

PUBLIC NOTICE
A MEETING OF THE HINES COMMON COUNCIL
April 27, 2021 AGENDA

- I. Meeting begins at 6:30pm
- II. Flag Salute
- III. Approval of April 27, 2021 Agenda VOTE
- IV. Approval of previous meeting minutes from April 13, 2021 VOTE
- V. Approval of Accounts Payable: VOTE
 - April 27, 2021 in the amount of \$4,610.39
- VI. City Administrator Report, Kirby Letham
- VII. Public Comment – Non-Agenda Items ONLY (Speaking time limits may apply)
- VIII. Old Business
 - a) Park Underground Sprinkler Project VOTE
 - b) Park Sign/Reader board - Update
 - c) Park Bathroom – Engineer Update
 - d) Ordinance 329 – Certified Local government (Historical Preservation) VOTE
 - e) Homeless Camping Update
 - f) Harney Housing - Discussion
- IX. New Business
 - a) Review of Variance Request: Larry Griggs, 153 N. Roanoke VOTE
 - b) Business License Application: Outlaw Wood Products, LLC VOTE
 - c) Donation Request: Class of 2021 VOTE ← ★ Old Time Fiddlers Donation Request.
- X. Public Comment Period (Speaking time limitations may apply)
- XI. Mayor and Council Comments
- XII. 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, all attendees are required to wear masks. If you do not want to attend in person, this meeting will be offered as a teleconference meeting. If you wish to call in to the meeting, please use your phone to dial-in using the following information:**

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

DATED this 27th day of April 2021

*Approved w/ addition - [Signature]
by Council 4/27/21*
Kirby Letham, City Administrator

REGULAR MEETING OF HINES COMMON COUNCIL

April 27, 2021

AUDIENCE SIGN-IN SHEET

IF YOU WISH TO ADDRESS THE COUNCIL, PLEASE INDICATE YOUR SUBJECT TO THE RIGHT OF YOUR NAME

PLEASE **PRINT** YOUR NAME

SUBJECT, IF YOU WISH TO SPEAK

Randy Gibson

High Desert Fiddlers

Paul Bracey

Nelissa eam

Don Choate

Brahmans

Don Choate

Larry Grigg

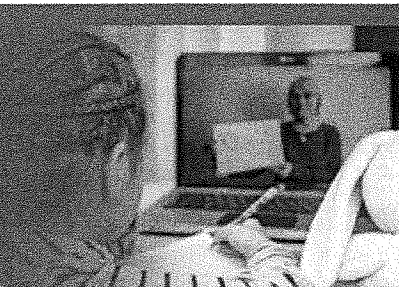
Administrator

From: FreeConferenceCall Services <noreply@freeconferencecall.com>
Sent: Tuesday, April 27, 2021 7:46 PM
To: Administrator
Subject: FreeConferenceCall Detail Report



See The Top 3 Reasons People Contribute and Learn How
Our
Community Helps Us Keep FreeConferenceCall.com Free

[Learn More](#)



Account Information

Date: April 27, 2021 6:25:06 PM
Call-in number: 🇺🇸 (425) 436-6354
Access code: 710647
Account: #s12080374

Audio

Caller	Service Type	Start Time	End Time	Duration
1 541 413 0274 - VOICE MAIL Host	🇺🇸	6:25:06 PM	7:45:35 PM	81r

Number of attendees: 1
Call minutes: 81m

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

Box 41069 Long Beach, CA 90853

(844) 844-1322

* Old Time Fiddlers

- Randy Gibson: We plan to have our annual jamboree.
- ~~\$1250~~ usually 175 people show.
- Attendance could be up.
- June ~~18-20th~~ 17th - 19th
- They aren't being supported by OOTF
- They are covering cost by themselves.
- Beers: how do you advertise, through Facebook, & Flyers.
- Possible TLT funds
- Beers, Quick, Ages. \$500 of TLT funds
↳ for Old Time Sambaoree.
- Beers - I like \$400 to class of 2021.
- Beers, Quick, Ages. \$400

X - Public - none

XI - None.

XII - Beers, Miller, Ages Adjourn @ 8:27pm.

Council Mte. 4/27/21

Present: Aunty, Miller, Quick, Mayor, Beers, Shepherd.

I ✓

II ✓

III Add old time fiddlers Beers, Shepherd, Ayes

~~IV~~ Quick, Mizley, Ayes.

VI AP - Beers, Quick, Ayes.

VII Public Comment

* Stella Copeland letter

VIII Old Business

a) Park - Quick, Aunty, Ayes

b) Park Sign Update

c) Park Bathroom - Engineers

d) Review of Grigg

• Mayor made comments about shop size and the house.

• Quick - Thought there were conditions

• Grigg: Height doesn't matter

• Aunty: My shop is

* Mr Grigg - door is meant to be 14' tall

* Discussion about pitch, door height.

* Grigg: needs to be 4-0 porch

* Grigg: I could do a little smaller.

* Mayor:

* Grigg: I'm not going to build anyway.

New Business *

a) Randy Gibson - renting space by Country Washboard.

* Creating a wood sale shop.

* Creates a place for OJA kids to sell product.

* Quick, Beers, Ayes.

**MINUTES FROM
A MEETING OF THE HINES COMMON COUNCIL
April 13, 2021**

Present:

Mayor:

Nikki Morgan

Council:

Councilors Misty Shepherd, Robert Beers, Marsallai Quick and Amity York were present.

City Staff:

City Administrator Letham, Chief DeLange, Chief Spence and Public Works Acting Superintendent Lewellen

Public Audience:

Duane Hutchins, Tom Choate, Tammie Choate, Eldon Hart & Sally Hart
Kenny McLean and Chelsea Jones (Harney Lawn & Irrigation) via telephone

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

Approval of the April 13, 2021 Agenda

*Councilor Beers made a motion to approve the agenda for April 13, 2021 as presented.
Councilor York seconded the motion. All ayes, the motion carried.*

Approval of the March 23, 2021 Meeting Minutes

*Councilor Beers made a motion to approve the meeting minutes from March 23, 2021.
Councilor Shepherd seconded the motion. All ayes, the motion carried.*

Accounts Payable for April 13, 2021

Councilor Beers made a motion to approve the accounts payable for April 13, 2021 in the amount of \$104,948.52. Councilor Quick seconded the motion. All ayes, the motion carried.

Department Reports

Chief DeLange – Reported there has been 200 calls since his last report. Domestic Violence calls are averaging 1-2 per day. Theft calls are still up. Law enforcement has seen a lot of backlash since the shooting in MN on Sunday. Politicians are pushing for police reform. Feds are pushing gun control. This could impact state & local areas. Hines PD will not enforce laws that infringe on a citizen's constitutional rights.

Chief Spence – 6 calls to 911 since last month, all pertaining to smoke and/or grassfires and 1 car fire. Fire season has begun. Firefighters still attending training. Will work with Burns FD to decide on when the burn ban will begin. Chief DeLange added that if a resident is going to burn to make sure they contact dispatch at (541) 573-6156 before lighting the fire so that fire and police do not respond unnecessarily.

City Administrator Letham – Administrator Letham presented the report for Public Works as Superintendent Lewellen could not be present. Still too cold to open the bathrooms at the Park. The Public Works crew have been spending a lot of time cleaning up the Parks. Winter equipment has been stored. He then transitioned to his report.

As part of the Water Project, GIS maps have been created. Currently they show the new water lines, valves water meters and part of the sewer line. Once finished with the water project they will finish mapping the sewer line also. Brownfield Grant update – The County was awarded a \$600K grant to complete Phase 1. Phase I is to identify properties that may have environmental issues. Seven properties have been identified to complete the Phase 1 assessment. Phase I will continue through the summer with a report due in October. Phase II would be to create a workplan of what would be needed to get the properties cleaned up. Phase III would be the actual cleanup. Advised the Council that Service Line Warranty America (SLWA) is the company that has contacted residents about procuring service of their water & sewer lines from the City lines to homes. They are changing their name to Home Warranty Alliance. Showed the Council that residents can access City ordinances, resolutions and meeting minutes and agendas through the City website (www.cityofhines.com) if they click on the Municode link.

Public Comment – Non-Agenda Items Only (Speaking time limits may apply)

Duane Hutchins – Has noticed when he has been walking around town that there seems to be a lot of trash. Would it be possible to contact the Probation Dept to see if they have a crew they could send out? Administrator Letham said he would investigate it. He has been approached by a couple of churches looking for service projects.

Old Business:

Appraisal Report – Volle Property

Administrator Letham advised that an appraisal has been received for the Volle property on Hilltop. Mr. Volle did submit a request for building permit that was turned down. He has advised that he may appeal to the Planning Commission. The Mayor told Mr. Volle that he has the right to appeal the decision to the Planning Commission. The land was appraised at \$8,000 in the appraisal. The Council did not pursue a discussion on whether they would purchase the land.

Park Sign/Reader Board (Review of Cost)

Administrator Letham read the breakdown of the cost of the project. Through the offers of volunteer time, labor and materials, the total cost of the project is estimated at \$8,500.

This will be paid out of TLT funds. *Councilor Beers made a motion to approve the Park/Sign Reader Board at the estimated cost of \$8,500. Councilor Quick seconded the motion. All ayes, the motion carried.*

Bathroom Bid Package

Administrator Letham read an email from Anderson Perry showing some comparisons for the proposed park bathroom. Options were discussed. Tom Choate asked if the Council would give him the chance to volunteer to contact some engineers that he knows to see if they would design a bathroom cheaper than what Anderson Perry has put forward. Subject tabled until more research can be completed.

Park Underground Sprinkler Bids

Three contractors submitted bids for underground sprinklers at the City Hall Park, the Fire Hall Park and the Skate Park. Mr. Hutchins asked if the City knows how much has been saved by having underground sprinklers installed in the Main Park. Administrator Letham said he did not have the numbers, but time spent watering has been cut dramatically as well as the labor savings from Public Works not having to turn sprinklers on/off. Mayor Morgan asked Harney Lawn & Irrigation if the timeline the City is requesting going to work for them if they are awarded the contract. They have cleared space in their schedule to complete the City work according to the City schedule. Councilor Shepherd asked if the City must go with the lowest bid and was told no. Mr. McLean reminded the Council that they do guarantee their work for one year and that it was included in their bid. Councilor Beers asked if the other bidders guaranteed their work. No warranty was included in the other bids. *Councilor Quick made a motion to accept the bid from Harney Lawn & Irrigation for \$50,712.20. Councilor York seconded the motion. All ayes, motion carried.*

Resolution 2300 – Water Rate Conversion and Revision of Usage Rates

Administrator Letham advised that at this time he would not read the resolution. He included it so that the Council could review the upcoming water rates. The new resolution will not go into effect until the new water meters are in use. The rates will need to be changed as water usage will be measured in gallons instead of cubic feet.

Harney Housing – Update on Lot Donation and Program Plan

The Council voted to donate a lot on the south end of Saginaw Avenue. After reporting this to the Housing committee, the lender came back and said they would require the donating entity to also put up 20% in cash as part of the lending. The City would receive the money back when the house sells. Administrator Letham asked if the land would be considered as part of the 20% and asked if the site prep costs (survey, system development, etc.) counted toward the 20% as well. The Mayor commented that we have donated the land and waived fees for water & sewer. Councilor Shepherd said this was why she voted against this originally as she felt there were things not spelled out completely. There were 4 County lots in Burns, 1 lot in Hines. Burns did not have a lot they owned that was not in the flood plain. The lot in the City of Hines was picked as the

first lot to develop. Administrator Letham said he will go back and see what the lender is willing to do for the City and will bring that information back to the Council.

New Business:

Public Health Request – Vaccination Pamphlet in Water Bill

The Public Health Department reached out to the City to see if they could have a pamphlet regarding vaccination. The Mayor said if it does not say that the City is promoting this it should be fine. Councilor Shepherd agreed. Councilors expressed concern about it looking as if the City was promoting the vaccinations. *Councilor Beers made a motion to deny the request to include vaccination pamphlets in the water bill. Councilor Shepherd seconded the motion. All ayes, motion carried.*

Anderson Perry GIS Support Contract (Water/Sewer Mapping)

Administrator Letham explained that the GIS Mapping program was included with the water project. They have presented an agreement for additional GIS service after the original contract expires for an additional year of support, training and mapping services. The Mayor said she believes this is worth the cost. *Councilor Beers made a motion to approve the GIS Support Contract in the amount of \$5,430.00. Councilor York seconded the motion. All ayes, the motion carried.*

Public Comment Period (Speaking time limits may apply):

Tom Choate – Expressed concern regarding the park landscaping bid. He said that the City could get challenged for choosing a contractor that may not have had the lowest bid. He feels the City did not follow protocol. He believes the City has put itself in jeopardy and that the award could be challenged. The City needs to make sure it is following the same guidelines each time a decision is made. If the Council wants to see a breakdown of costs, then that request should be in the bid request.

Mayor and Council Comments

Councilor York – None

Councilor Quick - None

Councilor Beers – Has been asked who is responsible for some of the brush at intersections. He asked if there is an ordinance regarding visibility. Administrator Letham said yes, and that it is typically the property owners' responsibility. If it is City property, the responsibility lies with the City. Also, Councilor Beers to the department heads, keep up the good work.

Councilor Shepherd – Apologized to the Council and residents for being late to the meeting.

Mayor Morgan – Regarding the bids, it did make a difference that one of the bids was a lump sum and the others had a breakdown of costs.

Next Council Meeting is scheduled for April 27, 2021 at 6:30pm.

Adjournment:

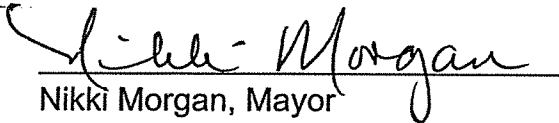
There being no further business, Councilor Beers made a motion to adjourn the meeting. Councilor Shepherd seconded the motion. All ayes, the motion carried. Meeting adjourned at 8:10pm.

Respectfully Submitted:

Kirby Letham

City Administrator

ACCEPTED AND APPROVED BY THE CITY COUNCIL ON April 27, 2021.


Nikki Morgan, Mayor

[illegible]

City Administrator's Report

1. Caselle update
2. Water Project update
 - a. Contractors returning May 10
 - b. Finish water lines, pumps/wells, water tank
3. Small Cities Meeting
 - a. Report from April 22
 - b. Next meeting will be in person on July 22
4. John Day PD meeting April 26
 - a. Meeting w/ John Day, Burns, and Nyssa City managers
5. Planning Report
 - a. Vloedman
 - b. Volle
 - c. Tesla ✱
6. Skate Park update —
7. Budget Schedule
 - a. Budget for review by May 1

✱ Concerns for Ordinance Violations

- building permits,
- cars
- etc.

✱ RFP - Insurance.

Budget Timeline

1. Appoint Budget Officer: March 9
2. Appoint Budget Committee: March 9
3. Prepare Proposed Budget (Budget Officer) Feb – May 11
4. Publish Notice of 1st Meeting:
 - a. Published in Burns Times Herald April 28 and May 5
 - b. Posted on Website April 14
 - c. Posted in Public Places May 7
5. **1st Budget Meeting** **May 11**
 - a. Budget Officer presents Budget Message
 - b. Budget Officer presents Proposed Budget
6. Publish Notice of 2nd Meeting:
 - a. Published in Burns Times Herald May 26
 - b. Posted on Website May 20
 - c. Posted in Public Places June 4
7. **2nd Budget Meeting** **June 8**
 - a. Approve Proposed Budget and recommend to the Council
 - b. 3rd meeting (if needed) June 9
 - c. 4th meeting (if needed) June 10
8. Publish Notice of Budget Hearing (Public Hearing) June 9/June 16
9. **Budget Hearing** **June 22**
10. Adopt Budget and Make Appropriations June 22
11. Submit Forms and Adopted Budget July 9

** adjust schedule to be done on
May 11, 12th, or 13th*

Read during public comment.

To the City Council of Hines:

I have now read the proposal and PUP and emailed back and forth with Mr. Horvath so I have much better handle now on what is going on! I appreciate Mr. Horvath's willingness to answer questions.

Bottom line:

(1) My feeling is that the city should not aerially apply any pesticide (larvicide or adulticide) over people's private property, the nature trail area, or city parks.

(2) Also, I think the city should not use the adulticide with the fogging. The benefits of the fogging are likely to be relatively limited compared to the larvicide in any case. Also, permethrin, the adulticide, has much more of a negative impact on other insects like pollinators, as well as fish, etc. than most larvicides.

(3) No matter what the final plan is, the city should provide it with maps and times of applications to all residents and post in areas where pesticide is about to be applied or has just been applied in public areas. The current plan basically says that 750 acres within the city limits could be treated biweekly from May-August, which is super broad. More clarity is needed: maybe a final treatment plan with a map sent to all residents with the bill and posted online and at the post office? The 'opting in' system is not enough for the no spray list and notification. In fact, the website for that hasn't been up for at least the last couple of days. Lastly, the current Hines mosquito proposal actually contradicts the PUP a bit, which is confusing, maybe a revision of one or the other is needed?

(4) The city should not leave it up entirely to Mr. Horvath to decide what to do, because it's up to the city to consider the broader interests of the residents, which vary. Along those lines, the city should be clear about the goals, limitations, and unintended consequences of this program. One wonders if the people that want to see this program go forward understand that it is unreasonable to remove mosquitos to low abundance across broad areas in an area like Hines surrounded by seasonal wetlands without negative consequences for pollinators, birds, etc. and potentially negative impacts on human health. Our information on the latter is limited due to lack of long-term studies, and I think a highly conservative plan for pesticide use is appropriate when you're talking application across an entire city biweekly for the entire summer for a minimum of the next three years.

Thanks for considering my opinion,
Stella Copeland

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: April 27, 2021
SUBJECT: Discussion – Park Underground Sprinkler Project

Attachment(s)

- Submitted bids from Paul Bradley, Ken McClean, and Josh Kenyon
- Spreadsheet summary of bids
- Landscape Licensing classes

DISCUSSION:

After further research and receiving a protest to the award, it has been discovered that the City made an error in the request for bid and award processes for this project.

With the help of the City attorney from League of Oregon Cities, the City is bound to award the contract to the lowest bidder.

Administrator Letham will explain the errors in the process and present the bids to the Council to formally rescind the previous vote and vote to award the lowest bidder Paul Everett Bradley Landscape Services.

POSSIBLE MOTIONS:

"I make a motion to rescind our previous vote to award the Park Sprinkler project to Harney Lawn and Irrigation, and award the bid to the lowest bidder, Paul Everett Bradley Landscape Services."

Bids for Parks Sprinkler Systems
 Bid Opening at 2:00PM April 8, 2021

Company	Date Bid Received	City Hall Park		Fire Hall Park		Skate Park		Vendor Total
		Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount	Bid Amount	
Kenyon Enterprises, LLC 311 Palace Way Nampa, ID 83687	4/8/2021	\$35,690.00	\$25,990.00	\$34,020.00	\$95,700.00			
Harney Lawn & Irrigation, LLC 371 W. Johnson Burns, OR 97720	4/6/2021	\$18,318.80	\$13,788.79	\$18,604.61	\$50,712.20			
Paul Everett Bradley Landscape Services P.O. Box 504 Hines, OR 97738	4/8/2021	\$19,700.00	\$11,400.00	\$15,900.00	\$47,000.00			

✱

What can I do with my Landscape Construction Business License?

	Planting License	Standard License	Irrigation & Backflow	Modified License	Arborist (eff 1/1/21)	All Phase License
Plan & install: Lawns, shrubs, vines, trees, or nursery stock					Trees only	
Install & repair artificial turf						
Prepare property for planting and artificial turf					Trees only	
Plan or install: Fences, decks, arbors, patios, landscape edging, driveways, walkways or retaining walls				*		
Plan or install retaining walls						
Install low voltage lighting				After 12 months		
Construct or repair: Water features						
Construct or repair: Drainage systems						
Construct or repair: Irrigation systems						
Install backflow devices						
Maintain irrigation systems with compressed air						
Remove trees, grind stumps, guy wires						

*When a permit is not required.

APR - 8 2021

Paul Everett Bradley Landscape Services

LAB 418 LCB 9218
PO Box 504, Hines, OR 97738
(541) 589-1050
EIN #26-3044601

Lovely Landscapes by Design

City of Hines Common Council
Mr. Kirby Letham, City Administrator
101 E Barnes Ave.
Hines, OR. 97738

4/8/21

Re: Hines Main Park Irrigation System Proposal/Contract

Dear Sirs and Madams:

Thank you for the opportunity to bid on the Hines Park Irrigation construction projects.

We offer the following lump sum bid proposal to complete the irrigation system as per plan and specification dated 9/11/2019.

We take no exceptions to plans and specifications. No addenda to plan or spec were issued.

We are ready to commence work as soon as we are given notice to proceed. Work plan starts with underground utility locate, point of connection, verify layout/ coverage, main line/ wires, valves, laterals, heads, seeding and final clean up. Back fill of trenches will occur as soon as practical for public safety. Work will be completed by our crew.

Bid schedule:

City Hall \$19,700
Fire Hall \$11,400
Skate Park \$15,900

Total cost for this project is \$47,200

We are licensed, bonded and insured for all phases of landscape construction, including backflow installation, irrigation, planting and hardscapes. We are licensed with the Oregon Landscape Contractors Board, with \$20,000 bond (highest level) and are performance bonded at \$85,000 level (current bond). Proposal is fixed price and valid for 45 days.

If you desire our services, please remit signed proposal for us to commence work. Irrigation system construction will be completed as soon as possible. Contract will not to exceed 90 days. Payment is due upon acceptable completion of work.

Please call Paul at (541) 589-1050, if you have any questions.

Sincerely,



Paul Bradley
Landscape Architect #657
Landscape Construction Professional #15561

Accepted by: _____ Date: _____

APR - 8 2021

Paul Everett Bradley Landscape Services

LAB 418 LCB 9218

PO Box 504, Hines, OR 97738

(541) 589-1050

EIN #26-3044601

Lovely Landscapes by Design

City of Hines Common Council
Mr. Kirby Letham, City Administrator
101 E Barnes Ave.
Hines, OR. 97738

4/8/21

Re: Hines Main Park Irrigation System Proposal/Contract

Dear Sirs and Madams:

Thank you for the opportunity to bid on the Hines Park Irrigation construction projects.

We offer the following lump sum bid proposal to complete the irrigation system as per plan and specification dated 9/11/2019.

We take no exceptions to plans and specifications. No addenda to plan or spec were issued.

We are ready to commence work as soon as we are given notice to proceed. Work plan starts with underground utility locate, point of connection, verify layout/ coverage, main line/ wires, valves, laterals, heads, seeding and final clean up. Back fill of trenches will occur as soon as practical for public safety. Work will be completed by our crew.

Bid schedule:

City Hall \$19,700

Fire Hall \$11,400

Skate Park \$15,900

Total cost for this project is \$47,200

We are licensed, bonded and insured for all phases of landscape construction, including backflow installation, irrigation, planting and hardscapes. We are licensed with the Oregon Landscape Contractors Board, with \$20,000 bond (highest level) and are performance bonded at \$85,000 level (current bond). Proposal is fixed price and valid for 45 days.

If you desire our services, please remit signed proposal for us to commence work. Irrigation system construction will be completed as soon as possible. Contract will not to exceed 90 days. Payment is due upon acceptable completion of work.

Please call Paul at (541) 589-1050, if you have any questions.

Sincerely,



Paul Bradley

Landscape Architect #657

Landscape Construction Professional #15561

Accepted by: _____ Date: _____



OSLAB: Registration

(/landarch/registration/)

(/landarch/)

🏠 (/landarch/Pages/default.aspx) > OSLAB: Registration (/landarch/registration/Pages/Maintain.aspx)
> OSLAB License Search

≡ Site Navigation

OSLAB License Search

10/01/2020 NOTE: THE ONLINE LICENSE LOOKUP HAS BEEN EXPERIENCING INTERMITTENT TECHNICAL DIFFICULTIES. CONTACT THE BOARD OFFICE IF YOU ARE UNABLE TO COMPLETE A SEARCH OR OTHERWISE NEED ASSISTANCE.

The information accessed via this website was current at the time of publication but is subject to change and is provided here for general information only. The Board disclaims any liability for reliance on the content of this website as a "primary issuing source" for purposes of registration verification. If you do not find what you are searching for, you may contact the Board Office to verify whether or not the individual or business is registered to practice landscape architecture in Oregon.

You do not need to fill in all fields to conduct a search. You may search using one or more criteria. For example, you can search by license status "active" to see all Board registrants, or you can narrow down your search by choosing additional criteria such as license type, state, or county. Note that if you search by individual or business name, the system does require an exact match with how the name is entered in the Board's database which can include hyphens and surnames. If you receive a finding of no results, you may want to search using criteria other than name as a cross-check.

The information on this website is provided for your convenience only. Although it is updated on a regular basis, you may contact the Board office for confirmation of registration for any given individual. Also, if you have any questions or cannot find the license information that you are seeking, please contact the Board office directly at (503) 589-0093 or by email at oslab.info@oregon.gov (<mailto:oslab.info@oregon.gov>).

