

CITY OF MOSIER

small enough to make a difference

CITY COUNCIL MEETING

Wednesday April 7, 2021, 6:00 P.M.

Please join our meeting online or by phone at the following link or phone number:
<https://us02web.zoom.us/j/83039991674?pwd=REtyOFJzUWV3d0Y2ZWJjb0t5S25yZz09>

Meeting ID: 830 3999 1674

Passcode: 971468

One tap mobile

+12532158782,,83039991674#,,,,*971468# US (Tacoma)

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Meeting ID: 830 3999 1674

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AGENDA

I	6:00 pm	Call to Order/Roll Call – Mayor Burns	
II	6:02	Agenda corrections or additions	
III	6:05 pm	Business from the Audience - This is for Mosier residents and anyone else to express concerns, needs, or opportunities. Please keep your comments succinct and under two minutes. You may bring in written materials for Committee and Staff to review. The Facilitator can assign the issue to a future Committee, or to an appropriate staff member. Please realize that we cannot always offer a response immediately but will give the matter due consideration. We encourage the participation of all stakeholders in our community.	5 mins
IV	6:10 pm	Approval of: 3/17/21 - City Council Meeting Minutes	5 mins
V		BUSINESS	
1.	6:15 pm	Age Friendly Community Initiative – Claire Culbertson	20 mins
2.	6:35 pm	SDP Fees Update Resolution – John Grim, City Engineer	10 mins
3.	6:45 pm	Projects Status Report – John Grim, City Engineer & City Manager	30 mins
4.	7:15 pm	OPRD Grant Acceptance Contract – Colleen Coleman, City Mgr.	5 mins
5.	7:20 pm	State of Emergency Extension to May 2nd – Jayme Bennett, City Rec.	5 mins
6.	7:25 pm	New Office Hours – Jayme Bennett, City Recorder	5 mins
7.	7:30 pm	Why Do Climate Resilience Planning? – Mayor Burns	10 mins
V	7:40 pm	ANNOUNCEMENTS	5 mins
VI	7:45 pm	ADJOURN	



CITY COUNCIL MEETING

Wednesday March 17, 2021, 6:00 P.M.

Please join our meeting online or by phone at the following link or phone number:

Join Zoom Meeting [https://us02web.zoom.us/j/83039991674?
pwd=REtyOFJzUWV3d0Y2ZWJjb0t5S25yZz09](https://us02web.zoom.us/j/83039991674?pwd=REtyOFJzUWV3d0Y2ZWJjb0t5S25yZz09)

Meeting ID: 830 3999 1674

Passcode: 971468

One tap mobile +12532158782,,83039991674#,,,,*971468# US (Tacoma)

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Find your local number: [https://us02web.zoom.us/j/83039991674?
pwd=REtyOFJzUWV3d0Y2ZWJjb0t5S25yZz09](https://us02web.zoom.us/j/83039991674?pwd=REtyOFJzUWV3d0Y2ZWJjb0t5S25yZz09)

AGENDA

6:00 Call to Order: Witt Anderson

Roll Call:

Witt Anderson, Greg Valitchka, Acacia Berry, Peny Wallace, Ron Wright, Katie Skakel City Planner, Laura Westmeyer City Attorney, Colleen Coleman City Manager, Jayme Bennett City Recorder

Absent excused: Charlie Cannon

Late excused: Mayor Burns

Addition or Corrections to the Agenda: Laura Westmeyer: Shot term rental (STR) update (addition)

Business From Audience: N/A

Consent Agenda: Approval of the Minutes from March 03, 2021

Minutes:

Resolution regarding climate change power point reference - resolution number and 2021- X, and make the full title in bold (Laura)

Charlie Cannon name spelling (Ron W.)

Motion (with corrections) to approve the Minutes from March 03, 2021

Motion: Acacia Berry

2nd: Peny Wallace

All in favor, no opposition

Motion passes 6:09

I. STR committee Update: City Council formed an STR subcommittee which will be facilitated by Katie Skakel: We are ready to kick it off and look at the scope of work and the agenda, and confirm the purpose of the committee.

Like Colleen said, we will give an overview on public meeting law, the idea behind the public meeting law in Oregon is all based on deliberation and decisions being made in an open setting for observation, decisions, speaking or otherwise.

Public Meeting Law Review: (Laura Westmeyer):

Who voted on what (3 essential requirements on government transparency)

Who is a Governing Body etc.

For purpose of public meeting law: Any body of two or more persons that has any authority to advise or make decisions - (that is a governing body) - requires open public meeting.

How do you separate the difference between a committee or a subcommittee? (Colleen)

Laura W: A subcommittee can gather data and not discuss and not recommend or make decisions.

What is the purpose of this committee and is that over to Katie S now? (Witt)

Laura W: what we talked about was the following three purposes:

Gather info and community input on the use of STR and the City of Mosier, (who is concerned about STR, if so what are the concerns, (parking etc), how many are there))?

Second objective is to understand how other jurisdictions are regulating them and enforcing them (assessment).

Third objective is to provide recommendations: Should the city regulate them, if so, what does that look like?

Ron, Charlie and Mayor Burns were on the initial committee - then Mayor Burns swapped Witt for herself.

