

# MEETING NOTICE FOR THE CITY OF HUBBARD

TUESDAY

3720 2<sup>nd</sup> Street, Hubbard

APRIL 9, 2024

.....  
CITY COUNCIL: ROSTOCIL, AUDRITSH, STEININGER, THOMAS, YONALLY  
.....

**This meeting is a “hybrid” meeting:** Staff and Council members can choose to attend in person or over Zoom. The public may also attend in person or via computer, phone and/or YouTube.

See the below choices to Join the Zoom Meeting:

<https://us02web.zoom.us/j/89458587760?pwd=QjM4R01EaEMwekk3YVZUMjIwV21Udz09>

Meeting ID: 894 5858 7760

Passcode: 596646

One tap mobile

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Live streaming: <https://www.cityofhubbard.org/livestream>

Agenda / Packet is located at the following link: <https://www.cityofhubbard.org/meetings>

## \*\*\*\*\*ACCESSIBILITY NOTICE\*\*\*\*\*

Please contact the Director of Administration/City Recorder prior to the scheduled meeting if you need assistance accessing this electronic meeting at the following: [vnogle@cityofhubbard.org](mailto:vnogle@cityofhubbard.org); Phone No. 503.981.9633; or Hubbard City Hall, 3720 2<sup>nd</sup> St., Hubbard OR 97032. TTY users please call Oregon Telecommunications Relay Service at 1-800-735-2900. Translation services are available upon request. The public is asked to request translation and other meeting accessibility services at least 48-hours before the meeting.

(Los servicios de traducción están disponibles a pedido. Se solicita al público que solicite traducción y otros servicios de accesibilidad a la reunión al menos 48 horas antes de la reunion).

Agendas are posted at City Hall and on the City’s website at [www.cityofhubbard.org](http://www.cityofhubbard.org). You may schedule Agenda items by contacting the Director of Administration/City Recorder Vickie Nogle at 503-981-9633. (TTY / Voice 1-800-735-2900)

SEE ATTACHED AGENDA

Posted 4/02/2024, 4:00 p.m.

Vickie L. Nogle, MMC, Director of Administration/City Recorder

# HUBBARD CITY COUNCIL MEETING AGENDA

CITY HALL: (503)981-9633

**APRIL 9, 2024 – 6:30 PM**

**LOCATION: HUBBARD CITY HALL (3720 2<sup>ND</sup> STREET)**

**(Refer to the Cover Sheet for details)**

## **WORK SESSION 6:30 PM**

**1) CALL TO ORDER.**

A) Flag Salute.

**2) GOAL SETTING SESSION – City Administrator Shawn Waite.**

## **REGULAR APPROX. 7:00 PM**

**3) APPEAL MAJOR VARIANCE, #VAR 2023-01 / RODOLFO & MARIA ARELLANO–3664 5<sup>TH</sup> STREET (041W33AA10600).**

**4) DISCUSSION REGARDING SIDEWALK REPAIR – Narciso Lopez.**

**5) CALENDAR OF ORDINANCES – City Administrator Shawn Waite.**

**A) Ordinance No. 387-2024. An Ordinance repealing Hubbard Municipal Code Chapter 3.25, Public Contracting Rules.**

- (a) Motion to read by title only for first reading. (Reading by title only by the Mayor)
- (b) Motion to read by title only for second reading. (Reading by title only by the Mayor)
- (c) Motion to adopt Ordinance.

**B) Ordinance No. 389-2024. An Ordinance amending the Hubbard Municipal Code and adding Chapter 3.40 Public Safety Fee to Establish a Public Safety Fee.**

- (a) Motion to read by title only for first reading. (Reading by title only by the Mayor)
- (b) Motion to read by title only for second reading. (Reading by title only by the Mayor)
- (c) Motion to adopt Ordinance.

- 1. Resolution No. 773-440. A Resolution setting the amount of the Public Safety Fee, and authorizing the Mayor to sign May 9, 2024. (30 days following the enactment of Ordinance No. 389-2024).**

**6) APPOINTMENT OF BUDGET COMMITTEE MEMBERS.**

*(1 Vacant position term from January 1, 2024 – December 31, 2026)*

A) Rocky Sherwood.

B) Patrick Zotti.

**7) APPEARANCE OF INTERESTED CITIZENS.**

(This is an opportunity for members of the public to inform the Council about their views. Note. The Council will not be entering into a dialogue during this time; however, the City Administrator may direct staff to follow up with you regarding your comment or questions. **(Comments will be limited to three minutes.)** Should you wish to speak at the meeting, you may sign up by completing the form on the City's webpage or calling City Hall 48 hours prior to the meeting. <https://www.cityofhubbard.org/bc/webform/sign-if-you-want-speak-meeting>)

**8) MAYOR’S AND/OR COUNCIL’S PRESENTATIONS.**

**9) CITY ADMINISTRATOR REPORT- City Administrator Shawn Waite.**

**A) Police Department**—Police Chief Don Parise.

**B) Administrative Department**—Director of Admin/Recorder Vickie Nogle.

**C) Public Works Department**—Public Works Superintendent Mike Krebs.

**10) OTHER AGENCY REPORTS.**

**A) Hubbard Fire District** – Fire Chief Michael Kahrmann.

**11) CONSENT AGENDA.**

(Matters listed within the Consent Agenda have been distributed to each member of the Hubbard City Council for reading and study, are routine, and will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda at the beginning of the meeting and placed on the Regular Agenda by request.)

**A) Approval of minutes.**

- 1. February 13, 2024.**
- 2. February 27, 2024, Special.**
- 3. March 12, 2024.**

**B) Approval of the March 2024 Check Register Report.**

**C) Resolution No. 775-2024. A Resolution amending Water Rates for the City of Hubbard and repealing Resolution No. 713-2021.**

**D) Approval of the 2024-25 Budget Calendar.**

**12) COUNCIL RECESS OPEN PUBLIC MEETING AND CONVENE CLOSED EXECUTIVE SESSION TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO CARRY ON LABOR NEGOTIATIONS ORS 192.660(2)(d). PURSUANT TO ORS 192.660(4) THE COUNCIL SPECIFICALLY REQUEST THAT MEMBERS OF THE MEDIA AND OTHER ATTENDEES NOT DISCLOSE MATTERS DISCUSSED IN THE EXECUTIVE SESSION.**

**13) COUNCIL CLOSE EXECUTIVE (CLOSED) SESSION AND RECONVENE PUBLIC (OPEN) MEETING.**

**14) OTHER CITY BUSINESS.**

**15) ADJOURNMENT. (Next scheduled meeting May 14, 2024, at 7:00 p.m.)**



# City Council Memo

To: City Council  
From: Shawn Waite, City Administrator  
Date: April 1, 2024  
RE: Goal Setting for FY2024-25

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## ***1. Issue before Council:***

Discussion and direction to staff on City Council's goals and priorities for fiscal year (FY) 2024-25.

## ***2. Executive Summary:***

As part of the budget development process, City Council identifies goals and priorities for staff in the upcoming fiscal year. A Community Visioning project was completed in March 2024 in which strength, weakness, opportunities, and threats were identified, as well as, focus areas.

The list of projects provided in the report will be used to inform City Council and assist with the Goal-Setting process.

## ***3. Background:***

Annually City Council identifies goals and priorities that inform the budget development process and provides direction for staff as to what activities to work on in the next fiscal year. The Goal-Setting session identifies strengths, weaknesses, opportunities, and threats to information City Council on areas that the city may capitalize on or mitigate risks.

Early in 2024 the city began a Community Visioning project funded by the Ford Foundation. The purpose of the project was to receive community input as to what amenities or improvements the community would like the city to focus on. The final report is attached.

Concluding four town hall meetings, two surveys, and engagement of businesses and community members five focus areas were identified. They are as follows:

- Vibrant Economy and Small Business Base
- Safety and Connected
- Involved, Diverse, and Caring
- Livable Community
- Placemaking, Community Pride Identity

Within the focus areas there were specific projects and considerations listed by the Hubbard community. The intent of gathering this information is to assist City Council with the FY2024-25 Goal-Setting process.



**4. Options:**

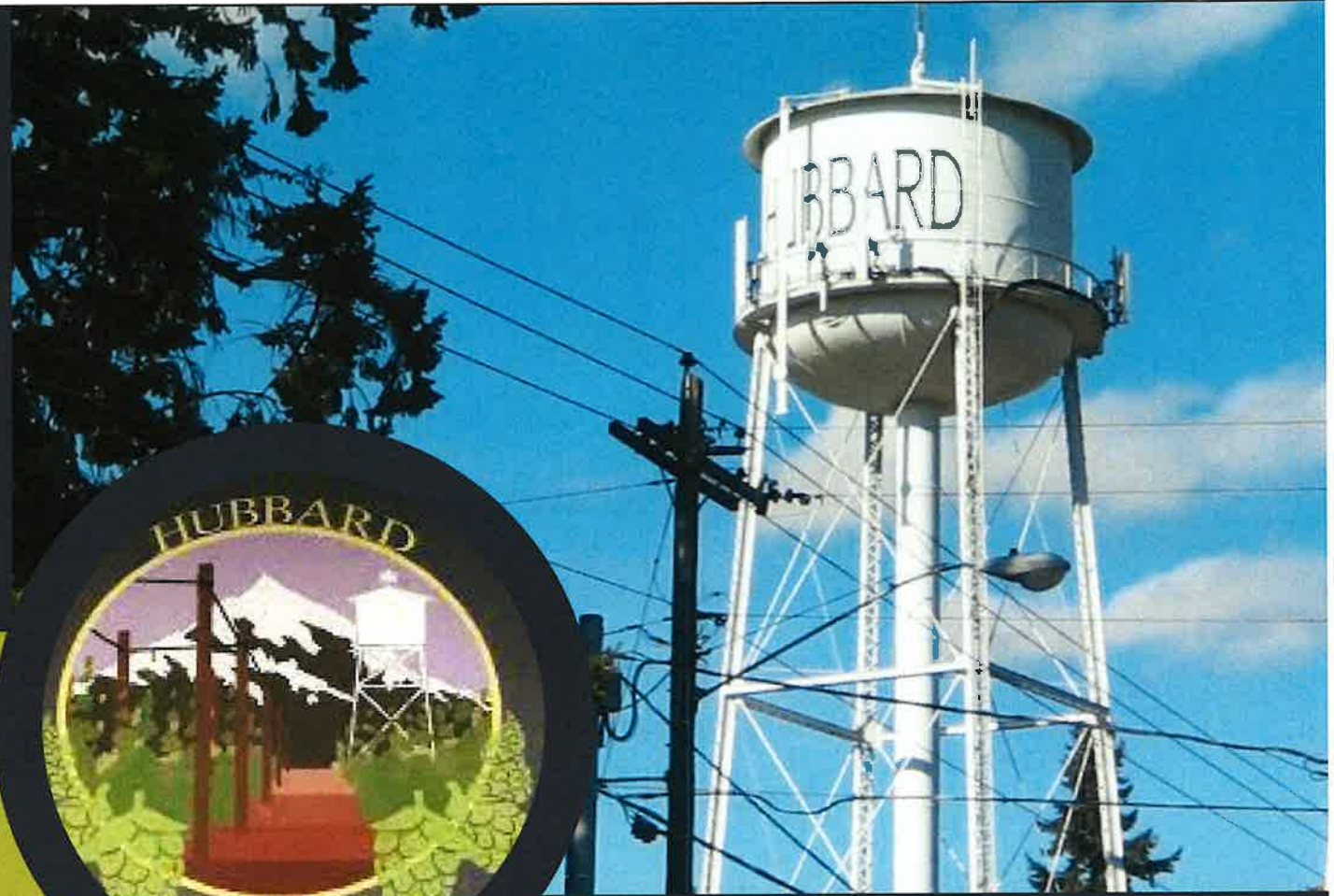
- A. Provide staff with a list of goals and priorities for FY2024-25.
- B. Do not provide staff with a list of goals and priorities for FY2024-25
- C. Direct staff to pursue another option.

**5. Recommendation:**

- A. Provide staff with a list of goals and priorities for FY2024-25.

**6. Attachment(s):**

- A. Goal-Setting 2022-2023
- B. Hubbard Community Vision and Action Plan 2024-2035



**2024-2035**

**A 10-YEAR  
ACTION PLAN  
FOR  
THE CITY OF  
HUBBARD, OREGON**

# **HUBBARD COMMUNITY VISION & ACTION PLAN**

This vision and action plan is a road map and decision-making tool that enables Hubbard stakeholders to move forward with implementation of their articulated vision. The vision and recommended actions outlined in this plan are the direct result of input from a wide variety of community stakeholders including business owners, property owners, citizens at-large and public officials.

- The Hubbard Community
- The Vision 2035 Steering Committee
  - Tammie Sweet
  - Erik Berkey
  - Michelle Luna
  - Doug Tyler
  - Jim Yonally
- The Hubbard Fire Department for the generous use of their meeting space.
- Mayor Charles Rostocil
- City Council Members
  - James Audritsh
  - Tyler Thomas
  - Jim Yonally
  - Joseph Steininger
- City of Hubbard Staff
  - Shawn Waite, City Administrator
  - Vickie Nogle
  - Julie Hedden
  - Megan Holstad
  - Mike Krebs
  - Melinda Olinger
  - Chief Don Parise
- Project Consulting Team
  - Mary Bosch
  - Kara Weber
  - Karina Archibald
  - Vicki Dugger
- Project Funding Support
  - Ford Family Foundation



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# VISION PLANNING PROCESS



This document shares the results of the Hubbard Vision 2035 visioning process conducted in fall 2023 and early 2024. It reflects the thoughts and ideas of nearly 200 people (received by the City of Hubbard) through community-wide outreach and engagement and the work of a Vision 2035 Steering Committee. This Vision and Action Agenda provides direct guidance to the City Administrator and City Council as they prioritize, plan and budget for both annual projects and longer term-initiatives.

Community outreach included:

- Direct connection to over 70 Hubbard businesses (industrial, commercial, Latino) through door-to-door canvassing and focus groups
- Two public surveys in both English and Spanish
- Extensive PR through mailings, flyers, a project webpage and social media announcements
- 4 town hall meetings with Spanish translation
- Door-to-door connection with 81 homes by the City Administrator
- Selected stakeholder interviews
- Direct outreach at community events

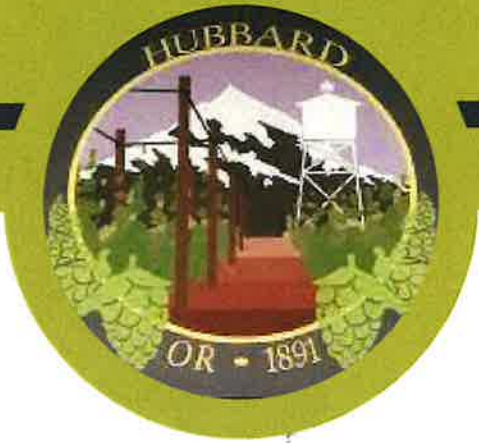
At every chance, residents and businesses were asked to share how they want to see Hubbard develop over time, specific visions and values to guide Hubbard along the way, focus areas or themes to stay on track and priority projects to keep Hubbard on the path of success.

The Focus Areas and accompanying action plans are organized by the following themes:

- Vibrant Economy & Small Business Base
- Safe & Connected
- Involved, Diverse, Caring Community
- A Livable Community
- Placemaking, Community Pride, Identity



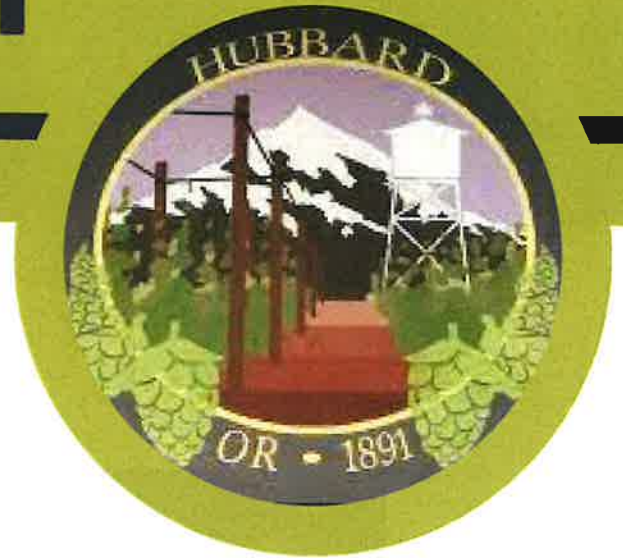
# ABOUT HUBBARD PAST, PRESENT, FUTURE



Hubbard, OR



# HUBBARD'S PAST

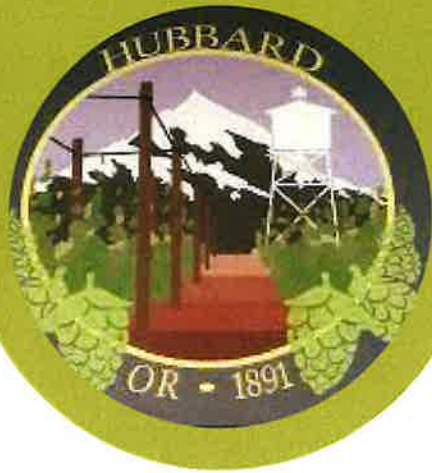


## Our Past

- The City of Hubbard was named after Charles Hubbard Jr. who in 1847 settled on the land originally inhabited by the indigenous Kalapuya Tribe. Mr. Hubbard was attracted to the area for the same reason Native American people—fertile farmland nestled within majestic forests adjacent to the Willamette River and its natural resources. Hubbard's major legacy was his donation of land which led to the railroad being built in town and a train station in 1870.
- The City incorporated in 1891, with many local businesses clustered near the rail line. Over time, Hubbard's economy relied on a strong agricultural base, with most residents working in farming or related industries. To this day, the fertile Willamette Valley provides the Hubbard area ideal conditions for cultivating a variety of crops, including hops, berries, and hazelnuts.



# HUBBARD TODAY



## Hubbard Today

- In 2024 Hubbard is home to almost **3,500 residents** and over **100 businesses**.
- Hubbard's **location is a key asset**. Situated 25 miles southeast of Portland, 22 miles northeast of Salem, and less than five miles from Interstate-5, residents have ample employment and higher education choices. Hubbard is surrounded by the natural beauty of the Willamette Valley and is only an hour or two away from the Oregon Coast, the Columbia River Gorge and Mt. Hood.
- Hubbard has **strong connections in the region** as part of the North Marion School District, North Marion Tourism Collaborative and North Marion Business Partnership.
- Hubbard's beautiful setting is highly valued and is reflected in the City's commitment to parks and a **high quality of life**. **The city has 14-acres of parks** that cater to a wide range of recreational interests. Popular parks in the area include Barendse which features a playground, sports fields, and picnic areas, Wolfer-Will Greenway, Centennial and Rivenes Park, which offers a peaceful setting for relaxation, the Splash Fountain, outdoor activities and memorials. Hubbard's signature event is the annual Hop Festival.



# HUBBARD TODAY



## Your Feelings About Hubbard

Hubbard residents care deeply about their community.

The word cloud image below illustrates the top words that people used in response to:

**How would you describe Hubbard today?** The larger the word the more often it was used to describe Hubbard.



# HUBBARD TODAY



## Good Things Happening Right Now!

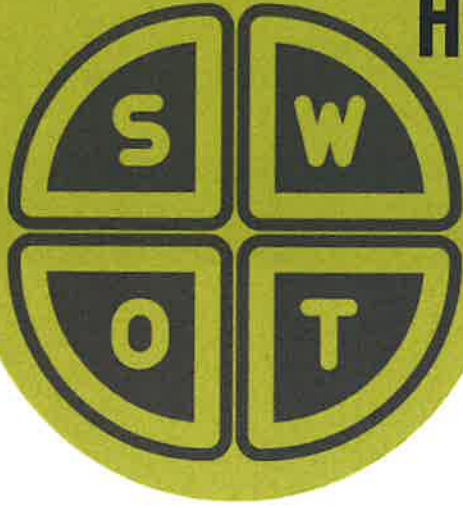
Hubbard has positive momentum! The image, below, identifies a few of the positive things that are currently taking place. These activities set the table for implementing the new 10-year Vision Plan.



# HUBBARD TODAY

## COMMUNITY ASSESSMENT

### HIGHLIGHTS



#### **Results of the Hubbard SWOT Analysis (Strengths, Weaknesses, Opportunities, Threats)**

From community surveys, town hall meetings and business interviews, the following responses were consistently identified.

