



Fire Department  
285 NE Burgess Rd  
Toledo, Oregon 97391  
6:00 p.m.

TOLEDO CITY COUNCIL  
**Regular Meeting – also via Zoom Meeting Platform**  
September 15, 2021

**Virtual Meeting:** The City Council will hold the meeting in person for the City Council and staff in person as well as through the Zoom video meeting platform. The public is encouraged to attend the meeting electronically. Visit the meetings page on the city website for meeting login information.

**Public Comments:** The City Council may take limited verbal comments during the meeting. Written comments may be submitted by email to [lisa.figueroa@cityoftoledo.org](mailto:lisa.figueroa@cityoftoledo.org) 3:00 p.m. the day of the meeting to be included in the record. Comments received will be shared with the City Council and included in the record.

1. **Call to Order and roll call**
2. **Presentations**
  - Presentation – 15Neighborhoods; Reba Lovelady
3. **Visitors/Public Comment**

(The public comment period provides the public with an opportunity to address the City Council regarding items not on the agenda. Please limit your comments to three (3) minutes).
4. **Consent Agenda**

Minutes from the meeting held August 18, 2021
5. **Discussion Items**
  - Town Hall
6. **Decision Items**
  - Approve an expenditure of \$82,100 to perform liner installation in 24 manholes
  - Resolution No. 1474, A resolution of the Toledo City Council in regards to coronavirus (COVID-19) mask and vaccination mandates
  - Contribution Committee recommendations
  - Approve an expenditure of up to \$280,000 for the purchase and installation of a backup generator at Siletz River pump station
  - Approval of Amendment No 1 to the Sewer Force Mainline Replacement & Collection System Improvements Financing with Oregon Infrastructure Finance Authority

7.     **Reports and Comments**
  - Committee updates
8.     **Adjournment**

August 4, 2021

FOR IMMEDIATE RELEASE

SUPPORT A LIVABLE LINCOLN COUNTY

VOTE YES on BALLOT MEASURE 21-203

RECEIVED  
CITY OF TOLEDO  
DATE 9/8/21  
BY Nancy Noteboom

Let's KEEP LINCOLN COUNTY LIVABLE!

Thank you, Lincoln County Residents!

It's now official: Measure 21-203 will be on the November 2, 2021 Ballot! This is the citizens' initiative ballot measure supported by the 15neighborhoods Coalition to restrict Short Term Rentals (STRs) in residential unincorporated Lincoln County. Lincoln County Clerk Dana Jenkins announced today that more than enough petition signatures to qualify the measure have been certified as valid.

15neighborhoods and all the enthusiastic registered voters who signed our Initiative Petition stand for a LIVABLE LINCOLN COUNTY. Covid restrictions made this a long and challenging process because until recently, petitions could not be circulated as usual, requiring citizens to go online, download individual documents, sign and submit them.

Lincoln County voters have made it clear. They are eager to have a Livable Lincoln County with STRs restricted to appropriate zones and phased out of low-density residential zones. The voters want their voices heard in Lincoln County.

15neighborhoods has learned much from Lincoln County voters in recent months, when finally able to talk with people after Covid restrictions were relaxed.

The answer was a resounding YES from local voters when asked if they wanted to sign our petition. Many signers cited the need for more available housing in residential zones. They eagerly support limiting tourist accommodations to appropriate locations, and having single-family zones in Lincoln County return to being just that — single-family neighborhoods. Numerous residents mentioned how lack of workforce housing, affordable even by professionals, difficulty in hiring for service industry positions, and skyrocketing housing prices are devastating to the Lincoln County economy. As outside investors have purchased local houses just to make money, local employers, including hospitals, fire services, schools and businesses, are unable to recruit needed staff because of long-term housing shortages. Additionally, people talked of concern as county

emergency services are not prepared to support large numbers of tourists in these small unincorporated areas of the county. Others focused on health issues as many septic systems are not safe or adequate to handle significant fluctuations in usage from overcrowded tourist rentals.

Here is what this Ballot Measure will do for Lincoln County when passed:

1. Reassert the right to live in non-commercial, single-family residential neighborhoods protected by zoning.
2. Restore and maintain available housing in residential zones for our working families.
3. Restore and maintain residential neighborhood integrity, character, and livability.
4. Support the environmental health and safety of Lincoln County and its residents.

Ballot Measure 21-203 applies only to low-density residential zones R-1-A, R-1 and R-2. In those zones, the measure includes a 5-year phase-out of most STRs, prohibits new licenses and transferability of licenses upon sale, improves septic system safety, reduces STR occupancy levels, and limits ownership to one STR.

Restricting STRs in unincorporated Lincoln County's low-density residential zones by prohibiting new licenses and phasing out existing STRs over five years is essential to achieving these community goals.

The County continues to consider a variety of innovative options for better operating standards and regulations, and better enforcement is critical. What the Board Of Commissioners ultimately decides will be vital for preserving the quality of life in our neighborhoods as we patiently wait for the five-year phase-out to be completed. In the meantime, plan to vote YES on Ballot Measure 21-203 on November 2. You live, work, volunteer, and vote in Lincoln County. Your VOICE matters, and your VOTE is essential.

Let's be clear: The 15neighborhoods Coalition agrees that STRs have a place in Lincoln County, but let's be realistic. STRs are mini-motels that belong in the Tourist Commercial Zones (C-T) and higher-density residential zones of unincorporated Lincoln County. This measure does not limit the total number of STRs in the county, only in zones R-1-A, R-1 and R-2. STRs simply do not belong in these quiet, low-density, residentially-zoned neighborhoods designed for families, not businesses. The measure includes a provision for areas with abundant STRs to apply for different zoning if they choose to do so. And, it will affect only unincorporated Lincoln County. The incorporated cities and towns have their own regulations. Nonetheless your vote is very important even if you live in a town. That nurse you need at the hospital, or your child's new teacher, needs a place to live in Lincoln County.