Greg V also recently volunteered to be on the committee.

Katie S: Maybe on a larger committee would be a business owner, an STR owner, and the neighbors thereof.

Witt A: Mayor Burn's concern was whether or not she had a real or perceived conflict of interest. Why a sub committee or a committee rather than a council?

Katie S: Well, this appeared initially like quite a bit of research or reading.

Greg V: Maybe drop the third purpose and propose the research rather than the recommendations initially?

Katie S: This STR research is geared toward "do we (City of Mosier residents) even want to regulate them? This is a research project that leads to many other issues and or action items next year - we are talking about middle and affordable housing ultimately.

Laura W: One of the benefits of a subcommittee that makes recommendations is that you have targeted stake holders that aren't coming to the mtgs, they would be forming proposed regulations for adoption, this would result in renters and STR owners assist in forming the regulations in an efficient manner.

Peny W: We could find public community members to participate - also what about our MSM friends. We can take the old research and gather new research.

Colleen C: My point to Laura and Katie - the job of the consultants is to develop a scope of work and how to get to the point where council has the pathway to make clear decisions and find a pathway. Within that, they would need to boil down the data gathering and even if you have a subcommittee doing reports etc - someone has to take it into a manageable amount of information presented clearly, objectively and informatively.

Witt A: We need to decide a way forward here. The first conversation (Katie) you asked about the problem statement - what if we just take this 3-objective effort - the first 2 objectives gather info, define the problem, learn other community problems and process and see if there is something material to identify a problem in Mosier that needs to be dealt with - then we can modify the scope of work, or the membership of the committee to deal with the third objective and go from there. I suspect we all have different opinions of the STR and the value given the knowledge we have - a scope of work would assist.

A value in a subset of council members would be good as well.

Colleen C: I think what you're suggesting is the first couple steps - one of the reasons council asked for a subcommittee - Katie thinks a committee is good - nothing to hide public mtgs, etc.

Witt A: Katie leads a sub committee or committee - and we work on the first 2 objectives and go from there. You're establishing a committee - committees are established in council, but members are appointed by the mayor.

Witt A: Do we all agree members of the community should be part of this committee?

Yes, all agree.

Who then would be the council reps?

Greg, Charlie and Ron have expressed interest.

If we are publicly noticing then does it still have to be less than quorum?
(Acasia)

Laura: We would want to publicly notice both - that's why it makes sense to make less than a quorum

Witt A: find people outside of the council to join?

Laura W: It would be helpful to clarify what just happened - the city council has established an STR committee with the purpose of the 3 objectives: gathering information assessing the need and coming up with a recommendation for STR regulations for city council, with members on city council to be Ron, Greg and Charlie and mayor to appoint in consultation.

Peny wants to email people with invitations as well.
Is there outreach to the general public with this? (Jayme)

Mayor Burns joins mtg.

II. TSP Ordinance Adoption:

Katie: Someone can make a motion with the legislative amendments?

Peny feels good by reading by title only.

Peny makes a motion to hold the first mtg of ordinance of 173 by title only reads title 15 and 16 amendments of the code TSP

2nd: Greg V

All in, motion passes, no opposition

6:51

TUF Ordinance Adoption: Colleen: Last mtg John Grim wanted to go over the fee - because of COVID-19 and increases in rates this year, we will adopt the code and we can implement the ordinance as needed or wanted going forward. This is part of the TSP housekeeping to update several ordinances.

Ron W: Is there a mechanism to make the fee progressive in some way or reduce the pressure on lower income folks - and do we have any sense of how much this might be - is it X a month and how do we manage this in alignment with our other housing goals.

Colleen 2.00-3.00 a month, and depending on what council decides to do with the funding - the mechanism is how it is written now, but this would be Laura letting us know what or how we can implement. Some people feel strongly about the affordability and some don't.

Laura W: There are two responses directly written into the ordinance - if there are other low income programs written into the ordinances - this is written in already to support it. The second is to expect any classification or category of user from the free - it is designed into the ordinance to allow for that provision in the future. How the amount is to be determined isn't in here either - this is just the skeleton structure now.

Ron W: What is the purpose of adopting this now - vs. flushing it out later?

Laura W: The trigger is that this is in the TSP and in this implementation of these ordinances, this is within that. You will revisit this conversation when it comes to adopting the actual fee.

Mayor B: Is HR going to collect this - also is Grim going to decide if we can do this or any other fee? Are we making sure enough people determine the fee we implement.

Colleen C: The TUF is designed into the TSP (our funding document).

Laura W: Adopt or send back for revision? (first reading)

Witt A: I agree with Ron's concerns- moving the ball forward is difficult - my suggestion is to do the first reading - someday we are going to have to pay to maintain our streets - it was in the TSP - it was recommended - I am inclined to say to do the reading - If not - someone want to make a motion?

Colleen: John Grim City Engineer said in the strategic plan of your goals was to find other avenue for revenue. Can we add or address the concerns of affordability later?

Laura: yes, by resolution.

Laura: The City Engineer comes up with methodology and amount - then the council adopts the fees - the fee would be adopted later - right now you're just adopting the framework. If you pass this, you can decide to never pass or decide to adopt fees.