10/01/2020 NOTE: THE ONLINE LICENSE LOOKUP HAS BEEN EXPERIENCING INTERMITTENT TECHNICAL DIFFICULTIES. CONTACT THE BOARD OFFICE IF YOU ARE UNABLE TO COMPLETE A SEARCH OR OTHERWISE NEED ASSISTANCE.

Landscape Architect License Search

<http://www.oregon.gov>[Return to search](#)

Status	Name	License #	Address	First Registered	Last Registered	License Type
Active	Paul Bradley	#LA0657	Hines OR	03/24/2008	03/31/2022	Landscape Architect

[Return to search](#)

Help us improve! Was this page helpful?

Yes

No

Contact information

Paul Everett Bradley

Doing Business As:

License Number: 9218
Status: Active
Phase: All Phases
Backflow Status: Plus Backflow
Initial License Date: Nov-20-2013
License Expiration: Nov-30-2021
Bond Amount: 20000.00
Liability Insurance Amount: \$1,000,000.00
Worker's Compensation: Exempt
Entity Type: Sole Proprietor
Address: Po Box 504
City: Hines
State: Oregon
Zip Code: 97738
County: HARNEY
Business Phone Number: (541) 589-1050

Employees

Name	License Number	Relationship Status
Paul Bradley	15561	N/A

Cases

Case Number	Allegations	Action(s)	Case Closed Date
None.			

For information regarding claims filed against this landscape contracting business, please contact the Board office at (503) 967-6291.

Disclaimer

All information provided on this web page, and on its other web pages, is made available to provide immediate access for the convenience of interested persons. While we believe the information to be reliable, human or mechanical error remains a possibility, as does delay in the posting or updating of information. Therefore there is no guarantee as to the accuracy, completeness, timeliness, currency, or correct sequencing of the information. Neither this agency, nor any of the sources of the information, shall be responsible for any errors or omissions, or for the use or results obtained from the use of this information.

(<http://www.oregon.gov>)

717 13th Street SE, Suite 114
Salem, OR 97301



8:00 AM - 3:00 PM

Phone: 503-589-0093

Fax: 503-485-2947Christine Valentine, Board Administrator (<mailto:oslab.info@oregon.gov>)

Map (</Landarch/Pages/Map.aspx>)

Board

The Board regulates the practice of landscape architecture in Oregon to help assure the safety, health, and welfare of Oregonians.

Board contact (</landarch/Board/Pages/Members.aspx>)

Board meetings (</landarch/Board/Pages/Meetings.aspx>)

Public Records Requests (/landarch/Documents/CitizenGuide_OSLABPublicRecordsRequests.pdf)

File a complaint

The Board considers complaints about landscape architecture practice and title use in Oregon.

Complaint form (</landarch/Resources/Pages/Complaint.aspx>)

About Oregon

Oregon.gov (<https://www.oregon.gov>)

State Employee Search (<https://employeeesearch.dasapp.oregon.gov>)

Agencies Listing (https://www.oregon.gov/pages/a_to_z_listing.aspx)

Accessibility (<https://www.oregon.gov/pages/accessibility.aspx>)

Privacy Policy (<https://www.oregon.gov/pages/terms-and-conditions.aspx>)

Supported Browsers (<https://www.oregon.gov/pages/supported-browsers.aspx>)

↑ Back to Top

Select Language ▼

Powered by Google Translate (<https://translate.google.com>)

Harney Lawn & Irrigation LLC

371 W. Johnson

Burns, OR 97720 US

+1 5415894796

kclawncareir@gmail.com

APR - 6 2021

**H A R N E Y**
LAWN + IRRIGATION

Estimate

ADDRESS

Hines City Hall

ESTIMATE # 1033**DATE 04/05/2021**

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	City Hall Estimate			
Service Call	First hour of labor included with service call.	1	75.00	75.00
Fittings	1.25"-3" pvc fittings	1	782.00	782.00
Valve Box	jumbo valve boxes+ extenstion	14	19.1428571	268.00
Control Panel	Rain Bird ESP-ME Control panel + Expansion Module	1	140.00	140.00
Wire	9 Conductor Sprinkler Wire	2	221.00	442.00
Valve	Rain Bird PEB 200 2" Valve	7	116.00	812.00
Large Rotor	Rain Bird 8005 Rotor	40	52.15	2,086.00
Pop-up Spray Sprinkler	Rain Bird 1806 + 6" pop up sprinkler body	4	4.80	19.20
PVC Pipe	3" Sch. 40	360	2.03	730.80
PVC Pipe	3" Class 200 pvc	200	1.63	326.00
PVC Pipe	2.5" Class 200 pvc	100	1.10	110.00
PVC Pipe	2" Sch. 40	340	1.04	353.60
PVC Pipe	2" class 200 pvc	660	0.75	495.00
PVC Pipe	1.5" class 200 pvc	640	0.48	307.20
PVC Pipe	1.25" class 200 pvc	700	0.37	259.00
PVC Pipe	1" class 200 pvc	220	0.23	50.60
PVC Pipe	Sch. 40 swing arm	40	28.21	1,128.40
Labor	Trench system, clean out trenches, Dig valve boxes	30	65.00	1,950.00
Labor	Automatic Valve installation	9	65.00	585.00
Labor	Pipe Installation, Install and Bury sprinkler heads	40	65.00	2,600.00
Labor	Install Thrust Blocks	8	65.00	520.00
Labor	Control panel/ Wire installation	8	65.00	520.00
Labor	Bury system, Rake trenches, clean up	25	65.00	1,625.00
Labor	Adjust sprinkler heads	3	65.00	195.00
Labor	Seed Trenches	5	65.00	325.00
Labor	Bore under driveway	10	65.00	650.00


LCP # 16050

LCB # 9770

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Trencher	Equipment Use/fuel	1	700.00	700.00
Concrete	Concrete for Thrust Blocks	8	8.00	64.00
Electrician	Tie On	1	200.00	200.00

WARRANTY: All parts and labor performed by Harney Lawn and Irrigation will be warranted for one year upon completion of sprinkler system installation.

TOTAL

\$18,318.80 

Estimate is broken down by total man hours per section of job installation. Hours are estimated and may vary depending on unforeseen circumstances. As well, if the scope of work is completed in a more timely manner or less parts are used, said payee will not pay full bid price.

Harney Lawn & Irrigation LLC

371 W. Johnson

Burns, OR 97720 US

+1 5415894796

kclawncareir@gmail.com

APR - 6 2021

**H A R N E Y**
LAWN + IRRIGATION**INVOICE****BILL TO**

Hines City Hall

INVOICE # 1323**DATE** 04/05/2021**DUE DATE** 05/05/2021**TERMS** Net 30

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Fire Hall Estimate			
Service Call	First hour of labor included with service call	1	75.00	75.00
Fittings	1" - 3" PVC Fitting	1	695.63	695.63
Valve Box	Jumbo Valve Boxes + Extensions	6	19.07	114.42
Control Panel	Rain Bird ESP-ME Control Panel	1	106.59	106.59
Wire	Sprinkler Wire 7 Conductor	1	84.23	84.23
Valve	Rain Bird PEB 200 2" Valve	4	115.90	463.60
Large Rotor	Rain Bird 8005 Rotor	32	52.15	1,668.80
PVC Pipe	3" SCH 40	80	2.03	162.40
PVC Pipe	3" CLASS 200 pvc	360	1.63	586.80
PVC Pipe	2.5" CLASS 200 pvc	140	1.10	154.00
PVC Pipe	2" SCH 40 pvc	60	1.04	62.40
PVC Pipe	2" CLASS 200 pvc	260	0.75	195.00
PVC Pipe	1.5" CLASS 200 pvc	140	0.48	67.20
PVC Pipe	1.25" CLASS 200	600	0.37	222.00
PVC Pipe	SCH 40 Swing Arm	32	28.21	902.72
Labor	Trench system, clean out trenches, dig valve boxes	25	65.00	1,625.00
Labor	Dig up existing quick couplers, move sprinkler lines, Attach sprinklers	20	65.00	1,300.00
Labor	Automatic Valve Installation	5	65.00	325.00
Labor	Pipe Installation, Install and Bury Sprinkler heads	25	65.00	1,625.00
Labor	Install Thrust Blocks	5	65.00	325.00
Labor	Control panel/ Wire Installation	3	65.00	195.00
Labor	Bury system, Rake trenches, Clean up	20	65.00	1,300.00
Labor	Adjust sprinkler heads	5	65.00	325.00
Labor	Seed treches	4	65.00	260.00
Trencher	Equipment rental/fuel	1	700.00	700.00
Concrete	Concrete	6	8.00	48.00

LCP # 16050

LCB # 9770

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Electrician	Tie On	1	200.00	200.00

WARRANTY: All parts and labor performed by Harney Lawn and Irrigation will be warranted for one year upon completion of sprinkler system installation.

BALANCE DUE

\$13,788.79

Estimate is broken down by total man hours per section of job installation. Hours are estimated and may vary depending on unforeseen circumstances. As well, if the scope of work is completed in a more timely manner or less parts are used, said payee will not pay full bid price.

Harney Lawn & Irrigation LLC

371 W. Johnson

Burns, OR 97720 US

+1 5415894796

kclawncareir@gmail.com

APR - 6 2021

**H A R N E Y**
LAWN + IRRIGATION

Estimate

ADDRESS

Hines City Hall

101 E. Barnes Ave

Hines, OR. 97738

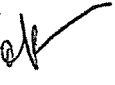
ESTIMATE # 1034**DATE 04/06/2021**

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Skate Park			
Service Call	First hour of labor included with service call.	1	75.00	75.00
Fittings	1" - 3" pvc Fittings	1	735.75	735.75
Valve Box	Valve Boxes + Extentions	16	19.07	305.12
Control Panel	Rain Bird ESP-ME Control Panel + Extention	1	138.41	138.41
Wire	Sprinkler Wire 13 Conductor	1	153.29	153.29
Valve	Rain Bird PEB 200 2" Valve	8	115.90	927.20
Large Rotor	Rain Bird 8005 Rotor	29	52.15	1,512.35
PVC Pipe	3" SCH 40 pvc	300	2.03	609.00
PVC Pipe	3" CLASS 200 pvc	460	1.63	749.80
PVC Pipe	2.5" CLASS 200 pvc	200	1.10	220.00
PVC Pipe	2" SCH 40 pvc	40	1.04	41.60
PVC Pipe	2" CLASS 200 pvc	700	0.75	525.00
PVC Pipe	1.5" CLASS 200 pvc	800	0.48	384.00
PVC Pipe	1.25" CLASS 200 pvc	300	0.37	111.00
PVC Pipe	SCH 40 Swing arm	29	28.21	818.09
Labor	Trench System, clean out trenches, dig valve boxes	38	65.00	2,470.00
Labor	Automatic Valve Installation	12	65.00	780.00
Labor	Pipe Installation, install and bury sprinkler heads	42	65.00	2,730.00
Labor	Install Thrust Blocks	8	65.00	520.00
Labor	Control Panel/ Wire installation	8	65.00	520.00
Labor	Bury system, rake trenches, clean-up	40	65.00	2,600.00
Labor	Adjust sprinkler heads	6	65.00	390.00
Labor	Seed trenches	5	65.00	325.00
Trencher	Equipment rental/fuel	1	700.00	700.00
Concrete	Concrete for Thrust Blocks	8	8.00	64.00

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Electrician	Electrical Tie On	1	200.00	200.00

WARRANTY: All parts and labor performed by Harney Lawn and Irrigation will be warranted for one year upon completion of sprinkler system installation.

TOTAL

\$18,604.61 

Estimate is broken down by total man hours per section of job installation. Hours may vary depending on unforeseen circumstances. As well, if the scope of work is completed in a more timely manner or less parts are used, the payee will not pay full price of bid.

Accepted By

Accepted Date

Work Plan:

Scope of work: To complete installation of underground sprinkler system as stated in provided plans, in an efficient and timely manner.

If awarded the city park bids Harney Lawn and Irrigation will commence work immediately on City Hall Park with completion before June 1st 2021. The Fire Hall Park will follow directly after the City Hall Park is complete, with guaranteed completion before the end of the summer. The Skate Park timeline is dependent upon budgeting and weather conditions.

Thank you so much for your time and consideration,

Harney Lawn and Irrigation
Kenny McLean and Chelsea Jones

Business Registry Business Name Search

[New Search](#)

Business Entity Data

04-13-2021

11:46

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1560343-90	DLLC	ACT	OREGON	05-23-2019	05-23-2021	YES
Entity Name	HARNEY LAWN AND IRRIGATION LLC					
Foreign Name						

Online Renewal:

[Renew Online](#)[Click here to generate and print an annual report.](#)[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	371 W JOHNSON ST			
Addr 2				
CSZ	BURNS	OR	97720	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	05-23-2019	Resign Date	
Name	KENNETH	DYLAN	MCLEAN			
Addr 1	371 W JOHNSON ST					
Addr 2						
CSZ	BURNS	OR	97720	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	371 W JOHNSON ST			
Addr 2				
CSZ	BURNS	OR	97720	Country UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	CHELSEA	TAYLOR	JONES		
Addr 1	371 W JOHNSON ST				
Addr 2					
CSZ	BURNS	OR	97720	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	KENNETH		MCLEAN		
Addr 1	371 W JOHNSON ST				

Addr 2					
CSZ	BURNS	OR	97720	Country	UNITED STATES OF AMERICA



[New Search](#)

Name History

Business Entity Name	<u>Name Type</u>	<u>Name Status</u>	Start Date	End Date
HARNEY LAWN AND IRRIGATION LLC	EN	CUR	05-23-2019	

Please [read](#) before ordering [Copies](#).[New Search](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	<u>Status</u>	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	05-20-2020		FI		
	ARTICLES OF ORGANIZATION	05-23-2019		FI	Agent	

© 2021 Oregon Secretary of State. All Rights Reserved.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/10/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bentz Insurance 122 A Street E Vale, OR 97918	CONTACT NAME: Karen Morcom	
	PHONE (A/C, No, Ext): (541)473-4210 FAX (A/C, No): (541)473-4041	
	E-MAIL ADDRESS: karen@bentzinsurance.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Liberty Mutual Insurance Company	
	INSURER B: CNA Surety	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 00000451-52762 **REVISION NUMBER:** 4

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			BLS 59849448	05/20/2020	05/20/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	BOND			64651089	05/20/2020	05/20/2021	Penalty 20,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION****EVIDENCE OF INSURANCE**

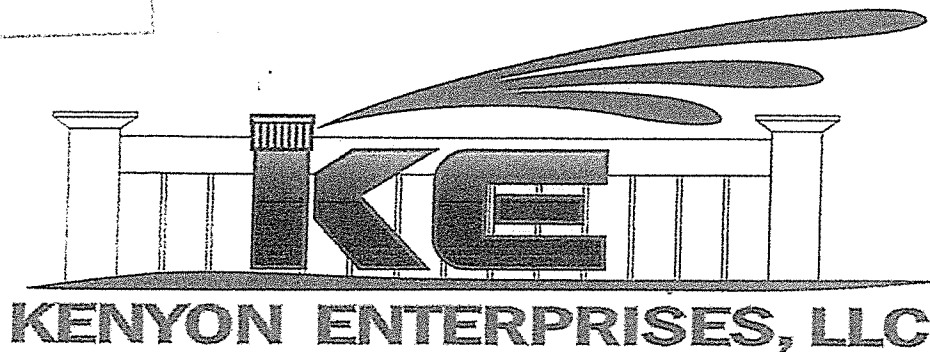
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(KAM)

© 1988-2015 ACORD CORPORATION. All rights reserved.

APR - 8 2021



311 Palace Way, Nampa, ID 83687

Josh Kenyon

208.989.1229

Shiloh Kenyon

208.989.7106

shilohkenyon04@gmail.com

License Numbers:

ID RCE-56115

ID Nurseryman's License: 8633

OR CCB: 231149

OR LCB: Business: 8913, Irrigation & Backflow: 15329, Planting: 15944

EIN #: 84-2061785

April 8, 2021

To Whom it May Concern:

Please find the attached bids for each of the three remaining parks for the City of Hines. Our company is licensed and bonded in the states of Idaho and Oregon. Please see attached Certificate of Liability Insurance and Surety Bonds for both the Oregon Construction Contractors Board and the Oregon Landscape Contractors Board. We have experience in installing large sprinkler systems throughout Harney County. We installed the sprinklers at the Burns High School Football/Baseball field, Slater School, and the Crane Football field. Please contact the following references to attest to our quality of work.

References:

1. Coach Terry Graham – Head Football Coach for Burns High School – 541-220-7157
2. Wade Peasley – Head of Maintenance Department for Burns School District – 541-589-2477
3. Stub Tavis – Maintenance Department for Crane School District – 541-589-1332

If awarded the contract for the Hines City Hall, we plan on starting the job on or around April 19, 2021 and finishing the project on or around May 14, 2021. If awarded the Hines Fire Hall, we plan on starting the project on or around May 17, 2021 and finishing the project on or around May 31, 2021. If awarded the Hines Skate Park, we plan on starting the job in the Fall of 2021 or Spring of 2022. Our sprinkler supply store has made us aware of a material shortage, begin of project date may be delayed if

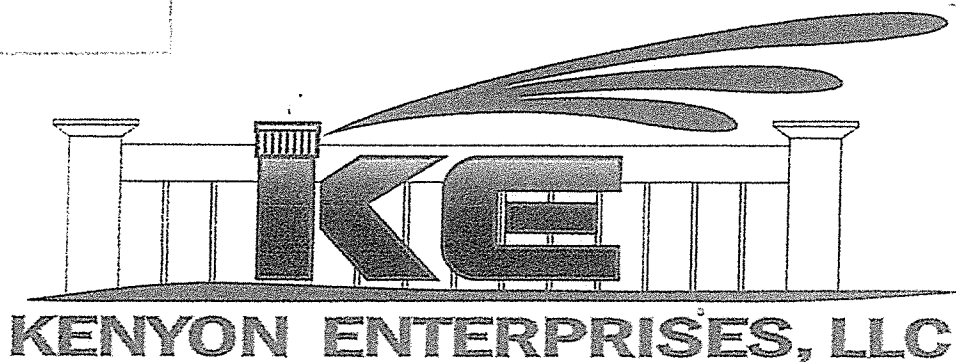
materials are back ordered. We will begin with the tie-in and backflow installation and digging trenches, followed by pipe and sprinkler installation, next we will wire in the system and install the clock, finishing with backfilling the trenches, seeding the trenches and final clean up. We will follow this procedure for each of the three parks.

Thank you for your time in considering these bids from our company.

A handwritten signature in black ink, appearing to read "Shiloh T. Kenyon", with a long, sweeping horizontal line extending to the right.

Shiloh T. Kenyon
Kenyon Enterprises, LLC

APR - 8 2021



311 Palace Way, Nampa, ID 83687

Josh Kenyon

208.989.1229

Shiloh Kenyon

208.989.7106

shilohkenyon04@gmail.com

License Numbers:

ID RCE-56115

ID Nurseryman's License: 8633

OR CCB: 231149

OR LCB: Business: 8913, Irrigation & Backflow: 15329, Planting: 15944

EIN #: 84-2061785

Bid #: 152021

Bid For: HINES CITY HALL

City of Hines

ATTN: Kirby Letham, City Administrator

101 E. Barnes Ave., Hines, OR 97738

(541)573-2251

administrator@ci.hines.or.us

Date Bid Given: April 8, 2021

*Bid is good for 30 days from above date.

Projected Start Date if Bid is Awarded: April 19, 2021

Projected Completion Date: May 14, 2021

Underground Sprinkler System at Hines City Hall (Based upon Irrigation Plan Sheets dated 9/11/2019 which were provided by the City of Hines)

Delivery – \$800.00


Tie-In & Inspection – \$1,000.00

Equipment Rental – Trencher & Jackhammer (if needed) - \$1,900.00

Material – \$16,240.00

Labor – \$15,000.00

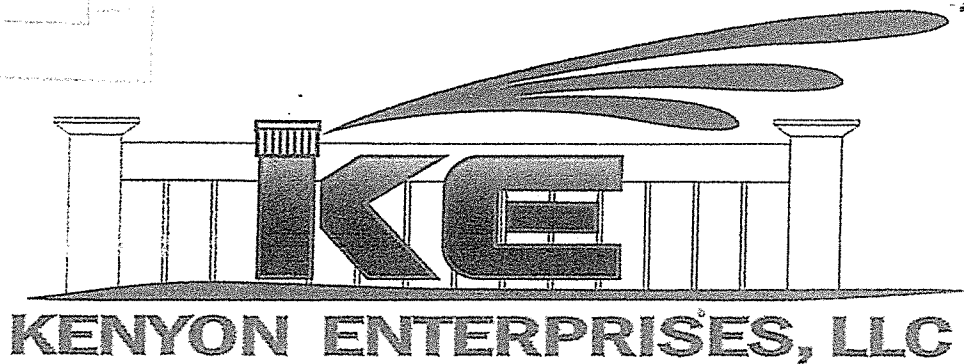
Perennial Rye Grass – Seed & Labor – \$750.00

TOTAL BID – \$35,690.00 

*If bid is accepted, we require half up front to cover some of the initial costs.

*If digging problems occur due to hard ground, roots, and/or other unforeseen obstructions, the price will be adjusted if additional labor and/or equipment is needed.

APR - 8 2021



311 Palace Way, Nampa, ID 83687

Josh Kenyon

208.989.1229

Shiloh Kenyon

208.989.7106

shilohkenyon04@gmail.com

License Numbers:

ID RCE-56115

ID Nurseryman's License: 8633

OR CCB: 231149

OR LCB: Business: 8913, Irrigation & Backflow: 15329, Planting: 15944

EIN #: 84-2061785

Bid #: 162021

Bid For: HINES FIRE HALL

City of Hines

ATTN: Kirby Letham, City Administrator

101 E. Barnes Ave., Hines, OR 97738

(541)573-2251

administrator@ci.hines.or.us

Date Bid Given: April 8, 2021

*Bid is good for 30 days from above date.

Projected Start Date if Bid is Awarded: May 17, 2021

Projected Completion Date: May 31, 2021

Underground Sprinkler System at Hines Fire Hall (Based upon Irrigation Plan Sheets dated 9/11/2019 which were provided by the City of Hines)

Delivery – \$800.00


Tie-In & Inspection – \$1,000.00

Equipment Rental – Trencher & Jackhammer (if needed) - \$1,900.00

Material – \$11,790.00

Labor – \$10,000.00

Perennial Rye Grass – Seed & Labor – \$500.00

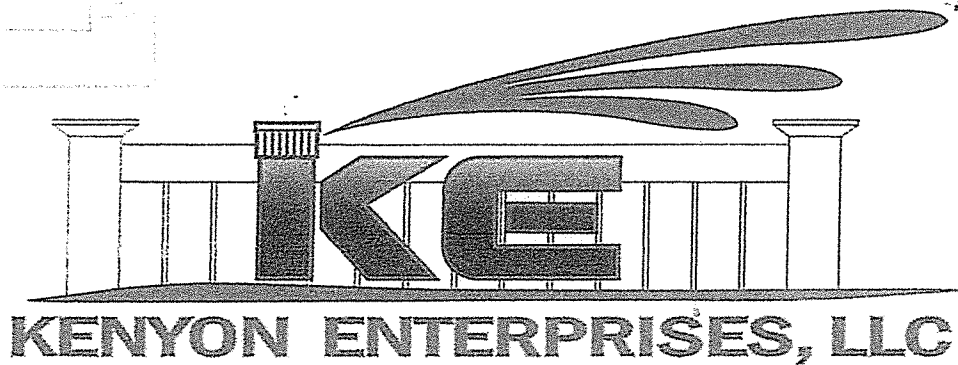
TOTAL BID – \$25,990.00 

***If bid is accepted, we require half up front to cover some of the initial costs.**

***If digging problems occur due to hard ground, roots, and/or other unforeseen obstructions, the price will be adjusted if additional labor and/or equipment is needed.**

***If breakage or leaking problems occur tying into old system price may be adjusted if additional materials and or labor are needed.**

APR - 8 2021



311 Palace Way, Nampa, ID 83687

Josh Kenyon

208.989.1229

Shiloh Kenyon

208.989.7106

shilohkenyon04@gmail.com

License Numbers:

ID RCE-56115

ID Nurseryman's License: 8633

OR CCB: 231149

OR LCB: Business: 8913, Irrigation & Backflow: 15329, Planting: 15944

EIN #: 84-2061785

Bid #: 172021

Bid For: HINES SKATE PARK

City of Hines

ATTN: Kirby Letham, City Administrator

101 E. Barnes Ave., Hines, OR 97738

(541)573-2251

administrator@ci.hines.or.us

Date Bid Given: April 8, 2021

*Bid is good for 30 days from above date.