For a complete copy of the Ordinance revision proposed under this ballot measure, please  
see [www.15neighborhoods.com](http://www.15neighborhoods.com) or follow the direct

link: [https://www.15neighborhoods.com/uploads/1/3/2/9/132901458/initiative\\_petition\\_1.pdf](https://www.15neighborhoods.com/uploads/1/3/2/9/132901458/initiative_petition_1.pdf)

Thank you,

15neighborhoods for a LIVABLE LINCOLN COUNTY.

[www.15neighborhoods.com](http://www.15neighborhoods.com)

P.O. Box 390

Depoe Bay 97341

541-764-2658

## ***Let's Do the Math: By Bob Sulek, local resident***

Via Oregon continues to submit news articles, run half page ads in local papers, submit supporting documents to the Lincoln County workshop site and provide links to their web site outlining the financial benefits of Short Term Rentals, or STRs, and the revenue they generate within Lincoln County. Most recently they again presented these same numbers in the Reader Feed Back section of the Newport News-Times.

Via Oregon only came up with these numbers in opposition to the County's anticipated STR ordinance changes and a proposed ballot measure that would impact residential neighborhoods only in Unincorporated Lincoln County. Both of these issues would affect less than 600 (529 to be exact)

Based on the fact that there are only 529 STRs in Unincorporated Lincoln County let's see what the numbers equate to for each STR in a typical year:

"Short Term Rentals" employ 20% of the County Workforce creating 3600 jobs". This equates to 6.8 full time workers for each STR. That's a lot of full time workers for each STR when you see only 2 or 3 housekeepers working an hour or two after the renters leave. What are the other workers doing and who are they?

"The 3600 jobs provide \$192,000,000 per year in wages". This equates to those workers earning more than \$53,000 annually in pay. Housekeepers only average \$15 per hour. With 6.8 workers per STR that equates to \$360,000 of employee wages generated yearly for every STR. Does that sound right?

"Lincoln County STR renter visitors spend \$105,000,000 on local travel". That equates to the renters for each STR spending \$198,000 for travel. With gas averaging \$4 per gallon that's 49,500 gallons of gas used to get to and from each STR. That's a lot of gas or Leer Jet travel.

**"STR owners and managers generate \$11,200,000 per year to local government coffers, helping to support emergency services". We presume they are talking about the Transient Room Tax. Lincoln County's 2020 budget shows \$1,225,000 from room tax for the whole County. How are the STRs in Unincorporated Lincoln County generating another \$10,000,000 for the "local government coffers"?**

**"Families no longer wish to stay in hotel rooms without a kitchen or place to gather"... "\$27,000,000 is going to our local restaurants". How is each STR generating \$18,000 in restaurant business each year; all the while the renters are eating in?**

**To support VIA Oregon's numbers, the statements above would indicate that the renters of each STR spend more than \$1700 every single day of the year, all without even accounting for the significant income the owners and property managers realize from these investment properties. How does this work when advertised "Dynamic Pricing" shows nightly rates as low as \$110? Please, you do the math because the numbers simply don't add up.**

**Remember the County STR Ordinance changes and Ballot Measure 21-203 only apply to the 529 STRs in Unincorporated Lincoln County.**

**Bob Sulek, Pacific Shores**

Consider this fact. STR owners don't live here. Reportedly 94% of the STR owners in unincorporated Lincoln County live elsewhere, even in Europe. Profits from the unearned income leave the County. STR out-of-town owners or renters don't support local voluntarism, charity dollars, and contributions such as backpack programs. Residents support such things. Additionally, STRs lower the local census count, decreasing state and federal dollars coming to the County.

STRs say they support local maintenance, repair, commercial industries. Were the STRs long-term housing, they would require the same attention, but without the benefit of a tax-deductible business expense.

STR owners claim they and their renters comply with regulations. Owners are not present to witness nor manage renters' behaviors like noise, garbage, illegal fireworks, illegal parking, trespassing, peeping into windows, speeding cars on single-lane unincorporated residential areas, stolen firewood, dog poop, and more.

County enforcement is through the Sheriff's department after a neighbor calls in an infraction. Sheriff department citations are limited to violations that the Deputy to witnesses, and even then, the policy of "compliance first" means nothing happens. Owners say there are no reported problems, but just because they haven't gotten a 'strike' doesn't mean there have been no infractions. Regardless, the existing 1 Deputy Sheriff who works four 10-hour days, Sun-Thur, is not sufficient for the 566 STRs spread out along the County's 54-mile coastline, with a few as far east as Otis, Siletz, Logsdon, and Toledo.

How do authorities prepare for the next emergency when an additional 140 people per 600 feet are vacationing in these small neighborhoods?

Where could vacationers go? Hotels, motels, resorts, or zoned tourist housing zones with appropriate emergency preparedness and onsite management.

The suggestion that STR's taxes fund library, road, police, fire, hospitals parks and community centers seems a stretch. In fact, a decreased census because of increasing non-occupied houses (STR's) ~~decreases~~ state and federal funding for our local services.

**TOLEDO CITY COUNCIL  
REGULAR MEETING**

August 18, 2021

6:00 p.m.