Witt A: Go forward and make a motion anyone?

First Reading of Ordinance 174 by title only

2nd: Penny Wallace

All in, no opposition, motion passes

7:13

Laura exits mtg

III. Mosier School Sign Decision

Elevated (as you know) to a type two decision, so most of the larger community could get notice on it, and I have again not received comments, nor has Colleen.

One time I got a comment that a condition be written that if anything happened to the school, the sign be moved. This is a staff decision - I plan to issue it by the end of the week - everyone has had an opportunity to vote their opinion on it, (newsletter, Dan Watson, etc)

Council review on the 3rd of March mtg and no comments or questions.

Witt A: clarify staff decision please

Katie explains we have the authority to make this decision in house, it was not required to go out to the public, that was a better approach for the community.

After we approve the sign permit, then have to go to the Wasco county building dept.
Acacia, thanks Katie for the public outreach.

Thank you Katie for your hard work

7:19 Katie out

Colleen C: Cemetery donation - Jerry Gabbay (survived by Susan) - burying him and her daughters cremains - donating 6k for the cemetery and would like council to agree to receive the funds to maintain the cemetery.

Peny and Acacia have questions about acknowledging the gift of the cemetery and wanting to make sure we do that.

Colleen C: Veteran (last name Morgan) - (Vietnam War) - American Legion would like to put a 12x24 plaque with his name by the flag on the State Road Cemetery to honor him.

All good with Council, all agree.

Peny wants to know if we will honor other people that might want to do that as well. We want all folks to feel included - is there enough space to invite and allow other plaques -
Colleen - I think there is space there on the base of that flagpole, and we could always expand it.

Witt A: Any other closing comments?

Mayor Burns will be home Wednesday the 23rd

Greg V: Steering Committee mtg Tri-County last week? Learned the purpose and vision of the group - grant the Chenoweth elementary school 9k for greenhouse and garden center, all very exciting.

Acacia is going to grand canyon next week.

Mayor B: Any update UPRR?

Supposed to be able to announce it tonight but Aaron Hunt is in Idaho so we are waiting to hear bak from him - we would like to get the contracts from him and write it up - and we can respond. Hopefully by April 7 mtg.

Arlene is going to appoint or acknowledge the STR committee member in this public mtg 7:37 tonight (Greg, Ron and Charlie).

Colleen- council asked why it didn't get completed so colleen set a goal to get certain things done on their work plan (STR getting farther along is important - it is a building block on the housing larger picture) .

Collections of revenue: Progress - it is switching to the state revenue - we don't have the capacity to implement the new revenue stream, most cities are waiting for the late April roll out of the new program. With COVID, it was difficult to encourage Air B and B use whilst closing the businesses, parks etc.

Witt A: Adjourn 7:43

Staff Report

Meeting Date: 4/7/21

Staff: John Grim – City Engineer

Agenda Title: Change in Calculation of Site Development Permit (SDP) Fee

Agenda Action: Resolution No. 2021-05 is proposed for adoption at this meeting.

Fiscal Impact: Negligible. This is an estimated cost recovery fee (no net impact – theoretically)

Staff Recommendation: Adopt Resolution No. 2021-05

Background:

Mosier regulates new home development and other administrative construction approvals by means of a Site Development Permit (SDP). The SDP is issued at the time of the approval of a Site Plan and the building height calculation. After the SDP is issued, the developer/builder can apply for a building permit. Together, the City's SDP and the County's Building Permit are used to regulate new home construction in Mosier to ensure compliance with state and local safety standards, building code, and zoning regulations. The SDP includes the following primary steps:

1. Evaluation of the applicant's design submittal for completeness.
2. Receipt of the SDP permit fee (currently a flat rate of \$565) and signed cost recovery agreement (for costs exceeding the flat rate fee).
3. Engineering review and approval of the Site Plan.
4. Planning review and approval of the Site Plan.
5. Issuance of the SDP permit.
6. Receipt of all applicable system development charges.
7. Signing of the building permit for land use approval.
8. Construction inspections (typically 4 inspections for each new home).
9. Issuance of the Certificate of Compliance upon completion of the development.

Currently, the City charges applicants a flat fee of \$565 for the processing of the SDP application inclusive of the above work and invoices all additional fees incurred by the City at actual cost using a cost recovery agreement for expenses exceeding the flat fee. The cost recovery portion of fee collection is not an effective use of staff time. It is complicated to account for and time consuming from a bookkeeping/billing standpoint. In addition, the City's staff consultants must account for each permit as a separate bookkeeping job. Altogether, far too much time is spent on the administrative side of permit processing because of the cost recovery approach, which may even lead to higher costs for applicants and increased City staff and consultant time and expense.

Proposal:

Eliminate the cost recovery portion of the SDP fee and instead increase the SDP fee to cover commensurate expenses of a typical SDP process.

Table 1 shows the average expense for a SDP application from 2018 to 2020 for all Mosier staff except legal. The SDP fee should be increased to a flat rate of \$1,500 to cover the average expense for processing this type of permit. This is not an increase in fee – but is simply a more effective and efficient means to cover the City’s actual expense. Cost recovery agreements will still be required, but only in the event that a permit requires a much higher amount of staff time and/or our City Attorney needs to get involved. We propose that the City Manager evaluate SDPs with elevated expenses and use discretion to determine if cost recovery should be utilized to recover expenses.

