



City Hall – Council Chambers
206 N. Main Street
Toledo, Oregon 97391

TOLEDO CITY COUNCIL

Regular Meeting & Executive Session – also via Zoom Meeting Platform

October 18, 2023

The Regular Meeting/Executive Session will begin at 6:00 p.m. or immediately following the Urban Renewal Agency meeting, whichever is earlier.

Virtual Meeting: The City Council will hold the meeting 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 details including 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 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.

Executive session: The Toledo City Council may call an executive session at any time before or during the regular meeting pursuant to ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection and ORS.192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

Representatives of the news media and designated staff may be allowed to attend the executive session. All other members of the audience are prohibited. Representatives of the news media are specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced. No final decisions may be made in Executive Session.

1. **Call to Order, Pledge of Allegiance and roll call**
2. **Proclamations/Presentations**
Presentation – Police Department
Presentation – Yaquina Pacific Railroad Historical Society; Director Lisa Watson
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**
There are no items for consideration
5. **Discussion Items**
There are no items for consideration

6. Decision Items

- Letter of support request from the Economic Development Alliance of Lincoln County
- Resolution No. 1531, a resolution accepting and receiving grant funds from the Oregon State Fire Marshall for wildfire response
- Resolution No. 1532, a resolution recognizing grant revenue and making appropriations for spending for Fiscal Year 2023-2024
- Resolution No. 1533, a resolution in support of establishing a continuum of care for the Linn, Benton, and Lincoln Counties region and registering with the United States Department of Housing and Urban Development in 2024
- A Memorandum of Agreement to appoint two City Councilors to a steering committee for construction of a community center and refurbishment of the pool
- Appoint a Council member(s) to local/regional committee vacancies as representatives of the City of Toledo
- City Attorney contract review

7. Reports and Comments

- Committee updates

8. Adjournment

Lisa Figueroa

From: Paul Schuytema <paul@businesslincolncounty.com>
Sent: Friday, October 6, 2023 10:56 AM
To: Rod Cross; Doug Wiggins
Subject: EDALC: request for Letter of Support for ROI application

Rod & Doug:

Greetings!

EDALC is getting ready to submit for our second two-year Rural Opportunity Initiative (ROI) grant from Business Oregon (this cycle is called the "Launch Phase").

I would like to request a letter of support from the City of Toledo to help bolster our application's impact.

The core goal of the ROI program is to provide funding, support and expertise to help rural communities build a thriving and sustainable entrepreneurial ecosystem. In the last cycle, we were one of 22 rural Oregon communities to participate in the program.

If you want to dive deeper into what that work looks like, the Ewing Marion Kauffman Foundation has a great "playbook" you can check out here:

<https://www.kauffman.org/ecosystem-playbook-draft-3/>

We are very proud of our work in the last round, and so is Business Oregon. In the next few weeks, they'll be releasing their report on the program that does a great job highlighting our efforts here in Lincoln County. Here is a link to full program information on Business Oregon's site:

<https://www.oregon.gov/biz/programs/roi/pages/default.aspx>

In this second round, our priorities will focus on three main areas:

- Building our Entrepreneurial Ecosystem network through events such as our Economic Summit, FailFest and other exciting events we are currently planning.
- Supporting youth entrepreneurship efforts in Lincoln County, such as the SBDC's youth program that will launch in January (we plan to serve as the fiscal agent for that program and host the "pitch competition" finale in the spring).
- Supporting creative economy entrepreneurship, helping artist/maker entrepreneurs flourish in Lincoln County. Some of those efforts include supporting ART Toledo, arts and cultural district work throughout the county and providing events and "toolkits" to educate and empower these small-scale art businesses.

The ROI application is due at the end of the month, so ideally, we'd love a letter to be in-hand by October 24th. If desired, we can certainly provide you with draft verbiage to make the lift a little easier. We are NOT requesting any commitment of funding (you already support EDALC very generously!), but just enthusiastic support of our efforts.

Let us know if that works for you or if you have any questions or want a draft letter template.

Thank you so much for your consideration!

Cheers,

-Paul

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Paul Schuytema, Executive Director
Economic Development Alliance of Lincoln County
He/Him/His
W: businesslincolncounty.com
E: paul@businesslincolncounty.com
C: (541) 961-8800
O: (541) 867-8579

CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION

	Meeting Date:	Agenda Topic:
	October 18, 2023	Resolution No. 1531, a resolution accepting and receiving grant funds from the Oregon State Fire Marshall for wildfire response
Council Goal:	Agenda Type:	
Improve Emergency Preparedness	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager, Doug Wiggins	City Manager, Doug Wiggins

Recommendation:

Motion to approve Resolution No 1531, A resolution of the Toledo City Council accepting and receiving grant funds from the Oregon State Fire Marshall for wildfire response.

Background:

Senate Bill 762 appropriated funds for the Oregon State Fire Marshal to issue grants for local departments to request funding to support additional firefighters and to cover overtime costs for existing paid firefighters for the 2022 Wildfire season. The City of Toledo was invited to apply for one of the \$35,000 grants and was awarded the grant. The grant requires the City to accept and receive funds by resolution of the City Council.

Fiscal Impact:	Fiscal Year:	GL Number:
\$35,000	2023-2024	001-000-405250

Attachment:

1. Resolution No. 1531

**CITY OF TOLEDO
RESOLUTION NO. 1531**

A RESOLUTION OF THE TOLEDO CITY COUNCIL ACCEPTING AND RECEIVING GRANT FUNDS FROM THE OREGON STATE FIRE MARSHALL FOR WILDFIRE RESPONSE

WHEREAS, Senate Bill 762 appropriated funds for the Oregon Office of State Fire Marshal to issue grants for local departments to request funding to support additional firefighters and to cover overtime costs for existing firefighters for the 2023 Wildfire Season; and

WHEREAS, The City of Toledo fire department was invited to apply for a \$35,000 grant; and

WHEREAS, the \$35,000 grant application was accepted and the City must acknowledge accepting the grant funds by resolution of the City Council.