**1. CALL TO ORDER**

Mayor Rod Cross called the meeting to order at 6:00 p.m. electronically via Zoom in Toledo, Oregon.

| Present  | Absent            |                                       |
|----------|-------------------|---------------------------------------|
| <u>X</u> | <u>          </u> | <u>Mayor Rod Cross</u>                |
| <u>X</u> | <u>          </u> | <u>Council President Joshua Smith</u> |
| <u>X</u> | <u>          </u> | <u>Councilor Jackie Kauffman</u>      |
| <u>X</u> | <u>          </u> | <u>Councilor Rob Duprau</u>           |
| <u>X</u> | <u>          </u> | <u>Councilor Todd Michels</u>         |
| <u>X</u> | <u>          </u> | <u>Councilor Betty Kamikawa</u>       |
| <u>X</u> | <u>          </u> | <u>Councilor Wade Carey</u>           |

Staff present: City Manager (CM) Judy Richter, City Recorder (CR) Lisa Figueroa, Police Chief (PC) Michael Pace, Public Works Director (PWD) Bill Zuspan, Fire Chief (FC) Larry Robeson, Library Director (LD) Deborah Trusty, Assistant Library Director (ALD) Harrison Baker, City Attorney (CA) David Robinson

**2. PRESENTATIONS**

**Lincoln County Water System Alliance**

Penelope Kaczmarek addressed the City Council and noted she serves on the Midcoast Watershed Partnership Coordinating Committee. She indicated approximately 25 years ago several cities including Siletz, Toledo, Newport, Waldport, etc. established the Central Coast Water Council to develop a regional approach to the address the water issue. She said shortly afterwards the Council dissolved because it lost momentum and she commented on the situation of the water crisis and the importance of the cities working together again. She reviewed the handout in the Council packet and asked the Council for support and a contribution to the \$55,000 to conduct Phase 1. The Council thanked Ms. Kaczmarek for the presentation.

**911 Remembrance**

Training Officer Shannon Brecik provided a presentation on the September 11 remembrance. She said the remembrance will be held at Memorial Field on Saturday, September 11 at 8:30 a.m. She reviewed the morning activities, which will include a raising of the flag and bagpipes playing. She indicated coronavirus (COVID-19) social distancing protocols will be in place.

**Applicant Interview for Planning Commission**

The City Council interviewed Brian Lundgren for the vacancy on the Planning Commission. The consideration for appointment is scheduled later in the meeting.

1     **3.     VISITORS/PUBLIC COMMENT**

2     Donna Audette, resident, commented on a condemned house behind her residence. She expressed  
3     concern in regards to the building. She said it is a fire hazard there are lots of rats that have affected  
4     her own her own residence. She passed her phone around to show pictures of the house to the  
5     Council.  
6

7     Dave Estes, resident, said he borders that residence as well and it is a nuisance in the neighborhood.  
8     Mr. Estes said he had been in touch with Code Enforcement and Planning staff who indicated the  
9     City is proceeding with the case but they have not seen any changes to the property. There was  
10    discussion about the status of the building and it was noted the brick wall on the property is  
11    deteriorating that it is falling over and could hurt someone.  
12

13    John Smith, resident, expressed concern about the building as well.  
14

15    **4.     CONSENT AGENDA**

16    **Minutes from the regular meeting held August 4, 2021**  
17

18    **Motion** – It was moved and seconded (Smith/Kamikawa) to approve the Consent Agenda as  
19    presented and the motion carried unanimously.  
20

21    **5.     DISCUSSION**

22    **Town Hall discussion**

23    CM Richter prompted the Council to set a date for the Town Hall. The Council discussed possible  
24    dates and decided to hold the Town Hall on Saturday, September 18 between 5:00 p.m. – 7:00  
25    p.m. at Memorial Field.  
26

27    **Yaquina Bay Hotel/Hotel Alma zoning code enforcement**

28    CA Robinson presented the council report. He said on the advice of counsel, the City Council  
29    decided not to enforce its Zoning ordinance against Hotel Alma; then the pandemic hit and the  
30    governor's emergency orders barring evictions made Toledo's non-enforcement decision based on  
31    the housing emergency even more prescient.  
32

33    CA Robinson said not enforcing the Zoning ordinance is a Land Use decision but the City has not  
34    followed the Land Use decision process. He said the issue is before the Council at this meeting to  
35    consider if and when staff should re-engage with the owners of the hotel. The Council discussed  
36    possible options including an application to the Planning Commission and/or 60 days to comply  
37    with the Zoning ordinance. After further discussion, the Council directed CA Robinson to reach  
38    out to the hotel owners to comply with the Zoning ordinance within 60 days.  
39

40    **6.     DECISION ITEMS**

41    **Interview and appointment of individual to the Planning Commission**  
42

43    **Motion** – It was moved and seconded (Smith/Duprau) to appoint Mr. Lundgren to the Planning  
44    Commission to fill an unexpired term and the motion carried unanimously.  
45

1 **Resolution No. 1472, appointing Arnold Poole as the Municipal Court Judge for the City of**  
2 **Toledo and approving a personal services contract for municipal court judge services and**  
3 **repealing Resolution no. 1425**  
4

5 **Motion** – It was moved and seconded (Smith/Michels) to adopt Resolution No. 1472 appointing  
6 Arnold Poole as the Municipal Court Judge for the City of Toledo, approving a personal services  
7 contract for Municipal Court Judge Services and repealing Resolution No. 1425 and the motion  
8 carried unanimously.  
9

10 **Approve changes to Toledo Public Safety Salary Schedule to include a School Resource**  
11 **Officer**