Table 1 - SDP Expense Evaluation

Staff Person	Average Expense (2018-2020)
City Engineer	\$1,000
City Planner	\$300
City Admin	\$200
Total	\$1,500
Range of actual expenses	\$700 - \$4,000

A quick review of similar fees in other local jurisdictions is summarized in Table 2. It’s difficult to compare Mosier’s SDP fee to other jurisdictions for many reasons. Counties tend to have little oversight in residential development (outside of building codes). Hood River’s process is complicated by the fact that each permit is reviewed by a total of five different departments. White Salmon’s charges vary widely depending on the location and complexity of the project. And, not all jurisdictions use consultants on staff for permit processing. For this reason, an apples-to-apples comparison is not a good guide for setting fees.

Table 2 – Fees in Other Local Jurisdictions

Jurisdiction	Equivalent Permit Fees
City of Hood River	\$3,200
White Salmon	Varies widely
Cascade Locks	\$650*
Hood River County	\$500
Wasco County	\$1,300

**Does not include actual cost for hourly work exceeding the base fee*

Authority

ORS 227.175 allows for this approach to fee calculation and authorizes cities to charge either the actual cost or the average cost for this type of processing fee. In order to authorize City staff to begin charging the new SDP application fee, the City Council will need to adopt the fee by resolution, after providing an opportunity for public comment on the fee resolution.

The proposed fee of \$1,500 is included in Resolution No. 2021-05. This fee would replace the existing SDP application fee. An opportunity for public comment is required prior to adoption. The SDP fee will be adjusted for inflation annually, without the need for City Council approval, as identified in the attached Resolution.

In summary, staff recommend that City Council approve Resolution No. 2021-05.

Public Comment:

The City Council should ask for public comment on the proposed fee.

Alternatives:

The City Council may adopt the proposed fee, choose to request revisions, or delay a decision and request additional information.

Proposed Motion.

"I move that the City Council adopt Resolution No. 2021-05 Adopting a Site Development Permit Fee. "

**BEFORE THE CITY COUNCIL
FOR THE CITY OF MOSIER, OREGON**

Resolution No. 2021- 05

A Resolution Adopting a Site Development Permit Fee

WHEREAS, the Mosier City Council from time to time establishes and adopts, by resolution, rates, fees, and charges for City services pertaining to land use and development application fees;

WHEREAS, pursuant to Mosier Municipal Code Chapter 13.01, certain development applications must be reviewed by the City Planner, City Engineer, and other staff and consultants of the City as may be necessary for processing of the application to ensure the proposed development is compatible with the requirements of the City Code and Zoning Ordinance;

WHEREAS, the City's current processing of such development applications is reviewed as a Site Development Permit (SDP) and the fees charged are through a cost recovery methodology for the purpose of recovering actual costs for the City's review of applications;

WHEREAS, calculating cost recovery fees have a high administrative burden and may lead to higher fees for applicants and increased use of administrative resources, time, and expenses for the City;

WHEREAS, ORS 227.175 allows the City to charge either actual costs or average costs of providing certain services, including the processing of permits for land use and development applications;

WHEREAS, City staff have calculated the costs of processing SDP applications over the past several years and have recommended an estimated average cost per application to be adopted by the City Council as a flat rate for SDP applications;

WHEREAS, pursuant to ORS 294.160 the Mosier City Council presented this proposed Resolution and change in SDP fee in a regular public meeting and offered the public an opportunity to comment on the enactment of such Resolution and change in fee calculation;

WHEREAS, the Mosier City Council heard all public comment and believes that charging the average cost for SDP application processing will lead to greater administrative efficiencies and lowered costs generally for the processing of SDP applications, and now wishes to adopt the SDP fees as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MOSIER CITY COUNCIL:

Section 1. Adoption of Site Development Permit Application Fee. The Mosier City Council hereby adopts a fee for Site Development Permit Applications in the amount of \$1,500 per application. This fee shall be administratively adjusted for inflation on an annual basis using a consumer price index.

Section 2. Effect on Previously Adopted Fees. This Resolution supersedes and replaces any and all previously adopted resolutions establishing a flat rate for SDP processing. This Site Development Permit Application Fee is in addition to all other duly adopted fees, rates, and charges established by the Mosier City Council, which remain in full force and effect. The Site Development Permit Application fee shall not limit the City from recovering its actual expenses for the processing of SDP permits requiring extraordinary processing time.

Section 3: Effective Date. The Site Development Permit Application Fee shall take effect beginning on the date of adoption of this Resolution and shall remain in effect unless superseded or repealed by action of the City Council.

