

**PUBLIC NOTICE
A MEETING OF THE HINES COMMON COUNCIL
March 23, 2021 AGENDA**

- | | | |
|-------|--|------|
| I. | Meeting begins at 6:30pm | |
| II. | Flag Salute | |
| III. | Approval of March 23, 2021 Agenda | VOTE |
| IV. | Approval of previous meeting minutes from March 9, 2021 | VOTE |
| V. | Approval of Accounts Payable: | VOTE |
| | - March 23, 2021 in the amount of \$12,063.58 | |
| VI. | City Administrator Report | |
| VII. | Public Comment – Non-Agenda Items ONLY (Speaking time limits may apply) | |
| VIII. | Old Business | |
| | a) Park Sign/Reader board | VOTE |
| | b) Chamber Update – Councilor Quick | |
| | c) Bathroom Bid Package | VOTE |
| | d) Legal and Planning Consultant – Eckstein Law LLC | VOTE |
| IX. | New Business | |
| | a) Business License Application: Eden’s Gate Design and Build LLC (Jay Mangum) | VOTE |
| | b) Certified Local Government (CLG) – Historical Restoration (First Reading) | |
| | c) American Rescue Plan (ARP) – Explanation by City Administrator | |
| 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 23rd day of March 2021

Approved 3/23/21


Kirby Letham, City Administrator

REGULAR MEETING OF HINES COMMON COUNCIL

March 23, 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

Edgar Best

Mike Haines

Jay Mangum

Administrator

From: FreeConferenceCall Services <noreply@freeconferencecall.com>
Sent: Tuesday, March 23, 2021 7:53 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: March 23, 2021 6:27:25 PM
Phone number: 🇺🇸 (425) 436-6354
Access code: 710647
Account: #s12080374

Audio

Caller	Service Type	Start Time	End Time	Duration
541 413 0274 - VOICE MAIL Host	🇺🇸	6:27:25 PM	7:53:18 PM	86r

Number of attendees: 1
Duration: 86m
Note: All times in Pacific Time

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City Council Mtg. 3/23/21

Miller & York not present

I. ✓

II. ✓

III. Shep., Beers, Ages

IV. Beers, Ron, Ages.

V. Quick, Shep. (Beers), Ages.

VI. City Admin -

VII. Public Comment - none

~~VIII~~ Old

a) Marsallai presented sign options

- trees need to come down
- using old deck
- we need to plan the cost & volunteer.

b) Chamber Update.

- current employees left
- haven't made any hires yet; posted everywhere.
- looking to hire by End of April.
- Council is helping

c) Park bathroom

- Mayor concerned about prefab & match Pavilion
- Ron lets get this done
- Marsallai - Misty had concerns
- Ron - Beers
- Marsallai, Ron - use A.P. for P. Bath. Ages.

d) Eckstein

- Kirby explained that the Shoo
- Ron, Misty, Ages - Hire Eckstein LLC.

IX New Business

- a) Business license - Jay Mangum
 - Jay - 10 yrs in construction
 - wants to be a homebuilder
 - Quick, Misty,
- b) CLG.
- c) ARP

X Public Comment

XI Council Comments

- None
- Ron - guy in John Day
- Beers - need to fix street cuts
- Mayor - Councilors
 - Water/Sewer = Beers & Williams
 - Pl / Fire = Quick & Miller
 - Parks/streets = York / Shepherd.
- * Jay M. asked if he could volunteer

Adjourn Beers, Ron, Ages. @ 7:46 pm

**MINUTES FROM
A MEETING OF THE HINES COMMON COUNCIL
March 9, 2021**

Present:

Mayor:

Nikki Morgan

Council:

Councilors Misty Shepherd, Gary Miller, Robert Beers, Ron Williams, Marsallai Quick and Amity York were present.

City Staff:

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

Public Audience:

Brock Eckstein, Laura Eckstein, Duane Hutchins, Scot Christofferson, Debra Christofferson, Matt Shepherd, Hilda Allison and Kaitlyn Davis

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

Approval of the March 9, 2021 Agenda

Councilor Beers made a motion to approve the agenda for March 9, 2021 as presented. Councilor Williams seconded the motion. All ayes, the motion carried.

Approval of the February 23, 2021 Meeting Minutes

Councilor Williams made a motion to approve the meeting minutes from February 23, 2021. Councilor Beers seconded the motion. All ayes, the motion carried.

Accounts Payable for March 4, 2021 and March 9, 2021

Councilor Beers made a motion to approve the accounts payable for March 4, 2021 in the amount of \$159.29 and March 9, 2021 in the amount of \$13,048.05. Councilor Williams seconded the motion. All ayes, the motion carried.

Department Reports

Chief DeLange – Reported there has been 173 calls since his last report. Most calls are domestic violence related. A lot of traffic citations being issued. There is still an individual breaking into vehicles at night. Do not leave vehicles unlocked and do not leave guns, cash, purses or wallets in your vehicles. Major crimes responded to a male subject run

over by a truck. He was airlifted out. It is still being investigated. During the investigation there were four domestic calls and an unattended death. January 11th, Officer Mitchell made a traffic stop. The department received a letter from the driver thanking Officer Mitchell for stopping them. Because of the traffic stop, the driver slowed down. Further down the road they ran in to 6 elk. It totaled the vehicle, but all parties survived with no injuries. Administrator Letham also commented that the day after the letter was received, he received a telephone call from a man. That man said he had been driving through town and stopped to sleep in his vehicle. He said that mentally he was not in a good place. Officer Mitchell stopped to see if he was ok and took the time to speak with him and gave him some references and now is in a much better place. He wanted to thank the City and especially Officer Mitchell.

Chief Spence – 6 calls to 911 since last month. 1 pickup truck fire. Vehicle was totaled. A couple of food fires. There was a heater fire at the Sundowner. An employee grabbed a fire extinguisher and put out the fire and called 911.

Public Works, Acting Superintendent Lewellen – They are pumping approximately 200K gallons of water/day currently. Lagoon is handling approximately 145K gallons per day. Pumping into the overflow lagoon currently. Pumping approximately 210K gallons per day to get it full for the Spring. The Sewer Jet pump needs to be rebuilt. \$2K - \$3K to repair. Burns also has a piece of equipment that needs repair. Both cities will work with the company to share the cost on travel time. Water tank on the Logging Road needs to be cleaned. About \$2500 to have the company come out and clean it. Contractors are here working on the pumphouse for Well #3 and the two on the hill. They installed a new roof on the pumphouse today.

City Administrator Letham – Administrator Letham wanted to give a follow-up report on Measure 110 (the decriminalization of drugs). In discussing this with both attorneys from League of Oregon Cities (LOC) and the County there appears there are no legal doors open to pass an ordinance of our own. Also, according to LOC in Q1 2021, the percentage of revenue from marijuana sales going to cities from the state will be down 76% - meaning cities will only be receiving 24% of what they received last year. The forecasted revenues for Q2 are equally dismal. HB2015 has been introduced by the City of Ontario and Rep. Mark Owens. If this bill passes, it will increase the amount of tax a city can collect on marijuana sales from 3% to 10%. Still working on the homelessness issue. Continue to work with the County, City of Burns and City attorneys to try to come up with a solution. Still waiting on the appraisal from Fred Ellis for the Ty Volle lot. Oregon Government Ethics Commission (OGE) reminder to the Council. There is a water line between Roanoke and Saginaw that is being added to the replacement list. The Anderson Perry archeologists will be working between March 18th – 25th to make sure there are no issues with that area. Superintendent Lewellen asked if we could remind residents to not drive in the alleys. Suggested that it be put on the radio and on Facebook. Ms. Allison asked if

areas where the streets have been dug up if the contractors will repair the streets. Administrator Letham said that the contractors will take care of the street repairs.

