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The Magazine of the League of Oregon Cities



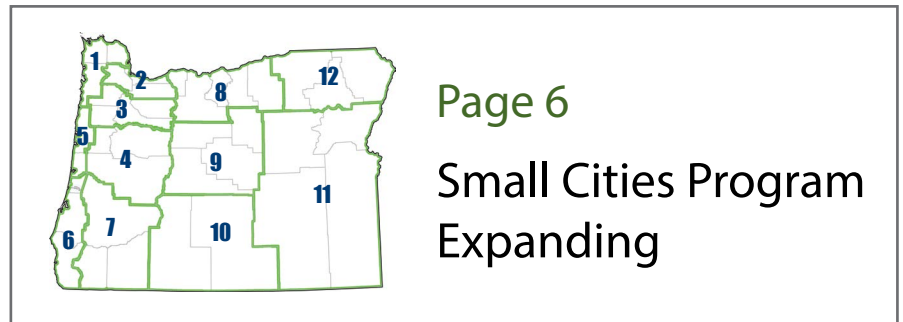
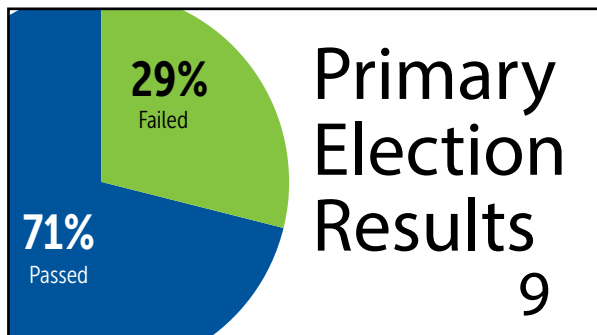
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The Power of Reinvention and Collaboration

When an organization stops growing and becomes complacent, it effectively starts dying and becomes an afterthought for many. In today's world, change and innovation are critical to maintaining forward momentum, and nowhere is that truer than in the government sector. Still often considered the stalwarts of bureaucracy, today's agencies and associations need to be as nimble and creative as their counterparts in the private sector. Status quo in an organization is no longer acceptable, and leadership of the League of Oregon Cities not only recognizes that fact, it embraces this expectation.

Having served much of my professional life in the public sector, I also spent considerable time in the private sector. Both arenas had valuable lessons to share, and it is a blended approach of the two I bring to the League.

Private sector teachings instilled in me the importance of providing a solid return on investment (ROI). If the consumer is investing in our company, we owe them the very best product or service we can provide. In the public sector, however, it seemed this mentality and approach to business was almost an afterthought. While working in the public sector can be a noble profession chosen for altruistic reasons, historically it seems that work output and results were fraught with inefficiencies and red tape. The barriers to efficient workflows seemed tied to political outcomes

and a perceived need to justify the existence of individual jobs, or entire organizations for that matter.

The League of Oregon Cities has been around since 1925, and throughout that time it has changed and evolved as our state and cities have grown and matured. Today, while the LOC exists as a valuable thread in the fabric interweaving all 241 of the cities in our great state, we strive to be more. Our unabashed goal is to be the preeminent association for cities and a leader in the state...and we know...we can't do it alone.

Reinvention is the Key

For the 16 members of the LOC Board of Directors, status quo was not working as a business plan either. Their vision mirrored that of the 23 members of the staff: to strive always for excellence. It was this fundamental shift in thinking that started the League down the path of actively seeking ways to do things better, both internally and externally.

The time for reinvention was upon us, and together we embraced the opportunity.

Over the last several months I have been actively traveling the state, participating in our Small Cities Network meetings and our larger Regional Meetings. I have had the honor of meeting and getting to know hundreds of amazing leaders, but more importantly, I have had the opportunity to listen and



Mike Cully
Executive Director

“ Our unabashed goal is to be the preeminent association for cities and a leader in the state...and we know...we can't do it alone. ”

learn from them. I asked for feedback about the League, and I got plenty. I got honesty and constructive criticism that I could work with, and that feedback is shaping our business plan going forward.

Collaboration is Critical

It quickly became evident that to create and execute everything I initially wanted to do would require a staff of somewhere close to 100. While clearly not feasible, the beauty of Oregon is its diverse network of talent and agencies that are led by dynamic and creative

(continued on page 8)

League's Small Cities Program Expanding

The League's Small Cities Network was created to provide members from small cities the opportunity to meet with each other to engage on issues, share insights and challenges, and ultimately create lasting relationships. These meetings have always been open to elected and appointed officials, although representatives from state agencies, regional governments and other partners often choose to attend. Historically, a small city has been defined as a city with a population of 5,000 or less.

After hearing from members that travel distances often precluded them from participating, and defining a small city as less than 5,000 population often left out neighbors who could benefit from the program and provide relevant and valuable insight to the meetings, the League has decided to expand the Small Cities Network.

What this means?

1. The number of regions has increased from eight to 12. Historically, the League has used eight separate regions to break up the state. Leveraging the existing regions, the League has redrawn the boundaries to include four additional regions. Our hope is that this will cut down on commuting distance for cities in specific areas, allowing for greater participation. Of course, while we draw regions to help facilitate networks, cities are allowed to attend any meeting they choose. The meeting calendar will continue to be posted on the League's website.
2. The definition of a "small city" has expanded to include cities with populations of 7,500 or less. This boundary serves as a general guideline, however cities with populations greater than 7,500 are more than welcome to participate as well. Our hope is that by expanding this definition, more cities feel empowered to participate.

Please visit the League's website for up-to-date information on when and where meetings are scheduled.

Questions? Contact John Schmidt at (503) 588-6550 or jschmidt@orcities.org

NEW SMALL CITIES NETWORK REGIONS

Region 1

Astoria, Bay City, Cannon Beach, Clatskanie, Columbia City, Garibaldi, Gearhart, Manzanita, Nehalem, Prescott, Rainier, Rockaway Beach, Scappoose, Seaside, Tillamook, Vernonia, Warrenton and Wheeler

Region 2

Banks, Barlow, Durham, Estacada, Gaston, Johnson City, King City, Maywood Park, North Plains, Rivergrove and Wood Village

Region 3

Amity, Aumsville, Aurora, Carlton, Dayton, Detroit, Donald, Dundee, Falls City, Gates, Gervais, Hubbard, Idanha, Jefferson, Lafayette, Lyons, Mill City, Mt. Angel, Scotts Mills, Sheridan, St. Paul, Sublimity, Turner, Willamina and Yamhill

Region 4

Adair Village, Brownsville, Coburg, Drain, Creswell, Gates, Halsey, Harrisburg, Idanha, Junction City, Lowell, Lyons, Monroe, Mill City, Millersburg, Oakridge, Philomath, Scio, Sodaville, Tangent, Veneta, Waterloo and Westfir

Region 5

Depoe Bay, Dunes City, Lincoln City, Newport, Siletz, Toledo, Yachats and Waldport

Region 6

Bandon, Brookings, Coquille, Gold Beach, Lakeside, Myrtle Point, North Bend, Port Orford, Powers and Reedsport

Region 7

Butte Falls, Canyonville, Cave Junction, Drain, Elkton, Glendale, Gold Hill, Jacksonville, Myrtle Creek, Oakland, Phoenix, Riddle, Rogue River, Shady Cove, Talent, Winston and Yoncalla

Region 8

Antelope, Arlington, Cascade Locks, Condon, Dufur, Grass Valley, Lonerock, Maupin, Moro, Mosier, Rufus, Shaniko and Wasco

