



**City of Yamhill**  
A small taste of Oregon

# **Yamhill City Council**

**Meeting Packet**

**May 8, 2024**

**6:30 pm**



**MINUTES**  
**CITY COUNCIL MEETING**  
Wednesday, December 13, 2023  
6:30 p.m.

**1. CALL TO ORDER 6:34 pm.**

**Roll Call**

Present, In-Person: Mayor Yvette Potter; Councilors Marci Hedin, Tim Askey  
Staff Present In-Person: Greg Graven Police Department/Interim City Administrator; Jason Wofford, Public Works; Angie Fowler, City Recorder  
Absent: Councilor, Kay Echaui

**2. FLAG SALUTE**

**3. PUBLIC COMMENT**

There was no public comment in person or online.

**4. AGENDA UPDATES or ADDITIONS**

Added to Unfinished Business was the DLCD Grant Acceptance for the Housing Comprehensive Plan/Code Audit

**5. CONSENT AGENDA**

- A.** Financial Statement to Current
- B.** Approval PO #23-02 – Leasing Specialists, LLC - \$12,850 - First Payment for Lease/Doc Fee of 2023 Dodge Durango – Police Department
- C.** Approval PO #23-03 – Ditchwitch Trailer Sewer Vac – \$45,175.50 – Public Works
- D.** Approval PO #23-04 – FortiGate Security Appliance/Services Subscription –\$2735.59 – City Hall/PD

Marci Hedin made a motion to approve the consent agenda.

## **MOTION TO APPROVE THE CONSENT AGENDA AS IS**

**Roll Call: Motion introduced by Marci Hedin and seconded by Yvette Potter**

**Ayes (4): Potter, Corrigan Askey, Hedin**

**Nays (0):**

**Absent (1): Kay Echaury**

**The motion carried.**

## **6. COMMITTEE REPORTS**

### **A. Planning Commission**

Planning Commission Chair, Ken Moore addressed the council and updated them on the planning commissions recent meeting.

The Park Meadows subdivision was brought before them for re-approval and review of the final plat.

They are working on reviewing Title 11, working on formula business restrictions code update, and they are working on a nuisance lighting code.

## **7. UNFINISHED BUSINESS**

### **A. IGA w/ MWVCOG Grant Application & Environmental Review Services**

Greg Graven updated the council on the MWVCOG to help with applying for the Merkley Grant.

### **B. R-814 A Resolution for Supplemental Budget 2023-2024 GF PT Admin. Appropriation**

In order to appropriate funds for a new GF PT Admin, it is necessary for a supplemental budget to be approved for pay to be allocated. There was no previous pay allocation for this position.

The mayor read the resolution aloud.

Marci Hedin made a motion to approve resolution R-814

## **MOTION TO APPROVE RESOLUTION R-814 AS READ**

**Roll Call: Motion introduced by Marci Hedin and seconded by Tim Askey**

**Ayes (3): Potter, Askey, Hedin**

**Nays (0):**

**Abstain (1): Corrigan**

**Absent (1): Kay Echaury**

**The motion carried.**

**C. Performance Review, Utility Worker I, recommended promotion to Utility Worker II, Step 1**

**1. R-816, Resolution to Transfer funds in 2023-2024 Budget to Utility Worker II position.**

In order to promote Utility Worker I to the Utility Worker II position, funds in the budget need to be allocated to the Utility Worker II position.

Shea Corrigan made a motion to approve R-816.

**MOTION TO APPROVE RESOLUTION R-816 A RESOLUTION TRANSFERRING FUNDS IN THE 2023-24 FISCAL BUDGET FROM UTILITY WORKER 1 TO UTILITY WORKER II POSITION**

**Roll Call: Motion introduced by Shea Corrigan and seconded by Marci Hedin**

**Ayes (4): Potter, Corrigan Askey, Hedin**

**Nays (0):**

**Absent (1): Kay Echaury**

The mayor asked for a vote of agreement to promote the Utility Worker I to Utility Worker II.

Shea Corrigan made a motion to promote Utility Worker I to Utility Worker II, step 1.

**MOTION TO APPROVE THE UTILITY WORKER I TO UTILITY WORKER II, STEP 1.**

**Roll Call: Motion introduced by Shea Corrigan and seconded by Marci Hedin**

**Ayes (4): Potter, Corrigan Askey, Hedin**

**Nays (0):**

**Absent (1): Kay Echaury**

**8. NEW BUSINESS**

**A. R-815 A Resolution for Amended Holidays & Floating Holidays Policy for Clarification**

The mayor read the updated policy.

Greg Graven explained that it is the same policy with one line amended to prevent confusion with the payroll.

The line that was amended now reads, “a non-represented, non-exempt employees that are required to work on a holiday can receive their regular straight time comp for each holiday as well as the 1.5 time.”

The payroll company was interpreting it that if someone is working, they do not get their holiday pay.

The mayor asked that one typo be corrected and that the language of “his/her” be changed to read “employee” for inclusion.

Marci Hedin made a motion to approve the changes.

**MOTION TO APPROVE RESOLUTION R-815, A RESOLUTION ADOPTING AN AMENDED HOLIDAY AND FLOATING HOLIDAYS POLICY FOR THE CITY OF YAMHILL, OREGON WITH THE CHANGES MADE BY THE MAYOR.**

**Roll Call: Motion introduced by Marci Hedin and seconded by Tim Askey**

**Ayes (3): Potter, Askey, Hedin**

**Nays (0):**

**Abstain (1): Corrigan**

**Absent (1): Kay Echaury**

**The motion passed.**

**B. Discussion of Possible Christmas Tree Burn Fundraiser for Christmas Tree Lighting next year.**

Jason discussed collecting a fee for people to drop their Christmas trees at Public Works and having a community bonfire. We could use proceeds from this to help pay for the Christmas Tree Lighting the following year.

**9. DEPARTMENT REPORTS**

**A. Administration – Chief Graven**

The mayor made a point to show her appreciation for the department report format that Greg has recently started using. She like the updates from staff members.

Greg then summarized what has been happening in administration including working on fixes for the council camera system, announcements TV, firewall project and the recent Christmas tree lighting.

The mayor inquired about the library project and Greg updated her on its status.

**B. Police – Chief Graven**

Shea Corrigan wanted to make mention of how great of a job they do all the time, he wanted to give special mention to Officer Miller’s presence on Maple over the last month.

**C. Public Works – Jason Wofford**

Jason’s report was included in the administration staff report. He asked if there were any questions.

The mayor inquired about the fire hydrants and how many have been replaced. Jason stated that we are up to about 9 hydrants. This is not something that was being done regularly before.

Outside of the report, Jason made mention that they are still “in works” with the reservoir tank. They have reached out to OEM for the grant.

## **10. COUNCIL REPORTS**

### **A. First Fridays 2024 Goals – Discussion**

The mayor led a discussion on First Fridays and asked the council how what their opinions were:

Do we want to continue it?

If we do continue, do we want to set goals?

Do we want to continue the Charter and Municipal Code reviews?

Do we want to try for another day/time?

Shea Corrigan noted that he really likes First Fridays and the concept; but, the biggest issue is attendance. The council seemed to be in agreement. He asked about a possible quarterly meeting?

Marci Hedin believes the time is when most of the public are preoccupied.

Mayor Potter said what she is enjoying most about it is getting to meet people in the community, hearing what they have to say and building that relationship between city and community.

The council was in agreement to continue the First Fridays, but did not have a clear plan on what they changes they could make to accommodate more people at these meet and greets.

They tabled the discussion so all could consider it and discuss at a later date.

## **11. INFORMATION/ANNOUNCEMENTS**

### **A. City Hall Closed on Christmas & New Year’s Day**

### **B. The City is Accepting Applications for a New Budget Committee Member**

C. Special Thanks to all that helped with the Christmas Tree Lighting this year!

- YDA
- Rocky Losli
- Keith King
- Brian Robbins
- Brad Salter & Brightside Electric

**12. ADJOURNMENT**

The meeting was adjourned at 7:08 p.m.

Respectfully submitted,

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Yvette Potter  
Mayor, City of Yamhill

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Angie Fowler  
City Recorder



# City of Yamhill

A small taste of Oregon

## MINUTES CITY COUNCIL MEETING Wednesday, January 10, 2024 6:30 P.M.

### 1. CALL TO ORDER – Roll Call

The meeting was called to order at 6:32 p.m.

#### Roll Call

**Present, In-Person:** Mayor Potter; Councilors: Marci Hedin, Shea Corrigan,

**Present, virtually:** Councilor, Tim Askey

**Absent:** Kay Echauri

**Staff Present, In-Person:** Jason Wofford, Public Works; Angie Fowler, City Recorder

**Staff Present, virtually:** Chief Graven, Police Department/Interim City Administrator

### 2. FLAG SALUTE

### 3. PUBLIC COMMENT

There was no public comment in person or online.

### 4. AGENDA UPDATES OR ADDITIONS

Update. The speaker for the presentation of Community Heart & Soul was changed from Jenny Morrison to Sue Richardson.

Added to *Council Reports* a discussion regarding the February meeting date.

### 5. CONSENT AGENDA

A. Financial Statement to Current

B. 10-4-23 City Council Meeting Minutes

C. Per R-811, Signed paperwork for the DLCD Grant No. HA-25-004 – \$47,000 for Yamhill Housing Comprehensive Plan/Code Audit/Buildable Lands Inventory.

Marci Hedin made a motion to approve the consent agenda.

### A MOTION TO APPROVE THE CONSENT AGENDA

**ROLL CALL: Motion introduced by Marci Hedin and seconded by Shea Corrigan**



**Ayes (4): Potter, Corrigan, Askey, Hedin**

**Nays (0): None**

**Absent: (1) Kay Echaury**

**The motion carried.**

## **6. OATHS OF OFFICE**

- A.** Sue Richardson, Planning Commissioner
- B.** Lyndon Carl, Planning Commissioner
- C.** Jaedon Roberts-Maxfield, Planning Commissioner

All selected Planning Commissioners took their Oaths of office.

## **7. COMMITTEE REPORTS**

- A.** Planning Commission

Ken Moore, Planning Chair, was not present at the meeting. Sue Richardson volunteered to give and update from their last meeting.

Sue stated that their last meeting was discussing the two grants that they had precured and their excitement to have money to help with economic development and zoning updates.

Mayor Potter stated that she is impressed with the Planning Commission's productivity recently.

## **8. PRESENTATIONS**

**A.** Community Heart & Soul Program – Sue Richardson  
Sue Richardson spoke of the Community Heart & Soul program that Yamhill Downtown Association, Economic Development Committee, and YNA have been getting information on.

This is a 2-year program. That would help support business in the downtown area, it involves talking to people throughout the town to get their input. Rather than the input of the same people that are involved with all the city meetings.

It would have up-front fees involved which would cause an issue.

## **9. ORDINANCES**

- A.** O-541 – An Ordinance Amending Title 3 of the Yamhill Municipal Code Relating to The Regulation of Fat, Oil, And Grease Discharges to The Public Wastewater System

The mayor discussed the ordinance and asked Jason how they plan to implement a new program out with the business that are new and existing in the community.

Jason stated that ordinance gives clear language that new businesses will have to adhere to, and the existing businesses will need to be notified of this change and follow through with it.

The mayor asked how it would be managed after it is implemented.

Jason Wofford stated that it would probably be through the Wastewater Operator and himself in Public Works. The Pumpers Association will check these traps and do inspections.

Jason Wofford confirmed to the mayor that we do have a plan, and this will get implemented.

Shea Corrigan made a motion to approve the ordinance for Yamhill Municipal Code relating to the regulation of Fat, Oil, and Grease Discharge to the public washes.