12 PC Pace presented the council report and indicated the Lincoln County School District approached  
13 the City to see if they could provide a School Resource Officer (SRO) starting in September  
14 through the school year. He indicated it would be a fulltime position. He said the department was  
15 able to find someone who would work patrol and Officer McCandless would be the SRO. CM  
16 Richter noted they are currently negotiating the terms of the contract and stated it is a great  
17 opportunity. She said the City will need to prepare a supplemental budget.  
18

19 **Motion** – It was moved and seconded (Carey/Kauffman) to approve changes to the Toledo Public  
20 Safety Salary Schedule to include a School Resource Officer and the motion carried unanimously.  
21

22 **Approve an expenditure of \$49,675 for street improvements on NE 1st Street**

23 This item was presented and approved by the Council in a previous meeting and the Council  
24 removed this item from the agenda.  
25

26 **Approve expenditure up to \$17,000 to up-grade the Library doors to be ADA compatible**

27 PWD Zuspan presented the council report and indicated the doors will have the push buttons for  
28 patrons to access the doors. The Council did not have any questions.  
29

30 **Motion** – It was moved and seconded (Smith/Kamikawa) to approve up to \$17,000 for the  
31 purchase and installation of ADA compatible doors at the Library and the motion carried  
32 unanimously.  
33

34 **7. REPORTS AND COMMENTS**

35 PWD Zuspan reported on the recent projects. He commented on the water levels of the Siletz as  
36 well as some cleanup projects within the City.  
37

38 ALD Baker updated the Council on activities at the library, including reaching out to Youth Tides  
39 of Lincoln County to speak with teens.  
40

41 PC Pace indicated the department has a new dispatcher that will start September 1 and they will  
42 onboard an officer for the patrol position hopefully within the next month.  
43

44 FC Robeson reported on the recent calls and expressed appreciation for the volunteers in the  
45 department. He indicated the department is monitoring the water situation to ensure they can  
46 respond to calls appropriately.

1 CM Richter said she attended meetings for the local taxing district partners recently [Greater  
2 Toledo Pool & Recreation District, Port of Toledo and Lincoln County School District]. She  
3 indicated she will continue to attend meetings at least once a month and encouraged the Council  
4 to attend the meetings as well to maintain the partnerships with each of those organizations. She  
5 noted the City received approvals from three of the taxing districts to move forward with the Urban  
6 Renewal District.

7  
8 Councilor Kamikawa commented about her trip to Utah to see the biosolids system and said they  
9 will make a presentation to the Council at the next meeting. There was discussion about the system  
10 and cost.

11  
12 **8. ADJOURNMENT**

13 The meeting adjourned at 8:00 p.m.

14  
15 ATTEST:

APPROVE:

16  
17  
18 \_\_\_\_\_  
19 City Recorder Lisa Figueroa

\_\_\_\_\_  
Mayor Rod Cross

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

|                                                                                   |                           |                                                                                 |
|-----------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------------|
|  | <b>Meeting Date:</b>      | <b>Agenda Topic:</b>                                                            |
|                                                                                   | September 15, 2021        | Approve an expenditure of \$82,100 to perform liner installation in 24 manholes |
| <b>Council Goal:</b>                                                              | <b>Agenda Type:</b>       |                                                                                 |
| Maintain and improve public infrastructure and facilities                         | Decision Items            |                                                                                 |
| <b>Prepared by:</b>                                                               | <b>Reviewed by:</b>       | <b>Approved by:</b>                                                             |
| Public Works Director B. Zupan                                                    | City Manager Judy Richter | City Manager Judy Richter                                                       |

**Recommendation:**

Motion to approve an expenditure of up to \$82,100 to install liners in 24 manholes.

**Background:**

The best methods for manhole sealing are epoxy based coatings. These are ideal for situations where consistently high levels of hydrogen sulfide exposure are present. One cost savings method is to apply a fiber reinforced mortar as a basecoat to the manhole for filling of voids and use an epoxy sealant as a top coat.

This is part of our commitment to greatly slowing the Inflow & Infiltration problem the city now has, while maintaining the integrity of 60 + year old manholes.

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| <b>Fiscal Impact:</b> | <b>Fiscal Year:</b> | <b>GL Number:</b> |
| \$82,100              | 2021-2022           | 042-420-620550    |

**Attachment:**

1. Spartan Environmental Quote
2. Underground Tech Quote

# Spartan Environmental Services

PO BOX 15027 SALEM, OR 97309

Shane M. Teeters

[steeters@spartanenviro.com](mailto:steeters@spartanenviro.com)

Cell: 971-218-2486

Office: 971.600.3983

Fax: 503.689.1304



Specializing in Vac Truck, CTTV, Dump Truck and Excavation Services.

Over 50 years Experience Leading the way.

PO Box 15027

Salem, OR 97309

Submitted To:

Firm Name: City of Toledo

Address: Toledo, OR

Offer Date: 08/19/21

Expires in

60 days

| Qty | Unit | Description                              | Unit Price | Extended Price |
|-----|------|------------------------------------------|------------|----------------|
|     |      | Scope of work                            |            |                |
|     |      | Clean, Vac Debris, and line catch basins |            | \$85,000.00    |

Price Includes Mob, Per diem, cleaning, and all lining of  
Manholes that is on the list given to us.

**Exclusions:**

Chanel Repair will be additional charges agreed upon as they  
present themselves

Traffic Control to be provided by City when needed

City to provide access to all Manholes

City to provide water

City to provide disposal site and fees for disposal if needed

Any type of testing

**Prior to work being scheduled this quote must be signed and returned accepting the terms  
and conditions. Payment is due upon completion and invoicing of said project**

Company \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

## **Manhole Rehab Quote** **City of Toledo**

August 13, 2021

Thank you for contacting Underground Tech for your manhole rehabilitation needs. Based on the information we now possess, including both verbal and written, we are pleased to submit our proposal for providing materials and services for the above referenced project.