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

- Section 1. To accept and receive the grant funds as provided after applying for a grant for \$35,000 for additional firefighter availability during times of high risk of wildfires.
- Section 2. To schedule additional resources with the proceeds of the grant to respond to wildfire risk and activity.
- Section 3. That this Resolution shall be effective immediately upon passage by the Toledo City Council.

That this resolution is hereby adopted by the Toledo City Council on this 18th day of October, 2023.

APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	October 18, 2023	Resolution No 1532, A resolution recognizing grant revenue and making appropriations for spending for Fiscal Year 2023-2024
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Manager J. Richter	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion to adopt Resolution No. 1532 A Resolution of the Toledo City Council recognizing grant revenue and make appropriations for spending for the Fiscal Year 2023-2024

Background:

The City of Toledo Library and Fire Departments have been successful in securing \$59, 816. 49 in grants recently. Local Budget Law allows for specific purpose grants to be appropriated by resolution.

Fiscal Impact:	Fiscal Year:	GL Number:
\$59,816.49	2023-2024	Multiple

Attachment:

1. Resolution No. 1532

**CITY OF TOLEDO
RESOLUTION NO. 1532**

A RESOLUTION OF THE TOLEDO CITY COUNCIL RECOGNIZING GRANT REVENUE AND MAKING APPROPRIATIONS FOR SPENDING FOR FISCAL YEAR 2023-2024

WHEREAS, Local Budget Law in ORS 294.338(2) allows for specific purpose grants to be appropriated by resolution; and

WHEREAS, The City of Toledo Library received grant money from Internet Archive and Community Webs in the amount of \$1,000.00, from Oregon Community Foundation in the amount of \$2,692.49 and from Georgia Pacific in the amount of \$5,000; and

WHEREAS, The City of Toledo Fire Department received grant money from VFA in the amount of \$8,624.00, from Georgia Pacific in the amount of \$5,000, Oregon State Fire Marshall in the amount of \$35,000 and Emergency Preparedness Grant in the amount of \$2,500.

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

Section 1.		Was	Increased by
General Fund Grants	001-000-405250	\$20,000	\$59,816.49
Library Adult Program Sup	001-700-606550	\$3,000	\$7,692.49
Library Special Purchases	001-700-607500	\$1,500	\$1,000.00
Fire Contract & Services	001-500-608100	\$46,000	\$35,000.00
Fire Special Purchases	001-500-607500	\$9,500	\$16,124.00

Section 2. That this Resolution shall be effective immediately upon passage by the Toledo City Council.

That this resolution is hereby adopted by the Toledo City Council on this 18^h day of October, 2023.

APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	October 18, 2023	Resolution No. 1533, a resolution in support of establishing a continuum of care for the Linn, Benton, and Lincoln Counties region and registering with the United States Department of Housing and Urban Development in 2024
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion to approve Resolution No. 1533, a resolution in support of establishing a continuum of care for the Linn, Benton, and Lincoln Counties region and registering with the United States Department of Housing and Urban Development in 2024.

Background:

On September 6, 2023 from Pegge McGuire, Executive Director Community Services Consortium provided a presentation to the City Council. She indicated Linn, Benton and Lincoln Counties have decided to form their own continuum of care (CoC) to be able to provide services directly to the those counties. She requested the Council adopt a resolution in support of establishing a CoC and the attached resolution is a follow up to a presentation. A copy of the presentation and audio is available on the details page of that meeting in the City website.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2023-2024	N/A

Attachment:

1. Resolution No. 1533

**CITY OF TOLEDO
RESOLUTION NO. 1533**

**A RESOLUTION OF THE TOLEDO CITY COUNCIL A RESOLUTION IN SUPPORT OF
ESTABLISHING A CONTINUUM OF CARE FOR THE LINN, BENTON, AND LINCOLN
COUNTIES REGION AND REGISTERING WITH THE UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT IN 2024**

WHEREAS, homelessness is a critical issue in the tri-county region of Linn, Benton, and Lincoln Counties; in Oregon; and across the nation; and

WHEREAS, children, families, veterans, and chronically homeless individuals experiencing mental illness and addictions comprise a large portion of the region's homeless population; and

WHEREAS, the United States Department of Housing and Urban Development created the Continuum of Care program in 1994 as a means for communities across the nation to "engage in multi-year strategic planning for homeless programs and services that are well integrated with planning for mainstream services"; mainstream services denoting public housing, Section 8 housing choice vouchers, and services for runaway and homeless youth, victims of domestic violence, veterans, seniors, and people experiencing addictions and/or mental illness; and

WHEREAS, Linn, Benton, and Lincoln Counties are part of a "balance of state" Rural Oregon Continuum of Care; and

WHEREAS, the City of Toledo carefully considered relevant factors and determined that the region could benefit from creating its own Continuum of Care, with enhanced service coordination, local autonomy, and alignment of goals to more effectively reduce homelessness in the region.

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

- Section 1. The City of Toledo supports establishing a Continuum of Care for the Linn, Benton, and Lincoln County region and supports the new Continuum of Care registering with the United States Department of Housing and Urban Development in 2024.
- Section 2. That this Resolution shall be effective immediately upon passage by the Toledo City Council.

That this resolution is hereby adopted by the Toledo City Council on this 18th day of October, 2023.

APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	October 18, 2023	A Memorandum of Agreement and appoint two City Councilors to a steering committee for construction of a community center and refurbishment of the pool
Council Goal:	Agenda Type:	
Maintain and improve public infrastructure and facilities	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Attorney M. Adams	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion #1: Motion to approve a Memorandum of Agreement with the Greater Toledo Pool and Recreation District, a Political Subdivision of the State.

Motion #2: Motion to appoint [City Councilors ____ and ____] to a steering committee that will meet with GPRD representatives to bargain the project and act as City liaisons for the project.