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

None

Old Business:

Ordinance 328: Fuel Tax

Administrator Letham read Ordinance 328 in its entirety. Councilor Beers made a motion to approve Ordinance 328 as read. Councilor York seconded the motion. All ayes, the motion carried.

Deer – Review of Resolution 2252

Resolution 2252 declares that the deer population has risen to levels constituting a public nuisance. The Council has three actions it can choose from. #1 – it can rescind Resolution 2252, #2 – The Council can make a motion to act on Resolution 2252, give City staff permission to get tags from ODFW #3 – The Council can vote to make a motion to amend Resolution 2252 making it optional and place a measure on the November ballot to allow residents to vote on whether to move forward with the program. Councilor Miller asked Superintendent Lewellen about the number of deer he has seen in town. Superintendent Lewellen said he has noticed there are not as many deer as there has been in the past. Resident Duane Hutchins advised that this area is winter ground for deer. He suggested that the City just live with the deer. Chief DeLange said that he believes that the deer population has dropped since the Council enacted the “No Feeding the Deer” Ordinance. *Councilor Beers made a motion to amend Ordinance 2252 to make it optional, and to place a measure on the November ballot. Councilor Shepherd seconded the motion. All ayes, the motion carried.*

Request for Proposal for Park Sprinklers

This RFP is for the second and third phases of the underground park sprinklers to be completed this spring. The first section to be worked on will be the City Hall park, followed by the City Hall park and then completed with the Skate Park. The RFP will be released March 10th and bids are due back by April 8th at 2:00pm. Bids will be opened after the 2:00pm close of bid. They will be verified for pricing, licensing, etc. They will then be presented to the Council to make the award at the April 13th Council meeting. *Councilor Beers made a motion to release the RFP for bid. Councilor Shepherd seconded the motion. All ayes, motion carried.*

New Business:

Business License Application – Columbia Plumbing Services, Inc. (Scot Christofferson)

Has been a licensed plumber for over 25 years. *Councilor Quick made a motion to approve the business license for Columbia Plumbing Services. Councilor Miller seconded the motion. All ayes, motion carried.*

Planning Commission Letter of Interest – Matthew Shepherd

Matthew Shepherd presented the Council with a letter of interest to become a member of the Planning Commission. The Mayor asked Mr. Shepherd if he had any problem attending the meetings and reviewing information sent out. Mr. Shepherd said he was fine with it. The Mayor appointed Mr. Shepherd to the Planning Commission.

Resolution 2299 – Transfer Funds to TLT

Administrator Letham read Resolution 2299 in its entirety. At the end of the 2019-2020 fiscal year the City still had \$4,445.79 in the Tourism Promotion TLT account and the funds were moved to Available Cash on Hand. Resolution 2299 moves the money back to the Tourism Promotion TLT account. *Councilor Beers made a motion to approve Resolution 2299 as read. Councilor Quick seconded the motion. All ayes, the motion carried.*

TLT Funds – Potential Projects

A group of residents have gotten together to form a committee to assist the Council with requests for TLT funds. They have drafted a form for people to use to request TLT funds from the Council. The first project that has been brought forward was the possibility of a reader board welcoming people to Hines and promoting local businesses and activities.

Presentation – Laura Eckstein Law LLC

Currently, the City of Hines' attorney of record has become increasingly busy and his available time to provide general counsel to the City has become scarce. Eckstein Law provides consulting services, both legal and professional. Brock and Laura Eckstein presented information regarding the legal/consulting services they provide.

CRT Housing Program – Possible Buildable Lot

In 2018, Harney County received a grant to do a housing study. The study, completed by GEODC in 2019, researched the housing needs in Hines, Burns and the County. The committee studied economic models from other cities. The basics of the Harney Homes Project is #1 Public land suitable for home building is identified, #2 A builder is given a low interest construction loan with no payments due until the home is sold, #3 The home is sold at public auction, #4 Student involvement is required in the process, #5 Proceeds after the cost of the project are used to create a Housing Fund to create future projects, #6 Other cost savings incentives are offered from each city and the county for other building opportunities. *Councilor Beers made a motion to donate the land currently known as lot #5401 on S. Saginaw Ave, after the completion of a land survey. Councilor Quick*

seconded the motion. Ayes – Williams, Beers, Quick & York, Nays – Shepherd and Miller. Motion carried.

Public Comment Period (Speaking time limits may apply):

None

Mayor and Council Comments

Councilor York – None

Councilor Shepherd – Thank you to Administrator Letham for the reading of Ordinance 328.

Councilor Miller - None

Councilor Quick – None

Councilor Beers –Thanked the department heads for doing great jobs.

Councilor Williams - None

Mayor Morgan – None

Next Council Meeting is scheduled for March 23, 2021 at 6:30pm.

Adjournment:

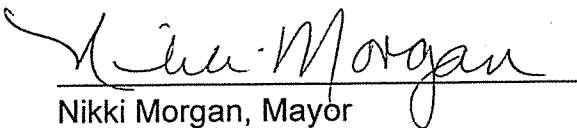
There being no further business, Councilor Beers made a motion to adjourn the meeting. Councilor Williams seconded the motion. All ayes, the motion carried. Meeting adjourned at 8:30pm.

Respectfully Submitted:

Kirby Letham

City Administrator

ACCEPTED AND APPROVED BY THE CITY COUNCIL ON MARCH 23, 2021.


Nikki Morgan, Mayor

City Admin Report

- * A.P. Scholarship
- * update on Fuel tax
- * update on Cemetery Issue
- * No News on Homelessness & drugs but will keep working on that.
- * Cemetery Issue.

March 12, 2021

Cheryl Radinovich
Burns High School
1100 Oregon Avenue
Burns, Oregon 97720

Dear Cheryl:

Anderson Perry & Associates, Inc. (AP) has a policy to give back to the communities where we work. In addition to contributing to various charities, we have developed a scholarship program we feel channels our donation efforts in a very worthwhile direction. Since this program's inception, AP has proudly awarded thousands of dollars in scholarships for graduating seniors each year.

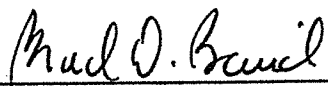
We are pleased to announce that our Board of Directors has selected the City of Hines as an area where we plan to sponsor a scholarship for a deserving high school senior this spring. The scholarship will be in the amount of \$1,000 and will be given on behalf of the City and our firm.

AP has an interest in developing awareness and interest in the engineering industry within the community. Preferably, we would like to offer this scholarship to a graduating senior interested in pursuing a degree in a Science, Technology, Engineering, and Math (STEM) related field. AP has developed selection criteria and an application process that students will be able to access through our scholarship website (www.andersonperry.com/scholarships). Prospective applicants from your school will need to enter the application code HINES2021 to complete the application. We intend to complete the application process by April 27, with final selection of a recipient by May 1. A certificate will be prepared by AP to be presented to the recipient. By May 15, please notify us of the date and location where the certificate will be presented. In the fall, we will send a check directly to the recipient's college of choice.