### **Scope of Service**

To meet the requirements of this project, we propose to furnish the following items:

1. Mobilize and demobilize crew, equipment, and materials to the project location.
2. Clean and prepare structures, seal any active leaks.
3. Repair bases/rebuild channels as required.
4. Line each manhole with **Mainstay Composite Liner**.
5. Install chimney seals.
6. Submit Manhole Rehab Report.

The above scope of service and the following pricing is subject to adjustment if the actual job site conditions and quantities differ from the requirements and conditions known to us at time of this proposal.

### ***Proposal***

Underground Tech proposes to offer these services for the following cost(s):

| <i><b>Item No:</b></i> | <i><b>Description</b></i>    | <i><b>Qty.</b></i> | <i><b>U/M</b></i> | <i><b>Each</b></i> | <i><b>Amount</b></i> |
|------------------------|------------------------------|--------------------|-------------------|--------------------|----------------------|
| 1                      | Line Manholes                | 192.5              | VF                | \$405.00           | \$77,962.50          |
| 2                      | Repair Base/Rebuild Channels | 9                  | EA                | \$450.00           | \$4,050.00           |
| <b>Total:</b>          |                              |                    |                   |                    | <b>\$82,012.50</b>   |

We will expect that the following will be furnished to Underground Tech at no cost to us:

1. ***Free and legal access to the project site.***
2. ***All approvals and permits as applicable.***
3. ***Traffic control other than cones.***
4. ***Access to water and washout area for mortar equipment.***
5. ***Overnight parking.***



**UNDERGROUND TECH** LLC  
REPAIR - RENOVATE - RESOLVE

## List of Manholes Quoted

| <u>MANHOLE #</u>                  | <u>DEPTH</u> | <u>NOTES</u>                        |
|-----------------------------------|--------------|-------------------------------------|
| 1. MH9A8-9                        | 13'          |                                     |
| 2. MH9A8-10                       | 18'          |                                     |
| 3. MH8A21                         | 12'          |                                     |
| 4. MHA921                         | 12.5'        |                                     |
| 5. MHA8A17                        | 6'           |                                     |
| 6. MH7B3                          | 4.5'         | CHANNEL REPAIR                      |
| 7. MH2A23                         | 4.5'         | CHANNEL REPAIR                      |
| 8. MH2A42                         | 14'          |                                     |
| 9. MH1A26                         | 9'           |                                     |
| 10. MH5A9                         | 3.5'         | CHANNEL REPAIR                      |
| 11. MH1A11                        | 8'           |                                     |
| 12. MH1A7                         | 4'           | INSTALL GRADE RINGS PRIOR TO LINING |
| 13. MH1B4                         | 11'          | CHANNEL WORK                        |
| 14. MH2A1                         | 11'          |                                     |
| 15. MH2B1                         | 12.5'        | REMOVE ABANDONED DROP??             |
| 16. MH7B8                         | 4'           | CHANNEL WORK                        |
| 17. MH7B10                        | 3'           |                                     |
| 18. MH7B5                         | 5'           | CHANNEL WORK                        |
| 19. MH7B4                         | 6'           |                                     |
| 20. E GRAHAM & E CEDAR            | 3.5'         | CHANNEL WORK                        |
| 21. MH7B5-2 E GRAHAM              | 3.5'         | CHANNEL WORK                        |
| 22. MH7B5-2 ON SE 2 <sup>ND</sup> | 6'           | CHANNEL WORK                        |
| 23. END6A9                        | 10'          |                                     |
| 24. NW 12 <sup>TH</sup> & ALDER   | 8'           |                                     |



1901 Strawberry Ln.  
Lebanon, Or. 97355



541.990.2791



info@undergroundtech.net

**WWW.UNDERGROUNDTECH.NET**



**UNDERGROUND TECH** LLC  
REPAIR - RENOVATE - RESOLVE

### ***Terms and Conditions***

- Customer shall provide a suitable roadway for access of our service vehicles.
- Customer shall provide notification to any affected residents prior to lining work.
- All permits, inspection, licensure and environmental shall be provided by others.
- Underground Tech is unaffiliated, any union and trade agreements shall be by others.
- Contracts must be signed and in place prior to any commencement of work by Underground Tech.
- Manholes lined with \***Mainstay Composite Liner** system are covered by a 10 year warranty should failure occur. "Failure" does not include damage resulting from mechanical or chemical abuse or act of God.
- Prices are based on non-prevailing wages.
- Delays on-site shall be billed per appropriate hourly rates. Any overtime will be billed at 1.5 times the hourly rate.
- If agreement is terminated after Underground Tech has mobilized or materials ordered, you will be invoiced for any out-of-pocket costs incurred.
- Upon completion, payment is due on the 20<sup>th</sup> of the following month, no retainage, 1-1/2% interest per month will be assessed on past due invoices.



1901 Strawberry Ln.  
Lebanon, Or. 97355



541.990.2791



info@undergroundtech.net

**WWW.UNDERGROUNDTECH.NET**



**UNDERGROUND TECH** LLC  
REPAIR - RENOVATE - RESOLVE

## Closing

We thank you for the opportunity to offer this proposal and look forward to providing this service. If you have any need for further assistance, please do not hesitate to contact me at 541-990-2791.