INTRODUCED AND ADOPTED this 7th day of April, 2021, by the Mosier City Council:

By: _____ Title: _____

Attest: By: _____ Title: _____

City of Mosier
Water, Sewer, Transportation, Public Facilities and Private Developments
Project Status Report
 Updated: March 22, 2021

Water System Projects		
Project Description	Major Tasks	Current Status/Schedule
Water System Project - Phase 1, Eastside Pump Station & Telemetry System	Plans, Specs and Estimates USDA Approval City Approval OHA Approval Building Permit Approval Bidding & Award Interim Financing - release of funds Construction	Complete Complete Complete Pending review Pending review Scheduled for May/June 2021 After USDA approves bids Summer/Fall 2021
Water System Project - Phase 2, Well 5 Site Acquisition and Approvals	Site Evaluation Site Acquisition SHPD supplemental submittal SPER and NEPA Amendments Supplemental Funding Application	Complete Complete Submitted and pending review In progress On hold per USDA request
Water System Project - Phase 2, Well 5 Design & Construction	RH2 Engineering - contract amendment Design completed Construction completed	Scheduled for July 2021 Scheduled for December 2021 Scheduled for July 2022
Hood River Billing Transition	Meter reading and billing by Hood River	Complete
Extensive staff time required	Q&A by Jacobs Engineering	Ongoing
Jacobs Water Operations Transition	Training by City Engineer	Nearly complete. ERP remaining
Extensive staff time required	Water and sewer rate and water SDC study City Council approval of water rate increase Adoption of new water rates Adoption of new water SDC	Complete Complete Complete On hold pending other SDC work
Rate & SDC Study- All	Sewer, storm, parks and transportation SDC study City Council SDC hearing Adoption of SDCs	Ongoing, scheduled for completion in July 2021 Scheduled for November 2021 Scheduled for December 2021
Sewer System Projects		
Project Description	Major Tasks	Current Status/Schedule
WWTP Facilities Plan Update	Finalize Plan City Council approval DEQ approval	Complete Complete Complete
WWTP Outfall Inspection per NPDES permit	Assemble inspection services contractor Conduct inspection Prepare report for DEQ review	Scheduled for August 2021 Scheduled for August 2021 Scheduled for August 2021
WWTP Derailment Warranty Inspection & Testing	Scoping and budgeting Testing & inspection by Jacobs Engr & City Engineer Warranty report by Jacobs Engr. And City Engineer Warranty repairs if necessary	Ongoing, Complete in April 2021 End of summer 2021 Fall 2021 End of 2021
Transportation System Projects		
Project Description	Major Tasks	Current Status/Schedule
Three-year Pavement Condition and Repair	Condition inventory Repair/paving	Complete Complete
Third Avenue Sidewalk	90% Design ODOT Design Review Construction Bidding and Public Contracting Construction Complete by	Complete April 2021 May/June 2021 October 2021
TSP Code & Comp. Plan Update	Draft code and comp plan updates City Council hearings/adoption	Complete Complete
Hwy 30 - Phase 1	Design review and approval - City staff Bidding Construction begins Construction ends	Complete Spring 2021 Scheduled for September 2021 Estimated Early Nov 2021
3rd Ave. Sidewalk	Design review and approval - City staff Request for quotes Construction begins Construction ends	Scheduled for April 2021 May 21 June/July 2021 September/October 2021
EV Charging Station	Professional services agreement with consultant Design review and approval - City staff Bidding by City staff Construction begins Completion Required By	Scheduled for April 2021 June 2021 June/July 2021 June 2022
Public Facility Projects		
Project Description	Major Tasks	Current Status/Schedule
JUF	Schematic Design (\$180,000)	Complete
Currently, JUF is estimated at \$6.3 Million with soft costs	Construction Cost Estimating Schematic Design Update to Reduce Costs Fundraising	First Draft Complete with Value Engineering Underway Underway
Half funding secured	Grant Application GRND Award Contract Acceptance Construction Completion Required by	Complete Complete Tonight May, 2023
Plaza/HUB	Schematic Design Negotiation with UPRR Status for Cash Settlement Construction Cost Estimate for Revised Plan Draft Resolution for Fire and School Boards Negotiations Target Completion	Complete Underway with \$1.3 M offer Complete Sent to UPRR for Approval 30-Apr-21
Rock Creek Park Restoration		
Private Development Projects		
Project Description	Major Tasks	Current Status/Schedule
Tanawashsee Phases 4 and 5	Revisions/Approval of Preliminary Plat Map Construction Final plat review and approval	Requested by staff, and pending Anticipated in summer/fall 2021 Anticipated by end of 2021
Mosier Cabins at 3rd and Center Street	Construction Inspection and approval by City	Ongoing, should be done in 2021 End of 2021
Administrative Projects		
Project Description	Major Tasks	Current Status/Schedule
2019 Forensic Audit (Major Corrections with City Accounting Practices)	Final allocations complete Final Testing by Auditor Final Audit Report Review with City Manager Final Audit Report Review with City Council	3-Apr-21 15-Apr-21 20-Apr-21 May, 2021
City Budget Planning	Council Work Session Proposed Budget Committee Mtg Deadline to Enact Budget Resolutions	3-May-21 2-Jun-21 25-Jun-21

CITY OF MOSIER

small enough to make a difference

Staff Report

Meeting Date: 04/07/21

Staff: Colleen Coleman, City Manager

Agenda Titles: Oregon Parks (OPRD) Local Government Grant Program Acceptance Contract

Agenda Action: Council Discussion and Decision

Fiscal Impact: Expenditures to be reimbursed at end of each fiscal year for the life of the contract

Congratulations, City Council! We have been awarded Local Government Grant Program funds for the Mosier Center Plaza and Bike Hub project.