If you have any questions regarding this program or the selection process, please contact Deb Cornford at (541) 963-8309 or dcornford@andersonperry.com.

Sincerely,

ANDERSON PERRY & ASSOCIATES, INC.

By 
Brad D. Baird, P.E., President

BDB/dc

cc: Mayor Morgan, City Recorder, and City of Hines

COST LIST

12' X 12' PAD W/ EXTRA SUPPORT CORNERS
(3 YARD MIN.)

MOUNT PLATES (RAYS REPAIR)

FORM BOARDS

ELECTRIC HOOK UP FROM CITY HALL

COST OF 2 SIGNS (BACK TO BACK)

-Company can hook up both reader boards at the factory so they will run on one control, and will scroll simultaneously

-If the reader boards are separate, someone would have to physically walk around and point the controller at the reader board that faces away from city hall

VOLUNTEER WORK

TRUCK STOP WILL LOAD, HAUL, UNLOAD THE TOWER

PREP AND POUR CEMENT

MOUNT SIGNS

LOCATION

CITY HALL PARK- ON ODOT LINE AND CENTERED NORTH AND SOUTH ALONG HWY 20.

WIRELESS LIMIT- 200' LOCATION IS APPROX. 150' FROM CITY HALL (since the controller can only be approx. 60 yards away from sign to program)

TOWER

25' TALL
10'X10' AT BASE

HINES HISTORY= BUILT IN 1940'S WITH RED FIR "DOUGLAS FIR" FROM OUR FORREST, BY HINES LUMBER MILL, USED OVER CITY WELL TO PULL THE PUMP
THE CABLE AND PULLEY ARE STILL ATTACHED

READER BOARDS


8' 6" X 3'
102" X 36"
\$2885.00 X 2= \$5770.00 (FREE SHIPPING)

3 YEAR WARRANTY

CAN WITHSTAND 40 DEGREES BELOW OR 140F

MULTI FUNCTIONAL

10 LEVELS OF BRIGHTNESS
WILL DIM AT NIGHT AND BRIGHTEN IN DAYLIGHT



LED Sign: Size 53" x 36" MADE-USA Retail \$2,999.95
Multicolor • Programmable • Scrolling
With Wireless Remote Keyboard • Top Quality
Our Low Price
\$1,785.00
Free Shipping

Many built-in preloaded images, animations and logos. Show everyone your products, services and contact info all the time. Free shipping to anywhere in the U.S. and Canada.
 Call 888-885-7740 for Orders and Info



LED Sign: Size 69" x 36" MADE-USA Retail \$3,499.95
Multicolor • Programmable • Scrolling
With Wireless Remote Keyboard • Top Quality
Our Low Price
\$2,185.00
Free Shipping

Educate and inform your city. We sell thousands of LED signs to government agencies like fire departments, USPS, city halls, military bases, airports, hospitals, parks etc.
 Call 888-885-7740 for Orders and Info



LED Sign: Size 85" x 36" MADE-USA Retail \$3,999.95
Multicolor • Programmable • Scrolling
With Wireless Remote Keyboard • Top Quality
Our Low Price
\$2,585.00
Free Shipping

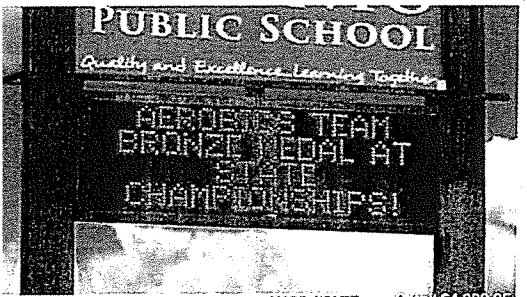
Our signs are Made in the USA with domestic and foreign parts. They are FCC compliant, UL Compliant, CSA Compliant and MetLab Certified. New energy efficient technology.
 Call 888-885-7740 for Orders and Info



LED Sign: Size 102" x 36" MADE-USA Retail \$4,499.95
Multicolor • Programmable • Scrolling
With Wireless Remote Keyboard • Top Quality
Our Low Price
\$2,885.00
Free Shipping

Attract and inform visitors 24 hours a day with colorful changing messages and images. Free 3 year warranty. Free lifetime telephone technical and programming support.
 Call 888-885-7740 for Orders and Info

NOT ON BRICK BASE



LED Sign: Size 119" x 36" MADE-USA Retail \$4,999.95
Multicolor • Programmable • Scrolling
With Wireless Remote Keyboard • Top Quality
Our Low Price
\$3,285.00
Free Shipping

Display messages in 1 and 2 lines. 4 lines on 36" high sizes. Display hundreds of messages and images still, rotating or scrolling. It's easy with our wireless remote control keyboard.
 Call 888-885-7740 for Orders and Info



LED Sign: Size 135" x 36" MADE-USA Retail \$5,499.95
Multicolor • Programmable • Scrolling
With Wireless Remote Keyboard • Top Quality
Our Low Price
\$3,585.00
Free Shipping

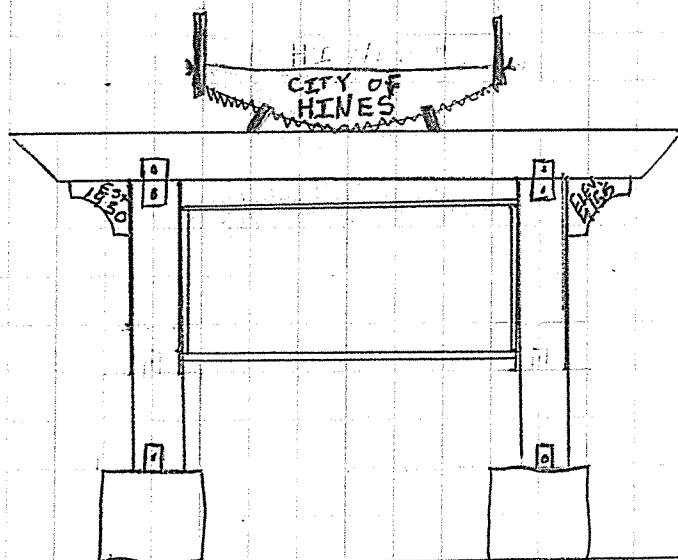
Our signs can be your main sign, above your sign, below your sign, out on the property or inside your building. Many businesses buy several more signs after their first purchase.
 Call 888-885-7740 for Orders and Info