Sincerely,

Doug Troyer, Owner  
Underground Tech

## ACCEPTANCE OF QUOTE

**SIGNATURE** \_\_\_\_\_

**PRINTED NAME & TITLE** \_\_\_\_\_

**DATE** \_\_\_\_\_

PLEASE SIGN AND EMAIL TO [doug@undergroundtech.net](mailto:doug@undergroundtech.net) FOR ACCEPTANCE OF THIS QUOTE



1901 Strawberry Ln.  
Lebanon, Or. 97355



541.990.2791



info@undergroundtech.net

**WWW.UNDERGROUNDTECH.NET**

**CITY OF TOLEDO**  
**REQUEST FOR COUNCIL ACTION**

|                                                                                   |                           |                                                                                                                                 |
|-----------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------------------------------------------------------------|
|  | <b>Meeting Date:</b>      | <b>Agenda Topic:</b>                                                                                                            |
|                                                                                   | September 15, 2021        | Resolution No. 1474, A resolution of the Toledo City Council in regards to coronavirus (COVID-19) mask and vaccination mandates |
| <b>Council Goal:</b>                                                              | <b>Agenda Type:</b>       |                                                                                                                                 |
| Not Applicable                                                                    | Decision Items            |                                                                                                                                 |
| <b>Prepared by:</b>                                                               | <b>Reviewed by:</b>       | <b>Approved by:</b>                                                                                                             |
| City Recorder L. Figueroa                                                         | City Manager Judy Richter | City Manager Judy Richter                                                                                                       |

**Recommendation:**

Motion to approve Resolution No. 1474, a resolution of the Toledo City Council in regards to coronavirus (COVID-19) mask and vaccination mandates.

**Background:**

Mayor Cross proposed a resolution to the Council in regards to not requiring coronavirus (COVID-19) vaccinations and a consensus of the Council were in agreement with the proposed resolution. A copy of the resolution is attached and the resolution was reviewed by CIS and City Attorney Robinson, who had no comments.

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| <b>Fiscal Impact:</b> | <b>Fiscal Year:</b> | <b>GL Number:</b> |
| N/A                   | 2021-2022           | N/A               |

**Attachment:**

1. Resolution No. 1474

**CITY OF TOLEDO  
RESOLUTION NO. 1474**

**A RESOLUTION OF THE TOLEDO CITY COUNCIL IN REGARDS TO CORONAVIRUS  
(COVID-19) MASK AND VACCINATION MANDATES**

**WHEREAS,** The COVID-19 Pandemic has adversely affected the health and welfare of millions around the globe and here in Oregon; and

**WHEREAS,** Facial coverings and masks have shown to have a dramatic impact on the spread of aerosol droplets that can carry COVID-19 and other viruses, such as the flu; and

**WHEREAS,** All three available vaccines here in the United States have not eliminated the virus, but have dramatically lessened the probability of hospitalization if infected; and

**WHEREAS,** The sciences of Virology and Immunology are in a constant state of learning and developing new techniques to combat all viruses; and

**WHEREAS,** The Toledo City Council believes that it is in the public's best interest overall to wear a mask in enclosed public settings, and that vaccination is an effective tool to help avoid hospitalization due to COVID-19; and

**WHEREAS,** City Council believe that neither the US Constitution, nor the Oregon State Constitution, nor our Charter gives the City of Toledo the right whether implicit or implied to mandate vaccination.

**NOW, THEREFORE, THE CITY OF TOLEDO RESOLVES AS FOLLOWS:**

- Section 1. The City of Toledo respects the State of Oregon's laws and Governor's executive orders regarding vaccination guidance and resolves that the City of Toledo is a sanctuary from all unconstitutional vaccination laws.
- Section 2. This resolution does not direct City leadership to act upon any employee who enforces a currently valid vaccination law, and does not order City employees to act or refrain from acting in any way in contravention of law. The resolution simply states that the City values the rights of individuals to make healthcare decisions and does not direct employees to violate any currently valid law.
- Section 3. The law as it is currently in effect allows for an individual to exempt themselves from a vaccine mandate based on medical and religious reasons. The City of Toledo resolves herein to support those constitutional rights.
- Section 4. That this Resolution shall be effective immediately upon passage by the Toledo City Council.

APPROVED

ATTEST

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Mayor Rod Cross

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City Recorder Lisa Figueroa

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

|                                                                                   |                           |                                        |
|-----------------------------------------------------------------------------------|---------------------------|----------------------------------------|
|  | <b>Meeting Date:</b>      | <b>Agenda Topic:</b>                   |
|                                                                                   | September 15, 2021        | Contribution Committee recommendations |
| <b>Council Goal:</b>                                                              | <b>Agenda Type:</b>       |                                        |
| Not Applicable                                                                    | Decision Items            |                                        |
| <b>Prepared by:</b>                                                               | <b>Reviewed by:</b>       | <b>Approved by:</b>                    |
| City Recorder L. Figueroa                                                         | City Manager Judy Richter | City Manager Judy Richter              |

**Recommendation:**

Motion to approve the Contribution Committee's funding recommendation as presented.