#### **Strengths**

- Public safety – first-rate police and fire departments
- Small, friendly and quiet community
- Agri-industrial business diversity and job base; a business-friendly city
- Residential and visitor market growth is occurring that will encourage more small business development and increase revenue to the City
- Historic buildings and destinations keep our history alive
- Strong and forward-thinking city leadership

#### **Weaknesses**

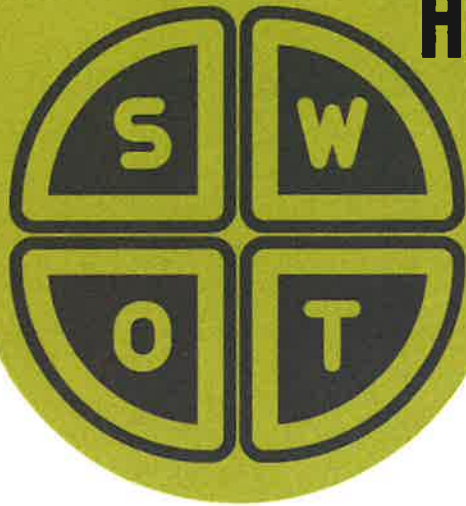
- Limited retail/restaurant options; fresh food desert; no farmer's market
- Pedestrian safety is a concern due to limited sidewalks and streetlights in busy residential/commercial areas
- Highway 99E's run-down image doesn't reflect well on our community
- Traffic and road conditions on Highway 99E



# HUBBARD TODAY

## COMMUNITY ASSESSMENT

### HIGHLIGHTS



#### SWOT Analysis, Continued

##### Opportunities

- Community connections (or involvement) through multi-purpose community center serving youth through seniors and more events/activities
- New park on the east side of Highway 99E; maintaining and enhancing existing parks
- Historic Downtown's revitalization is long overdue
- Building bridges to our Latinx and Russian populations for community leadership
- Developable land in the downtown area, on community edge and at industrial park
- Water system improvements that will be achieved in the near future through grant funds
- More community events and amenities being added



##### Threats or Challenges

- Significant aging infrastructure and not enough funding to maintain and update
- Emergency services--fire and police--are located next to the rail system; concerns regarding operations in case of derailment happened

# OUR VISION AND VALUES

*Community members shared their hopes and aspirations for what Hubbard will be like in the future...*



## ***In 2035....***

- Hubbard is a **safe and caring** community where neighbors stay connected, trust and look out for each other and volunteer for community improvement projects.
- New housing provides a **range of housing** types and affordability
- Hubbard has retained its **small-town character** and strong **sense of community** even as it has continued to grow and evolve
- Hubbard is a community that **trusts** and respects local government
- Highway 99E **traffic flows smoothly** with improvements including safe turning, improved access, beautification and more
- Our **diverse population** is involved, included and helping lead all aspects of civic life
- **New commercial businesses** serve local needs, are well-supported by residents and visitors and have revitalized historic downtown
- Residents on both sides of Hwy 99E are well-served with **parks, pathways or sidewalks and services**
- **New community investments** are completed to ensure Hubbard's long-term viability—water and sewer infrastructure, sidewalks and traffic improvements

# OUR VISION AND VALUES



CORE  
VALUES

## WE VALUE OUR...

**Small Town Character...** 'Little Town with the Big Heart', neighbors help neighbors in a family-friendly community

**Safety...** safety and security are the bedrock for a strong and vital community

**Quality of Life...** the ability to live, work and play affordably within the Hubbard community

**Local History...** we cherish our heritage and honor the past, making tomorrow's history today

**Health & Natural Environment...** wellness through fresh foods, walking paths, and access to parks, greenspace and the outdoors

**Diversity...** a welcoming atmosphere where leadership is reflective of the community's demographics. All people regardless of background feel that they belong.



# HUBBARD'S VISION AND VALUES



## IN YOUR OWN WORDS...

WHAT PEOPLE VALUE: MY FAMILY FEELS SAFE HERE. THE CITY PARKS ARE GOOD. PEOPLE ARE FRIENDLY. I LIKE THAT THE CITY HAS A POLICE DEPARTMENT AND A FIRE DEPARTMENT, WHICH IS RARE IN SUCH A SMALL CITY.

MY HOPE FOR THE FUTURE IS THAT WE NEED TO COME TOGETHER AS ONE AND WORK TOGETHER ON IMPROVING OUR TOWN. THIS WILL BUILD A SENSE OF COMMUNITY.

My vision for the future is a town that doesn't grow too fast, but thoughtfully and carefully adding housing and businesses that fit well with our community.

I WISH HUBBARD WAS A MORE WELCOMING TOWN WITH MULTI-CULTURAL REPRESENTATION.

HUBBARD IS SMALL, QUAIN AND FRIENDLY. WE MAY BE A LITTLE BEHIND THE TIMES BUT IT FEELS LIKE WE'RE 'WAKING UP' AS WE LOOK TO THE FUTURE.

# FOCUS AREA PLANS



## 1-VIBRANT ECONOMY & SMALL BUSINESS BASE

### Overarching Goal:

- Hubbard has a variety of small and mid-size businesses that provide goods and services for local people and jobs right in town.



## 2-SAFE AND CONNECTED

### Overarching Goals:

- Public Safety services remain dependable, responsive and strong
- Street and Sidewalk Maintenance are prioritized
- Traffic flow on Highway 99E is improved with minimal congestion



## 3-INVOLVED, DIVERSE, CARING

### Overarching Goals:

- Residents and businesses know and look out for each other
- We embrace our diversity through intentional cross-cultural activities, community-building and communication
- Many family-oriented and intergenerational activities and events are happening
- Activities to build connections among Hubbard residents and also bring in visitors



## 4-A LIVABLE COMMUNITY

### Overarching Goals:

- A community that grows 'smartly' where infrastructure keeps up with demand
- Affordability in housing and services
- Health, recreation and wellness opportunities are accessible and well-promoted



## 5-PLACEMAKING, COMMUNITY PRIDE IDENTITY

### Overarching Goals:

- Creating and promoting a strong identity honoring history, family-orientation, safety
- Encouraging community pride through beautification
- Gathering places and community connections



# A VISION FOR HUBBARD'S FUTURE



Community  
Gathering/nodes (3)

Soft Paths/Trails

Dog Park

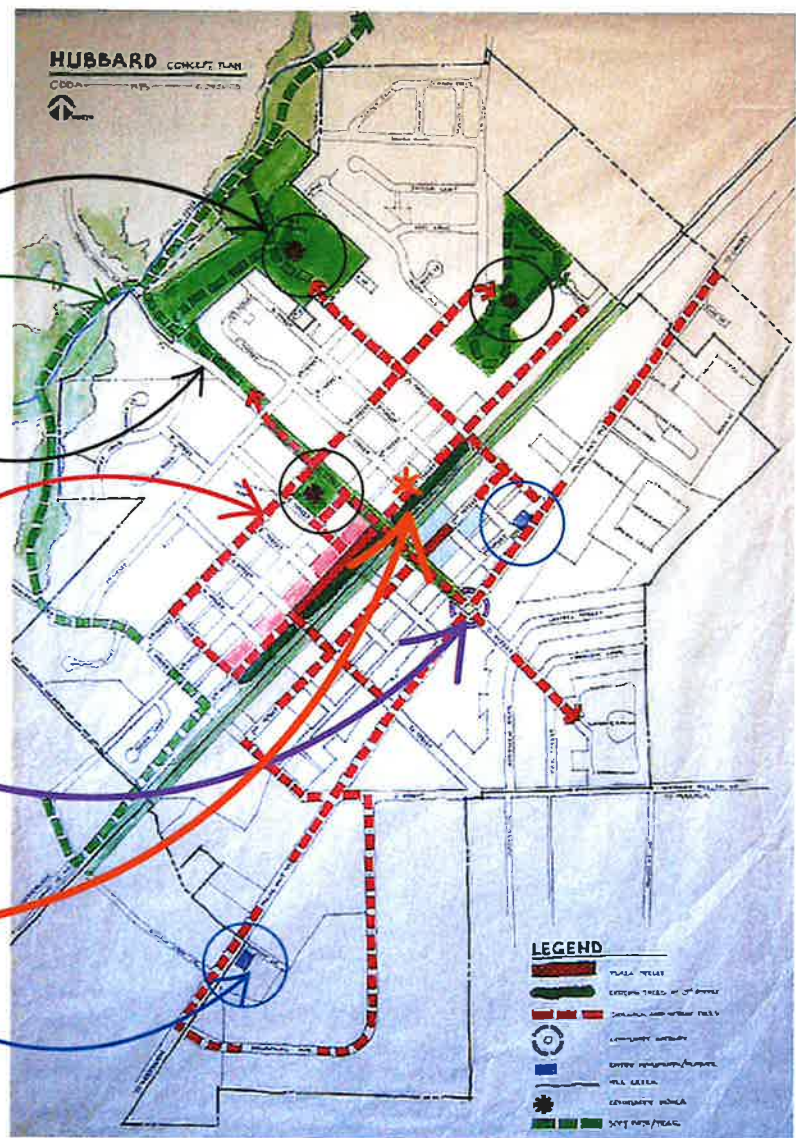
Sidewalks where needed  
& new Street Trees

Downtown Gateway

Proposed new  
Community Center

Community Gateway/Entry  
Features (2)

East Side Park: Location TBD



# FOCUS AREA: 1

## A VIBRANT ECONOMY & SMALL BUSINESS BASE



### **A Vibrant Economy and Small Business Base where...**

- Hubbard has a variety of small and mid-size businesses that provide goods and services for local people and jobs right in town.
- There is increased downtown retail and restaurants, revitalization and new development. More events and activities to build connections among Hubbard residents and also bring in visitors.

### **Strategies**

1. Support existing business success and recruit new businesses filling local needs
  - Business promotion, branding, marketing
  - B2B opportunities, roundtable of info-sharing
2. Expand and redevelop the downtown historic district
3. Engage with the Main Street 4-point approach for downtown revitalization:
  - Install business signage on Hwy 99E
  - Create events that drive business
  - Foster and enhance the historic building stock
4. Bring more visitors to town through active participation in the North Marion Tourism Collaborative

### **Project Ideas**

- Implement a business retention effort to help existing businesses grow and stay. Host business roundtables to better understand and respond to business needs.
- Promote commercial and industrial properties available on the City website
- For key properties, explore business opportunities for retail goods and services supported by residents
- Connect and promote visitor-oriented businesses to regional tourism trails, events and opportunities

### **Potential Partners and Resources**

Regional/State Partners are already well established, nurtured relationships: North Marion Business Partnership, Mid-Willamette Valley COG, Business OR, North Marion Tourism Collaborative, Woodburn Chamber of Commerce



# FOCUS AREA: 1

## A VIBRANT ECONOMY & SMALL BUSINESS BASE



The "Pharmacy" redevelopment opportunity site on 3rd Street.



This "after" sketch shows what an economically energized 3rd Street could look like.  
Source: Hubbard Downtown Resource Team Plan from the Oregon Downtown Development Association (ODDA), 2003.

# FOCUS AREA: 2

# A SAFE AND CONNECTED COMMUNITY



## **A Safe and Connected Community where...**

- Public Safety services remain dependable, responsive and strong
- Street and Sidewalk Maintenance are prioritized
- Traffic flow on Highway 99E is improved with minimal congestion

## **Strategies**

1. Maintain excellent pro-active police and fire services
2. Create heightened walkability through an expanded sidewalk network and maintenance
3. Pro-actively seek funding, advocate to ODOT and work with other Hwy 99E communities to address traffic and safety concerns.
4. Improve pedestrian safety through lighting, sidewalks/paths and crosswalks

## **Project Ideas**

- Prioritize sidewalk construction and maintenance
- Increase pedestrian amenities including: walking trails and bike paths, streetlights in public right of way and park spaces, and safer pedestrian crossings.
- Improve Hwy 99E through landscaping/beautification, sidewalks and traffic calming improvements

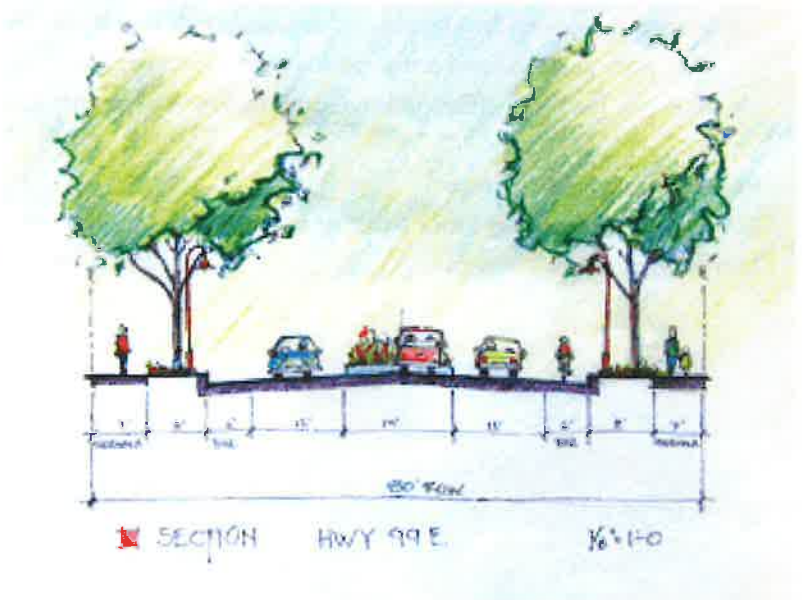
## **Partners and Resources**

City of Woodburn and other North Marion/Highway 99E communities, ODOT, Mid-Willamette Valley COG, Marion County



# FOCUS AREA: 2

## A SAFE AND CONNECTED COMMUNITY



Sketches of proposed improvements are from the 2003 ODDA Resource Team Plan for Hubbard.

# FOCUS AREA: 3

## AN INVOLVED, DIVERSE & CARING COMMUNITY



**YOU  
BELONG  
HERE**

### **An Involved, Diverse and Caring Community where...**

- Residents and businesses know and look out for each other
- We embrace our diversity through intentional cross-cultural activities, community-building and communication
- Many family-oriented and intergenerational activities and events are happening
- Activities to build connections among Hubbard residents and also bring in visitors

### **Strategies**

1. Increase volunteerism opportunities to strengthen community bonds and pride
2. Support seniors and youth
3. Create pathways for involvement and leadership with our Latino and Russian population

### **Sample Project Ideas**

- Work with advocates from the Latino and Russian communities to identify avenues to improve two-way communication, partnership, and increase representation in leadership roles. Organize a Neighbors Helping Neighbors Leadership Program of The Ford Family Foundation
- Build up the value of volunteerism through community action groups and a citywide volunteer portal, listing volunteer events and opportunities throughout Hubbard, Regular park and city-wide clean-up days are an example of how to attract volunteers.
- Engage both area youth and seniors to better understand their needs, interests and services that could support them. Ex: an after-school initiative. Locate other towns that have successful programs.
- Explore what it would take to organize a food bank. Dayton, OR is a good model.

### **Potential Partners and Resources**

The Ford Family Foundation, North Marion School District, Hubbard Senior Center, local churches and community groups





# FOCUS AREA: 4

# A LIVABLE

# COMMUNITY



## **A Livable Community is one that...**

- Grows 'smartly' where infrastructure keeps up with demand
- Has affordable in housing and services
- Has well-promoted and accessible health, recreation and wellness opportunities

## **Strategies**

1. Invest in parks, greenspace and trails throughout town
2. Increase access to healthy foods and wellness programs
3. Invest in infrastructure and transportation to manage growing population

## **Project Ideas**

- Expand an existing business to carry fresh produce, organize a Community Supported Agriculture (CSA) group to support local farmers
- Create a fenced dog park
- Develop a new park east of Highway 99E
- Improve and maintain existing parks with new and updated playgrounds, more trees, and preserved greenways
- Improve bus amenities i.e. coverings for bus stops

## **Partners and Resources**

Oregon Department of Agriculture, Local Harvest nonprofit, SOLVE, The Ford Family Foundation, Marion County, North Marion School District, Hubbard Senior Center, local churches and community groups



# FOCUS AREA: 5

# PLACEMAKING, COMMUNITY PRIDE, IDENTITY



## **Placemaking, Community Pride and Identity means...**

- Creating and promoting a strong identity honoring history, family-orientation, safety
- Encouraging community pride through beautification
- Gathering places and community connections

## **Strategies**

1. Uplift our small-town identity and community pride by highlighting historic assets such as downtown and improving our physical image throughout town
2. Invest in community gathering places that foster social connection
3. Organize/develop more community events

## **Project Ideas**

- Clean-up our historic buildings, businesses and homes; revitalize 3rd Street as historic core and promote to visitors and local residents and revitalize
- Pilot Highway 99E beautification with landscaping and gateway features at the intersection of D Street and 99E
- Develop a community/teen/library/recreation center as a central gathering place for all ages
- Create a community garden to bring people together and fill the need for fresh food
- Encourage placemaking initiatives that increase traffic to businesses: banners, signage, landscaping, Ex: Monthly and Annual 'Spiffy' Awards to businesses for clean-up
- Build out a community event calendar and add more events besides the Hop Festival such as Movies in the Park, Holiday Parade, quarterly Clean-ups, Music on 3rd, ice cream social
- Organize quarterly clean-up events that focus on different parts of town and recognize the community bests—front yard, flowers and plantings, fresh façade, etc

## **Partners and Resources**

Community leaders, SOLVE, churches, Public Works, Oregon Main Street





# FOCUS AREA: 5 PLACEMAKING, COMMUNITY PRIDE IDENTITY



Sketches of proposed improvements are from the 2003 ODDA Downtown Resource Team Plan for Hubbard.

# MOVING FORWARD

## Q IMPLEMENTATION ROLES

Throughout the visioning process, we have worked to instill **a sense of community ownership and investment in Hubbard's future**. This is evident in the Vision and Values statements as well as in the Action Priorities. The City made clear that the Vision document is a valuable tool to guide City investments and, in fact, this is occurring as we finalize the document in Spring 2024.

Another key message of the visioning process was that the **City and community will move farther and faster to implement projects through ongoing collaboration and teamwork**. While City staff will take the lead on many projects – particularly ones around infrastructure and capital improvements, there are ample opportunities for community volunteers and leaders to get things done. Identifying partners and resources outside the City to help move projects forward is also a key part of any project plan.

At the final visioning meeting, participants developed preliminary action plans for 4 key project areas that had emerged as community priorities that can be influenced in the short-term (2024): Clean Up and Beautification, Community Events and Downtown Revitalization. Another priority—developing a park on the east side of Highway 99E—will take a little longer as the property identification and acquisition are time-consuming.

Meeting participants agreed to come back together in two weeks to keep the momentum going.

## Q JUMP-START TIMELINE

To ensure implementation remains timely and relevant developing and refreshing a 90-day or quarterly gameplan is an effective approach. **At the 4th and final Vision planning meeting, participants developed the following jump-start action plans for 3 key projects.**

## Q COMMUNITY EVENTS

Ideas include:

1. Bring back key elements such as Bingo, FFA BBQ, Beer Garden
2. Add more food carts, a historic walking tour
3. Go all-out with PR: banners across streets in the downtown area, signs on Highway 99E, talk with Hubbard Chevy about having access to an underutilized sign they have.



# MOVING FORWARD

## Q COMMUNITY EVENTS, CON'T

Other Community Events that are under development include:

- A historic walking tour the evening of the Summer Solstice, June 21
- Movies in the Park – 2x this summer
- National Night Out – make it bigger: ideas are to have a community BBQ in the park, show movie Zootopia.

## Q CLEAN UP & BEAUTIFICATION

By June 30th, we will host a **Spring Clean-Up** with help from Republic Services. This event will jump-start ongoing clean-up activities in key parts of town. The goal is to identify a fixed date annually (Earth Day?) for an All-Hubbard Clean-Up and Dumpster Day. Develop a habit of regular beautification and cleaning.

- **Pick 4 dates this spring/summer for targeted clean-ups**
- Select specific areas: parks, Downtown, yards, Highway 99E, public spaces
- **Use the landscape planters** the City got from Woodburn to put flowers and plants out in strategic locations. **Make sure there is a plan for summer watering!**
- Promote Promote Promote these volunteer opportunities to the whole community and **create a Volunteer Task List for each day and on the City website**
- Publicize results through online videos and photos. Include volunteer recognition/Spiffy Awards



# MOVING FORWARD

## Q DOWNTOWN REVITALIZATION

By June 30th, we will develop a **downtown entry sign** to promote the historic downtown and its businesses

- Focus first on simple visible improvements such as:
- **Stringing party lights down the main corridors.** (Willamette District, West Linn noted as examples)
- Have a **downtown targeted spring clean up day** in conjunction with overall Hubbard beautification efforts. Get out the power washer and weed eater; clean windows, remove old signs, add flowers for a visual uplift,
- **Reach out to professional landscape architect with downtown experience (EX. David Dougherty, DLA,).** **To begin,** conduct a walk-around assessment and get advice on simple streetscape/landscape improvements downtown and get a design vision for a plaza plan for the gravel lot(s) on 3rd Street adjacent to Bistro.

## Q KEEPING THE PLAN ALIVE!

Several tactics are recommended for ensuring the Vision plan is a guiding tool for City and community decisions and developments:

- **Keep the plan document handy and top-of-mind at City Council meetings with quarterly reporting of progress.**
- **Keep the Vision in a prominent location on the City website with a copy at the front desk.** Ensure project action team meetings occur at least monthly. Advertise these to the whole community to recruit new volunteers.
- **Create a page on the City website and through other channels (Mayor's newsletter, social media) that promote Current and Action Projects and Volunteers Wanted!** A list of project tasks, volunteer activities/dates/work parties, and celebrations should ideally be updated every month. With photos, recognize volunteers who are the movers and shakers in making things happen!
- **At the start of each calendar year, hold a Vision Celebration and Refresh town hall meeting.** At that time, share accomplishments, progress and next steps; recognize and honor volunteers; and from the Vision document, choose the top 3-5 action priorities for the next calendar year. Identify any new projects that may have emerged in the prior 12 months.