Region 9

Culver, Fossil, La Pine, Madras, Metolius, Mitchell and Spray

Region 10

Bonanza, Chiloquin, Malin, Merrill, Lakeview and Paisley

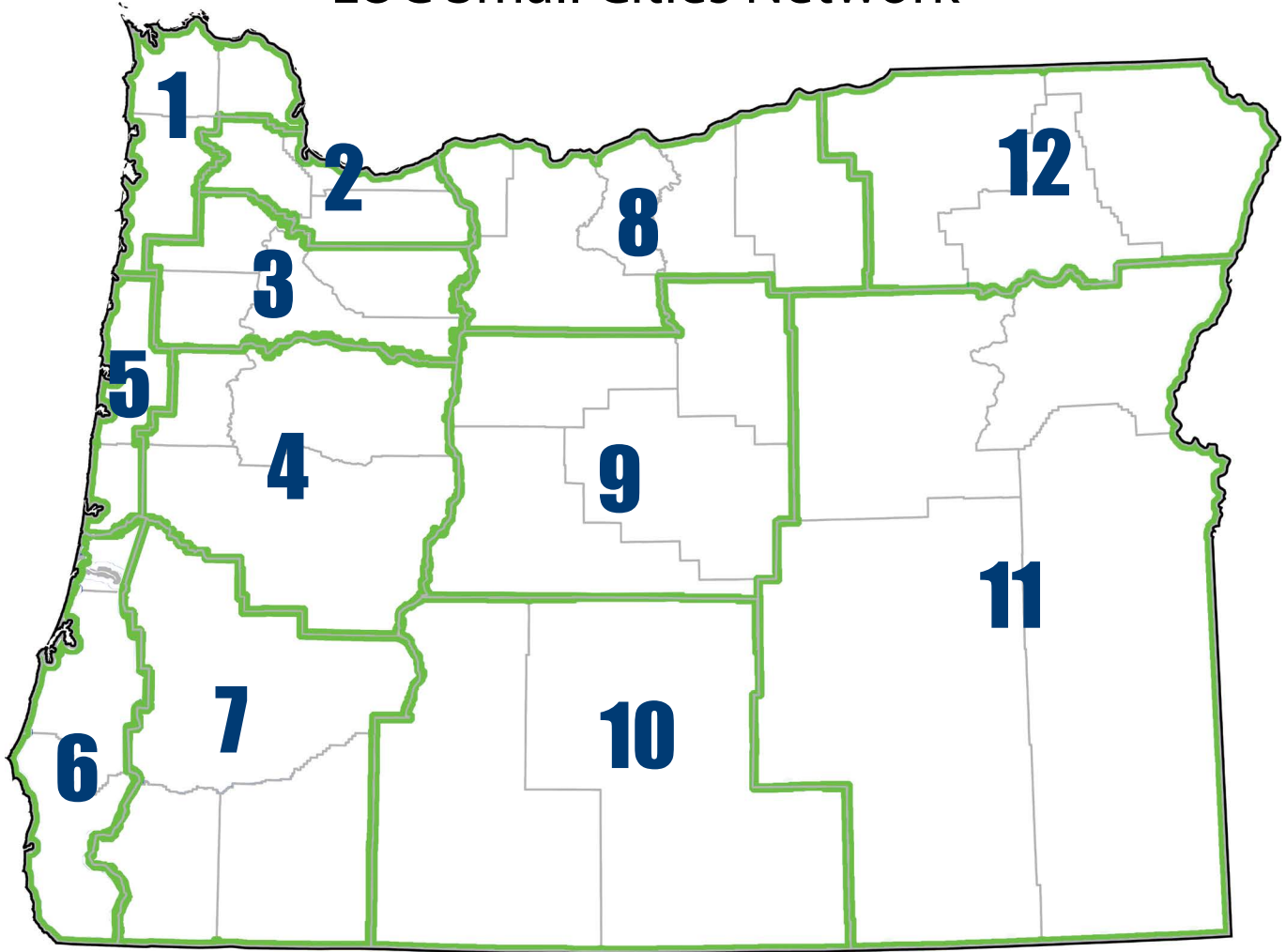
Region 11

Adams, Athena, Boardman, Cove, Echo, Elgin, Enterprise, Helix, Heppner, Imbler, Lone, Irrigon, Island City, Joseph, Lexington, Lostine, Milton-Freewater, North Powder, Pilot Rock, Stanfield, Summerville, Ukiah, Umatilla, Union, Wallowa and Weston

Region 12

Adrian, Burns, Canyon City, Dayville, Granite, Greenhorn, Haines, Halfway, Hines, Huntington, John Day, Jordan Valley, Long Creek, Monument, Mt. Vernon, Nyssa, Prairie City, Richland, Sumpter, Seneca, Unity and Vale

LOC Small Cities Network



Third Quarter Small Cities Meetings

Mark your calendar to attend an upcoming meeting in your region. As location details are confirmed, they will be updated on the Small Cities webpage on the League website, www.orcities.org.

Northern Coast (Region 1)

Cannon Beach – August 3

Portland Metro (Region 2)

TBD – September 20

Northern Willamette Valley (Region 3)

St. Paul – August 9

Southern Willamette Valley (Region 4)

Tangent – August 10

Central Coast (Region 5)

TBD – August 15

Southern Coast (Region 6)

TBD – August 16

Southern Valley (Region 7)

TBD – September 13

Columbia Gorge (Region 8)

TBD – September 20

Central Oregon (Region 9)

TBD – September 21

South Central Oregon (Region 10)

TBD – September 14

Eastern Oregon (Region 11)

Athena – July 18

Northeastern Oregon (Region 12)

Nyssa – July 19

DIRECTOR'S MESSAGE, CONTINUED

leaders who are very much open to discovering new ways of working to best serve their constituents.

At the same time I was traveling the state meeting with our stakeholders and members, I was also getting to know the leaders of other like-minded organizations. Through all the meetings and phone calls, alliances and partnerships have formed and evolved, not for the benefit of the League, but for the betterment of the entire state of Oregon.

It's amazing the common ground one can find, even with organizations who often find themselves on opposing ends of the spectrum politically. Sometimes all it takes is a conversation to get the ball rolling. Take, for example, the relationship between the League and the Oregon Restaurant and Lodging Association (ORLA), led by Jason Brandt. In short, a conversation between us led to an effective partnership in our effort to push back against short-term, online rental companies (like Airbnb and VRBO) to help cities realize lost tax revenue through transient lodging tax (TLT) loopholes. What initially seemed like strange bedfellows has turned into an ongoing commitment to meet, seek out and work together on issues that make sense to both organizations.

What's more—the League is finding these alignments over and over again, most recently with the private sector as well.

Taking this one step further, it is the League's vision to eventually regionalize its operations. For the duration of its existence, the League has centralized operations in Salem. But Oregon is a big state. Travelling to Ontario can take a better part of an entire day, and we are pushing to find new and innovative ways to be more “present” in even our most remote areas. Ultimately, this could mean adding regional centers of operations in southern and eastern Oregon, but initially, it means leveraging partnerships.

This state has a robust network of councils of governments (COGs), which exist to serve many of the more populous regions of Oregon. While our service offerings do not necessarily overlap, they do absolutely compliment each other, and for that reason we have collectively agreed to work together on a go-forward basis. There is such strength in this collaboration, as our organizations amplify the reach and effectiveness of our missions—and enhance the benefit to our collective membership. We will be promoting these efforts going forward.

Another example of collaboration is really a grassroots alignment with an organization founded on the principal of recognizing, promoting and helping the next generation of government leaders—a group called Engaging Local Government Leaders, or ELGL (www.elgl.org). If you are not familiar with this national group founded right here in Oregon, you will be. This is the next generation of government leaders, and we are so excited to be working with such a dynamic group working to shape the future of Oregon. Watch for co-branded events and more as this relationship develops and matures. (To learn more about ELGL, turn to page 26.)

While there are so many more alignments we could talk about here, like our growing partnership with Portland State University, which promises to bring even more tangible benefits to both our stakeholders and theirs, I may have to devote another column just to highlighting our efforts.

For now, suffice it to say that change—and reinvention—is good. It opens doors and creates opportunities where none existed before. In this world of shrinking budgets and growing costs, the more we can do as an organization and collectively, the better for all who call our great state home. ■

OMA Board Seeks 2019 Applicants



The Oregon Mayors Association is accepting applications from active OMA members for its 2019 Board of Directors. The OMA Nominating Committee will prepare a slate of officers including the president, president-elect and six directors to the OMA Board for review and consent prior to

the association's Annual Membership Meeting September 27, during the League of Oregon Cities Annual Conference in Eugene.

Mayors interested in serving on the OMA Board of Directors for a three-year term beginning January 2019 are encouraged to submit an application, available at www.oregonmayors.org. Applications are due no later than **August 3, 2018**. Any questions may be directed to Megan George at mgeorge@orcities.org or (503) 588-6550.

Primary Election Report Now Online

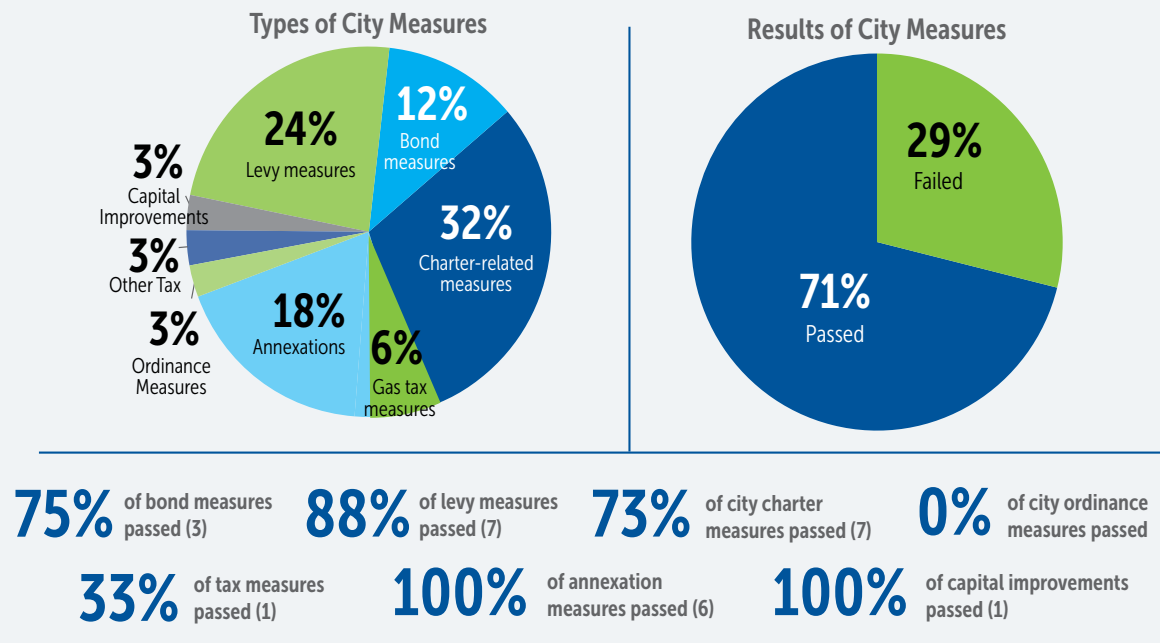
The League has tabulated the results of all local ballot measures from the May 15 primary election. City issues were decided in 34 of the 81 local ballot measures across the state. Some of the more notable results include:

- More than 70 percent of city measures passed;
- All but one city local option levy passed; and
- 100 percent of annexation measures passed;
- One city put a sales tax measure on the ballot.