**Background:**

The annual budget includes a line item for contributions, which is used to provide funding to local organizations that provide services to the community. The money is provided by the beverage/cigarette tax as well as a portion of the marijuana tax. Each year the City receives requests from local organizations for funding to provide services to the community. The Contribution Committee was established to review those requests and provide a recommendation to the City Council. Their recommendations are listed below.

| Organization                                            | Requested Amount  | Committee Recommendation |
|---------------------------------------------------------|-------------------|--------------------------|
| Toledo Summer Festival                                  | \$150             | \$150                    |
| Toledo Chamber of Commerce                              | \$1,000           | \$500                    |
| Oregon Coast Cascades West Council of Governments, RSVP | \$1,000           | \$1,000                  |
| Lights of Hope                                          | \$3,000           | \$750                    |
| Toledo History Center                                   | \$3,000           | \$3,000                  |
| Toledo Food Share Pantry                                | \$3,000           | \$3,000                  |
| The Salvation Army                                      | \$5,000- \$10,000 | \$3,000                  |
| <b>SUMMARY</b>                                          | <b>\$21,150</b>   | <b>\$11,400</b>          |

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| <b>Fiscal Impact:</b> | <b>Fiscal Year:</b> | <b>GL Number:</b> |
| \$11,400              | 2021-2022           | 001-900-603975    |

**Attachment:**

N/A

**CITY OF TOLEDO**  
**REQUEST FOR COUNCIL ACTION**

|                                                                                   |                           |                                                                                                                                |
|-----------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------|
|  | <b>Meeting Date:</b>      | <b>Agenda Topic:</b>                                                                                                           |
|                                                                                   | September 15, 2021        | Approve an expenditure of up to \$280,000 for the purchase and installation of a backup generator at Siletz River pump station |
| <b>Council Goal:</b>                                                              | <b>Agenda Type:</b>       |                                                                                                                                |
| Improve Emergency Preparedness                                                    | Decision Items            |                                                                                                                                |
| <b>Prepared by:</b>                                                               | <b>Reviewed by:</b>       | <b>Approved by:</b>                                                                                                            |
| Public Works Director B. Zusan                                                    | City Manager Judy Richter | City Manager Judy Richter                                                                                                      |

**Recommendation:**

Motion to approve an expenditure of up to \$280,000 for the purchase and installation of a backup generator for the Siletz River pump station.

**Background:**

In December of 2020, Toledo suffered a major storm that caused a break in the Millcreek Supply line and in the same storm, on the same day, power lines near the Siletz Pump station were damaged by falling trees, losing power to the pump station, leaving the city of Toledo with NO water source. Central Lincoln PUD crews responded as soon as possible, however, the station was down nearly 48 hours. Placing a generator at the Siletz pump station would provide the station with power to continue to supply water to the treatment plant in such situations.

This expenditure is part of the 2021-2022 Capital Improvement Project budget. No work will begin until late, 2021. We choose to use The Automation Group (TAG) due to their availability and past history with their firm not to mention the familiarity they have with the City's equipment. I have reached out to two other possible vendors and received only emails for responses. (attached)

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| <b>Fiscal Impact:</b> | <b>Fiscal Year:</b> | <b>GL Number:</b> |
| \$ 280,000            | 2021-2022           | 041-410-620520    |

**Attachment:**

1. Email response from Travis Electric
2. Email response from Western States Electrical Const.
3. Quote from TAG

## Public Works Director

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**From:** Travis Turner <traviselectricllc@yahoo.com>  
**Sent:** Friday, August 27, 2021 12:19 PM  
**To:** Public Works Director  
**Subject:** Siletz Pumping Station

Hello,

We appreciate the invitation to bid your generator project on the Siletz River, however due to shortage of manpower and overwhelming demand for work we will be unable to provide a bid for your project.

We look forward to helping with smaller projects in the future.

Thank You,

Josalyn Smith - Office Specialist

Travis Electric LLC  
P. O. Box 501 Toledo, Or 97391  
541-272-4707  
CCB# 206834

## Public Works Director

---

**From:** George Fogarty <g.fogarty@actionnet.net>  
**Sent:** Monday, August 16, 2021 11:47 AM  
**To:** Public Works Director

Hi Bill,

We are just slammed at the moment and probably better not bid the job at this time. Please keep us in mind we will not always be this far behind.

Thank-you,

George Fogarty

Western States Electrical Construction, Inc.

P.O. Box 847

235 NE Iron Mountain Rd.

Newport, Or 97365

P:541-265-8067

F:541-265-7652

[www.westernstatesonline](http://www.westernstatesonline)



## Quote

### Mechanical Tasks:

- Engineering of concrete pad
- Install of concrete pad
- Offloading and setting Generator

### Clarification/Exclusions:

- ~~City to provide the concrete pad for the Generator.~~
- ~~City to provide offloading, mechanical setting, and anchoring of the Generator.~~
- ~~City to provide any other assembly required onsite if needed (including dampers).~~
- Surveying, Bonds, Builders Risk, City and ODOT Fees are not included
- Density Testing & Special Inspection are not included
- City to modify fence to allow conduits to pass from Generator to building.
- City to provide Generator fuel.
- Due to the fluctuating cost of large wire, the wire must be repriced at time of order. The price listed below may need to be adjusted... currently the price is **trending up**.
- Electrical labor pricing has been calculated at BOLI Rate

|                                           |              |
|-------------------------------------------|--------------|
| Electrical Materials & Labor.....         | \$108,654.00 |
| Mechanical Install Materials & Labor..... | \$46,193.00  |
| Generator & Transfer Switch - Kohler..... | \$118,966.00 |

Thank you,

*Gary Jenks*

Gary Jenks

(541) 912-3766

gjenks@tag-inc.us

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## Quote

The Automation Group, Inc.

[www.tag-inc.us](http://www.tag-inc.us)

CCB #172838

Phone: 541/359-3755

Quote #191120G1

Aug. 17, 2021

Bill Zuspan  
Toledo WTP

RE: Toledo WTP - Intake Generator **r2**

### **Project Scope:**

TAG is providing a Quote to supply and install a Generator System for the Siletz Intake building. The generator will be matched in size to the building electrical utility service and will be capable of operating the entire Intake system. Below is a list of the items that are included.