Background:

This Memorandum of Agreement (MOA) with the Greater Toledo Pool and Recreation District (GTPRD), as stated on page 2 of the MOA, “is non-binding and merely serves to describe an anticipated future business relationship between the City and the District”. The Councilors appointed to the steering committee, with the City Manager and City Attorney, will work with the GTPRD’s representatives (a couple of board members, attorney, and full-time manager of Pool) to bargain the terms. All agreements will come before the full City Council for approval, which will bind the City.

In addition to public contracting documents, the agreements contemplated in the future are:

- (1) An Intergovernmental Agreement (IGA) between the GTPRD and City, for division of responsibilities during the construction of the public improvements, monetary contributions from each, leasing of the facility to the GTPRD, and management by the GTPRD after construction.
- (2) A bond agreement, or other financing mechanism (Line of Credit/then Loan);
- (3) A resolution providing the “Full Faith and Credit” of the City to guarantee repayment of the debt; and
- (4) An IGA between the City and Urban Renewal District (URD), for the URD to agree to pay the City’s debt.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2023-2024	N/A

Attachment:

1. Memorandum of Agreement

MEMORANDUM OF AGREEMENT

Providing a Community Center and Pool Refurbishment for the Toledo Community Pool for Use by the Residents of the Greater Toledo Pool and Recreation District in Lincoln County, Oregon

This agreement is between:

City of Toledo, a municipal corporation (“**City**”)

Greater Toledo Pool and Recreation District, a Political Subdivision of the State of Oregon (“**GTPRD**”)

In order to provide cost savings, pooling of resources and a more defined community benefit to the community members in the City of Toledo and Greater Toledo Area, the City Council for the City of Toledo, and Board Members of the Greater Toledo Pool and Recreation District, enthusiastically enter into this ***Memorandum of Agreement***.

Whereas:

1. The City, and the Keep Our Pool Open Committee (KOPO), a community group of 49 members, with 14 serving as a steering committee, entered into an initial Memorandum of Agreement (MOA), to transition the operation of the pool to the Greater Pool and Recreation District (“GTPRD” or “District”) if the Special District was approved by the voters on the May 2017 ballot; and
2. That MOA was important in budget planning for the City, Budget Committee, and District, and contributed to the development of an “Intergovernmental Agreement” (IGA) between the City and the District Board of Directors, after the May election; and
3. A “2021 Supplemental Intergovernmental Agreement,” dated April 21, 2021, and the latest Lease, dated February 26, 2020, remain in effect, and the parties desire to continue to use the Toledo Swimming Pool (“Pool”) for issues of significant importance to our community, including children’s swimming lessons, general exercise, medical rehabilitation after injuries, and the Toledo High School Swim Team; and
4. The City and District now wish to enter another MOA for development of a Community Center, near the pool and on the City’s property, in conjunction with refurbishment of the existing Pool.

Purpose Statement:

The purpose of this Memorandum of Agreement (MOA) is to confirm each participant’s willingness to enter into a collaborative relationship to develop multiple agreements for the refurbishment of the Pool, and creation of a Community Center, generally where the tennis courts are currently located, to make them so that both can be managed together. This MOA is executed to benefit the residents of Lincoln County, who live outside the City of Toledo, but use the Pool (“Greater Toledo Area”), and those citizens

inside the City of Toledo, summarize the roles of each party, and begin to outline expectations for architecture, engineering, and construction, for both refurbishing the Pool by the District and the addition of the Community Center. As development progresses, agreements regarding specific services and/or contributions will be defined in a series of contracts between the relevant partners.

This MOA is non-binding and merely serves to describe an anticipated future business relationship between the City and the District. The District and City are governmental entities able to enter contracts, so formal agreements will be negotiated and executed between the City and District that fully describe the operating arrangements, financial responsibilities and the specific duties and obligations of the City and District in relation to this project. This MOA and its contemplated planning process provides guidance to contract terms in the Lease, Intergovernmental Agreement (IGA), and other business documents that may be entered. The parties may change their mind and such non-binding provisions may be altered that are described in this MOA. This MOA does generally provide the intent of the City and District at this juncture for planning purposes.

The parties to this MOA agree to work in partnership to cause the creation of a covered basketball court, which can be divided into 2 shorter basketball courts, marked with boundary lines for other sports, in the location generally where the tennis courts are now located, with possible offices and/or a meeting room (hereafter "Community Center"), connected by a possible pathway the Pool, but designed to combine operational management functions of the Pool and Community Center into one, to combine grant seeking functions between both partners, and the refurbishment and continued operation of the Toledo Community Pool, located in Toledo, Oregon, pursuant to the terms of this MOA. All parties agree to:

1. Recognize the District's Directors as the administrative lead speaking for the improvements to the Pool leased by the District from the City;
2. Work collaboratively and transparently on activities related to the refurbishment of the Pool, and construction of a Community Center, and related facilities;
3. Work collaboratively through the planning process to develop clearly defined roles and responsibilities as well as financial and equipment contributions, that will be defined in separate agreements between appropriate entities by the targeted completion date of the Pool improvements that need to be completed by _____ to use the State's funding;
4. Diligently monitor the financial and clinical performance of the Pool building's improvements and construction of an adjoining Community Center and join in removing barriers and resolving issues;
5. Actively engage with partners in exploring options, grants, and in the planning and public contracting process; and
6. Participate in resolving the information needs about the Pool to assure bi-lateral understanding of the issues that need to be collaboratively resolved;

City and District agree to:

1. Work collaboratively toward a targeted substantial completion date of _____, whereby the Pool refurbishment needs to be completed, so as to be able to utilize all of the money from the State of Oregon for the refurbishment of the Pool including handicapped accessible locker-rooms; and
2. Work collaboratively toward a targeted substantial completion date of _____ for completion of the Community Center, ideally, at the same time as the Pool, or at least to maximize duplicative efforts and expenses between the two projects; and
3. District would incur costs and continue to operate the Pool from this point forward except as needed for construction; and
4. Work collaboratively to arrive at one of the basic methods of project delivery:
 - a. ☐ **Traditional Approach**, also known as “low-bid” or “design-bid-build” approach), which involves a contract between the owner and the architect to build the project, and a separate contract between the owner and the contractor to construct the project as designed by the architect. Once the design is complete or nearly complete, the owner and the architect puts the bid out for competitive bid by interested contractors.
 - b. ☐ **Construction Manager/General Contractor Approach (“CMGC”)**, where the contractor is retained through a request for proposal prior to or during the design phase to review the architect’s design work and to advise the owner and architect regarding the constructability and practicality of alternative design approaches, value engineering and other possible costs saving approaches, cost estimating, scheduling, and approached to subcontracting etc. Under such an approach, the owner and contractor would “agree to agree” - - either a predetermined point during design or upon completion of design—on the contract price (usually based on cost+), the schedule, and other design dependent provisions of the final construction contract
5. Work collaboratively to arrive at an Intergovernmental Agreement (IGA), amended Lease, and any other necessary contractual agreements, between the City of Toledo, and the District, to support and ensure the continued operation of the Pool for the benefit of all residents in the District (“Agreements”).
6. Assure that such Agreements will reflect that the District, after performing its own due diligence, is assuming any and all legal liability associated with the condition of the Pool and building and continued operation, maintenance and improvements to the Pool.
7. Work collaboratively to modify, if needed, the District’s long-term Lease with the City, for nine 10-year annual renewal periods, for a \$1/year lease payment, for that portion of Tax Lots 10900 and 11200, on Lincoln County Tax Assessor’s

Map 11-10-08-CC, that contains the Toledo Community Pool, its equipment and components, related structures to West of the Pool building, and shared parking with the patrons of the City's Library (collectively, "Pool Site"), with terms that provide that either party can "open" terms for further discussion/possible revision, which terms may be contained in the lease (collectively, "Lease").

8. Work collaboratively to continue a level of sewer and water system use that is a "cap" that will define the maximum financial obligations of the City once the Pool and Community Center project has been completed. Although March 1, 2023-February 28, 2024 (fiscal year 2023-2024) is the City's last contemplated donation of \$33,848.60 to the District (see "2021 Supp. IGA"), to pay the District's water and sewer bill, the City contemplates likely renewing a defined financial amount once the project contemplated by this IGA is completed, in exchange for the District's day-to-day management of the Community Center in conjunction with District employee's management of Pool operations.
9. Work collaboratively to assure the Lease recognizes that the District is solely assuming and will be responsible for all costs, without any further financial assistance from the City, except as provided in such Agreements, for the upkeep, maintenance and any needed improvements to the Pool and building, including structural, heating, electrical, Pool equipment and components, and other leased area; but the Lease should recognize that any capital improvements during the term of the Lease that is completed by the District will revert to the City should the Lease be terminated.
10. Work collaboratively to assure the City is responsible for insurance on the building portion that is the Community Center, and the District for insurance on its use, and determining who will be responsible for all costs, without any further financial assistance from the District, except as provided in such Agreements, except the day-to-day management of the use of the Community Center and its possible required insurance, should the District agree to assume such contemplated possible arrangement.
11. Assure that the Lease recognizes that the parking lots directly in front of both the Library and Pool, and larger parking lot along NW A Street, will be jointly-shared and used by both the District and Library.
12. Assure that the Lease requires that District will keep its Leased area fully insured against loss or damage by fire, theft, vandalism, and such other hazards as City may from time to time require, upon such reasonable terms and in such company or companies as City may approve. City shall be named as an additional insured on all such policies, and each policy shall contain an endorsement providing for 30 days' written notice to City before cancellation by the carrier. District will immediately deliver to City a copy of all such policies, or certificates thereof, evidencing the required coverage and, from time to time at City's request, shall furnish evidence that the policies remain in force. In the event of damage or loss covered by District's insurance, District shall have the option of repairing, restoring, or replacing the damaged or lost equipment; provided that, if District is

in default under the Lease at the time that the proceeds are received, then City may require that all proceeds be applied to what is owed under the Lease.

13. Assure that the Lease provides an indemnification provision that provides that each party shall defend, indemnify and hold harmless the other party and its officers, employees and agents from claims arising from Injury to any person or damage to property caused by the negligence or other wrongful acts or omissions of the party, its officers, employees or agents; or failure or refusal of one party to perform or fulfill its responsibilities under the Lease or any law, through no fault of the other party. Further, that the obligations or rights under this section may not be delegated or assigned without the express consent of the City.
14. Assure that the Lease requires that the District comply with all applicable Federal and State statutes, rules and regulations; Not delegate the responsibility for providing services hereunder to any other individual or agency except as agreed upon by the City; and provide to City periodic reports at the frequency and with the information agreed upon by both parties.
15. Work collaboratively to assure the Agreements will provide for an annual review and/or meeting amongst the District and City to discuss any issues that have arisen amongst the parties.

This agreement is entered into by all parties upon _____, 2023 and will be in effect until the further Agreements completed herein are signed by the District and City. Specific details of the business arrangement are to be defined in separate contractual agreements. Any party can withdraw from this agreement upon 30 days notice.

Signatures:

City of Toledo, a Municipal Corporation

Rod Cross, Mayor

Dated: _____, 2023.

Attest: _____
Lisa Figueroa, City Recorder

Dated: _____, 2023.

Greater Toledo Pool and Recreation District, a Political Subdivision of the State of Oregon

Roy Kinion, President

Dated: _____, 2023.

Attest: _____
Peter Vince, Vice President

Dated: _____, 2023.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	October 18, 2023	Appoint a Council member(s) to local/regional committee vacancies as representatives of the City of Toledo
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

- 1) Motion to appoint Council Member (insert name) to the Cascades West Area Commission on Transportation Executive Committee.
- 2) Motion to appoint Council Member (insert name) as a primary and Council Member (insert name) as an alternate to the Cascades West Area Commission on Transportation Full Commission.
- 3) Motion to appoint Council Member (insert name) to the Regional Solid Waste Advisory Committee

Background:

Former Councilor Betty Kamikawa served on several Boards and Committees as a representative for the City of Toledo. Her resignation left several vacancies, which need to be filled by another Toledo City Council member. The Cascades West Council of Governments has two Committees Councilor Kamikawa served on. Copies of the meeting schedules and e-mail correspondence from staff are included for your review.