**A MOTION TO APPROVE THE ORDINANCE FOR YAMHILL MUNICIPAL CODE RELATING TO THE REGULATION OF FAT, OIL, AND GREASE DISCHARGE TO THE PUBLIC WASHES.**

**ROLL CALL: Motion introduced by Shea Corrigan and seconded by Marci Hedin**

**Ayes (4): Potter, Corrigan, Askey, Hedin**

**Nays (0): None**

**Absent: (1) Kay Echaury**

**B. O-542 – An Ordinance Amending Chapter 8.16 of the Yamhill Municipal Code Relating to Transient Lodging Tax Regulations**

The mayor asked if there were any questions regarding this Ordinance.

Shea Corrigan stated that he was present when this was discussed in the Planning Commission meeting and Walt Wendolowski, the City Planner, discussed that the key to this is municipal code rather than Planning code. This makes the ordinance more flexible in that the Council can amend it quickly with a resolution as necessary.

Right now, there are only a couple of Short-term rentals in the City. If that were to change and they would need to make a change, it is much easier done in municipal code.

Marci Hedin made a motion to approved ordinance O-542 – An Ordinance Amending Chapter 8.16 of the Yamhill Municipal Code Relating to Transient Lodging Tax Regulations

**A MOTION TO APPROVE ORDINANCE O-542 – AN ORDINANCE AMENDING**

## **CHAPTER 8.16 OF THE YAMHILL MUNICIPAL CODE RELATING TO TRANSIENT LODGING TAX REGULATIONS**

**ROLL CALL: Motion introduced by Marci Hedin and seconded by Shea Corrigan**

**Ayes (4): Potter, Corrigan, Askey, Hedin**

**Nays (0): None**

**Absent: (1) Kay Echaury**

### **10. UNFINISHED BUSINESS**

**A. DLCD Grant No. TA-25-018 – \$10,600 for Yamhill Central Business District Development Code Audit**

- 1. R-816 A Resolution Accepting Submittal/Acceptance of the DLCD Technical Assistance Grant**

The mayor read information on the grant. The council had no questions.

Shea Corrigan made a motion to approve R-816 - A Resolution Accepting Submittal/Acceptance of the DLCD Technical Assistance Grant.

### **A MOTION TO APPROVE R-816 - A RESOLUTION ACCEPTING SUBMITTAL/ACCEPTANCE OF THE DLCD TECHNICAL ASSISTANCE GRANT AND APPROVE FOR THE MAYOR TO SIGN**

**ROLL CALL: Motion introduced by Shea Corrigan and seconded by Marci Hedin**

**Ayes (4): Potter, Corrigan, Askey, Hedin**

**Nays (0): None**

**Absent: (1) Kay Echaury**

### **11. NEW BUSINESS**

**A. Food Bank Delivery Location Discussion**

Mayor spoke of the concern that has been brought to her attention on different occasions. This is regarding the YCAP Food Bank. There has been an issue in the winter, more so than summer. With the elderly or disabled patrons having issue getting back and forth from the parking area to the area to the inside of the park where the food bank sets-up. The winter makes the area muddy and is creating a hazard/safety issue.

The council/staff discussed the possibility of other locations, the possibility of park asphalt deterioration in the park if they are allowed to pull in to collect their food and adding gravel to the parking area.

Jason Wofford said he would put gravel down and keep it like it is.

Pam Kirsch of Yamhill Town Community Facebook Group, and Shea Corrigan discussed having people at the park to help carry items for seniors and disabled.

## **12. DEPARTMENT REPORTS**

### **A. Administration**

1. Staff Report for Administration, Police, and Public Works Dec. 2023

### **B. Police Department**

1. Police Statistics Report December 2023

The mayor expressed her appreciation for the staff reports and police reports included in the packet.

Chief Graven was online (the sound was not clearly heard in the council room). He stated that he did not have anything to add unless anyone had any questions.

No one had any questions.

### **C. Public Works**

The Public Works completed their survey for their CIP Project on North and South Olive so they will be gearing up for that project next fiscal year (July 2024).

## **13. COUNCIL REPORTS**

### **A. First Friday's 2024 Goals Discussion**

The mayor asked about painting parking lines in the lot across from the council room because there was discussion on the last First Friday regarding it. It was decided not to as the lines would not hold up in the gravel and we do not own the lot across the street.

They discussed planting a tree at Calhoun Park. Jason Wofford said they will get it done.

The First Friday Meet and Greet with community is not well attended. The mayor gave information on when/where/why.

The council gave some ideas of why this is not well attended which included possible time change, day change, or less frequent meet and greets. They decided that a survey would be the best way to get information on how to proceed.

Pam Kirsch, Yamhill Town Community Facebook Page, volunteered to create a survey for the community and then the council would discuss it again.

The council also further discussed the idea of a community bonfire that Jason Wofford had brought up in a previous meeting.

**B. February Meeting Discussion**

The council discussed the next meeting falling on Valentine’s Day. No one had any concerns about missing out on the holiday due to the council meeting. Shea Corrigan stated that due to his work, he would not be available on Valentine’s Day.

The council decided to continue with the February 14<sup>th</sup> meeting with Shea Corrigan being absent.

**14. INFORMATION/ANNOUNCEMENTS**

- A. City Council is Accepting Applications for one Water Advisory Committee member and two Budget Committee Members**

**15. ADJOURNMENT**

Marci Hedin made a motion to adjourn the meeting.

The meeting was adjourned at 7:37 p.m.

Respectfully submitted,

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Mayor, City of Yamhill

Attest:

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Angie Fowler, Recorder



# City of Yamhill

A small taste of Oregon

RESOLUTION NO. R-820

**A RESOLUTION BY THE CITY COUNCIL OF YAMHILL, OREGON, DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES.**

**WHEREAS**, The City of Yamhill City Council held a public Hearing on May 8<sup>th</sup>, on the topic of the City Receiving State Revenue Sharing Funds; and

**WHEREAS**, The City of Yamhill 2024 – 2025 Budget has included an estimate of funds as a Resource from State Revenue Sharing, into the General Fund;

**NOW, THEREFORE, BE IT RESOLVED:**

Pursuant to ORS 221.770, the City of Yamhill hereby elects to receive State Revenues for the fiscal year 2024-2025 into the General Fund for the City of Yamhill's 2024 – 2025 Budget.

INTRODUCED AND ADOPTED by the City of Yamhill Council and signed by me in authentication of its passage on this 8th day of May 2024.

**CITY OF YAMHILL, OREGON**

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

By: \_\_\_\_\_

Yvette Potter  
Mayor, City of Yamhill

**ATTEST:**

By: \_\_\_\_\_

Angela Fowler  
City Recorder

**BEFORE THE YAMHILL PLANNING COMMISSION**  
**Planning File DCA 24-01**

In the Matter of the	)	
	)	
Application of	)	1. Code Amendment - Formula Business
	)	
City of Yamhill	)	

**ORDER OF RECOMMENDATION**

**I. NATURE OF THE APPLICATION**

This matter comes before the Yamhill Planning Commission on the application of the City of Yamhill to amend Title 10 of the Municipal Code regarding the establishment of formula businesses.

**II. GENERAL INFORMATION**

**A. Location**

The proposed amending language primarily affects land located within the Central Business District of the Commercial (C-3) Zone.

**B. Background Information**

The City seeks to amend the Yamhill Development Code by establishing regulations for “Formula Business” locating within the Central Business District. Proposed language is found in Attachment “A.”

**III. PUBLIC HEARING**

**A. Planning Commission Action**

On February 26, 2024, the Planning Commission conducted a public hearing on the application. At the conclusion of the hearing, the Planning Commission voted to continue the matter until the March 18, 2024, hearing to review final wording of the proposed amendments.

The Commission reconvened on March 18, 2024, and received additional information and testimony. At the conclusion of the hearing, the Planning Commission voted to approve the application finding the proposal complied with all applicable decision criteria in Title 10 of the Yamhill Municipal Code.

B. City Council Action

The Yamhill City Council will conduct a second hearing on the request at a date and time to be determined.

#### IV. FINDINGS OF FACT-GENERAL

The Yamhill Planning Commission, after careful consideration of the testimony and evidence in the record, adopts the following general Findings of Fact:

- A. The applicant is the City of Yamhill.
- B. The City seeks to amend the Yamhill Development Code by establishing regulations for “Formula Business” locating within the Central Business District. Attachment ‘A’ contains the proposed language.
- C. Approval or denial of this request shall be based on the decision criteria in the Yamhill Development Code; Section 10.132.060 to Section 10.320.100.

#### V. APPLICATION SUMMARY

- A. During their November 2023 meeting, the Commission directed planning staff to return with Code language to prohibit or restrict formula businesses within the City. The Commission reviewed this material at the December 2023 and February 2024 meetings with the Commission directing staff to prepare adoption language for the March public hearing.
- B. A formula business is a retail business, especially food service, which is required by contractual or other arrangement to maintain standardized services, merchandise, menus, ingredients, food preparation, uniforms, décor, logos, architecture, signs, or similar features. Starbucks and McDonalds are two prominent examples, but this definition may include financial services, dollar-type stores, and a wide range of retail chain businesses.
- C. As noted by the Institute for Local Self Reliance (ilsr.org), a growing number of cities and towns are enacting policies that restrict the proliferation of “formula businesses” — stores and restaurants that have standardized services, décor, and methods of operation that make them identical to businesses elsewhere. Formula retailers and restaurants are increasingly locating in downtowns and neighborhood business districts, squeezing out independents and causing a speculative run-up in rents. This can have long-term economic consequences as the downtown or neighborhood business district loses its distinctive appeal and no longer offers opportunities for independent entrepreneurs.
- D. To address this issue, the City is considering amendments to the Development Code (Title 10). Attachment “A” includes proposed amending language; the



following reviews the material:

1. Definitions – Chapter 10.08 will contain a new definition. The definition is extremely thorough and clearly identifies a formula business. Please note the definition is applicable to the McDonalds and Dollar Trees but also applies to regional chains such as Black Bear Diners.
  2. C-3 Zone – The General Commercial zone will require conditional use approval to establish a formula business in the Central Business District (CBD). This requirement applies to all properties in the CBD.
  3. Chapter 10.108 includes special conditional use provisions with a new Section added to address formula businesses. The use must comply with existing conditional use decision criteria, be designed/situated to enhance the City's rural character, and specifically avoid standard frontage designs and styling clues that alert the public to the purpose of the business. The revised proposal eliminates provisions regarding sign language as being too restrictive and possibly unconstitutional.
- E. The specific design requirements of the CBD (Chapter 10.46) remain in place. They do not appear to conflict with the purposes of the of the proposed revisions but may enhance their purpose.
- F. The City notified the Department of Land Conservation and Development of the proposed amendments and did not receive any comments as of the report date.

## VI. FINDINGS

- A. Section 10.132.060. Any amendment to the text shall be initiated by the governing body or by the Planning Commission by ordinance.

FINDINGS: Consistent with this requirement, the Planning Commission initiated the proposed text amendment with support from the community.

- B. Section 10.132.070 states the Planning Commission shall conduct a public hearing for a proposed Comprehensive Plan amendment and shall submit a recommendation to the City Council. The City Council shall then conduct a public hearing on the proposed Comprehensive Plan amendment. If the decision of the Council is contrary to the Planning Commission's decision, the Council shall refer the proposal back to the Planning Commission for further review. The Planning Commission and Council must make written findings of its decision, and if the Council approves the Comprehensive Plan amendment, such action shall be confirmed by resolution.