Projected Start Date if Bid is Awarded: Weather Permitting Fall 2021 or Spring 2022

Underground Sprinkler System at Hines Skate Park (Based upon Irrigation Plan Sheets dated 9/11/2019 which were provided by the City of Hines)

Delivery – \$800.00


Tie-In & Inspection – \$1,000.00

Equipment Rental – Trencher & Jackhammer (if needed) - \$1,900.00

Material – \$15,570.00

Labor – \$14,000.00

Perennial Rye Grass – Seed & Labor – \$750.00

TOTAL BID – \$34,020.00 

*If bid is accepted, we require half up front to cover some of the initial costs.

*If digging problems occur due to hard ground, roots, and/or other unforeseen obstructions, the price will be adjusted if additional labor and/or equipment is needed.

Business Registry Business Name Search

[New Search](#)

Business Entity Data

04-13-2021

12:00

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1661721-98	DLLC	ACT	OREGON	05-07-2020	05-07-2021	YES
Entity Name	KENYON ENTERPRISES, LLC					
Foreign Name						

Online Renewal:

[Renew Online](#)[Click here to generate and print an annual report.](#)[New Search](#)

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	311 PALACE WAY			
Addr 2				
CSZ	NAMPA	ID	83687	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	05-07-2020	Resign Date	
Name	CLYDE	KENYON				
Addr 1	3 FAIRVIEW HEIGHTS LOOP					
Addr 2						
CSZ	BURNS	OR	97720	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	311 PALACE WAY			
Addr 2				
CSZ	NAMPA	ID	83687	Country UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	JOSHUA	KENYON			
Addr 1	311 PALACE WAY				
Addr 2					
CSZ	NAMPA	ID	83687	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	SHILOH	KENYON			
Addr 1	311 PALACE WAY				

Addr 2					
CSZ	NAMPA	ID	83687	Country	UNITED STATES OF AMERICA


[New Search](#)

Name History

Business Entity Name	<u>Name Type</u>	<u>Name Status</u>	Start Date	End Date
KENYON ENTERPRISES, LLC	EN	CUR	04-07-2020	

Please [read](#) before ordering [Copies](#).[New Search](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	<u>Status</u>	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	05-07-2020		FI	Agent	

© 2021 Oregon Secretary of State. All Rights Reserved.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/05/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Matthew Japs(753333G) 226 E 5th St Meridian ID 83642-2774		CONTACT NAME: Matthew Japs or Neenah Jackson PHONE (A/C, NO, EXT): 208-629-5572 FAX (A/C, NO): 208-887-6620 E-MAIL ADDRESS: mjaps@farmersagent.com	
INSURED Kenyon, Joshua Warren & Shloh Theresa DBA: Kenyon Enterprises LLC 311 Palace Way Nampa ID 83687		INSURER(S) AFFORDING COVERAGE INSURER A: Truck Insurance Exchange 21709 INSURER B: Farmers Insurance Exchange 21652 INSURER C: Mid Century Insurance Company 21687 INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAME ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDTL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y	N	065959018	09/13/2020	09/13/2021	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea Occurrence) \$ 100,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:							GENERAL AGGREGATE \$ 2,000,000 PRODUCTS- COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			065959018	09/13/2020	09/13/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 300,000
	BODILY INJURY (Per person) \$						
	BODILY INJURY (Per accident) \$						
	PROPERTY DAMAGE (Per accident) \$						
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTHER \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

311 Palace Way Nampa ID 83687

CERTIFICATE HOLDER City of Hines 101 E. Barnes Ave Hines OR 97738	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Neenah Jackson</i>
---	---

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls
State of South Dakota, its regularly elected Vice President
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One RESIDENTIAL CONTRACTORS LICENSE LICENSE #231149

bond with bond number 72271323

for KENYON ENTERPRISES, LLC

as Principal in the penalty amount not to exceed: \$20,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by
Vice President with the corporate seal affixed this 23rd day of June,
2020

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

By

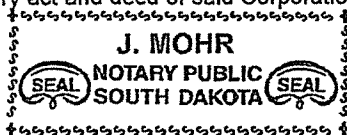
Paul T. Bruflat

Paul T. Bruflat, Vice President



STATE OF SOUTH DAKOTA } ss
COUNTY OF MINNEHAHA }

On this 23rd day of June, 2020, before me, a Notary Public, personally appeared
Paul T. Bruflat and L. Nelson
who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the
voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to www.enasuretv.com > Owner/Obligee Services > Validate Bond



Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Landscape Contractor

bond with bond number 16109243

for Kenyon Enterprises, LLC

as Principal in the penalty amount not to exceed: \$ 10,000.00.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its
Vice President with the corporate seal affixed this 2nd day of April,
2020.

ATTEST

L. Nelson

L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY

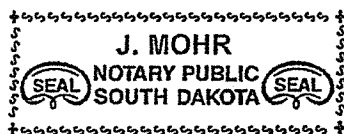
By

Paul T. Bruflat

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 2nd day of April, 2020, before me, a Notary Public, personally appeared
Paul T. Bruflat and L. Nelson
who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the
voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

J. Mohr

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



Administrator

Reader Board

From: BERRY Jeff <Jeff.Berry@odot.state.or.us>
Sent: Tuesday, March 30, 2021 12:43 PM
To: Administrator
Subject: RE: City Sign
Attachments: 734-060-0190 Digital, or LED Signs Other than OAS.doc

Hi Kirby; I haven't had a chance to talk to anybody with the Outdoor Advertising Sign Program. If you decide to consider or allow paid advertising on your signs you should give them a call. It's a fairly complicated program and they can tell you exactly how it works way better than I can (application process, permits, fees, etc.). Here is the contact information for Jill and Debbie:

Debbie Lund - Program Analyst

Phone: 503-986-3656

Jill Hendrickson - Program Coordinator

Phone: 503-986-3635

If you are NOT going to be advertising on the proposed sign you do not need a permit. Here are the general requirements:

- This type of sign is exempt from permits as long as it is erected on private property at a business or place open to the public. No compensation can be received for the placement of the sign or the sign message.
- If ad space is sold, it requires an outdoor advertising permit (see above).
- No flashing lights or moving parts are allowed.
- The display board cannot simulate movement or have bright flashing lights.
- The sign message must come all the way on and remain static for at least 2 seconds before changing. No rolling, scrolling or slow fade in and out of the message.
- The sign must be equipped with a light sensor that automatically adjusts the intensity of the sign illumination according to the amount of ambient light, and;
- Sign must be designed to freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.

Let me know if you have any other questions about this.

Thanks,

Jeff Berry, P.E.
Oregon Department of Transportation
Assistant Manager, District 14
Telephone: 541-823-4037

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: April 27, 2021
SUBJECT: Discussion – Park Bathroom

Attachment(s)

- CXT Concrete Buildings website (option 2)
- 2x6 Frame Building example (option 1)

DISCUSSION:

After discussing possible options to build a park bathroom structure, Community Member Tom Choate volunteered to explore possible options for help in design and engineering of the structure.

Mr. Choate will present his findings.

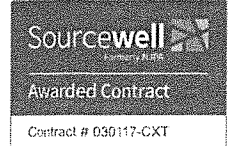
The Council will then discuss his findings and decide on a course of action for the project.

POSSIBLE MOTIONS:

"I make a motion to continue as planned with the City's Engineer of Record Anderson Perry to complete the Park Bathroom project."

"I make a motion to rescind the Council's previous vote and publish a Request for Qualifications and Proposal for to complete the Park Bathroom project."

...There could be other options as well.



CXT® Precast Concrete Products manufactures restroom, shower and concession buildings in multiple designs, textures and colors. The roof and walls are fabricated with high strength precast concrete to meet all local building codes and textured to match local architectural details. All CXT buildings are designed to meet A.D.A. and to withstand heavy snow, high wind and category E seismic loads. All concrete construction also makes the buildings easy to maintain and withstand the rigors of vandalism. The buildings are prefabricated and delivered complete and ready-to-use, including plumbing and electrical where applicable. With thousands of satisfied customers nationwide, CXT is the leader in prefabricated concrete restrooms.

1. ORDERING ADDRESS(ES): CXT Precast Products, Inc., 606 N. Pines Road, Suite 202, Spokane Valley, WA 99206

2. ORDERING PROCEDURES: Fax 509-928-8270

3. PAYMENT ADDRESS(ES): CXT Precast Products, Inc., 6701 E. Flamingo Avenue, Building 300, Nampa, ID 83687

4. WARRANTY PROVISIONS: CXT provides a one (1) year warranty. The warranty is valid only when concrete is used within the specified loadings. Furthermore, said warranty includes only the related material necessary for the construction and fabrication of said concrete components. All other non-concrete components will carry a one (1) year warranty. CXT warrants that all goods sold pursuant hereto will, when delivered, conform to specifications set forth above. Goods shall be deemed accepted and meeting specifications unless notice identifying the nature of any non-conformity is provided to CXT in writing within the specified warranty. CXT, at its option, will repair or replace the goods or issue credit for the customer provided CXT is first given the opportunity to inspect such goods. It is specifically understood that CXT's obligation hereunder is for credit, repair or replacement only, F.O.B. CXT's manufacturing plants, and does not include shipping, handling, installation or other incidental or consequential costs unless otherwise agreed to in writing by CXT.

This warranty shall not apply to:

1. Any goods which have been repaired or altered without CXT's express written consent, in such a way as in the reasonable judgment of CXT, to adversely affect the stability or reliability thereof;
 2. To any goods which have been subject to misuse, negligence, acts of God or accidents; or
 3. To any goods which have not been installed to manufacturer's specifications and guidelines, improperly maintained, or used outside of the specifications for which such goods were designed.
5. TERMS AND CONDITIONS OF INSTALLATION (IF APPLICABLE): All prices subject to the "Conditions of Sale" listed on the CXT quotation form.

Customers are responsible for marking exact location building is to be set; providing clear and level site, free of overhead and/or underground obstructions; and providing site accessible to normal highway trucks and sufficient area for the crane to install and other equipment to perform the contract requirements. Customer shall provide notice in writing of low bridges, roadway width or grade, unimproved roads or any other possible obstacles to access. CXT reserves the right to charge the customer for additional costs incurred for special equipment required to perform delivery and installation. Customers will negotiate installation on a project-by-project basis, which shall be priced as separate line items. For more information regarding installation and truck turning radius guidelines please see our website at <http://www.cxtinc.com>.

In the event delivery of the building/s ordered is/are not completed within 30 days of the agreed to schedule through no fault of CXT, an invoice for the full contract value (excluding shipping and installation costs) will be submitted for payment. Delivery and installation charges will be invoiced at the time of delivery and installation.

Should the delivery and installation costs increase due to changes in the delivery period, this increase will be added to the price originally quoted, and will be subject to the contract payment terms.

In the event that the delivery is delayed more than 90 days after the agreed to schedule and through no fault of CXT, then in addition to the remedies above, a storage fee of 1-1/2% of contract price per month or any part of any month will be charged.

****Customer is responsible for all local permits and fees.**

6. DELIVERY CHARGE: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers.

7. PAYMENT TERMS: Payment to CXT by the purchaser shall be made net 30 days after submission of the invoice to the purchaser on approved credit. Interest at a rate equal to the lower of (i) the highest rate permitted by law; or (ii) 1.5% per month will be charged monthly on all unpaid invoices beginning with the 35th day (includes five (5) day grace period) from the date of the invoice. Under no circumstance can retention be taken. If CXT initiates legal proceeding to collect any unpaid amount, purchaser shall be liable for all of CXT's costs, expenses and attorneys' fees and costs of any appeal.

8. LIMITATION OF REMEDIES: In the event of any breach of any obligations hereunder; breach of any warranty regarding the goods, or any negligent act or omission of any party, the parties agree to submit all claims to binding arbitration. Any settlement reached shall include all reasonable costs including attorney fees. In no event shall CXT be subject to or liable for any incidental or consequential damages. Without limitation on the foregoing, in no event shall CXT be liable for damages in excess of the purchase price of the goods herein offered.

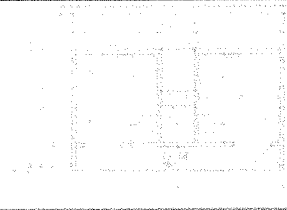
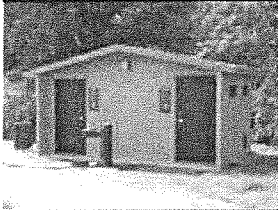
9. DELIVERY INFORMATION: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers. Use the information below to determine the origin:

• F.O.B. 6701 E. Flamingo Avenue, Building 300, Nampa, ID 83687 applies to: AK, CA, HI, ID, MT, ND, NV, OR, SD, UT, WA, WY.

• F.O.B. 901 North Highway 77, Hillsboro, TX 76645 applies to AR, AZ, CO, IA, KS, LA, MN, MO, MS, NE, NM, OK, TX.

• F.O.B. 362 Waverly Road, Williamstown, WV 26183 applies to AL, CT, DE, FL, GA, IL, IN, KY, MA, MD, ME, MI, NC, NH, NJ, NY, OH, PA, PR, RI, SC, TN, VA, VT, WI, WV.

• Prices exclude all federal/state/local taxes. Tax will be charged where applicable if customer is unable to provide proof of exemption.



Cortez with chase restroom building. Standard features include simulated barnwood texture walls, simulated cedar shake textured roof, vitreous china fixtures, interior and exterior lights, off loaded and set up at site.

Cortez 10' 3" x 17'

*Base Price \$ 45,028.00

Optional Sections:

Restroom* \$45,028 Qty: = \$0.00	Shower* \$54,951 Qty: = \$0.00
Family Assist Shower/Restroom Combo* \$52,966 Qty: = \$0.00	Storage \$41,552 Qty: = \$0.00
Concession* \$51,974 Qty: = \$0.00	
*Includes 4-gallon water heater.	Total Optional Sections 0.00

Added Cost Options:

		Price Per Unit	
Final Connection to Utilities (per section)		\$ 3,500.00	<input type="checkbox"/> 0.00
(per section) Optional Wall Texture -choose one	<input type="radio"/> Split Face Block (\$3,500) <input type="radio"/> Struck Trowel (\$3,500) <input type="radio"/> Stone (\$5,000) <input type="radio"/> Reset Wall Texture		0.00
Optional Roof Texture -choose one	<input type="checkbox"/> Delta Rib	\$ 3,000.00	0.00
Insulation / Heaters (per section)		\$ 16,500.00	<input type="checkbox"/> 0.00
Vitreous Urinal (each)	Qty:	\$ 300.00	<input type="checkbox"/> 0.00
Stainless Steel Water Closet (each)	Qty:	\$ 950.00	<input type="checkbox"/> 0.00
Stainless Steel Lavatory (each)	Qty:	\$ 600.00	<input type="checkbox"/> 0.00
Stainless Steel Urinal (each)	Qty:	\$ 950.00	<input type="checkbox"/> 0.00
Electric Hand Dryer (each)	Qty:	\$ 700.00	<input type="checkbox"/> 0.00
Electronic Flush Valves (each)	Qty:	\$ 750.00	<input type="checkbox"/> 0.00
Electronic Lavatory Faucets (each)	Qty:	\$ 650.00	<input type="checkbox"/> 0.00
Electronic Urinal Valves (each)	Qty:	\$ 750.00	<input type="checkbox"/> 0.00
Exterior Mounted ADA Drinking Fountain (each)	Qty:	\$ 3,600.00	<input type="checkbox"/> 0.00
Optional Door Closure (each)	Qty: 2	\$ 450.00	<input type="checkbox"/> 0.00
Skylight in Restroom (each)	Qty:	\$ 450.00	<input type="checkbox"/> 0.00
Marine Grade Skylight in Restroom (each)	Qty:	\$ 1,600.00	<input type="checkbox"/> 0.00
Marine Package for Extra Corrosion Resistance (per section)		\$ 3,450.00	<input type="checkbox"/> 0.00
Fiberglass Entry and Chase Doors and Frames	Qty:	\$ 1,700.00	<input type="checkbox"/> 0.00
Tile Floor in Restroom (per section)		\$ 3,000.00	<input type="checkbox"/> 0.00
2K Anti-Graffiti Coating (per section)		\$ 3,500.00	<input type="checkbox"/> 0.00
Timed Electric Lock System (2 doors - does not include chase door)	Qty:	\$ 2,500.00	<input type="checkbox"/> 0.00
Exterior Frostproof Hose Bib with Box (each)	Qty:	\$ 450.00	<input type="checkbox"/> 0.00
Paper Towel Dispenser (each)	Qty:	\$ 200.00	<input type="checkbox"/> 0.00
Toilet Seat Cover Dispenser (each)	Qty:	\$ 100.00	<input type="checkbox"/> 0.00
Sanitary Napkin Disposal (each)	Qty:	\$ 75.00	<input type="checkbox"/> 0.00
Baby Changing Station (each)	Qty:	\$ 500.00	<input type="checkbox"/> 0.00
CXT Wastebasket (each)	Qty:	\$ 150.00	<input type="checkbox"/> 0.00

Total Cost of Selected Accessories from Accessories Price List: \$ 0.00

Engineering and State Fees: \$ 3,850.00

Estimated One-Way Transportation Costs to Site (quote): \$ 1,450.00

Custom Options: Oregon State design review, inspections, and tags \$

Total Cost per Unit Placed at Job Site: (excludes all taxes) \$ 50,328.00

Disclaimer: Please call to confirm selected sections are compatible.

Estimated monthly payment on 5 year lease \$1,011.59

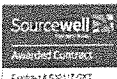
This price quote is good for 60 days from date below, and is accurate and complete.

**Eric M
Kuester**

Digitally signed by
Eric M Kuester
Date: 2021.04.02
07:04:38 -07'00'

CXT Sales Representative

Date



I accept this quote. Please process this order.

Company Name

Customer

Date

OPTIONS

Exterior Color Options:

(For single color mark an X or for two tone combinations use W = Walls / R = Roof.)

<input type="checkbox"/> Amber Rose	<input type="checkbox"/> Liberty Tan	<input type="checkbox"/> Berry Mauve	<input type="checkbox"/> Sage Green
<input type="checkbox"/> Toasted Almond	<input type="checkbox"/> Oatmeal Buff	<input type="checkbox"/> Buckskin	<input type="checkbox"/> Rosewood
<input type="checkbox"/> Sun Bronze	<input type="checkbox"/> Golden Beige	<input type="checkbox"/> Mocha Carmel	<input type="checkbox"/> Malibu Taupe
<input type="checkbox"/> Sand Beige	<input type="checkbox"/> Natural Honey	<input type="checkbox"/> Salsa Red	<input type="checkbox"/> Java Brown
<input type="checkbox"/> Pueblo Gold	<input type="checkbox"/> Cappuccino Cream	<input type="checkbox"/> Coca Milk	<input type="checkbox"/> Raven Black
<input type="checkbox"/> Granite Rock	<input type="checkbox"/> Georgia Brick	<input type="checkbox"/> Western Wheat	<input type="checkbox"/> Nuss Brown
<input type="checkbox"/> Rich Earth	<input type="checkbox"/> Charcoal Grey	<input type="checkbox"/> Hunter Green	<input type="checkbox"/> Evergreen

Special roof color # _____

Special wall color # _____

Special trim color # _____

(Sage green, hunter and evergreen colors are not available in colored through concrete.)

Rock Color Options:

☐ Basalt ☐ Mountain Blend ☐ Natural Grey ☐ Romana

Roof Texture Options:

☐ Cedar Shake ☐ Ribbed Metal

Wall Texture Options:

(For single texture mark an X or for different top and bottom textures use T = Top / B = Bottom.)

Barnwood	Horizontal Lap	Napa Valley Rock	} Can only be used as bottom texture.
Split Face Block	Board & Batt	River Rock	
Stucco/Skip Trowel	Brick	Flagstone	

(Textures not included in CXT's quote are additional cost.)

Door Opener Options:

☐ Non-locking ADA Handle ☐ Pull Handle/Push Plate
☐ Privacy ADA Latch ☐ Pull Handle/Push Plate w/Slide Lock

Deadbolt Options:

☐ CXT Supplied ☐ Customer Supplied: _____
Type & Part Number

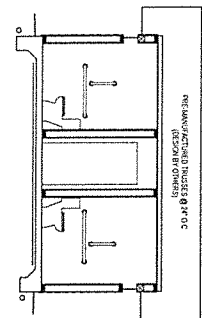
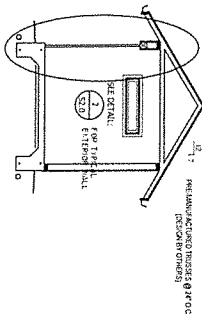
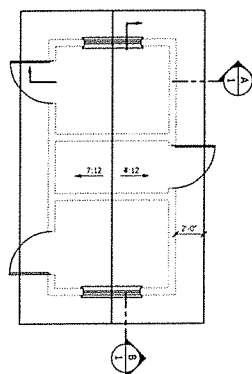
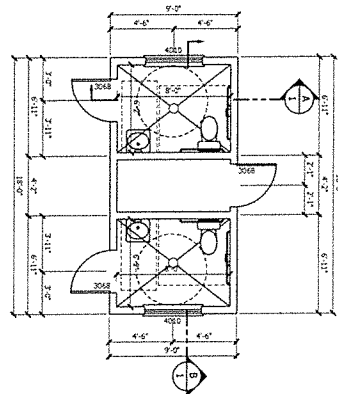
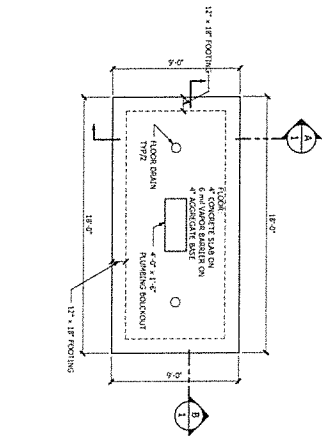
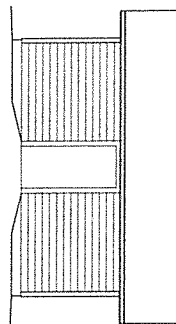
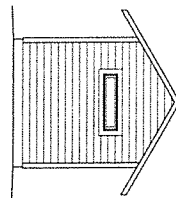
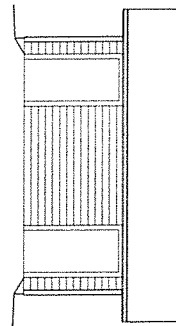
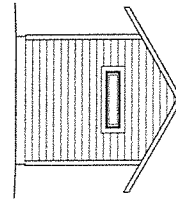
Accessible Signage Options:

☐ Men ☐ Women ☐ Unisex

Paper Holder Options:

☐ 2-Roll Stainless Steel ☐ 3-Roll Stainless Steel

Notes:



Restroom

Elevations, Plans & Sections

DRAFTING:
Corporis CAD Services
CCS CORPORATION
10000 West 10th Avenue
Denver, CO 80231
(303) 751-1111

PROJECT:	SHEET:
----------	--------

PROJECT LOCATION:	
DRAWING STATUS:	<p>Issued for the 1st time on 11/1/00 Rev. 001 11/11/00 (1st time)</p> <p>1-14 (1st time) 1-15 (1st time) 1-16 (1st time) 1-17 (1st time) 1-18 (1st time) 1-19 (1st time) 1-20 (1st time) 1-21 (1st time) 1-22 (1st time) 1-23 (1st time) 1-24 (1st time) 1-25 (1st time) 1-26 (1st time) 1-27 (1st time) 1-28 (1st time) 1-29 (1st time) 1-30 (1st time) 1-31 (1st time) 1-32 (1st time) 1-33 (1st time) 1-34 (1st time) 1-35 (1st time) 1-36 (1st time) 1-37 (1st time) 1-38 (1st time) 1-39 (1st time) 1-40 (1st time) 1-41 (1st time) 1-42 (1st time) 1-43 (1st time) 1-44 (1st time) 1-45 (1st time) 1-46 (1st time) 1-47 (1st time) 1-48 (1st time) 1-49 (1st time) 1-50 (1st time) 1-51 (1st time) 1-52 (1st time) 1-53 (1st time) 1-54 (1st time) 1-55 (1st time) 1-56 (1st time) 1-57 (1st time) 1-58 (1st time) 1-59 (1st time) 1-60 (1st time) 1-61 (1st time) 1-62 (1st time) 1-63 (1st time) 1-64 (1st time) 1-65 (1st time) 1-66 (1st time) 1-67 (1st time) 1-68 (1st time) 1-69 (1st time) 1-70 (1st time) 1-71 (1st time) 1-72 (1st time) 1-73 (1st time) 1-74 (1st time) 1-75 (1st time) 1-76 (1st time) 1-77 (1st time) 1-78 (1st time) 1-79 (1st time) 1-80 (1st time) 1-81 (1st time) 1-82 (1st time) 1-83 (1st time) 1-84 (1st time) 1-85 (1st time) 1-86 (1st time) 1-87 (1st time) 1-88 (1st time) 1-89 (1st time) 1-90 (1st time) 1-91 (1st time) 1-92 (1st time) 1-93 (1st time) 1-94 (1st time) 1-95 (1st time) 1-96 (1st time) 1-97 (1st time) 1-98 (1st time) 1-99 (1st time) 1-100 (1st time)</p>
SHEET #	



PO BOX 94
MOUNT VERNON, OREGON 97865
(541) 620-1359

4-27-2021

City of Hines
101 East Barnes Ave
Hines, Oregon 97738

Re: Hines Park Restroom

To Whom It May Concern,

High Desert Engineering was asked to provide an estimated fee for the design of a two-restroom facility located near the pavilion at the Hines Park. The fee stated is an estimate. No details about the restroom project have been provided. The fee stated reflects design drawings, associated structural calculations, and construction oversight for a facility with two (2) uni-sex restrooms and a mechanical/storage room in between.