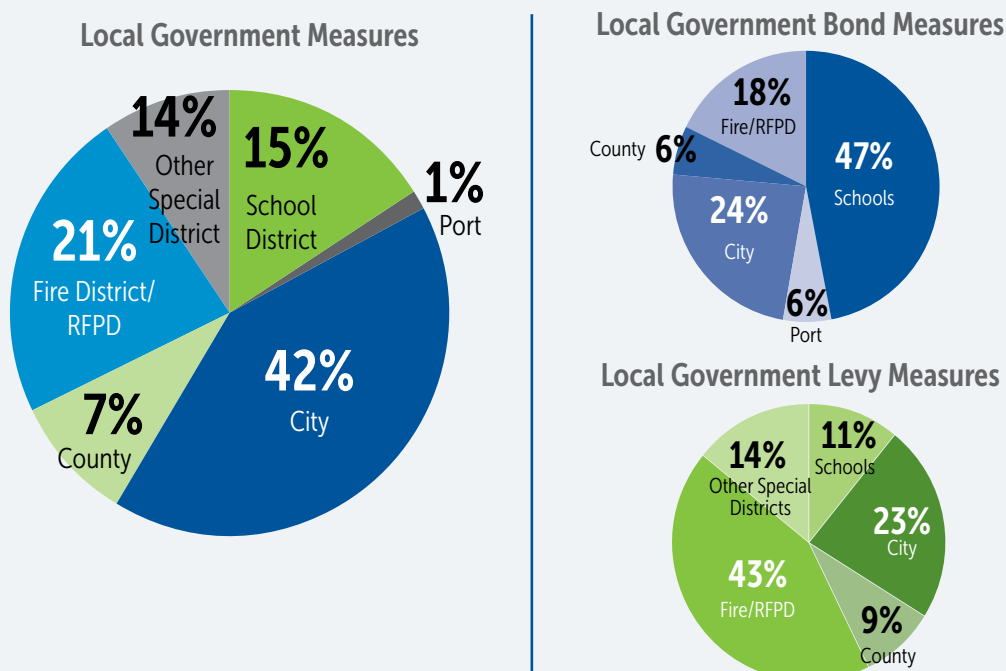
Results of measures and council races can be found in the League's election results report, which is available on the LOC website (www.orcities.org).

Contact: Jenna Jones – Intergovernmental Relations Assistant – jjones@orcities.org

Summary of City Measures



Summary of All Local Government Measures



93RD ANNUAL CONFERENCE

SEPTEMBER 27-29, 2018 | Hilton Eugene



Conference Registration Opens July 2

The 93rd LOC Annual Conference is scheduled for September 27-29 at the Hilton Eugene. The conference is the League's premier training and networking event and attracts more than 700 attendees.

Registration opens on July 2. One of the benefits of League membership is a reduced conference rate of \$325 for members who register before Monday, August 7. After that date, the registration fee is \$350.

All the information you need for the conference including speakers, sessions and tours will be included in the July issue of the *Local Focus* and online at www.orcities.org/conference.

We look forward to seeing you in Eugene this fall!

New Hot Topic Specialty Seminars

This year, Thursday will include two seminars – one dedicated to the housing shortage issue and one to urban renewal issues. During a lunch session, the two seminars will join together to network and discuss how urban renewal can be used to finance housing projects and further leverage development. City staff are particularly encouraged to register and attend one of these day-long seminars that are geared at bringing policy leaders, elected officials, city staff and industry together to address hot issues.

Housing: The day-long housing seminar will provide information on tools that have worked in communities, provide guidance on options that can be taken back for a local discussion, and provide attendees with an opportunity to connect with others who have a shared interest in addressing the shortages in housing development. Pulling

from research, workshops and other sources, sessions will provide a combination of technical advice and policy options for communities.

Urban Renewal: The day-long urban renewal seminar will provide a general session and advanced topic sessions on this important economic development tool. Best practices, success stories and new innovations in urban renewal practices will be shared by the experts to provide attendees with guidance and ideas to take back to their communities.

The cost of each seminar is \$150 for Thursday only, or \$75 if attending the rest of the conference. Watch for more information in next month's *Local Focus* as well as in our weekly *LOC Bulletin*.

Scholarships Available

Tight budget at your city? The League of Oregon Cities Foundation may be able to help you attend this training and networking event. The Foundation is offering scholarship funds to help city officials attend the 2018 LOC Conference. It's a simple process to apply—for details, visit www.orcities.org/conference.

2018 Conference Highlights

Here is a sneak peek at what each conference day will bring:

Thursday, September 27

- Morning workshops for mayors, councilors and managers
- All-day housing and urban renewal seminars
- Afternoon city tours
- Afternoon concurrent sessions
- Afternoon 101 track – taught by LOC Legal Research Dept.
- Evening welcome reception and trade show

Friday, September 28

- All-day trade show
- Opening Ceremonies with keynote speaker
- Visit with state agency directors
- Concurrent sessions throughout the day
- 101 track – taught by LOC Legal Research Department
- Afternoon city tours
- CIS Reception and Safety Awards
- Awards Dinner

Saturday, September 29

- Membership meeting and City Awards
- Mini concurrent sessions on homelessness
- Lunch with homelessness round table discussion



A Note about Hotel Codes with Registration

On **Monday, July 2, at 8 a.m.**, conference registration and hotel reservations at the conference hotel, Hilton Eugene, will open. First, you will need to register for the conference. Your registration confirmation will contain a unique hotel code and instructions for how to reserve your room. Please note, you will only be able to use this code for the registration(s) associated with that code. You will not be able to reserve a hotel room without first registering for the conference.

For more information about hotel room bookings, contact Lisa Trevino, LOC Administrative Assistant: (503) 588-6550 or ltrevino@orcities.org.

For Your City's Calendar

Now

LOC Award Nominations Open – Information on how to nominate a person for an Exceptional Service Award and to submit your city for a City Award is available at www.orcities.org/awards.

June

Conference Scholarships Open – Go to www.orcities.org/conference and click on Scholarships for an application and information on how to apply for financial assistance for registration fees.

July 2

Registration opens and hotel rooms may be booked.

July 1 - August 11

CIS Employee Safety Awards submissions accepted – for information, visit www.cisoregon.org/awards.

July 9

LOC Awards nomination deadline – for information, visit www.orcities.org/awards.

August 6

Last day to register at the \$325 early registration rate.

September 10

Conference registration closes.

September 27-29

See you at the conference!

www.orcities.org/conference

Nominations Open for 2018 LOC Awards

The League invites cities to submit nominations for one or more of the following awards, which will be presented during the LOC Annual Conference in Eugene, September 27-29. Entry forms are available online at www.orcities.org/conference—click on Awards.

Exceptional Service Awards:

James C. Richards Memorial Award recognizes an elected official who has shown exceptional leadership and contributions to his/her city, regional government, the League, and state and federal government.

Herman Kehrli Award is granted to a person who is currently or formerly appointed or employed by a city whose exceptional contributions to city government in Oregon have provided lasting benefits to the community.

Mark O. Hatfield Statesmanship Award is presented to an individual (from the public or private sector) who has demonstrated statesmanship and exemplary service which has positively affected Oregonians.

Civic Education Award recognizes educators who have promoted local government education in Oregon schools and who are committed to nurturing civic responsibility in our youth.

Submission Deadline: Monday, July 9

City Awards:

Award for Excellence is given to cities for their innovative approaches to city operations and provision of services to their citizens. Special consideration is given to programs that reduce the cost of government, improve the quality of life, and/or increase the quality of municipal services.

Helen and Alan Berg Good Governance Award honors city programs that specifically encourage “reconnecting” citizens to their community. Judges consider whether the program successfully engages citizens in the local government process, enhances the citizens’ awareness of the decision-making process at the local level, and/or fosters local leadership through hands-on education, planning efforts or volunteerism.

Submission Deadline: Monday, July 9

Contact: Lisa Trevino, Administrative Assistant, ltrevino@orcities.org

For Your City’s Budget

Here are estimates cities can use in their FY 2018-19 budget process to plan for registration and event costs.

| Costs per attendee | If registered July 2 - August 7 | If registered after August 7 |
|--|---------------------------------|------------------------------|
| LOC Member full registration | \$325 | \$350 |
| First time attendee – LOC Member full registration | \$300 | \$325 |
| Non-Member - Government | \$400 | \$450 |
| Non-Member - Corporate | \$700 | \$800 |
| Guest | \$150 | \$150 |
| Housing or Urban Renewal Seminar - add on | \$75 | \$75 |
| Housing or Urban Renewal Seminar only | \$150 | \$175 |
| Awards Dinner | \$50 | \$50 |
| Special Tours/Workshops (includes OMA, OCCMA, Councilors Workshop and Tours) | \$25-100 | \$25-100 |

Note: Conference registration closes on September 7. After September 7 registration must be done on-site and will cost an additional \$50.



Are You Signed Up for the LOC Bulletin?

Stay current on legislative news, action alerts, breaking news, bill summaries and more. The *LOC Bulletin* is emailed every Friday.

To be added to the email list, contact loc@orcities.org.

Sign Up Today for LOC Workshops

The League is offering a broad range of in-person trainings in June. Register today to reserve your spot.

Understanding Oregon's Public Records & Meeting Laws

June 14, North Bend Public Library

Speaker: Patty Mulvihill, LOC General Counsel

This free training will provide attendees with a 360-degree view of both the Oregon public records law and the Oregon public meetings law. Specific attention will be paid to the requirements for executive sessions and how to avoid committing a serial meetings violation.