The request is to have a current Council member fill the vacancies left by Councilor Kamikawa. Please note, the meeting schedule will change or be updated going into the winter months and the seat may change in February of 2024.

Another vacancy was left on the Regional Solid Waste Advisory Committee, which meets on the first Tuesday of the month at 10:00 and are virtual. Once the appointments have been made, staff will connect the Council members with the appropriate organizations.

Fiscal Impact:	Fiscal Year:	GL Number:
Unknown	2023-2024	N/A

Attachment:

1. E-mails and meeting schedules

Lisa Figueroa

From: Ashlyn Muzechenko <amuzechenko@ocwcog.org>
Sent: Monday, October 16, 2023 11:46 AM
To: Lisa Figueroa
Cc: Ashlyn Muzechenko
Subject: RE: INQUIRY: CWACT Toledo representative
Attachments: 2023 CWACT Full Commission Calendar.pdf; 2023 CWACT Executive Committee Calendar.pdf

Importance: High

Good Morning!

Thank you for reaching out! I have attached our 2023 CWACT Executive and CWACT Full Commission Schedules. Betty was on both, however at the first meeting of 2024 (In February) a new member from Lincoln County will be elected to the Executive Committee and it doesn't have to be Toledo, so this may release the burden of time for this position. With that being said, the member would need to attend the next executive committee meeting in Betty's Place. Please note that the December Executive Committee Meeting will likely be moved to November 30th and the December Full Commission Meeting will likely be moved to December 14th. We will be sending out the 2024 schedules in December, but CWACT Full Commission Meetings are scheduled to meet on the 4th Thursday of every two months – pending any reschedules or cancellations. CWACT Executive Committee Meetings meet virtually on the 2nd Thursday of every two months -pending any reschedules or cancellations. CWACT Executive Committee meetings are ALWAYS virtual via Microsoft teams and usually run for about 30min but can take about an hour (Scheduled 4pm to 5pm). CWACT Full Commission Meetings are Hybrid with a rotating in person locations that moves through-out Linn, Benton, and Lincoln Counties, there is also always a virtual option via Microsoft Teams should the in-person location not be accessible. These meetings are usually about an hour and a half long but can go the full two hours and are scheduled from 5pm to 7pm. Snacks and drinks are always provided at the in-person locations.

The upcoming October 26th meeting is scheduled to be a hybrid meeting at the Benton County Kalapuya Meeting Room (4500 SW Research Way, Corvallis Oregon). We recently held our June CWACT Full Commission Meeting in Lincoln County and the Newport Chamber of Commerce. OCWCOG, who staffs CWACT also has an office in Toledo, where we occasionally host the CWACT Meetings as well.

Staff send out a meeting agenda packet with the meeting location, and Team's links to join 1 Week before the date of the meeting. Staff will also send out an outlook calendar invite at the beginning of the year with all of the meeting's dates. These specific calendar invites will be updated with the meeting agenda packet and corresponding information 1 week before the meeting as well. In order to ensure quorum and to track where participants will be attending, staff do request email RSVPs for wither virtual or in-person for the CWACT Meetings. Links to RSVP will be provided in the meeting notice email and the updated calendar invite (Sent 1 Week before).

If emails are a problem, the meeting agenda packet is posted to the CWACT Webpages: Full Commission - [Cascades West Commission on Transportation | OCWCOG](#) and Executive - [CWACT Executive Committee | OCWCOG](#) 1 week before the day of the meeting and will have the agenda, previous meeting minutes, the meeting's location, and a click to join Microsoft Teams link.

More information about CWACT is available on those webpages as well. If you have any other questions, please let me know! We are looking forward for the new Toledo CWACT REP to attend as Toledo has always had a strong Voice and Attendance with us when Betty was attending.

Kind Regards,

Ashlyn Muzechenko

Ashlyn Muzechenko

Administrative Assistant

Community and Economic Development
Oregon Cascades West Council of Governments
1400 SE Queen Ave, Suite 205
Albany OR, 97322
541-812-2002 Direct
541-967-4651 fax
www.ocwcog.org

From: Lisa Figueroa <administration@cityoftoledo.org>
Sent: Monday, October 16, 2023 11:26 AM
To: Ashlyn Muzechenko <amuzechenko@ocwcog.org>
Subject: INQUIRY: CWACT Toledo representative

Morning Ashlyn, my name is Lisa I am the City Recorder. We have had some transition in our Council as you may have known and are preparing to go to Council with a request to fill Betty's vacancy on the CWACT Executive Committee. In preparing for the request, could you tell me if your meetings are every two weeks, with the next one being on October 26? What time do the meetings start? How long do they typically run and are they ever held in Lincoln County? I would like to include this information to our Council so they can review their schedules. I would appreciate it if you could send me that information as soon as possible as I am compiling the information for our Council meeting this Wednesday. I apologize for the short turn around. Thank you.

Lisa Figueroa, CMC
Executive Assistant/City Recorder
City of Toledo
P: 541-336-2247 x 2060
E: administration@cityoftoledo.org

**Cascades West Area Commission on Transportation
(CWACT)
2023 Executive Committee Meetings**

**Meets on the 2nd Thursday
of every two months –
4:00 – 5:00 pm**

February 9

April 13

June 8

August 10

October 12

December 14

(Dates may be cancelled and/or rescheduled
based on agenda content and holidays)



Cascades West Area Commission on Transportation (CWACT) 2023 Full Commission Meetings

CWACT Meeting Availability Options:

- OCWCOG, Albany ABC Conference Room; 1400 Queen Avenue SE, Albany,
- OCWCOG, Toledo Conference Room; 203 North Main Street, Toledo, OR
- Meetings are also available via Microsoft Teams Technologies

Meets on the 4th Thursday of every two months from 5:00 – 7:00 pm

Meeting Date	Proposed Location	<i>Tentative</i> Tour/Informational Presentation
February 23	Albany/Toledo	none
April 27	Albany/Toledo	Intermodal Facility
June 22	Newport	TBD
August 24	Benton County	Corvallis to Albany Multiuse Path
October 26	Albany/Toledo	TBD
December 14 th *	Albany/Toledo	none