Estimated Fee: \$4,000.00

The above fee may change based on the project scope.

Sincerely,

Werner Arntz, P.E.
OR # 84425PE
High Desert Engineering, LLC



Fee Proposal

Prepared for: Tom Choate

Project Name: City of Hines– Public Restrooms

Prepare By: Levi Voigt
STRUX Engineering LLC

Dear Mr. Choate,

STRUX Engineering LLC would like to provide structural engineering services for the project listed.

As part of this work, we will provide structural engineering design and specifications for this project that meet the 2018 International Building Code and all local building code provisions.

Deliverables include:

- **Stamped Drawings** for the elements specified in the preliminary drawings.
- **Stamped Engineering Calculations** that reflect the engineered drawings.

Fee Proposal:

Design and Construction Phase	
I. All Deliverables Listed for Design	\$1,500.00 (Fixed)
II. Construction Management Services	\$110.00 per hour worked + Standard Federal Mileage Rate (\$0.56 per mile) for travel to and from the jobsite

Scope of Work:

Scope of work consists of the structural design and drawings for the structure shown in the preliminary drawings communicated on **April 14, 2021**. Structural design includes all drawings and details required for permitting and construction of the structure. Elements of the building outside of this description will not be provided in the structural drawings unless specifically requested and agreed upon in a separate proposal by the client.

Deliverables do not include the services outside the normal scope of a structural engineering consultant such as:

- Geotechnical Investigations
- Utility locates

STRUX

ENGINEERING LLC

- Design of temporary shoring or bracing during construction
- Design of electrical
- Material testing
- Flood-proofing

Terms:

Scheduling of the project will not take place until receiving signed authorization to proceed.

Payment is requested within 30 days of providing completed design drawings and calculations. Changes required by building officials during the permit application will not incur additional fees.

Insurance:

STRUX Engineering LLC is insured for \$1.0M per occurrence and \$1.0M in the aggregate against any losses arising from errors and omissions. Details of our insurance coverage can be provided if required.

Limitation of Liability:

City of Hines. expressly agrees that principals of STRUX Engineering LLC shall have no personal liability to City of Hines. in respect to a claim, whether in contract, tort, and/or any other cause of action in law. Accordingly, City of Hines. expressly agrees that it will bring no proceedings and take no action in court of law against any of the principals of STRUX Engineering LLC in their personal capacity.

In providing services under this agreement, STRUX Engineering LLC will endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession practicing under similar circumstances. Upon notice to STRUX Engineering LLC, and by mutual agreement between the parties, STRUX Engineering LLC, without additional compensation, will correct those services not meeting such a standard.

STRUX Engineering LLC will not be liable for any damages arising as a result of un-foreseen conditions which are revealed once construction of the project commences. Such conditions could include but are not limited too unsuitable soils, buried structures, soil contamination, high water table, or any other site conditions which may lead to additional construction or re-design costs.

We look forward to being of service to you on this project. Please call should you have any questions.

Sincerely,



Levi Voigt, P.E.
STRUX Engineering LLC

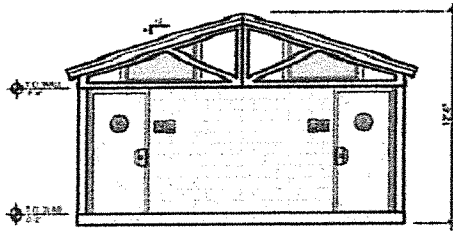


Authorization to Proceed:

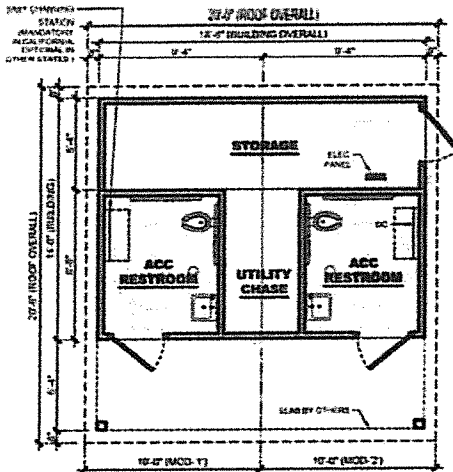
Authorization to Proceed Accepted this day of _____ By

Signature _____

Printed Name _____

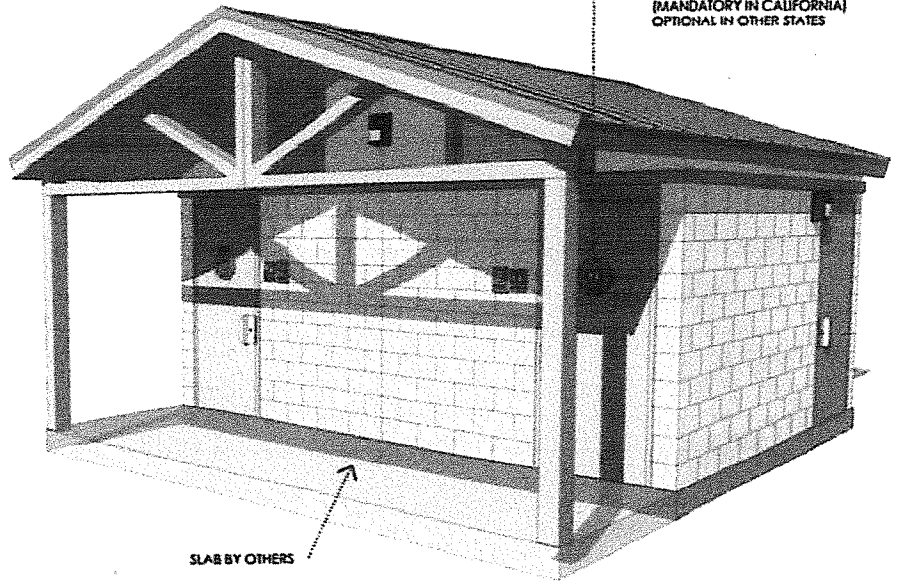
**ELEVATION**

SCALE: 1/8"=1'-0"

**FLOOR PLAN**

SCALE: 1/8"=1'-0"

NOTE: STAINLESS FIXTURES

**PERSPECTIVE**

(FINISHES SUBJECT TO CHANGE)

RESTROOM/ STORAGE BUILDING
PS-022-CE-ST-2M
 PLAYGROUND SERIES

NOT TO BE USED FOR ANY OTHER PURPOSES. THIS DRAWING IS THE PROPERTY OF PUBLIC RESTROOM COMPANY AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

90 USERS/HR.

PUBLIC RESTROOM COMPANY

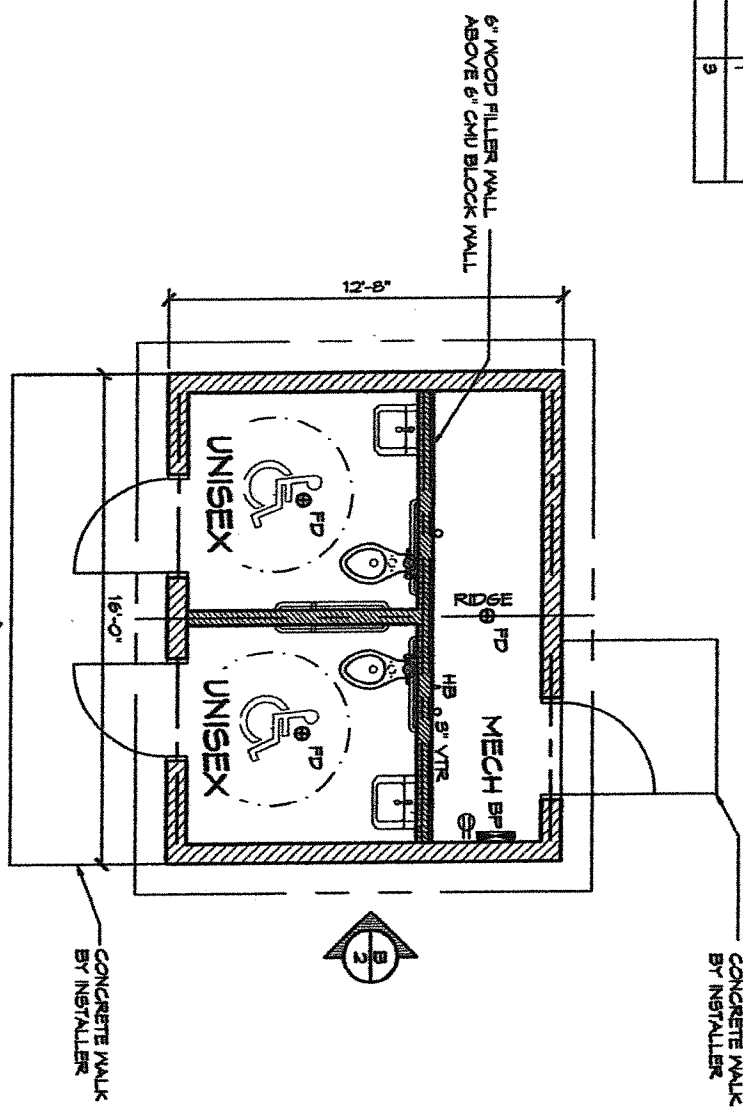
www.PublicRestroomCompany.com
 2007 BULLOCK PARKWAY
 MONROVIA, CA 91764
 P: 626-662-2047 F: 626-662-1449
 BLVBCLANDY 0210

LEGEND	
SYMBOL	DESCRIPTION
----	GABLE VENT
=====	2x6 WOOD FILLER WALL
=====	EXTERIOR WALL LIGHTS
=====	INTERIOR WALL LIGHTS
=====	INTERIOR CEILING LIGHTS
=====	ELECTRICAL OUTLET
=====	FLOOR DRAIN

THESE PLAN VIEW AND ELEVATION DRAWINGS ARE A PRELIMINARY ARCHITECTURAL REPRESENTATION OF THE BUILDING. ALL DIMENSIONS, FEATURES AND COMPONENTS SHOWN ON THESE PRELIMINARY DRAWINGS MAY OR MAY NOT BE PART OF THE QUOTE. PLEASE REFER TO THE "SCOPE OF SUPPLY AND SERVICES" LETTER PROVIDED WITH YOUR QUOTE FOR ROMTEC'S PROPOSED SCOPE OF SUPPLY.

WALL TYPE SCHEDULE

- 6" REINFORCED CONCRETE MASONRY BLOCK WALL WITH MORTAR JOINTS GROUDED SOLID ALL CELLS RUNNING BOND PATTERN.
- 6" REINFORCED CONCRETE MASONRY BLOCK WALL WITH MORTAR JOINTS, GROUDED SOLID ALL CELLS RUNNING BOND PATTERN.



1 FLOOR PLAN

SCALE: 1/4" = 1'-0"



© 2015 ROMTEC, INC. ALL RIGHTS RESERVED. THESE PLANS AND DRAWINGS MAY NOT BE REPRODUCED, ADAPTED OR FURTHER DISTRIBUTED, AND NO BUILDINGS MAY BE CONSTRUCTED FROM THESE PLANS, WITHOUT THE WRITTEN PERMISSION OF ROMTEC, INC.

PROJECT: 2022 SIERRA II COMPACT DOUBLE RESTROOM IV STG/MECH ROOM

CUSTOMER PROJECT LOCATION

SHEET TITLE: FLOOR PLAN

DATE: 00/00/15

REVISIONS

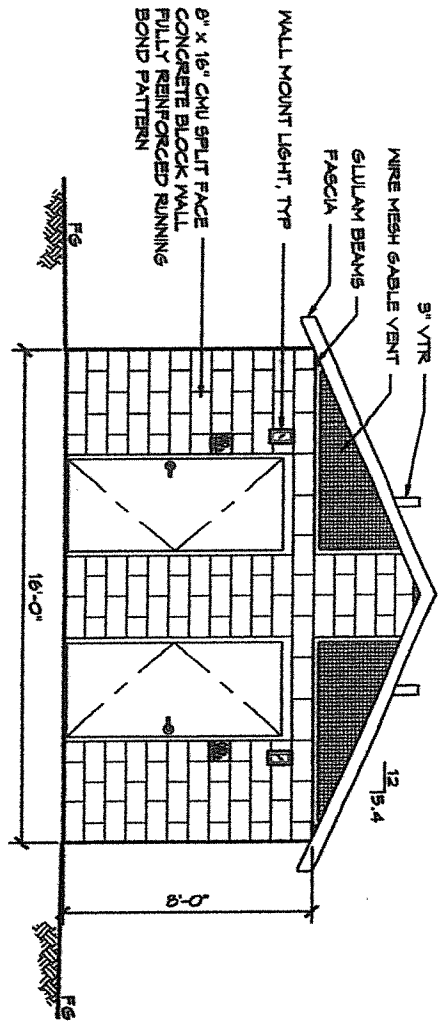
NO. BY DATE

1 TH

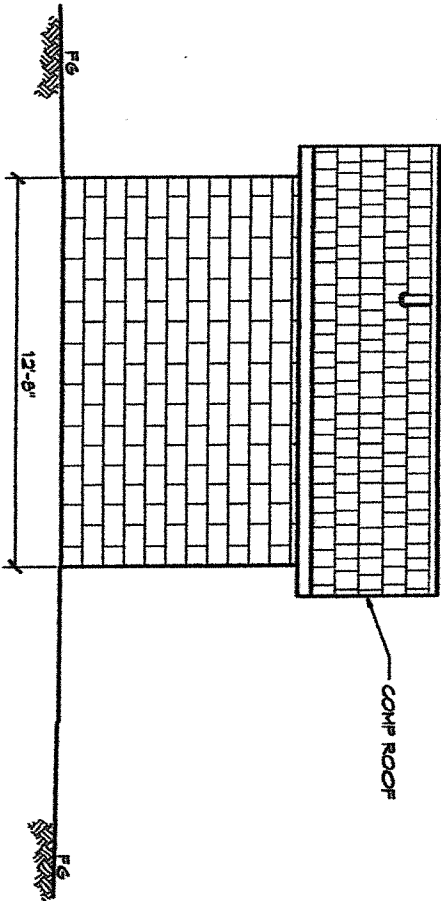
ROMTEC

18240 NORTH BANK ROAD - ROSEBURG, OR 97470
(541) 495-2541 FAX (541) 495-0802

PRELIMINARY



C ELEVATION VIEW
SCALE: 1/4" = 1'-0"



D ELEVATION VIEW
SCALE: 1/4" = 1'-0"

THESE PLAN VIEW AND ELEVATION DRAWINGS ARE A PRELIMINARY ARCHITECTURAL REPRESENTATION OF THE BUILDING. ALL DIMENSIONS, FEATURES AND COMPONENTS SHOWN ON THESE PRELIMINARY DRAWINGS MAY OR MAY NOT BE PART OF THE QUOTE. PLEASE REFER TO THE "SCOPE OF SUPPLY AND SERVICES" LETTER PROVIDED WITH YOUR QUOTE FOR ROMTEC'S PROPOSED SCOPE OF SUPPLY.

© 2015 ROMTEC, INC. ALL RIGHTS RESERVED. THESE PLANS AND DRAWINGS MAY NOT BE REPRODUCED, ADAPTED OR FURTHER DISTRIBUTED, AND NO BUILDINGS MAY BE CONSTRUCTED FROM THESE PLANS, WITHOUT THE WRITTEN PERMISSION OF ROMTEC, INC.

PROJECT: 2022 SIERRA II COMPACT DOUBLE RESTROOM IV STG-1-HIGH ROOM

DATE	2022
REVISIONS	
NO.	
DATE	
BY	
TH	

CUSTOMER PROJECT LOCATION

SHEET TITLE: ELEVATIONS

ROMTEC

18240 NORTH BANK ROAD - ROSEBURG, OR 97470
(503) 655-3341 FAX (503) 655-6822

PRELIMINARY

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: April 27, 2021
SUBJECT: Discussion – Certified Local Government

Attachment(s)

- CLG Program Summary
- CLG Ordinance
- Exhibit A (CLG program)

DISCUSSION:

The City has been contemplating the CLG ordinance for a couple of years now. Very simply put, becoming a Certified Local Government would allow the City to become part of a historical preservation program.

The ordinance would all the City to be part of the State Historical Preservation program.

See the Program Summary sheet for more understanding.

POSSIBLE MOTIONS:

"I make a motion to adopt Ordinance 329, the Certified Local Government ordinance, as read with Exhibit A."

> Another possible motion would be to wait one more meeting to allow more time to study the program.

Certified Local Government Program

Requirements

The basic certification requirements for local governments are as follows:

- Establish a historic preservation commission and appoint interested and qualified residents to serve. To the extent they are available, at least some of the commission members should meet "professional" qualifications in the disciplines of history, architecture, architectural history, archaeology, or related fields.
- Pass a preservation ordinance that outlines how the local government will address historic preservation issues.
- Agree to participate in updating and expanding the state's historic building inventory program. SHPO takes the lead in this effort by maintaining the master database and the files for the statewide inventory, and by providing grants to survey additional properties.
- Agree to review and comment on any National Register of Historic Places nominations of properties within the local government boundaries. Nominations are usually submitted by the property owners themselves or other members of the public. SHPO administers the National Register program in Oregon.
- Affirm that it will fulfill its obligation to enforce existing state preservation laws.



Benefits

- **Grants:** CLGs may apply for annual grants from SHPO. The grants, which require a 50/50 match, have typically been in the \$5,000--\$20,000 range in recent years. Grants can be used for a broad range of preservation activities, though some of the most common grant-funded projects include the following:
 - Surveys of historic properties and accompanying context studies
 - National Register nominations of either individual buildings or historic districts
 - Public education activities: walking tour booklets, websites, etc.
 - Preservation planning: updating ordinances, preparing design guidelines, administering local preservation programs, etc.
 - Architectural and engineering studies and plans for rehabilitating historic properties
 - "Brick-and-mortar" rehabilitation work on National Register buildings
- **Training:** workshops and conferences for staff and commission members
- **SHPO and National Park Service assistance:** CLGs enjoy a partnership relationship with the state and federal agencies that have the primary responsibility for promoting historic preservation in the U.S. As such, CLGs are able to tap into the expertise and resources of these agencies in order to help address their local preservation issues. Networking: Through CLG workshops, conferences, listservs, and websites, CLGs are able to participate in the discussion of preservation issues with other local governments throughout the state and country.
- **Increased Effectiveness:** By participating in the CLG program, local governments become more skilled and effective at promoting the economic, social, and educational benefits of historic preservation in their community. They are also able to avoid much of the controversy that comes from mishandled local historic preservation issues.



ORDINANCE NO 329

AN ORDINANCE ADOPTING A HISTORIC PRESERVATION PROGRAM AND BECOMING A CERTIFIED LOCAL GOVERNMENT

WHEREAS, the City of Hines wishes to adopt a Historic Preservation Ordinance for the purpose of identifying, recognizing and preserving significant properties related to the community's history, encouraging the rehabilitation and ongoing viability of historic buildings and structures, strengthening public support for historic preservation efforts within the community, fostering civic pride and cultural heritage tourism; and

WHEREAS, that in preparation of adopting its Historic Preservation Ordinance, the City provided the Department of Land Conservation and Development appropriate notice; and,

WHEREAS, that in preparation of adopting its Historic Preservation Ordinance, the City's Planning Commission provided appropriate notice and held a public hearing on the proposed adoption; and

WHEREAS, that in preparation of adopting its Historic Preservation Ordinance, on [FILL IN DATE], the City's Planning Commission recommended adoption of the proposed ordinance; and

WHEREAS, the City Council provided appropriate notice and held a public hearing on [FILL IN DATE], on the adoption of the Historic Preservation; and

WHEREAS, THE City Council finds that the proposed Historic Preservation Ordinance is consistent with applicable land use goals, statutes, regulations, the comprehensive plan, other municipal ordinances, and should be referenced and incorporated into the Hines Zoning Ordinance;

NOW, THEREFORE, THE CITY OF HINES ORDAINS AS FOLLOWS:

1. Findings. The above stated findings and those contained in the staff report are hereby adopted.
2. Adoption of Historic Preservation Ordinance. The City of Hines hereby adopts a Historic Preservation Ordinance depicted on the attached Exhibit A incorporated herein by reference.

This Ordinance was PASSED by the City Council of the City of Hines by a vote of ___ for and ___ against and APPROVED by the Mayor on this 9th day of March 2021.

APPROVED by the Mayor this ____ day of _____, 2021.

Nikki Morgan, Mayor

ATTEST:

Kirby Letham, City Administrator

Ordinance No. _____

THE CITY OF HINES, OREGON, HISTORIC PRESERVATION ORDINANCE

Commented [JH1]: I recommend adding in the city's typical ordaining language, for example: "Whereas: the city wished to adopt a historic preservation ordinance and incorporate such ordinance into its zoning/developing code."

Now, therefore, the City of Hines ordains as follows:....."

Section 1. Purpose. The City of Hines establishes an Historic Preservation Ordinance to identify, recognize and preserve significant properties related to the community's history; encourage the rehabilitation and ongoing viability of historic buildings and structures; strengthen public support for historic preservation efforts within the community; foster civic pride; and encourage cultural heritage tourism.

Section 2. Applicability. No provision of this Ordinance shall be construed to prevent the ordinary maintenance of a Landmark when such action does not involve a change in design, materials, or appearance. No provision in this Ordinance shall be construed to prevent the alteration, demolition, or relocation of a Landmark when the Building Official certifies that such action is required for public safety. At his or her discretion, the Building Official may find that under state law and Section 10.D.3.H-D.3 that a Landmark does not meet current building code but is not dangerous.

Section 3: Definitions. The following definitions apply to terms used in this Ordinance. Terms not defined have their commonly construed meaning:

Alteration: An addition, removal, or reconfiguration that changes the appearance of a Landmark. Painting, when color is not specifically noted in Landmark's Record of Designation and ordinary maintenance are excluded from this definition.

Building: A house, barn, church, hotel or similar construction created principally to shelter any form of human activity.

Certificate of Appropriateness (COA): A document issued by the Historic Preservation Officer indicating that the applicant has satisfactorily met the provisions of the Ordinance for the alteration, relocation, or demolition of a Landmark.

Formatted: Font: Not Italic

Demolition: The complete destruction or dismantling of sixty-five (65) percent of, or greater, of the entirety of a Landmark.

District: A significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

Formatted: Font: Not Italic

Eligible/Contributing: A building, structure, object, or site originally constructed within the applicable period of significance that retains and exhibits sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties strengthen the historic integrity of an existing or potential historic district.

Eligible/Significance: A building, structure, object, or site originally constructed within the applicable period of significance that retains and exhibits sufficient integrity (location, design, setting, materials,

workmanship, feeling, and association) to convey a sense of history. These properties strengthen the historic integrity of an existing or potential historic district, and are likely individually eligible for listing in the Local Landmark Register.

Exceptional Significance: The quality of historic significance achieved outside the usual norms of age, association or rarity.

Historic Integrity: The quality of wholeness of historic location, design, setting, materials, workmanship, feeling, and/or association of a historic resource, as opposed to its physical condition.

Historic Preservation Officer: The city official responsible for the administration of this Ordinance.

Historic Resource: A building, structure, object, site, or district that is at least fifty (50) years old or is of exceptional significance and potentially meets the age, integrity, and significance criteria for listing in the Local Landmark Register, but may not necessarily be recorded in the Historic Resource Survey.

Historic Resources of Statewide Significance: Buildings, structures, sites, objects, and districts that are listed in the National Register.

Historic Resource Survey: The record of buildings, structures, objects, and sites recorded by the City of Hines used to identify historic resources potentially eligible for listing in the Local Landmark Register.

Historic Significance: The physical association of a building, structure, site, object, or district with historic events, trends, persons, architecture, method of construction, or that have yielded or may yield information important in prehistory or history.

Landmark: A building, structure, site, object, or district listed in the City of Hines Local Landmark Register.

Local Landmark Register: The list of historic resources officially recognized by the City of Hines as important to its history and afforded the protection under this Ordinance.

National Register of Historic Places: The nation's official list of buildings, structures, sites, objects, and districts important in the nation's history and maintained by the National Park Service in Washington, D.C., and herein referred to as the "National Register." Historic resources listed in the National Register are referenced to as "Historic Resources of Statewide Significance" in Oregon Revised Statutes.

Non-Contributing: A building, structure, object, or site originally constructed within the applicable period of significance that does not retain or exhibit sufficient integrity (location, design, setting, materials, workmanship, feeling, and association) to convey a sense of history. These properties do not strengthen the historic integrity of an existing or potential historic district in their current condition.