The City Team: Effective Collaboration with Councils, City Managers and Staff

June 14, Sherwood Police Department

Speaker: Erik Jensen, Principal, Jensen Strategies, LLC

Whether you are a mayor, council member, city manager, or staff, you share one responsibility—to plan for and provide the most effective municipal services for the community. This workshop will review the various roles on the city team and the attributes that help make each successful in serving the community. It will also cover the importance and key elements of teamwork in working toward informed policy-making, cost-effective service delivery, sustainable long-term plans, efficient operations, and meaningful community engagement.

Elements of Effective Supervision

June 19-21, Local Government Center, Salem

Speaker: Dr. Sharron Noone

This three-day course focuses on a performance management system that addresses major concerns in the public sector:

- Eight points of supervision practice that improve performance and reduce liability;
- Effective attention for both excellent and challenged employees; and
- Goal and feedback systems that improve performance.

Class sessions include extensive hands-on skill building and practice.

How to Register

Workshop registrations utilize the League's new online registration system. Registrants will need to log in with the email that the League has on file as their primary address. Anyone who needs to verify their email address, reset a password or has additional questions is encouraged to call the League office at (503) 588-6550. For more information and to register go to www.orcities.org/training.

Contact: Lisa Trevino, Administrative Assistant – ltrevino@orcities.org



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ASK LOC

Q: Is an intern considered a city employee?

A: Internships are a fantastic opportunity for students to gain practicable hands-on experience. High school students may want to explore various employment fields while trying to figure out what to do after graduation, while college students can gain real world experience to complement their coursework. Cities provide various opportunities for students and often hire interns. But if your city hires an intern, are they entitled to compensation? The answer to this question is vital to a city's internship program and budget.

Simply labeling an opportunity as an "internship" is not enough. Under the federal Fair Labor Standards Act (FLSA), interns working for employers are generally entitled to minimum wages and overtime pay. However, interns may be unpaid and exempt from FLSA protections if certain conditions apply. With few minor differences, state law closely follows federal law and does not generally depart from FLSA standards when determining how an intern is treated. To determine whether an intern is exempt from FLSA

requirements, a city should review the following seven factors of what is called the "primary beneficiary test":

1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa;
2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions;
3. The extent to which the internship is tied to the intern's formal education program by integrated coursework or the receipt of academic credit;
4. The extent to which the internship accommodates the intern's academic commitments by corresponding to the academic calendar;

Beery Elsner & Hammond LLP

We're pleased to announce that
Mallory R. Beebe
has joined the firm as an associate.

Mallory brings her extensive civil litigation experience to Beery Elsner & Hammond. Prior to joining Beery Elsner & Hammond, Mallory defended both individuals and entities, including public bodies in professional liability and tort claims. Her practice focuses on representing local governments in litigation, and she works on a variety of issues, including risk management and municipal liability.

The firm continues its exclusive representation of local governments in Oregon and Washington.

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5. The extent to which the internship's duration is limited to the period in which the internship provides the intern with beneficial learning;
6. The extent to which the intern's work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern; and
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

So How Should a City Structure its Internship Program?

- Set out a program plan that focuses on job training and work experience appropriate to the intern's abilities. Include opportunities for training that builds upon the intern's current skill set;
- Design a program that exposes the intern to all aspects of the applicable field and promote the development of broad, transferrable skills;
- Outline clear expectations with the intern and clearly provide that the internship is for educational and training purposes, and not for the purpose of compensation;

- Clearly explain that the intern is not entitled to a job after completion of the internship;
- Work around the intern's academic schedule. Provide standard workplace opportunities during academic breaks and allow for flexibility in scheduling during periods in which school is in session;
- Do not utilize interns to avoid hiring necessary staff and employees. Interns should not replace staff needs, but rather compliment them; and
- Work with the intern's educational institution to coordinate with the provision of academic credit for the internship.

Cities may also consider covering interns under their workers' compensation policy. While not legally required, workers' compensation coverage protects the city from any claim against the city for injuries. Cities should work with their insurance carrier to assure that all interns are covered for workplace injuries.

With appropriate guidelines and planning, cities can serve as a beneficial resource for students wishing to gain valuable experience without placing constraints on the city's budget or subjecting the city to liability. ■



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OCCMA

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The OCCMA Board of Directors Seeks Applicants for 2019

The OCCMA Board is accepting applications from current OCCMA members who are interested in serving on the board as a director or president-elect (note: candidates for president-elect must have previous service on the OCCMA board). In creating a proposed board slate for the membership's consideration, the OCCMA Nominating Committee gives due consideration to representation of all areas of the state and cities of all sizes and includes at least one county member and one assistant member. Elections take place at the OCCMA Membership Meeting scheduled for September 27 at the Eugene Hilton prior to the OCCMA Fall Workshop.

New board members will join continuing members November 8-9 in Silverton for the board's annual retreat. The new term of office begins in January 2019. Terms of office for director positions are three years.

While the 2019 board calendar has not been set yet, meetings will likely take place in January, May, July, September and November.

How to Apply

Candidates for an OCCMA Board position must return a completed application form (found at occma.org) to Megan George at mgeorge@orcities.org by **July 30, 2018**. The application provides the Nominating Committee with general background on all candidates for Board positions.

If you have any questions, please contact Megan George at mgeorge@orcities.org or (503) 588-6550.

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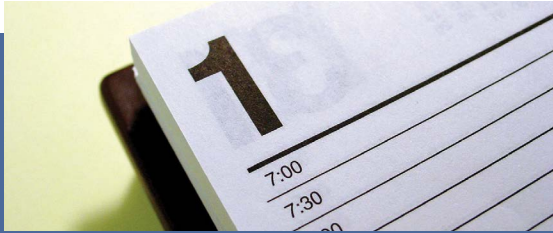
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Upcoming EVENTS

LOC Board Meeting

June 15 – North Bend

OCCMA (City Managers) Summer Conference

July 10-13 – Bend

OMA (Mayors) Summer Conference

July 26-28 – Florence

OAMR Annual Conference

September 19-21 – Portland

ICMA Annual Conference

September 23-26 – Baltimore, Md.

LOC Board Meeting

September 26 – Eugene

OMA (Mayors) Board Meeting

September 26 – Eugene

LOC Annual Conference

September 27-29 – Eugene

OCAA (Attorneys) Government Law Review

September 28 – Eugene

OGFOA Conference

October 15-17 – Salem

NLC City Summit

November 7-10 – Los Angeles, Calif.

OCCMA (City Managers) Board Retreat

November 8-9 – Silverton

LOC Board Retreat

December 7 – Salem



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City Deadline Calendar

Dates Cities Need to Know

JUNE

June 25

Budget: Enact Resolutions or Ordinances to Adopt Budget, Make Appropriations, Impose and Categorize Taxes

Budget. After the budget hearing, the city must prepare and enact resolutions or ordinances that adopt the budget, make appropriations, and, if property taxes are needed, levy and categorize each tax. Those resolutions or ordinances must be adopted before June 30.

State Shared Revenues. Cities may only receive state shared revenues by electing to receive them. We recommend enacting such a resolution during the meeting to adopt the budget. Cities must submit to the Department of Administrative Services documentation certifying compliance with state law and the city's intent to receive tax revenues.

Note: Although the budget process may begin sooner or later than noted, all budget resolutions or ordinances must be adopted by June 30.

(ORS 294.456 (budget); 294.095 (budget deadline); ORS 221.770 (shared revenues))

JULY

July 1

New Minimum Wage Takes Effect

On July 1, 2018, the minimum wage rate increases across the state, depending on the geographic location of the employer. The default minimum wage, starting July 1, 2018, is \$10.75/hour. For employers in the Metro UGB, as defined under ORS chapter 268 (essentially the Portland metropolitan area), the minimum wage on July 1, 2018, is \$12.00/hour. For employers in a "non-urban" county (Baker, Coos, Crook, Curry, Douglas, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa and Wheeler), the minimum wage on July 1, 2018, is \$10.50/hour. (ORS 653.025)

July 15

Budget: File Tax Certification with County Assessor or Budget Documents with Department of Revenue

Cities that certify an *ad valorem* property tax must file with the county assessor two copies of the following documents: (1) each ordinance or resolution to adopt the budget, make

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appropriations, and itemize, categorize and certify the taxes; (2) the notice of levy and the categorization certification form; (3) a statement confirming the ad valorem property taxes approved by the budget committee; and (4) successful ballot measure for any new tax imposed for the first time. If a city does not impose a tax on property, it must file a copy of the resolutions or ordinances adopting the budget and making appropriations with the Department of Revenue.

Note: Although the budget process may begin sooner or later than noted, the documents referenced above must be filed with the county assessor or the Department of Revenue by July 15. This July 15 deadline may be extended to September 15 for *ad valorem* property taxes imposed by the city pursuant to an ordinance or resolution adopted on or after July 1 to pay the estimated debt service on general obligation bonds approved by voters at the prior May election. (ORS 294.458; ORS 310.060; Or Laws 2017, ch 26, section 2)

July 19

September Election: File Statements of Offices, Candidates and Measures with County Elections Filing Officer

Last day for city elections officer to file with the county clerk a statement of the city offices to be filled, information concerning all candidates and measures to be voted on. (ORS 254.095)

July 31

State Shared Revenues

Cities may receive state shared revenues only by adopting an ordinance or resolution electing to receive them. That ordinance or resolution must be adopted by July 31. In addition, by July 31, cities must submit to the Department of Administrative Services a copy of the ordinance or resolution expressing the city's election to receive state shared revenues. Cities must also certify to the Department of Administrative Services the city's compliance with other provisions of ORS 221.770 by July 31. (ORS 221.770) ■

PERS Reports

Cities must remit a regular report to the PERS Board no later than three business days after the end of the city's pay cycle. (ORS 238.705; OAR 459-070-100)



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THE POWER OF YOUTH IN GOVERNMENT



YOUTH ADVISORY COUNCILS HELP MAKE CITIES STRONGER, DEVELOP NEXT GENERATION OF LEADERS

BY MELODY FINNEMORE

Mt. Angel is the latest in a growing list of Oregon cities benefiting from young members of its community getting involved in city government. The city recently recruited a group of high school students to participate in its inaugural Youth Advisory Council (YAC), a program initiated by its student councilor, Abby Frey, for her senior project.