# APPENDICES

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# PLANNING & REFERENCE DOCUMENTS



The consulting team reviewed and incorporated relevant information from the following documents into the Hubbard Vision planning process:

- Hubbard Comprehensive Plan, 2013
- Hubbard Downtown Revitalization Report, 2003
- Marion County Strategic Plan, 2023
- North Marion Tourism Collaborative Strategic Plan
- WES Commuter Rail Expansion documents
- Marion County Economic Development Strategy
- Economic and Demographic Data 2023, ESRI Business Information Solutions

# SURVEY AND MEETING RESULTS



## **TOP PRIORITIES IDENTIFIED FOR CHANGE AND IMPROVEMENT IN HUBBARD**

Picture a healthy, successful Hubbard in 2035... What would you like to see or how would you like Hubbard to be? Please share specific ideas.

### **Project Ideas** (*You said it!*)

#### **Focus Area 1: VIBRANT ECONOMY & SMALL BUSINESS BASE**

1. Actively recruit more small business – restaurants, grocery, bank, medical
2. Main Street & Downtown Development
3. Uphold codes and work with owners to make properties more polished
4. Business and directional signage on 99E
5. Keep commercial rents manageable/help existing businesses stay in town
6. Business promotion/branding/events that drive traffic to business

#### **Focus Area 2: SAFE & CONNECTED**

##### **STREETS, SIDEWALKS, Pathways**

1. More Sidewalks
  - From Hubbard to Woodburn
  - On walkways to schools
  - Downtown areas
  - On 99E
  - G Street sidewalk up to the railroad tracks and over
2. Sidewalk Maintenance
  - Fix existing sidewalks
  - Widen sidewalks
  - Safer pedestrian crossings

# SURVEY AND MEETING RESULTS



## **Focus Area 2: SAFE AND CONNECTED, CON'T**

3. Walking Trails & Bike Paths

4. Road Maintenance

### **HIGHWAY 99E Improvements**

1. Expand lanes on 99E

2. Beautification of 99E

3. Traffic calming measures

4. Business access road parallel to 99E

5. Consider a by-pass for 99E now before the city grows

6. Better developments between 99E and railroad

### **LIGHTING & PUBLIC SAFETY**

1. North Marion police district

2. More streetlights

- Public right of way, the park, west place



# SURVEY AND MEETING RESULTS



## **Focus Area 3: INVOLVED, DIVERSE AND CARING COMMUNITY**

1. Community food bank
2. Community church
3. More help for senior citizens like Meals on Wheels
4. Increase Fire Department presence & volunteer opportunities
5. Police presence 24/7
6. Increase Latino representation (we're 40% Latino but not represented)
  - initiatives to welcome and include the perspectives and voices of Latinos in our vision and planning; two-way communication
  - Community partnerships, to embrace our diversity
7. Build up the value of volunteerism through community action groups and a citywide volunteer portal ex: action teams to help clean up and beautify our town
8. Explore an after-school initiative that involves community youth and engages with the senior population

# SURVEY AND MEETING RESULTS



## **Focus Area 4: A LIVABLE COMMUNITY**

### **1. PARKS & GREENSPACE**

- More park & greenspace areas
- Enforcement at parks
- Fenced Dog Park
- Park on eastside of 99E
- Improvements & maintenance like.....
  - Updated toddler play area at Rivenes Park
  - New playgrounds
  - Replace old/diseased trees
  - Preserve greenway - more like a park
  - Planters/plantings
  - More trees

### **2. HEALTH & FOOD ACCESS**

- Farmers market
- Grocery Store

### **3. INFRASTRUCTURE / TRANSPORTATION**

- Storm water & wastewater
- Make more visible and better coverings for the bus stop.
- More bus transportation
- Quiet zone for trains

### **4. AFFORDABLE HOUSING**

- Single family neighborhoods
- Limit new residential construction
- More housing is needed

# SURVEY AND MEETING RESULTS



## **FOCUS AREA 5: PLACEMAKING, COMMUNITY PRIDE AND IDENTITY**

### **1. IDENTITY & COMMUNITY PRIDE**

- Keep and improve historic buildings, homes, district
- Keep the small town feel
- Marketing/Branding
- Improve/enhance historic buildings and homes-- Bring back the historical appearance of the old farming community similar to Orenco Station and/or Sisters
- Downtown- Restore 3rd Street (Front Street)
- Create gateway to town

### **2. COMMUNITY GATHERING & SOCIAL CONNECTIONS**

- Develop library/community/recreation center as central gathering place
- Teen center- places for kids after school, teen community garden
- Theater
- Reader Board for communication

### **3. WAYFINDING/SIGNAGE**

- Better signage for all the dead-end streets!
- Business signage
- Hwy 99E signage - gateway

### **4. EVENTS/ACTIVITIES**

- Adopt holiday parade as a city event
- More structured events besides Hop Fest that bring the community together
- Spring/summer/fall events coordinated with the city



# SURVEY AND MEETING RESULTS



## FOCUSING ON PRIORITY PROJECTS

If you had a magic wand, what one or two priority actions or initiatives would you like to see Hubbard tackle now to improve the town?

### January 18th Town Hall Meeting Results

- Vibrant Economy - #1 Downtown Revitalization; #2. Business Promotion, Branding, Events
- Safe & Connected - #1 Sidewalks, Streets, Paths; #2. Highway 99E Improvements
- Involved, Diverse, Caring Community - #1 Increase cross-cultural collaboration/representation; #2 Increase citywide volunteerism
- Livable Community - #1 Fenced dog park; #2 Park east of Hwy 99E
- Placemaking, Pride - #1 Community Gathering Places; #2 Community Identity/Price

Below are the common top priorities that both meeting and survey participants shared:

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• COMMON PRIORITIES:<ul style="list-style-type: none"><li>◦ Support small business + expansion</li><li>◦ Downtown revitalization</li><li>◦ Sidewalks</li><li>◦ Parks and greenspace</li><li>◦ Community gathering places</li></ul></li></ul> | <ul style="list-style-type: none"><li>• ADDITIONAL PRIORITIES IN EITHER SURVEY OR TOWN HALL:<ul style="list-style-type: none"><li>◦ Cross cultural connection and leadership (town hall)</li><li>◦ Food Bank (survey)</li><li>◦ Help for seniors (survey)</li><li>◦ Citywide volunteerism (survey)</li><li>◦ Healthy food access (survey)</li><li>◦ Community events/activities (survey)</li></ul></li></ul> |
|--|--|

# STAKEHOLDER INTERVIEW RESULTS



## **BUSINESS CONVERSATIONS: INSIGHTS**

Over 70 businesses were interviewed or participated in focus groups. Top-line themes, quotes and an overall assessment of the local business climate follow.

- Hubbard has businesses that have been in operation from 2 years all the way up to 87 years! (3rd gen business!) Several have been operating for decades (10-20 years).
- The majority are eager to connect with the City and each other. Greater communication and connection are top desires.
- Fear that new business development will raise rent prices and force out current small businesses.
- Downtown businesses need an advocate to support branding, marketing and awareness building.
- Concerns of the City growing too fast and making traffic on Hwy 99E worse than it is.
- Downtown revitalization has been on the docket for a while, but the needle hasn't moved. We're ready!

# STAKEHOLDER INTERVIEW RESULTS



"The more business the better...we become a bigger attraction for customers and keep local people and shopping working at home."

"The City of Hubbard could improve in getting more involved with small businesses. Getting to know them and what they do, that way this would help understand business needs."

*"Hubbard is a great community, the police officers do their job. Whatever they are doing, they are doing right!" - referring to the City and Police*

"Growth is good, but it needs to be managed wisely."

"An expanding population doesn't necessarily help local businesses unless intentional efforts are made to promote the local economy."



# STAKEHOLDER INTERVIEW RESULTS



## Business Climate: Assets and Challenges

Assets	Challenges
<ul style="list-style-type: none"><li>• <b>LOCATION</b><ul style="list-style-type: none"><li>• Excellent convenient location to major highways and between two metro areas; gives business access to large labor shed</li></ul></li><li>• <b>BUSINESS-FRIENDLY</b><ul style="list-style-type: none"><li>• City &amp; Police Depts who are helpful and supportive</li><li>• Local partner and association support</li></ul></li><li>• <b>INDUSTRIAL PARK</b></li><li>• <b>SMALL BUSINESS GROWTH</b><ul style="list-style-type: none"><li>• New businesses and property owners bring economic vitality and demonstrate confidence in the future of Hubbard</li></ul></li></ul>	<ul style="list-style-type: none"><li>• <b>MARKETING</b><ul style="list-style-type: none"><li>• Absence of local business marketing effort</li></ul></li><li>• <b>BUSINESS MIX MAY NOT ADDRESS RESIDENT NEEDS</b><ul style="list-style-type: none"><li>• Multiple business clusters</li><li>• Numerous used car dealerships, car repair &amp; storage facilities, Lack of retail selection</li><li>• Bedroom community</li></ul></li><li>• <b>BUSINESS REGULATION</b></li><li>• <b>KNOWLEDGE &amp; RESOURCE SHARING WITH BIZ OWNERS</b><ul style="list-style-type: none"><li>• E.g., Limited knowledge/info about housing project and business support services. Connect 1 on 1</li></ul></li></ul>

# MEETING PRESENTATIONS



The following Visioning PowerPoint presentations are available from the City of Hubbard Visioning page.

- Meeting 1: November 28th, 2023-Hubbard Vision 2035 Project- What's your Vision? What are your Values?
- Meeting 2: January 18th, 2024 - Where are we now? Community Assessment and Survey 1 Results
- Meeting 3: February 28th, 2024—Where is Hubbard going? From Visioning to Action
- Meeting 4: March 21st, 2024- Implementing Hubbard's Vision? Jump-starting Action







## CITY OF HUBBARD, OREGON

### Goal-Setting 2022-2023

REVISED MARCH 2022

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#### The City of Hubbard SWOT: Strengths, Weaknesses, Opportunities, Threats

*Starred items = Priorities for this planning cycle*

##### Strengths

- **Identity as a small town with history, livability, & safety.** There are many longtime residents. People know and help each other. Care shown for all residents.
- **Location.** Proximity to large urban areas & I-5. 205, 99-E&W, an international airport. A major highway brings people through town.
- **Dedicated, capable employees** who go above and beyond what is asked of them.
- A cadre of **involved & helpful citizens.**
- **Solid law enforcement** that is interactive with the community.

##### Potential Opportunities

- Assess & enhance **competitiveness as a housing or visiting destination.**
- Leverage our **annexed area.**
- ★Obtain **grants and matching funds.**
- Increase **team effort within the City.**
- Provide **contract policing services** to other Marion County cities.
- ★Update **systems:** water, roads, sidewalks.

##### Weaknesses

- **Size limits type of businesses that come to Hubbard.** Limited area in which to expand the urban growth boundary.
- ★**“The city looks neglected.”** Old streets are narrow with limited parking; potholes, cracked sidewalks need fixing but require funding.
- **“Growing pains.”** More housing will require more land, water & infrastructure capacity; while increasing taxes is difficult with 40% below the poverty threshold.
- **Communication among staff and council is difficult under the “weak mayor” framework.** No single individual is accountable to maintain the web of communication.

##### Potential Risks/Threats

- **Financial uncertainty due to Covid-19.**
- ★**Aging water system and other infrastructure.** Citizens are sensitive to water rates increases, even in cases where it is functionally necessary.
- **EOCs at Fire Hall and City Hall are both vulnerable to a train derailment.**

## **City of Hubbard: Vision for the Future**

*This statement of a vision for the city was compiled based on council discussion and citizen input provided at council meetings.*

- Hubbard retains the small-town feel that residents appreciate and value.
- Hubbard has civic amenities that residents want and engage in. *Amenities could include:*
  - ⇒ Paths and sidewalks that provide greater walkability.
  - ⇒ A Community Center and other vibrant community gathering places.
  - ⇒ Preserved historic architectural heritage.
- Community events bring people out to engage in the city and bring the community together. *Events could include:*
  - ⇒ A reprise of National Night Out.
  - ⇒ Expansion of the Farmers Market.
  - ⇒ Movies in the Park, wine tours, pub crawl.
- Infrastructure is up-to-date and well-maintained.
  - ⇒ Improved, up-to-date water and effluent infrastructure and capacity.
  - ⇒ Streets and sidewalks in good repair.
  - ⇒ Traffic impacts managed for safety and livability.

## **Strategic Priorities for the City of Hubbard in 2021 - 2022**

*Based on council and staff discussion the following strategic priorities were identified. The list includes completion or continuation of existing priorities and initial stages of new priorities.*

- ⇒ Complete preparation on the construction bid for a **water system upgrade**.
- ⇒ Inventory the needs for **street and sidewalk repair**, determine incentives and budget, and begin work as feasible based on budget and participation in incentives.
- ⇒ Complete **City Hall revitalization**.
- ⇒ Complete **G St. revitalization**.
- ⇒ Complete **5<sup>th</sup> St. paving and sidewalks**.
- ⇒ Determine **opportunities for new funding mechanisms** such as grants and matching funds.
- ⇒ Inventory available properties and determine costs for an **east side park**.
- ⇒ Coordinate with the MWCOG on **3<sup>rd</sup> St. revitalization**.
- ⇒ Anticipate and plan for **community involvement** in city decision-making.

## **Goals & Milestones for 2021 - 2022**

*The following page illustrates Council's priorities for 2021–2022 and anticipated milestones along a timeline.*

## Goals with Major Milestones

Timelines and milestones will be reviewed by city staff and may be periodically revised due to circumstances and capacity.

GOALS	MAJOR MILESTONES							
	1 <sup>st</sup> QTR 20/21 (July-Sept 2020)	2 <sup>nd</sup> QTR 20/21 (Oct-Dec 2020)	3 <sup>rd</sup> QTR 20/21 (Jan-Mar 2021)	4 <sup>th</sup> QTR 20/21 (Apr-June 2021)	1 <sup>st</sup> QTR 21/22 (July-Sept 2021)	2 <sup>nd</sup> QTR 21/22 (Oct-Dec 2021)	3 <sup>rd</sup> QTR 21/22 (Jan- Mar 2023)	Outyear Priorities
Water System Upgrade	Plans drawn up and cost-per-\$1000 known	If "Go"  If "No Go" →	Community engagement begun  →	Bond goes to vote  →	If bond passes, →  →	Bond developed  →	Ready to go for construction bid	Complete System Upgrade completed
Street & Sidewalk Repair		Homeowner and overall city needs inventoried	Incentives determined	Goals revisited in light of budget	Work begun as financially feasible			Repairs prioritized and phased-in
City Hall Revitalization		DONE						
G St. Revitalization		DONE						
5 <sup>th</sup> St. Paving & Sidewalk		DONE						
New Financing Mechanisms	Council info session & discussion held	Opportunities identified in conjunction with MWVCOG	Opportunities pursued	→	→	→	→	New financing mechanisms in place, leveraged
East Side Park			Available properties inventoried and costs known	(If availability and costs feasible) Path forward determined	→	→	→	TBD based on availability and feasibility
3 <sup>rd</sup> St. Revitalization		Council discussions begun	COG/City coordinate. Plan established					Revitalization plan implementation phased in
Community Involvement	-----Involvement addressed in a focused session once per year, and as city initiatives require-----							



## **November 2, 2021 City Council Review and Update**

During the special City Council goal review November 2, 2021, City Council took the time to review the status of the previous goals and define any new goals. The primary goals for the city as defined by the City Council and agreed to by the Department heads for 22/23 budget cycle include:

1. Continue efforts on Water System Upgrade.
2. Sidewalk replacement through revised incentive program. Incentives to be defined/reviewed during 22/23 budget cycle.
3. Create and ratify a development code for building aesthetics in the commercial district.
4. Budget for a Comprehensive Building Plan update

<b>Goals</b>	<b>Nov'21 Status</b>	<b>Comments</b>
<b>Water System Upgrade</b>	<b>In Progress</b>	Currently working on Water Management Plan. Engineering efforts are starting as of Feb'22, funding sources being explored with American Rescue Plan funds and Federal Infrastructure grants being granted by Oregon. These funds, along with existing project savings should minimize any need for additional funding through a Bond. Current projection is to have construction started within a year.
<b>Street and Sidewalk repair</b>	<b>In Progress</b>	Sidewalk inventory and condition survey completed and reviewed in the Feb'22 City Council meeting. Request to update incentive program will be taken up during the 22-23 budget cycle planning.
<b>City Hall Revitalization</b>	<b>Completed</b>	Additional upgrades will be required in the future, but revitalization efforts that were budgeted and planned for have been completed.
<b>G St Revitalization</b>	<b>Completed</b>	Efforts completed Fall '21.
<b>5<sup>th</sup> St Paving and Sidewalk</b>	<b>Completed</b>	Working with ODOT for permitting.
<b>New Financing Mechanisms</b>	<b>On Going</b>	PW continues to seek out grants and new funding opportunities. See update included in the Water System Upgrade.
<b>East Side Park</b>	<b>Not Started</b>	No progress to date. PW has requested a review and update of the City's Park Master Plan
<b>3<sup>rd</sup> St Revitalization</b>	<b>Not Started</b>	No Progress to date, but discussion in Oct '21 City Council meeting did indicate a desire of the City Council to see development guidelines for building aesthetics and designs to be developed and approved.
<b>Community Involvement</b>	<b>Not Started</b>	
<b>New Goals Requested Nov'21</b>		
<b>City Building Code - Aesthetics (Commercial district)</b>	<b>New</b>	New request, timeline not defined, but request to have Planning Commission take up effort to bring in a community board for defining the building style/aesthetics for the commercial area.
<b>Comprehensive Building Plan</b>	<b>New</b>	Requesting to include goal to update City Comprehensive Plan. City current will consume our 20-year supply soon and needs to revisit the plan. Should be budgeted in the 22/23 Budget or 23/24 Budget.
<b>Resourcing Plan for growth</b>	<b>New</b>	Request to have City Council work with department heads to outline resourcing levels for predicted city growth.

## Hubbard City Council - Public Hearing Script

April 9, 2024

**MAYOR:** Good evening, my name is Charles Rostocil. I am the Mayor of the city of Hubbard, and I will be presiding over this appeal hearing. This is the time and place set for the hearing in the matter of:

**File # Appeal 2024-01, an appeal to a Planning Commission decision on Major Variance # VAR 2023-01, for a property located at 3664 5<sup>th</sup> Street in Hubbard.**

The hearing is now open. It is \_\_\_\_\_ PM. Oregon land use law requires several items to be read into the record at the beginning of every public hearing. The City Planner will review this material; your patience is appreciated as she goes through these statements.

**City Planner (Holly Byram):** The applicable substantive criteria upon which this case will be decided are found in the Hubbard Development Code (HDC), and will be reviewed in the staff report. Pursuant to HDC 3.204.03, Review by City Council, sub (A) Review on Record, the City Council's review of an appeal on an action by the Planning Commission shall be confined to the record of the initial proceeding. Parties with standing may offer testimony regarding alleged errors in the Planning Commission action.

All testimony and evidence received during this public hearing must be directed toward the approval criteria, or to such other rule, law, regulation, or policy which you believe to apply to this case. An issue which may be the basis for an appeal to the Land Use Board of Appeals shall be raised not later than the close of the record at or following the *final* evidentiary hearing on this case. Such issues shall be raised with and accompanied by statements or evidence sufficient to afford this body, and the parties to this hearing, an adequate opportunity to respond to each issue.

This public hearing will proceed with the staff report and any other comments from governmental agencies that are in attendance; followed by the appellant, and any other parties who established standing by submitting testimony during the initial Planning Commission public hearing. Finally, the applicant will be entitled to a rebuttal period.

Please state your name, physical address, and mailing address clearly for the record before your comments.

If you have documents, maps, or letters that you wish to have considered by this body, they must formally be placed in the record of this proceeding by submitting them to City Staff.

**MAYOR:** With that out of the way, I need to ask the audience and City Councilors a few questions:

1. Does any member of the audience have any objections to the notice that was provided?
2. Does any member of the audience wish to challenge the jurisdiction of the City Council to hear this matter?
3. Does any member of the City Council wish to declare a potential or actual conflict of interest or bias?
4. Does any member of the City Council wish to report any site visits or ex-parte contacts?
5. Does any member of the audience wish to challenge the impartiality or ex-parte disclosures of any member of the City Council?

**MAYOR:** City Planner Holly Byram please give the staff report.

**City Planner (Holly Byram):** [Staff Report]

**MAYOR:** Are there any questions of staff from the City Council before we continue and accept testimony?

**MAYOR:** I will now accept testimony regarding this case.

- Appellant Presentation: Would the appellant or their representative like to speak?
- Other parties with standing: Would any other parties who established standing during the preliminary Planning Commission hearing like to address the identified errors made by the Planning Commission in their decision of this case?
- Appellant Rebuttal: Would the appellant like to address any of the testimony?
- Does the City Council have any clarifying questions for the appellant?

**MAYOR:** Before I close or continue the public hearing, are there any additional questions from the City Council of staff or anyone? As a reminder, once I close the hearing only Councilors or staff may speak.

Testimony is now over. I will close the public hearing at \_\_\_\_\_ PM. I will now entertain discussion on the appeal and/or a motion.

[CITY COUNCIL DELIBERATION AND MOTION]

**MAYOR:** Thank you to everyone who participated in this evening's hearing.



*[If decision was made]*

This decision of the City Council is final unless appealed to the Oregon Land Use Board of Appeals (LUBA) following the appeal procedures provided on the Notice of Decision which will be mailed to all parties to this hearing.