14'-6"-6'-
2 - 16" tubes

\$16K ish

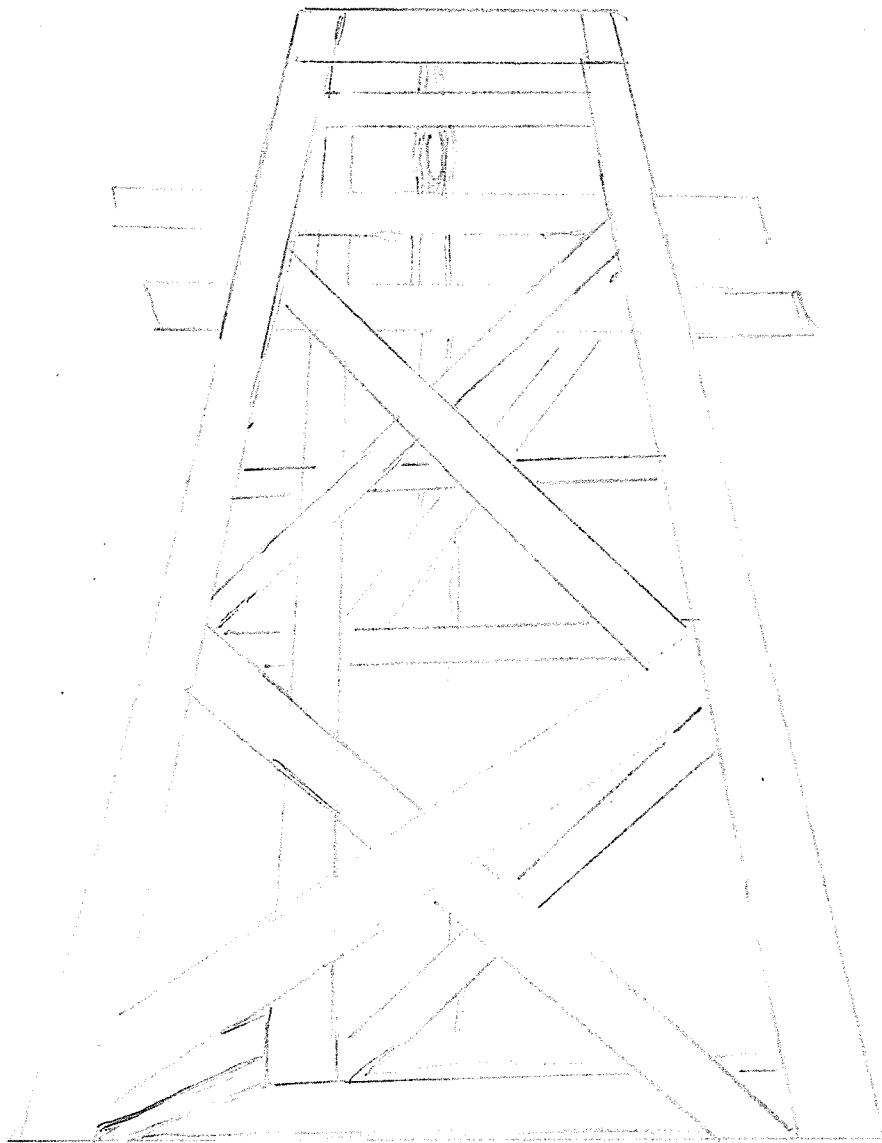


14



9'

16-20" concrete
tubes



TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: March 23, 2021
SUBJECT: Discussion – Park Bathroom

Attachment(s)

- Examples of RFP packages
- CXT Concrete Buildings website (option 2)
- 2x6 Frame Building example (option 1)

DISCUSSION:

The park bathroom has been a topic of discussion for a long time now. Costs and design have been a concern.

Option 1:

The City can hire Anderson Perry to create a designed RFP package. This would allow for a very clear bid process and design expectations. The building specified would be a pre-fab, concrete building with engineered drawings specifying connections.

Option 2:

The City could release a very simple ad requesting bids to build similar to the drawing in the packet. This would reduce design costs, and possibly overall costs, but could leave some room for interpretation by contractors during the bid and building process.

Both options would likely be able to be completed within the \$80,000.00 budget for a Park Bathroom. Anderson Perry would cost about \$6000-8500 for design, write up, and release. A generic RFP would eliminate this cost, but bids would be left to interpretation by the contractor.

POSSIBLE MOTIONS:

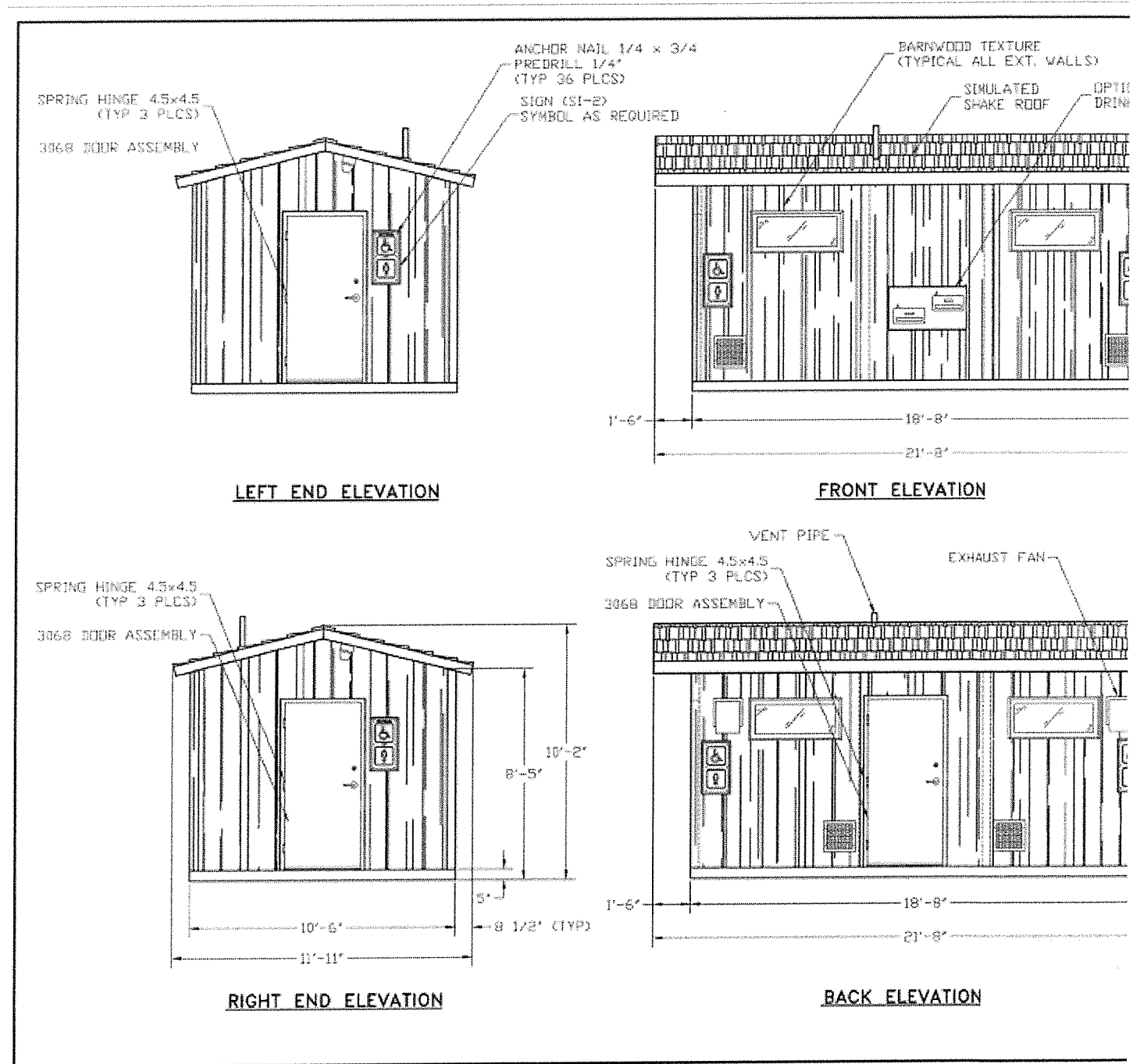
"I make a motion to hire Anderson Perry to create a designed RFP package and obtain bids for a park bathroom based on their package."