City leaders had previously learned about the positive impacts of YACs in other communities, but weren't sure if Mt. Angel (pop. 3,375) could sustain one, and school and after-school requirements sometimes make student involvement a challenge, said City Manager Amber Mathiesen.

Instead, the city created a student councilor position that allows a high school senior to serve on the Mt. Angel City Council for one year and, if the student attends all of the council's meetings and completes other requirements of the position, they receive a \$500 scholarship. Frey, who serves on her school's student council, knew she would gain invaluable experience as a member of the City Council.

"I have learned that the majority of things that get done in town take a lot of work and get little recognition. Our council are all volunteers who do not get paid to be there and put a lot of work into it anyway," she said. "I have also gained many skills, including public speaking and leadership. Our city councilors are great leaders and I have learned a lot from them."



Inspired by the Oregon Youth Summit, Mt. Angel Student Councilor Abby Frey (at right) worked with city leaders to recruit high school students for its inaugural Youth Advisory Council.



As Frey prepares to graduate and go on to college, Mathiesen said she has enjoyed seeing how her leadership experience impacted her.

"At first she was really shy and hesitant to speak in public meetings, and then after the Oregon Youth Summit (in February) she came back and was really excited about all of these ideas," she said, noting Frey worked with Police Chief Mark Daniel to organize a local drug take-back day event on April 28 that collected 97 pounds of unwanted prescription drugs. The event will now be held semi-annually.

As Mt. Angel launches its YAC, other cities with well-established programs continue to grow and hone the ways students can be involved in making their communities better for young people and adults alike.

Beaverton Program Nears 20th Year

In 2000, while serving as mayor of Beaverton, Rob Drake helped establish the Mayor's Youth Advisory Board (MYAB), creating a more formal service option for the group of high school students who regularly volunteered to do community service. The MYAB gained further traction when members of the group began attending the annual U.S. Conference of Mayors in Washington, D.C.

"I think that's been a great incentive to get the students involved and it's a great launching pad from an educational perspective because they come back excited and full of ideas," said Emily Van Vleet, outreach specialist with Beaverton's Neighborhood & Public Involvement Program. "When we go to Washington, D.C., we take six students and, for many of them, it's their first time in

(continued on page 22)



The Mayor's Youth Advisory Board (MYAB) in Beaverton, established in 2000, involves 20 students from 16 schools each year. Among other civic engagement projects, MYAB members have provided nearly 1,000 hours of community service in the last year alone.

Washington, D.C., and sometimes it's even their first time on a plane."

Today there are 20 students serving on the MYAB, and the program involves 16 schools, including the city's homeschooling program and the Portland Community College Early College High School program. The students range from freshmen to juniors and are selected through an essay contest and interviews.

In addition to educating the general public about issues affecting youth through public forums and publications, the MYAB recommends solutions to specific problems that impact young people and provides comments to elected officials and decision-makers about public issues, projects and proposals that affect themselves and their peers.

Van Vleet said MYAB members have provided nearly 1,000 hours of community service in the last year alone, ranging from street cleanups and letting residents know about upcoming events to serving dinners at HomePlate, a nonprofit that supports young people experiencing homelessness.

"They are also able to provide a perspective that is missing because a lot of our volunteers tend to be older," she said.

Van Vleet said the Oregon Youth Summit is a signature event for the MYAB members, giving them a chance to learn about different careers from guest speakers and interact with government leaders

from other schools. In addition, MYAB members often have an opportunity to meet with Oregon's elected officials, and recently talked with Sen. Jeff Merkley about gun violence and how it impacts young people.

"That's something they don't get through the schools," Van Vleet said.

Cornelius Introduces Students to City, State Government

Drake, who now serves as Cornelius city manager, has worked to establish a local YAC in his current city, and said the first group of 10 participants, selected this spring, will begin meeting in the fall when the new school year starts. Most of the applicants were eighth graders who will be freshmen in the fall, and a couple of older students who will graduate next year. Drake said the ordinance allows up to 20 participants, and the city's goal is to have a more even mix of ages as the YAC evolves. The students attend Glencoe High School and Forest Grove High School.

"These are what I call do-er kids who are similar to the kids we had in Beaverton. They accomplish a lot, they are very responsible and they are moving ahead to college. They are a joy to have around and are very nice kids," he said.

Drake said the program is mutually beneficial in that it exposes students to city government and they learn more

about state government as well. Drake and City Recorder Debby Roth drove the YAC members to Salem, where they met with their local legislator, Representative Susan McLain (D-Hillsboro).

"None of them had been to the Capitol," Drake said before recalling his first visit to the building as a college student in the late 1970s and how the experience impacted him. "I think for them, too, it gets the city's message out in the community more. They convey that message and all 10 of them have been regular participants in volunteering at city events."

The YAC students meet their schools' community service requirement by helping out during the city's annual Thanksgiving dinner, holiday tree lighting, a cleanup event each May and Cornelius' recent anniversary party.

"It's nice having them there, and I think they are learning about organizational skills and the people they live with in the community. I think they also learn about when things work and when they don't work as well as you would have liked them to," Drake said.

Redmond Students Serve on All City Committees, Commissions

Thanks to young people in Redmond, the local airport has an updated and expanded children's play area, and people feel safer in parks where previously drug



Members of the Redmond Youth Partnership Advisory Committee (left) sit on each of the city's 10 committees and commissions, giving them a voice on a variety of issues that impact young people. Students, including Tualatin's Youth Advisory Council at right, also learn about leadership development, project management, community service, public speaking and civic engagement.

activity kept them away, said Mayor George Endicott.

The city established the Redmond Youth Partnership in 1996 that was a task force comprised of both young people and adults. In 2013, the city's Parks and Recreation department took over the program and renamed it the Redmond Youth Partnership Advisory Committee (RYPAC) while retaining its similar mission of youth voice and empowerment.

Endicott said a student sits on each of the city's 10 committees and commissions. As openings come up on the RYPAC, he advertises at the two local high schools, the charter school and with the body that governs homeschooling in the region. The students' participation on the committees and commissions gives them a voice on a variety of issues.

"Those kinds of things work both ways because they need to say it and we need to hear it. They benefit because they have input in the system and we benefit from that input," he said.

As an example, a conversation about transportation could include a student

perspective about Safe Routes to Schools. One young woman who served on the budget committee reminded city leaders about the importance of funding parks and school resource officers. Redmond reinstated the use of community service officers to regularly patrol the parks and discourage illicit activity.

Endicott said the students recently participated in the "If I Were Mayor" contest, a statewide program the Oregon Mayors Association started, and did presentations on what they would like to accomplish if they were wearing Endicott's hat.

"I love having the kids involved and the community benefits tremendously," he said.

Tualatin Youth Engage in Community Service, Gain Skills to Last a Lifetime

Tualatin city leaders note that having an active YAC demonstrates a city's commitment to its youth in several ways, including providing free or low-cost activities and events for teens. It encourages the development and engagement

(continued on page 24)

“ By the time they graduate they are comfortable presenting at city council meetings, leading subcommittees, researching best practices for programming, and marketing YAC events. I love hearing from alumni, and I do remember one former YAC member expressing regret that there is nothing like the YAC in college! ”

JULIE LUDEMANN
RECREATION SUPERVISOR FOR
TUALATIN'S COMMUNITY SERVICES
DEPARTMENT



Tualatin's Youth Advisory Council initiated Project F.R.I.E.N.D.S, a daylong, anti-bullying workshop for the city's fifth graders (left), and Hillsboro's student leaders travel to Washington, D.C., to discuss youth-related policy suggestions with elected officials.



of an active and informed citizenry, said Julie Ludemann, recreation supervisor for Tualatin's Community Services department.

She added that the YAC gives students opportunities for leadership development, project management, community service, public speaking and civic engagement. There is plenty of fun involved as well. YAC members get to plan and run a haunted house and serve as volunteers for some of the city's marquis events, such as the West Coast Giant Pumpkin Regatta and the Blender Dash Fun Run.

"One of my favorite things about being the staff liaison to the YAC is watching the youth grow and develop as leaders," Ludemann said. "Many of our members begin as eighth or ninth graders, and by the time they graduate they are comfortable presenting at city council meetings, leading subcommittees, researching best practices for programming, and marketing YAC events. I love hearing from alumni, and I do remember one former YAC member expressing regret that there is nothing like the YAC in college!"

The Tualatin YAC's Project F.R.I.E.N.D.S. workshop was featured in the National League of Cities' publication "Municipal Leadership for Children and Families in Small and Mid-Sized Cities." Project F.R.I.E.N.D.S. is a

daylong, anti-bullying workshop for the city's fifth graders that is designed and led by YAC members and is supported in part by the Washington County Commission on Children and Families Youth Summit grant.

