Marijuana items may not be transported out of the State of Oregon.
- Any individual authorized by the retailer to transport marijuana items must have a driver license valid to operate the delivery vehicle in Oregon License and must have successfully completed all required Marijuana Worker Permit education.
- Deliveries may be made only by motor vehicle insured at or above the legal requirements in Oregon capable of locking all doors and equipped with an alarm system.
- All marijuana items must be kept in a lock-box securely affixed inside the delivery vehicle.
- Deliveries must be made after 8:00 AM before 9:00 PM. If a delivery cannot be made before 9:00 PM due to circumstances beyond the licensee's control, the delivery must be rescheduled or cancelled.
- A manifest must be created for each delivery or series of deliveries and the individual doing the delivery may not make any unnecessary stops between deliveries or deviate substantially from the manifest route.
- The person making the delivery must check the recipient's ID to confirm that the individual is the person who placed the order and that the person is 21 years of age or older. Licensees should review "Acceptable ID Types of ID" signage available at <https://www.oregon.gov/OLCC/pages/publications.aspx>
- The person making the delivery must collect a signature from the recipient.
- A delivery may not be made to a residence located on publicly-owned land. It is the licensee's responsibility to verify whether the land is publicly-owned prior to making a delivery.
- Deliveries may not be made more than once per day to the same physical address or to the same individual or to an individual who is visibly intoxicated at the time of delivery.
- The retailer remains responsible for the collection of all relevant State and local taxes.
- The retailer licensee and the permittee making the delivery may both be held responsible for any violations related to the delivery of marijuana items.
- Items being delivered must meet all packaging and labelling requirements and must be placed within a larger delivery receptacle that has a label that reads: "Contains marijuana: Signature of person 21 years of age or older required for delivery".
- No more than \$3000 (retail value) worth of marijuana items may be "out for delivery" for home delivery at any time.



OREGON LIQUOR CONTROL COMMISSION

Retailer Home Delivery Guide

Location of Deliveries

A retailer may only deliver marijuana items in the jurisdiction in which the retailer premises is licensed. For a retailer in an incorporated local city, this means that no deliveries can be made to any location outside of the city limits. **Note the city listed in the address of a home location may or may not be the actual jurisdiction in which that home is located.** For a retailer in an unincorporated county area, this means no deliveries can be made into different counties or into any incorporated city area.

The only exception is delivery to an OMMP patient or a patient's designated primary caregiver. A retailer with this registration may deliver marijuana items to a patient or a patient's designated primary caregiver at an individual's residence in Oregon, regardless of the jurisdiction where the residence is located.

It is your responsibility to confirm that a home delivery location is within the jurisdiction in which you are licensed. This jurisdiction will usually be the same as the local or county government from which you received a determination on your Land Use Compatibility Statement, but there can be exceptions. For example, if a retailer is outside city limits but within an urban growth boundary (UGB), the jurisdiction for delivery purposes is the county because they are outside city limits, but in some cases the city may sign their LUCS if they authorize land use within the UGB. You may wish to contact the jurisdiction in which you are licensed to determine specific boundaries.

A delivery may be made only to a residence such as a house or apartment. Deliveries may not be made to dormitories, hotels, motels, bed & breakfasts, or other similar commercial businesses.

Receiving Orders

- An order must be placed before 8:00 PM on the day the delivery is to be made.
- An order may only be placed by the person who will receive the order.
- An order must contain:
 - The requestor's name & date of birth.
 - The date of requested delivery.
 - The address of the residence to which the product must be delivered.
 - A description of the marijuana items proposed for delivery and the amounts.
 - A statement that the marijuana items are for personal use and not for resale.

Delivery Documentation

- A retailer must create a manifest in CTS for each delivery or series of deliveries that includes the delivery locations, the amount to be delivered at each location, and the route between all destinations.
- The retailer must document & retain:
 - All information in the order, including the date and time it was received.
 - A copy of the delivery manifest.
 - The person delivering the marijuana items and their Worker Permit number, if applicable.
 - The name of the person who received the delivery.
 - A full description of the items delivered, including weight, volume and price paid.
 - The date and time the items were delivered.
 - A signature of the person who received the order confirming that all items ordered were received.
 - A retailer is only required to retain the name of an individual to whom a delivery was made for one year.

Administrator

From: Oregon Liquor Control Commission <olcc@public.govdelivery.com>
Sent: Sunday, March 22, 2020 4:40 PM
To: Administrator
Subject: Marijuana Retail Licensees Allowed to Provide Curbside Delivery



March 22, 2020

Marijuana Retail Licensees Allowed to Provide Curbside Delivery

Temporary Rule Aligns With Governor's Executive Order to Promote Social Distancing

Portland, OR -- Today the Oregon Liquor Control Commission approved a temporary rule that supports social distancing to promote prevention of the spread of the COVID-19 virus, by allowing licensed marijuana retailers to conduct limited transactions outside their licensed premises. The action will permit retail licensees to take orders and deliver product from the retail store to a person who is outside of the store **and within 150 feet** of the retailer's licensed premises.

At an emergency meeting to consider temporary rules impacting the business activity of OLCC licensees in the alcohol and marijuana industry, the Commission took its action to promote social distancing in the wake of the COVID-19 virus. The Commission's action aligns with the Governor's Executive Order that prohibits public gatherings of 25 people or more, and encourages people to distance themselves by at least 3 feet while in public.