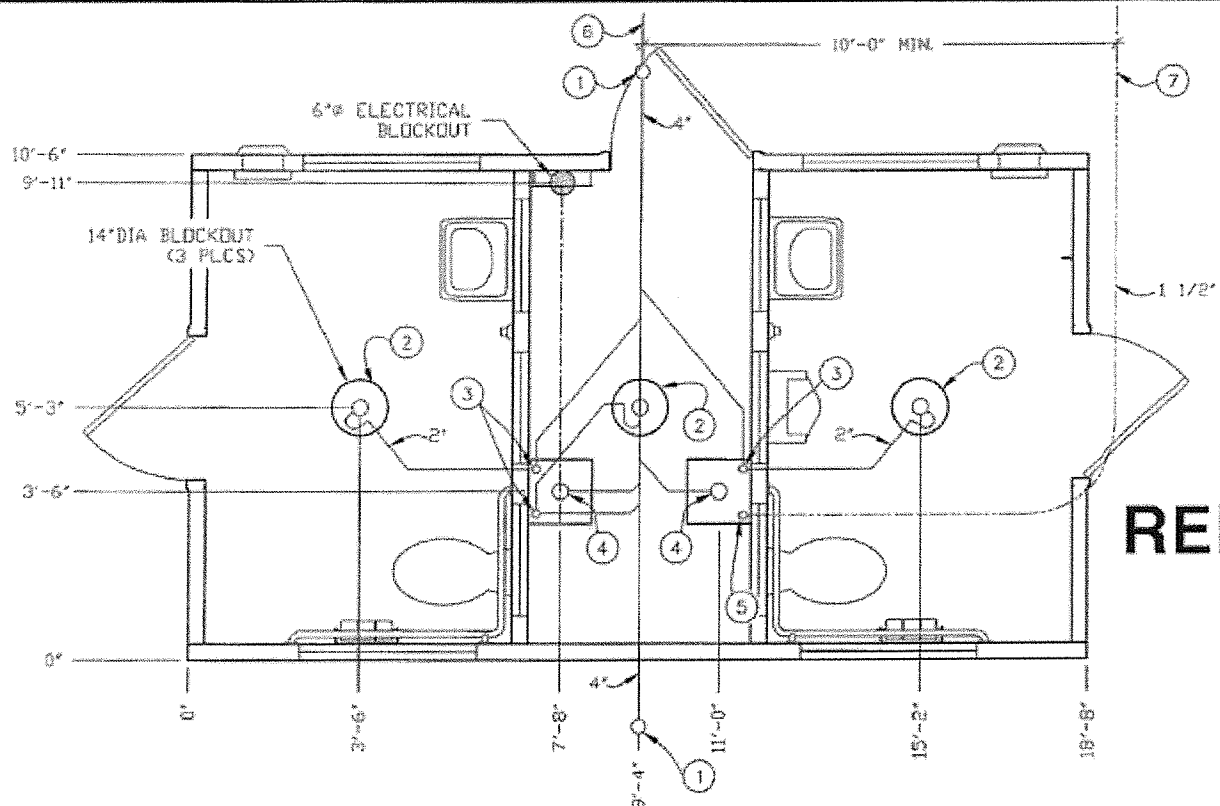
OR

"I make a motion to release a generic RFP package by city staff and obtain bids for a park bathroom."

Hi Brandon,

I put a precast building together for a Kiwanis Park in College Place. I recommend looking into CXT Concrete Buildings: <http://cxtinc.com/>. Here are a few examples from the Kiwanis Park job:





**F
REFE
OI**

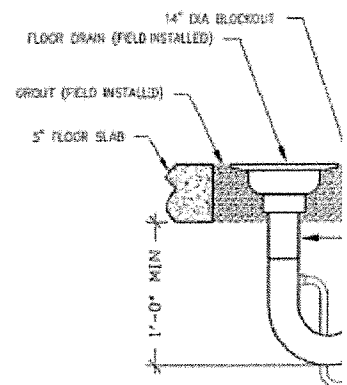
BELOW FLOOR PIPING - KEY NOTES

1. 4" CLEAN OUT TO GRADE.
2. 2" FLOOR DRAIN FIELD INSTALLED W/ TRAP PRIMER SYSTEM IF OPTION IS ACCEPTED, INSTALL AS SHOWN W/ VENT & WASTE PIPE. (14"DIA BLOCKOUT)
3. 2" VENT EXTENDED 12" ABOVE FINISHED FLOOR LEVEL. (1 FOR EA FLOOR DRAIN IF FLOOR DRAIN OPTION ACCEPTED) PROVIDE TEST PLUG. (16"x16" BLOCKOUT)
4. 4" WASTE PIPE EXTENDED 12" ABOVE FINISHED FLOOR LEVEL, PROVIDE TEST PLUG. (16"x16" BLOCKOUT)
5. 1 1/2" TYPE K ANNEALED "SOFT" COPPER WATER SERVICE EXTENDED 12" ABOVE FINISHED FLOOR LEVEL, PROVIDE TEST CAP AT END. (16"x16" BLOCKOUT)
6. 36" MIN. BURY, PROVIDE TRACER TAPE.
7. 4'-6" MIN. BURY.

PIPING LEGEND

- BELOW FLOOR WASTE PIPING SCH 40 ABS TYPE DWV
- - - 1 1/2" TYPE "K" ANNEALED "SOFT" COPPER WATER SERVICE

ALL PIPING INDICATED ON THIS SHEET IS NOT BY CXT



FLOOR DRAIN



Make sure whatever manufacturer you go with is registered with the State. Otherwise a building inspection will be required.

Good luck,



Michael Blasy, P.E. (WA, ID)
Project Engineer
Anderson Perry & Associates, Inc.
214 E. Birch Street/P.O. Box 1687
Walla Walla, WA 99362
509-529-9260 office
509-529-8102 fax

Web Facebook

From: Brandon Mahon <bmahon@andersonperry.com>

Sent: Tuesday, March 23, 2021 10:27 AM

To: Aaron Hamilton <ahamilton@andersonperry.com>; Andy Lindsey <alindsey@andersonperry.com>; Andy Perry <aperry@andersonperry.com>; Angela Douglass <adouglass@andersonperry.com>; Austin Houser

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: March 23, 2021
SUBJECT: Discussion – Eckstein Law LLC Presentation
Attachment(s)
- Letter from Eckstein Law

DISCUSSION:

For fiscal year 2020-21 the City has budgeted \$15,000.00 in City Hall, and \$6,000.00 in the Water Department. So far the City has only spent \$10,914.00.

If the City were to hire Eckstein Law as a consultant, there are two choices:

- 1) 5 hours per month at \$500/month. 12 months = \$6,000.00.
- 2) 12 hours per month at \$1,000/mo. 12 months = \$12,000.00.

A note about contracts from the City Code:

4. Personal Service Contracts Not Exceeding \$20,000 per Year. Contracts for which the solicitation agent estimates that payments will not exceed twenty thousand dollars in any fiscal year or one hundred fifty thousand dollars over the full term, including optional renewals, may be awarded under any method deemed in the city's best interest by the solicitation agent, including by direct appointment.