Hillsboro Offers Internships, Fellowships for Students, Recent Graduates

Hillsboro city leaders created a job position specifically to connect youth with local government and help develop the next generation of leaders in public service. That position was filled four years ago by Kristi Wilson, youth development coordinator, who works with about 30 students from several schools within the Hillsboro School District through the city's YAC.

Nearly all of Hillsboro's boards and committees, including its 2035 Plan Committee and Sustainability Task Force, have a youth representative, and city councilors attend YAC meetings when possible. Students travel to Washington, D.C., and have a chance to discuss youth-related policy suggestions with elected officials. The city collaborates with the Hillsboro School District, the Hillsboro Chamber of Commerce and local colleges, including Portland Community College's Future Connect program, to offer a comprehensive and robust youth development program.

In addition, the program provides about 30 internships for students ranging from those in high school to those earning master's degrees. The paid summer position gives them the chance to learn about different careers in public service and help determine what type of work they might be interested in doing. The summer internships also involve professional development courses such as public speaking and resumé writing, as well as tours of the city's various departments and operations.

"Whether it's working at an event side-by-side with a police officer or digging in to help on a habitat restoration project, our interns do a whole lot more than file and make coffee," the city notes on its website.

Hillsboro also recently launched a fellowship program that is designed for graduates of a master's program in public administration, public policy, public affairs or a related field. Selected fellows are placed in a year-long, full-time, local government position and rotational assignments in various city departments.

Happy Valley Encourages Youth to Envision Their Future, Initiate Improvements

Happy Valley Mayor Lori Chavez-DeRemer said she and other city leaders have one charge for young people: Envision what they want their city to look like in



Happy Valley's 11-member Youth Advisory Council traveled to Washington, D.C., earlier this year (left), and they host an annual town hall that draws at least 100 participants.

“We want to be a community that listens to its young people. They are going to be voting in a few years, so we want to make sure they are informed and are informing all of their friends who are 18 years old. They are great advocates for the city.”

STEVE CAMPBELL
HAPPY VALLEY COMMUNITY
SERVICES DIRECTOR

the future and make it happen for their future selves and their families.

The city's 11-member YAC hosts an annual town hall that easily draws 100 participants. Last February, it organized an inaugural youth summit in Salem that drew about 100 YAC members from throughout the state. They spent

the morning at Willamette University, where they shared ideas, learned from each other and listened to a panel of state agency directors. Then, they met with legislators at the Capitol. In addition, the YAC recently hosted a drug take-back event that collected nearly 400 pounds of drugs.

“The benefit to the kids is they get experience in municipal government, listening to other viewpoints that are different from their own and leadership training,” Chavez-DeRemer said. “I think it helps them look at a problem from a 30,000-foot level and figure out how to solve it.”

She described some projects YAC members have initiated, including a free tutoring program that pairs high school students with younger students who need a little extra help with classwork. “The young woman who started it is now going to go off to college but that program is going to stay, so she's created a legacy already at 18 years old,” Chavez-DeRemer said.

Happy Valley Community Services Director Steve Campbell noted that many YAC members begin as freshmen and serve through their senior year, and

said their maturity grows exponentially during those four years.

During the annual town hall, no adults are invited save for a facilitator, and the “punch bowl” is an opportunity for students to write anonymous comments about the challenges they face. The notes, which raise issues ranging from peer pressure and drug and alcohol abuse to how to cope when parents are fighting, are presented to the City Council so its members can be aware of the challenges and explore ways to address them.

“We've got this dynamic group of youngsters who are providing a voice for the teens in our community,” Campbell said. “We want to be a community that listens to its young people. They are going to be voting in a few years, so we want to make sure they are informed and are informing all of their friends who are 18 years old. They are great advocates for the city.”

Ms. Finnemore is a Portland-area freelance writer. Contact her at precisionpdx@comcast.net. ■

ELGL: Oregon Born & Bred

By Kirsten Wyatt, ELGL Co-Founder and Executive Director

ELGL is the Engaging Local Government Leaders network. ELGL's mission is to engage the brightest minds in local government. We do this by:

- Providing timely, relevant, real content;
- Fostering authentic, meaningful connections;
- Expecting equity and inclusion;
- Encouraging joy in public service; and
- Welcoming new ideas and technology.

My husband Kent works for the city of Tigard, Oregon. We started dating while we conducted a graduate school project on improving the policy for extending utility services in rural Catawba County, North Carolina. Because everyone knows that true love blooms while analyzing sewer capacity, right? We got married and moved to Oregon in 2007 when I got a job with the city of West Linn.

Kent and I were new to Oregon, and we didn't know very many people outside of our two organizations. And, we didn't quite fit into any of the existing professional associations that were siloed by job title. We had each other for sharing ideas and stories about local government work, and this was helpful because it meant that we didn't have to recreate the wheel every time we were assigned a new project. But, we also realized that not everyone is lucky enough to be married to a fellow local government bureaucrat.

Kent and I wanted more contact, content and learning opportunities than the handful of local government conferences in Oregon. Fundamentally, we wanted a wider network that would support us in our local government careers on anything from work information requests, to professional development, and everything in between.

Lunch Bunch

In September of 2010, we invited 16 local government professionals from the Portland area for an informal lunch in Lake Oswego. It was a chance to put faces with names to create stronger information and idea sharing. Government is the original open source network, and so restricting learning and information sharing to your agency, your department, or your job title limits the potential for innovation, growth and effectiveness. At the lunch, the group quickly realized that we shared many of the same personal and professional interests. We also realized that we could help each other do our jobs better.

Early Years

From that lunch meeting, we began meeting at a different city hall each month. Speakers like Erik Kvarsten (Gresham City Manager), Phil Keisling (Director of the Portland State University Center for Public Service), and Scott Lazenby (then the Sandy City Manager) presented at these early meetings about the issues facing their organizations.

Word spread about the group, and our contact database (an Excel spreadsheet) grew each month. Soon, we had people wanting to attend and learn from outside the area, so we bought a web domain, launched Facebook and Twitter accounts, and started pushing our learning outside of the Metro area.

We also formed an advisory group and began working with Megan and Jennie Messmer, tapping their knowledge and understanding of Oregon, local government, and professional associations. In 2013 we formally incorporated as a 501c6, and continued our growth in the Pacific Northwest, adding new members, sharing content online and connecting on social media. Also in 2013, we hosted our first conference, developed a strategic plan, and instituted annual dues to cover our administrative costs.

Then to Now

Over the past five years, we've grown ELGL from that 16-member lunch bunch into a 4,000-person professional network with members in every state, Canada, England, Israel, and Australia. I began working as the paid executive director in July of 2017, and we restructured our board to include five people from across the country.

We post new local government content every day on ELGL.org, host the GovLove podcast each week, email a weekly newsletter to 40,000 people, and manage a variety of events and activities designed to engage the brightest minds in local government. The following events and programming support our mission.



#ELGL13

Annual Conference

Each May we host an annual conference at different locations around the country. Detroit, Michigan and Golden, Colorado served as the host city for #ELGL17 and #ELGL18, respectively. Our annual conference engages participants in discussions about the latest trends and issues in local government (i.e: bike share, infrastructure, and employee engagement). Attendees also tour the host city, learn about regional topics, and connect with other members from across the country.

#ELGLPopUps

Each fall, we host multiple conferences on the same day across the country. Charlotte, Dallas, Kansas City and Portland served as sites for the 2017 Pop Up events, and we'll be in Oregon, California, Wisconsin and Florida on October 12, 2018. While it is a logistical challenge to host four conferences on the same day, the experience provides a sense of connection across the locations.

Supper Clubs

Supper Clubs pay homage to the original group of 16 who started ELGL—these opportunities bring together people working in local government for a meal and conversation. ELGL members have hosted more than 30 Supper Clubs from Florida to California since 2015.

#ELGLInspire

With the support of the League, the city of Salem and the OCCMA, ELGL launched this new program in the winter of 2018 on the Willamette University campus. The format is designed to introduce undergraduate students to local government careers. Guest speakers from all departments of local government share their career stories so students learn about the energy and engagement of local services. During the 2018-19 school year, we will expand this program to five campuses across the United States.

#CityHallSelfie Day

August 15 is International #CityHallSelfie Day—where you snap a picture in front of your government building. It's deceptively simple, but has prompted pride in service and of place that has been phenomenal to watch. More than 250 cities participated in 2017. Each year we increase the number of volunteers managing the social reach of this event because there are literally hundreds of selfies submitted each hour.

Chris Traeger and Leslie Knope Awards

Our two main recognition events are named after cast members of the hit TV show *Parks and Recreation*. The Chris Traeger Award highlights the top 100 influencers in local government. The Leslie Knope Award changes each year to highlight a different facility or function of local government. In 2017, the city of Peoria, Illinois won the Knope Award for the best city hall in the country. Pueblo, Colorado took home the 2018 Knope Award for the best public library.

ELGL Connects

This is one of our newest initiatives, and it is aimed at helping local government make better decisions when selecting a vendor. The directory includes listings from 250 companies

operating in the local government arena. Our members are encouraged to leave feedback about their experience working with a particular vendor.

Diversity Dashboard

In October 2017, we crowdsourced research funding for the first-ever data collection on the gender, race, age and veteran status of all local government chief administrative officers (CAOs) and assistant CAOs, regardless of form of government. We anticipate releasing the data in mid-June. Our goal in conducting this research is to improve the diversity of local government leadership. The saying “what gets measured gets improved” drives this research as we advocate for more women and people of color in local government leadership roles.