Attached you will find a Local Government Grant Program Agreement between Oregon Parks and Recreation Department (OPRD) and the City of Mosier. This agreement must be approved and signed by the appropriate representative, and the OPRD office in order to receive grant funds. There are two important conditions to be aware of:

- 1) The land must be used for project purposes for a period of 25 years. Since the property is owned by the City I don't see an issue with that. And if the state is not making the City record an agreement to that effect (which this agreement does not say we need to do) then there's no reason to do that.
- 2) Either party can terminate the agreement with 30 days' notice for any reason at all. This is more of a concern but so long as the City is okay with knowing that the state can pull away at any time and leave the project half done and you're okay with that risk, then no reason to push back. Seems unlikely that the state would do that, but the possibility is in there.

Once the City signs, we will return to OPRD, and they will sign and return a fully executed agreement to the City along with a **Notice to Proceed** letter. Work cannot begin until the Notice to Proceed letter is received by the City. Any work completed prior to receiving the Notice to Proceed is not eligible for reimbursement or as match.

As noted by OPRD this project should be completed by **May 31, 2023**.

OPRD encourages us to solicit media opportunities and, when possible, involve our local legislators to help build public awareness of the project's purpose and benefits.

Suggested Motion:

*"I move to allow the City Manager to sign and administer the OPRD Local Government Grant Program Contract: **LG20-003 – Mosier Center Plaza and Bike Hub**"*

Oregon Parks and Recreation Department

Local Government Grant Program Agreement

THIS AGREEMENT (“Agreement”) is made and entered into by and between the State of Oregon, acting by and through its **Oregon Parks and Recreation Department**, hereinafter referred to as “OPRD” or the “State” and the **City of Mosier**, hereinafter referred to as the “Grantee”.

OPRD Grant Number: LG20-003
Project Title: Mosier Center Plaza and Bike Hub
Project Type (purpose): Development
Project Description: The project will construct a new Bike Hub, plaza, restroom, pedestrian and bicycle paths, signage, and play area in Mosier, Oregon. The Project is further described in Attachment A - Project Description and Budget.

Grant Funds /
Maximum Reimbursement: \$750,000 (76.61%)
Grantee Match Participation: \$229,000 (23.39%)
Total Project Cost: \$979,000

Grant Payments / Reimbursements: Grant funds are awarded by the State and paid on a reimbursement basis, and only for the Project described in this Agreement, and the original Application included as Attachment B. To request reimbursement, Grantee shall use OPRD’s online grant management system accessible at oprdgrants.org. The request for reimbursement shall include documentation of all project expenses plus documentation confirming project invoices have been paid. Grantee may request reimbursement as often as quarterly for costs accrued to date.

Fiscal Year-End Request for Reimbursement: Grantee must submit a Progress Report and a Reimbursement Request to OPRD for all Project expenses, if any, accrued up to **June 30**, of each fiscal year. The Fiscal Year-End Reimbursement Request must be submitted to OPRD by **July 31**.

Reimbursement Terms: Based on the estimated Project Cost of **\$979,000**, and the Grantee’s Match participation rate of **23.39%**, **the reimbursement rate will be 76.61%**. Upon successful completion of the Project and receipt of the final reimbursement request, the State will pay Grantee the remaining Grant Funds balance, or **76.61%** of the total cost of the Project, whichever is less.

Matching Funds: The Grantee shall contribute matching funds or the equivalent in labor, materials, or services, which are shown as eligible match in the rules, policies and guidelines for the Local Government Grant Program. Volunteer labor used as a match requires a log with the name of volunteer, dates volunteered, hours worked, work location and the rate used for match, to be eligible.

Progress Reports: Grantee shall submit Progress Reports with each Reimbursement Request or, at a minimum, at **three month intervals**, starting from the effective date of the Agreement. Progress Reports shall be submitted using OPRD’s online grant management system accessible at oprdgrants.org.

Agreement Period: The effective date of this Agreement is the date on which it is fully executed by both parties. Unless otherwise terminated or extended, the Project shall be completed by **May 31, 2023**. If project is completed before the designated completion date, this Agreement shall expire on the date final reimbursement payment is made by OPRD to Grantee.

Retention: OPRD shall disburse up to 90 percent of the Grant Funds to Grantee on a cost reimbursement basis upon approval of invoices submitted to OPRD. OPRD will disburse the final 10 percent of the Grant Funds upon approval by OPRD of the completed Project, the Final Progress Report and the submission of five to ten digital pictures of the completed project site.

Final Request for Reimbursement: Grantee must submit a Final Progress Report, a Final Reimbursement Request and five to ten digital pictures of the completed project site to OPRD within 45 days of the Project Completion Date.

Project Sign: When project is completed, Grantee shall post an acknowledgement sign of their own design, or one supplied by the State, in a conspicuous location at the project site, consistent with the Grantee's requirements, acknowledging grant funding and the State's participation in the Project.