LAURA ECKSTEIN LAW, LLC
YOUR ONE-STOP, NO-STRESS SOLUTION

TIER 1:

5 hours of Firm Time

\$500/month

TIER 2:

12 hours of Firm Time

\$1,000/month

PRICING:

- Hours ("Firm Time") include Municipal Consultant, Attorney, and/or paralegals/legal assistants, in any combination needed
- Time is billed in 1/10 hours, or 6-minute increments
- Overages – rates for usage over the flat rate hours:
 - Lawyer and consultant: Municipal discount rate of \$125/hour (regular rate \$225/hour)
 - Paralegal/assistant Municipal discount rate = \$50/hour (regular rate \$75/hour)
- Can roll-over or "bank" up to 10 hours in a calendar year

Our combined decades of municipal and business experience include:

BROCK ECKSTEIN, MUNICIPAL CONSULTANT:

- 7 years City Administrator / City Recorder
- City budget officer
- 10 years budget committee member
- 8 years Planning Commission member
- Written over \$12 million in grants
- Project manager over \$6 million in municipal projects
- Small business owner since 2012
- Established Municipal Court, from the ground up
- Manage law enforcement contract between city and county
- General Manager for Wallowa Union Railroad Authority (WURA)
- Payroll Specialist/Human Resource Director
- Former Acting Public Safety Director
- Former Acting Public Works Director
- Manage Special District for Parks & Recreation
- Manage city-run RV Park
- Interface with school district
- Bachelor of Science in Business Administration
- 18 years military service; presently Army officer

LAURA JANE ECKSTEIN, ATTORNEY AT LAW:

- 22 years practicing law
- Licensed in 3 states and 6 federal jurisdictions
- Municipal Court Judge (current)
- Member, Oregon State Advisory Committee to U.S. Commission on Civil Rights
- Former City Property Acquisition Specialist
- Former Assistant City Prosecutor for city of 72,000
- Budget Committee for Parks & Recreation District
- Member, Government Law Section, Oregon State Bar
- Juris Doctorate, J. Reuben Clark Law School
- Bachelor of Arts in Political Science
- Small business owner since 2009

Call us today to set up your customized solution.

LESS STRESS STARTS HERE!

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LAURA ECKSTEIN LAW, LLC

115 Elm Street, Suite 15

La Grande, OR 97850

LauraEcksteinLaw@gmail.com

www.LauraEcksteinLaw.com

(541) 805-5551

Kirby Letham
PO Box 336
101 E. Barnes Avenue
Hines, OR 97738

OCT 1 2020

Dear Mr. Letham,

We would like to introduce ourselves, and offer you a unique, one-stop solution for the many challenges you face daily as a public servant. We intimately understand the sometimes-complex issues facing small cities in Oregon. Our tailored services are specifically designed to be responsive and help you streamline your day-to-day city operations, with less stress.

As a 7-year City Administrator/Recorder, our Municipal Consultant – Brock Eckstein – knows the ins-and-outs of the sometimes-overwhelming demands of your job. He is here to offer real-time, meaningful heavy lifting to help you move your city forward with less stress. Along with Brock, our local attorney – Laura Eckstein – has 22 years of law practice under her belt and understands the importance of having trusted professionals accessible to you, when and how you need them, to ensure compliance.

We have developed a two-tiered solution for smaller cities like yours, that can be customized to meet your specific needs, and can be changed over time to adapt to your situation. For a simple monthly fee, you will have on-demand access to both our Municipal Consultant and our attorney to give the answers and guidance that you need, when you need them.

We would love to work with you and provide a wealth of solutions for all of the municipal challenges you face. Please give us a call and we can discuss your custom solution.

Respectfully,



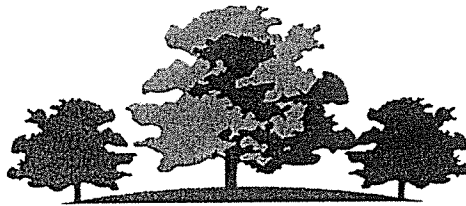
Laura Jane Eckstein, Esq.
Attorney at Law



Brock Eckstein
Municipal Consultant

SOME OF THE SERVICES WE OFFER:

- Telephone and in-person consultation
- Grant writing
- Legal review and consultation
- Resolution drafting
- Policy development
- Budget support
- Contract/lease drafting and review
- Develop meeting packet and agendas
- Digitize records and files
- Upload and maintain Municode
- Update ordinances
- Press releases and public relations
- Social media management
- Payroll and accounting services
- Budget/accounting/financial advising
- Counsel meeting representation
- Confer on human resources issues
- Long-term and strategic planning
- Ensure compliance with state law
- Conflict resolution and mediation
- Archiving and typing meeting minutes
- Eminent domain and annexation



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

BUSINESS NAME: Eden's Gate Design Build LLC

BUSINESS PHONE NUMBER: (346) 235-8545

CONTACT PERSON: Jay Mangum

MAILING ADDRESS: 32497 Airport Ln. Burns, OR

PHYSICAL ADDRESS: Same as above

EMAIL ADDRESS: edensgate designbuild@gmail.com

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

General Construction Contractor

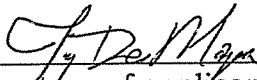
Fiscal Year for Business License: **July 1, 2021 – June 30, 2022**

Licensing Fee:

☒ **\$65.00** (\$40.00 in-county vendor or seasonal business plus \$25.00 application fee)

☐ **\$105.00** (\$80.00 out of county business plus \$25.00 application fee)

Date: 03/17/2021


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.: 234492 Bond No.: PJ 8105

Insurance agent/agency: Debbie Ausmus / Country Financial

FOR CITY USE ONLY:

License No. _____

Date issued: _____

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: March 23, 2021
SUBJECT: Discussion – Certified Local Government

Attachment(s)

- CLG Program Summary
- CLG Ordinance Rough Draft

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.

See the Program Summary sheet for more understanding.

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.



Kuri Gill, CLG Coordinator: (503) 986-0685, Kuri.Gill@oregon.gov

www.oregonheritage.org

Ordinance No. _____

THE CITY OF HINES, OREGON, HISTORIC PRESERVATION ORDINANCE

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.

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.

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,

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:....."

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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 a 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 in 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, milestone, 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](#) [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.

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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. 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.~~

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

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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.~~

GH. 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 Oregon State Historic Preservation Office, hereinafter referred to as "SHPO"~~

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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.

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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 84.E, pursuant to Oregon State Law.

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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 74.A or all of the criteria listed below:

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

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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

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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 ~~resouees~~ resources and funds are available.

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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 810: 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.

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.

- 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.

- 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.

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.

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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 if there isn't a process in place.

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—5. After review and comments by the Landmark Commission, ~~t~~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~~edat~~ alteration will not significantly change the qualities that merited the list~~ing~~ed 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:

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

—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.

—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-

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~~—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.

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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:

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

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——(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 façade(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 façade 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.

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—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:

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—(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 11-28.D as it relates to new construction; and

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—(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.

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—(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.

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—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.

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

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_____ (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.

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—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.

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—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.

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—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 944: 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 942.E.

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—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.

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—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.

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—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.

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—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
- 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 7-40.

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—F. Landmarks accidentally destroyed by flood, fire, or other natural or accidental act or demolished under the provisions of this Section 8-1-1 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 8-1-5-E-3.

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—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 811 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.

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- 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.

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- 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:

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- 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.

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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.

TO: Hines City Council
FROM: Kirby Letham, City Administrator
DATE: March 23, 2021
SUBJECT: Discussion – American Rescue Plan

Attachment(s)

- A.R.P. Q&A by LOC
- Email from Wyden's office
- Spreadsheet with estimated City allotments

DISCUSSION:

The United States Congress passed a bill that has been labeled the American Rescue Plan. Every city in the United States has been given this grant based upon population size and other factors.