Get Involved

Membership is \$30 per person per year, or \$300 for an organization to join (which includes unlimited free job postings, and memberships for up to 10 staff members). Everyone is welcome to join—we do not differentiate membership based on

age, position or agency. You can sign up at ELGL.org/membership and learn more about our content, event and networking options at ELGL.org. You can also reach me at kirsten@elgl.org or book a time on my calendar to talk more about ELGL and how you can get involved at calendly.com/kowyatt.

ELGL is proudly Oregon born and bred. For many years, ELGL grew without any contact or support from LOC. Now, with a rejuvenated LOC staff that mirrors ELGL's enthusiasm for local government and innovation, ELGL looks forward to connecting even more bright minds in Oregon local government.

Editor's Note – The League is pleased to announce that as part of an exciting new partnership, ELGL will be a regular contributor to *Local Focus* magazine. As LOC strives to lead cities to new opportunities through its revamped service offerings, we look forward to the innovative, fresh and creative content and perspectives ELGL will bring to our members in the pages of *Local Focus*. ■



2017 #ELGLPopUp



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Rainier Sets High Bar for How to Deal With Challenging Employee

City administrator navigates treacherous waters at the wastewater treatment plant

Even the best run cities have their share of challenging employees, and the city of Rainier was no exception. In this community that sits along the picturesque Columbia River, the city administrator recently faced a problem that was anything but picturesque. For any city that must respond to a challenging employee, the city of Rainier's story is a valuable one.

The problem began in January 2016 when the city hired a water/wastewater treatment operator. This new employee came to the city with 26 years of experience and had worked for a nearby city. He was familiar with Rainier's wastewater treatment plant because he'd worked there as an independent contractor the year before.

By February 2017, City Administrator Debra Dudley had concluded that the operator was not performing his job duties to her satisfaction, or based on the city's needs. She created a work plan for the operator to help him address these performance issues, but when she presented the work plan to him, he refused to sign it.

One month later, she provided the operator with a second work plan, which stated that the wastewater plant must operate within the engineered design standards, and that known issues needed to be fixed within six months.

Dudley's work plan also stated, in clear terms, that if the milestones weren't met within six months, termination could occur. Just as before, the operator refused to sign it.

City Administrator Asks Key Questions; Highlights Budgetary Constraints

During one of the multiple exchanges with the operator, Dudley asked two important questions:

1. When did the National Pollutant Discharge Elimination System (NPDES) Permit for the plant expire?
2. What is the plant's maintenance status?

On the first question, the operator "didn't know," but said he'd get back to her. Regarding the maintenance question, he responded that it was "fantastic."

Dudley wasn't so sure that "fantastic" was an accurate response, so she requested that the operator create a maintenance schedule, identifying when he needed help to complete routine maintenance jobs.

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This was critical for budgeting purposes, because only 16 percent of the budget for materials and services was left—and the wastewater treatment plant was already over budget.

Dudley also informed the operator, effective immediately, that all expenditures over \$50 required the city recorder's approval. Other cost-cutting methods included:

- No overtime without authorization from the city administrator, excluding emergency situations;
- All expenditures over \$50 must be accompanied by the expenditure authorization form and be preapproved; Emergency purchases were excepted; and
- Any change to sludge hauling required the operator to notify the city administrator by email.

Earlier, in an email, the operator discussed capacity issues that needed be addressed, so Dudley asked him to provide her with a "capacity assessment." She gave him one month to create it. She also asked him to: develop a maintenance schedule for the wastewater treatment plant; provide the public works supervisor a schedule, indicating the maintenance that needed to be completed; and, lastly, determine how many additional workers were needed. All of these exchanges were documented.

The operator then began raising other issues. He complained that the plant was not currently being operated at code. Dudley asked for specifics, or proof, but he could never give it.

"He just kept raising complaints, and then walking away," said Dudley.

There were other issues.

Because of budgetary constraints, Dudley had put a cap on spending at \$50. The operator then bought four hoses at \$49.99 each. He later bought a new winter coat with reflective tape and then a month later, a second one.

During this time, Dudley reached out to CIS' Pre-Loss team, seeking advice about the operator and the city's options for moving forward.

Reporter Calls About Alleged Illegal Activity at Treatment Plant

In early May 2017, a local media reporter contacted the city about alleged illegal activity at the wastewater treatment plant. The city administrator immediately reached out to the operator about the accusation. She asked if he was aware of any misconduct resulting in illegal activity or if there was proof of any illegal activity. Three hours later, the operator

(continued on page 30)



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got back to her and said there was “no illegal activity and that the effluent is in NPEDES permit at all times.”

The operator then added another bombshell. He suggested that prior to his employment, there appeared to be “massive amounts of sludge going into the river”—for approximately four years. He added that it was recorded on the supervisory control and data acquisition (SCADA) machine daily. The SCADA system monitors the wastewater treatment plant and notifies employees if any issues arise. It also keeps daily records of turbidity.

The city administrator immediately requested that the operator share the records that supported the allegation and to give them to her by morning.

The next day, the operator reported that he had the records and asked the city administrator, “When do you want them?”

At noon, Dudley asked the operator for the turbidity reports. She heard back from him at 7:15 p.m. He says he left work at 4:30 p.m. and the SCADA system was working fine, but when he came back at 5:30 p.m. (to pick up some shoes he’d left behind), he’d noticed the SCADA system had gone down. That’s when he realized that the computer tower that housed the originals of these records was gone.

City Administrator Finds Way to Move Forward

Dudley had a lot to consider. The Oregon Department of Environmental Quality (DEQ) was investigating the operations at the wastewater treatment plant. There were many accusations coming from the plant operator. There was theft at the plant. The police were involved, and a reporter had questions.

If the operator’s allegations were true, it could hurt the city in terms of DEQ’s findings.

Dudley began contemplating hiring an environmental consultant to help sort out what was true and what wasn’t. The operator had raised serious “concerns”—and an independent review from an outside expert could sort out all the issues that he raised. But they also had to think about the cost, because consultants are not cheap. How would Dudley justify the cost to the Rainier City Council? How could they justify the cost if the report turned out to be negative towards the city?

It was a dilemma. If the consultant concluded that the operator was correct, not only would the DEQ go after the city, but so would the operator—especially if Dudley continued down the path of progressive discipline. However, if the consultant proved the operator wrong, the city would have a legitimate, non-discriminatory basis to fire him for misconduct associated with work. The council agreed to hire a consultant.

Consultant Reviews Plant Operations

During the consultant’s review, the operator reiterated that the city was dumping “massive” amounts of sludge into the Columbia River, and had been doing so for four years.

Not true, concluded the consultant.

However, the consultant did report that significant house-keeping needed to be done. The plant’s documentation was incomplete and there were maintenance issues. Also, the plant’s instruments were not maintained and calibrated. The consultant discovered that data sheets were not filled out completely and the daily log wasn’t available. In addition, the operator’s calculations did not properly consider certain factors. And, the plant was using a chemical addition to force the solids in the clarifier to separate. The consultant shared that if the plant operated within correct conditions, the chemical currently used to separate solids would not be necessary. The chemical was expensive (\$2,600 per month) — and when combined with other expenses, it added about \$50,000 per year to the city’s budget.

Oregon State Police Investigates Computer Theft

During the operator’s interview with police, he said he went back to the facility after work to drop off his shoes (rather than pick them up). That’s when he admitted to the police officer that he didn’t want to be in trouble for being at the facility, doing work (overtime) that he wasn’t supposed to be doing without permission. He also admitted to calling the media to report “violations.”

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According to Dudley, the computer that was stolen didn't have a lot of value, other than the wastewater treatment plant SCADA records. Thankfully, those records were already backed up so they weren't lost after all.

Meanwhile, the Oregon State Police (OSP) investigator stated that it seemed strange that the operator contacted two reporters. It seemed that he "was attempting to get ahead of his misdoings and spinning the conspiracy to (make it) look like the city was trying to cover something up. When, in fact, he was trying to cover his tracks because his allegations were baseless."

Operator's Complaints Were His Undoing

In this case, the OSP officer's conclusions were spot-on—as soon as the operator received his last work plan, he knew he was in trouble. His misstep was that he thought that his complaints would be verified. Instead, they gave the city a reason to investigate, and a solid basis for termination.

Of course, Dudley had several conversations with CIS Senior Pre-Loss Attorney Tamara Jones who provided good advice throughout the difficult process.

"Debbie will tell you that she and I had a lot of conversations about this employee," said Jones. "You can imagine the pressure she was under to take swift action. You can also imagine how frustrated she was to not get information about supposed violations, even though the operator kept contending that they existed."

After the encounter with OSP, the operator asked the city to "withdraw any and all potential claims" it had against him in return for his resignation.

In the end, Dudley's patience paid off. After the consultant confirmed that the operator's accusations were baseless—as well as revealing maintenance and documentation deficiencies—the operator resigned in July.

CIS Pre-Loss attorneys Tamara Jones and Katie Kammer have experience defending cities and counties in litigation filed by former public employees. They remind city leaders that their actions as employers can be viewed closely and harshly by jurors, many of whom are employees (not supervisors or managers). Employment actions—even if lawful, even if fair—could result in a lawsuit, so it's important that cities make employment decisions—hiring, discipline and firing—carefully.

That means some extra work on the cities' part. Cities must go the extra mile to ensure they've documented their decisions and can point to real proof to support them. When cities control this litigation process, instead of allowing it to control them, they're in a much better position to win.

CIS members with employment questions can contact the pre-loss team at (503) 763-3848 or PreLoss@cisoregon.org.