**CITY OF HUBBARD CITY COUNCIL  
STAFF REPORT**

REPORT: April 2, 2024

CC HEARING: April 9, 2024

PC HEARING: February 20, 2024

FILE No.: APPEAL 2024-01 to Major Variance, file #VAR 2023-01

LOCATION: 3664 5<sup>th</sup> Street Hubbard, OR 97032 (Tax lot 041W33AA10600)

APPLICANT: Rodolfo & Maria Arellano, Property owners

ZONE: R1 – Low Density Residential

**APPEAL:** **Appeal of a Planning Commission decision on a Major Variance application to allow parking and driveway in the front yard of an existing house without a garage. The Planning Commission approved a portion of the total variance requested. The applicant’s appeal to the City Council requests a larger variance than what was approved by the Planning Commission, stating that the applicant performed sufficient due diligence before being approved and permitted by City Public Works to construct a the driveway, and challenging the Planning Commission’s interpretation of the definition of “driveway” as applied in their decision.**

**VARIANCE:** The original land use application requested Planning Commission approval of a Major Variance to allow for parking and driveway which overlap the front of an existing house without a garage. The historic gravel driveway was 15 feet wide between the side of the house and the side property line. The applicants requested to extend the parking area in front of the house by an additional 21 feet, for a total parking and driveway width of 36 feet. Hubbard Development Code (HDC) 2.401.10 prohibits parking in front yards. The application states the existing historic location of the house justified a variance to provide sufficient off-street parking for the single-family dwelling. Note: The new driveway was constructed in 2023 with an approved Public Works permit, which may have been issued in error. This variance application seeks to remedy any potential error in that permit.

**CRITERIA:** Hubbard Development Code (HDC) Sections: 1.200 Definitions, 2.101 R1 – Low Density Residential District, 2.203 Off Street Parking and Loading, 2.401.10 No Parking in Front Yards, 3.110 Nonconforming Uses & Structures, and 3.104 Variances. As well as the City of Hubbard Public Works Design Standards.

**EXHIBITS**

- A: Appeal application submitted by the applicants
- B: Variance application submitted by the applicants
- C: Public Works Right-of-Way Permit
- D: Approved Planning Commission hearing minutes, February 20, 2024
- E: City Council Meeting Minutes of October 10, 2023 (related)

## I. PROCEDURE & AUTHORITY

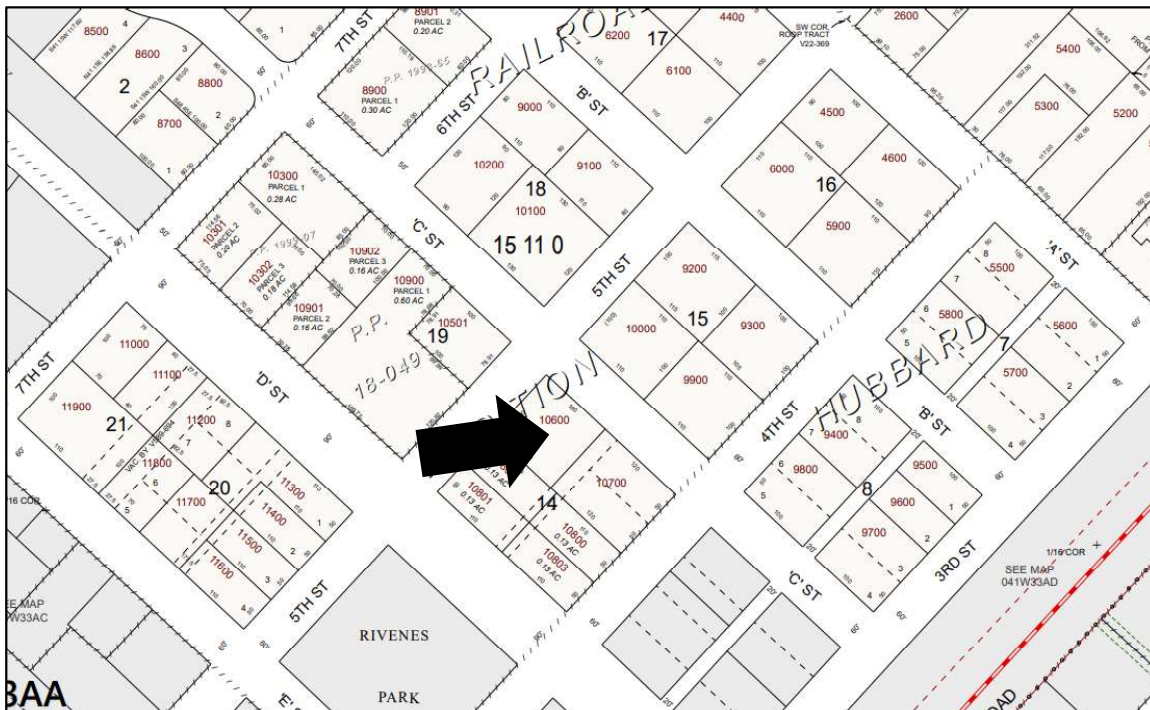
A Major Variance is a Type II Action. A Type II action is a quasi-judicial review in which the Planning Commission applies a mix of objective and subjective standards that allow some discretion. Public notice and a public hearing are provided. An appeal of a Type II decision is to the City Council. Required public notice for a Type II action is a minimum 20-day notice to property owners within 100 feet of the subject property, consistent with HDC 3.202.02.

## II. SUMMARY OF PLANNING COMMISSION LAND USE PUBLIC HEARING

On Tuesday, February 20, 2024, the Hubbard Planning Commission held a duly-noticed public hearing on the Major Variance application. On that evening, staff read the legal script and declarations were performed. Multiple Commissioners declared drive-by site visits. The Planning Commission heard a staff report, staff questions/comments, a presentation from the applicant, and testimony from all interested members of the public in attendance. The applicant was entitled to a rebuttal. After closing the public hearing, the Planning Commission held deliberations. The first motion to allow the full variance request died for lack of a second. **The successful motion passed on a 3-1-0 vote, with the Planning Commission voting to approve a partial variance to allow a total 20-foot wide driveway with parking in the front yard, representing a 5-foot variance, to meet the HDC minimum off-street parking standard of two vehicle spaces for a single-family dwelling, and adopting the findings and recommended conditions of approval contained in the staff report.** The Planning Commission motion pertained only to the parking and driveway overlapping the front of the house on private property, and did not address construction design of improvements within the public street right-of-way.

## III. BACKGROUND

### A. VICINITY MAP (Source: Marion County Assessor Map)



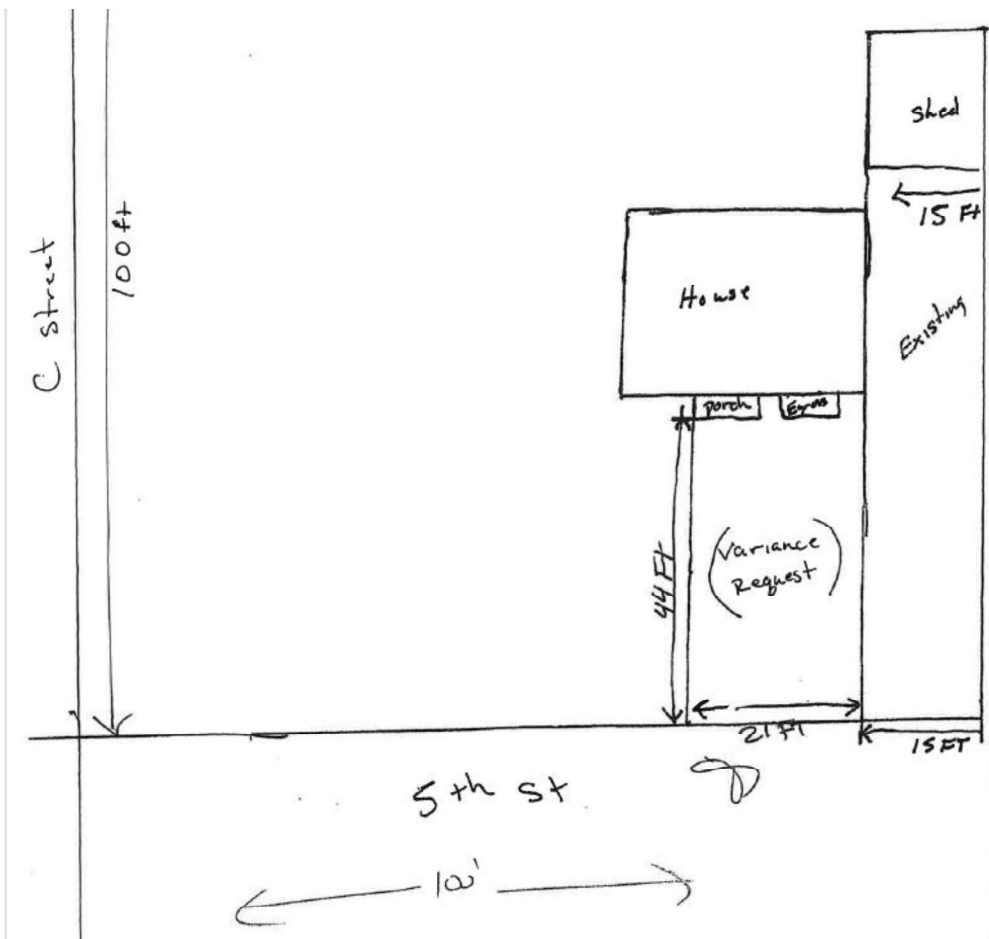
### B. EXISTING CONDITIONS, NEW DRIVEWAY (Source: Google Streetview, image capture June 2023)





### III. PROPOSED DEVELOPMENT

#### A. PROPOSED VARIANCE (Source: Variance application package submitted by applicant)



#### IV. QUICK REFERENCE: DEFINITIONS & STANDARDS

##### A. HUBBARD DEVELOPMENT CODE:

###### 1.200 DEFINITIONS

*Garage, Private: A detached accessory building or portion of a main building used for the parking or temporary storage of automobiles in which no business, occupation or service is provided.*

*Parking Area, Private: An open area, building or structure, other than a street or alley, used for the parking of the automobiles of residents and guests of a building.*

*Parking Space: An enclosed or unenclosed surfaced area, exclusive of maneuvering and access area, permanently reserved for the temporary storage of an automobile and connected with a street or alley by a surfaced driveway which affords ingress and egress for automobiles.*

*Yard: The area defined by setbacks (i.e. between the setback line of the building foundation and the respective property line).*

*Yard, Front: A yard extending across the full width of the lot, between the front portion of a main building and the front lot line. The depth of front yard is the minimum horizontal distance between the front lot line and the nearest point of the foundation of the main building.*

*Yard, Side: A yard, between the main building and side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the foundation of the main building.*

###### 2.100 ZONING DISTRICTS

###### 2.101 LOW DENSITY RESIDENTIAL DISTRICT (R-1)

###### 2.101.05 Development Standards

*All development in the R-1 District shall comply with the applicable provisions of Section 2.200 of this Ordinance. In addition, the following specific standards shall apply:*

*A. Off-Street Parking: The required number of parking spaces and shall be as specified in Section 2.203. Parking requirements for residential units, including "stick-built" and manufactured homes, require the construction of a garage.*

*F. All driveways shall be separated from an intersection by at least 20 feet measured from the property line.*

*G. Yards and Lots. Yards and lots shall conform to the standards of Section 2.209.*

*H. Parking for recreational vehicles, trailers, boats and other similar vehicles shall comply with Section 2.203.10, RV Parking Standards, and the following standards:*

1. Recreational vehicles, trailers, boats and other similar vehicles may be parked in the side yard, rear yard and front yard allowed for each dwelling unit in the driveway area leading to its garage. Also, one additional space shall be allowed in that area in front of the required side yard located closest to the driveway subject to the following conditions:
  - a. The additional space shall not be allowed if it creates a traffic sight obstruction.
  - b. The additional space has an all-weather surface and be drained to prevent standing water.
2. Parking for recreational vehicles, trailers, boats and other similar vehicles may be permitted in other portions of the front yard area subject to review and approval of the Planning Commission in accordance with the Variance procedures of Section 3.104.
3. Recreational vehicles, trailers, boats and other similar vehicles shall not be parked within public rights-of-way.
4. All driveways shall be designed and constructed in conformance with the most current Public Works Design Standards.

2.401.10 No Parking in Front Yard, Yards Adjacent to a Street or Landscaped Areas  
No parking shall be allowed, exclusive of driveways, within the required front yard areas, except as otherwise provided by this ordinance. The side yard and rear yard areas may be used for parking of vehicles unless otherwise prohibited by this Ordinance.

## 2.203 OFF-STREET PARKING AND LOADING

### 2.203.05 Off-Street Automobile Parking Requirements

Off-street parking shall be provided as required by Section 2.203.08 and approved by the Planning Commission in the amount not less than listed below.

Parking requirements for residential units, including "stick-built" and manufactured homes, require the construction of a garage. Manufactured homes located in mobile home parks are required to install either a garage or carport. Accessory dwelling units (ADU) are not required to install a garage or carport.

A. 1, 2, and 3 family dwellings, 2 spaces per dwelling unit  
including manufactured homes

### 2.203.07 Parking and Loading Area Development Requirements

All parking and loading areas shall be developed and maintained as follows:

A. Surfacing. All driveways, parking, maneuvering and loading areas shall have a durable, hard surface. In residential areas and for all residential uses, either a minimum of 2 1/2 inches of asphalt over a 6-inch aggregate base or 4 inches of Portland cement concrete shall be provided. In commercial, industrial, and institutional areas either a minimum of 3 inches of asphalt over a 6-inch aggregate base or 5 inches of Portland cement concrete shall be provided.

B. Size of Parking Spaces and Driveways. The following standards shall apply to all parking areas and driveways:

1. One-way drives shall have minimum improved width of at least 12 feet, exclusive of parking spaces.
2. Two-way drives shall have a minimum improved width of at least 20 feet, exclusive of parking spaces.
3. The minimum width of any parking space shall be 8 1/2 feet, exclusive of driveways.
4. The minimum length of any parking space shall be 20 feet, exclusive of driveways.
5. All parking areas shall be designed and constructed in conformance with the most current Public Works Design Standards.

## B. HUBBARD MUNICIPAL CODE:

15.11.020 Definitions.

(1) "Driveway" means a paved or gravel way that provides access from a public road or other public right-of-way to an abutting property, for the purpose of providing vehicular access to the property.

## C. HUBBARD PUBLIC WORKS DESIGN STANDARDS:

### **DRIVEWAYS: (Private)**

All driveways shall conform to the standard details. Only one (1) driveway drop shall be allowed for each single dwelling unit, except two (2) driveway drops may be approved provided the total drop width does not exceed 36'-0". All driveway drop wings shall be located within the property frontage. Driveway drops, excluding wings, shall conform to the following widths:

Single Dwelling Unit:	36'-0" Maximum Width*	12'-0" Minimum Width
Commercial and Industrial:	36'-0" Maximum Width*	12'-0" Minimum Width (single)
		20'-0" Minimum Width (double)

\*The maximum width shall not exceed 50% of the lot frontage.

Driveways shall meet the minimum separation of 5-feet between residential driveways, 22-feet between commercial, industrial and institutional driveways, and 20-feet between an intersection and local street as measured from the property line. Separation from collector and arterial streets shall be determined on a case-by-case basis with stacking lane length the prime consideration. A traffic study may be required as determined by the City Engineer. Non-residential properties are

CITY OF HUBBARD  
DESIGN STANDARDS - 5



## V. REVIEW STANDARDS & DECISION CRITERIA

The purpose of this section is to assist the Planning Commission in their analysis of the applicable decision criteria for the applicant's request. The following standards and criteria are found in the Hubbard Development Code (HDC).

### *2.100 ZONING DISTRICTS*

#### *2.101 LOW DENSITY RESIDENTIAL DISTRICT (R-1)*

##### *2.101.02 Permitted Uses*

##### *A. Single-family dwelling unit,*

##### *C. Accessory structure or use*

**FINDINGS:** The subject property is zoned R1 – Low Density Residential. It is developed with an existing single-family house and a detached accessory structure in the side yard, which has only a man door facing the property frontage. Marion County property records report the structures were built in 1942. The Accessory structure, labeled “shed” on the applicants’ site plan appears to be sitting on or very near the side property line. No additional development is proposed for the subject property at this time.

The R1 zone development standards in HDC 2.101.05 require compliance with HDC 2.203 Off-Street Parking and Loading Standards. The current off-street parking standards require all new single-family houses (both stick-built and manufactured) to provide a garage. Pursuant to HDC 2.203, a single-family home is required to provide two off-street paved parking spaces in the minimum dimensions of 8.5 ft x 20 ft. each. Further, all driving, parking, and maneuvering areas are required to be paved. The existing house does not meet that standard. The subject property is considered “non-conforming” both because it does not have a garage, and because the existing “shed” accessory structure does not meet the minimum side setbacks. HDC 3.110 Nonconforming Uses and Development allows for the continuation of non-conforming uses and structures which were established legally prior to the adoption of the current standards. For this reason, the property owners are not required to build a garage for the existing house.

The purpose of this variance request is to address the unusual non-conforming circumstances on the property in relation to the applicant's desire to pave a driveway and parking which overlaps the front of the house, where no garage exists. Based upon the following findings and the City Attorney's comments, staff's understanding is that a driveway connects parking (typically a garage) to the street, and no parking is allowed in the front yard, so any parking or driveway which overlaps the front of the house requires a Variance from the Planning Commission. In this case, a 15-foot section of the driveway width is located between the side of the house and the side property line in the historic driveway alignment, and a 21-foot section of the driveway width overlaps the house (in the front yard). This qualifies as a Major Variance, subject to the decision criteria in HDC 3.104, as follows.

### *3.104 VARIANCES*

#### *3. 104.03 Criteria and Procedure – Major Variance*

*The Planning Commission may allow a variance from a requirement or standard of this Ordinance after a public hearing conducted in accordance with the Type II review procedures provided that*

*the applicant provides evidence substantiating all the following and affirmatively answering the questions:*

*A. Does compliance with the applicable requirement or standard of the Ordinance create a hardship due to one or more of the following conditions?*

*1. The physical characteristics of the land, improvements, or uses are not typical of conditions in the zoning district and such physical characteristics do not result from the negligent or knowing violation of this Ordinance by the applicant.*

*2. If the standard or requirement is applied, the applicant is not granted the preservation or enjoyment of a substantial property right possessed by other property owners in the same vicinity or district.*

*3. Compliance with the requirement or standard would eliminate a significant natural feature of the property.*

**APPLICANT RESPONSE:** “All other neighbors have driveways that are wide enough to allow the parking of two cars side by side. Applicant’s house was built long enough ago that without the variance he would not be able to do so. The variance request does not come based on negligence. Applicant received public works and city approval to allow the construction of a driveway in front of the property. Applicant believed there was not issue with his plan.”

**FINDINGS:** The property owners initially approached the City of Hubbard for a Public Works permit to construct a paved driveway approach to 5<sup>th</sup> Street, where previously there was only a single car width mostly-unimproved gravel approach. Public Works reviewed the permit and found that the proposed approximately 36-foot wide driveway met the maximum 36-foot standard as well as the maximum 50% of frontage width standard, and so the driveway was approved in June of 2023. Construction began soon after. Once the driveway was framed for construction, a neighboring property owner reached out to the City with concerns about parking in the front yard, which is prohibited by HDC 2.401.10. While most residential driveways connect a garage or carport to the street, Hubbard Development Code was not specific in its definition for “driveway” in such a unique non-conforming situation, when no garage exists.

*2.401.10 No Parking in Front Yard, Yards Adjacent to a Street or Landscaped Areas*  
*No parking shall be allowed, exclusive of driveways, within the required front yard areas, except as otherwise provided by this ordinance. The side yard and rear yard areas may be used for parking of vehicles unless otherwise prohibited by this Ordinance.*

While the HDC does not specifically list “driveway” in the definitions section, the Hubbard Municipal code does, as follows:

*15.11.020 Definitions.*

*(1) "Driveway" means a paved or gravel way that provides access from a public road or other public right-of-way to an abutting property, for the purpose of providing vehicular access to the property.*

In the definition of parking space, the Hubbard Development Code implies that a driveway connects parking spaces to the street.

*Parking Space: An enclosed or unenclosed surfaced area, exclusive of maneuvering and access area, permanently reserved for the temporary storage of an automobile and connected with a street or alley by a surfaced driveway which affords ingress and egress for automobiles.*

There are a number of historic homes in the older neighborhoods of Hubbard where the existing structures do not meet current adopted standards. In the past few years the Planning Commission has approved a couple variances in the immediate vicinity of the subject property to give some relief to property owners to continue to use the non-conforming situations while still attempting to meet the intent of the code where feasible. In this particular case, the applicants are not able to provide the minimum off-street parking required in HDC 2.203 due to the lack of garage and proximity of the existing house to the side property line. The built conditions on the property prevent the property owners from meeting the off-street parking minimum of two spaces, which is met by most other properties in this area.

*B. Strict adherence to the requirement or standard [is] unnecessary because the proposed variance will reasonably satisfy both the following objectives?*

- 1. Granting the variance will not create significant adverse affects to the appearance, function or safety of the use or uses on the subject property, and*
- 2. Granting the variance will not impose limitations on other properties in the area, including uses, which would be allowed on vacant or undeveloped properties.*

**APPLICANT RESPONSE:** "Applicant has invested substantial money to pour stamped concrete to make the driveway look nice. Additionally, others driveways face applicants property. Additionally the driveway is a small portion of the overall property and does not detract from the overall look of the area. Granting the various will not have an effect on the other properties in the area. Additionally, the area requested for the various is better situated for keeping the natural beauty of the lots as it required less concrete."