Not in Period: A building, structure, object, or site that was originally constructed outside the applicable period of significance.

Object: A construction that is largely artistic in nature or is relatively small in scale and simply constructed in comparison to buildings or structures, including a fountain, sculpture, monument, milepost, etc.

Ordinary Maintenance: Activities that do not remove materials or alter qualities that make a historic resource eligible for listing in the Local Landmark Register, including cleaning, painting, when color is

not specifically noted in Landmark's Record of Designation, and limited replacement of siding, trim, and window components when such material is beyond repair and where the new piece is of the same size, dimension, material, and finish as that of the original historic material. Excluded from this definition is the replacement of an entire window sash or more than twenty (20) percent of the siding or trim on any one side of a Landmark at any one time within one (1) calendar year.

Period of Significance: The time period, from one to several years or decades, during which a Landmark was associated with an important historic event(s), trend(s), person(s), architecture, or method(s) of construction.

SHPO: The Oregon State Historic Preservation Office.

Record of Designation: The official document created by the Historic Preservation Officer that describes how a Landmark meets the criteria for listing in the Local Landmark Register.

Rehabilitation: The process of returning a Landmark to a state of utility through repair or alteration, which make possible an efficient use while preserving those portions and features of the Landmark and its site that convey its historic significance.

Relocation: The removal from or moving of a Landmark from its original location noted in the Record of Designation.

Site: The location of a significant event, prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of any existing building, structure, or object.

Structure: A functional construction made usually for purposes other than creating human shelter, such as an aircraft, bridge, fence, dam, tunnel, etc.

Streetscape: The physical parts and aesthetic qualities of a public right-of-way including the roadway, gutter, tree lawn, sidewalk, retaining walls, landscaping and building setback.

Section 4: Historic Landmarks Advisory Commission. The City of Hines Historic Landmark Advisory Commission is hereby established as an advisory body to the Planning Commission with the following provisions.

A. The Mayor shall appoint an Historic Preservation Officer, subject to City Council ~~a~~Approval, to serve as staff to the Historic Preservation Advisory Commission and to carry out the administrative provisions of this Ordinance. The Historic Preservation Officer may appoint a designee(s) to carry out responsibilities delegated to him or her under this Ordinance.

Formatted: Indent: Left: 0.2"

B. The Mayor, subject to City Council approval, shall appoint a Historic Landmark Advisory Commission, hereinafter referred to as the "Landmark Commission," comprising of three (3) members with a demonstrated competence, knowledge, or interest in historic preservation with preference given to those with professional experience in the fields of preservation, architecture, archaeology, community history, building trades, real estate, or related specialties. The members shall be residents of Harney County. Members shall serve without compensation, but are eligible for reimbursements of expenses related to their service.

C. Initial appointments to the Commission shall be for terms of one, two, and three years, plus the time period to the succeeding December 31 with position one to serve for three years plus the time

Commented [JH2]: I recommend clarifying when these initial terms will end. On December 31st for ease... or another date.

period to the succeeding December 31, position two to serve two years plus the time period to the succeeding December 31, and position three to serve for one year plus the time period to the succeeding December 31. Subsequent terms of appointment shall be for three years, or in the case of a replacement, for the remainder of the unexpired term. Members shall be eligible for reappointment.

D. ~~Two (2) members must be present to establish quorum to conduct official business. A simple majority of the members of the Landmark Commission shall constitute a quorum. The concurring vote of the members present shall be required for approval or disapproval of any motion or other action of the Landmark Commission.~~

Formatted: Indent: Left: 0.2", First line: 0.5"

E. ~~A Chair and Vice-Chair shall be elected annually by and from the seated membership. Officers are eligible for reelection.~~

Formatted: Indent: Left: 0.2"

F. The Landmark Commission shall meet at least four times a year, and as required to conduct business in a timely fashion. Notice of the meetings shall be in accordance with applicable state law. Meeting minutes, application for Certificates of Appropriateness, Landmark nominations, records of designation, staff reports, and decisions of the Commission shall be created and maintained as public records in accordance with applicable local and state laws.

~~G. A simple majority of the members of the Landmark Commission shall constitute a quorum. The concurring vote of the members present shall be required for approval or disapproval of any motion or other action of the Landmark Commission.~~

~~G.H. The Historic Preservation Officer shall request that the City Council consider declaring the position vacant of any member who is absent from three meetings in a single calendar year without being excused prior to the meeting by the Chair of the Landmark Commission.~~

Commented [JH3]: What if it's the Chair who is absent? The Chair could seek approval from the council?

Section 5. Landmark Commission Duties. The Landmark Commission shall have the following duties:

A. Employing the procedures and criteria in Section 69, the Landmark Commission shall maintain a Historic Resource Survey consistent with the standards of ~~the the Oregon State Historic Preservation Office, hereinafter referred to as "SHPO"~~

Formatted: Indent: Left: 0.2"

B. Employing the procedures and criteria in Section 740, the Landmark Commission shall recommend that the Planning Commission designate historic resources to Local Landmark Register.

C. Employing the procedures and criteria in Section 844, the Landmark Commission shall review and provide recommendations to the Planning Commission on application for the alteration, relocation, or demolition of Landmarks.

D. The Landmark Commission shall support the enforcement of all state laws relating to historic preservation.

E. The Landmark Commission shall perform any other functions that may be designated by resolution or motion of the City Council.

F. Subject to the approval of the Planning Commission, the Landmark Commission may publish and adopt written and graphic guidelines and example materials to clarify the criteria in this Ordinance and to assist applicants in developing complete and viable applications to designate, alter, rehabilitate, relocate, or demolish Landmarks. Documents intended to be used for the regulation of alterations as

defined in this Ordinance must be voted on and adopted by the Landmark Commission. Documents must then be submitted to the City Council to be ~~and~~ approved as part of the City of Hines Zoning and Development Code using the established procedures for amendments.

Commented [JH4]: The city council will need to be looped in to do the actual codification of the Development Code. Neither the Landmark Commission nor the Planning Commission are going to have authority to amend the development code.

G. The Landmark Commission may undertake to inform the citizens of, and visitors to the City of Hines, regarding the community's history and prehistory; promote research into its history and prehistory; collect and make available materials on the preservation of Landmarks; provide information on state and federal preservation programs; and document Landmarks prior to their alteration, demolition, or relocation and archive that documentation.

H. For purposes consistent with this Ordinance the Landmark Commission may recommend to the ~~Planning Commission~~ City Council, that the City seek, accept, and expend grant and gift funds; cooperate with public and private entities; and assist the owners of Landmarks in securing funding for the preservation of their properties.

Commented [JH5]: Since the Planning Commission can't authorize the expenditure of city funds, the recommendation should go to the city council instead.

I. The Landmark Commission may recommend incentives and code amendments to the Planning Commission to promote historic preservation in the community.

J. Upon request, the Landmark Commission may advise the City Council or Planning Commission on local, state, or federal issues, laws, and information requests relating to historic preservation.

K. The Landmark Commission may recommend that the city employ clerical and expert assistance and elect to form ad-hoc committees to carry out its business.

Commented [JH6]: The commission should not have the power to employ a staff member. That power should be left to the city council or city administrator.

L. The Landmark Commission may adopt and amend by-laws to regulate its internal operations.

~~Section 6: Severability. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance and the remaining portions shall remain in force and effect.~~

~~Section 7: Conflicts with Other Laws. If the provisions of this Ordinance are found to be in conflict with federal or state laws the federal or state law shall prevail. In cases of conflict with other city ordinances the previously established statute shall take precedence.~~

Section 68: Identification and Evaluation of Historic Resources. The Historic Resource Survey lists, describes, and determines the eligibility of historic resources for listing in the Local Landmark Register. Not all properties listed in the Historic Resource Survey are eligible for listing in the Landmarks Register. A property need not be first listed in the Historic Resource Survey before being nominated to the Local Landmark Register under Section 740.

A. The Landmark Commission shall determine and periodically revise priorities for the identification and evaluation of historic resources based on the community's needs and interest.

Formatted: Indent: Left: 0.2"

B. Before commencing inventory studies or updates, the Landmark Commission shall provide public notice describing the inventory, its purposes, and invite public participation. Notification shall be posted in three (3) public postings locations, a posting in the local newspaper and a web posting on the City's website.

Commented [JH7]: I'm adding this to clarify that the intent is to post in 3 separate locations in addition to the newspaper and website?

C. Surveyed properties shall be identified as Eligible/Significant (ES), Eligible/Contributing (EC),

Non-Contributing (NC), or Not in Period (NP). Evaluation and documentation of properties in the Historic Resource Survey shall meet the requirements of the SHPO and be supplied to that agency within six (6) months of the completion of the study.

D. The Historic Resource Survey shall be maintained as a public record with the exception of archaeological sites, which is prohibited by sState law.

E. Citizens shall have the opportunity to review and request corrections to information included in the Historic Resource Survey. Any member of the public may place a property in the Historic Resource Survey; however, the Landmark Commission retains the authority to determine the property's eligibility for listing in the Local Landmark Register.

Commented [JH8]: What if the citizen's information is incorrect? I recommend only a citizen's right to object or ask for a medication is appropriate. Allowing citizens the right to correct is risky.

F. The Landmark Commission may collect further information including, but not limited to, current photographs, architectural descriptions based on on-site observations, or archival documentation for properties already listed in the Local Landmark Register or National Register for the purposes of administering this Ordinance pursuant to the provisions of this Section.

Section 79: Local Landmark Register. The Commission may recommend to the Planning Commission that a historic resource be designated to the Local Landmark Register as a means of providing recognition of its significance and providing incentives and guidelines for their preservation. The Local Landmark Register is maintained by the Historic Preservation Officer and shall be available to the public.

A. Historic resources within the corporate boundaries of the City of Hines that are listed in the National Register, including all National Register-listed historic districts in their entirety may be listed in the Local Landmark Register using the procedures outlined in subsection C of this Section, but need not be documented as outlined in Section B.2 through B.4 of this Section. In such cases the National Register nomination shall serve as the Record of Designation. As Historic Resources of Statewide Significance, all National-Register listed properties, including individual properties in recognized National-Register listed historic districts are subject to the regulations in Section 8H.E, pursuant to Oregon State Law.

Formatted: Indent: Left: 0.2"

B. Criteria for Designating Historic Resources to the Local Landmark Register. Any building, structure, object, site, or district may be designated to the Local Landmark Register if it meets all of the Criteria of Section 749.A or all of the criteria listed below:

1. The property is located within the boundaries of the City of Hines.

Formatted: Indent: Left: 0.4"

2. The property is over fifty (50) years of age or of exceptional importance, or in the case of a district, the majority of the properties are over fifty (50) years old or have exceptional significance.

3. The property possesses sufficient historic integrity, in that there are no major alterations or additions that have obscured or destroyed the significant historic features. Major alterations that may destroy the historic integrity include, but are not limited to, changes in pitch of the main roof, enlargement or enclosure of windows on principal facades, addition of upper stories or the removal of original upper stories, covering 65% of the exterior walls with non-historic materials, moving

the resource from its original location to one that is dissimilar to the original, additions which significantly detract from or obscure the form and appearance of the historic resource when

Commented [JH9]: Given earlier that demolition is considered 65% removal of a façade and that you allow 20% removal of any one sided façade per year, you may want to include similar percentages here for consistency.

viewed from the public right-of-way.

4. The property has historic significance as demonstrated by meeting at least one of the following criteria:

(a) Association with events that have made a significant contribution to the broad patterns of our history; and/or

(b) Association with the lives or persons significant in our past; and/or

(c) Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; and/or

(d) Have yielded, or may be likely to yield, information important in prehistory or history.

C. Nomination Procedures. Any person, group, or government agency may nominate a property for listing in the Local Landmark Register. The nomination procedures are as follows:

1. There is no fee associated with nominating a historic resource to the Local Landmark Register.

2. The nomination for a historic resource to the Local Landmark Register must include a description of the boundaries of the proposed nominated area and the buildings, structures, objects, and sites contained therein, and a statement explaining how the historic resource(s) meet(s) the criteria under B of this Section. The Historic Preservation Officer may establish additional standards for a complete application.

3. Prior to setting the proposed nomination on the agenda for the next Commission meeting, the Historic Preservation Officer shall inform property owners in writing of the nomination process pursuant to local and state law. To be listed in the Local Landmark Register, the property's legal owner(s) shall provide to the City a written statement acknowledging that the owner understands the nomination process and the results of such a designation, and wishes to have their property listed in the Local Landmark Register. Within locally designated historic districts a boundary may be established; but only those that submit a statement as described above will be listed in the Local Landmark Register. In cases where multiple persons or entities own a single property, a simple majority of the property owners must submit a written statement. The City of Hines may not object to the listing of a historic resource in City ownership. This provision does not apply to individual historic resources and historic districts listed in the National Register.

4. Upon acceptance of a complete application and receipt of written owner consent, the Historic Preservation Officer shall schedule a public hearing before the Landmark Commission pursuant to applicable state and local laws.

5. The Landmark Commission shall review the documentation for completeness, accuracy, and compliance with the "Criteria for Designating Historic Resources to the Local Landmark Register" of this Section. After review, the Landmark Commission may shall make a recommendation to the Planning Commission to approve, deny, the application; or table the application to allow the petitioner provide additional information as requested in order to make a recommendation to the Planning Commission, or table the application pending further testimony, or to allow for the

Formatted: Indent: Left: 0.2"

Formatted: Indent: Left: 0.2"

Formatted: Indent: Left: 0.4"

~~petitioner to provide additional information as requested by the Landmark Commission. The Landmark Commission shall develop written findings to support its decisions/recommendations.~~

6. After review and recommendations by the Landmark Commission, the Planning Commission shall review and approve, deny, or table the application for the petitioner to provide additional information. Applications approved or denied by the Planning Commission shall be processed as outlined in Hines [insert ordinance regarding amendment to the development code] ~~(Note if the City Council will vote on nomination and any related processes. Insert reference to appropriate ordinances regarding established processes for amending zoning maps, comprehensive plans, etc., once the historic resource register is listed in the Local Landmark Register)~~ The ~~(City Council/Planning Commission)~~ Planning Commission shall consider the merits of the application based on the Criteria set forth in this Section and the comments of the Landmark Commission.

7. Upon final approval by the ~~(City Council/Planning Commission)~~ Planning Commission the Historic Preservation Officer shall prepare a Record of Designation that includes the original nomination materials and any testimony or additional materials considered during the nomination process that establishes the eligibility of the historic resource for listing in the Local Landmark Register.

8. Historic Resources designated as Landmarks shall be noted as such on Harney County GIS and City zoning maps. The designation shall apply to the entirety of the recognized Landmark as described in the Record of Designation regardless of future property division or ownership.

9. A Record of Designation may be amended through the process described in this Section. The Historic Preservation Officer may administratively add additional materials gathered under the provisions of Section 69 to keep the record current or elaborate on established facts in the Record of Designation. Notice of such an action shall be provided to the Landmark Commission at their next regular meeting.

D. Results of listing in Local Landmark Register. Historic resources listed in the Local Landmark Register receive the following benefits:

1. All uses and restrictions established by the underlying zoning, existing conditional use permits, and other applicable design standards shall remain in effect unless changed through due process.

2. Landmarks are protected under the provisions of Sections 104 through 156.

3. City staff shall consider granting zoning variances and/or conditional use permits in order to encourage the productive use and preservation of Landmarks.

4. The local Building Official shall consider waiving certain code requirements in accordance with the existing state building code.

5. Property owners of Landmarks may seek technical or financial assistance from the Landmark Commission in applying for grants or tax incentives for rehabilitating their properties as resources and funds are available.

6. Property owners of Landmarks are eligible to receive City-funded grants and loans to assist with the preservation of their buildings as ~~resources~~resources and funds are available.

Formatted: Indent: Left: 0.2"

Formatted: Indent: Left: 0.4"

Commented [JH10]: Is this mirrored in the development code when it discusses reasons to grant variances or conditional use permits? If not, the zoning code should be simultaneously amended.

Commented [JH11]: Does the city have a local building official controlled by the city? If it's a county official – or someone else, then I'm not sure how this provision is enforceable.

Section 840: Treatment of Historic Resources listed in the Local Landmark Register. In consideration of the recommendation of the Landmark Commission and using the provisions of this Section, the Planning Commission shall preserve the exterior character-defining features of individual Landmarks; the exterior of individual buildings in Landmark history districts; and exteriors and interior public spaces of city-owned Landmarks.

Commented [JH12]: Does the planning commission have authority over the interior of public buildings? My guess is that they only have authority over the exterior. If the goal is for the planning commission to have this authority over the interior of public buildings, then this needs to be added in a different code section.

Formatted: Indent: Left: 0.2"

Formatted: Indent: Left: 0.4"

A. Activities not subject to the provisions of this Section:

1. Alterations to building interiors, exempting those owned by the City of Hines.
2. Application of exterior paint color when color is not specifically noted in Record of Designation.
3. Alterations to landscape features not specifically identified as historically significant in Record of Designation.

B. No Landmark or exterior landscape or archaeological element noted as significant in the Record of Designation shall be altered, relocated, or demolished, or a new building or structure constructed within the area defined in the Record of Designation without a Certificate of Appropriateness signed and issued by the Historic Preservation Officer. Certificates must be presented to the Building Official before a building or demolition permit is issued.

Formatted: Indent: Left: 0.2"

- 1. An application for a Certificate of Appropriateness must include a description of the proposed activity, accompanying maps, photographs, drawings and other documentation.
- The Historic Preservation Officer may establish additional standards for a complete application, including defining different criteria for a complete application under provisions C, D, an E of this Section.

Commented [JH13]: Is there a process already established, or in the works to be established whereby the Building Official knows they can't issue demolition permits unless there first have a Cert. of Appropriateness? The city may run into functional difficulties is there isn't a process in place.

Formatted: Indent: Left: 0.4"

- 2. Upon acceptance of a complete application, the Historic Preservation Officer shall decide within 10 business days if the proposed work is subject to provisions C, D, or E of this Section.

- 3. The Historic Preservation Officer shall prepare a staff report that summarizes the proposed project, notes the criteria specified in this ordinance under which the application shall be considered, and make a recommendation to the Landmark Commission and Planning Commission to approve, approve with conditions, or deny the application for a Certificate of Appropriateness. Materials that may be used in the preparation of the staff report include the Record of Designation; and/or National Register nomination; and/or other archival photos, maps; and/or other documentary evidence specified to the subject project property; and/or observations from on-site inspections from the public right-of-way to document its historic appearance or alteration over time; and/or documents and publications of the National Park Service or Oregon State Historic Preservation Office. Documents that are not available from the City at the time of application for a Certificate of Appropriateness shall be made available to the applicant at least ten (10) calendar days before a public hearing is held or administrative decision is made.

- 4. The Landmark Commission shall review applications for the alteration, relocation, and demolition of a Landmark, and provide written comments to the Planning Commission recommending that the application be approved, approved with conditions, or denied.

—5. ~~After review and comments by the Landmark Commission,~~ The Planning Commission shall review applications for the alteration, relocation, and
—demolition of a Landmark. ~~Applications for the alteration, relocation or demolition of~~ aa
—Landmark may be approved, approved by the Planning Commission with conditions, or denied. The Historic Preservation Officer shall include any conditions imposed by the Planning Commission in the Certificate of Appropriateness.

—6. A Certificate of Appropriateness issued for the alteration of a Landmark shall be effective for a period of two (2) years from the date of its issuance. A Certificate of Appropriateness issued for the relocation or demolition of a historic resources shall be effective for a period of one (1) year. A Certificate of Appropriateness may be extended for a period of one (1) year with Planning Commission approval.

—7. A Landmark may be altered, relocated, or demolished without a ~~Certificate~~ Certificate of Appropriateness if the Building Official attests in writing that the condition of a Landmark poses a clear and immediate hazard to public safety. The comments of the Building Official with sufficient evidence to support his or her conclusions shall be provided to the Historic Preservation Officer within fifteen (15) days of making his or her decision. The Historic Preservation Officer will make these materials available to the Planning Commission and Landmark Commission at their next regular meeting. The property owner(s) must submit an application for a Certificate of Appropriateness as required under this Ordinance within thirty (30) days of the Building Official submitting his or her written statement to the Historic Preservation Officer.

C. The Historic Preservation Officer may issue a Certificate of Appropriateness for the alteration of a Landmark without a public hearing when the proposed alteration will not significantly change the qualities that merited the listing of the Landmark in the Local Landmark Register. A completed Certificate of Appropriateness must be presented to the Building Official before a permit is issued. The Historic Preservation Officer shall make a list of certificates issued in this manner available to the Planning Commission and the Landmark Commission at each regular meeting. Activities eligible for a Certificate of Appropriateness issued as described in this provision include the following:

Formatted: Indent: Left: 0.2"

—1. Construction of a fence that meets current City and State standards.

Formatted: Indent: Left: 0.4"

—2. Demolition of an outbuilding noted as sharing a lot with a Landmark and specifically noted as not historically significant in its designation. *(Insert code reference or specific guidance)*

—3. New addition to a Landmark or new construction not visible from the public right-of-way.

D. A public hearing before the Landmark Commission and Planning Commission, and a signed Certificate of Appropriateness shall be required for activities not exempted in A.1 through A.3. and C. 1 through C.3 of this Section.

Formatted: Indent: Left: 0.2"

—1. Prior to submitting an application for a permit pursuant to this Section, proponents are encouraged to request a pre-application conference to review concepts and proposals. The Historic Preservation Officer may assign a staff member to perform these duties or contract with other parties to complete the consultation. The Planning Commission and/or Landmark Commission with the approval of the Planning Commission may also form ad-hoc committees for this purpose. Commission members participating in pre-

Formatted: Indent: Left: 0.4"

~~an application~~~~preapplication~~ conferences shall disclose their ex-parte contact at the time of a public hearing on the proposal. ~~—(Reference to local law concerning ex-parte contact and conflict of interest here)~~

—2. Upon acceptance of a complete application the Historic Preservation Officer shall schedule a public hearing pursuant to applicable local and state laws.

—3. In order for the Landmark Commission to recommend that the Planning Commission approve ~~an application~~ for the alteration of a Landmark and for the Planning Commission to approve the ~~application~~, both bodies must find that the proposal meets the following guidelines as applicable:

——(a) A property shall be used as it was historically or be given a new use that requires minimal ~~change~~ to its distinctive materials, features, spaces and spatial relationships; and/or

——(b) The historic integrity of a property shall be retained and preserved. The relocation of ~~distinctive materials~~ or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided; and/or

——(c) A property shall be recognized as a physical record of its time, place, and use. Changes that ~~create a false sense of historical development~~, such as adding conjectural features or elements ~~from other historic properties~~, shall not be undertaken; and/or

——(d) Changes to a property that have acquired historic significance in their own right shall be ~~retained and preserved~~; and/or

——(e) Distinctive materials, features, finishes, and construction techniques or examples of ~~craftsmanship~~ that characterize a property shall be preserved; and/or

——(f) Deteriorated historic features shall be repaired rather than replaced. The severity of ~~deterioration~~ requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and, where possible, materials. Replacement of missing features shall be ~~substantiated by documentary and physical evidence~~; and/or

——(g) Chemical and physical treatments, if appropriate, shall be undertaken using the gentlest means ~~possible~~. Treatments that cause damage to historic materials shall not be used; and/or

——(h) Archeological resources shall be protected and preserved in place. If such resources must be ~~disturbed~~, mitigation measures shall be undertaken; and/or

——(i) New additions, exterior alterations, or related new construction shall not destroy historic ~~materials, features, and spatial relationships~~ that characterize the property. The new work shall be ~~differentiated from the old~~ and shall be compatible with the historic materials, features, size, scale ~~and proportion~~, and massing to protect the integrity of the property and its environment; and/or

——(j) New additions and adjacent or related new construction shall be undertaken in such a manner ~~that, if removed in the future, the essential form and integrity of the historic property and its~~ ~~environment would be unimpaired~~.