(Dates may be cancelled and/or rescheduled based on agenda content and holidays)

Lisa Figueroa

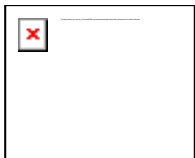
From: Nancy Hale <nhale@co.lincoln.or.us>
Sent: Wednesday, October 11, 2023 3:48 PM
To: Lisa Figueroa
Cc: Wayne Belmont; Paul Seitz
Subject: Re: INQUIRY/ACTION: Solid Waste Consortium - Please respond

Hi Lisa,

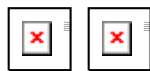
In the past we have had the City Manager for Toledo listed as a voting member with the Finance Director as an alternate to serve in that role in their absence and the AP Clerk and City Recorder listed as support staff. Currently we have Doug Wiggins, City Manager listed as the voting member and Kathy Steenkolk, AP Clerk and Cindy Oleman, Finance Supervisor listed as support staff. They should all be receiving my emails inviting them to our meetings we just started in August.

Toledo's percentage obligation for ongoing closure and operational activities is 3.70%. Just to give you an idea, Toledo's obligation for the bills for the month of September was \$195.42. Feel free to let me know if you need to make any changes and if there's anything I can help with.

Thank you,
Nancy ☺



Nancy Hale
Lincoln County Health & Human Services
Environmental Health and Vital Records Program Assistant
Phone 541-265-0458 | Fax 541-574-6252
co.lincoln.or.us/hhs/page/public-health
36 SW Nye St. Newport, OR 97365



From: Paul Seitz <pseitz@co.lincoln.or.us>
Sent: Wednesday, October 11, 2023 12:40 PM
To: Lisa Figueroa <administration@cityoftoledo.org>
Cc: Nancy Hale <nhale@co.lincoln.or.us>; Wayne Belmont <wbeltmont@co.lincoln.or.us>
Subject: Re: INQUIRY/ACTION: Solid Waste Consortium - Please respond

Hi Lisa,

I am also looping in Nancy Hale and Wayne Belmont here and will respond with two parts. If I miss something about the Consortium they can chime in.

1. For the Consortium (which is just starting back up - after a long dry spell after the pandemic), the City will definitely want representation on the Consortium. Somewhere in Toledo's budget process the City has set aside (and likely still collects) funding for the City's portion of Post-Closure costs of the Agate Beach Landfill (purpose for the Consortium. The City representative is a voting member of the Consortium and will participate in decisions and expenditures which will have a direct impact on the payments that the City is required to make for the closed landfill. In the coming meetings, discussions will include an old and dilapidated landfill building with must be demolished as well as studying and setting goals for long term operational costs. Betty may not have left many note or files on this because during her term the landfill was in the middle of the 30-year post closure Permit period. We are now nearing the end of the post closure permit period and new decisions (and the impacts of those decision) will require more attention. We meet monthly on Thursdays (usually the last Thursday of the month). AND - there is a tour of the Agate Beach Landfill scheduled for 1:30 on October 19th (your representative may definitely want to attend this for an informative background and history of the site). Joining the meeting and the tour is done with Nancy Hale.
2. There is ALSO the Regional Solid Waste Advisory Committee (RSWAC) which your representative will also want to attend monthly. This is where I interacted with Betty the most over the past 3-years. She was an active and wonderful participant in RSWAC. These meetings are oriented towards our region meeting the DEQ requirements of waste reduction and recycling, and also include topics such as the Abandoned RV Abatement Program (ARVAP), the Forest Enforcement Program, events (such as HHW days and Old Tire Roundup), and local litter cleanup efforts. This group coordinates programing across the County and participation ensures programming meets City expectations. These meetings are the first Tuesday of the month at 10:00 and are virtual. I can send your representative the meeting link whenever you are ready.

My cell phone is [REDACTED] - feel free to reach out with any further questions or details I may not have covered.

Paul Seitz
Lincoln County Solid Waste District
880 NE 7th St, Newport, OR 97365
541-574-1285 Desk

email: pseitz@co.lincoln.or.us
web: www.co.lincoln.or.us/solidwaste

From: Lisa Figueroa <administration@cityoftoledo.org>
Sent: Wednesday, October 11, 2023 9:43 AM
To: Paul Seitz <pseitz@co.lincoln.or.us>
Subject: INQUIRY/ACTION: Solid Waste Consortium - Please respond

Morning Paul, I am checking in on the Solid Waste Consortium, I know former Toledo Councilor Betty Kamikawa served on the committee but to what capacity? Was she a seated member with a term limit and voting responsibilities? We need to determine whether we need to fill the vacancy she left.

Could you also advise what their role is and how often they meet? I do not see information about the committee or their regular schedule on the County website. I would appreciate if you could get this information to me by the end of the day tomorrow to include in our Council packet.
Thank you.

Lisa Figueroa, CMC
Executive Assistant/City Recorder
City of Toledo
P: 541-336-2247 x 2060
E: administration@cityoftoledo.org

Lisa Figueroa

From: Ken Johnston Construction <4735737@gmail.com>
Sent: Thursday, October 5, 2023 12:44 PM
To: Rod Cross; Kim Bush; Tracy Mix; Frank Silvia; Jackie Kauffman; Jackie Burns; Stu Strom
Cc: Doug Wiggins
Subject: Re: Edward Malone Johnston 1540 N. Nye St.

Re: Edward Malone Johnston 1540 N. Nye St.
March 30, 1962 – September 23, 2023

Hello, my name is Kenneth (Ken) Johnston, Brother of Edward Johnston. I am writing to express appreciation and tolerance of your city's staff surrounding my brother and his positions that may not have fit into The City of Toledo's Master plan. In Ed's year residing in our town, it gave him such pride to stand his ground on certain subjects of interest. I hope from his impact on the town, your staff continues to grow, facilitate, tolerate, and absorb people who see things in a different light. The few times I have had contact with the Toledo team. All the staff currently with Mr. Wiggins, his also predecessor, has been polite and professional to me even after learning of, well, my "Blood-line." as Ed would say. All I contacted knew of Ed, but they expressed warmness and tolerance towards their dealings - a very professional team.