**FINDINGS:** The intent of HDC 2.401.10 No Parking in Front Yards is to regulate the appearance and function of neighborhoods as primarily residential in nature first and foremost, rather than dominated by vehicle parking lots. Granting the full variance of 21-feet of parking area with driveway in front of the house would impact the appearance of the residential property appearance, and potentially function with multiple vehicle spaces backing out into the public street right-of-way which currently lacks a sidewalk. Granting the full variance requested could have adverse impacts.

*C. Approval of this application allows the property to be used only for purposes authorized by the zoning district?*

**APPLICANT RESPONSE:** “The property is a residential property, granting of the various allows parking of vehicles and prevents the need to park on”

**FINDINGS:** The existing primary use of the property as a single-family dwelling is not proposed to change. As previously discussed, this is an outright permitted use in the R1 zone.

*D. If approved, is the application still in compliance with the policies?*

**APPLICANT RESPONSE:** “There are no known conflicts with the comprehensive plan. Additionally, the ordinance 2.401.10 does allow parking in the front yard if it is on a driveway, which it is now. Therefore it is questionable whether a variance is needed”

**FINDINGS:** This application addresses a variance for parking in the front yard, meaning parking spaces and associated driveway that overlap with the front of the house. This application does not address construction standards. No variance was submitted for construction design standards. It has been observed that the existing driveway is stamped concrete both on the private property and within the 5<sup>th</sup> Street public right-of-way. It is staff’s understanding that stamped concrete does not meet the public design standards for the portion of driveway approach within the public right-of-way. This was a topic of discussion by the City Council in their regular meeting of October 10, 2023. Those minutes are attached in Exhibits to this staff report. Following that meeting, estimates to correct the work were collected, and City staff were going to assist in locating the property line. HDC 2.203 Requires all off-street parking to be developed to the current Public Works Design Standards. Staff defers to the Public Works Department to work with the applicant through that applicable permitting process.

**SUMMARY OF CITY ATTORNEY RESPONSE:**

*The code defines “Yard, Front” as: A yard extending across the full width of the lot, between the front portion of a main building and the front lot line. The depth of front yard is the minimum horizontal distance between the front lot line and the nearest point of the foundation of the main building.*

*By this definition, the entire area across the front of the property between the front of the house and the property line is the “front yard.” Section 2.401.10 then prohibits parking on the front yard, “exclusive of driveways.” When I read these two provisions together, I think the only improvements allowed in the front yard is the driveway; parking is not allowed at all. There are other provisions that, while not directly applicable, seem to confirm this reading. For example, 2.209.4 strictly limits projections from the dwelling into the front yard. It seems unlikely the city would have intended to prohibit any significant projections from the house but allow nearly the entire front yard be paved for parking. Similarly, 2.402.06 provides miscellaneous exceptions to the front-yard setback requirements, including a “porch, terrace or patio,” which may intrude 2.5 feet into the front yard but can’t be closer than 10 feet to the front property line. Again, it seems unlikely the city would have prohibited these structures within 10 feet of the property line but allowed paved parking.*



*With that understanding, the only vehicular improvement allowed in the front yard is a driveway. Which gets us back to your comment about the lack of a definition. Although it is not part of the development code, the city code, section 15.11.020, defines a “driveway” as “a paved or gravel way that provides access from a public road or other public right-of-way to an abutting property, for the purpose of providing vehicular access to the property.” This definition does not apply directly because it is not part of the development code, but it certainly provides guidance on how the city may define the same term in the development code. If the city interprets the term “driveway” in the development code to be a path that provides access from the street to the private parking, then most of the improvements seen in the photo would not qualify. If we assume, as we must, that parking is prohibited in the front yard, then the only parking is along the side of the house and the improvements in the front yard cannot reasonably be understood to be the driveway for parking along the side of the house...*

Christopher D. Crean  
Beery Elsner & Hammond LLP

1804 NE 45<sup>th</sup> Avenue  
PORTLAND, OR 97213  
t (503) 226-7191 | c (503) 347-9863  
[www.gov-law.com](http://www.gov-law.com)

## VI. CONCLUSIONS & DECISION

Based upon the findings contained in this report, Staff and the Planning Commission concluded that a variance is required for any parking within the front yard which overlaps the front of a house without a garage. The subject property experiences unique circumstances due to the historic development, which prevents the property owners from meeting the minimum off-street parking standards in HDC 2.203 of two vehicle spaces for the single-family dwelling. Pursuant to the same section of the HDC, all parking, driving, and maneuvering areas are required to be paved to Public Works Design Standards, and minimum parking space dimensions are 8.5 feet x 20 feet. Staff and the Planning Commission supported a Major Variance to allow for the parking of two vehicles, which is approximately a width of 20 feet, requiring a variance of 5 feet of parking and driveway improvements in the front yard, overlapping the front of the house.

The Planning Commission approved a Major Variance to give the applicant relief to the historic built conditions, in order to meet the intent of the off-street parking standards, but not to the full extent requested (and built) by the applicant. The approved variance was 5 feet into the front yard, for a total parking and driveway width of 20 feet, rather than the full variance request of 21 feet overlapping the front of the house, for a total parking and driveway width of 36 feet.

## **VII. CONDITIONS OF APPROVAL**

A. PERMITTING: Applicant shall work with the Hubbard Public Works Department for permits to perform construction within the public right-of-way.

B. CONSTRUCTION STANDARDS: It is the responsibility of the applicant to obtain copies of and be familiar with all applicable codes and standards, including the Hubbard Public Works Design Standards, and/or Marion County Driveway Design Standards, where applicable.

C. EXPIRATION OF APPROVAL: Variance approval shall be effective for a period of two (2) years from the date of approval. If the variance request has not been implemented within the two (2) year period, the approval shall expire. Variance approval shall be voided immediately if the use established on site does not substantially conform to the approval granted by the Planning Commission. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant one (1) additional extension for a period not to exceed one (1) year pursuant to the criteria and procedures in HDC 3.104.05.

## **VII. CITY COUNCIL OPTIONS**

A. Motion to UPHOLD the Planning Commission decision to APPROVE a partial 5-foot portion of the total 21-foot variance requested with Major Variance file #VAR 2023-01, and adopt the findings and conditions of approval contained in the Staff Report, as presented to the City Council.

B. Motion to REVISE the Planning Commission decision, to APPROVE the full 21-foot variance requested with Major Variance file #VAR 2023-01, and adopt the findings and conditions of approval contained in the Staff Report, as REVISED by the City Council to state:

“The applicants performed their due diligence sufficiently to secure driveway approval from the City Public Works Department for the right-of-way permit. Staff should have directed the applicant to proceed with a variance application and request approval from the Planning Commission before the installation of the driveway and parking in front of the house.”

C. Motion to REVISE the Planning Commission decision as otherwise desired by the City Council, and adopt the findings and conditions of approval contained in the Staff Report, as REVISED by the City Council, stating the desired revisions.

D. Motion to REVERSE the Planning Commission decision, to DENY Major Variance file #VAR 2023-01 with amended findings that the application does not meet the applicable approval criteria.

E. Motion to CONTINUE the public hearing, to a date and time certain, stating what additional information is needed to determine whether applicable standards and criteria are sufficiently addressed. Note: This hearing may only be continued if the applicant consents to sign a waiver to the 120-day timeclock limit on local land use decisions.

**EXHIBIT A:**

**APPLICATION MATERIALS SUBMITTED BY APPLICANT**

RECEIVED

MAR 11 2024

CITY OF HUBBARD

EXHIBIT A

APPEAL APPLICATION

CITY OF HUBBARD

Appeal 2024-01  
FILE: 2024-01  
DATE: 3/11/2024  
FEE: waived per CA  
RECEIPT NO: \_\_\_\_\_

APPLICANT: Rodolfo Arellano PHONE: 503 710 6129

ADDRESS: 3663 5th st. Hubbard OR 97032

OWNER(S): Rodolfo ad Maria Arellano PHONE: same as above  
(If different from above)

ADDRESS: \_\_\_\_\_

REQUEST: Overturning of denial of major variance request on file number #VAR 2023-01 or determination that  
Development code 2.401.10 does not apply to parking on driveways in the front yard.

PROPERTY DESCRIPTION:

ADDRESS: 3663 5th St. Hubbard OR 97032

MAP PAGE AND TAX LOT NO: 04 1W 33AA MTL# 041W33AA10600 ZONE: Residential

CURRENT USE/STRUCTURES: Single Family Residence SQUARE FOOTAGE OF SITE: 1,000

IS THE SITE OF HISTORIC SIGNIFICANCE? No

LAND USE FILE INFORMATION:

LAND USE FILE NUMBER(S): #VAR 2023-01

DATE OF PLANNING COMMISSION HEARING: February 20, 2024

DATE OF NOTICE OF DECISION: February 27, 2024

APPEAL PERIOD: 12 days

SUBMITTAL REQUIREMENTS:

1. State the alleged errors of the City staff decision or in the Planning Commission action based upon the approval criteria or any other local, state, or federal regulations that applied to the application.

See attached



The application at issue was for a major variance from Code 2.401.10. Under city code a variance is a grant of relief from certain zoning requirements when a strict application of the requirements for lot width, lot depth, lot area, building height setback, access or other dimensional requirements in any zoning classification would cause an undue or unnecessary hardship.

Here, I went through the appropriate channels and received city approval to pour my driveway as seen on the attached Map marked Exhibit A. I applied for a driveway 36 feet wide, which is allowed by city code. In my application and approval, the city never indicated stamped concrete was not allowed, or that the finish needed to be brushed. I have looked through the city code, and city code is silent on that issue.

Ultimately, the city approved my plan, and provided me Approval #2023-26, and their approval is attached as Exhibit B. I submitted all paperwork I needed to be approved to pour the driveway. In talks with the city I made it known I intended to use stamped and painted concrete. Relying on the city's approval, I poured my driveway, and to enhance it I did use stamped and painted concrete.

Only after the driveway was completed did I receive notice of an allegation that the driveway was not in accordance with city code, due to part of the driveway being in front of my house. City Administrator Shawn Waite admitted on the record that the city had been mistaken in its approval and that a major variance would need to be filed to make the driveway compliant.

It is this major variance that was denied.

My drawing clearly showed that I labeled the proposed driveway as such. During the meeting, the commissioners attempted to differentiate between driveway and parking. However, driveways are not defined in the code, and it is clear from looking around Hubbard, that the city does not prohibit parking on driveways.

Overall, the section of the driveway the city does not want me to use, cost me \$17,600.00 to install. Clearly, this is an undue or unnecessary hardship as I am now out these funds, without the ability to use the driveway as intended.

Additionally, it is arguable whether City Development Code 2.401.10 even applies to my driveway.

2.401.10. states:

“No parking shall be allowed, **exclusive of driveways**, within the required front yard areas, except as otherwise provided by this ordinance. The side yard and rear yard areas may be used for parking of vehicles unless otherwise prohibited by this Ordinance.”

Therefore, the “No Parking” language of the code specifically excludes driveways from its prohibition of parking. In other words, the code specifically allows parking in the front yard if it is on a driveway. Otherwise there would be no need for the “exclusive of driveway” qualifying language in the code and it could simply state “No parking shall be allowed with the required

front yard areas.. .” As such it also appears the city is misinterpreting its own code by requiring a variance for me to park on my driveway.

It is clear the code is intended to prevent homeowners from parking on the landscaped areas of their front yard only.

**CITY OF HUBBARD-PUBLIC WORKS DEPARTMENT**  
**RIGHT OF WAY/UTILITY PERMIT APPLICATION**  
**(APPROVED PERMITS EXPIRE Two (2) MONTHS FROM THE DATE OF APPROVAL)**

**MAILING ADDRESS**  
City of Hubbard- Public Works  
P.O. Box 380  
Hubbard, OR 97032

**CONTACT INFORMATION**  
503.982.9429  
503.982.2171 (FAX Public Works)  
503.981.8743 (FAX City Hall)  
[molinger@cityofhubbard.org](mailto:molinger@cityofhubbard.org)  
[www.cityofhubbard.org](http://www.cityofhubbard.org)

**OFFICE USE ONLY**

Permit No: 213-26  
AMT Due: \$90.00  
Date Received: 5/31/23  
Application Approved: X  
By: [Signature]  
Date: 6/1/23

Application is made to: ☐ Construct ☐ Alter  
☐ Street ☐ Curb ☐ Sanitary Sewer  
☐ Storm Drain ☒ Driveway ☒ Water  
☐ Sidewalk ☐ Other

Description of work (attach a separate sheet if necessary): New driveway.  
replaced water line to meter

Location of work: 3664 5th St Hubbard Or

Right of Way: Street From:  To:

Address: 3664 5th St Hubbard OR 97032

Owner's Name: Rodolfo Arellano

Owner's Phone: (503) 710-6129

Owner's Email:

Owner's Address:

Easement Required? ☐ No ☐ Yes

Engineer Name:  Engineer Phone:

Engineer Email:

Contractor Name:  Contractor Phone:

Contractor Email:

Liability Insurance Amount: \$  Certificate of Insurance Attached: ☐

Proposed Work Schedule: Begin Date:  Completion Date:

Additional Comments:

Plans Attached (Three (3) Copies):

Performance and Maintenance Bond Attached: ☐

*I agree to comply with the above description, plans and specifications herewith submitted and as approved by the City of Hubbard, and with all applicable rules, regulations, ordinances, and resolutions of the City of Hubbard. I will keep a copy of the approved permit at the jobsite.*

Applicant's Signature: [Signature]

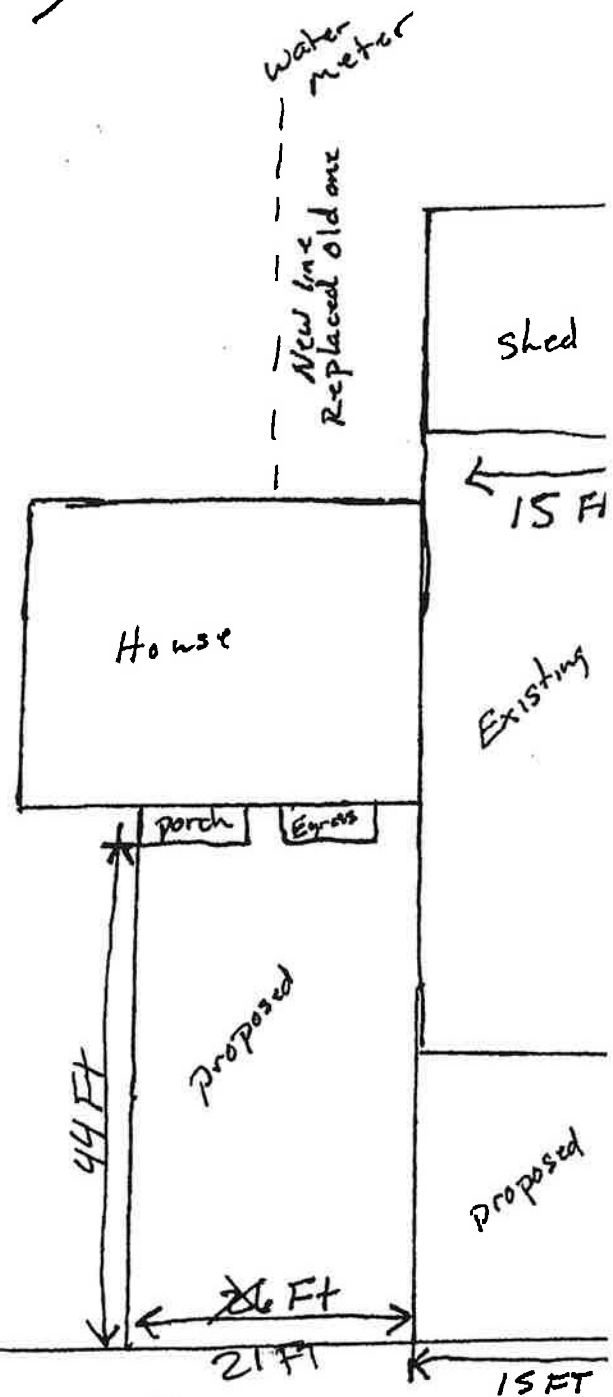
Print Name: Rodolfo Arellano Jr.

Applicant's Phone: (503) 710-6129

Applicant's Email: carellano949@gmail.com

Applicant's Address:

(2023-26)



5th St

100



# EXHIBIT B

## MAJOR VARIANCE APPLICATION

### CITY OF HUBBARD

3720 2<sup>nd</sup> Street (P.O. Box 380)

Hubbard, OR 97032

Phone: (503) 981-9633; Fax: (503) 981-8743

<http://www.cityofhubbard.org>

To Be Filled Out by Staff:

FILE: VA 2023-01

DATE: 12/14/2023

FEE: N/C

RECEIPT NO: N/A

APPLICANT: Rodolfo Arellano

PHONE: 503 710 6129

EMAIL ADDRESS: Rarellano949@gmail.com

ADDRESS: 3664 5th St Hubbard OR 97032

OWNER(S): Rodolfo Arellano, Maria Elena Arellano

(If different from above)

PHONE: 503 884 0409

EMAIL ADDRESS: Maegarcia523@gmail.com

ADDRESS: 3664 5th St. Hubbard, OR 97032

REQUEST: Variance from code 2.401.10 No parking in Front Yards Adjacent to a Street or Landscaped Areas

### PROPERTY DESCRIPTION:

ADDRESS: 3664 5th St. Hubbard. OR 97032

MAP PAGE AND TAX LOT NUMBERS: 04 1W 33AA MTL# 041W33AA10600

ZONE: Residential

CURRENT USE/STRUCTURES: Single Family Residence  
square feet. site of driveway requesting variance is 65 Feet.

SQUARE FOOTAGE OF SITE: Lot is 1,000

### FINDINGS:

Hubbard Development Code Section 3.104.03 specifies that the following approval criteria that must be addressed before granting a major variance. Applicants are responsible for providing information demonstrating the following: (if necessary, please use additional page(s) for your response):

**A. Compliance with the applicable requirement or standard of the Ordinance would create a hardship due to one or more of the following conditions:**

1. The physical characteristics of the land, improvements or uses on the subject property are not typical of conditions in the zoning district.

n/a

DATE: 9/19/08

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CITY OF HUBBARD

2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.

All other neighbors have driveways that are wide enough to allow the parking of two cars side by side.

Applicant's house was built long enough ago that without the variance he would not be able to do so.

3. Compliance with the requirement or standard (without a variance) would eliminate a significant natural feature of the property.

n/a

4. The special conditions and circumstances on which the application is based do not result from the negligent or knowing violation of this Ordinance by the applicant.

The variance request does not come based on negligence. Applicant received public works and city approval to allow

the construction of a driveway in front of the property applicant believed there was not issue with his plan.

**B. Strict adherence to the requirement or standard is unnecessary because the proposed variance will reasonably satisfy both of the following objectives:**

1. Granting the variance will not create significant adverse affects to the appearance, function or safety of the use or uses on the subject property; and

Applicant has invested substantial money to pour stamped concrete to make the driveway look nice. Additionally others driveways face Applicants property

Additionally the driveway is a small portion of the overall property and does not detract from the overall look of the area.

2. Granting the variance will not impose limitations on other properties in the area, including uses which would be allowed on vacant or underdeveloped properties.

granting the various will not have an effect on the other properties in the area. Additionally, the

area requested for the various is better situated for keeping the natural beauty of the lot as it required less concrete.

**C. Approval of this application will allow the property to be used only for purposes authorized by the zoning district.**

The property is a residential property, granting of the various allows parking of vehicles and prevents the need to park on

**D. Approval of the application does not conflict with policies and objectives of the Comprehensive Plan.**

There are no know conflicts with the comprehensive plan. Additionally, the ordinance 2.401.10 does allow

Parking in the front yard if it is on a driveway, which it is now. therefore it is questionable whether a various is needed

DATE: 9/19/08

## ATTACHMENTS:

Please submit one paper copy and one (1) electronic copy (PDF format preferred of the following application materials:

1. A legible **site plan** drawn to scale on 8 ½ x 11 or 11 x 17 inch paper, or eight (8) full size copies (typically 18 x 24 inches or larger) that shows the following information:

- ☐ existing and proposed structures,
- ☐ driveways and vehicular circulation,
- ☐ parking,
- ☐ landscaping, and
- ☐ significant natural features.

**I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT; AND THAT THE REQUEST DOES NOT VIOLATE ANY DEED RESTRICTIONS THAT MAY BE ATTACHED OR IMPOSED UPON THE SUBJECT PROPERTY. (NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.)**

12-13-23  
Date

Rodolfo Arellano  
Applicant

12-13-23  
Date

[Signature]  
Owner(s)

12-13-23  
Date

[Signature]  
Owner(s)

DATE: 9/19/08

## **MAJOR VARIANCE INFORMATION SHEET**

A variance is a grant of relief from certain zoning requirements when a strict application of the requirements for lot width, lot depth, lot area, building height setback, access or other dimensional requirements in any zoning classification would cause an undue or unnecessary hardship.

### **☒ VARIANCE REGULATION**

Variances are regulated by the City of Hubbard's Development Code. Section 3.104 of the Development Code contains the variance procedures. The Planning Commission has the authority to approve or deny major variances where strict application of the ordinance would result in an extreme hardship. However, no variance can be granted to allow a use of property not permitted in a zone.