Formatted: Indent: Left: 0.5"

4. In addition to meeting the applicable guidelines in 3(a) through 3 (j) of this Section, in order for the Landmark Commission to recommend that the Planning Commission approve an application for the alteration of a Landmark and Planning Commission to approve the application, both bodies must find that the proposal meets the following guidelines as applicable:

Formatted: Indent: Left: 0.4"

——(a) Vacant buildings shall be weather- and vandal-proofed in order to minimize further deterioration and the threat to public safety; and/or

Formatted: Indent: Left: 0.6"

——(b) Rehabilitation work, especially on the exterior and the principal facades shall preserve the existing historic features or replace them if absolutely necessary with features and materials known to have existed on the building through verifiable evidence such as photographs. Alterations to Landmarks shall not be based on speculation, but instead on documentary evidence; and/or

(c) New additions shall be subordinate to the original building, meaning lower in height, attached to the rear or set back along the side, smaller in scale, and have less architectural detail; and/or

(d) Height, width, setback, roof shape, and the overall scale and massing of new buildings within historic districts and on lots with existing Landmarks, or additions to Landmarks shall be compatible with the existing historic buildings(s) and, in the case of historic districts, the overall streetscape and/or

——(e) In historic districts and on lots with existing Landmarks, materials on at least the primary facade(s) of new buildings shall be similar in size, shape, color, and texture to the original materials on the facades of surrounding historic buildings; and/or

——(f) Architectural details on new construction (including wood or metal trim, porches, cornices, arches, and window and door features, etc.) shall be complimentary, but shall not replicate historic features on surrounding historic buildings; and/or

——(g) Window and door opening should be similar in size and orientation (vertical to horizontal) to openings on historic buildings and shall take up about the same percentage of the overall facade as those on surrounding historic buildings; and/or

(h) In historic districts and on lots with existing Landmarks, the relationship of the width to the height of the principal elevations for new buildings and additions to existing Landmarks shall be in scale with the surrounding structures and streetscape. Wider new building can be divided into segments that more closely resemble the facade width of historic buildings; and/or

——(i) In historic districts and on lots with existing Landmarks, the roof shape of new buildings and additions to existing Landmarks shall be visually compatible with the surrounding structures and streetscape. Unusual roof shapes, materials, and pitches are discouraged; and/or

——(j) Moving Landmarks shall be avoided, especially to create artificial groupings; and/or

——(k) The demolition of Landmarks shall be avoided whenever possible; and/or.

——(l) Any applicable design guidelines adopted by the Commission in Section 56.

E. A public hearing before the Landmark Commission and the Planning Commission and a signed Certificate of Appropriateness shall be required to relocate or demolish a Landmark or any property listed in the National Register of Historic Places individually or as part of a historic district.

Formatted: Indent: Left: 0.2"

—1. In recommending that the Planning Commission approve, approve with conditions, or deny an application for the demolition of a Landmark, the Landmark Commission shall find that:

Formatted: Indent: Left: 0.4"

—(a) The applicant has completed a replacement plan for the site, including drawings approved by the Building Official. If the property is located within a historic district, plans must be submitted for review by the Commission pursuant to Section ~~44-18.1~~ 48.D as it relates to new construction; and

Formatted: Indent: Left: 0.6"

—(b) The Building Official determines and states in writing that the building may not be safely removed from the site; and

—(c) The value to the community of the proposed use of the property outweighs the value of retaining Landmark at the original location. Public testimony shall be considered when making this determination.

2. In recommending that the Planning Commission approve, approve with conditions, or deny an application for the relocation of a Landmark, the Landmark Commission must find that:

—(a) The relocated Landmark remains within the corporate limits of Hines.

Formatted: Indent: Left: 0.6"

—(b) The new site provides a suitable setting and ensures the building's long term preservation.

—(c) The applicant has completed a plan for the new site, including drawings approved by the Building Official.

—3. At the hearing of an application to relocate or demolish a Landmark the Landmark Commission may, in the interest of exploring reasonable alternatives, recommend that the Planning Commission consider delaying issuance of a Certificate of Appropriateness for up to one hundredth eighty (180) calendar days from the date of the hearing. Not more than ninety (90) and not less than sixty (60) calendar days prior to the expiration of the delay period, the Historic Preservation Officer shall schedule a public hearing pursuant to local and state laws to allow the Landmark Commission to consider if there are still reasonable alternatives to explore, and if the group will request in writing that the Planning Commission continue the delay for an additional period of up to one hundred eighty (180) calendar days.

Formatted: Indent: Left: 0.4"

—4. In recommending that the Planning Commission approve, approve with conditions, or deny an application for the demolition of a Landmark, the Landmark Commission may recommend the following conditions.

Formatted: Indent: Left: 0.4"

_____ (a) Photographic, video, or drawn recordation of the Landmark in its original location;
_____ and/or

Formatted: Indent: Left: 0.6"

_____ (b) In the case of demolition, the Landmark be transported to a new site, and that, to _____ the extent possible, the new location is similar to the original site and that the original
_____ setback and orientation of the building is replicated on the new lot; and/or

_____ (c) In the cases of properties listed in the National Register, that the applicant attempt to
_____ obtain permission to move the Landmark from the National Park Service in order to
_____ retain the property's listing in the National Register and/or assume all responsibility
_____ and cost of removing the Landmark if permission cannot be obtained; and/or

(d) Other reasonable mitigation measures.

Formatted: Indent: Left: 0.6"

5. At the hearing of an application to relocate or demolish a Landmark the Planning Commission shall consider the recommendations of the Landmark Commission and use the provisions of this Section in approving, approving with conditions, or denying the application. At its choosing, the Planning Commission may impose further conditions limited to the extent of that body's powers and not necessarily confined by the provisions of this Section.

Formatted: Font: Not Italic

Formatted: Indent: Left: 0.4"

6. The Planning Commission may not delay the relocation or demolition of a Landmark for more than three-hundred sixty (360) calendar days subject to the provisions of this Section. At the end of the waiting period, the Historic Preservation Officer shall issue a Certificate of Appropriateness for the relocation or demolition of the Landmark.

Formatted: Font: Not Italic

7. Upon issuing a Certificate of Appropriateness for the demolition of a Landmark, the Historic Preservation Officer shall post a legal notice in a local newspaper of general circulation and in addition post a notice on the City's website, announcing the demolition, the criteria under which the demolition was approved, the historic significance of the property, and invite the public to provide alternatives to the demolition for consideration by the Commission.

8. Relocated Landmarks shall remain listed in the Local Landmark Register unless removed under Section 112.

9. Demolished Landmarks shall be removed from the Local Landmark Register using the procedures described in Section 112.

Section 24: Removal of Landmarks from the Local Landmark Register. A public hearing before the Landmark Commission and the Planning Commission and a signed Certificate of Appropriateness shall be required to remove a Landmark from the Local Landmark Register.

A. An application to remove a Landmark from the Local Landmark Register shall not be considered for one (1) year after the date of decision for the denial of an application for the relocation or demolition of the same Landmark under Section 812.E.

Formatted: Indent: Left: 0.2"

—B. Landmarks concurrently listed in the Local Landmark Register and National Register will be considered for removal from the Local Landmark Register only after the Landmark is removed from the National Register and the SHPO has provided written evidence of the removal to the Historic Preservation Officer.

Formatted: Indent: Left: 0.2"

—C. Any individual or group, including the Landmark Commission acting on its own initiative, may initiate the removal of a Landmark or individual property within a historic district from the Local Landmark Register by submitting a complete application to the Historic Preservation Officer.

Formatted: Indent: Left: 0.2", Space After: 10 pt, Line spacing: Multiple 1.15 li, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers

—D. The Historic Preservation Officer shall establish standards for a complete application for the removal of a Landmark from the Local Landmark Register. Upon acceptance of a complete application, the Historic Preservation Officer shall schedule a public hearing pursuant to applicable local and state laws.

Formatted: Indent: Left: 0.2"

—E. In order to recommend the approval of an application for the removal of a Landmark from the Local Landmark Register, the Landmark Commission must find the following:

—1. The Landmark has ceased to meet the criteria for listing in the Local Landmark Register because the qualities which caused it to be originally listed have been lost or destroyed; and/or

Formatted: Indent: Left: 0.4"

—2. The property owner at the time the property was added to the Local Landmark Register did not provide written permission for such action as required under Section 7-10.

—F. Landmarks accidentally destroyed by flood, fire, or other natural or accidental act or demolished under the provisions of this Section 8-11 and meeting the definition of "demolished" as defined in this Ordinance may be removed administratively from the Local Landmark Register by the Historic Preservation Officer. Notice of this action and written evidence documenting the demolition of the Landmark shall be provided to the Planning Commission and Landmark Commission at their next regular meeting. This same documentation shall be provided to the SHPO. If a Landmark is also listed in the National Register, the Planning Commission shall request that the SHPO remove the property from the National Register if not requiring the owner to do so under Section 8-11.5-1-3.

Formatted: Indent: Left: 0.2"

—G. At the hearing of an application to remove a Landmark from the Local Landmarks Register the Planning Commission shall consider the recommendations of the Landmark Commission and use the provisions of this Section in approving, approving with conditions, or denying the application and use the provisions of this Section to render its decision.

—H. Upon removing a Landmark from the Local Landmark Register, the Historic Preservation

- Officer shall post a legal notice in a local newspaper of general circulation and on the City's
- website, announcing the removal, the criteria under which the removal was approved, and the
- historic significance of the property.

Section 103: Economic Hardship. The Planning Commission shall grant a Certificate of Appropriateness for the relocation or demolition of a Landmark or exempt a property owner from the requirements of Section 844 if the applicant can demonstrate that complying with the provisions of this Ordinance creates an economic hardship that prevents the profitable use of the subject Landmark.

- A. Economic Hardship may only be considered in a separate hearing before the Planning Commission after an application for a Certificate of Appropriateness for the alteration, relocation, or demolition of a Landmark has been issued or denied and all pending appeals to the Land Use Board of Appeals, the Land Conservation and Development Commission, and local, state, and federal courts are resolved.

Formatted: Indent: Left: 0.2"

- B. Separate standards for demonstrating an economic hardship are established for investment or income-producing and non-income-producing properties:

- 1. Economic Hardship for an income producing property shall be found when the property owner demonstrates that a reasonable rate of return cannot be obtained from the Landmark if it retains its historic features, buildings; or structures in either its present condition or if it is rehabilitated.

Formatted: Indent: Left: 0.4"

- 2. Economic hardship for a non-income-producing property shall be found when the property owner demonstrates that the Landmark had no beneficial use as a single-family dwelling or for an institutional use in its present condition or if rehabilitated.

- C. Property owners seeking a Certificate of Appropriateness for economic hardship must provide sufficient information, as determined by the Historic Preservation Officer, to support the application for the Certificate. Demonstration of an economic hardship shall not be based on or include any of the following circumstances:

Formatted: Indent: Left: 0.2"

- 1. Willful or negligent acts by the owner; and/or
- 2. Purchase of the property for substantially more than the market value; and/or
- 3. Failure to perform normal maintenance and repairs; and/or
- 4. Failure to diligently solicit and retain tenants; and/or
- 5. Failure to provide normal tenant improvements.

Formatted: Indent: Left: 0.4"

Section 113: Appeals. Decisions of the Planning Commission are appealable to the City Council. Decisions of the City Council are appealable to the Oregon State Land Use Board of Appeals.

Section 124: Re-submittal of an Application Previously Denied. An application for a Certificate of Appropriateness which has been denied or an application which was denied and which on appeal has not been reversed by a higher authority, including the Land Use Board of Appeals, the Land Conservation and Development Commission, or the courts, may not be resubmitted for the same or substantially similar proposal or for the same or substantially similar action for a period of at least two (2) years from the date

the final city action is made denying the application unless there is a substantial change in the facts or a change in city policy which would change the outcome.

Section 135: Enforcement of the Provisions of this Ordinance. Penalties for violations of the provisions of this Ordinance shall be the same as for violation of the City of Hines ~~Planning-Development~~ Code.

Section 146: Severability. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance and the remaining portions shall remain in force and effect.

Section 157: Conflicts with Other Laws. If the provisions of this Ordinance are found to be in conflict with federal or state laws the federal or state law shall prevail. In cases of conflict with other city ordinances the previously established statute shall take precedence.

Oregon State Historic Preservation Office
Certified Local Government (CLG) Program
Certification Agreement

Pursuant to the provisions of the 1980 amendments to the National Historic Preservation Act (P. L. 89-655), to applicable federal regulations (36 CFR 61), and to the State of Oregon procedures, the City/County of _____ hereby requests participation in the Certified Local Government program and agrees to:

- (1) Enforce appropriate state or local legislation for the designation and protection of historic properties.
- (2) Maintain an adequate and qualified historic preservation review commission composed of professional and lay members.
- (3) Maintain a system for the survey and inventory of historic properties.
- (4) Provide for adequate public participation in the historic preservation program, including the process of recommending properties to the National Register.
- (5) Maintain adequate financial management systems.
- (6) Adhere to all requirements of the *Historic Preservation Fund Grants Manual*.
- (7) Adhere to any requirements mandated by Congress regarding use of federal historic preservation funds.
- (8) Adhere to requirements outlined in the *State of Oregon Local Government Participation Procedures* issued by the State Historic Preservation Office.
- (9) Satisfactorily perform the responsibilities delegated to it under the Act.

Chief Elected Official

Christine Curran
Deputy State Historic Preservation Officer

Print Name & Title

Date

Date

OREGON STATE HISTORIC PRESERVATION OFFICE CERTIFIED LOCAL GOVERNMENT PROGRAM

LOCAL GOVERNMENT PARTICIPATION PROCEDURES AMENDED 2001

INTRODUCTION

Federal historic preservation funds are available to Certified Local Governments (CLGs) through the State Historic Preservation Office (SHPO). Funds may be used for a variety of CLG program activities such as: program administration, survey and inventory, planning, public or commission education, heritage tourism, development, and National Register nominations.

The National Historic Preservation Act as amended (16 U.S.C. 470, et seq.) and applicable federal regulations (36 CFR 61) require that each state make a minimum of 10% of the state's allocation of federal funds available to certified local governments, as well as one half of any annual appropriations to the National Historic Preservation Fund in excess of \$65,000,000, in a manner to be determined by the U.S. Secretary of the Interior. Traditionally, Oregon has made a high percentage of its allocation available to CLGs to carry out preservation projects. Standards and procedures for allocating those funds are set forth in Oregon Administrative Rules 736-55-005 through 736-55-015.

I. CERTIFICATION OF LOCAL GOVERNMENTS

A. Purpose

The purpose of this document is to set forth procedures for the certification of and transfer of funds to local governments wishing to participate directly in the State Historic Preservation Program in Oregon. Local governments strengthen their local historic preservation efforts by achieving Certified Local Government (CLG) status from the National Park Service (NPS). NPS and State governments, through their State Historic Preservation Offices (SHPOs), provide valuable technical assistance and small matching grants to diverse communities whose local governments are endeavoring to keep for future generations what is significant from their community's past. In turn, NPS and states gain the benefit of local government partnership in the national historic preservation program.

B. Eligibility

The goals of Oregon's local government participation program are to certify as many local governments as possible for direct administrative participation in the state's historic preservation program, and that each Certified Local Government program should attain high standards of stability, authority, and credibility.

Local governments that wish to participate in the Certified Local Government program must meet the statutory definition of a local government and must meet the minimum requirements specified below (*Historic Preservation Fund Grants Manual, Glossary*—11).

C. **Minimum Requirements**

Federal regulations specify that to qualify for and maintain certified state and local government status one must:

1. "Enforce appropriate state or local legislation for the designation and protection of historic properties." (ORS 197.040 & ORS 197.225—ORS 197.245, OAR 660-023-0200)

In the absence of comprehensive state legislation to this end, participating local governments must have adopted an ordinance that enables the designation and protection of local historic properties. Local ordinance provisions must be consistent with the purposes of the National Historic Preservation Act. In addition, local governments shall be responsible for enforcing applicable state legislation and other local ordinances affecting historic properties in Oregon. A list of statutes is available from SHPO.

2. "Establish by state or local law an adequate and qualified historic preservation review commission composed of professional and lay members." 36 CFR 61.6(e)(2). All commission members shall have demonstrated *positive* interest, competence, or knowledge of historic preservation.

The chief elected local official(s) shall appoint a majority of landmark commission members from preservation professionals and/or persons working in historic preservation-related disciplines (archaeology, architectural history, conservation, cultural anthropology, curation, engineering, folklore, historic architecture, historic landscape architecture, historic preservation planning and history), to the extent that these members are available in the community. Professional and preservation-related educational and experience standards are available from SHPO.

A participating local government may be certified with less than a majority of its membership being preservation professionals or employed in historic preservation-related disciplines; however, participating local governments must demonstrate that they have made a reasonable effort to fill the required positions to the extent that such preservation professionals and lay members are available in the community. If unable to fill the required positions with preservation professionals or persons in

preservation-related disciplines, the participating local government must agree to retain consultants with appropriate expertise in cases where expertise may be required. This is particularly important when considering National Register nominations or other actions that would impact properties which are normally evaluated by a professional.

Prior to filling commission vacancies, CLGs must seek SHPO review of qualifications of proposed commission replacement members to ensure that requirements of this section have been met.

Local governments are encouraged to employ or to assign staff specialists to assist the landmarks commission and in general to assist in administering all government activities involving historic resources. The professional expertise of such staff persons, if appropriate, can be used to fulfill the requirement stated above for the landmarks commission regarding the retention of professional expertise. Additionally, if staff persons are fully participating members of the landmarks commission, their professional qualifications may be applied to meet the minimum requirements stated above for landmarks commission membership regarding a majority of preservation professionals and/or persons working in historic preservation-related disciplines that must be represented on the landmarks commission. To avoid any potential liability for conflicts of interest, CLGs must include provisions in their written procedures that meet NPS requirements (*Historic Preservation Fund Grants Manual*, Chapter 3, subsections C(1)(2)).

At a minimum, a landmarks commission must have the authority to recommend designation and protection of local historic landmarks and local historic districts, establish an adequate and qualified historic preservation review commission, maintain a system for the survey and inventory of properties that furthers the purposes of the National Historic Preservation Act as amended (16 U.S.C. 470 et seq.), provide for adequate public participation in the local historic preservation program, and satisfactorily perform the responsibilities delegated to it under the above Act. These authorities must be contained in the enabling ordinance. "Protection" mechanisms must include design review authority for alterations and changes made to locally designated landmarks and National Register properties, and authority to review and delay proposals to demolish or remove all or parts of locally designated historic landmarks and National Register properties as well.

In carrying out the above responsibilities, or any duties mutually agreed to by the SHPO and the applicant, the Certified Local Government and landmarks commission shall ensure that their activities are complementary to and carried out in coordination with those of the State Historic

Preservation Office, as outlined in 36 CFR 61, or the *Historic Preservation Fund Grants Manual*. Final signature authority for delegated responsibilities must remain with the state.

The SHPO is responsible for making orientation materials and training available to local commissions and staff. SHPO staff will make every effort to provide training programs in historic preservation, and to keep CLGs informed of training opportunities that are available from other sources. Training expenses for local landmarks commission members and staff are allowable costs for participating local agreements, if the training program is approved by the SHPO. The SHPO will conduct training sessions in accounting requirements and other procedures necessary for local participation in the state program.

3. "Maintain a system for the survey and inventory of historic properties."

Local surveys must contain the minimum information for each property required for the Statewide Inventory of Historic Properties. The State shall issue guidelines for local survey and inventory systems to ensure that such systems and the data produced can be readily integrated into SHPO inventories, the statewide comprehensive historic preservation plan, and other appropriate State and local planning processes. CLG survey data shall be in a format consistent with SHPO inventory requirements and shall not be inconsistent with the Secretary of the Interior's "Standards for Identification and Evaluation." Survey and inventory guidelines will be provided to the local government, and the SHPO will require that the local government be responsible for the satisfactory completion of inventory forms. Inadequate or incomplete inventory forms will be returned to the local government for completion or revision.

Participating local governments must maintain and make available to the public a copy of the Statewide Inventory for the local government's jurisdiction, and provide to the SHPO a copy of completed survey information for each property added to the local inventory, except for those archeological records which are exempted from public disclosure under ORS 192.500(L).

4. "Provide for adequate public participation in the historic preservation program, including the process of recommending properties to the National Register."

Landmarks commission meetings of participating local governments must be held in conformance with State of Oregon public meetings statutes. A summary of public testimony and landmarks commission discussion about

all nominations to the National Register of Historic Places generated from within the local government's jurisdiction must be forwarded to the SHPO when the nomination is forwarded. A summary of similar testimony before, as well as any discussion and action taken by, other local agencies such as planning commissions and city councils must also be forwarded if local ordinance requires review by these other agencies, or if a proposed nomination was reviewed by them.

Rules of procedure regarding the evaluation of potential National Register properties, designation of local historic districts, design review, or any other related activities shall be available for public inspection and comment prior to and after their formal adoption and implementation, with the exception of disclosure exemptions listed in Section 304 of the National Historic Preservation Act of 1966 (16 U.S.C. 470w-3). Copies of such procedures shall be forwarded to the SHPO.

CLGs shall provide a copy of meeting agendas and minutes on a quarterly or more frequent basis.

5. "Satisfactorily perform the responsibilities delegated to it under the Act."

Participating local governments must meet the four basic requirements above, and participate in the National Register nomination process pursuant to I C. A major review of the CLG's program operation and administration will be performed at least once every four years. Ideally, this evaluation will be conducted in person at the local government, although a written evaluation process may be substituted (q.v., "CLG Evaluation Questionnaire"). In addition, periodic monitoring of CLG activities will ensure that performance is consistent and coordinated with the identification, evaluation, and protection priorities of Oregon's comprehensive historic preservation planning process, and that of federal work program standards regarding SHPO accountability.

The SHPO shall outline procedures and standards by which the performance of CLGs in program operation and administration will be evaluated (q.v., "Annotated Performance Standards—2001"). Written records shall be maintained for all state evaluations of CLGs so that results are available for the Secretary's performance evaluations of states. Evidence of a Certified Local Government's failure to perform agreed upon participation responsibilities may be presented to the State Historic Preservation Officer by SHPO staff. The SHPO may cause the matter to be scheduled for review and discussion by the State Advisory Committee on Historic Preservation. At any time the State determines that the CLG's

performance is inadequate, the State shall recommend corrective measures in writing that the local government must take.

In the event a Certified Local Government does not take recommended measures within 180 calendar days of receipt of the SHPO request to correct inadequate performance, or otherwise fails to perform adequately its duties and responsibilities under this program, or no longer meets the minimum eligibility requirements, the SHPO shall initiate decertification of the Certified Local Government to participate in the program. The state's proposal for decertification of a local government will cite specific reasons and will be appropriately documented. The local government is decertified if the National Park Service concurs in writing with SHPO's recommendation to decertify the local government.

When a local government is decertified, the state will conduct suspension and, if necessary, termination of financial assistance procedures as specified in the *Historic Preservation Fund Grants Manual*.

If at any time the Certified Local Government voluntarily requests decertification, such a request shall be granted without prejudice by the State Historic Preservation Office. Notice of such decertification will be forwarded to the National Park Service.

D. CLG Participation in the National Register Nomination Process

1. Before a property within the jurisdiction of the Certified Local Government may be considered by the state for nomination to the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official(s), and the local historic preservation commission. Notification will occur at least sixty, but no more than 120, calendar days prior to the scheduled meeting of the State Advisory Committee on Historic Preservation. The local commission, after reasonable opportunity for public comment, shall prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register, on forms provided by the SHPO. Within sixty days of notice from the State Historic Preservation Officer, the chief local elected official(s) shall transmit the report of the commission and their recommendation to the State Historic Preservation Officer on the property's National Register eligibility. Except as provided in subparagraph 2 of this section, after receipt of such report and recommendation, or if no such report and recommendation are received within sixty days, the state shall make the nomination pursuant to 36 CFR 60. The state may expedite this process with the concurrence of the Certified Local Government.

2. If both the landmarks commission and the chief local elected official(s) recommend that a property not be nominated to the National Register because the property does not meet National Register criteria, the State Historic Preservation Officer shall take no further action, unless within thirty days of the receipt of such recommendation by the State Historic Preservation Officer, an appeal is filed with the state pursuant to 36 CFR 60. If such an appeal is filed, the state shall follow the procedures for making a nomination pursuant to section 101(a) of the National Historic Preservation Act of 1966 as amended. Any report and recommendations made under this section shall be included with any nomination submitted by the state to the Secretary of the Interior.
3. Nominations to the National Register which are received from applicants within a Certified Local Government which chooses to apply for a "Basic Participation" grant as outlined in II B(1) shall be processed using procedures outlined in I C(1) and (2).

Certified Local Governments that receive grant awards to complete individual, theme, multiple property, or district nominations to the National Register shall, in addition to being responsible for the satisfactory completion of these nominations to SHPO specifications, be required to:

- a. Provide, in a timely manner, a list of all affected property owners that must receive official notification from SHPO, pursuant to 36 CFR 60, within 90 calendar days of a scheduled meeting of the State Advisory Committee on Historic Preservation.
- b. Attend the scheduled meeting of the State Advisory Committee on Historic Preservation and introduce and provide comments to the committee on each nomination submitted by the CLG for review by the committee.
- c. Edit, revise, and prepare each nomination for signature by the SHPO pursuant to SACHP comments and SHPO staff procedures. Unsatisfactory submittals will be returned to the Certified Local Government for revision.
- d. Be responsible for any subsequent request for additional information or technical corrections from the National Register of Historic Places regarding any nomination submitted to the SHPO by the Certified Local Government.

E. **Application Process for the Certification of Local Governments**

The chief elected official(s) of the local government may request certification from Oregon's State Historic Preservation Office. The request for certification consists of the CLG Application and includes the following:

1. A written certification agreement provided by SHPO and signed by the chief elected official(s) that the local government meets and will fulfill all the requirements and standards for certification outlined above.
2. A copy of the local historic preservation ordinance establishing a local historic preservation commission.
3. Resumes of each commission member.
4. Resumes of each staff member (if applicable).
5. A copy of all local ordinances, resolutions, etc., already in place which deal with historic preservation issues.
6. A statement that the local government, in appointing landmarks commission members, has sought applicants among preservation professionals or within preservation-related disciplines to the extent available in the community. The local government must be able to demonstrate that qualified persons were sought.