Agreement Documents: Included as part of this Agreement are:

- Attachment A: Project Description and Budget
- Attachment B: Standard Terms and Conditions
- Attachment C: Inadvertent Discovery Plan

In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents is as follows, listed from highest precedence to lowest precedence: this Agreement without Attachments; Attachment A; Attachment B; Attachment C.

Contact Information: A change in the contact information for either party is effective upon providing notice to the other party:

Grantee Administrator
 Colleen Coleman
 City of Mosier
 PO Box 456
 Mosier, OR 97040
 541-478-3505
 colleen.coleman@cityofmosier.com

Grantee Billing Contact
 Jayme Bennett
 City of Mosier
 PO Box 456
 Mosier, OR 97040
 541-490-7411
 jayme.bennett@cityofmosier.com

OPRD Contact
 Mark Cowan, Coordinator
 Oregon Parks & Rec. Dept.
 725 Summer ST NE STE C
 Salem, OR 97301
 503-951-1317
 mark.cowan@oregon.gov

Signatures: In witness thereof, the parties hereto have caused this Agreement to be properly executed by their authorized representatives as of the last date hereinafter written.

GRANTEE

**STATE OF OREGON
Acting By and Through Its
OREGON PARKS AND RECREATION DEPT.**

By: _____
Signature

By: _____
Daniel Killam, Deputy Director of Administration

Printed Name

Date

Title

Approval Recommended:

Date

Oregon Department of Justice (ODOJ) approved for legal sufficiency for grants exceeding \$150,000:

By: _____
Michele Scalise, Grants Section Manager

By: Kristen Gallino
ODOJ Signature or Authorization

Date

Printed Name/Title

By: _____
Mark Cowan, Grant Program Coordinator

by email on March 24, 2021
Date

Date

Attachment A: Project Description and Project Budget

OPRD Grant Number: LG20-003
Project Title: Mosier Center Plaza and Bike Hub
Grantee Agency: City of Mosier

Project Description:

The project will construct a new Bike Hub, plaza, restroom, pedestrian and bicycle paths, signage, and play area in Mosier, Oregon.

Project Budget

Engineering Design	\$ 129,000
Project Management	\$ 18,000
Materials - Hub, Interpretive Kiosks, Park Amenities, Interpretive Signage	\$ 169,000
Construction and Installation - Hub, Interpretive Kiosks, Park Amenities, Signage	\$ 194,000
Grading and Paving	\$ 284,000
Stormwater and Landscaping	\$ 85,000
Property Value	\$ 100,000
Total Project Cost	\$ 979,000

Source of Funding

Project Management - City staff in-kind	\$ 12,000
Materials, Construction and Installation - Mosier Parks SDC Funds	\$ 48,000
Wasco County Match Funds	\$ 20,000
UPRR / Mosier Derailment Settlement Funds	\$ 49,000
Property Value / UPRR / Mosier Derailment Settlement	\$ 100,000
Total Match from Sponsor	\$ 229,000

Total Project Cost	\$ 979,000
Total Match from Sponsor	\$ 229,000
Grant Funds Requested	\$ 750,000

Staff Report

Meeting Date: 04/07/21

Staff: Jayme Bennett, City Recorder

Agenda Titles: Extension of State of Emergency to May 2, 2021 – Consistent with Governor Brown’s Exec. Order and City Hall Public office hours

Agenda Action: Council Discussion and Decision

Fiscal Impact: None

City staff has been working diligently on several key projects including the City of Hood River utility billing transfer, a forensic audit for FY 2019 and all other projects included in the previous agenda item: projects update report.

Due to our need to complete several detailed deliverables for the audit, as well as permit approvals, consultant contracting, design, bidding and fundraising for current projects and associated accounting and filing, we’re recommending City Council extend the State of Emergency to reduce foot traffic in the City office.

Once the May 2nd State of Emergency is over, we’re proposing open office hours for City Hall at no more than 3 days a week, between the hours of 10am and 2pm, to give us time to complete project deliverables and accounting activities required for the City’s current workload.

Recommended Motion:

“I move to approve Addendum #5 to Resolution 2020-03, Extending the State of Emergency to May 2, 2021.”

**BEFORE THE CITY COUNCIL
FOR THE CITY OF MOSIER, OREGON**

**Addendum No. 5 to Resolution No. 2020-03
Amending the Effective Date of the March 18, 2020 Declaration of a State of
Emergency**

WHEREAS, the Mosier City Council on March 18, 2020 adopted Resolution 2020-03 declaring a state of emergency due to the public health and financial threats posed by the highly infectious virus COVID-19 (the “Emergency Declaration”); and

WHEREAS, the Mosier City Council on December 16, 2020, adopted Addendum No. 4 to Resolution 2020-03 extending the effective date of the Emergency Declaration to April 8, 2021; and

WHEREAS, pursuant to ORS 401.309, the City Council through this Addendum desires to extend the Emergency Declaration and limit its duration to the period of time during which the conditions giving rise to the Emergency Declaration exist or are likely to remain in existence.

NOW, THEREFORE, BE IT RESOLVED BY THE MOSIER CITY COUNCIL:

Section 1. Duration of State of Emergency. This Addendum modifies the effective date of the Emergency Declaration by replacing the termination date of April 8, 2021 with the new termination date of May 2, 2021, at which time the state of emergency shall automatically terminate unless earlier extended or terminated. All other terms of the Emergency Declaration remain the same.