Dudley's last interaction with him was to have him sign a release of all claims against the city so the city would not have to hear from him again.

Dudley and the city demonstrated great professionalism and composure. And, by not acting before the facts were gathered, Dudley ensured the city would come out on top.

"Rainier is a great model for other cities to follow," said Jones. "When cities fire public employees prematurely, they can face a long, tedious legal battle, and, in some cases, unfortunately, they'll end up losing in court. In this case, the city of Rainier came out on top and won twice—once, by having the employee resign, and, twice, by not having to relive the drama in court." ■



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Details and applications are available for Pacific Power customers at pacificpower.net/blueskyfunds.

A 372-panel solar field project at City of Corvallis Waste Water Treatment Facility made possible with funding from Blue Sky customers in 2013.



Let's turn the answers on.

BROOKINGS Fuel Tax Passes By Big Margin

Voters in Brookings have approved the reauthorization of a four-cent per gallon local fuel tax with an 82.11 percent “yes” vote.

The local fuel tax was initially approved for three years in 2014 and the vote in May extends the tax for another five years. The tax generates about \$290,000 annually for street and sidewalk improvement projects. It replaced a utility surcharge of \$2.90 per month which had generated about \$135,000 annually.

City Manager Gary Milliman attributed voter support for the tax reauthorization to several factors. First, the city relied on a street condition assessment performed by an engineering firm that rated all streets and provided cost estimates for improvements. The city developed a 10-year list of street improvements and implemented the first three years of the plan with little deviation. Some of the improvements had been completed only weeks before the election and were still fresh in the minds of voters.

The city noted that the fuel tax would spread the burden of paying for street improvements to unincorporated area residents and tourists who also use city streets. All of the schools, parks and major businesses are located within the city, impacting city-maintained roads.

While there was no political campaign to support the measure...and no organized opposition...the city did undertake a public information campaign which included a video demonstrating the need for improvements and showing construction, frequent press releases on the progress of projects, two information mailings to voters, and signs posted along freshly-paved roads announcing “Street Repairs funded by Fuel Tax.” The video was shown repeatedly on the local cable channel and was available on the city website. One of the brochures featured a photograph of a young mother pushing a baby stroller along a new sidewalk.

Submitted by: Gary Milliman, City Manager, Brookings



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ALBANY

Annual Event Helps Homeless, Low-Income Residents

The Albany Homeless Engagement and Resource Team (HEART) and Community Services Consortium recently hosted the 13th annual HEART to Heart Resource Fair. The free event supports individuals and families in Linn County who are homeless or living in poverty.

Representatives from nearly four dozen organizations provide information and help with finding a job, health care, housing, help with rent or utility bills, alcohol and drug treatment, and help for veterans. Additional services available include vision screening, blood glucose screening and glaucoma checks by East Albany Lions Club. Individuals also can be tested for HIV and Hepatitis C.

During the resource fair, which is held at the Boys & Girls Club of Albany, those who need dental care can see a dentist at the club's dental clinic for extractions and examinations on a first-come, first-served basis and dental hygienists are also available. Local hair stylists give free haircuts, some pet supplies are available, and those with bicycles can get a quick checkup for them. In addition, a limited number of reading glasses, sunglasses, daily living kits, shoes, new socks, items for children and first-aid kits are provided.

The resource fair began in June 2006 when the city cleared out a long-established homeless camp in Simpson Park. HEART includes representatives of local health and human services agencies, homeless shelters and advocates, the city, faith-based organizations and Albany businesses.

Marilyn Smith, Albany's public information officer, said the resource fair drew about six people its first year and now serves anywhere from 175 to 200 people.

"The biggest change we've seen has been an increased number of Spanish-speaking families who have very low income. We've made a very concerted effort to reach that group because we knew there was a need there," she said. "We've tried to reach that part of the population in any way we can."

Collaboration and community support play a key role in the resource fair's success. Jacopetti's Catering provides breakfast and parishioners from First United Methodist Church in Albany provide lunch. Throughout the event, the Signs of Victory Ministries bus picks up people who need a ride. The resource fair is sponsored by HEART and Allstate Lori Stewart Agency.

Submitted by: City of Albany ■



Have City News to Share?

Email us your copy (500 words max.) detailing your city's notable achievement (i.e., a project, initiative, award or individual honor), preferably with an image.

Contact: Kevin Toon, ktoon@orcities.org

City Events

June

- Fridays **Dayton** – Dayton Friday Nights Summer Series (www.daytonoregon.org/fridaynights)
- 2-17 **St. Paul** – Berries, Brews & BBQs (www.FPGardens.com)
- 8-9 **Canyon City** – 62 Days Celebration (www.gcoregonlive.com)
- 8-10 **Sisters** – Sisters Rodeo and Parade (www.sistersrodeo.com)
- 9 **Coos Bay** – Clamboree & Glass Art Festival (www.oregonsadventurecoast.com)
- 9 **La Pine** – High Desert Rhubarb Festival (www.lsgardens.com)
- 14-16 **Burns** – Country Music Jamboree (ci.hines.or.us)
- 15-16 **Lakeside** – Brewfest (www.lakesidebrewfest.com)
- 15-17 **Astoria** – Scandinavian Midsummer Festival (www.astoriascanfest.com)
- 15-17 **Brownsville** – Linn County Pioneer Picnic (www.historicbrownsville.com)
- 15-17 **Sutherlin** – Woofstock Festival (www.sutherlinwoofstock.com)
- 15-17 **Waldport** – Beachcomber Days (www.beachcomberdays.com)
- 15-7/1 **Astoria** – Astoria Music Festival (www.astoriamusicfestival.org)
- 16-17 **Myrtle Creek** – South Douglas Rodeo (541-863-3171)
- 22-24 **Cannon Beach** – Plein Air & More Art Festival (www.cbgallerygroup.com)
- 22-24 **Lake Oswego** – Festival of the Arts (www.lakewood-center.org)
- 22-24 **Roseburg** – Summer Arts Festival (www.visitroseburg.com)
- 23-24 **Lincoln City** – Summer Kite Festival (www.oregoncoast.org)
- 27 **Cottage Grove** – Concerts in the Park (www.cgchamber.com)
- 29-7/1 **Rogue River** – 65th Annual National Rooster Crow Contest (www.cityofrogue river.org)
- 29-7/14 **Eugene** – Oregon Bach Festival (www.oregonbachfestival.com)
- 30 **Estacada** – Estacada Uncorked (www.cityofestacada.org)
- 30-7/1 **Salem** – World Beat Festival (www.salemmulticultural.org)

Send your city event to
Julie Oke at jmoke@orcities.org

July

- 1-4 **La Pine** – Frontier Days 4th of July Celebration (www.lapinefrontierdays.org)
- 3 **Waldport** – Fireworks Celebration (www.waldport.org)
- 3-4 **Astoria** – 4th of July Activities (www.oldoregon.com)
- 3-4 **Haines** – Stampede & Rodeo (www.hainesstampede.com)
- 3-4 **Stanfield** – 4th of July Celebration (www.cityofstanfield.com)
- 3-7 **St. Paul** – St. Paul Rodeo (www.stpaulrodeo.com)
- 4 **Estacada** – 4th of July Parade and Timber Festival (www.estacadatimberfestival.com)
- 4 **Florence** – Independence Day Celebration (www.florencechamber.com)
- 4 **Monument** – 4th of July Jubilee (www.gcoregonlive.com)
- 4 **Rockaway Beach** – 4th of July Celebration and Parade (www.rockawaybeachor.us)
- 4 **Yachats** – La De Da Parade, Festivities and Fireworks (www.yachats.org)
- 4-8 **Portland** – Waterfront Blues Festival (www.waterfrontbluesfest.com)



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Rockaway Beach 4th of July

- 4-14 **Klamath Falls** – Freedom Celebration
(www.klamathfc.org)
- 11 **Ontario** – Summer Farm Festival (541-889-2174)
- 12-14 **Nyssa** – Thunderegg Festival (541-372-3091)
- 13-14 **Sutherlin** – Sutherlin Stampede Rodeo Weekend
(www.visitsutherlin.com)
- 14 **Burns** – Bike and Brew (www.harneycounty.com)
- 14 **Donald** – Hazelnut Festival
(www.donaldhazelnutfestival.com)
- 19-22 **Cottage Grove** – Bohemia Mining Days Festival
(www.bohemiaminingdays.org)
- 20 **Wood Village** – Annual City Nite Out
(www.westcolumbiagorgechamber.com)
- 20-22 **North Bend** – July Jubilee
(www.oregonsadventurecost.com)
- 20-22 **Sherwood** – Robin Hood Festival
(www.robinhoodfestival.org)
- 20-22 **Wallowa** – 27th Annual Tamkaliks Celebration & Pow Wow
(www.wallowanezperce.org)
- 21 **Troutdale** – 46th Annual Summerfest
(www.westcolumbiagorgechamber.com)
- 21-28 **Coos Bay** – 40th Oregon Coast Music Festival
(www.oregoncoastmusic.org)
- 24-28 **Grants Pass** – Back to the 50s
(www.travelgrantspass.com)
- 26-29 **Myrtle Creek** – Summer Festival (541-863-3171)
- 27-28 **Estacada** – Summer Celebration (www.estacadasc.org)
- 27-29 **Dallas** – Summerfest (www.exploredallasoregon.org)
- 27-29 **Garibaldi** – Garibaldi Days (www.visitgaribaldi.com)
- 27-29 **Paisley** – Mosquito Festival (www.cityofpaisley.net)
- 28 **North Powder** – Huckleberry Festival
(www.visitunioncounty.org)

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