The temporary rule also increases the amount of flower that OMMP cardholders and caregivers can purchase to 24 ounces per day and no more than 32 ounces per month. This change temporarily increases the daily purchase limit for OMMP cardholders to match their personal possession limit. This rule **does not** change the total monthly amount a cardholder or caregiver is currently permitted to purchase from an OLCC-licensed retailer.

The ***temporary action*** that the Commission has taken is designed to balance the protection of public health while at the same time helping struggling businesses. Marijuana industry guidance can be found here.

“Every single decision that this agency is making, both for the liquor and the marijuana industries, are there for the consideration of helping people make a living and continue to make a living,” said Paul Rosenbaum, OLCC Commission Chair.

During the period of March 1-18, 2020, OLCC marijuana retailers have seen a 25-30% increase in sales compared to the same period last year. Retail marijuana stores remain open, but these changes will let them operate in a way that is consistent with the guidance from the Executive Order by decreasing in-store activity.

However the OLCC made it clear that if individual licensees take advantage of the temporary rule by disrupting public safety or public health that the rule *could be suspended for the whole industry*.

“We’re asking our retailers to make sure to work with the community and local officials so that this can happen in a safe and non-obstructive way to city services, otherwise we’ll need to make changes,” said Steve Marks, OLCC Executive Director.

###

Media contact:

Mark Pettinger at 503-872-5115; 971-235-7561 (cell)
Spokesperson, Marijuana Program
mark.pettinger@oregon.gov

PLEASE DO NOT REPLY DIRECTLY TO THIS EMAIL

*The OLCC distributed more than **\$493 million** in the last two years to Oregon's General Fund, Cities, Counties, and Drug/Alcohol Abuse Programs. This money helps fund essential services such as schools, police and healthcare for Oregonians. **See the distribution of dollars to Oregon on OLCC's Website.***

RESOLUTION NO. 2283

A RESOLUTION OF THE CITY OF HINES, HARNEY COUNTY, OREGON, IN THE MATTER OF ADOPTING THE CITY OF HINES' REPRESENTATION IN THE UPDATES TO THE HARNEY COUNTY MULTI- JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN

WHEREAS, the City of Hines recognizes the threat that natural hazards pose to people, property and infrastructure within our City; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people, property and infrastructure from future hazard occurrences; and

WHEREAS, an adopted Natural Hazards Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, the City of Hines has fully participated in the FEMA prescribed mitigation planning process to prepare the Harney County Natural Hazards Mitigation Plan, which has established a comprehensive, coordinated planning process to eliminate or minimize these vulnerabilities; and

WHEREAS, Harney County has identified natural hazard risks and prioritized several proposed actions and programs needed to mitigate the vulnerabilities of Harney County to the impacts of future disasters within the Harney County Multi-Jurisdictional Natural Hazard Mitigation Plan; and

WHEREAS, these proposed projects and programs have been incorporated into the Harney County Jurisdictional Natural Hazard Mitigation Plan that has been prepared and promulgated for consideration and implementation by the cities of Harney County; and

WHEREAS, the Oregon Military Department's Office of Emergency Management and Federal Emergency Management Agency, Region 10 officials have reviewed the Harney County, Multi-Jurisdictional Natural Hazards Mitigation Plan and pre-approved it (in a letter dated March 11, 2020 and added as appendix A to this resolution) contingent upon this official adoption of the participating governments and entities; and

WHEREAS, the NHMP is comprised of three volumes: Volume I – Basic Mitigation Plan; Volume II – Hazard Annexes, Volume III – Mitigation Resources, collectively referred to herein as the NHMP; and

WHEREAS, the NHMP is in an on-going cycle of development and revision to improve its effectiveness; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF HINES, OREGON:

That the City of Hines adopts the Harney County Multi-Jurisdictional Natural Hazards Mitigation Plan as an official plan; and directs staff to develop, approve, and implement the mitigation strategies and any administrative changes to the NHMP.


BE IT FURTHER RESOLVED that the City of Hines will send this Adoption Resolution to the Oregon Military Department's Office of Emergency Management and Federal Emergency Management Agency, Region 10 officials to enable final approval of the Harney County Multi-Jurisdictional Natural Hazards Mitigation.

APPROVED and ADOPTED by the Hines Common Council this 24th day of March 2020.

CITY OF HINES

By: 
NIKKI MORGAN, Mayor

ATTESTED TO BY:


Kirby Letham, City Administrator



FEMA

March 11, 2020

Mr. Joseph Murray
State Hazard Mitigation Planner
Oregon Military Department
Office of Emergency Management
P.O. Box 14370
Salem, Oregon 97309


Dear Mr. Murray:

The Federal Emergency Management Agency (FEMA) Region 10 completed a pre-adoption review of the draft *Harney County Multi-Jurisdiction Natural Hazards Mitigation Plan*. The attached Mitigation Plan Review Tool documents the Region's review and compliance with all required elements of 44 CFR Part 201.6, as well as identifies the jurisdictions participating in the planning process. This letter serves as Region 10's commitment to approve the plan upon receiving documentation of its adoption by participating jurisdictions.

Formal adoption documentation must be submitted to FEMA Region 10 by at least one jurisdiction within one calendar year of the date of this letter, or the entire plan must be updated and resubmitted for review. Once FEMA approves the plan, the jurisdictions are eligible to apply for FEMA Hazard Mitigation Assistance grants.

Please contact Jake Grabowsky, Oregon FIT Hazard Mitigation Community Planner, at (202) 856-1901 or james.grabowsky@fema.dhs.gov with any questions.

Sincerely,


x _____

Tamra Biasco
Chief, Risk Analysis Branch
Mitigation Division

JG