The City of Hines is estimated to receive \$314,923.00.

There are still unknowns about exactly what this money will be able to be spent on. The attachments outline what we know now.

	<u>In Billions</u>		
	<u>To State</u>	<u>To Local</u>	<u>Total</u>
Oregon	\$2.608	\$1.654	\$4.262
(State total of \$2.608 billion includes \$155 million for broadband)			

<u>Counties</u>	<u>Total (in millions)</u>	<u>Cities</u>	<u>Total (in millions)</u>
Baker County	\$3.127	Albany	\$9.357
Benton County	\$18.047	Ashland	\$4.410
Clackamas County	\$81.105	Beaverton	\$17.513
Clatsop County	\$7.801	Bend	\$12.654
Columbia County	\$10.154	Corvallis	\$13.813
Coos County	\$12.507	Eugene	\$35.592
Crook County	\$4.733	Grants Pass	\$9.340
Curry County	\$4.446	Gresham	\$27.168
Deschutes County	\$38.341	Hillsboro	\$18.622
Douglas County	\$21.524	Medford	\$18.335
Gilliam County	\$0.371	Portland	\$217.787
Grant County	\$1.396	Redmond	\$6.399
Harney County	\$1.434	Salem	\$32.876
Hood River County	\$4.535	Springfield	\$13.884
Jackson County	\$42.851	Nonentitled*	\$242.905
Jefferson County	\$4.782	TOTAL	\$680.654
Josephine County	\$16.968		
Klamath County	\$13.234		
Lake County	\$1.526		
Lane County	\$74.100		
Lincoln County	\$9.690		
Linn County	\$25.164		
Malheur County	\$5.929		
Marion County	\$67.457		
Morrow County	\$2.250		
Multnomah County	\$157.648		
Polk County	\$16.696		
Sherman County	\$0.345		
Tillamook County	\$5.243		
Umatilla County	\$15.118		
Union County	\$5.204		
Wallowa County	\$1.398		
Wasco County	\$5.175		
Washington County	\$116.675		
Wheeler County	\$0.258		
Yamhill County	\$20.771		
TOTAL	\$818.004		

* Total to be disbursed by the state
to nonentitled jurisdictions

"Non-entitled" is any jurisdiction not included in Counties or Metro Cities;
The estimates are approximate.

(Approx. total of \$242 million)

Non-entitled Jurisdictions

Adair Village city	\$178,151
Adams city	\$72,769
Adrian city	\$35,263
Amity city	\$351,410
Antelope city	\$10,192
Arlington city	\$122,300
Astoria city	\$2,041,396
Athena city	\$233,186
Aumsville city	\$852,026
Aurora city	\$211,783
Baker City city	\$1,999,406
Bandon city	\$641,669
Banks city	\$415,006
Barlow city	\$29,964
Bay City city	\$286,183
Boardman city	\$764,173
Bonanza town	\$86,833
Brookings city	\$1,320,843
Brownsville city	\$371,589
Burns city	\$569,512
Butte Falls town	\$93,152
Canby city	\$3,655,149
Cannon Beach city	\$360,378
Canyon City town	\$135,753
Canyonville city	\$400,534
Carlton city	\$444,766
Cascade Locks city	\$236,651
Cave Junction city	\$402,980
Central Point city	\$3,841,861
Chiloquin city	\$153,895
Clatskanie city	\$373,016
Coburg city	\$238,486
Columbia City city	\$412,152
Condon city	\$142,072
Coos Bay city	\$3,334,926
Coquille city	\$802,698
Cornelius city	\$2,613,558
Cottage Grove city	\$2,133,121
Cove city	\$133,104
Creswell city	\$1,129,240
Culver city	\$342,441
Dallas city	\$3,460,895

Dayton city	\$559,320
Dayville town	\$29,760
Depoe Bay city	\$305,547
Detroit city	\$45,863
Donald city	\$216,064
Drain city	\$243,378
Dufur city	\$130,250
Dundee city	\$667,352
Dunes City city	\$286,590
Durham city	\$392,992
Eagle Point city	\$1,947,429
Echo city	\$144,722
Elgin city	\$366,289
Elkton city	\$40,563
Enterprise city	\$406,852
Estacada city	\$768,454
Fairview city	\$1,950,079
Falls City city	\$215,249
Florence city	\$1,865,284
Forest Grove city	\$5,208,567
Fossil city	\$89,279
Garibaldi city	\$167,551
Gaston city	\$147,168
Gates city	\$104,567
Gearhart city	\$333,065
Gervais city	\$562,989
Gladstone city	\$2,512,049
Glendale city	\$182,839
Gold Beach city	\$469,633
Gold Hill city	\$264,169
Granite city	\$7,338
Grass Valley city	\$33,633
Haines city	\$86,018
Halfway city	\$59,519
Halsey city	\$204,038
Happy Valley city	\$4,597,065
Harrisburg city	\$794,341
Helix city	\$37,505
Heppner city	\$258,054
Hermiston city	\$3,624,574
Hines city	\$314,923
Hood River city	\$1,590,108
Hubbard city	\$727,687
Huntington city	\$88,872
Idanha city	\$32,817
Imbler city	\$65,227
Independence city	\$2,093,782
Ione city	\$66,858
Irrigon city	\$361,397
Island City city	\$210,560

Jacksonville city	\$590,914
Jefferson city	\$685,697
John Day city	\$340,810
Johnson City city	\$128,212
Jordan Valley city	\$36,079
Joseph city	\$229,109
Junction City city	\$1,269,681
Keizer city	\$8,094,855
King City city	\$898,500
Klamath Falls city	\$4,433,998
La Grande city	\$2,774,994
La Pine city	\$393,196
Lafayette city	\$869,351
Lake Oswego city	\$8,117,072
Lakeside city	\$366,493
Lakeview town	\$470,856
Lebanon city	\$3,550,175
Lexington town	\$48,105
Lincoln City city	\$1,869,157
Lonerock city	\$4,484
Long Creek city	\$38,728
Lostine city	\$45,455
Lowell city	\$239,097
Lyons city	\$262,946
Madras city	\$1,437,233
Malin city	\$169,590
Manzanita city	\$134,734
Maupin city	\$89,891
Maywood Park city	\$173,055
McMinnville city	\$7,081,800
Merrill city	\$174,278
Metolius city	\$163,271
Mill City city	\$401,145
Millersburg city	\$521,203
Milton-Freewater city	\$1,441,921
Milwaukie city	\$4,278,473
Mitchell city	\$24,664
Molalla city	\$1,888,521
Monmouth city	\$2,157,785
Monroe city	\$133,307
Monument city	\$25,479
Moro city	\$66,858
Mosier city	\$94,579
Mount Angel city	\$737,675
Mount Vernon city	\$104,363
Myrtle Creek city	\$709,953
Myrtle Point city	\$521,611
Nehalem city	\$60,539
Newberg city	\$4,868,776
Newport city	\$2,212,209