### **☒ APPLICATION PROCESSING**

Once an application is submitted, along with all pertinent filing information, City staff will review it for completeness. If additional material is necessary, you will be contacted. Once the application is determined to be complete, staff will prepare a report for Planning Commission review. The staff report is available seven days prior to the Planning Commission meeting. You will have the opportunity to testify on behalf of your application at the Planning Commission meeting. The Planning Commission decision can be appealed to the City Council.

### **☒ CONDITIONS ON VARIANCES**

The Planning Commission may impose such limitations, conditions and safeguards as it may deem appropriate so that the intent of the ordinance will be observed, public safety secured and substantial justice be done. The Planning Commission may limit the time or duration of a variance. If the variance is granted, the applicant will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval by the Planning Commission. A violation of any such condition or limitation shall constitute a violation of the zoning ordinance.

### **☒ EFFECTIVE DATE OF APPROVAL**

The variance shall be effective 12 days after the date of the notice of the decision.

### **☒ ADDITIONAL INFORMATION**

For additional information on variances, call Hubbard City Hall at (503) 981-9633.

DATE: 9/19/08



## EXHIBIT A

### LAND USE FEE SCHEDULE ACKNOWLEDGMENT

as of 2/11/2020 (attachment to Resolution No. 686-2020)

Resolution No. 685-2020 requires land use applications to reimburse the City for the actual costs associated with their applications. The City requires a deposit for land use application as required in section 3.206.03 in the Hubbard Development Code. Staff collects the deposit at the time of application.

Costs and time are paid out of the deposit. If it appears the costs exceed the initial deposit, the Director of Administration/City Recorder may require an additional deposit for costs that may be incurred to complete the project. At the end of the project a final bill will be prepared, and the City will either request additional funds or issue a refund check.

The following are examples of the most common types of charges and amounts per hour that will be incurred for land use projects in the City. These rates are provided for example purposes only, and you will be charged the actual costs incurred by the City as required by Resolution 685-2020. These example rates will therefore be reviewed annually and updated as necessary. You may request a copy of the most recent example rates at any time by contacting the Director of Administration/City Recorder.

**City Planner** **\$85.00**

*(The City Planner prepares staff reports, final actions, and makes presentations at Planning Commission and Council meetings.)*

**City Engineer** **\$165.00**

*(The City Engineer may be requested to investigate or review plans submitted by the applicant, and may make presentations at required meetings)*

**Director of Admin/Recorder** **\$90.00**

**Admin Assistant** **\$45.00**

*(The Planning Secretary prepares applicants files, prepares comments for other departments, prepares public hearing notices, posts and mails notices, answers applicants questions and attends all meetings)*

**Public Works Director/Superintendent** **\$84.00**

**Public Works Admin Manager** **\$68.00**

**Utility Worker II** **\$58.00**

**Utility Worker I** **\$37.00**

**Admin Assistant** **\$20.00**

*(The Public Works personnel reviews applications and comments regarding water, sewer, streets, backflow devices, and storm drain issues)*

**Police Chief** **\$83.00**

*(The Police Chief reviews plans and looks into safety concerns such as lighting and addressing issues)*

**City Attorney** **\$235.00**

*(Review of documents, negotiation of conflicts, litigation and enforcement issues)*

Office Copies	(Black & White 8 1/2 X 11)	.25 per page
	Color	.35 per page
	(Black & White 11X 17)	.50 per page
	Color	.70 per page

Long Distance Phone Calls	\$3.00 per call
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Fax	\$2.00 per fax + .50 per page
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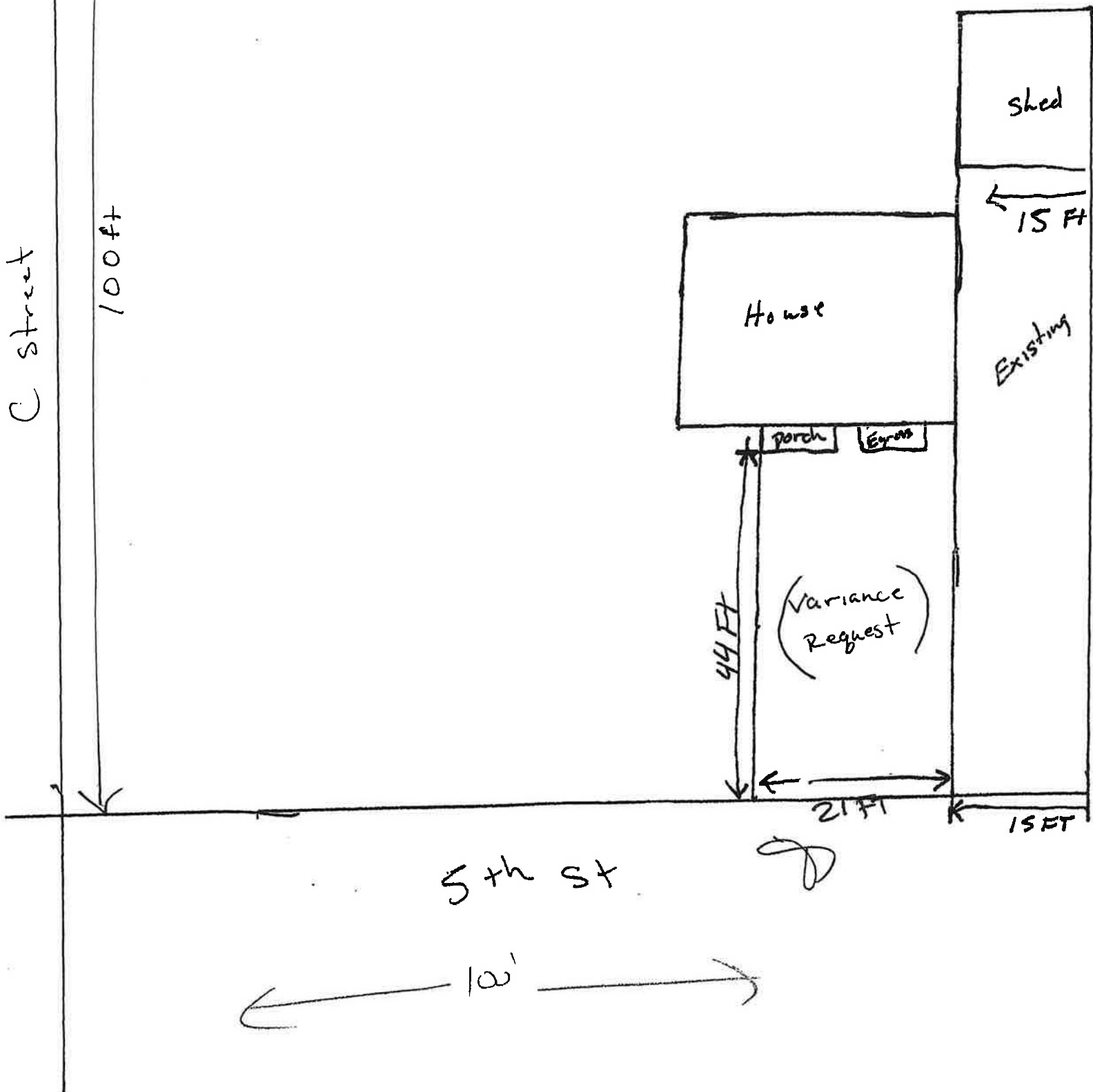
**I have read this information and understand that the land use fee is a deposit and the application may cost more or less.**

**Applicants Signature**

**Date**

3664 Sth St  
Hubbard OR 97032

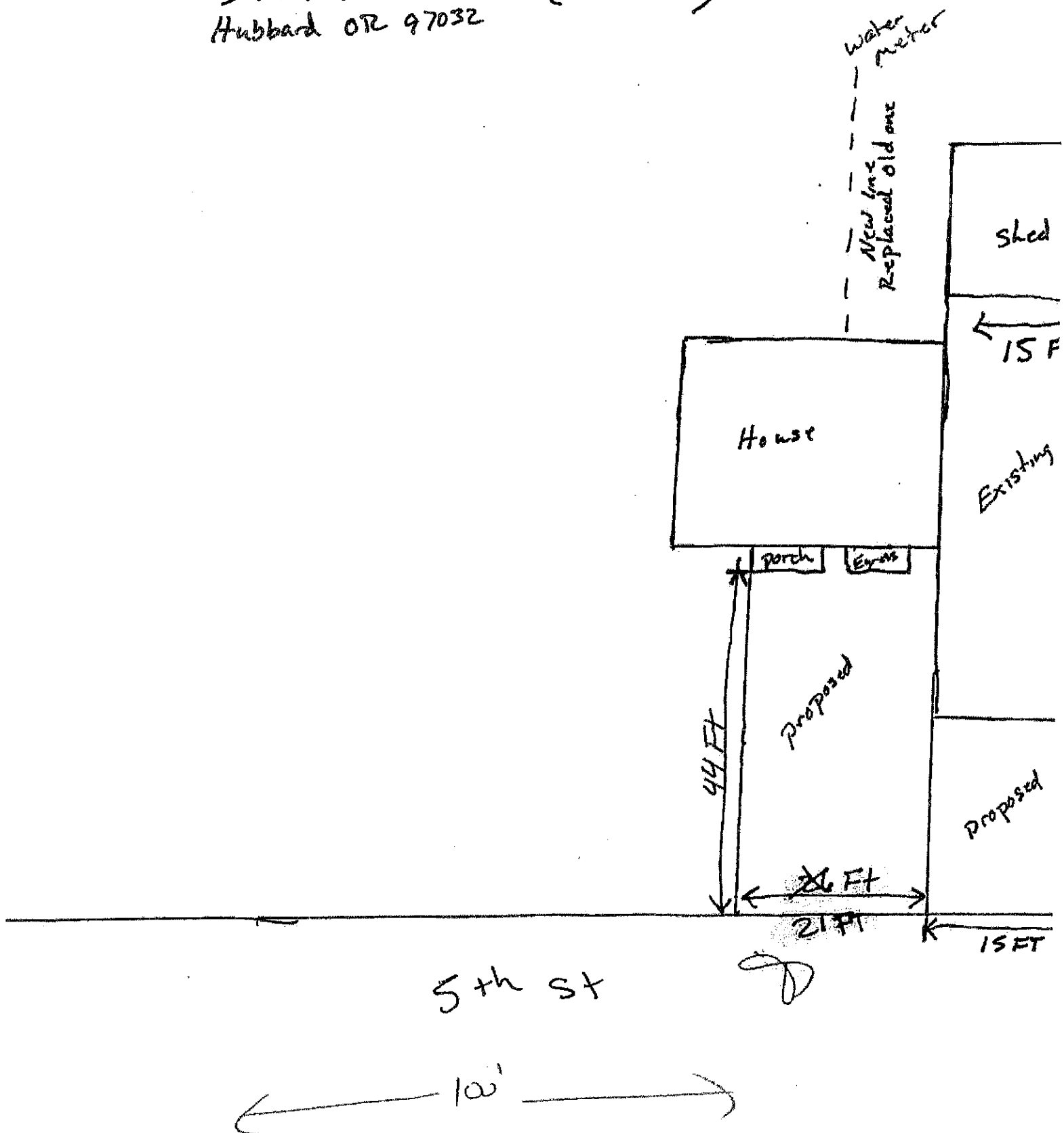
(2023-26)





3664 5th St  
Hubbard OR 97032

(2023-26)



## EXHIBIT D

### CITY OF HUBBARD PLANNING COMMISSION MINUTES FEBRUARY 20, 2024

**CALL TO ORDER.** The Hubbard Planning Commission meeting was called to order at 6:30p.m. by Planning Commission Chair Glenn Holum via Zoom.

**Planning Commission Present:** Planning Commissioner Chair Glenn Holum, Planning Commissioner Fil Kartal, Planning Commissioner Mark Young, Planning Commissioner Brad Agnew.

**Excused:** Planning Commissioner Patrick Marnell.

**Staff Present:** City Administrator Shawn Waite, Director of Administration/City Recorder Vickie Nogle, City Planner Holly Byram, MWVCOG, Public Works Superintendent Michael Krebs, Administrative Assistant/Court Clerk Julie Hedden, Public Works Administrative Manager Melinda Olinger, City Planner MWVCOG Holly Byram.

**FLAG SALUTE.** Planning Commission Chairman Glenn Holum called the meeting to order at 6:32 p.m. and led the group in the flag salute.

#### **SWEARING IN OF PLANNING COMMISSION MEMBERS.**

##### **a) Glenn Holum with the term ending December 31, 2026.**

Director of Administration/City Recorder Vickie Nogle swore in Glenn Holum to the position of Planning Commissioner for the term ending December 31, 2026.

**APPOINT CHAIR.** MSA/Planning Commissioner Brad Agnew/ Planning Commissioner Mark Young motioned to re-appoint Planning Commission Chair Glenn Holum to Planning Commission Chair. Planning Commissioner Fil Kartal, Planning Commissioner Mark Young, and Planning Commissioner Brad Agnew were in favor. Planning Commissioner Glenn Holum did not vote. Motion passed.

**APPOINT VICE-CHAIR.** MSA/Planning Commissioner Brad Agnew / Planning Commissioner Mark Young motioned to appoint Planning Commissioner Fil Kartal to Vice Chair. Planning Commissioner Glenn Holum, Planning Commissioner Mark Young, Planning Commissioner Brad Agnew were in favor. Planning Commissioner Fil Kartal did not vote. Motion passed.

#### **APPROVAL OF OCTOBER 17, 2023, PLANNING COMMISSION MEETING MINUTES.**

MSA/Planning Commissioner Mark Young/ Planning Commissioner Brad Agnew moved to approve the minutes. Planning Commission Chair Glenn Holum, Planning Commissioner Fil Kartal, Planning Commissioner Mark Young, and Planning Commissioner Brad Agnew were in favor. Motion passed unanimously.



**PUBLIC HEARING.**

**Major Variance application file #VAR 2023-01, 3664 5<sup>th</sup> Street, Hubbard (041W33AA10600). Applicants Rodolfo & Maria Arellano. Request to allow for a driveway and parking which overlaps the front of an existing house without a garage/carport. Hubbard Development Code (HDC) standards prohibit parking in front yards.**

Planning Commission Chairman Glenn Holum opened the Public Hearing at 6:39 p.m.

Planning Commission Chairman Glenn Holum read the legislative hearing statement.

City Planner Holly Byram, MWVCOG, read the standard public hearing legal script.

Planning Commission Chair Glenn Holum asked for any declarations of ex-parte contact, bias, or conflict of interest.

Planning Commissioner Fil Kartal, Planning Commissioner Brad Agnew, Planning Commissioner Glenn Holum said they have driven by the site. Planning Commissioner Mark Young said the site is about one block from where he lives.

Planning Commission Chair Glenn Holum asked if any member of the audience wishes to challenge the impartiality or ex-parte disclosures of any member of the Planning Commission. There were none.

City Planner Holly Byram, MWVCOG, summarized the staff report, pages 1 through 15, with additional exhibits.

City Planner Holly Byram, MWVCOG, stated this is a Major Variance application in which the applicant is requesting to have their driveway and parking overlap the front of their house. She said this is an unusual situation, because when you build a new single-family home in Hubbard now, you are required to have a garage, but there are a number of older historic homes that do not have a garage. She stated the question is where the driveway and parking allowed to be if there is no driveway that connects the street to the garage.

City Planner Holly Byram, MWVCOG, said a Major Variance is a Type II Action, which means the Planning Commission will make the final decision on this and any appeal would go to the City Council.

City Planner Holly Byram, MWVCOG, said on page 2 of the Staff report is a vicinity map and a photo of the existing conditions. She stated this driveway was already approved by Public Works and then it was constructed. A neighbor then raised awareness if this was technically a driveway or parking in a front yard, and that is when staff started digging into this. Therefore, this variance application is an attempt to not only address that definition but also potentially correct an error.

City Planner Holly Byram, MWVCOG, said on page 3 of the Staff report is a site plan showing an existing house that was constructed in 1942, with no garage, and an accessory building in the rear that has a man door, so it is considered a shed. There is an existing 15 ft. wide driveway that

was unimproved in the past, and the applicants are requesting permission to not only pave the 15ft unimproved gravel driveway, but also have that driveway and parking overlap the front of the house. Therefore, their request is a variance of 21 ft., which overlaps the front of the house, to make a total driveway width of 36 ft., which is the maximum driveway width allowed by the Public Works standards for a single-family residential dwelling.

City Planner Holly Byram, MWVCOG, said she provided the Planning Commission some definitions for reference in the Staff report, unfortunately the Hubbard Development Code does not specifically define a driveway, but it does define parking space and front yard. She noted in the definition of parking space, it specifically excludes maneuvering and access areas, and it does say that parking space is for the temporary storage of an automobile, and it is connected to the street by a driveway, which differentiates between a driveway and a parking space.

City Planner Holly Byram, MWVCOG, reminded the Planning Commission the Development Code is very clear that parking is not allowed in the front yard.

City Planner Holly Byram, MWVCOG, said the decision criteria starts on page 7 of the Staff report. The property is zoned R-1, Low Density Residential, and has an existing house with no additional developments proposed at this time, and all single-family residential homes in Hubbard are required to have 2 off-street parking spaces. She stated in this case the existing driveway is only 15 ft. wide, so the applicant is unable to fit two vehicles side by side, Hubbard Standard for a parking space is 8.5 ft. by 20 ft. in dimensions.

City Planner Holly Byram, MWVCOG, said the variance justification the applicant has provided is the historic non-conforming situation where there is not sufficient room between the house and the side property line to park more than one vehicle, so what the applicant is saying is they are looking for relief so they can park additional vehicles on their property, on a paved driveway.

City Planner Holly Byram, MWVCOG, stated there are several Variance criteria listed in the Staff report. The first one, does compliance with the applicable requirement or standard of the Ordinance create a hardship, and in this case the property owner does not have the ability to park two vehicles in their driveway as seen with other houses in the neighborhood. She said the next criteria talks about if we were to strictly adhere to the requirement or the standard would it create adverse effects on the appearance, safety or function of the property, and in this case, if you have three or more vehicles parked in front of the house, it does impact the appearance, and there could potentially be impacts of multiple vehicles backing out into the right-of-way.

City Planner Holly Byram, MWVCOG, stated this Staff report does not address the Public Works construction and design standards, it is about the ability of the applicants to have a driveway and parking in front of their house.

City Planner Holly Byram, MWVCOG, said on page 10 of the Staff report is a summary of the City Attorney's response, in which he commented on the definition of front yard and how no parking is allowed in the front yard exclusive of driveways. She went on to say we don't have a definition of driveway, but in this case, it seems like a variance could be requested to the front yard parking standard.

## **PAGE 4 – PLANNING COMMISSION MEETING MINUTES FEBRUARY 20, 2024**

City Planner Holly Byram, MWVCOG, said Staff's recommendation is the City could support the applicant and their variance request to allow them to meet the minimum standard required of their property to park at least two vehicles off street, but said she does not think the evidence submitted supports more than meeting the minimum standard of the two off-street vehicles.

City Planner Holly Byram, MWVCOG, stated Staff does support a major variance, but not to the extent of the full request. She reminded the Planning Commission the full variance request is for a 36 ft. wide driveway, which is 21 ft. in front of the house, but to meet the standard of 2 vehicles able to park side by side, it is more of a 20 ft. total driveway, which would mean a 5 ft. variance in front of the house. She stated that the Planning Commission can disagree with staff's recommendation.

City Planner Holly Byram, MWVCOG, said on page 12 of the Staff report are the recommended Conditions of Approval which are: the applicant works with Public Works for any permitting that is required for construction in the right-of-way, that they follow the Public Works Design Standards, and the standard Expiration of Approval date.

City Planner Holly Byram, MWVCOG, said the exhibits included in the packet are the variance application submitted by the applicant, the public works right-of-way permit from June of 2023, and the October 10, 2023, City Council meeting minutes' discussion regarding this issue.

City Planning Commission Chairman Glenn Holum asked if there were any questions of staff from the Planning Commission before we continue and accept public testimony.

Public Works Superintendent Mike Krebs spoke on the process that brought about this Major Variance request. He said when the applicant submitted his work in the right-of-way permit, they looked at a few items in the Hubbard Development Code which were; a residential house cannot have over a 36 ft. wide driveway, concrete can't take up more than 33% of the land area, and the driveway/concrete area cannot take up more than 50% of the property's frontage. He went on to say after looking at those 3 items in the HDC, it was decided that 36 ft. was a bit excessive, but it was allowed by the code.

City Administrator Shawn Waite said the piece that Public Works was reviewing was the right-of-way piece, there was no approach or sidewalk that was put in, and that was approved by the city not to include that. She went on to say there has been conversation with the City Council regarding what the city standard is going to be moving forward, but at the time this right-of-way permit was approved, we did not require them to put in any sort of approach or sidewalk.

City Administrator Shawn Waite said one of the pieces of this, and why we are here, is there is the land use component of it because this goes more beyond in front of the structure rather than in front of a garage, therefore we are in the land use piece of it, not the right-of-way.

Planning Commission Chairman Glenn Holum asked if the applicant or their representative would like to speak.