### **Electrical Materials:**

- Conduit and power wire from Generator to Transfer switch
- Conduit and power wire from Transfer switch to Utility Switch Gear
- Conduit and power wire from Transfer switch to Motor Control Center
- Conduit and power wire for Generator heater and battery charger
- Conduit and signal wire from Generator to Transfer switch
- Conduit and signal wire from PLC to Generator and Transfer switch for the following:
  - Generator Running
  - Generator in Auto
  - Generator Alarm
  - Transfer switch on Utility Power
  - Transfer switch on Emergency power

### **Electrical Tasks:**

- Install all conduit and wire listed above
- Install Transfer switch
- Program PLC logic for the inputs listed above
- Graphics on WTP SCADA PC to show status and alarms
- Electrical Permit

### **Mechanical Materials:**

- 7' x 14' x 12" thick concrete generator pad with rebar per the approved engineered drawings
  - Crushed rock base and backfill
  - County building permit
-

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

|                                                                                   |                           |                                                                                                                                                            |
|-----------------------------------------------------------------------------------|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <b>Meeting Date:</b>      | <b>Agenda Topic:</b>                                                                                                                                       |
|                                                                                   | September 15, 2021        | Approval of Amendment No 1 to the Sewer Force Mainline Replacement & Collection System Improvements Financing with Oregon Infrastructure Finance Authority |
| <b>Council Goal:</b>                                                              | <b>Agenda Type:</b>       |                                                                                                                                                            |
| Maintain and improve public infrastructure and facilities                         | Decision Items            |                                                                                                                                                            |
| <b>Prepared by:</b>                                                               | <b>Reviewed by:</b>       | <b>Approved by:</b>                                                                                                                                        |
| City Manager J. Richter                                                           | City Manager Judy Richter | City Manager Judy Richter                                                                                                                                  |

**Recommendation:**

Motion to approve Amendment No 1 to the Sewer Force Mainline Replacement & Collection System Improvements with Oregon Infrastructure Finance Authority for a total of \$675,000.

**Background:**

The Agreement with the Oregon Infrastructure Finance Authority began previously to fund the Butler Bridge Force Main project as partial grant and partial loan. All grant funds have been expended by it was possible to amend the agreement to include an additional \$350,000 loan. The additional loan will be for the Effluent Line project. The contract for the project was approved at the last Council meeting. As a reminder, the bids for the contract came in lower than expected so the total of the amendment will not be needed.

This project is expected to be the last requirement under the Mutual Agreement & Order with the Department of Environmental Quality.

|                       |                     |                   |
|-----------------------|---------------------|-------------------|
| <b>Fiscal Impact:</b> | <b>Fiscal Year:</b> | <b>GL Number:</b> |
| \$350,000             | 2021-2022           | #042-000-405400   |

**Attachment:**

1. Amendment No 1

## Amendment Number 1

**Project Name:** Sewer Force Mainline Replacement and Collection System Improvements

This amendment is made and entered into by and between the State of Oregon, acting by and through the Oregon Infrastructure Finance Authority of the Oregon Business Development Department (“OBDD”), and the City of Toledo (“Recipient”), and amends the Financing Contract, Project Number Y19004, dated 10 June 2019 (“Contract”) for the above-named Project. Capitalized terms not defined in this amendment have the meanings assigned to them by the Contract.

**Recital:** The purpose of this amendment is to increase the loan amount, revise the project description to include additional work, and remove unneeded DEQ funding from the project budget.

**The parties agree as follows:**

1. Amend the following Key Term in Section 1 of the Contract as follows (deletion in ~~strike through~~; addition in double underline):  
“Estimated Project Cost” means      ~~\$2,013,880~~      \$1,020,388.  
“Loan Amount” means                      ~~\$325,000~~      \$675,000.
2. Revise Exhibit C – Project Description to add the following at the end of the existing description:  
“Project shall also include installation of a new manhole in the effluent pipe south of the railroad tracks, and installation of a cured in place liner in the effluent pipe from the effluent vault through the new manhole to an existing manhole approximately 400 feet south of the Wastewater Treatment Plant”.
3. Remove Exhibit D (Project Budget) of the Contract and replace it with the following new Exhibit D:

|                                   |
|-----------------------------------|
| <b>EXHIBIT D - PROJECT BUDGET</b> |
|-----------------------------------|

|                          | OBDD Funds      | Other / Matching Funds |
|--------------------------|-----------------|------------------------|
| Activity                 | Approved Budget | Approved Budget        |
| Design / Engineering     | \$100,186       | \$4,090                |
| Construction             | 787,113         | 16,298                 |
| Construction Contingency | 79,117          | 0                      |
| Construction Management  | 33,584          | 0                      |
| Total                    | \$1,000,000     | \$20,388               |

SIGNATURE PAGE FOLLOWS

OBDD will have no obligation under this amendment, unless within 60 days after receipt, the Recipient delivers to OBDD the following items, each in form and substance satisfactory to OBDD and its Counsel:

- (i) this amendment duly executed by an authorized officer of the Recipient; and
- (ii) such other certificates, documents, opinions and information as OBDD may reasonably require.

Except as specifically provided above, this amendment does not modify the Contract, and the Contract shall remain in full force and effect during the term thereof. This amendment is effective on the date it is fully executed and approved as required by applicable law.



**STATE OF OREGON**  
acting by and through the  
Oregon Infrastructure Finance Authority



**CITY OF TOLEDO**

By: \_\_\_\_\_  
Chris Cummings, Assistant Director  
Economic Development

By: \_\_\_\_\_  
The Honorable Rod Cross,  
Mayor of Toledo

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:**

\_\_\_\_\_  
/s/ Wendy Johnson per email dated 1 September 2021  
Wendy Johnson, Senior Assistant Attorney General