Applications must discuss how the local government satisfies the five minimum requirements listed in Section I, B(1-5). Initially, the application will be reviewed by the State Historic Preservation Office, and the local government will be notified of any omissions or suggested changes, if necessary. Upon receipt of an adequately documented CLG Application, the State Historic Preservation Office shall review the request and respond to the chief elected officials within thirty calendar days.

When a local government certification request has been approved by the State, the State Historic Preservation Officer shall sign a written certification agreement that lists the minimum responsibilities required by the federal regulations, and any additional responsibilities delegated to all CLGs in the state by the SHPO.

The SHPO shall then forward to the Secretary of the Interior a copy of the approved request and the signed certification agreement, as well as a signed review checklist. If the request for concurrence cannot be affirmed as submitted, the NPS will notify the SHPO prior to fifteen working days after receipt of the request. The NPS shall provide written notice of what

is necessary for the request for concurrence to be approved. The effective date of certification is the date of National Park Service concurrence.

II. TRANSFER OF FUNDS TO CERTIFIED LOCAL GOVERNMENTS

A. Introduction

Under the provision of the National Historic Preservation as amended (16 U.S.C. 470 et seq.), at least ten percent of Oregon's annual Historic Preservation Fund (HPF) allocation shall be designated for transfer to Certified Local Governments.

All Certified Local Governments are eligible to compete for the funds from the state's ten percent CLG reserve, as well as in additional program areas provided they meet the criteria set forth in Section I B. Applications for grant funds shall be made during the SHPO annual grant application process, and according to instructions in the SHPO's *Grant Application Manual*.

Any funded activities must meet the Secretary of the Interior's "Standards for Archaeology and Historic Preservation," and be activities eligible for Historic Preservation Fund assistance.

In any year in which the total annual National Park Service grant appropriations to the states exceeds \$65,000,000, one-half of the excess shall be transferred to CLGs according to procedures to be provided by the Secretary of the Interior.

Certified Local Governments receiving HPF grants from the CLG share shall be considered subgrantees of the state.

No Certified Local Government is automatically entitled to receive funds, and the Oregon SHPO is not required to award funds to all governments that are eligible.

Transferred monies shall not be applied as matching share for any other Federal grant. State directed specific uses of CLG funds are to be for activities that are eligible for Historic Preservation Fund assistance. State directed specific uses of CLG funds are to be consistent with the state comprehensive historic preservation planning process.

State awarded CLG funds must be sufficient to produce a specific impact and to generate effects directly as a result of the funds transfer. The requirement for tangible results may not be waived, even if there are many otherwise eligible applicants for the amount set aside for CLG share. The State may choose to use additional funds from its regular Historic Preservation Fund annual grant to satisfy competing demands. The State shall ensure that no CLG receives a disproportionate share of its yearly CLG allocation.

B. Allocation of Funds to Certified Local Governments

Two levels of participation in Historic Preservation Fund (HPF) grants are available to Certified Local Governments: "Basic Participation," and "other" HPF Projects. In Oregon, both levels of funding must be matched with non-federal funds at a 50/50 match ratio or greater.

Allowable costs for all HPF-funded projects must be incurred in specific and quantifiable activities which have specific impacts and tangible results (measurable products).

1. Basic Participation

A Certified Local Government desiring to participate in the Historic Preservation Fund grants program may request a basic participation grant of up to \$3,000, which must be matched with non-federal funds at a 50/50 match ratio or greater. The standard grant request form will be used to apply for the basic participation funds.

The CLG Basic Participation Grants are non-competitive. They will be awarded to CLGs that meet the basic program activity requirements and demonstrate that 50% matching funds are available. Reporting and funds management requirements are the same as those for all other HPF subgrants, as described in the *Historic Preservation Fund Grants Manual*, with one exception: billings will occur once per year, at project completion.

Payment for all HPF grants is made on a reimbursement basis only. These grant and matching funds are to be used to pay allowable direct costs such as salaries, contracts, printing, mileage, and postage for tangible historic preservation products flowing from:

- * Preservation ordinance work; development, revision, implementation.
- * Review and comment on National Register Nominations.
- * Landmarks Commission meetings.
- * Staff and Landmarks Commission education and training.
- * Brochure or educational material development.

Any indirect cost rate included in the grant application budget detail must be pre-approved by SHPO. Indirect costs may not be included in the federally-assisted program budget or claimed for reimbursement unless the local government has a current indirect cost rate established by agreement with the federal government. This agreement must be submitted to SHPO, and approved prior to grant award. Indirect costs may be charged as part of the CLG grant only if the CLG subgrantee meets the requirements of the federal "Standards for Allowability of Costs", included in the *Grant Application Manual*.

At a minimum, participating CLGs must agree to:

- a. Maintain and fulfill satisfactorily all of the minimum CLG requirements, as previously specified in Section I, B and C, of this document.
- b. Maintain adequate financial management systems. Local financial management systems shall be in accordance with the standards specified in OMB Circular A-102, Attachment G, "Standards for Grantee Financial Management Systems." Local financial management systems shall be auditable in accordance with the General Accounting Office's *Standards for Audit of Governmental Organizations, Programs, Activities, and Functions*.
- c. Adhere to all requirements of the *Historic Preservation Fund Grants Manual* and OMB Circular A-133.
- d. Adhere to any requirements mandated by Congress regarding use of federal historic preservation funds.

2. Other Historic Preservation Fund Projects

For preservation activities other than those listed as basic participation, CLGs may apply for funds in regular HPF grant-assisted program areas as described in the *Historic Preservation Fund Grants Manual*. These projects may include survey and inventory, planning, National Register nominations, community education, and development projects.

Two project categories have been added. The first category is funding for landmarks commission staff time and expenses to monitor the State's special assessment properties in their jurisdiction and to prepare written reports on the properties' compliance with program requirements. The second category of eligible for funding is graduate student internships with the CLG agency.

Special assessment activities will require written reports and could include, but are not limited to: random on-site inspections and observation reports (on SHPO supplied forms); open house visitation; and alteration or rehabilitation observations. A complete updated listing of special assessment properties in each community will be provided by SHPO.

Internships with CLGs will require coordination with SHPO and a college or university having an accredited graduate program in historic preservation. The college/university internship program must require that a specific work program or objective be developed, and that a designated supervisor be identified. 180 hours is the minimum number of hours required for internships over a single term. For an internship to be considered for matching funds by the SHPO, a specific project must be identified that meets all other HPF funding eligibility priorities, and have a final product. The types of projects a CLG/Internship Program may consider are: historic context development, survey, National Register nomination, design guidelines for historic districts, educational materials such as walking tour brochures or technical briefs, and special projects. CLGs considering an internship should contact the appropriate college or university graduate program in historic preservation and the SHPO.

All program area HPF applications, including the Basic Participation Grant, must use the regular Grant Application Form, and individual rules for each program area must be followed. Program area HPF grant applications are open and competitive. If the CLG is awarded both the Basic Participation Grant and a grant for another Historic Preservation Fund project, one Agreement will be written to include both projects.

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: April 27, 2021
SUBJECT: Discussion – Homeless Camping

Attachment(s)

- [HB 3115 :: Oregon Legislature Bill Tracker - Your Government - The Oregonian \(oregonlive.com\)](#)
- "Dust Off Your Camping Ordinances"
- "Now What Can You Do..."
- "Takeaways From Grants Pass"
- "Real Time Risk"

DISCUSSION:

There is a lot of information to sort through on this topic. Attached in the packet are summaries from CIS of the legal path to where we are now, and what lies ahead.

After researching, it appears that the best course of action will be to see what happens with HB 3115. This bill, if passed, will set statewide rules related to Homeless Camping. It makes sense to see what happens with HB 3115 before we adjust or create ordinances dealing with Homelessness. Anything the City puts in place would have to be in harmony with HB 3115.

All of the material included here will be of benefit to bring the Council up to speed and help us be ready.

House Bill 3115

Sponsored by Representative KOTEK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that local law regulating sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness. Creates affirmative defense to charge of violating such local law that law is not objectively reasonable. Creates cause of action for person experiencing homelessness to challenge objective reasonableness of such local law. Authorizes court to award attorney fees to prevailing plaintiff in such suit in certain circumstances.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to the regulation of public property with respect to persons experiencing homelessness; and declaring an emergency.

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

SECTION 1. (1) **As used in this section:**

(a) "City or county law" does not include policies developed pursuant to ORS 203.077 or 203.079.

(b)(A) "Keeping warm and dry" means using measures necessary for an individual to survive outdoors given the environmental conditions.

(B) "Keeping warm and dry" does not include using any measure that involves fire or flame.

(c) "Public property" has the meaning given that term in ORS 131.705.

(2) Any city or county law that regulates the acts of sitting, lying, sleeping or keeping warm and dry outdoors on public property that is open to the public must be objectively reasonable as to time, place and manner with regards to persons experiencing homelessness.

(3) It is an affirmative defense to a charge of violating a city or county law described in subsection (2) of this section that the law is not objectively reasonable.

(4) A person experiencing homelessness may bring suit for injunctive or declaratory relief to challenge the objective reasonableness of a city or county law described in subsection (2) of this section. The action must be brought in the circuit court of the county that enacted the law or of the county in which the city that enacted the law is located.

(5) For purposes of subsections (2) and (3) of this section, reasonableness shall be determined based on the totality of the circumstances, including, but not limited to, the impact of the law on persons experiencing homelessness.

(6) In any suit brought pursuant to subsection (4) of this section, the court, in its discretion, may award reasonable attorney fees to a prevailing plaintiff if the plaintiff:

(a) Was not seeking to vindicate an interest unique to the plaintiff; and

(b) At least 90 days before the action was filed, provided written notice to the governing

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 body of the city or county that enacted the law being challenged of an intent to bring the
2 action and the notice provided the governing body with actual notice of the basis upon which
3 the plaintiff intends to challenge the law.

4 (7) Nothing in this section creates a private right of action for monetary damages for any
5 person.

6 SECTION 2. Section 1 of this 2021 Act becomes operative on July 1, 2023.

7 SECTION 3. This 2021 Act being necessary for the immediate preservation of the public
8 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
9 on its passage.

10

REDUCING JAIL CLAIMS

POLITICAL SPEECH

2020 SHARK TANK WINNERS

2021 SHARK TANK COMPETITION

NEW CIS TRUSTEE

It's Time to Dust off Your Camping Ordinances

A Recent Ruling in Homelessness Case Impacts all Oregon Cities and Counties

By Aaron Hisel, Attorney from the Law Office of Gerald L. Warren and Associates

We know it's a balancing act to provide grace and resources to those experiencing homelessness while ensuring that enforcement action can still be taken to make sure public property remains accessible and safe for everyone.

That balance was recently shifted again in the class action case, *Blake, et al. v. City of Grants Pass*.

While the case *is* on appeal, this article provides you with some key takeaways. Before we get into those, a little background is in order.

Helping Homeless and Ensuring Public Safety Conflict

Tensions between providing for the homeless and ensuring public safety has always existed. Over the years, Oregon's cities and counties have taken steps to address these issues. Despite those efforts, federal courts recently issued two opinions that restrict local governments' options to address these challenges.

Previous 2018 *Martin v. Boise* Case Was First Attempt to Address Issue

The Ninth Circuit Court of Appeals handed down the first case, *Martin v. City of Boise*, in September of 2018. That opinion said it's unconstitutional under the Eighth Amendment to *criminalize* the involuntary act of sleeping in public *if* there are not "realistically available" shelter alternatives sufficient to house all of the homeless individuals in that jurisdiction.

According to *Martin*, no analysis was necessary as to any individual's circumstances because if there were more homeless than available shelter spaces, all of the homeless were deemed "involuntarily homeless" and, therefore, could not be subject to criminal "punishment."

41 days after the *Martin* Opinion Issued, The City of Grants Pass Was Sued

The Oregon Law Center (OLC is a non-profit legal office) took no time in suing Grants Pass in federal court on behalf of a class of "involuntarily homeless" plaintiffs.

In this suit, OLC sought to expand *Martin* by arguing that public bodies could not enforce *any* camping-related Ordinances against the homeless “unless and until” sufficient place(s) where the homeless could lawfully sleep and rest were provided.

Federal Judge sides with the class of homeless individuals

On July 22, 2020, Magistrate Judge Clarke issued a sweeping Opinion and Order that ruled against the City and sided with the class of homeless individuals.

While it’s not apparent from reading Judge Clarke’s Opinion, the parties were primarily arguing about the difference between the *involuntary* act of sleeping or resting, and the *voluntary* act of maintaining a campsite for an extended period of time on public property. The two sides also argued about whose burden it was — the government’s or the homeless individuals — to prove that a person residing on public property had nowhere else to go.

Judge Clarke’s opinion can only be interpreted as requiring all cities and counties to carve out exceptions — in their ordinances — where the homeless can lawfully engage in sleeping without risk of enforcement.

Can Cities Fine the Homeless?

Judge Clarke also determined that a monetary fine of *any amount* against the class of “involuntary homeless” individuals when no other alternatives are provided would be excessive under the Eighth Amendment.

Grants Pass Appeals Decision, but Appeals Can Take 2 Years

Again, the City of Grants Pass, with the support of CIS has appealed Judge Clarke’s rulings.

One of the major challenges with the appeal is that the process in the Ninth Circuit currently takes approximately two years, so the judgment from this case will be in place for the foreseeable future.

Continue Reading (<https://cisoregon.org/quarterlyreport#What%20to%20Do>)



citycounty insurance services

 [Login \(/Account/Login?returnUrl=Home\)](/Account/Login?returnUrl=Home)

REDUCING JAIL CLAIMS

POLITICAL SPEECH

2020 SHARK TANK WINNERS

2021 SHARK TANK COMPETITION

NEW CIS TRUSTEE

Now What Can You Do...

...and What You Can't Do

Below are some key takeaways to keep in mind as you continue to address these thorny issues surrounding homelessness and the general welfare of all your citizens:

Does your ordinance make it illegal to sleep or camp on all public property at all times?

If your Ordinance prevents individuals from putting any bedding down or taking even rudimentary measures to shield themselves from the elements on all public property at all times, this is more likely to be found unconstitutional — even if there are times and/or places in which no enforcement action is taken.

Even an Ordinance that limits “camping” often includes a complete ban on simply “sleeping” as part of the definition of camping. In all likelihood, such a ban would also not survive a court challenge.

An alternative to a complete ban on sleeping in public is to insert a time limitation. This would significantly decrease risk and add clarity. (e.g. “camping is defined as [insert description] ... for more than 24 hours.”)

Does your ordinance call for criminal citations, or civil infractions?

From a risk management perspective, we recommend that local governments’ camping ordinances be civil infractions that allow a range of “punishments” other than arrest, and not misdemeanors. This is, in part, because of another Ninth Circuit case that came out the same day as the *Grants Pass* opinion, called *Pimentel, et al. v. City of Los Angeles*, issued July 22, 2020.

In *Pimentel*, the Ninth Circuit held for the first time that the Eighth Amendment ban on excessive punishments applies not just to criminal punishments, but also to civil fines, subjecting fines of any amount to an analysis by courts about whether they are “too much.” The Court upheld a \$63 parking fine as constitutional but questioned whether an additional \$63 the City charged for late payment was also constitutional and sent the case back for further review of that issue.

Presumptive fines schedules should be revised with this in mind, keeping an eye out for hidden fines — usually fees to be tacked on for collection or non-payment. The clearer your

ordinances can be about alternative options to fines (such as community service), the less likely there is to be a successful challenge to the “punishment” associated with an ordinance violation.

“Tools” Cities and Counties CAN Use According to Judge Clarke

Judge Clarke’s Opinion still allows for citations to be issued to homeless individuals for littering, harassment, urinating and defecating in public. Judge Clarke felt these were the available “tools” in the local government’s toolbox. One wonders, however, if such citations might also be challenged as equally “involuntary” aspects of being involuntarily homeless.

Now is the Time to Review Your Ordinances and Enforcement Practices

These decisions are novel so they will almost certainly impact your ordinances. Below are steps to minimize legal challenges regarding where the homeless can sleep or camp.

1. Have your City Attorney or County Counsel review this article, the *Blake, et al. v. City of Grants Pass* Motion for Summary Judgment briefing, and the resulting Opinion alongside your current or proposed Ordinances.
2. Have your City Attorney or County Counsel review the Judgment and related injunction that Judge Clarke entered in the *Blake, et al. v. City of Grants Pass* matter. This Judgment and injunction seek to address the concerns in his Opinion, but leaves Grants Pass with a workable set of guidelines while the appeal process proceeds.
3. If you or your attorney still have questions, reach out to CIS General Counsel Kirk Mylander: kmylander@cisoregon.org (mailto:kmylander@cisoregon.org), (503) 763-3812.
4. For situations where litigation is threatened, Kirk Mylander may refer you to my firm, the Law Office of Gerald L. Warren and Associates, to consult at no cost to your organization.

Continue Reading (<https://cisoregon.org/quarterlyreport#Takeaways>)



citycounty insurance services

 [Login \(/Account/Login?returnUrl=Home\)](/Account/Login?returnUrl=Home)

MAIN OFFICE

REDUCING JAIL CLAIMS

POLITICAL SPEECH

2020 SHARK TANK WINNERS

2021 SHARK TANK COMPETITION

NEW CIS TRUSTEE

A Few More Key Takeaways from Grants Pass City's Arguments Have Little Impact

Advocates for the homeless freely admit that their goal is to use every means possible, including litigation, to force local government to provide free “low barrier” housing to the homeless. These advocates push for cities and counties to allow indefinite camping in specifically designated areas — much like the tent city models found in Portland.

While we don’t want to discourage public bodies from expending resources to help those in need, we cannot recommend any of these alternatives as an effective form of liability risk management. These “solutions” do not actually solve any of the legal issues addressed here and will likely create additional liability risks.

Judge Clarke rejected every form of alternative shelter or place the homeless had available to sleep in the Grants Pass area. (e.g. it was not within the physical boundary of the City, it had a religious affiliation, it was not HUD approved as a shelter). It had no impact on his constitutional analysis.

Logically, even if the resources existed to build “low barrier” housing for all, there would still be those who cannot co-exist with others. Some of the “involuntary” reasons might include mental health, communicable disease, restraining orders, etc., and those individuals still must sleep somewhere.

In addition, as some public bodies have moved to dictate specific locations where homeless must sleep, a multitude of other liability issues arise under a separate “danger creation” constitutional doctrine.

Examples: “You made me sleep here and something bad happened to me,” or “You made this encampment where I have to be, and so you must also provide additional support such as toilets, drinking water, washing stations, and security.”.

There may still be policy and political reasons to pursue these types of alternatives, but those options must be weighed against an increase in liability risk and cost.

Real-Time Risk

Continued from previous page



"According to ORS 203.079, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility."

training on what has value, be available on-site during cleanup to ensure items in garbage bags are not accidentally discarded as not having value.

To prevent lawsuits, keeping unclaimed property for 30-days is considered a best practice. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime must be given to law enforcement.

Under ORS 203.079, a 24-hour notice is not required when there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring — and in the event of an exceptional emergency, such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety. This should include the reporting of endangered pets.

Towing of any vehicles should also follow guidelines set forth under the Constitution's Fourth Amendment for Search and Seizure.

For more information on avoiding policy pitfalls for overnight camping and trespassing of homeless, an archived conference session of Big Rock Candy Mountain — Homelessness and the Constitution, is available in the CIS Learning Center.

As we traverse through this unprecedented time of change in our country, remember, we are in this together and CIS will continue to be a partner in supporting your safety at work. If you have questions contact your risk management consultant or Katie Durfee via email at kdurfee@cisoregon.org.



Real-Time Risk

Continued from previous page

When encountering liquid waste, pour absorbent material, such as kitty litter, onto the waste. Another option is to use paper towels to soak up the liquid, use a disposable scoop to put the material in a plastic garbage bag along with gloves.

Lastly, pour 10% bleach solution onto all contaminated areas of the surface. Let the bleach solution remain on the contaminated area for 20 minutes, then wipe up the remaining bleach solution. Disinfect all non-disposable cleaning materials, such as mops and scrub brushes, with 10 percent bleach solution and let them air dry.

Needles Also Pose Danger During Cleanups

Sadly, needles and other sharps can often be encountered at homeless camps.

Oregon OSHA suggests using tongs, pliers, or a “trash grabber” to pick up sharps. Using a puncture-resistant leak-proof container, the sharps should be dropped into the container, which should then be sealed and closed.

Label the container “Sharps, Do Not Recycle” on the outside of container before dropping it into a sharps box or taking to a hazardous waste facility. Do not dispose the container into the trash.

If the job requires exposure to blood or other potentially infectious materials (OPIM), annual bloodborne pathogen training and availability to the Hepatitis-B vaccination are required and should be provided by the employer.

Other Oregon OSHA requirements for clean-up include a certified hazard assessment and first aid supplies made available on-site.

For more information on what employers need to know about hazards associated with homeless and bloodborne pathogens, please see Oregon OSHA Fact Sheet.

Proper Policy is Critical

The State requires local governments to develop a policy for humane removal of homeless camps from public property to coincide with ORS 203.079.

For employees who are cleaning up encampments, good training is critical on the proper handling of a homeless person's belongings. According to ORS 203.079, “personal property” means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an insanitary condition may be immediately discard upon removal of the homeless individuals from a camp site.

Sometimes it can be difficult to determine what personal property has apparent utility (value versus no value), broadly this would encompass camping items and medicine. It is recommended a person who has

HELPFUL LINKS

OR-OSHA Violence Prevention Program -
osha.oregon.gov/OSHAPubs/2857.pdf

OR-OSHA Bloodborne Pathogens Fact Sheet -
osha.oregon.gov/OSHAPubs/factsheets/fs84.pdf

Homeless Camping Policy Requirements for Local Governments -
www.oregonlaws.org/ors/203.079

National Alliance to End Homelessness Resources and Statistics -
endhomelessness.org/homelessness-in-america/who-experiences-homelessness/

CIS Learning Center Courses -
learn.cisoregon.org

- Big Rock Candy Mountain - Homelessness and the Constitution
- Law Enforcement and Homeless Populations: Balancing Outreach with Enforcement



Continued on next page ➔

TO: Hines City Council

FROM: Kirby Letham, City Administrator

DATE: April 27, 2021

SUBJECT: Discussion – Harney Housing Plan
Attachment(s)
- Estimated Costs spreadsheet

DISCUSSION:

This is a continued discussion about the Harney Housing Plan.

The Harney County Economic Development Committee for housing developed a plan for stimulating housing construction in Hines, Burns, and Harney County. Based on the Housing Study performed in 2019, the Committee set a goal to see 5 houses per year for five years built. It is believed that this goal would help to alleviate local housing problems and initiate continued economic growth.

After considering many options, the Committee decided to follow the Pendleton model in which public land would be donated for building. A contractor chosen through competitive bidding, and a home built. The proceeds of the sale (by auction) would pay the costs and help to generate a Housing Fund for continued housing investment. The Committee looked at land owned by the County, Hines, and Burns. A lot in Hines was chosen as the best option. The lender then asked that the donating City also include 20% of funds to the project.

The Council has asked the City Administrator to share an estimated cost to prepare the land for building.

Description	Cost
Donation of Land	\$ 25,000.00
Extend Sewer Services 150 ft.	\$ 20,000.00
Survey Property (adjust lot for ditch ROW)	\$ 1,200.00
Establish Water Connection w/ Meter	\$ 800.00
Establish Sewer Connection w/ Saddle	\$ 600.00
*Clear Sagebrush	\$ 500.00
*optional	\$ 48,100.00

	Assessed Value	TaxRate/\$1000	Revenue
Harney County General Fund		\$ 250,000.00	
Hospital		4.5016	\$ 1,125.40
Park & Rec		1.9314	\$ 482.85
City of Hines		0.4143	\$ 103.58
ESD		4.2922	\$ 1,073.05
School District 3		0.8969	\$ 224.23
School District 3 Bond		4.8662	\$ 1,216.55
Total Tax Revenue Generated		0.4988	\$ 124.70
			\$ 4,350.35

*Based upon 2020-21 tax year

25 years \$ 26,826.25

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: April 27, 2021
SUBJECT: Discussion – Review of Griggs Variance

Attachment(s)

- Details from the Variance
- Staff Report
- Planning Commission Recommendation

DISCUSSION:

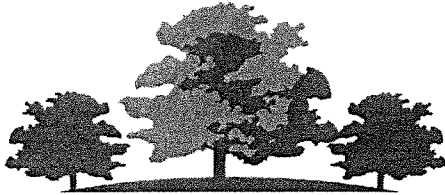
Mr. Larry Grigg applied for a building permit to build a home and a shop on his property at 153 N. Roanoke.

The building permit for the home was an outright permit, meaning the proposed home and site plan met all the requirements in the zoning ordinance for a single family residence.