A Kind Thank you,
Kenneth K. Johnston



Toledo City Council Dashboard – September 2023

Police

Traffic

Citations	
Driving Uninsured	2
Driving W/O Privileges	1
DWS-Violation	3
Fail Carry Proof Insurance	2
Failure to Register Vehicle	1
Improper Display of Sticker	2
Violation of Posted Speed	2
Total	13

	Citations	Warnings	Total	Average Warning	DUII
Total	13	22	35	63%	1

Overtime

Dispatch	208.5
Patrol	121
Total	329.5

Crimes

Person

Harassment	1
Menacing	1
Sex Offense	1
Total	3

Property

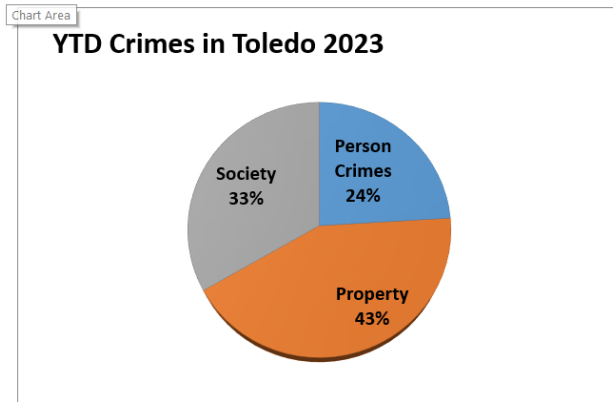
Burglary	1
Criminal Mischief	1
Theft	4
Total	6

Society

DUII	1
Warrant	1
Total	2



Total Crimes	11
Total Cleared Crimes	2
Cleared by Arrest	18%



Library

September

Circulation of all items	4601
Hotspots	13
Laptops	5
In person visits	1180
Programs	
Childrens Programs	88
Podcast	96
Computers sessions	136
Reference	105
Facebook Viewings	
Post reach	4,105
Post Engagement	681



New Page	
Likes	0
Volunteer Hours	34.75
Community Room Use	24
Upstairs conference room	5

Fire

No report

Municipal Court

Court:

Citations 4

Total revenue collected: \$4,105.73

Administration – RARE

Utility Billing

Water services 1402 accounts , Billing \$118,230.40

Sewer services 1272 accounts Billing \$98,754.71

Public Works

New Construction Applications:

Work in the Right-of Way permit for tree removal work/staging at 930/936 NE Hwy 20

Work in the Right-of Way permit for driveway work at 740 SE 6th Street

New house at 1253 NW Spruce Street

Sign permit at 305 NW A Street

Land Use Applications:

1. Floodplain Development Permit to install utility lines at NW Hwy 20 to N Bay Blvd
2. Plan Amendment for the Comprehensive Plan update



Annual Department Statistics				
Type of Permit	September	2023	2022	2021
Building Permit	2	24	21	27
Other Permits*	2	30	38	20
Land Use Application	2	16	23	29
Truck Permit	0	14	14	13
Value of Construction Improvements	\$510,000	\$1,814,089	\$2,267,667	\$4,167,776

*includes permits for excavation, work in the right-of-way, demolition, and water/sewer connections.

Sep-23

Gallons produced by Water

Treatment Plant 14,430,497

Billable 10,036,821

Non-billable 1,837,000

Fire Department usage 51,500

Public Works usage 329,554

Total gallons accounted for 12,251,875

Difference 2,178,622

Percent of Loss 15.08%

Wastewater Treatment Plant

Gallons treated 10,489,000

Public Works Report for September, 2023

- Parks general maintenance
- On-Call person called out for leak on Butler Bridge road by Timbers
- Lights of Hope assist, on-call person
- Locates, Work Orders (turn-ons/shut-offs, meter installs)



- Chlorine residuals
- Meter reading, re-reads
- Blow-offs
- Patched asphalt from water leaks and work done on 5th/Douglas, Butler Bridge road, NW 6th st. and Westwood st.
- Scheduled and performed large meter testing
- Arcadia Park bathroom construction
- Estimate for Coulson paving job, Coulson paving job completed=
- Removed debris and asphalt from shop yard
- Pump install and pipe alignment at WWTP
- Port meter box/line repair
- Pump stations/generators weekly-Monthly maintenance, reprogramming
- Personnel Water Distribution review
- Street sweeping
- Remove "Art, Oysters and Brew", "Art Toledo" signage
- Water line break/repair on SE 18th / Laurel st
- Sewer backed up at manhole @ SE 18th/ Laurel st
- Backflow installs for Cycle Oregon
- Cycle Oregon event participation
- Route maintenance, storm drainage
- Install of storm station pump after repair
- Cut limbs/berries behind head-start(prevent children from eating potential poisonous berries)
- Verified sewer flow in manholes around NE 6th st.
- Rocked around Library sign
- Shop cleanup
- Mill Creek readings
- Fused "T" and reducer @ Steenkolk's, Mill Creek Phase 2 line project
- Sewer manhole "drop"-fix on SE 18th/ Laurel
- SE Alder air relief fix
- Cleaned-out manhole-chamber @ Sunset/Dunden
- On-Call person call-outs for Butler Bridge pump station/ Ammon alarms
- Mill Creek line, bridge support brackets installed
- Old Arcadia, water service repair(1129)
- Brush removal from retaining wall on Bus. 20
- Clearing blackberries from meters for meter reading
- NE 10th St main storm drain blackberry clearing
- Install no parking signs on Arcadia drive, across from cemetery
- Water sample (Bac-t test) to Edge Analytical from water break on SE 18th

Lisa Figueroa

From: Doug Wiggins
Sent: Friday, October 13, 2023 7:33 PM
To: Lisa Figueroa
Subject: Fwd: INVITATION...Attorney General Convening on Oregon's Fentanyl Crisis

Info for council at the meeting.