Rudolfo Arellano, 3664 5<sup>th</sup> Street, Hubbard, the applicant, said it looks like about 20ft will be approved, but he said he was allowed to pour 36 ft. worth of concrete, which is about \$35,000 more worth of concrete, and asked if the City was going to reimburse him for it if he can't park on it. He then asked if he was going to be reimbursed for the whole driveway so he could re-pour it the way the City wants it.

Rudolfo Arellano, said there was no point of him pouring his driveway that wide, and being allowed to. He went on to say it is not his fault that Public Works, City Administrator Shawn Waite at the City administrating building and everyone else who is there aren't on the same page. He stated he spent almost \$100,000 for concrete and it was approved, so it is not his fault.

Rudolfo Arellano, stated one big thing that really gets to him is that everyone is going back and forth over this when it was the City of Hubbard's mess up, and it is costing him money and a headache. He went on to say "this is such a pain my (expletive), because the City dropped the ball.

Rudolfo Arellano, said he bought the house and remodeled it, making everything look good and keeping the look of it to Hubbard, but he wanted his driveway to be functional, and why sign off on something and take his money if they are going to come back at him later, like Shawn Waite did for calling the cops on him for parking in his driveway after she signed off on it.

Rudolfo Arellano, said he feels like this is targeting, and the neighbor across the street is crying wolf about his driveway but if you take a glance at his driveway across the street, at first site it is almost the same width. Rudolfo Arellano, the applicant, went on to say just because he is an ex-City Council, he doesn't care.

Rudolfo Arellano said when the neighbor across the street spoke at the last meeting on behalf of this issue, the applicant said the neighbor said to him that he should have talked to him first. R. Arellano said why does he need to ask the neighbor for permission or what to do with his property, he isn't paying for it, this is his land and does not know why anything his neighbor says is even being considered. Furthermore, the applicant said he does not stick his nose into what he has going on, so why is he sticking his nose into mine.

Rudolfo Arellano, stated if he is not allowed to park in his driveway, he is looking for reimbursement for at least the stamped part of the concrete, and he will re-pour it to what the City wants, but he wants full reimbursement for it, because it will not be what he envisioned. He added he did everything that was asked of him, filled out the paperwork, the City came out and approved it, signed off on him to pour it, and the next day the City had an issue with their decision, which is not his fault, it is the City's fault.

Rudolfo Arellano, said if the Planning Commission votes against what he poured because they don't like it, then he wants reimbursed for it and he will re-pour it. He went on to say if he is not allowed to park on it, then the City is taking money out of his family's pocket.

Planning Commissioner Fil Kartal stated he did not have any questions but wanted to make a clarification. He said the Planning Commission must follow the rules, and every driveway and front of the house in town is right around the 20 ft. mark, and if there is a problem where someone

allowed the applicant to pour it, he has legal recourse, but this is not what the Planning Commission is here to look at today. F. Kartal stated they are looking to follow the standards that have been accepted, and 36ft across is extensive. Furthermore, he said he feels for the applicant, and would be upset also, but they are only looking at following the standard criteria.

Rudolfo Arellano, applicant, responded to Planning Commission Fil Kartal, saying he understands what the Planning Commission is looking at, but this is not an everyday situation. He said this is a situation where City officials okayed the pour for a proposed driveway, and now he can't park in it. Furthermore, he said this driveway is already poured, he has already spent the money, and he doesn't have \$50,000 just to throw away.

Planning Commission Chairman Glenn Holum asked if there were any proponents who would like to speak in support of the application. There were none.

Planning Commission Chairman Glenn Holum asked if there were any opponents who would like to speak in opposition of the application.

Matt Kennedy, 3635 5<sup>th</sup> Street, Hubbard, said he lives across the street from the applicant, and stated he does not recall the conversation that was mentioned by the applicant that he told the applicant he should have talked to him first. He said he does however recall at the time of the pour, he was watching the project because he has noticed the applicant cleaning up the house, putting a lot of money into it, and doing a great job. He went on to say he walked over and talked to the contractor before the pour and asked if it was all approved with the city, and the contractor responded back to him that this was an extension of the patio.

Matt Kennedy said he knows the City is very strict because he has had to pay for variances and applications himself all over town, and he likes to be treated fairly. He went on to say if the City is approving things for his neighbors that he is getting his teeth pulled out for, and is paying for when he does projects, and other neighbors have had to go through land use and pay, so it is about fairness. Furthermore, he said he has had to pay the City and comply for many years doing projects, and he does not want to be discriminated against in letting the applicant do things that are not in the rules, but he has to abide by the rules.

Matt Kennedy asked the Planning Commission to rule on this fairly and asks that the rules get applied fairly across the board for everyone.

Planning Commission Chairman Glenn Holum asked if there was anyone who would like to speak as a neutral party, neither for nor against the application. There were none.

Rudolfo Arellano, 3664 5<sup>th</sup> Street, Hubbard, in the applicant's rebuttal said he has nothing personal against Matt Kennedy but feels like Matt Kennedy has something personal against him. The applicant said he has paid all his dues and permitting just like Matt Kennedy has done. He continued to say everything he has done has been permitted by the City and through Marion County, so he has had to pay the same as everyone else. R. Arellano stated his issue is when he filled out the paperwork, he filled it out as a driveway, it was approved as a driveway, the City accepted his money, inspected his pre-pour, allowed it to get poured, and the next day told him he



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could not park in it. Furthermore, he said it is nothing he did wrong on his end, it was the City's mistake.

Planning Commission Chairman Glenn Holum asked if the Planning Commission would like the applicant to address any of the testimony.

Planning Commissioner Fil Kartal said there is concrete saw cutting that you can use to pull it out if needed.

Planning Commissioner Brad Agnew said he views his job on the Planning Commission as proactive, where items should come to them before things like this happen, and Public Works reviewed and approved this permit in June of 2023, and proceeded to ask Staff why it did not come before the Planning Commission then. He then asked if he was correct in assuming the right-of-way was also approved by the City of Hubbard, and asked why it went to Council in October and did not come before the Planning Commission sooner.

Public Works Superintendent Mike Krebs responded that Planning Commissioner Brad Agnew was correct about the right-of-way permit being approved. He went on to say the reason this did not come before the Planning Commission sooner is because there weren't any major structural improvements going on, which means 20% improvement in the structure itself. Furthermore, all he was doing was remodeling the house and the footprint stayed the same throughout.

City Administrator Shawn Waite stated as the City she takes responsibility for this, and we did approve this in error. She went on to say there was the right-of-way section, which we review all the time, but past that right-of-way, it should have gone to the Planning Commission. Furthermore, she added that processes have been put in place to make sure this does not happen in the future.

Planning Commission Chairman Glenn Holum said before he closed or continued the public hearing if there are any additional questions from the Planning Commissioners or staff or anyone. He went on to say as a reminder that once he closed the hearing only Commissioners or staff may speak.

Matt Kennedy, 3635 5<sup>th</sup> Street, Hubbard asked Planning Commission Chair Glenn Holum if he will accept any more comments from the public.

Planning Commission Chair Glenn Holum responded the applicant has already given his rebuttal, so there will be no more comments allowed by the public.

Planning Commission Chairman Glenn Holum closed the Public Hearing at 7:17 p.m. and said he will entertain discussion on the application and/or a motion.

Planning Commissioner Fil Kartal stated as a Planning Commission they look at what they have in front of them and 21 ft., is standard to Hubbard, not 36 ft. He went on to say the applicant has other recourses to deal with what happened between him and the City, but today we are just looking at the driveway as a land use decision. Furthermore, he said the Planning Commission is doing what they signed up for which is to be non-biased and decide based off of the rules.

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Planning Commission Chair Glenn Holum said what it comes down to for him is that the City gave the green light to this, so he does not think it is the Planning Commission's job to undo this. He went on to say this went through the process and was approved, and if the process was not followed it is not the applicant's fault, and now that it is in place, while not the ideal, without causing a lot of financial burden on the applicant. Therefore, he said he is very leery about forcing this applicant to tear up a project that has already been completed.

Planning Commissioner Mark Young said he agrees with Planning Commission Chair Glenn Holum that the applicant did his due diligence, and if the mistake was made by City staff, the burden or liability should not rest on the applicant.

Planning Commissioner Mark Young made a motion to approve the requested Major Variance file #VAR 2023-01, to allow the full 36 ft. driveway to remain and revise the findings that the applicant did his due diligence. Motion died for lack of a second.

Planning Commissioner Fil Kartal said he understands the City allowed the applicant to do the driveway the way he did it, but it is not conducive to what he sees in town. He stated he understands the applicant followed the rules.

MSA/Planning Commissioner Fil Kartal /Planning Commissioner Brad Agnew made a motion to approve Major Variance file #VAR 2023-01 and adopt the recommended findings and conditions of approval contained in the Staff Report as revised by the Planning Commission. The revision being that only a 5-foot variance be approved, to allow for a total of 20-foot-wide paved driveway and parking area to meet HDC 2.203 off-street parking standards. Planning Commissioner Fil Kartal, Planning Commissioner Brad Agnew, Planning Commissioner Mark Young were in favor. Planning Commissioner Glenn Holum voted against. Motion carries 3-1 in favor.

Planning Commission Chair Glenn Holum called for a point of order to ask City Planner Holly Byram what will happen next.

City Planner Holly Byram stated this motion for approval made by the Planning Commission is the final decision. A Notice of Decision will be mailed to all parties who appeared at this hearing and from there the applicant and any other parties can appeal to the City Council if they would like to do so.

**ADJOURNMENT. (The next scheduled Planning Commission Meeting will be March 19, 2024 at 6:30 p.m.)** MSA/Fil Kartal Planning Commissioner /Planning Commissioner Mark Young moved to adjourn. Planning Commission Chairman Glenn Holum, Planning Commissioner Fil Kartal, Planning Commissioner Mark Young, and Planning Commissioner Brad Agnew were in favor. Motion passed unanimously. The meeting was adjourned at 7:29 p.m.



Glenn Holum  
Planning Commission Chairman

ATTEST:

A handwritten signature in black ink, reading "Vickie L. Nogle", written over a horizontal line.

Vickie L. Nogle, MMC  
Director of Administration/City Recorder  
Recording

A handwritten signature in blue ink, reading "Julie Hedden", written over a horizontal line.

Julie Hedden  
Administrative Assistant/Court Clerk  
Transcribing

MSA/Mayor Charles Rostocil /City Councilor Tyler Thomas motioned to authorize City Administrator Shawn Waite, upon legal approval, to execute a personal services contract with Marketek, Inc. City Councilor Tyler Thomas, City Councilor James Yonally, City Councilor James Audritsh, City Councilor Joseph Steininger and Mayor Charles Rostocil were in favor. Motion passed unanimously.

**DISCUSSION REGARDING DRIVEWAY OF 5<sup>TH</sup> STREET – City Administrator Shawn Waite.** City Administrator Shawn Waite said she believed that Council has been briefed on the background, other cases, and discussions that staff has had with the property owner regarding removal and replacement of the stamped concrete for the approach and in the right-of-way of the driveway that was poured in June of this year. Staff met with the property owner on September 20<sup>th</sup> to discuss options for removal and replacement of the concrete and creating an approach and having brushed concrete poured in the right-of-way. It was agreed that staff would obtain a cost estimate and the property owner would obtain an estimate. Staff received an estimate totaling \$12,412 and the property owner's contractor provided an estimate of \$24,000.

City Administrator Shawn Waite said staff and the property owner were unable to reach an agreement and the property owner stated that he would like to speak to Council. Concluding the discussion, staff will move forward as directed by Council.

Rodolfo Arellano Jr., 3664 5<sup>th</sup> Street, Hubbard, stated before he did the work, he did his homework and went to City Hall and Public Works to get the paperwork, then put in his proposal to do his driveway, and it got accepted, they signed off on it, and passed it through. He went on to say 15 hours before the pour, they came out and checked out the forms, to okay the pour and during this whole process at no point in time was he ever told they don't agree with what he was doing, or anything of that nature. Furthermore, he said when he was doing his planning and talking to public works he even offered to put the sidewalk in the easement at the time of his pour out of his own pocket.

Rodolfo Arellano Jr., said he is irritated because he has put a lot of money into this driveway, and now he is being told he cannot park there because it is considered the front yard. He went on to say it is not his fault because neither public works or City Hall had anything written saying he could not do it and it was not allowed. He went on to say he continued to use his driveway and then he was reported to the police. He said now they told him he could park in it, but he has another issue. He is being told since the driveway is stamped concrete it is too slippery and it might be a hazard. He stated he put in 50 feet of stamped concrete and everyone in town tells him how nice it looks, but he talked with City Administrator Shawn Waite and Public Works Superintendent Mike Krebs and they want him to cut out 24 feet of the 50 feet of stamped concrete to put in brushed and it is not going to look very good and that is where they don't come to an agreement.

Rodolfo Arellano Jr., said he thinks he is not being treated fairly, his family has been here since 1963 and is trying to do something good for the community, but feels like he is being penalized for doing something that was not his fault, and he did everything that was asked of him. Furthermore, he said he works hard for what he has and he is here to defend what is his.

Mayor Charles Rostocil said he appreciated Rodolfo Arellano Jr., taking the time to come speak

with them and sharing his side of the story.

City Councilor James Yonally asked if the homeowner paved all the way out to the edge of the property line or if he came over the city right-of-way.

Rodolfo Arellano Jr., said when he put in his proposal he asked for permission to pave all the way to the street because it would look better, and he was granted that permission. He went on to say he is being told the city right of way is 30 feet from the center line, so they want him to cut out 24 feet of the concrete, but that is right before a stress cut so he would actually have to cut out 24'8" to get past the stress cut.

Mayor Charles Rostocil said City Administrator Shawn Waite identified four different options in her memo, and one of them was to remove 15 feet of existing stamped concrete, not 24 feet.

Public Works Superintendent Mike Krebs said there are two different levels, one to 19 feet, and one to 15 feet, and he believes that the 15-foot mark will work, and allow what needs to be done with the brushed concrete.

Mayor Rostocil asked if that would be the center line of 5<sup>th</sup> Street, then 30 feet over.

Public Works Superintendent Mike Krebs replied with the older properties, because the streets were not put in center line of the of the 60-foot right of way, we would need to find a property marker to actually know where the property lines are. He went on to say it looks like on the west side of the road there is a 4-foot grace period from where the sidewalk is to where the property line starts.

Mayor Rostocil stated his concern with this is we don't know where the center is, and though he thinks we still need to move forward to remove and put in a proper apron, the city's responsibility is that we need to know where that center line is. He went on to ask what needed to be done to figure out where the centerline is.

Public Works Superintendent Mike Krebs replied that we would need to have it surveyed.

Mayor Charles Rostocil asked City Administrator Shawn Waite if we can postpone any action until we can identify where centerline is on 5<sup>th</sup> Street.

City Administrator Shawn Waite replied yes, we can wait.

Mayor Charles Rostocil asked staff to identify centerline, and then re-engage with the homeowner and have the discussion on exactly how many feet we are talking about, and it is not just an assumption.

City Councilor James Audritsh said he agrees with Mayor Charles Rostocil. He said this is about the safety of our citizens.

Mayor Charles Rostocil agreed, the concern is about safety and future liabilities if someone were



to slip and fall. He asked the home owner if he will work with City Council and staff to let them figure out where the center part of the road is in able to give the homeowner accurate information, and try to work with him on a solution.

Rodolfo Arellano Jr., agreed.

City Council thanked the homeowner, Rodolfo Arellano Jr., for taking the time to come speak with them.

Matt Kennedy, 3635 5<sup>th</sup> Street, Hubbard, said he has been a neighbor of this property for 25 years and understands Mr. Arellano's frustration, he has done a lot of nice things to fix his house up, and did what he thought he needed to do. He went on to say he is also frustrated because every time he tries to do something, including building his new garage, he has to spend a couple thousand dollars to go through the process of planning, and Lance Horton who lives across the corner from this property had to go through the same process just to put a roof on an existing garage. He said it seems heavy-handed, but when they can't fit something in a box or the code, that is when you have to ask for variances, which he has done because he has done a lot of stuff around here. Furthermore, he said if this would have been gone through a process some of this would have been discovered.

Matt Kennedy said the driveway in question does not look like a driveway, it looks like a parking lot, and he knows the city is actually enforcing against people parking in the front yard because he has some of them paying him to park in his parking lot because the city is telling them they can't park in their front yards. He went on to say if you put concrete down, is it all of a sudden not a front yard anymore, you can put down whatever surface you want, but he is concerned about the surface compared to the use.

Matt Kennedy stated the parking all along the three houses has become a little dense and it looks little bit more industrial or commercial than residential (RI), zoning. He went on to say the end product seems unfortunate and he thinks the city needs to do a better job of figuring this code out and treat Mr. Arellano the same as they treat him, Lance Horton, or Greg Wing, when they made him take out his perfectly good driveway on J Street to put in another driveway with aprons to comply with code. Furthermore, he stated a lot of people have spent a lot of money making these corrections for some pretty basic things.

Matt Kennedy said he hopes this serves as a case study to not let this happen again and he also asked, what is a driveway, even if you put concrete down in your yard you are still parking cars in front of your house. He reiterated he would like the City Council to please look at this so it doesn't happen again.

**APPEARANCE OF INTERESTED CITIZENS.** Rocky Sherwood, 2622 Nina Place, Hubbard, said Saturday, October 14, 2023, is the date for the Harvest Festival. It will be from 2:00 p.m. to 9:00 p.m., with a kickball game at 3:00 p.m., weather permitting, hayrides from 5:00 p.m. to 7:00 p.m., and also Salsa dancers and a band performing in the evening. He also said he was able to meet with city staff at the park and draw a better map of the site. Furthermore, he said he wanted to apologized to the community of Hubbard for last month, he lost a brother, and was having issues



**CITY OF HUBBARD**  
PUBLIC WORKS DEPARTMENT  
3607 Sunset Drive/P.O. Box 380  
Hubbard, OR 97032  
(503)982-9429  
TTY/VOICE (800) 735-2900  
[www.cityofhubbard.org](http://www.cityofhubbard.org)

Michael Krebs – P.W. Superintendent  
Melinda Olinger – P.W. Administrative Manager  
Molly King - P.W. Office Assistant  
Juan Hernandez – Utility Worker II  
Aaron Caballero – Utility Worker I  
Bill Doversberger – Utility Worker I

Date: 11/27/2023  
Re: Sidewalk Restoration Project  
Location: 4229 3RD ST

**ATTENTION:**

**No action required at this time. Information purposes only.**

Dear Narciso & Rosa Lopez,

City staff has been working on a sidewalk restoration program and will be mailing notices to properties with sidewalks in need of repair during the construction season of Spring 2024. As you may already know, Hubbard has a City Municipal Code that states "The owner of land adjoining a city street shall maintain in good repair the adjacent sidewalk whenever it becomes damaged or deteriorated in any way."

The sidewalks adjacent to your property have been listed as possibly needing repairs during the construction season of Spring 2024. Fortunately, the City of Hubbard does have a Sidewalk Reimbursement Program. As long as City funds are available during construction, the reimbursement program would assist with a portion of the cost depending on your eligibility.

This letter is for informational purposes only, no action is needed at this current time. For your convenience, there is material regarding the Hubbard Sidewalk Reimbursement Program on the back of this letter. If you have any questions please feel free to contact me at (503) 982 – 9429 or via email at [mking@cityofhubbard.org](mailto:mking@cityofhubbard.org).

Thank you,

Molly King  
City of Hubbard  
Public Works Office Assistant

A handwritten signature in black ink, appearing to read "Molly King", is written over a large, stylized, light blue circular graphic that resembles a stylized "H" or a large "O".

*-THE CITY OF HUBBARD IS AN EQUAL OPPORTUNITY EMPLOYER-*



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Bill Doversberger – Utility Worker I

Date: 02/06/2024

Re: Sidewalk Restoration Project – Please read entirety of letter.

Location: 4229 3RD ST

Dear Narciso & Rosa Lopez,

The city of Hubbard sent a letter to you in November to provide information about our sidewalk reimbursement program. At that time sidewalk inspections took place, the city has determined that the sidewalk adjacent to your property is in need of repair.

Our city sidewalks have received their fair share of wear and tear over the years due to weather and everyday use leading to damage. If damages have occurred they need to be addressed to avoid property value issues, loss of safe transportation options, and most importantly to avoid injuries. Per the City of Hubbard Municipal Code 12.15.060 property owners are responsible for the upkeep of adjacent sidewalks.

Municipal Code: 12.15.060 Duty to repair sidewalks.

The owner of land adjoining a city street shall maintain in good repair the adjacent sidewalk whenever it becomes damaged or deteriorated in any way. (Ord. 279-2005 § 6).

Fortunately, as we mentioned in our previous letter, the city of Hubbard has a sidewalk reimbursement program. We have attached information on the program for your review. As long as city funds are available at the time of construction, the reimbursement program could assist with a portion of the cost depending on eligibility. However, those funds are distributed on a first come first serve type basis and they are limited. Sidewalks will need to be repaired regardless if city funds are no longer available.

The city is requesting this sidewalk repair to be completed within 60 days from the date of this letter. If for any reason there is a scheduling concern due to weather or contractor availability etcetera, please contact us so we may note your account.

Please do not hesitate to contact our office if you have any questions or concerns at (503) 982-9429.