North Bend city	\$1,991,049
North Plains city	\$449,046
North Powder city	\$93,764
Nyssa city	\$649,211
Oakland city	\$194,458
Oakridge city	\$686,920
Ontario city	\$2,240,950
Oregon City city	\$7,610,953
Paisley city	\$49,328
Pendleton city	\$3,422,167
Philomath city	\$1,154,923
Phoenix city	\$948,439
Pilot Rock city	\$307,585
Port Orford city	\$235,020
Powers city	\$138,607
Prairie City city	\$178,558
Prescott city	\$12,842
Prineville city	\$2,187,953
Rainier city	\$409,706
Reedsport city	\$838,165
Richland city	\$36,079
Riddle city	\$248,881
Rivergrove city	\$75,826
Rockaway Beach city	\$288,629
Rogue River city	\$475,137
Roseburg city	\$4,785,815
Rufus city	\$51,570
Sandy city	\$2,321,056
Scappoose city	\$1,541,799
Scio city	\$204,242
Scotts Mills city	\$80,107
Seaside city	\$1,404,823
Seneca city	\$46,678
Shady Cove city	\$637,796
Shaniko city	\$7,542
Sheridan city	\$1,266,828
Sherwood city	\$4,052,014
Siletz city	\$266,003
Silverton city	\$2,164,308
Sisters city	\$566,862
Sodaville city	\$70,323
Spray town	\$30,167
St. Helens city	\$2,800,474
St. Paul city	\$92,744
Stanfield city	\$430,497
Stayton city	\$1,690,802
Sublimity city	\$565,027
Summerville town	\$29,352
Sumpter city	\$41,990
Sutherlin city	\$1,668,176

Sweet Home city	\$2,033,651
Talent city	\$1,346,934
Tangent city	\$274,564
The Dalles city	\$3,212,626
Tigard city	\$11,315,634
Tillamook city	\$1,091,530
Toledo city	\$742,771
Troutdale city	\$3,298,644
Tualatin city	\$5,674,123
Turner city	\$432,332
Ukiah city	\$42,397
Umatilla city	\$1,492,268
Union city	\$452,715
Unity city	\$14,268
Vale city	\$370,570
Veneta city	\$1,030,584
Vernonia city	\$464,945
Waldport city	\$454,550
Walla Walla city	\$170,609
Warrenton city	\$1,169,803
Wasco city	\$83,980
Waterloo town	\$52,181
West Linn city	\$5,449,702
Westfir city	\$54,424
Weston city	\$132,696
Wheeler city	\$89,687
Willamina city	\$458,626
Wilsonville city	\$5,079,132
Winston city	\$1,123,328
Wood Village city	\$834,292
Woodburn city	\$5,355,327
Yachats city	\$159,806
Yamhill city	\$238,282
Yoncalla city	\$223,402
APPROXIMATE TOTALS	\$242,905,156



League of Oregon Cities

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LOC News

American Rescue Plan Q&A – More Details to Come

Following last week's announcement, the LOC has received numerous calls and emails about when the American Rescue Plan (ARP) distribution to cities is coming and how it can be spent. The best response we can offer at this time is to be patient and recognize it will take time before we see clear details on spending restrictions, as well as when the funding will make its way to cities, counties and the state.

The good news is that funding is on the way, and every city will receive a funding allocation. The following Q&A should be helpful for some of your questions.

How do cities get ARP funding? Do they need to apply?

- There is no application process required under the ARP, nor is there a reimbursement process that is comparable to the Coronavirus Relief Fund (CRF) money that was released in 2020. Cities will receive the funds up front and will be responsible for submitting periodic reports to the U.S. Treasury, detailing how they are spending the funds.

When should my city expect to see the payments?

- Larger cities (generally those with a population greater than 50,000) will receive distributions directly from the U.S. Treasury within 60 days of the law's enactment. Smaller cities will receive distributions about 30 days after that through the state. It is possible the state may request additional time, but they will have to justify their need for it.
- Cities will receive one-half of the total allocation in the first payment and the balance of funds about one year later.

How will the state pass the money through to smaller cities?

- The state will pass through funds according to a predetermined formula, and importantly, the language states that the state "shall" distribute the funds, not that it "may." The state is subject to penalties if it fails to distribute these funds and cannot collect any processing fees for the pass through of funds.

Can states place any additional restrictions on ARP funds?

- Our understanding is that the guidance for the use of ARP funds will come from the federal government. The U.S. Treasury guidance for the CRF monies specified the state could not put any additional restrictions on use, and we hope the guidance for the ARP will use similar language. States have not been given any authority to place additional restrictions on the use of the ARP funds.

What can ARP funds be used for?

- To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel and hospitality.

- To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the city that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work.
- For the provision of government services to the extent of the reduction in revenue of the city due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency.
- To make necessary investments in water, sewer, or broadband infrastructure.

What uses are not allowed for the funds?

- Reducing taxes by legislation, regulation or administration.
- Deposits into pension funds.

What additional guidance is or will be available?

- We are expecting the U.S. Treasury to issue guidance, similar to what they put out for the CRF money. We expect it will take some time to get that together, and it may come out in multiple updates like last time (unfortunately). There is nothing available yet.
- The National League of Cities is working on guidance as well and will be shared on their **COVID-19 Relief Resource Hub** (<https://www.nlc.org/resource/stabilizing-local-government-operations/>).
- The LOC will also be providing guidance similar to what was done for the CRF program. This will likely take the form of summary documents, virtual trainings, and sharing any information from the state. Stay tuned!

Summary of Payments to Cities

- The NLC has supplied a **spreadsheet showing estimated payments** (http://www.orcities.org/download_file/view/1491/949) for each of the cities in Oregon.
DISCLAIMER: These are estimates from the House Committee on Oversight, not final allocations. Issues have been found in other state allocations that may or may not change Oregon allocations.

Contact: Mark Gharst, Lobbyist - mgharst@orcities.org (<mailto:mgharst@orcities.org>) or 503-991-2192

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Administrator

From: Egler, Jacob (Wyden) <Jacob_Egler@wyden.senate.gov>
Sent: Tuesday, March 9, 2021 12:21 PM
To: Egler, Jacob (Wyden)
Cc: Westlund, BJ (Merkley)
Subject: Oregon State and Local Allocation estimates in American Rescue Plan (COVID Relief)
Attachments: Oregon State and Local Allocation Output 03.08.21.xlsx

Good morning—

The attached spreadsheet from CRS estimates what every state and local government receives from the new Coronavirus fiscal relief provisions in the American Rescue Plan. We've added a summary tab specifically for Oregon. It does not include the distribution of Senator Wyden's new county payment provision because we will be working with Treasury and stakeholders to determine how Treasury creates the formula for distribution.

Eligible uses of funds include:

- Responding to the COVID-19 public health emergency;
- Providing premium pay to essential workers;
- Offsetting lost revenues to provide essential government services;
- For water, sewer and broadband infrastructure;
- Excludes reducing taxes by legislation, regulation, or administration;
- Excludes deposits into pension funds.

Recipient governments must provide periodic reports accounting for use of funds to the Treasury Department. States and territories must also update the Treasury on any changes to their tax revenue sources. Funds can be recouped by the Treasury if the recipient does not comply with the eligible uses.

Timing of Payments:

- States, Territories, and Tribes receive funds within 60 days of enactment. The Treasury Secretary can withhold up to 50% of the allocation to each State and territory for up to 12 months from the date the certification of need is received. A second certification would need to be submitted for the withheld amount.

Local governments would receive their allocations in two tranches—the first half within 60 days after enactment and the second half one year later. For cities, towns, and other jurisdictions of under 50,000, those deadlines are the dates for the Treasury to send the funding to the state, which has an additional 30 days to distribute to each city, town, etc..

Please let me know if you have any questions.

Best,
Jacob

--
Jacob Egler
Bend Field Office
U.S. Senator Wyden
(541) 306-1865