**FINDINGS:** The amendment will follow the above noted procedure. The purpose of the hearing is for the Commission to review the request and provide a recommendation to the City Council.

- C. Section 10.132.080 outlines the application procedures, noting it must be filed in accordance with the provisions of Chapter 10.128 of this title.

**FINDINGS:** This application complies with the above noted requirements.

- D. Section 10.132.090 identifies the required findings (i.e., decision criteria) to support a proposed amendment. The Planning Commission and City Council shall analyze the following points and, in a written form, incorporate such findings in its decision:

1. 10.132.090(A) - That there is a public need for a Comprehensive Plan amendment.

**FINDINGS:** The Commission recognizes the importance of the downtown commercial area and determined limiting the influence of formula businesses to be appropriate and to be beneficial to the community.

2. 10.132.090(B) - That there was an error in the original Comprehensive Plan.

**FINDINGS:** No errors were identified in the Comprehensive Plan. However, the amendments support Economy of the City Policy #8(e) which states the following: "(l) identify and promote industry and/or economic activity that will be compatible with, enhance, and maintain Yamhill's small-town character, quality of life, and identity."

3. 10.132.090(C) - That there is a need to change the currently adopted Comprehensive Plan.

**FINDINGS:** As noted, while no errors were identified, the amendments do forward Plan policies.

4. 10.132.090(D) - That there is an inadequacy of other comparatively planned and/or zoned land currently available to satisfy the public need.

**FINDINGS:** This subsection does not apply as the proposal does not alter existing zoning.

5. 10.132.090(E) - That the property proposed to be changed is the best property available for the Comprehensive Plan amendment.

**FINDINGS:** This subsection also does not apply as the proposal does not alter existing zoning.

6. 10.132.090(F) - That the proposed Comprehensive Plan amendment is in conformance with all statewide goals, and any applicable street, highway and/or utility plans for the area.

FINDINGS: These are design regulations that address specific aesthetic concerns of the City and do not conflict with the statewide land use goals.

7. 10.132.090(G) - That the proposed property is adequate in size and shape to facilitate those uses allowed in the proposed zone upon adoption of the Comprehensive Plan amendment.

FINDINGS: This subsection does not apply as the proposal provides additional review requirements for certain businesses but does not change allowed uses within the various zones.

8. 10.132.090(H) - That the proposed property is properly related to streets and highways to adequately serve the type of traffic that will be generated by the uses in the proposed zone upon adoption of the Comprehensive Plan amendment.

FINDINGS: This subsection does not apply as the proposal does not change allowed uses within the Central Business District and therefore associated traffic impacts.

9. 10.132.090(I) - That the proposed Comprehensive Plan amendment will have no adverse effect on abutting property or the permitted uses thereof.

FINDINGS: Again, the proposal does not change allowed uses within the Central Business District but establishes an additional set of development requirements for certain business types.

- E. Section 10.132.100 notes the amendments shall be effective upon the passage of the ordinance by the City Council changing the Plan. This is a procedural matter that applies if the Council approves the changes.

## VII. DECISION AND RECOMMENDATION

Based on the above findings, the Planning Commission finds the proposal complies with the applicable decision criteria and hereby recommends City Council approval of the proposed text amendments contained in Attachment "A".

## VIII. APPEAL DATES

This Order appears as a matter of record. A separate hearing will be held before the Yamhill City Council on a date and time to be determined.

APPROVED BY A 4:0 VOTE OF THE YAMHILL PLANNING COMMISSION ON THE 18<sup>TH</sup> DAY OF MARCH 2024.

DATED at Yamhill, Oregon, this 21st day of March 2024.

SIGNED: Ken Moore 4/1/2024  
Ken Moore, Chair Date

ATTEST: Angela Fowler 4/1/2024  
Angela Fowler, City Recorder Date

**ATTACHMENT "A"**  
**Proposed Development Code Amendments**

- A. Amend Chapter 10.08 General Definitions with the addition of the following new definition:

**"Formula Business"** means a type of commercial business establishment, retail sales or rental activity and retail sales or rental establishment, including restaurants, hotels and motels, which, along with ten (10) or more other establishments, maintains two (2) or more of the following features: (a) standardized array of merchandise or standardized menu; (b) standardized facade; (c) standardized décor or color scheme; (d) uniform apparel; (e) standardized signage; or (f) trademark or service mark; provided, however, a "formula business" shall not include an automated, standalone vending machine.

1. "Standardized array of merchandise" means fifty (50%) percent or more of in-stock merchandise from a single distributor bearing uniform markings.
2. "Trademark" means a word, phrase, symbol or design, or a combination or words, phrases, symbols, or designs that identifies and distinguishes the source of the goods from one party from those of others.
3. "Service mark" means a word, phrase, symbol or design, or a combination or words, phrases, symbols, or designs that identifies and distinguishes the source of a service from one party from those of others.
4. "Decor" means the style of interior finishings, which may include, but is not limited to, style of furniture, wallcoverings, or permanent fixtures.
5. "Color scheme" means selection of colors used throughout, such as on the furnishings, permanent fixtures, and wallcoverings, or as used on the façade.
6. "Façade" means the face or front of a building, including awnings, looking onto a street or an open space.
7. "Uniform apparel" means standardized items of clothing including, but not limited to standardized aprons, pants, shirts, smocks or dresses, hat, and pins (other than name tags) as well as standardized colors of clothing.
8. "Signage" means a "business sign" as defined in Chapter 10.64 of this Code.
9. "Standardized" does not mean identical but means "substantially the same."

- B. Amend Section 10.28.030 (Conditional Use C-3 Zone) with the following new language:

(C) Formula Business located within the Central Business District (Chapter 10.46) and subject to provisions in Chapter 10.108 Specific Conditional

Uses.

Existing subsection item (C) becomes subsection (D).

C. Add the following new Section to Chapter 10.108 (Special Conditional Uses):

10.108.040 Formula Businesses.

In addition to the other provisions of Chapter 10.104, the following shall apply where formula businesses are permitted by conditional use procedures.

1. A formula business must demonstrate compliance with the criteria listed in this subsection in addition to all other applicable conditional use criteria contained in Section 10.104.030.
2. The applicant shall demonstrate in its application materials that:
  - a. The proposed formula business shall be designed to preserve and enhance the City's small-town character and to integrate existing community architectural and design features which will preserve such character for the City. This criterion is designed specifically to avoid standard frontage designs and styling clues that alert residents and visitors to the purpose of the business.
  - b. The building scale and mass as compared to surrounding development is compatible.
  - c. The developer shall establish provisions to minimize adverse impacts of development and operation on the natural setting and abutting properties.
3. In the event the City determines that a permit application or permit subject to this section is for a formula business, the permit applicant or holder bears the burden of proving to the City that the proposed or existing use does not constitute a formula business. This determination and challenge shall be in the form of a written staff decision that is appealable to the Planning Commission.

## Application for City Council, Committee, or Commission

Name: Cathy Phillips

Address: PO Box 595 19625 NE Laughlin Road, Yamhill, Oregon 97148

Telephone Number & Email address 503-434-2902 cflaughlin1@frontier.com

Length of Residency: (1 year min. required) 67 Years

Educational History: Y-C High School

HS Diploma:  yes  no College Degree:  yes  no

Employment: C.F. Laughlin Logging Co.

Position applying for:  
Water Advisory Board

### Government Service History:

Paid (type): \_\_\_\_\_

Position: \_\_\_\_\_

Volunteer (type): \_\_\_\_\_

Position: \_\_\_\_\_

Length of service: \_\_\_\_\_

### Explain what background prepares you for this position:

I have been working with East Yamhill Water District for almost 30 years.

### Explain why you wish to serve in this position:

Would like to be a part of solving some of the water issues for the City of Yamhill.

Signed: Cathy Phillips Dated: 2/14/2024

**Yamhill Resolution R-233 requires all Council and Committee applicants to be a resident of the City for a minimum of one (1) year prior to appointment. Yamhill Ordinance O-507 requires not more than one member of the Planning Commission be a nonresident of the City. Proof of residency may be required at time of application.**



# City of Yamhill

A small taste of Oregon

## Application for City Council, Committee, or Commission

Name: Robert Davis

Address: 212 N Maple St

Telephone & Email address: rdavis@frontier.com 503-662-4647

Length of Residency: 32 Years

Educational History: High School, 1 Year Assoc, 4 Years Trade School, Business Owner

HS Diploma: yesX no College Degree: yes noX

Employment: Retired

Position applying for: Water Advisory Committe

**Government Service History:** \_\_\_\_\_

Paid (type): \_\_\_\_\_

Position: \_\_\_\_\_

Volunteer (type): \_\_\_\_\_

Position: \_\_\_\_\_

Length of service: \_\_\_\_\_

**Explain what background prepares you for this position:** I have owned 2 businesses and sat on the finance board on two non-profits as well as managing the businesses above.

**Explain why you wish to serve in this position:** As the current founder of a non-profit for 2.5 years as I have attended almost all water advisory meetings. I have a firm grasp on what water & sewer situations are here and through my outside connections can reach out to others to think out of the box when it comes to new & improved ideas and plans to support and improve our community water & sewer system in Yamhill.

Signed: Robert Davis

Dated: 2/15/2024

**Yamhill Resolution R-233 requires all Council and Committee applicants to be a resident of the City for a minimum of one (1) year prior to appointment. Yamhill Ordinance O-507 requires not more than one member of the Planning Commission be a nonresident of the City. Proof of residency may be required at time of application.**





# City of Yamhill

A small taste of Oregon

## Application for City Council, Committee, or Commission

Name: Datha Dairan  
 Address: 428 474 / 218 N Maple St  
 Telephone & Email address: (503) 583-1704 DATHAIRAN71@gmail  
 Length of Residency: 22 yrs  
 Educational History: Highschool + 1 yr college  
 HS Diploma:  yes  no College Degree: yes  yes  no  
 Employment: Retired state of Oregon  
 Position applying for: Water Committee

### Government Service History:

Paid (type): NOT 18 yrs  
 Position: Child Support Case Mgr  
 Volunteer (type): No actual volunteer position but I volunteer  
 Position: to help people whenever needed.  
 Length of service: \_\_\_\_\_

### Explain what background prepares you for this position:

I have attended the majority of water meetings & know all

### Explain why you wish to serve in this position:

parts of the contracts.  
I am the type of person that needs answers to  
questions. I will do what I can to get that done.  
I also get involved to the fullest extent to learn  
everything I can to get the best results.

Signed: [Signature]

Dated: April 10, 2024

Yamhill Resolution R-233 requires all Council and Committee applicants to be a resident of the City for a minimum of one (1) year prior to appointment. Yamhill Ordinance O-507 requires not more than one member of the Planning Commission be a nonresident of the City. Proof of residency may be required at time of application.



100 HIGH STREET S.E., Suite 200 | SALEM, OREGON 97301 | [www.mwvcog.org](http://www.mwvcog.org)  
T: 503.588.6177 | F: 503-588-6094 | E: [mwvcog@mwvcog.org](mailto:mwvcog@mwvcog.org)  
*An equal opportunity lender, provider, and employer*

---

April 15, 2024

Dear COG Member,

As you know, every spring COG sends service contracts for the upcoming fiscal year. We have some important changes to share about our process and rates.

### **Streamlined Services Contracting Process**

In the past, COG contracted with members for each type of service offered, creating multiple contracts which were identical except for the service description requiring redundant efforts for members and COG. To create efficiencies where possible, COG has streamlined our contracting process and now offers a Master Services Agreement for your consideration.

The Master Services Agreement allows the COG and members to agree to the terms for the delivery and payment of services for all services that the member may request from COG during the fiscal year. This reduces the processing time and cost for both the member and COG for contracts that are identical except for the service description.