INTRODUCED AND ADOPTED this 16th day of June 2020, effective as of the date of adoption.

CITY OF MOSIER

BY: _____ TITLE: Mayor

Attest: BY: _____ TITLE: City Manager

Why do climate resilience planning?

BUILD CLIMATE RESILIENCE

While climate change is a global challenge, the impacts are felt and addressed at the local level.

Extreme floods, droughts, storms, wildfires, and the chronic impacts of sea level rise and permafrost melt are local—and they fall to local governments to handle.

Climate resilience planning can help your community protect its economy, natural resources, public health, infrastructure, and local culture by developing strategies to address the current and future impacts of climate change.

Because climate change magnifies existing risks and brings new ones, it is critically important that all communities build climate resilience.

A climate resilient community will understand what changes to expect, make smart investments, and ensure that residents are prepared for climate impacts. The sooner your community begins to prepare for change, the greater the potential to protect lives and property.



PLAN FOR FUTURE REALITIES

Climate impacts are now apparent in communities across the U.S. Instead of assuming things will continue as they always have (and planning for that), it is prudent to use the best available science to determine likely future conditions and plan for them now so that investments move your community toward greater resilience.

CREATE MULTIPLE BENEFITS

Effective resilience strategies have extensive co-benefits, in addition to reducing climate hazards.

Climate resilience strategies can:

- ▶ Center the climate vulnerabilities experienced by frontline communities and be crafted to address underlying structural inequities
- ▶ Identify assistance programs for homeowners to invest in green infrastructure and save on costly repairs
- ▶ Increase public safety
- ▶ Provide economic opportunities
- ▶ Reduce greenhouse gas emissions

IMPROVE EFFECTIVENESS OF LOCAL GOVERNMENT

Ideally, the result of a community's climate resilience planning process will be a Climate Action Plan that reduces greenhouse gas pollution and implements strategies and actions to address the highest priority climate vulnerabilities in the community.

Climate Action Plans create the blueprint for a local implementation team to ensure that the plan is acted upon. They are also mainstreamed into other city planning process to ensure that smart climate decisions are made throughout the community as the plan is implemented and conditions continue to change.

The sooner your community begins its climate resilience work, the sooner it takes charge of its climate future.

Mid Columbia Community Action Council, Inc.

P.O. Box 1969 THE DALLES, OR 97058

THE DALLES OFFICE
312 E. 4TH Street
Phone: (541) 298-5131
Fax: (541) 298-5141

HOOD RIVER OFFICE
606 State Street 1B
Phone: (541) 386-4027

AGREEMENT

This agreement between the City of Mosier and the Mid-Columbia Community Action Council, Inc. (“MCCAC”), is effective as of the 15th day of February, 2021. This agreement is in regard to the administration and distribution of federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds to be provided by MCCAC on behalf of the City of Mosier (the “City”).

MCCAC agrees to screen all applicants for CARES Act funds on behalf of the City and pursuant to the criteria identified herein. MCCAC agrees to provide reporting to the City on the administration and distribution of CARES Act funds on at least an annual basis or more frequently if required by the applicable State of Oregon Department of Administrative Services regulations, with such reports to be on substantially the same form and include all content as may be required by the State of Oregon for the reporting CARES Act funds. City of Mosier CARES Act funds shall be available to all eligible applicants until the funds are depleted. MCCAC agrees to provide a final report to the City showing a beginning and ending fund balance as well as a list of CARES Act fund recipients, and the amount of CARES Act funds provided to recipients. This final report may be in addition to or included in the other reports provided under this agreement.

MCCAC follows the federal LIHEAP (Low Income Home Energy Assistance Program) income guidelines. It is agreed that the City of Mosier funds will in no manner effect or reduce the amount of LIHEAP funds available to eligible applicants through any other financial assistance program.

MCCAC will screen applicants for City of Mosier CARES Act fund based on the following eligibility criteria:

- Applicant must be either a current resident of the City of Mosier or must have been a resident of the City of Mosier when the applicant’s financial need for CARES Act funds arose.
- Applicant must be income eligible per LIHEAP income guidelines.
- Applicant must meet the definition of a household member as required by LIHEAP, including the social security requirements.
- If the applicant has already applied for or been allotted LIHEAP assistance during the MCCAC heating season (October 1 – September 30), the applicant must separately apply for CARES Act funds.

The City agrees to pay MCCAC 20% of the CARES Act funds it provides to MCCAC as an administrative fee for MCCAC’s services under this agreement. The City will send a check to MCCAC for \$12,000. Of that amount, MCCAC will maintain \$2,400 as its administrative fee and will distribute \$9,600 to eligible applicants pursuant to the criteria identified herein.

The terms of this agreement shall not be waived, modified, or amended except by written agreement signed by an authorized representative of both parties. This agreement is not assignable by MCCAC without the express written consent of the City of Mosier.

City of Mosier

Mid-Columbia Community Action Council, Inc.

Sign: _____

Sign: _____

Print Name: _____

Print Name: _____

Date: _____

Date: _____