

**TOLEDO CITY COUNCIL
REGULAR MEETING
September 6, 2023**

1. CALL TO ORDER

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

Present	Absent	
X		Mayor Rod Cross
X		Council President Betty Kamikawa
X		Councilor Jackie Kauffman
X		Councilor Tracy Mix
X		Councilor Kim Bush
X		Vacant
		Vacant

Staff present: City Manager (CM) Doug Wiggins, Finance Director (FD) Judy Richter, City Recorder (CR) Lisa Figueroa, City Attorney (CA) Mike Adams, Police Chief (PC) Michael Pace,

2. PROCLAMATIONS/PRESENTATIONS

Presentation – Presentation – Continuum of Care Basics & Forming a Tri-County Continuum

Community Services Consortium (CSC) Executive Director Peggy McGuire addressed the City Council. She provided a presentation to the Council [a copy was provided in the Council packet] on the Continuum of Care (CoC) and indicated she will return next month to ask for a resolution. She said CoC has been required since the 1990s to provide services for homeless planning and response. She illustrated the structure of the CoC and said Housing and Urban Development (HUD) evaluates the effectiveness of every CoC. She said the Governor’s Emergency Order allocated funding to distinct CoCs within the state but noted that Linn, Lincoln and Benton counties received \$3.7million combined compared to other rural CoCs. She said she would like to form a Tri-County CoC and outlined the process to establish a CoC with Linn, Lincoln and Benton Counties, which would include resolutions from participating communities, letters of support and votes from members and stakeholders. She said she will follow up with a resolution to the Council in a future meeting.

3. VISITORS/PUBLIC COMMENT

Cynthia George commented on negative attitudes she has seen in the community lately. She stated Lincoln County has placed real estate agents on the Planning Commission. She said she believes it is a conflict of interest and inquired whether it is an ethics issue as well. She suggested the City Council look into the issue.

4. CONSENT AGENDA

Minutes from the regular meetings held June 7, 2023 and June 14, 2023

Appoint Mayor Cross as the Voting Delegate on behalf of the City of Toledo for the Annual League of Oregon Cities membership meeting

Motion – It was moved and seconded (Mix/Kamikawa) to approve the consent agenda as presented and the motion carried unanimously.

5. DISCUSSION ITEMS

Request for assistance with warming shelter

Mayor Cross referred to the Council packet and noted the letter from the Board of Commissioners requested approximately \$15,957 from the City of Toledo to help support a winter shelter. CP Kamikawa commented on the request by the Lincoln County Board of Commissioners. She expressed concern about the County operating the warming shelter.

Several Council members considered the request, they indicated they were not in support of the request and expressed several concerns:

- No building identified or exists
- Lack of transportation in the winter
- Currently not in the City budget
- Proposed personnel salary
- Lack of support when the Oregon Mayors Association advocated for funding to every city
- The letter came from Commissioner Jacobson instead of Commissioner Hall, who is the Chair of the Homeless Committee or all three Commissioners
- The County plans to use American Rescue Plan Act funds that will not be available after this year
- Lincoln County did not show support for the state proposal from Oregon Mayors Association Homelessness Task Force

After further discussion, there was a consensus of the Council to not support the request from Lincoln County.

6. DECISION ITEMS

Approve a Water Sales Agreement with Georgia-Pacific Toledo, LLC

CA Adams presented the council report. He said the contract would begin upon execution and continue through December 31, 2023. He said most of the terms are essentially the same, but highlighted the changes made

- Georgia-Pacific (GP) paid for the transportation and the ‘T’ piece, which CA Adams referenced in the addendum as the piece that was previously installed
- The insurance liability was increased due to the Oregon Court Claims Act

CA Adams indicated the contract limits the total distribution of its water system to other customers and GP to two million gallons per day, with 1.25 million gallons to GP per day. He said the total rights are six million gallons per day. He noted the contract is clear in regards to the point of delivery with Olalla Reservoir serving as a temporary holding facility. He said the City is pulling water from the authorized location. He stated the rate is currently \$4.50 per 1,000 gallons and the City agrees to provide the maximum allotted gallons per day at the point of delivery. He referenced

paragraph 12 and said it addresses some Council concerns related to the environment. He noted paragraph 13 addresses any shortages of water and the process to address the shortage.

Mayor Cross opened the floor for comments.

Ms. George addressed the Council. She commented on the current drought and its impact on the salmon population. She spoke to an issue of spraying at Seal Rock and expressed concern that the Seal Rock Water District will be allowed to pull from the Siletz River as well. She claimed she has senior water rights as an Oregonian and can irrigate up to a quarter of an acre.

GP Public Affairs Manager Andrea Formo addressed the Council. She said GP recycles as much water as they can and have been on a proactive water conservation plan since the middle of the summer. It was clarified that GP has the lowest water rights to pull water from the Siletz and would be the first ones restricted from pulling water during extreme circumstances. Now GP is impacted enough they are requesting the City pull water and they purchase untreated water from the City. The Council asked clarification questions in regards to the current water usage from Toledo customers. It was suggested to consider establishing a dedicated fund to reserve the revenue funds for future improvements. CA Adams suggested to change the recommendations language to read as, "...including any future requested renewals" instead of amendments, which would delegate the ability for the City Manager to execute future renewals. After further discussion, a consensus of the Council preferred renewals go before the Council.

Motion – It was moved and seconded (Mix/Bush) to approve the City to enter into an Untreated Water Service Agreement with Georgia-Pacific Toledo, LLC for the sale of untreated water and authorize the City Manager to execute this agreement and the motion carried four to one with Council President Kamikawa opposed.

Ordinance No. 1415; an Ordinance amending the Toledo Municipal Code; Chapter 9.08, creating offenses against public decency; and declaring an emergency

CA Adams presented the council report. He said when the City Council previously amended the Code, sexual conduct was removed, which referenced several state statutes. He indicated the statutes have changed and reviewed the changes to the law.

Motion – It was moved and seconded (Kamikawa/Bush) to adopt (with specified changes, if any): An ordinance of the Toledo City Council amending the Toledo Municipal Code; Chapter 9.08, creating offenses against public decency; and declaring an emergency by title only. Mayor Cross asked if there were any Councilors who would like the ordinance be read in full. After hearing no comments, the motion carried unanimously.

7. REPORTS AND COMMENTS

FD Richter indicated she is working with the auditors to complete the audit.

PC Pace said the department is finishing up a background to onboard another police officer.

CM Wiggins reported the City is working with the Oregon Department of Transportation to close out a Small City Allotments grant.

Councilor Bush updated the Council on the recent Art, Oysters & Brews (AOB) event and the unveiling of the community mural.

Councilor Mix indicated she was contacted by a citizen regarding a recent event and asked them to come speak to the Council.

Frank Silvia, citizen commented on the reactions of emergency responders in regards to a student's incident at the most recent football game. He expressed concern and displeasure in how long it took them to provide aid to the student.

Council members thanked CP Kamikawa for her service on the Council.

Mayor Cross commented on the AOB event and said it was well attended. He thanked CP Kamikawa for her service and dedication to the community.

8. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Approve:

Attest:

/s/Mayor Rod Cross

/s/City Recorder Lisa Figueroa