### **Rate Changes**

At their March meeting, the MWVCOG Board of Directors adopted Resolution 2024-01 setting rates for our services. A description of all COG services is provided in the attached Local Services Plan. The rates were informed by a cost analysis conducted by the COG finance team and presented to the Board and were set based on cost recovery principles. The new rates are attached as part of the Master Services Agreement.

### **Member Cost Recovery**

In many cases, members are able to pass this cost on to developers or applicants who request planning services, either through direct billing or through the collection of fees. This is available for planning, legal and GIS services. We would be glad to assist you with putting such a system in place if you do not already have such a means of recovering these costs or if you would like information on a full recovery fee schedule.

## Legal Services Change to Flat Rate Packages

COG is pleased to continue offering legal and hearings officer services. This year we are offering a bundled rate of 10 hours of service to members for a flat rate of \$1000. Thereafter, legal services are billed at the hourly rate of **\$200/hour**. Flat rate packages will continue to be available for special projects e.g. Charter review.

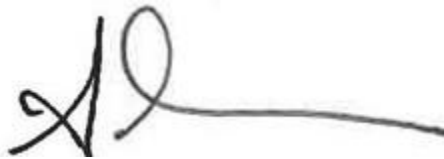
## COG's Service Offerings

COG staff that are assigned to work with members are a great source of information for not only their own area of expertise but other areas of expertise that a member may need. The combined knowledge and experience of the staff at COG ensure that member needs can be met on a variety of projects and services. Please don't hesitate to speak with any of our staff about our array of services.

Please sign and return both copies of the enclosed contract by **June 30th**. If you have questions or wish to discuss this further, please feel free to contact any of our COG team.

We appreciate the opportunity to provide services to you and look forward to working with you in the coming years.

Sincerely,

A handwritten signature in black ink, appearing to read 'SD', followed by a long horizontal line extending to the right.

Scott Dadson, MWVCOG Executive Director



## ABOUT MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

The Mid-Willamette Valley Council of Governments is a voluntary association of over 40 local governments. Members include Marion, Polk, and Yamhill counties, 32 cities, 7 special districts, and the Confederated Tribes of the Grand Ronde.

### MISSION

Our ongoing mission includes:

- Expanding interaction and improving dialogue among local units of government
- “Convenorship” – enhancing collective awareness of major regional issues through seminars and workshops
- Coordinating regional planning and development activities
- Providing technical assistance and local services tailored to individual needs of member governments.

### GOVERNMENT

The Mid-Willamette Valley Council of Governments operates under Oregon Revised Statute 190 however; the charter has enumerated powers, so we do not have all the same powers granted to municipal corporations by State statutes. Enumerated powers limit the Board’s power to the powers expressly listed in the ORS 190 Agreement. This affects the power to issue debt, levy taxes, as well as other Board’s decisions and daily operations.

Mid-Willamette Valley Council of Governments is governed by a representational Board comprised of an appointed Chair and 19 Board members. The Board exercises policy-making and legislative authority and is responsible for COG legislation, adopting the budget, appointing committees, and hiring the Executive Director.

The Executive Director and staff are responsible for carrying out the day-to-day operations of the COG.

The COG’s fiscal year begins July 1 and ends June 30. Current information about services and projects can be found at the website [www.mwvcog.org](http://www.mwvcog.org)

## MEMBER SERVICES

The Council of Governments provides services to our members. At the core of MWVCOG programs are: Promoting regional collaboration, cooperation and dialogue among local units of government; Enhancing collective awareness of major regional issues, projects and activities through newsletters, meetings, seminars and workshops; Providing staff support, technical assistance and local services tailored to the individual needs of Mid-Willamette Valley Council of Government member jurisdictions.

## ADMINISTRATIVE SERVICES

COG provides a variety of services to support the elected leadership and central office functions. These include facilitation, recruitments, finance and accounting, and legal services.

### Facilitation

Facilitation services are available for elected leadership as well as department level efforts. Services include council goal-setting sessions, community visioning, and strategic planning.

### Recruitment Services

COG staff are available to provide recruitment services for city managers and administrators including;

- Develop a recruitment timeline based on the Council's decisions regarding the placement of advertisements and the associated deadlines; the process that the Council determines is appropriate, Council availability, etc.
- Meet with Council to draft a position profile.
- Draft and place the position advertisements.
- Receive applications and send acknowledgment letters to all applicants. Screen applications.
- Respond to inquiries from candidates during the recruitment process.
- Perform background/reference checks on finalist(s) chosen by the Council.
- Work with the Council in designing the interview process and questions.
- Facilitate the interview process.
- Send out regret letters to unsuccessful candidates at appropriate times.
- Assist in negotiating an employment agreement. MEMBER is responsible for having its legal counsel prepare or review any proposed employment contract with the person being hired as MEMBER Manager.

### Legal Services

COG provides experienced local government attorneys to provide legal services. Services include:

- Legal consultation and navigation services to assist with answering day-to-day questions such as conduct of a public meeting, public records, or the interpretation of a code or legal requirement.
- Review and drafting of contracts, intergovernmental agreements, and other documents and legal instruments.
- Drafting or resolutions, ordinances, and updates of municipal code sections as requested by MEMBER.
- Attendance at MEMBER meetings as requested by MEMBER and coordinated with the designated attorney.
- Attendance at meetings requiring legal representation either accompanying one or more MEMBER representatives or as the designated MEMBER legal representative.
- Training of MEMBER personnel, elected, and appointed officials on legal issues.
- Hearings Officer.
- Other legal services as requested by MEMBER, but does not include, litigation, bond counsel, personnel and labor negotiations, city prosecutor, or other specialized attorney services beyond agreed upon general legal representation.

### Fiscal and Budget Administration Services

COG finance staff provide services to members for budgeting, accounting, payroll administration, financial reporting, cash management, insurance, investment oversight, fiscal records management, property management, analyses, and audit support.

## TRANSPORTATION PLANNING AND GIS SERVICES

MWVCOG provides administrative services and staffing for the Metropolitan Planning Organization (MPO) responsible for transportation planning in the Salem-Keizer-Turner metropolitan planning area. Policy direction for the MPO program is provided by the Salem Keizer Area Transportation Study Policy Committee (SKATS). Participants in SKATS are: City of Salem, City of Keizer, City of Turner, Marion County, Polk County, School District 24J, Salem Area Mass Transit District, and Oregon Department of Transportation (ODOT). SKATS is responsible for the adoption and maintenance of the SKATS Metropolitan Transportation Plan (MTP), the SKATS Transportation Improvement Program (TIP), development of the regional travel demand model, and coordination and technical assistance for regional transportation studies in the SKATS boundary.

COG's Safe Routes to School program serves the Salem Keizer School district area using funding from transportation grants from ODOT the SKATS TIP, and matching funds from the Salem Keizer School District.

COG provides support and assistance to the Mid-Willamette Area Commission on Transportation (MWACT) to facilitate discussion and develop consensus on transportation issues throughout the three county-area.

### GIS Services

COG's GIS (Geographic Information System) services include specialized mapping and analysis, online web map and application development, mapping support to land use planning, census data analysis, and assisting members in establishing or expanding the use of GIS in their agencies. Ongoing projects include development and maintenance of online web map applications for Yamhill County Planning and the cities of Sheridan, Dundee, and Turner, mobile data collection application development for Yamhill County Public works and the Marion Soil and Water Conservation District, attendance boundary maintenance for the Salem-Keizer School District, quarterly building permit reports for the greater Salem-Keizer area, and production and maintenance of zoning, comp plan, address, natural resources, and other maps for member cities. Specific services include:

- Web map application development/hosting
- Planning, transportation, natural resources, demographic, utility, and many other types of mapping
- Advanced geographic processes and analyses
- Online surveys
- Mobile data collection application development
- Utility CAD data conversion
- Public participation tools, such as online public comment maps
- Story Maps
- Arc HUB sites
- Custom data analysis

## COMMUNITY AND ECONOMIC DEVELOPMENT SERVICES

Community and economic development services include land use planning, grant writing and administration, housing rehabilitation program management, small business lending, and economic development planning and activities.

### Land Use Planning

MWVCOG provides professional planners for land use planning services for current and long-range planning including code updates, UGB expansion, and related analysis. Planning staff:

- Analyzes and evaluates land use applications, development proposals and building permits; prepares appropriate public notices; evaluates data; interprets applicable laws, codes, and ordinances, and makes appropriate recommendations; coordinates reviews and negotiations with other City departments.
- Identifies and resolves critical issues affecting the feasibility and success of various development proposals and land use applications.
- Answers questions and provides information to the public on land use, sign, and public nuisance regulations; investigates complaints and recommends corrective action as necessary to resolve concerns regarding the City's land use code.
- Prepares staff reports for the City Council and Planning Commission, Hearings Official, and other committees and advisory boards; makes presentations as required.
- Participates in pre-application conferences with project teams.
- Confers with and advises engineers, surveyors, developers, architects, attorneys, landscape architects and the public regarding City development requirements and planning policies and standards; coordinates City's response on land use applications, zoning, and other planning related matters; negotiates and resolves related conflicts that arise.
- Serves as project manager or staff team member on complex land use applications and studies.
- Conducts plan review on residential, multifamily, and commercial plans for zoning development standards, such as building design, setbacks, bicycle and motor vehicle parking, and landscaping.
- Develops informational materials to provide information to the public regarding land use standards and procedures related to the City's land use code, plans, and other standards.
- May research and draft ordinances to amend the zoning and other land use development ordinances; may evaluate amendments to the comprehensive plan or neighborhood plans.
- May make presentations regarding general planning issues, or specialized planning policies and procedures to neighborhood groups, educational, civic, and professional organizations.

### Grants Administration

MWVCOG grant administration staff monitors, identifies and notifies member governments of grant and other opportunities; writes and administers grants including environmental reviews and wage monitoring; and completes reports to comply with grant requirements. These services include helping in insuring future eligibility for state and federal grants and loans by helping members with regulatory compliance in managing projects.

### Housing Rehabilitation Services

COG provides specialized assistance to members with management and administration of housing rehabilitation programs and funds. Via the HUD Community Development Block Grant (CDBG) Program, these funds provide loans or grants to low and moderate-income homeowners for home



repairs and often require extensive regulatory compliance and specialized management on the part of funded cities. Due to regulatory changes, it is advantageous for many cities to assign these CDBG funds to Valley Development Initiatives, a regional non-profit corporation, for long term management. MWVCOG provides staff services to Valley Development Initiatives (VDI) under contract.

### Economic Development

MWVCOG coordinates and provides staff support to the activities of the Mid-Willamette Valley Community Development Partnership, an advisory Board chartered by the MWVCOG consisting of 29 members made up of both local government elected officials and private sector representatives. The Partnership provides policy direction for the regional economic development planning program. This program is supported by federal funds (EDA) and MWVCOG and Economic Development District dues.

With EDA assistance, MWVCOG provides economic development services such as urban renewal planning projects, mapping, infrastructure and employment land inventories, participation in regional economic development activities and meetings, and continued services as the Economic Development District to ensure eligibility for EDA funding and opportunities.

### Fiduciary Funds

COG offers fiscal agent services for members. For example, COG provides fiscal agent services under an agreement with the Marion Cultural Development Corporation. Donations are received and held pending disbursement instructions from the corporation.

## **BUSINESS LENDING AND REVOLVING LOAN FUND SERVICES**

### Revolving Loan Fund Administration

COG staff provide revolving loan fund administration services for members.