Mr. Grigg also submitted a request to build a shop. The shop was designed to be approximately 23 ft tall. The zoning ordinance limits a shop's height to 15 ft. The City has allowed variances to build shops as high as 17 ft.

Mr. Grigg submitted a Variance Request which would allow him to build the shop as designed. The City mailed out proper notices and a Public Hearing was held at the Planning Commission meeting on April 6, 2021.

The City Council will now review their decision. The Council may approve the Variance as recommended by the Planning Commission, they may reject it, or they may approve it with conditions.



You are welcome in HINES

101 E. Barnes Avenue / PO Box 336, Hines OR 97738 541-573-2251 FAX 541-573-5827 cityofhines.com

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FOR (check one):

\$150.00 FEE

- ☐ Conditional use ☒ Variance ☐ Partition ☐ Zone Change
☐ Subdivision ☐ Property Line Adjustment ☐ Consolidation

Site Address: 143 ~~153~~ N. ROANOKE HINES OR 97738

Legal Description: BLOCK 93, TRACT 4 LOTS 30, 31, 32 & 33

Reason for Request: TO OBTAIN PERMISSION TO BUILD A GARAGE HIGH ENOUGH TO PARK RV IN

Current Use of Property: VACANT W/ TRASH DUMPED

Property Zone: RESIDENTIAL

Natural Hazards Affecting Proposal: _____

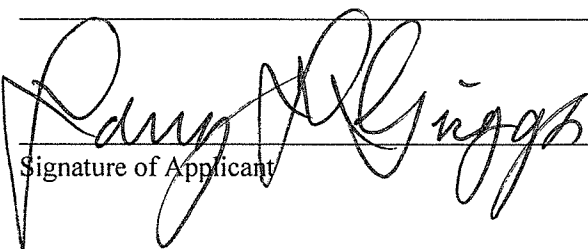
Applicant Name(s): LARRY & KENEE GRIGGS

Mailing Address: 5415 SW 58TH PLACE REDMOND OR. 97756

Cell Phone: 541-419-8529 Home Phone: _____

Property Owner Name & Address, if different: _____

Written permission from Property Owner is REQUIRED



Date: 2/24/2021

Signature of Applicant

Signature of Applicant

CITY OF HINES

40114 3/09/21 14:07:49 ID: 12

City Approval: _____

COND USE/VARIANCE, MISC
MISC A/R PAYMENT

Planning Commission Approval: _____

Mayor's Approval: _____

Amount Tendered: 150.00

Payment Applied: 150.00

Change: .00



You are welcome in HINES

www.ci.hines.or.us

CITY OF HINES, PO Box 336, Hines OR 97738 541-573-2251 ofc 541-573-5827 fax

CITY OF HINES

REVIEW & APPROVAL TO APPLY FOR BUILDING PERMIT

Name(s) LARRY GRIGGS RENEE GRIGGS
 Site address 153 N ROANCKE Phone(s) 541-419-8529
 Mailing address 5415 SW 58TH PL E-mail dickardandme@gmail.com
REDMOND OR 97456

CLASS OF DEVELOPMENT

☒ Residential ☐ Commercial ☐ Industrial
☐ Multiple dwelling ☐ Manufactured home ☐ Other _____

STATUS

☐ Proposal is allowed outright within its specific zone classification.
☐ Applicant proposed conditional use _____
☒ Applicant requested variance FOR HIGHER GARAGE
☐ Division or lot line adjustment has been completed _____
☐ Survey reviewed by (engineer, architect, etc.) _____
☐ Site plan reviewed by (contractor, engineer, etc.) _____
☐ Water and sewer services have been arranged _____
☐ Zoning clearance has been established Zone _____ (RS, RL, RM, C, CD, I, P)
☐ Floodplain review
 Substantial Improvement ☒ Yes ☐ No
 Flood-proofed (gates, fill, etc.) ☐ Yes ☐ No
 Elevation Certificate provided ☐ Yes ☐ No
☒ Physical requirements reviewed for specific zoning classification
 Lot size _____ Lot coverage % ☒ Building height
 Parking/street _____ Corner lot ☒ Interior lot
☐ Other special requirements/conditions _____

Property owner is responsible for any setbacks that may apply to any structure being built. If, in the future, any dispute arises over the property boundaries or setbacks, it will be the responsibility of the owner of the property whereon the dispute arises to provide legal documentation to settle the dispute. City of Hines staff will not provide any legal advice pertaining to real property or its development.

DATE SIGNED

2/24/2021

Larry Griggs
Applicant

DATE SIGNED

Applicant

DATE SIGNED

City of Hines Administrator or designee

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
Office of County Assessor -- Harney County

Reference # 30384 Code Area 30-1
Map # 23 30 23AD Tax Lot # 7000 Acres .31

Legal Description	Date	Deed Recorded
Township 23 S., Range 30 E., W.M. Section 23: Land in Stafford, Derbes & Roy Subdivision to the City of Hines, Harney County, Oregon, as follows: Block 93, Tract 4, Lots 30, 31, 32 & 33		
Grant: The United States of America to Willamette Valley & Cascade Mountain Wagon Road Co.	10/30/1882	
David Cahn & Florence Cahn, husband & wife and Alexander Weill & Julie Weill, husband & wife to Charles Altschul	4/20/10 8/15/1895 11/11/10 11/11/10	N 37-46 G 284 N 210 N 212
Charles Altschul & Camilla Altschul, husband & wife to Oregon & Western Colonization Co.	9/25/12	V 198
Oregon & Western Colonization Co. to I.S. Geer	9/26/12	V 200
Option to Purchase: I.S. Geer to Edward W. Barnes	5/14/23	30 489
Irwin S. Geer & Neva Geer, husband & wife to E.W. Barnes Investment Co.	3/31/24	31 589
E.W. Barnes Investment Co. to Bank of California, na	3/29/29	34 37
Tract 4 of Stafford, Derbes & Roy Subdivision filed	11/12/29 6/3/30 1/16/32 8/31/32 11/13/34 4/12/45 3/13/46 8/7/46 11/20/51	 34 543 35 437 35 568 36 377 42 34 42 542 42 59 54 280

Esther J. Fowler VanDerveer

Marriage Certificate: Esther J. VanderVeer & Leon Jones	7/21/64	75	444
<hr/>			
Creating an Estate in Entirety: Esther J. Jones, fka Esther J. Fowler, Esther VanderVeer or Esther J. VanderVeer to Leon Jones	5/21/65	77	327
<hr/>			
WD: Esther J. Jones & Leon Jones, husband & wife to Jett Blackburn & Easter Blackburn, husband & wife and Jett C. Blackburn & Dorothy A. Blackburn, husband & wife	7/15/65	77	594
B&S: Jett Blackburn to Easter Blackburn	12/12/73	95	614
<hr/>			
WD: Easter Blackburn and Jett C. Blackburn & Dorothy A. Blackburn, husband & wife to Ruel Teague	8/25/78	107	352
Contract: Ruel Teague & Margaret Teague, husband & wife to Paul D. Hefner	8/25/78	107	353
Contract of Sale: Paul D. Hefner to Hal Huffaker & Mary Huffaker, husband & wife	5/26/82	116	668
WD: Ruel Teague & Margaret Teague, husband & wife to Paul D. Hefner	10/25/85	851456	
B&S: Hal Huffaker & Mary Huffaker, husband & wife to Paul D. Hefner	4/14/86	860490	
<hr/>			
WD: Paul D. Hefner to Arvil L. Miller & Sandra G. Miller, husband & wife	8/15/86	861180	
Memo of Contract to Arvil L. Miller & Sandra G. Miller, husband & wife to Raider A. Heck	8/10/92	921267	
<hr/>			
WD: Arvil L. Miller & Sandra G. Miller, husband & wife to Raider A. Heck	5/14/01	20010837	

Harney County

Real Legal Descriptions

3/9/2021 1:52:49 PM

Account # 30384

Map 23S30E23AD-07000

Effective Date 01-Aug-2010 12:00 AM

Disclaimer This information is maintained for assessment and taxation purposes only. The county is not responsible for possible errors, omissions, misuse, or misinterpretation. The legal description shown will not show any changes and/or modifications thereto subsequent to the EFFECTIVE DATE.

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>	<u>Direction</u>	<u>Part</u>	<u>Part Type</u>
--------------------	--------------	------------	------------------	-------------	------------------

Metes and Bounds

T23 S., R30 E.W.M. SEC 23AD TL7000
LAND IN STAFFORD, DERBES & ROY SUBDIVISION TO THE CITY OF HINES,
HARNEY COUNTY, OREGON, AS FOLLOWS:
BLOCK 93, TRACT 4, LOTS 30, 31, 32 & 33.

N.

R = 1250'

26 27

28

29

30

31

32

33

34

35

36

37

38

Subsurface Drain

Easement

R = 1125'

2.5'

57

56

55

54

Subsurface Drain

Drain

[illegible]

DEDICAT

3

SCALE 1-INCH=100 FEET.

EC. HAWKINS
CIVIL ENGINEER.

APPROVAL

"no sense of culpability, national responsibility, or a purpose to a particular goal's sought of direction except its apparent wish to offer this quantity of income to its Russian foreigner
The date of [illegible] [illegible] [illegible]

On 19th day of Decr. 1892, before me appeared W. F. B. Smith, making oath and saying that he the said W. F. B. Smith is a resident of the County of Madison, Kentucky and that the word "deeds" appeared in the copy of the will of the said John B. Smith is a mistake.

in the end you just to take my notebook another
 1. Different
 which makes you come on account
 of Committee about
 (probably 7/11, 1941)

FILED
NOV 11 1978
WM. M. CARROLL
COUNTY CLERK
St. Martin Parish

I hereby certify that all those on this
 property have been paid:
 \$100.00
 By Edward H. Williams, Esq.
 Agent
 of the
 R.R. Co. then
 by Samuel S. Brown, Esq.
 Agent of the
 same Co. by of Dec. 1892
 1892
W. H. Williams
 County Clerk

I hereby certify that all those on this

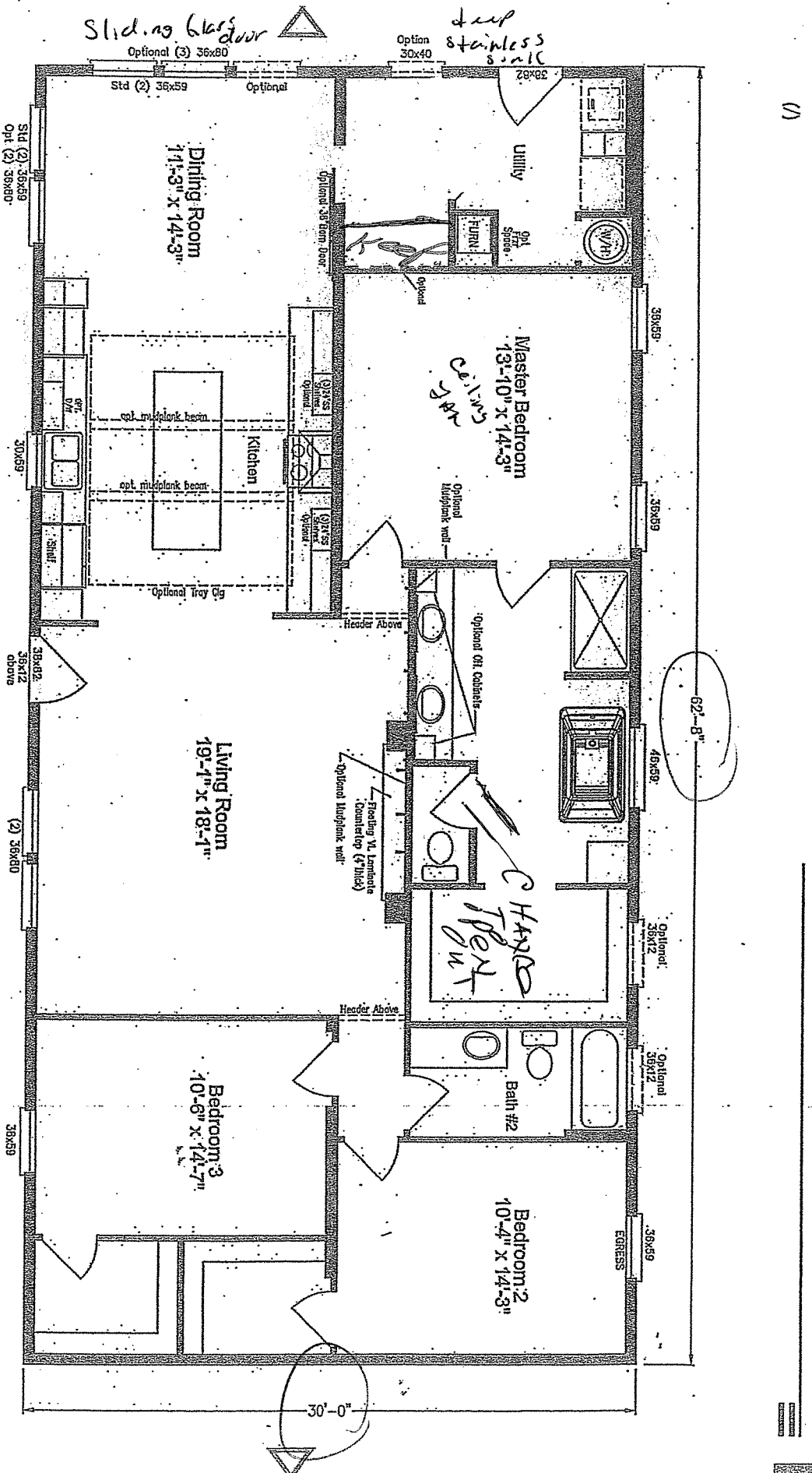
Approved this 12th day of November, 1789

R. M. Williams
County Judge
J. L. Barrett
County Commissioner
L. O. Haystack

poor commission
near the 21-500
county cross

FILED
NOV 12 1973
WM. M. CARROLL
COUNTY CLERK
HARRISBURG

Your Location: Bend, OR change location



Norm Roach

SALES/GENERAL MANAGER

MES, INC.

1357 N Hwy 97
Redmond, OR 97756

Office 541.706.9244

Fax 541.706.9274

HOMES DIRECT

www.thehomedirect.com

Model:HD30633F

1880 S.Q. F.T. Sq. Ft.

Revised: 12-30-19

**CITY OF HINES, OREGON PLANNING COMMISSION
ADMINISTRATIVE REVIEW – FINDINGS AND DECISION**

- APPLICANT:** Larry and Renee Griggs
5415 SW 58th Place
Redmond, OR 97756
- LOCATION:** 153 N. Roanoke, Hines, OR 97738
TOWNSHIP 23 S., RANGE 30 E., W.M. SECTION 23,
LAND IN STAFFORD, DERBES & ROY SUBDIVISION TO THE
CITY OF HINES, HARNEY COUNTY, OREGON AS FOLLOWS:
BLOCK 93: TRACT 4, LOTS 30, 31, 32 & 33
- BURDEN OF PROOF:** Applicant must satisfy all criteria for a variance, as set forth in the City of Hines, OR Comprehensive Plan, Section 6.
- APPLICATION REQUEST:** To construct a shop building, 20 feet wide and 40 feet long, with a peak roof height of 20-22' high.
- BASIC FACTS:** The subject property is zoned Single-Family Residential (RS).
- HEARINGS AND EXHIBITS:** A hearing on this matter was held April 6, 2021 at Hines City Hall.
The following exhibits made up the record:
- a. Variance application filed with the Hines Planning Commission.
 - b. Tax lot map, indicating area of proposed construction.
 - c. Legal description of the property
 - d. Site plan showing proposed building placement.
 - e. One letter received in opposition to the request.
- FINDINGS OF FACT:** Section 6.5 Circumstances for Granting a Variance – A variance may be granted only in the event that all of the following circumstances exist:
- a. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of the property since enactment of this ordinance have no control.

FINDING: The property located at 153 N. Roanoke does not have exceptional, unusual, or extraordinary circumstances creating an undue burden when compared to all other properties in the same vicinity.
 - b. The variance is necessary for the preservation of a property right of the applicant substantially the same as other owners of other property in the same zone or vicinity.

FINDING: The requested variance is not necessary for the preservation of property rights compared to all other properties in the same vicinity.

- c. The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.

FINDING: The Hines Zoning Ordinance establishes that the maximum height of an accessory structure shall be 15 feet at the structure's highest point. This variance requests a maximum height over 20 feet at its highest point. This is beyond the limit and would conflict with and be detrimental to the purpose of the Hines Zoning Ordinance as it currently stands.

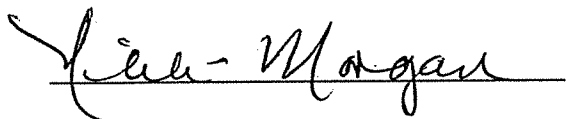
- d. The variance requested is the minimum variance which would alleviate the hardship.

FINDING: The variance requested is not the minimum height that would be suitable for the area.

DECISION: The Hines Planning Commission has found the facts satisfy the approval criteria. The variance application is hereby forwarded to the Hines Common Council for review.

ATTACHMENT: 04.06.2021 Hines Planning Commission Minutes

APPROVED AND FORWARDED THIS 6th day of April 2021.

A handwritten signature in black ink, appearing to read "Nikki Morgan", written over a horizontal line.

Nikki Morgan, Acting Chair

STAFF REPORT

TO: City of Hines Planning Commission
FROM: Paula Vollmer, Planning Commission Secretary
SUBJECT: Planning File No. 2021.03.003
DATE: April 6, 2021

I. BACKGROUND INFORMATION

A. APPLICANT: Larry and Renee Griggs

PROPERTY LOCATION: The subject property is located at 153 N. Roanoke, Hines, Oregon.

Township 23 S., Range 30 E., W.M. Section 23: Land in Stafford, Derbes & Roy Subdivision to the City of Hines, Harney County Oregon, Block 93, Tract 4, Lots 30, 31, 32 & 33

PARCEL SIZE: .31 acres (more or less)

- A. EXISTING DEVELOPMENT: This location has existing water and sewer lines.
- B. ZONING: Single Family Residential.
- C. ADJACENT ZONING AND LAND USES: Adjacent land to the North, South, East and West are zoned Single Family Residential.
- D. REQUEST: Larry and Renee Griggs have requested a variance to allow an accessory building at a roof peak height of approximately 22 feet which does not meet the height requirements in a single- family residential zone.
- E. DECISION CRITERIA: This decision is based on the following criteria in the Hines Zoning Ordinance: Article 3; Section 3.1, Single-Family Residential Zone; Section 3.1.(1)(B) accessory uses and accessory buildings, and Article 6; Section 6.4, Exceptions and Variance Exceptions, Authorization to Grant or Deny Variances.

II. CRITERIA

Section 6.5 Circumstances for Granting a Variance – A variance may be granted only in the event that all of the following circumstances exist:

- 1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this ordinance have no control.
- 2) The variance is necessary for the preservation of a property right of the applicant substantially the same as other owners of other property in the same zone or vicinity possess.
- 3) The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.
- 4) The variance requested is the minimum variance which would alleviate the hardship.

III. FINDINGS

Findings addressing Criteria 1. The property located at 153 N. Roanoke does not have exceptional, unusual, or extraordinary circumstances creating and undue burden when compared to all other properties in the same vicinity.

Findings addressing Criteria 2. The requested variance is not necessary for the preservation of property rights compared to all other properties in the same vicinity.

Findings addressing Criteria 3. The Hines Zoning Ordinance establishes that the maximum height of an accessory structure shall be 15 feet at the structure's highest point. This variance requests a maximum height over 20 feet at its highest point. This is beyond the limit and would conflict with and be detrimental to the purpose of the Hines Zoning Ordinance as it currently stands.

Findings addressing Criteria 4. The variance requested is not the minimum height that would be suitable in the area.

IV. CONCLUSION AND RECOMMENDATION

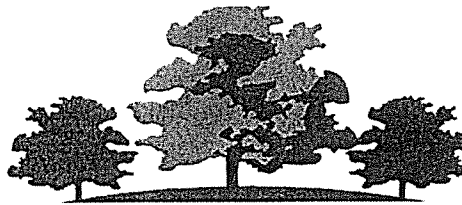
The building square footage is acceptable at 800 sf. The height of the peak of the roof, however, is well over the limit of 15 feet set by the Zoning Ordinance. In reviewing other variance requests, Staff noticed that the Planning Commission has set precedence by granting variance requests of 16-17 feet roof peaks. While the variance request does not meet the criteria for granting a variance, Staff believes a variance with a modified height of 16 – 17 feet would be appropriate. Staff also suggests approval of the variance with the shop moved a minimum of 15 feet from the South property line and a minimum of 15 feet from the East property line to not impede the City utility Easement. Currently, the lot is vacant. According to the Zoning Ordinance, an accessory building cannot be built on a vacant lot. Staff believes that if the Planning Commission approves the building of an accessory building, it needs to be contingent upon laying the foundation of the home either prior to or in conjunction with the accessory building. A building permit for the home must be submitted prior to building the accessory building.

V. PLANNING COMMISSION ACTION

The Planning Commission may either:

1. Approve the application and adopt findings contained in the Staff Report.
2. Approve the application with modified findings and/or conditions, or
3. Deny the application, specifying reasons why criteria have not been met.

Staff will return with an Order for the Chair's signature based on the Planning Commission decision.



CITY OF HINES

101 E. Barnes Avenue / PO Box 336, Hines OR 97738 541-573-2251 FAX 541-573-5827 cityofhines.com

APPLICATION FOR BUSINESS LICENSE

Valid from July 1, 2020 – June 30, 2021

APR 14 2021

BUSINESS NAME: Outlaw Wood Products, LLC

BUSINESS PHONE NUMBER: 541-589-1848

CONTACT PERSON: Dayla Gibson or Dorene Estep

MAILING ADDRESS: PO Box 128 Hines, OR 97738

PHYSICAL ADDRESS: circle Dr Hines, OR 97738

EMAIL ADDRESS: outlawwoodproducts@yahoo.com

Description of the trade, shop, business, profession, occupation or calling: wood crafts

Licensing Fee:

☒ \$40.00 (\$40.00 in-county vendor or seasonal business)

☐ \$80.00 (\$80.00 out of county business)

Date: 4-14-21

Dayla M. Gibson
Signature of applicant or agent

Your information will be available on-line to the public at www.cityofhines.com unless you indicate otherwise (in writing).

If the business is required by the state to have registration, bonding or insurance, attach a copy of those documents to this application and fill in information below:

Registration No.: _____

Bond No.: _____

Insurance agent/agency: _____

Approved by the Council 4/27/21
[Signature]

FOR CITY USE ONLY:

License No. _____

Date issued: 4/27/21

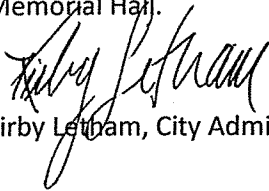
Tuesday April 27, 2021

Hines City Council Meeting

Oregon Old Time Fiddlers – District 9 (Burns)

Randy Gibson representing the OOTFA for the Burns area made a presentation explaining that the Old Time Fiddlers are planning on having a Jamboree June 17-19. He submitted a donation request. Mr. Gibson requested funds to help the group pay for the cost of renting the Memorial Hall and pay for the insurance.

The Council voted to donate \$500 from the TLT funds to support the Old Time Fiddlers toward renting Memorial Hall.

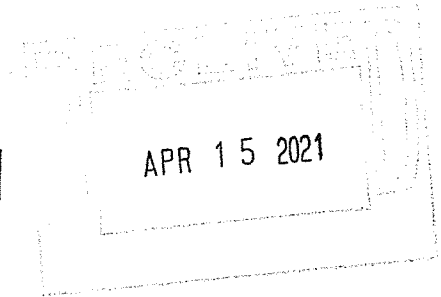
A handwritten signature in black ink, appearing to read "Kirby Letnam", written over the printed name.

Kirby Letnam, City Administrator



CLASS OF 2021

"Project Graduation"
513 N. Saginaw Avenue
Hines, OR 97738



Dear Burns Hilander Supporter:

Since 1958, parents of graduating seniors from Burns High School have been hosting a senior graduation party. This tradition started in order to keep graduates safe by offering them a supervised, drug-and-alcohol-free celebration. The party includes games, activities, prizes, food, music, and memories to cherish as a class.


The Class of 2021 is looking for sponsors for this celebration. Parents are making commitments of time, talent, and treasure (\$). If you would like to participate, we have two options available for contributions:

- A cash contribution made out to "*Project Graduation*."
- Merchandise or gift cards. We are looking for items useful to young adults heading out into the world. Items donated in the past include: a microwave, DVD player, cooler, linens for college dorms, luggage, tools, camping equipment, and dishes.

Your continued support and all you do to make this event such a great success is greatly appreciated. Please send cash donations to the address above. Contact Krysta Raif at (619)866-1415 or Lisa King at (541)589-1537 to arrange for items to be picked up. Should you have questions, please don't hesitate to call.

Our nonprofit tax identification number is 80-0031761. If you are able to contribute, please respond by May 10, 2021. Our team members may contact you for follow up.

The Senior Class of 2021 & Parent Volunteers

\$400- Approved by
Council 
4/27.