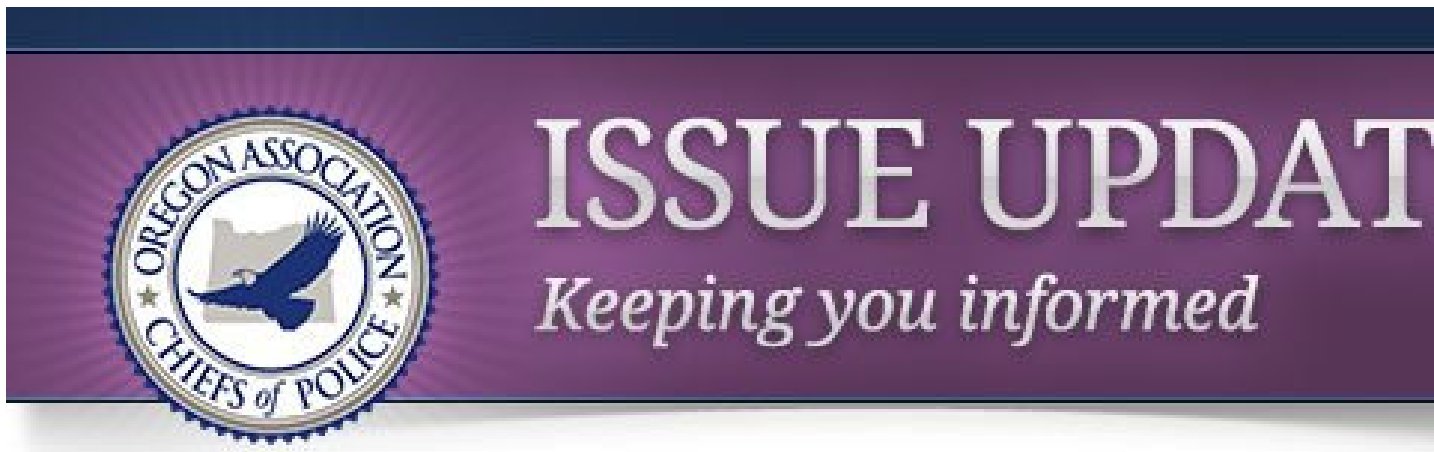
Doug

Get [Outlook for Android](#)

From: 301 <michael.pace@cityoftoledo.org>
Sent: Friday, October 13, 2023 6:10:50 PM
To: Doug Wiggins <Doug.Wiggins@cityoftoledo.org>
Subject: FW: INVITATION...Attorney General Convening on Oregon's Fentanyl Crisis

I thought the City Council might find this interesting.

From: oracp@memberclicks-mail.net [mailto:oracp@memberclicks-mail.net]
Sent: Friday, October 13, 2023 12:48 PM
To: 301 <michael.pace@cityoftoledo.org>
Subject: INVITATION...Attorney General Convening on Oregon's Fentanyl Crisis



To: All OACP Members

From: Kevin Campbell, OACP Executive Director

Re: INVITATION...Attorney General Convening on Oregon's Fentanyl Crisis

OACP Members,

The following invitation to participate in a community event to discuss Oregon's Fentanyl Crisis is forwarded on the request of Michael Slauson, DOJ Criminal Division Chief. Here is the invitation and details:



REGISTER NOW

No Time to Spare!
Confronting Oregon's Fentanyl Crisis

A COMMUNITY CONVENING HOSTED BY
Oregon Attorney General Ellen Rosenblum

Wednesday, November 8, 2023
8:00 am to 3:00 pm

Portland, Ore
OHSU South Wa



We hope you will join us on **November 8th** for this urgent community convening to address the statewide fentanyl crisis.

Register using the link here: [Fentanyl Convening Registration](#)

Additional Details:

WHO: Medical and behavioral health service providers, law enforcement, prosecutors, legislators, rep and local governments, education leaders, business and community stakeholders.

WHAT: Identify the key pillars necessary to build a partnered criminal justice and health services delivery system for Oregonians facing substance use disorders (SUD) and/or behavioral health disorders.

1. **KNOW THE PROBLEM:** Understand the scope of Oregon's urban and rural fentanyl and methamphetamine problem. Appreciate the differences affecting adults and youth populations.
2. **SYSTEM OF CARE; WHAT WORKS:** Anchored in public health data, what programs do we know work now? What are the challenges those programs face? Hear from service providers on the frontlines about what works for those with fentanyl and methamphetamine SUDs.
3. **INTEGRAL PARTNERSHIPS:** How can the criminal justice system work to promote public safety as an integral partner in treatment of SUDs and behavioral health disorders, which often underlie criminal conduct. Hear from representatives of local law enforcement offering innovative programs in the community.
4. **ACTION:** Identify how, through these partnerships, we can more effectively support Oregonians with substance use disorders and move toward solutions to this crisis.

WHEN: Wednesday, November 8, 2023, from 8:00 am to 3:00 pm

WHERE:

OHSU South Waterfront
Knight Cancer Center Building
2720 S Moody Avenue
Portland, OR 97201

COST: FREE (includes light breakfast and boxed lunch); parking is \$13 for the day; location near MAX Streetcar stop.

QUESTIONS? Contact Kaylie: Kaylie.Klein@doj.state.or.us

We know you're busy—but as you know—there is no time to spare! We hope to see you on No South Waterfront. Thank you for helping improve the health and safety of Oregonians.

Oregon Attorney General Ellen Rosenblum



Kevin Campbell, Executive Director

Oregon Association Chiefs of Police

(W): 800-784-2867

(C): 503-580-9485

kevin@victorygrp.com

Contact Info:

Oregon Association Chiefs of Police

PO Box 21719

Keizer, OR 97307

800.784.2867

503.315.1411

Connect with Us:

Facebook

This email was sent to michael.pace@cityoftoledo.org by kevin@victorygrp.com

Oregon Association of Chiefs of Police • P.O. Box 21719, Keizer, Oregon 97307, United States

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