### Business Lending

MWVCOG operates a regional loan program to help finance business facilities. This Revolving Loan Fund (RLF) program was capitalized by grants from the U.S. Economic Development Administration (EDA), member governments and the Regional Investment Program.

MWVCOG entered into intermediary relationships with the United States Department of Agriculture (USDA), the Oregon Business Development Corporation, CCD Business Development Corporation, and Business Oregon to provide loan packaging services.

Under contract with Valley Development Initiatives, MWVCOG provides staff support and fiscal services to administer an Intermediary Relending Program from the USDA Rural Business Development Loan Program and the SBA Intermediary Lending Pilot (ILP) Program.

Valley Development Initiatives applied to the U.S. Small Business Administration to become a Community Advantage lender under the SBA 7a guaranty loan program. With this program Valley Development Initiatives can lend to eligible borrowers and receive an SBA guaranty for a portion of the loan, then selling the guaranteed portion to secondary market pools, receiving a premium on the sale, servicing income and income generated from the non-guaranteed portion of each loan. The Community Advantage program targets businesses that cannot find financing elsewhere but are creditworthy.

BEFORE THE BOARD OF DIRECTORS  
 FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS  
 In the matter of establishing rates for services provided member and other entities on a fee-for-service basis.

**RESOLUTION 2024-01**

**WHEREAS**, the Mid-Willamette Valley Council of Governments (COG) is an intergovernmental entity established by agreement among the participating jurisdictions pursuant to their home rule authority and ORS 190.019.

**WHEREAS**, the agreement establishing the COG and ORS 190.020 allows the COG to enter into intergovernmental agreements for the delivery of services to its member governments

**WHEREAS**, the COG presently offers a host of fee-for-service programs on a contractual basis with its member governments to include land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services; and

**WHEREAS**, the Board of Directors for the COG desires to set rates for such services that are affordable for members and recover the COG’s costs of providing such services,

**NOW, THEREFORE, BE IT RESOLVED** BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:

That the following rates shall take effect for the COG’s fee-for-service program beginning July 1, 2024, and ending June 30, 2025, unless sooner amended:

**Member Services**

	COG Member Rates	Affiliate Member Rates
<b>Recruitment Services</b>		
Population - Up to 1,000	\$ 8,500	\$ 9,400
Population - 1,001 to 5,000	\$ 10,900	\$ 12,000
Population - Over 5,000	\$ 14,600	\$ 16,100
<b>Background Check Services (per background check)</b>	\$ 600	\$ 700
<b>Legal Services</b>		
Legal Service Subscription (Includes up to 10 hours per year, unused hours do not roll forward)	Per year \$ 1,000	\$ 1,200
General Counsell Services	Per hour \$ 200	\$ 230
Hearings Officer Services	Per hour \$ 200	\$ 250

**Member Services (continued)**

		COG Member Rates	Affiliate Member Rates	Grant Contract Rates
<b>Strategic Planning/Goal Setting</b>				
	Evening/Half Day (4 hours)*	\$ 2,700	\$ 2,970	
	One Day (8 Hours)*	\$ 5,400	\$ 5,940	
	Evening Plus full day (10 hours)*	\$ 6,450	\$ 7,095	
	* hourly rates apply thereafter			
<b>Staff Services</b>				
	Executive Director	per hour	\$ 187	\$ 230 \$ 225
	Department Director	per hour	\$ 141	\$ 170 \$ 195
	Loan Program Manager	per hour	\$ 148	\$ 180 \$ 180
	Project Manager 2	per hour	\$ 114	\$ 140 \$ 165
	Planner, Senior	per hour	\$ 109	\$ 130 \$ 165
	Admin Services Coordinator	per hour	\$ 92	\$ 110 \$ 150
	Accountant	per hour	\$ 92	\$ 110 \$ 150
	Planner, Associate	per hour	\$ 107	\$ 130 \$ 150
	Project Manager 1	per hour	\$ 99	\$ 120 \$ 150
	Administrative Specialist	per hour	\$ 84	\$ 100 \$ 120
	Planner, Assistant	per hour	\$ 84	\$ 100 \$ 120
<b>Modeling Services</b>				
	Modeling Services Member Rate	per hour	\$ 100	\$ 160
	Modeling Services For Profit Rate	per hour		\$ 200
<b>Loan Underwriting , Packaging and Closing Services*</b>				
	*charged as per lender requirement		See contract	See contract
<b>Copy</b>				
	Black and White Copies (Each)		\$ 0.30	\$ 0.30
	Color Copies (Each)		\$ 0.80	\$ 0.90
	Regular Plots (Each)		\$ 39.00	\$ 42.00
	Image Plots (Each)		\$ 55.00	\$ 61.00

**Affiliate and Business Partner Rates**

	Individual / Non-Profit Affiliate
Cost	\$500
Eligibility	<ul style="list-style-type: none"> <li>i. Local governments outside of Marion, Polk and Yamhill counties</li> <li>ii. Individual: Available to public employees or employees of nonprofits who work regularly with COG.</li> <li>iii. Nonprofit: Non-profit regional organizations and statewide intergovernmental associations that either have government representation on their boards (i.e. SEDCOR, Travel Salem, LOC, AOC, OSBA) or that partner with the COG in the delivery of its programs and services (i.e. Boys and Girls Club)</li> </ul>
Scope of Services	<ul style="list-style-type: none"> <li>i. Affiliates are eligible for fee-for-service community development, transportation planning and GIS programs and such other services as the Executive Director may deem appropriate based on available resources.</li> <li>ii. Affiliates are not eligible to participate in the COG's fee for service programs that are limited to Marion, Polk, and Yamhill local government entities (i.e. recruitments, strategic planning, etc.)</li> </ul>

**ADOPTED** by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 19<sup>th</sup> Day of March 2024.

ATTEST

  
 \_\_\_\_\_  
 Roxanne Beltz, Vice Chair  
 COG Board of Directors

  
 \_\_\_\_\_  
 Scott Dadson  
 Executive Director



## MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley Council of Governments

**DATE:** March 14, 2024

**THRU:** Scott Dadson  
Executive Director

**FROM:** Amber Mathiesen  
Finance Director

**SUBJECT:** Resolution No. 2024-01 Establishing Rates for Services for FY 2024-25

---

### ISSUE

Should the Mid-Willamette Valley Council of Governments (COG) Board of Directors adopt the attached resolution establishing rates for fee-for-service programs FY 2024-25?

### BACKGROUND

The COG, as an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has the authority to enter into intergovernmental agreements for the delivery of services to its member governments. The COG presently offers a host of fee-for-service programs on a contractual basis with its member governments, including but not limited to: land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services.

As part of the budget setting process, the Board adopts a rate schedule annually that sets out the fees that the COG charges for services provided to member and non-member governments.

### RECOMMENDATION

The Board adopt Resolution No. 2024-01 establishing rates for fee-for-service programs FY 2024-25.

### DISCUSSION

The following discussion summarizes the analysis that staff used to arrive at the rates on the attached resolution to include:

- Any relevant historical context for the program or service and its associated rates;
- The assumptions and methodology staff used to arrive at the recommended rate;

- Where applicable, how the recommended rate compares with private sector rates for similar work; and
- Whether the proposed rate will generate revenue in excess of expenses, only recover costs, or result in a program loss (and if so, why that is advisable).

### **Member Services Rates**

Recruiting Services. The rates set forth in the attached resolution are based on an analysis that averages the number of hours spent on this service over a five-year period and tiered by entity size. The rates are well below that which recruiters charge (which based on recent recruitments in the area are \$25,000 - \$35,000 per recruitment). However, the services conducted by recruiters is markedly different, in that recruiters offer a guarantee and will also actively recruit candidates (whereas the COG's service approximates the role of an internal Human Resources staff - a passive recruitment model). The anticipated net effect of the attached rates is to be both revenue and cost neutral based on a five-year average.

Legal Services. The COG began providing legal services in 2018. The attached resolution contains two rates for attorney services. The first is for Legal Services subscriptions which allow members to get up to 10 hours of legal services for a flat rate. Then there are rates for general counsel and hearings officer services at a rate of \$200 per hour. Both rates are at or below what cities have historically paid for these services.

The COG's cost for providing this service is expected to be \$114 per hour starting July 1, 2024. On a strictly per-hour basis, this model results in a net revenue of \$86 per hour for attorney services. That net revenue goes to pay for the cost of legal services provided to the COG on internal matters. The anticipated net effect of the attached rates is to be revenue and cost neutral, with some potential for a net gain (depending on the degree to which the attorney is used for internal matters).

Strategic Planning / Goal Setting. The COG provides goal setting and strategic planning sessions through a contractor. The attached rates reflect the cost of the contractor. The net effect is to be both revenue and cost neutral.

Miscellaneous Services. The COG will occasionally provide additional member services on a fee for service basis. For example, members will contract with the COG to facilitate amendments to the city Charter, facilitate resolution of conflicts, or perform other studies within the skills and abilities of the Executive Director. The anticipated hourly cost for the Executive Director (including wages and benefits) is \$150.00. The anticipated hourly cost for administrative support is \$80.00. Staff recommends a rate of \$187 per hour for the Executive Director and \$84.00 per hour for the Administrative Support, which is the rate that most facilitators charge for similar services. Because the demand for this type of work is intermittent, it is difficult to accurately predict the revenue impact of this rate, but any revenue would be minimal.

## **Community Development Rates**

Land Use Planning. The COG provides land use planning services on a contractual, hourly basis for over twenty (20) jurisdictions throughout the region. The current contracts are set to expire on June 30, 2024.

Contract work includes current planning, special planning projects and long-range planning work, such as updating comprehensive plans, buildable land inventories and UGB expansions, code updates, mapping, etc. and this work is often shared between the local jurisdiction and private sector (if we are not successful in securing grant sources).

The staff recommended rates are intended to recover costs, however, some rates have historically been lower than cost recovery. In these cases, we are raising these rates incrementally 10% this year, and similar increases in following years)to improve recovery over time.

A market rate analysis of other planning services consultants within the region shows that, at the recommended rates, the COG proposed FY24/25 in the mid-range of other planning consultants within the region.

Program attributes that sets the COG apart, in addition to our hourly services contracts, are:

- Direct representation of our local jurisdictions with an assigned planner they can become familiar with and develop firm relationships and understandings;
- Support from the Community Development program as a whole, including support from the Community Development Director, Housing Rehabilitation Specialist, Grant Administrator, and Small Business Loan Program staff; and
- Support from a total of seven (7) Community Development staff rather than a single land use planner providing office hours that can often serve as a siloed resource.

Grants Administration. COG staff also contract with cities and other local governments throughout the year for funding application assistance, administration of public infrastructure grants and loans, and/or income surveys or other tasks needed to ensure continued eligibility for various state and federal funding programs. The recommended rate will achieve full cost recovery for this program area and is well within market rates for similar services.

Housing Rehabilitation. Community Development staff support the Valley Development Initiatives (VDI) housing rehabilitation program and contracted hourly services to support housing rehabilitation program contracts for the cities of Jefferson, Mt. Angel, Scotts Mills, Silverton, and Woodburn who maintain their own housing funds and desire COG assistance with program administration. The recommended rate will achieve full cost recovery for this program area.

Other Economic Development Services. Community Development staff will occasionally provide other economic development services, such as urban renewal planning and other

economic development efforts as requested by member local governments to enhance the region. The recommended rates for these services will achieve full cost recovery for those activities.

### **Geographic Information Services (GIS) / Transportation Modeling Services Rates**

The COG provides various technical GIS services to member governments to include:

- Updates of zoning and comprehensive plan maps as well as other maps needed for local land use planning services;
- Requested services of a local government, such as address mapping, or assistance with Census program participation (e.g. Boundary and Annexation Survey)
- Support to Yamhill County to maintain and update the county's online GIS web application;
- Services for the Salem-Keizer School District to maintain and update data layers, update and create maps of school boundaries, and maintain the district's online GIS web application (the Salem-Keizer School Finder), and other services requested by the district; and
- Mailing list GIS services for ODOT Region 2.

The hourly member rate is the needed to cover COG's labor rate for a GIS analyst, plus indirect and material costs.

Modeling Services. On an infrequent basis (from two to four times per year), the COG transportation section will get requests for modeling forecasts from private sector companies (or their consultants) for projects associated with a private-sector land use development application. COG only provides this service only for the geographic area inside the SKATS MPO area. The proposed Transportation Modeling services hour charges of \$130/hour is higher than the "break-even" costs of \$110.00/hour for a Senior Planner- \$100/hour for an Associate Planner. In a typical year, the total amount of hours charge is less than 20 hours. Requests from our local governments within SKATS and ODOT for modeling forecasts and related outputs is not charged to those jurisdictions or ODOT since they provide local or state funds for matching the federal funds provided to the COG for SKATS.

### **Loan Program Service Rates**

The loan program bills the individual loan programs for the time spent to market, underwrite, funding and servicing the loans. The recommended staff rates are expected to achieve full cost recovery when loans are funded. However, because many prospective lending opportunities are not pursued by the business borrowers and their participating lenders, for a variety of reasons beyond the control of the loan program staff, the time spent working on these prospective projects is not billable, so the time and costs are not recovered in instances when a loan does not



fund. The costs of those activities are then borne by the carryover in program income from year to year, which derives from other program revenues.

The loan program budget is the aggregate revenues of each revenue source. For example, the SBA 504 program and the Oregon Business Development Fund generates income in excess of costs; the COG revolving loan fund and VDI loan programs fund most, to all of the revenues to cover expenses and the contract lending services provided two cities and one county is subsidized by the other COG lending activities.

The COG's rates are well below market rates and that of other public sector lenders. A true private sector comparison is problematic because a lender would reluctant to accept the liability risk and increased insurance costs inherent with a contract for lending services that are not core to the lenders activities. However, for comparisons purposes assume the COG's rate for loan officer and program manager to be doubled to match private sector salaries (loan officer and team leader) and add a factor of plus 50% for indirect costs; the loan servicing rates would be increased by an indirect increase of 50%. Public sector comparisons are limited to other Councils of Governments in the State, which either are understaffed, do not have the software capacity, and are unable to provide lending services outside of their area of operations. Typically, these public entities have higher staff rates because of their individual burden rates/indirect costs in comparison to MWVCOG, as per our prior affiliation with jointly operated (three COGs) Certified Development Company.

**INTERGOVERNMENTAL AGREEMENT**  
**Between**  
**MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS**  
**And**  
**CITY OF YAMHILL**

**1. PARTIES TO AGREEMENT**

This Intergovernmental Agreement (Agreement) is made pursuant to the authority found in ORS 190.010, et seq., between the *Mid-Willamette Valley Council of Governments*, an Oregon Intergovernmental Agency created under ORS Chapter 190, hereafter called COG, and City of Yamhill, hereafter called MEMBER. COG and Member collectively are referred to as Parties.

**2. PURPOSE**

The purpose of this Agreement is to establish the terms and conditions under which COG will provide services as described on the Local Service Plan to MEMBER.

**3. TERM**

This Agreement shall be effective for the period of time from July 1, 2024 through and until June 30, 2025 unless sooner terminated or extended as provided herein.

**4. METHOD OF PAYMENT AND PAYMENT SCHEDULE**

- 4.1 COG agrees to submit written invoices for services to the billing contact person identified in the signature block below.
- 4.2 COG shall submit invoices for services according to the current COG "Schedule of Fee for Services."
- 4.3 MEMBER agrees to pay for services at the rates set forth in the most current COG Schedule of Fee for Services resolution schedule including as applicable, hourly staff rates, flat rates, indirect rate (if applicable), and mileage at the IRS mileage rate for travel related to providing said services.
- 4.4 MEMBER agrees to make payment to COG within 30 days of receipt of invoices from COG.

**5. ACCESS TO RECORDS**

Both parties shall maintain all records relating to this Agreement in accordance with generally accepted accounting principles. In addition, both parties shall maintain any other records pertinent to this Agreement in such a manner as to clearly document both parties' performance hereunder. Parties

acknowledge and agrees that the Oregon Secretary of State's Office, the Federal Government and their duly authorized representatives shall have access to such fiscal records and all other documents that are pertinent to this Agreement for the purpose of performing audits and examinations and making copies, transcripts and excerpts. All such fiscal records and documents shall be retained by parties for a minimum of six (6) years (except as required longer by law) following final payment and termination of this Agreement, or until the conclusion of any audit, controversy, or litigation arising out of or related to this Agreement, whichever date is later.

## **6. COMPLIANCE WITH APPLICABLE LAWS**

Each party agrees to comply with all federal, state, and local laws, codes, regulations and ordinances applicable to the provision of services under this Agreement, including, without limitation, the provisions of: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 (Pub L No 101- 336), ORS 659.425, and all amendments of and regulations and administrative rules established pursuant to those laws; and (iv) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.

## **7. AMENDMENTS**

This Agreement may be amended by mutual agreement of the parties. Any amendments shall be in writing and signed by duly authorized representatives of both parties.

## **8. SUSPENSION OR TERMINATION**

- 8.1 This Agreement may be extended by written agreement of the parties signed by the representatives authorized to execute this agreement.
- 8.2 This agreement may be terminated by mutual consent of the parties at any time.
- 8.3 This Agreement may also be terminated for convenience upon written notification by either party with a minimum notice of thirty (30) calendar days delivered by mail or in person. In the event of Agreement termination for convenience, COG shall be due payment for all work completed by the time of termination.
- 8.4 Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.

## **9. INDEPENDENT CONTRACTOR**

MEMBER has engaged COG as an independent contractor for the accomplishment of a particular service. Neither party, nor the officers and employees of either party shall be deemed the agents or employees of the other party for any purpose.

**10. LIMITED WARRANTY**

In no event shall COG be liable for indirect or consequential damages. In no event regardless of theory of recovery shall COG be liable for any damages in excess of the amounts actually paid by MEMBER to COG for services provided under this agreement.

**11. CONFLICT OF INTEREST**

No member, officer, or employee of MEMBER, or its designees or agents, no member of the MEMBER Council, and no other public official of MEMBER who exercises any function or responsibility with respect to this project during the public official's tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the project assisted under the contract.

**12. NONDISCRIMINATION**

The parties agree to comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules, and regulations in the performance of this agreement.

**13. INSURANCE**

Each party shall insure or self-insure and be independently responsible for the risk of its own liability for claims within the scope of the Oregon Tort Claims Act (ORS 30.260 to 30.300).

**14. INDEMNIFICATION**

Each party shall indemnify, defend, save, and hold harmless the other party and its officers, employees, and agents from and against all claims, suits, actions, liabilities, damages, losses, or expenses, arising out of the acts or omissions of the party, its officers, agents, or employees performing under this Agreement, provided that this discharge and waiver shall not apply to claims by one party against any officer, employee, or agent of the other arising from such person's malfeasance in office, willful or wanton neglect of duty, or actions outside the course and scope of the person's official duties

**15. MERGER CLAUSE**

The Parties concur and agree that this agreement constitutes the entire agreement between the Parties. No waiver, consent, modification or change to the terms of this agreement shall bind either party unless in writing and signed by both Parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. The Parties, by the signatures below of their authorized representatives, hereby agree to be bound by its term and conditions.

///

**16. ASSIGNMENT, DELEGATION, SUCCESSOR**

Neither party shall assign, delegate, nor transfer any of its rights or obligations under this Agreement without the other party's prior written consent. A party's written consent does not relieve the other party of any obligations under this Agreement, and any assignee, transferee, or delegate is considered the agent of that party. The provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties to the Agreement and their respective successors and assigns.

**17. CONFLICTS**

Should a conflict arise regarding billing or quality of service, the parties shall prior to bringing a claim, action, suit or proceeding in court, meet to attempt to resolve the issue within thirty (30) days of issue identification. Each party shall designate a representative authorized to negotiate a solution to the conflict. If the conflict cannot be resolved by the parties, the parties will submit the issue for mediation. Each party shall make a good faith effort to resolve the conflict through mediation. If the conflict cannot be resolved by the parties through mediation.

**18. GOVERNING LAW, JURISDICTION, VENUE & ATTORNEY FEES**

This Agreement shall be governed and construed in accordance with the laws of the State of Oregon, without resort to any jurisdiction's conflict of laws rules or doctrines. Any claim, action, suit, or proceeding (collectively, "the claim") between the parties that arises from or relates to this Agreement shall be brought and conducted solely and exclusively within a Circuit Court of the State of Oregon. Provided, however, if the claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. Each party shall be responsible for the party's attorney fees, costs and disbursements at all times including appeals.

**19. WAIVER**

The failure of either party to enforce any provision of this Agreement shall not constitute a waiver by that party of that or any other provision of this Agreement, or the waiver by that party of the ability to enforce that or any other provision in the event of any subsequent breach.

**20. COUNTERPARTS.**

This Agreement and any subsequent amendments may be executed in any number of counterparts (including by facsimile, PDF, or other electronic transmission), each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one agreement binding on all parties.

**21. SEVERABILITY**

If any provision of this Agreement shall be held invalid or unenforceable by any court or tribunal of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision, and the obligations of the parties shall be construed and enforced as if the Contract did not contain the particular term or provision held to be invalid.

**22. NOTICES**

Any notice required to be given to COG or MEMBER under this Agreement shall be sufficient if given, in writing, by first class mail or in person as described in the signature block below.

**23. SIGNATURES**

This agreement and any changes, alterations, modifications, or amendments will be effective when approved in writing by the authorized representative of the Parties hereto as of the effective date set forth herein.

In witness whereof, the Parties hereto have caused this agreement to be executed on the date set forth below.

**MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS**

**CITY OF YAMHILL**

By: \_\_\_\_\_

Scott Dadson, Executive Director

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

Mid-Willamette Valley Council of Governments

By: \_\_\_\_\_

Printed Name & Title \_\_\_\_\_

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

Organization: \_\_\_\_\_

BILLING CONTACT FOR INVOICES

FOR COG

Amber Mathiesen

Finance Director

[amathiesen@mwvcog.org](mailto:amathiesen@mwvcog.org)

100 High Street SE Ste. 200

Salem, OR 97301

NOTICES

For COG:

Scott Dadson

Executive Director

[sdadson@mwvcog.org](mailto:sdadson@mwvcog.org)

100 High Street SE

Salem, OR 97301

For MEMBER:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

For MEMBER:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

## Staff Report - Resolution R-821

### A Resolution to For a Supplemental Budget for the 2023-24 City of Yamhill Budget

#### Background –

In June of 2023 Council Adopted the City of Yamhill 2023-24 Operating Budget. In that budget they Appropriated \$39,775 in the General Fund for the Planning Department. With in the Planning Department Staff budgeted \$10,000 for Contract Services. In 2024 unforeseen charges related to City Growth were incurred in the Amount of \$52,393.32 and charged to Contract Services leaving that Budget Account underfunded by \$42,400.

#### Action –

At this time staff would like to propose a Resolution Transfer of appropriation in accordance with ORS 294.463. Staff proposes to transfer \$42,400 from General Fund Administration Contingency line to General Fund Planning Department Contract Services.

#### Financials –

Funds exist to support this transaction in the 2023-24 Budget ad will be re- appropriated as follows;

General Fund	2023-24 Budget Appropriations					
	Now <u>Line</u>	Add <u>(Subtract)</u>	Proposed <u>Line</u>	Now <u>Department</u>	Add <u>(Subtract)</u>	Proposed <u>Department</u>
10 Administration - Contingency	\$ 91,145	\$ (42,400)	\$ 48,745	\$ 287,737	\$ (42,400)	\$ 245,337
15 Planning - Contract Services	\$ 10,000	\$ 42,400	\$ 52,400	\$ 39,775	\$ 42,400	\$ 82,175

#### Staff Recommendation –

Staff recommends adoption of resolution R-821 a resolution to Transfer \$42,400 from General Fund Administration Contingency to General Fund Planning Department Contract Services.



# City of Yamhill

A small taste of Oregon

## CITY OF YAMHILL

### RESOLUTION R-821

#### **A Resolution to For a Supplemental Budget for the 2023-24 City of Yamhill Budget**

**Whereas;** Staff has identified a need to transfer appropriations from General Fund Administration Contingency in the Amount of \$42,400 to Planning Department Contract Services in the same amount; and

**Whereas;** This transfer will adjust fund expenditures by 10 percent or less; and

**Whereas;** ORS 294.450 allows the Council to transfer this appropriation with no further action;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAMHILL, THAT**

The City Council of the City of Yamhill transfers appropriations of \$42,400 From General Fund Administration to General Fund Planning.

**CITY OF YAMHILL, OREGON**

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

By: \_\_\_\_\_

Yvette Potter  
Mayor, City of Yamhill

**ATTEST:**

By: \_\_\_\_\_

Angela Fowler  
City Recorder/Treasurer





Greg Craven  
City Manager  
City of Yamhill  
205 Maple St.  
Yamhill, OR 97148

April 30, 2024

RE: City of Yamhill Solid Waste Collection Franchise

Dear Greg:

In compliance with the terms of our franchise agreement, please find enclosed the following documents that make up the annual financial report:

1. Rate Review Report, which includes the following:
  - a. 2023 calendar year actual expenses, and all allowable expenses that we reasonably anticipate will be incurred in the upcoming rate year beginning July 1, 2024,
  - b. The allocation method used to allocate shared expenses,
  - c. The Operating Ratios for the preceding calendar year and the upcoming rate year, and
  - e. Projected Ratio with new proposed rates.
2. Proposed Rates for the City of Yamhill.

One additional document, the third-party Financial Review, is not yet available but will be sent separately in the coming days.

Thank you for your patience and for the extra time to submit these documents to you as we have worked through lingering impacts of a cyber security incident that impacted all Recology sites during the last six months. We are happy to report that all systems are back online and Recology has taken considerable steps to prevent future incidents from occurring.

Despite the setbacks we incurred, on the ground services continued without noticeable impact to customers. We want to recognize our Valley operations teams who utilized both memory and experience to continue to provide safe and uninterrupted services over the past months.

Regarding the current rate review, inflationary and other pressures continued through 2023 and projections indicate that we will continue to see increasing costs in key areas that affect our collections operations. Here are some key drivers:

- Labor costs are up at the coast due to filling remaining vacancies and also for employee retention
- Disposal is up due to both increased labor costs and pass through disposal costs at the transfer station
- Fuel is up from the previous year (though there has been some softening lately in fuel prices)
- Supply chain issues continue to impact access to parts and equipment in addition to labor increases in our shop/maintenance service areas



Based on our projections for the upcoming rate year (July 1, 2024 – June 30, 2025), and to maintain the target operating Ratio of 90% going forward, Recology is proposing a 7.0% rate increase across all service rates.

We appreciate the opportunity to provide these essential services to our neighbors in Yamhill. We take this obligation seriously, and we are committed to keeping our operations running as expected. We look forward to attending an upcoming council meeting, either in person or virtually. Dan Blue will be reaching out to you soon to coordinate scheduling.

Please let us know if you have any questions or need any additional information. You can reach out to me at (503) 803-4984 or by email at [ccarey@recology.com](mailto:ccarey@recology.com) or to Dan Blue at 503-405-0261 or [dblue@recology.com](mailto:dblue@recology.com).

Respectfully,

A handwritten signature in black ink, appearing to read 'Chris Carey', is positioned above the printed name.

Chris Carey  
General Manager

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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**CART SERVICES - CURBSIDE**

CURBSIDE: WITHIN 4 FEET OF THE CURB OR ROAD, AND AWAY FROM ALL CARS, MAIL BOXES, OR OTHER ITEMS.

**32 GALLON CART SERVICE**

**MONTHLY RATES**

32GWC	32G CART-CURB	\$ 21.43	7.00%	\$ 1.50	\$ 22.93
32GEC	32G CART EOW-CURBSIDE	\$ 13.92	7.00%	\$ 0.97	\$ 14.89
32GMC	32G CART MONTHLY-CURB	\$ 7.51	7.00%	\$ 0.53	\$ 8.04
OC3C	32 GAL CART ON CALL CURB	\$ 7.51	7.00%	\$ 0.53	\$ 8.04

**90 GALLON CART SERVICE**

**MONTHLY RATES**

90GWC	90G CART-CURB	\$ 35.72	7.00%	\$ 2.50	\$ 38.22
90GEC	90G CART EOW-CURB	\$ 23.22	7.00%	\$ 1.63	\$ 24.85
90GMC	90G CART OAM-CURB	\$ 12.52	7.00%	\$ 0.88	\$ 13.40
OC9C	90 GAL CART ON CALL CURB	\$ 12.52	7.00%	\$ 0.88	\$ 13.40

**MONTHLY CART RENT (FOR ON-CALL SERVICE)**

90GOC	90G CART WILL CALL-CURB	\$ 2.84	7.00%	\$ 0.20	\$ 3.04
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**SPECIAL PICK-UP (FOR OFF-SCHEDULE COLLECTION)**

**RATE PER EACH**

SP32C	SPEC P/U 32G CART CURBSIDE	\$ 7.51	7.00%	\$ 0.53	\$ 8.04
SP90C	SPEC P/U 90G CART CURBSIDE	\$ 12.52	7.00%	\$ 0.88	\$ 13.40
90OEC	SUBSCRIPTION YARD DEBRIS (90GAL)	\$ 8.14	7.00%	\$ 0.57	\$ 8.71
32MEC	SUBSCRIPTION GLASS (32GAL)	\$ 9.61	7.00%	\$ 0.67	\$ 10.28

Note: Recycle carts dumped as trash due to contamination may be charged the special pick-up rate.

**CART SERVICES - NON-CURBSIDE (SIDEYARD)**

NON-CURBSIDE: VISIBLE FROM THE STREET, OUTSIDE OF GARAGES AND FENCED AREAS.

**32 GALLON CART SERVICE**

**MONTHLY RATES**

32GWS	32G CART-SIDE	\$ 21.85	7.00%	\$ 1.53	\$ 23.38
32GES	32G CART EOW-SIDEYARD	\$ 14.21	7.00%	\$ 0.99	\$ 15.20
32GMS	32G CART MONTHLY-SIDE	\$ 7.65	7.00%	\$ 0.54	\$ 8.19
OC3S	32 GAL CART ON CALL SIDE	\$ 7.65	7.00%	\$ 0.54	\$ 8.19

**90 GALLON CART SERVICE**

**MONTHLY RATES**

90GWS	90G CART-SIDE	\$ 54.76	7.00%	\$ 3.83	\$ 58.59
90GES	90G CART EOW-SIDE	\$ 35.61	7.00%	\$ 2.49	\$ 38.10
90GMS	90G CART OAM-SIDE	\$ 19.16	7.00%	\$ 1.34	\$ 20.50
OC9S	90 GAL CART ON CALL SIDE	\$ 19.16	7.00%	\$ 1.34	\$ 20.50

**MONTHLY CART RENT (FOR ON-CALL SERVICE)**

90GOS	90G CART WILL CALL-SIDE	\$ 2.84	7.00%	\$ 0.20	\$ 3.04
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**SPECIAL PICK-UP (FOR OFF-SCHEDULE COLLECTION)**

**RATE PER EACH**

SP32S	SPEC P/U 32G CART NON CURBSIDE	\$ 7.65	7.00%	\$ 0.54	\$ 8.19
SP90S	SPEC P/U 90G CART NON CURBSIDE	\$ 19.16	7.00%	\$ 1.34	\$ 20.50

Note: Recycle carts dumped as trash due to contamination may be charged the special pick-up rate.

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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**OTHER SERVICES & FEES**

**EXTRAS - PER UNIT CHARGES (APPROX. 32 GALLONS PER UNIT)**

**RATE PER EACH**

XBAG	EXTRA BAG(S)	\$ 5.67	7.00%	\$ 0.40	\$ 6.07
XBOX	EXTRA BOX	\$ 5.67	7.00%	\$ 0.40	\$ 6.07
XCAN	EXTRA CAN(S)	\$ 5.67	7.00%	\$ 0.40	\$ 6.07
XMISC	EXTRA MISC	\$ 5.67	7.00%	\$ 0.40	\$ 6.07
X32	EXTRA 32G CART(S)	\$ 5.67	7.00%	\$ 0.40	\$ 6.07
X90	EXTRA 90G CART(S)	\$ 8.91	7.00%	\$ 0.62	\$ 9.53

**BULKY ITEM COLLECTION (SVC CHARGE + CHARGE PER ITEM)**

RATES LISTED ARE FOR COLLECTION AT CURB. ADDITIONAL CHARGES MAY APPLY FOR RETRIEVAL.

**RATE PER EACH**

APF	REFRIGERATOR/FREEZER	\$ 30.75	7.00%	\$ 2.15	\$ 32.90
APL	APPLIANCE	\$ 12.31	7.00%	\$ 0.86	\$ 13.17
FURN	FURNITURE CHARGE	\$ 18.45	7.00%	\$ 1.29	\$ 19.74
TREE	EXTRA CHRISTMAS TREE	\$ 11.31	7.00%	\$ 0.79	\$ 12.10
IRSC	IN ROUTE SERVICE CHARGE	\$ 26.79	7.00%	\$ 1.88	\$ 28.67
SC	SERVICE CHARGE	\$ 107.52	7.00%	\$ 7.53	\$ 115.05

**RELATED FEES**

**RATE PER EACH**

CRIR	CART REDELIVERY IN ROUTE	\$ 10.50	7.00%	\$ 0.74	\$ 11.24
CROR	CART REDELIVER OUT OF ROUTE	\$ 21.00	7.00%	\$ 1.47	\$ 22.47
CORDF	CONTAINER RE-DELIVERY FEE	\$ 107.52	7.00%	\$ 7.53	\$ 115.05

Note: Re-Delivery fees apply for resume service after suspend.

**RATE PER EACH**

CCF	CART CLEANING FEE	\$ 10.50	7.00%	\$ 0.74	\$ 11.24
CRF	CART REPLACEMENT FEE	\$ 68.25	7.00%	\$ 4.78	\$ 73.03

Note: Replacement fee is used for loss/damage beyond normal wear and tear.

**RATE PER EACH**

WLI	WIND LATCH INSTALLATION	\$ 15.75	7.00%	\$ 1.10	\$ 16.85
RF	REINSTATEMENT FEE	\$ 15.00	0.00%	\$ -	\$ 15.00
NSFCF	RETURNED CHECK FEE	\$ 25.00	0.00%	\$ -	\$ 25.00

**FRONT-LOAD CONTAINER SERVICE**

**1 YARD CONTAINERS**

**MONTHLY RATES**

1GW	1YD TRASH	\$ 166.92	7.00%	\$ 11.68	\$ 178.60
1GE	1YD TRASH EOW	\$ 100.33	7.00%	\$ 7.02	\$ 107.35
1GM	1YD TRASH MONTHLY	\$ 64.52	7.00%	\$ 4.52	\$ 69.04
1OC	ON CALL-1YD TRASH	\$ 33.84	7.00%	\$ 2.37	\$ 36.21
1XP	EXTRA PICK UP-1YD TRASH	\$ 33.84	7.00%	\$ 2.37	\$ 36.21

**1.5 YARD CONTAINERS**

**MONTHLY RATES**

1HGW	1.5YD TRASH	\$ 208.07	7.00%	\$ 14.56	\$ 222.63
1HGE	1.5YD TRASH EOW	\$ 120.91	7.00%	\$ 8.46	\$ 129.37
1HGM	1.5YD TRASH MONTHLY	\$ 74.00	7.00%	\$ 5.18	\$ 79.18
1HOC	ON CALL-1.5YD TRASH	\$ 44.27	7.00%	\$ 3.10	\$ 47.37
1HXP	EXTRA PICK UP-1.5YD TRASH	\$ 44.27	7.00%	\$ 3.10	\$ 47.37

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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**2 YARD CONTAINERS**

**MONTHLY RATES**

2GW	2YD TRASH	\$ 249.24	7.00%	\$ 17.45	\$ 266.69
2GE	2YD TRASH EOW	\$ 141.53	7.00%	\$ 9.91	\$ 151.44
2GM	2YD TRASH MONTHLY	\$ 83.54	7.00%	\$ 5.85	\$ 89.39
2OC	ON CALL-2YD TRASH	\$ 54.73	7.00%	\$ 3.83	\$ 58.56
2XP	EXTRA PICK UP-2YD TRASH	\$ 54.73	7.00%	\$ 3.83	\$ 58.56

**3 YARD CONTAINERS**

**MONTHLY RATES**

3GW	3YD TRASH	\$ 331.54	7.00%	\$ 23.21	\$ 354.75
3GE	3YD TRASH EOW	\$ 182.66	7.00%	\$ 12.79	\$ 195.45
3GM	3YD TRASH MONTHLY	\$ 102.55	7.00%	\$ 7.18	\$ 109.73
3OC	ON CALL-3YD TRASH	\$ 75.65	7.00%	\$ 5.30	\$ 80.95
3XP	EXTRA PICK UP-3YD TRASH	\$ 75.65	7.00%	\$ 5.30	\$ 80.95

**4 YARD CONTAINERS**

**MONTHLY RATES**

4GW	4YD TRASH	\$ 413.91	7.00%	\$ 28.97	\$ 442.88
4GE	4YD TRASH EOW	\$ 223.83	7.00%	\$ 15.67	\$ 239.50
4GM	4YD TRASH MONTHLY	\$ 121.56	7.00%	\$ 8.51	\$ 130.07
4OC	ON CALL-4YD TRASH	\$ 96.59	7.00%	\$ 6.76	\$ 103.35
4XP	EXTRA PICK UP-4YD TRASH	\$ 96.59	7.00%	\$ 6.76	\$ 103.35

**5 YARD CONTAINERS**

**MONTHLY RATES**

5GW	5YD TRASH	\$ 496.23	7.00%	\$ 34.74	\$ 530.97
5GE	5YD TRASH EOW	\$ 264.99	7.00%	\$ 18.55	\$ 283.54
5GM	5YD TRASH MONTHLY	\$ 140.58	7.00%	\$ 9.84	\$ 150.42
5OC	ON CALL-5YD TRASH	\$ 117.47	7.00%	\$ 8.22	\$ 125.69
5XP	EXTRA PICK UP-5YD TRASH	\$ 117.47	7.00%	\$ 8.22	\$ 125.69

**6 YARD CONTAINERS**

**MONTHLY RATES**

6GW	6YD TRASH	\$ 578.57	7.00%	\$ 40.50	\$ 619.07
6GE	6YD TRASH EOW	\$ 306.16	7.00%	\$ 21.43	\$ 327.59
6GM	6YD TRASH MONTHLY	\$ 159.60	7.00%	\$ 11.17	\$ 170.77
6OC	ON CALL-6YD TRASH	\$ 138.40	7.00%	\$ 9.69	\$ 148.09
6XP	EXTRA PICK UP-6YD TRASH	\$ 138.40	7.00%	\$ 9.69	\$ 148.09

**8 YARD CONTAINERS (NO NEW CUSTOMERS AT THIS SIZE DUE TO SAFETY ISSUES)**

**MONTHLY RATES**

8GW	8YD TRASH	\$ 681.42	7.00%	\$ 47.70	\$ 729.12
8GE	8YD TRASH EOW	\$ 357.58	7.00%	\$ 25.03	\$ 382.61
8GM	8YD TRASH MONTHLY	\$ 183.36	7.00%	\$ 12.84	\$ 196.20
8OC	ON CALL-8YD TRASH	\$ 164.54	7.00%	\$ 11.52	\$ 176.06
8XP	EXTRA PICK UP-8YD TRASH	\$ 164.54	7.00%	\$ 11.52	\$ 176.06

**CONTAINER MONTHLY RENT (CHARGED TO WILL-CALL CUSTOMERS, SAME FOR ALL SIZES)**

RNT1	1YD RENT - TRASH	\$ 21.00	7.00%	\$ 1.47	\$ 22.47
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**FRONT-LOAD COMPACTOR RATE FACTORS - For all compacted material, including pre-compacted waste.**

Compactor Rating	<b>4 : 1</b>	<b>3 : 1</b>	<b>2 : 1</b>
Factor applied to container rate of same size	1.5	1.3	1.12

CODE	DESCRIPTION	CURRENT RATE	INC %	INC \$\$	NEW RATE
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**DEBRIS BOX SERVICES**

**SET HAUL FEES (BASED ON AVERAGE TRUCK TIMES)**

**RATE PER HAUL**

DEL	DELIVERY CHARGE	\$ 70.88	7.00%	\$ 4.96	\$ 75.84
10HG	TRASH BOX HAUL FEE (ALL SIZES)	\$ 170.10	7.00%	\$ 11.91	\$ 182.01
40CG	COMPACTOR HAUL FEE (ALL SIZES)	\$ 204.12	7.00%	\$ 14.29	\$ 218.41

**DEBRIS BOX DISPOSAL FEES**

**RATE PER UNIT**

DFDM	DISPOSAL FEE - DEMOLITION (\$\$/TON)	\$ 79.36	7.00%	\$ 5.56	\$ 84.92
DFG	DISPOSAL FEE - GARBAGE (\$\$/TON)	\$ 79.36	7.00%	\$ 5.56	\$ 84.92
DFWD	DISPOSAL FEE - WOOD (\$\$/TON)	\$ 45.87	7.00%	\$ 3.21	\$ 49.08
DFYD	DISPOSAL FEE - YARD DEBRIS (\$\$/YD <sup>3</sup> )	\$ 13.05	7.00%	\$ 0.91	\$ 13.96

Note: Recycling ton fees will be equal to or less than trash fees, based on current market pricing.

**TEMPORARY DEBRIS BOXES - COD RATES (INCLUDES HAUL & AVERAGE DISPOSAL FOR BOX SIZE)**

10DG	10 YARD BOX W/DISPOSAL	\$ 348.71	7.00%	\$ 24.41	\$ 373.12
20DG	20 YARD BOX W/DISPOSAL	\$ 487.52	7.00%	\$ 34.13	\$ 521.65
30DG	30 YARD BOX W/DISPOSAL	\$ 626.43	7.00%	\$ 43.85	\$ 670.28

**RELATED FEES**

**RATE PER DAY**

RENTD	DAILY RENTAL FEE	\$ 13.16	7.00%	\$ 0.92	\$ 14.08
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Note: Daily Rent applies after 48 hours, excluding evenings and weekends.

**RATE PER MONTH**

RENTM	MONTHLY RENTAL FEE	\$ 186.07	7.00%	\$ 13.02	\$ 199.09
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Note: Monthly rent applies for customers who keep a box for a year or longer.

**RATE PER HOUR**

TIME	TRUCK TIME FEE	\$ 160.45	7.00%	\$ 11.23	\$ 171.68
1T1E	1 TRUCK - 1 EMPLOYEE	\$ 160.45	7.00%	\$ 11.23	\$ 171.68
1T2E	1 TRUCK - 2 EMPLOYEES	\$ 240.65	7.00%	\$ 16.85	\$ 257.50

Note: Hourly Truck Time is used for hauls to destinations outside our normal operating areas.

**TEMPORARY RENTAL CONTAINERS**

**RATE PER EACH**

3YRGD	DELV 3 YD RENTAL FOR TRASH	\$ 141.95	7.00%	\$ 9.94	\$ 151.89
3YRGP	SERVICE 3 YD RENTAL FOR TRASH	\$ 105.93	7.00%	\$ 7.42	\$ 113.35
3YRXD	ADDL DAY - 3YD RENT CONTAINER	\$ 2.10	7.00%	\$ 0.15	\$ 2.25

Note: Temporary = not longer than 30 days, with 45 days between projects. Rent included for first 7 days.

**BULKY ITEMS - DEBRIS BOX**

STANDARD FEES APPLY FOR THESE ITEMS IF DECLARED & SEPARATED ACCORDING TO INSTRUCTIONS.

ADDITIONAL FEES MAY APPLY FOR ITEMS FOUND IN LOADS.

**RATE PER EACH**

TOFFR	TIRE CHARGE NO RIM	\$ 4.92	7.00%	\$ 0.34	\$ 5.26
TONR	TIRE CHARGE ON RIM	\$ 9.84	7.00%	\$ 0.69	\$ 10.53
APPL	APPLIANCE	\$ 12.31	7.00%	\$ 0.86	\$ 13.17
APF	REFRIGERATOR/FREEZER	\$ 30.75	7.00%	\$ 2.15	\$ 32.90

**MEDICAL WASTE COLLECTION SERVICES**

**RATE PER EACH**

M4HSC	4.7 QT SHARPS CONTAINER	\$ 32.38	7.00%	\$ 2.27	\$ 34.65
M10SC	10 QT SHARPS CONTAINER	\$ 35.71	7.00%	\$ 2.50	\$ 38.21
M23SC	23 QT SHARPS CONTAINER	\$ 58.79	7.00%	\$ 4.12	\$ 62.91
9CDBC	9GAL CONFIDENTIAL DOCUMENT BOX	\$ 44.36	7.00%	\$ 3.11	\$ 47.47
MLGPB	PATHOLOGY BOX	\$ 53.55	7.00%	\$ 3.75	\$ 57.30
MW17G	MEDICAL WASTE 17 GAL	\$ 23.63	7.00%	\$ 1.65	\$ 25.28
MW31G	MEDICAL WASTE 31 GAL	\$ 30.45	7.00%	\$ 2.13	\$ 32.58
MW43G	MEDICAL WASTE 43 GAL	\$ 36.75	7.00%	\$ 2.57	\$ 39.32
MWTCB	MEDICAL WASTE TRACE CHEMO BOX	\$ 53.55	7.00%	\$ 3.75	\$ 57.30

Note: Additional fees may apply for overweight tubs. Improperly prepared materials cannot be collected.

Finance Charges (0.75% monthly, 9% annually) will be assessed on any past due amount (excluding amounts in dispute over billing or service issues).  
 Billing Terms: Commercial Accounts are billed on a monthly basis.  
 Residential accounts are billed once every three months, in advance.