Thank you,

Molly King

Public Works Office Assistant city of Hubbard

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Bill Doversberger – Utility Worker I

Date: 03/14/2024  
Re: Sidewalk Reimbursement Program  
Location: 4229 3RD ST  
Mailing Address: SAME

Dear NARCISO & ROSA LOPEZ

To date Staff has not received a response to the November 2023 and February 2024 letters regarding mandatory sidewalk improvements and the Sidewalk Reimbursement Program. This letter is intended to provide a clear breakdown of the program's process. As previously mentioned, city funds for project reimbursements are limited. We urge you to submit your paperwork promptly as any available reimbursement funds are awarded based on the date/time of application submittals. In any event, applications must be received no later than **April 8, 2024**. Property owners are responsible for the maintenance of the adjacent sidewalks per the Municipal Code. Staff encourages you to take advantage of available funds through the reimbursement program to assist with repair costs.

- Please complete the highlighted areas on the enclosed Right-of-Way permit and sidewalk program applications including the Site Plan. Fill in as much information as you currently know and any remaining information needed can be completed as Staff works through the process with you.
- Once I have received all completed forms, a site visit will be arranged to discuss the required repairs and to measure and mark those areas.
- Upon completion of your application and the site review, final project approval and a notice to proceed will be sent to you via email.
- Repairs are mandatory regardless of reimbursement fund availability.
- An approved Right of Way Permit is mandatory prior to initiating construction.
- A pre-pour inspection is required, so please ensure that either you or your contractor schedules this inspection by calling 503-982-9429.
- Following the pre-pour inspection, Staff will either provide feedback and/or authorize the construction to proceed.
- Once construction is complete call 503-982-9429 or email [mking@cityofhubbard.org](mailto:mking@cityofhubbard.org) to request the final inspection.
- Upon project completion, submit all paid receipts/invoices to [mking@cityofhubbard.org](mailto:mking@cityofhubbard.org) or drop off at 3607 Sunset Drive. Staff will determine reimbursement eligibility based on the date/time the initial applications were received and budgeted program funds remaining. Approved reimbursements will be processed no later than 30 days from the date of approval.

**Please do not hesitate to contact our office if you have any questions or concerns at (503) 982-9429.**

Thank you,

Molly King  
[mking@cityofhubbard.org](mailto:mking@cityofhubbard.org)

P.W. Office Assistant - City of Hubbard



# City Council Memo

To: City Council

From: Shawn Waite, City Administrator

Date: April 1, 2024

RE: Repeal Municipal Code Chapter 3.25 – Public Contracting Rules

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## ***1. Issue before Council:***

Should City Council approve the repeal of Hubbard Municipal Code (HMC) Chapter 3.25 – Public Contracting Rules and direct the city administrator to implement rules and procedures for procurement practices and delegate authority to the city administrator to apply for grants?

## ***2. Executive Summary:***

Staff is requesting City Council repeal HMC Chapter 3.25 – Public Contracting Rules to streamline operational processes as they relate to the procurement of goods and services to conduct city business.

To create efficiency, the city administrator would monitor and make revisions to procurement rules and procedures to ensure timely compliance with any revision to the Oregon Public Contracting Code made by the legislature. Additionally, delegating authority to the city administrator to apply for grants will ensure timely submission of grant applications.

## ***3. Background:***

City staff follow the Oregon Public Contracting Code ORS 279, A, B, and C when procuring goods and services to conduct city business. During legislative sessions the code may be revised to reflect new dollar thresholds, rules, and requirements. To streamline implementation of any changes made by the legislature the city administrator would update rules and procedures for staff to follow. Attached please find rules and procedures that the city administrator and city attorney drafted for City Council's consideration.

Additionally, current practice is for staff to request permission from City Council to apply for grants. However, grant application deadlines may require quick turnaround times and waiting for a City Council meeting or scheduling a Special City Council meeting to request permission may result in missing a grant application deadline. If the city were awarded a grant staff would seek City Council approval to accept the award, commit matching funds, and discuss any other requirements of the grant.

## ***4. Options:***

- A. Approve the repeal of Hubbard Municipal Code (HMC) Chapter 3.25 – Public Contracting Rules and direct the city administrator to implement rules and procedures for procurement practices and delegate the city administrator authority to apply for grants.



- B. Do not approve the repeal of Hubbard Municipal Code (HMC) Chapter 3.25 – Public Contracting and not direct the city administrator to implement rules and procedures for procurement practices and not delegate the city administrator authority to apply for grants.
- C. Direct staff to pursue another option.

**5. Recommendation:**

- A. Approve the repeal of Hubbard Municipal Code (HMC) Chapter 3.25 – Public Contracting and direct the city administrator to implement rules and procedures for procurement practices and delegate the city administrator authority to apply for grants.

**6. Attachment(s):**

- A. HMC Chapter 3.25 – Public Contracting Rules
- B. Exhibit A – Public Contracting Rules and Procedures

## **PUBLIC CONTRACTING RULES AND PROCEDURES**

### **A. Delegation.**

(1) Except as otherwise provided in these rules, the powers and duties of the Local Contract Review Board under the Public Contracting Code must be exercised and performed by the Hubbard City Council.

(2) Unless expressly limited by the Local Contract Review Board or these Rules, all powers and duties given or assigned to contract agencies by the Public Contracting Code may be exercised or performed by the City Administrator or the City Administrator's designee, including the authority to enter into emergency contracts pursuant to ORS 279B.080. For the purpose of these rules, "City Administrator" means the acting City Administrator for the City of Hubbard, or his or her designee.

(3) All contracts estimated to cost more than \$75,000 in a calendar year, and any contract that is not included or anticipated in the Council's adopted budget for a given fiscal year, must be approved by City Council. All public contracts estimated to cost \$50,000 or less in a calendar year, if already included or anticipated in the Council's adopted budget, may be entered into by the City Administrator without Council approval.

(4) Except as provided within these Rules, City public contracting is governed by the Oregon Public Contracting Code (ORS Chapters 279, 279A, 279B and 279C) (the "Public Contracting Code") and the Oregon Attorney General's Model Public Contract Rules (OAR Chapter 137, divisions 46, 47 and 49) (the "Model Rules").

### **B. Personal Services (other than Construction-Related Personal Services).**

(1) Definition. "Personal Services" shall be defined to include those services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of attorneys, accounting and auditing services, information technology services, planning and development services, artists, designers, performers, property managers and consultants. The city administrator has discretion to determine whether a particular contract or service falls within this definition. For the purposes of this section, personal services contracts do not include contracts for architectural, engineering, photogrammetric, land surveying and, in very narrow instances, transportation planning services when only such professionals may legally provide the service. The procedure for those contracts are found below at Section C.

(2) Large Procurements. When the estimated payment to the contractor for personal services is above [\$250,000], the City shall seek competitive sealed proposals in accordance with OAR 137-047-0260.

(3) Intermediate Procurements. The following informal selection procedure may be used when the estimated payment to the contractor is equal to or less than [\$250,000] and above \$75,000. The City Administrator will contact a minimum of three (3) prospective contractors qualified to offer the services sought. The City Administrator will request an estimated fee, and make the selection consistent with the City's best interests. If three (3) quotes are not received, the City Administrator will make a written record of efforts to obtain the quotes.

(4) Small Procurements. The City Administrator may enter personal service contracts when the estimated payment is less than \$75,000 in any manner the City Administrator finds practical or convenient, including direct selection or award. However, the City Administrator must make reasonable efforts to choose

the most qualified contractor to meet the City's needs. The amount of a given contract may not be manipulated to avoid the informal or formal selection procedures.

**C. Contracts for Construction-Related Personal Services.**

(1) Purpose. This section implements ORS 279C.100 to 279C.125. The City will rely on these rules, not the Model Rules, for a contract with an architect, engineer, photogrammetrist, land surveyor, as each is defined in ORS 279C.100, and (in very narrow instances) a transportation planner (collectively referred to herein as "Construction-Related Personal Services").

(2) Applicability. This section applies only to a Construction-Related Personal Service contract that meets the following criteria:

- (a) The estimated payment to the contractor exceeds \$100,000; and
- (b) The contract is for a personal service that is *legally required* to be provided or performed by an architect, engineer, photogrammetrist, transportation planner or land surveyor. For example: hiring an architect to design a building or hiring an engineer to design a wastewater system. Because the law requires licensed professionals to design buildings and infrastructure, the City may rely on this subsection to hire someone to perform those services. However, if the City is hiring an architect or engineer to perform project management services (for example), it may solicit and award such services under Section A of these Rules. *See* definition of "Related Services" below.
- (c) If either (a) or (b) above is not satisfied (i.e. the contract is for a personal service that is legally required to be provided by a licensed architect, etc. *but* is estimated to not exceed \$100,000; *or* the contract will require an engineer, etc. to perform a Related Service) then the City may rely on Section A of these rules to solicit and award the contract.

(3) Mixed contracts. Some contracts will contain a mixture of services covered by this Section (i.e. services that only the particular consultant may legally perform) and Related Services. Whether the City uses this Section or Section A to solicit and award a mixed contract will depend upon the predominate purpose of the contract. The City will determine the predominate purpose based upon either the amount of money it estimates it will spend for covered services versus Related Services or the amount of time it estimates that the consultant will spend working on covered services versus Related Services. If covered services predominate, the City will solicit the contract under this Section. If Related Services predominate, the City will solicit the contract under Section A.

(4) Small Procurements. For clarity's sake, the City Administrator may enter Construction-Related Personal Service contracts when the estimated payment is less than \$100,000 in any manner the City Administrator finds practical or convenient, including direct selection or award. However, the City Administrator must make reasonable efforts to choose the most qualified contractor to meet the City's needs. The amount of a given contract may not be manipulated to avoid the informal or formal selection procedures.

(5) Definitions. The following definitions apply to this Section:

- (a) "Transportation Planning Services" only includes project-specific transportation planning required for compliance with the National Environmental Policy Act, 42 USC 4321 et seq. and no other types of transportation planning services. By way of example only, Transportation Planning Services do not include transportation planning for corridor plans, transportation system plans, interchange area management plans, refinement plans and other transportation plans not associated with an individual Project required to comply with the National Environmental Policy Act, 42 USC 4321 et. seq.

- (b) “Related Services” means personal services, other than architectural, engineering, photogrammetric, mapping, transportation planning or land surveying services, that are related to planning, designing, engineering or overseeing public improvement projects or components of public improvements, including, but not limited to, landscape architectural services, facilities planning services, energy planning services, space planning services, hazardous substances or hazardous waste or toxic substances testing services, cost estimating services, appraising services, material testing services, mechanical system balancing services, commissioning services, project management services, construction management services, and owner’s representation services or land-use planning services. In other words, personal services that are *not required by law* to be performed by an architect, engineer, photogrammetrist, transportation planner or land surveyor.

(6) Intermediate Procurements. The following informal selection procedure may be used when the estimated payment to the consultant for Construction-Related Personal Services is equal to or less than \$250,000 and above \$100,000. The City Administrator will contact a minimum of three (3) prospective consultants qualified to offer the services sought. The City Administrator will request an estimated fee, and make the selection consistent with the City’s best interests, to the most qualified consultant. If three (3) quotes are not received, the City Administrator will make a written record of efforts to obtain the quotes.

(7) Large Procurements.

- (a) When the estimated cost of the contract for Construction-Related Personal Services is greater \$250,000, a contract shall be awarded following a qualifications based selection procedure focusing on the consultant's qualifications for the type of professional service required, taking into account the candidate's specialized experience, capabilities and technical competence; resources; record of past performance, including but not limited to price and cost data from previous projects, quality of work, ability to meet schedules, cost control and contract administration; ownership status and employment practices regarding minority, women and emerging small businesses or historically underutilized businesses; availability to the project locale; familiarity with the project locale; and proposed project management techniques.
- (b) Unless the City follows the process set forth in subsection (c) of this Section, the City may not solicit or use pricing policies and proposals or other pricing information, including the number of hours proposed for the service required, expenses, hourly rates and overhead, to determine consultant compensation until after the City has selected a qualified professional for award.
- (c) Notwithstanding subsection (b) of this Section, the City may request pricing policies or pricing proposals from prospective consultants, including an estimate of the number of hours that will be needed to perform the work described in the solicitation, and a schedule of hourly rates, if the City:
- (i) States in the following in its solicitation document:
- a. That the City will screen and select prospective consultants as provided in ORS 279C.110(5);
  - b. How the City will rank proposals from prospective consultants, with a specific focus on:
    1. Which factors the City will consider in evaluating proposals, including pricing policies, proposals or other pricing information, if the City will use pricing policies, proposals or other pricing information in the evaluation; and

2. The relative weight the City will give each factor, disclosing at a minimum the number of available points for each factor, the percentage each factor comprises in the total evaluation score and any other weighting criteria the City intends to use;
  - c. An estimate of the cost of professional services the City requires for the procurement; and
  - d. A scope of work that is sufficiently detailed to enable a prospective consultant to prepare a responsive proposal.
- (ii) Evaluates each prospective consultant on the basis of the prospective consultant's qualifications to perform the professional services the City requires for the procurement.
  - (iii) Announces the evaluation scores and rank for each prospective consultant after completing the evaluation described in paragraph (ii) of this subsection. The City may determine that as many as three of the top-ranked prospective consultants are qualified to perform the professional services the City requires for the procurement and may request a pricing proposal for the scope of work stated in paragraph (i)(d) of this subsection from each of the top-ranked consultants. The pricing proposal must consist of:
    - a. A schedule of hourly rates that the prospective consultant will charge for the work of each individual or each labor classification that will perform the professional services the City requires for the procurement, in the form of an offer that is irrevocable for not less than 90 days after the date of the proposal; and
    - b. A reasonable estimate of hours that the prospective consultant will require to perform the professional services the local contracting agency requires for the procurement.
  - (iv) Permits a prospective consultant identified as qualified under paragraph (iii) of this subsection to withdraw from consideration for the procurement if the prospective consultant does not wish to provide a price proposal.
  - (v) Completes the evaluation and selects a consultant from among the top-ranked prospective consultants that have not withdrawn as provided under paragraph (iv) of this subsection, giving not more than 15 percent of the weight in the evaluation to each prospective consultant's price proposal
- (d) If the City and the professional are unable to negotiate a reasonable and fair amount of compensation, as determined solely by the City, the City shall, either orally or in writing, formally terminate negotiations with the selected candidate and may then negotiate with the next most qualified candidate. The negotiation process may continue in this manner through successive candidates until an agreement is reached or the contracting agency terminates the consultant contracting process.
- (8) Price Agreements. Solicitation materials and the terms and conditions for a price agreement for Construction-Related Personal Services must:
    - (i) Include a scope of services, menu of services, a specification for services or a similar description of the nature, general scope, complexity and purpose of the procurement



that will reasonably enable a Construction-Related Personal Service consultant to decide whether to submit a proposal;

- (ii) Specify whether City intends to award a price agreement to one consultant or to multiple consultants. If the City will award a price agreement to more than one consultant, the solicitation document and price agreement will describe the criteria and procedures City will use to select a consultant for each individual work order or task order. Subject to the requirements of ORS 279C.110, the criteria and procedures to assign work orders or task orders that only involve or predominantly involve Construction-Related Personal Services are at the City's sole discretion.
- (iii) Specify the maximum term for assigning services under the price agreement.

**D. Special Procurements, Sole Source, and Exemptions.**

(1) The Local Contract Review Board may exempt from competitive bidding certain contracts or classes of contracts for procurement of goods, services, and personal services (other than Construction-Related Personal Services) according to the procedures described in ORS 279B.085.

(2) The Local Contract Review Board may award a contract for goods, services, or personal services (other than Construction-Related Personal Services) from a single source if the goods, services, or personal services are available from only one company, or the prospective company has special skills uniquely required for the provision of the goods or the performance of the services or personal services. The City must make written findings to demonstrate why the proposed company is the only company who can provide the goods or perform the services or personal services desired, in general compliance with ORS 279B.075.

(3) The Local Contract Review Board may exempt certain contracts or classes of contracts for public improvements or Construction-Related Personal Services from competitive bidding according to the procedures described in ORS 279C.335. When exempting a public improvement from competitive bidding, the Local Contract Review Board may authorize the contract to be awarded using a Request for Proposal process for public improvements, according to the processes described in OAR 137-049-0640 through 137-049-0690.

**E. Small Procurements (Under \$25,000) for Goods and Services, and Public Improvements.**

(1) Public contracts under \$25,000 are not subject to competitive bidding requirements. The City Administrator shall make a reasonable effort to obtain competitive quotes in order to ensure the best value for the City.

(2) The City may amend a public contract awarded as a small procurement beyond the \$25,000 limit in accordance with OAR 137-047-0800, provided the cumulative amendments do not increase the total contract price to a sum that is greater than \$31,250.

(3) A procurement may not be artificially divided or fragmented to avoid this Section.

**F. Intermediate Procurements for Goods and Services, and Public Improvements.**

(1) If a contract for procurement of goods and services estimated to cost between \$25,000 and \$250,000, or a contract for a public improvement that is estimated to cost between \$25,000 and \$100,000, the City Administrator will contact a minimum of three (3) prospective contractors qualified to offer the goods or services or public improvement sought. The City Administrator will request an estimated fee, and make the selection consistent with the City's best interests. If three (3) quotes are not received, the City Administrator will make a written record of efforts to obtain the quotes.

(2) The City may amend a public contract awarded as an intermediate procurement beyond the stated limitations in accordance with OAR 137-047-0800 or OAR 137-049-0910, as applicable, provided the cumulative amendments shall not increase the total contract price to a sum that is greater than \$312,500.

(3) A procurement may not be artificially divided or fragmented to qualify for this Section.

**G. Large Procurements for Goods and Services, and Public Improvements.**

(1) When the estimated payment to the contractor for goods or services is above \$250,000, the City shall either seek competitive sealed bidding in accordance with OAR 137-047-0255 or competitive sealed proposals in accordance with OAR 137-047-0260.

(2) When estimated payment to the contractor for a public improvement is above \$100,000, the City shall follow the solicitation procedures set forth in OAR 137-049-0200.

(3) A procurement may not be artificially divided or fragmented to avoid this Section.

**H. Emergency Contracts.**

(1) "Emergency" shall be defined as follows: "Circumstances that (a) could not have reasonably been foreseen; (b) create a substantial risk of loss, damage, or interruption of services or a substantial threat to property, public health, welfare or safety; and (c) require prompt execution of a contract to remedy the condition."

(2) The City Administrator may select a contractor for any public contract without following any procedures if an emergency exists.

(3) The Mayor or the City Administrator shall have authority to determine when emergency conditions exist sufficient to warrant an emergency contract. The nature of the emergency and the method used for the selection of the contractor shall be documented.

**I. Disposal of Surplus Property.**

(1) "Surplus property" is property owned by the City, such as office furniture, computers, equipment, and vehicles, and excluding real property, that the City Administrator determines is surplus and no longer useful to city of Hubbard.

(2) The city administrator may authorize the sale, donation or destruction of surplus property. Surplus property may be sold through the informal solicitation of bids or through an auction, including an online auction. The city administrator has the discretion to advertise the sale of surplus property in a newspaper of citywide circulation.

(3) Employees of the City may purchase surplus property, so long as at least three individuals or entities have bid on the property and the employee's bid is the highest bid.

**J. Notice of Intent to Award Certain Contracts.**

(1) At least seven days before the award of a public contract solicited under any invitation to bid or request for proposals, the City will post or provide to each bidder or proposer notice of the City's intent to award a contract.

(2) If stated in the solicitation document, the City may post this notice electronically or through non-electronic means and require the bidder or proposer to determine the status of the City's intent.

(4) As an alternative, the City may provide written notice to each bidder or proposer of the City's intent to award a contract. This written notice may be provided electronically or through non-electronic means.

(3) The City may give less than seven days' notice of its intent to award a contract if the City determines in writing that seven days is impracticable.

(4) This Section does not apply to any goods or service contract, public improvement contract or class of public improvement or goods or services contracts exempted or excepted from competitive bidding requirements.

(5) A protest of the City's intent to award a contract may only be filed in accordance with OAR 137-047-0740, OAR 137-048-0240, or OAR 137-049-0450, as applicable. Protests to the City's intent to award a personal service contract under Section A may only be filed in accordance with OAR 137-047-0740.

#### **K. Concession Agreements.**

(1) A "concession agreement" is a contract that authorizes and requires a private entity or individual to promote or sell, for its own business purposes, specified types of goods or services from a site within a building or upon land owned by the City, and under which the concessionaire makes payments to the City based, in whole or in part, on the concessionaire's sales revenues. The term "concession agreement" does not include an agreement which is merely a flat-fee or per-foot rental, lease, license, permit, or other arrangement for the use of public property.

(2) Concession agreements are not required to be competitively bid. However, when it is in the City's best interests to do so, the City may obtain competitive proposals for concession agreements using the procedures described in ORS 279B.060.

#### **L. Electronic Advertising**

(1) Pursuant to ORS 279C.360 and ORS 279B.055, electronic advertisement of all public contracts in lieu of newspaper publication is authorized when it is cost-effective to do so. The City Administrator shall have the authority to determine when electronic publication is appropriate, and consistent with the City's public contracting policies.

(2) Notwithstanding the foregoing, any advertisement for a public improvement contract with an estimated cost over \$125,000 must be published at least once in a trade newspaper of general statewide circulation, such as the Daily Journal of Commerce.

**ORDINANCE NO. 387-2024**

**AN ORDINANCE REPEALING HUBBARD MUNICIPAL CODE CHAPTER  
3.25, PUBLIC CONTRACTING RULES.**

**WHEREAS** the City Council of the City of Hubbard find it necessary to repeal Chapter 3.25, Public Contracting Rules; and

**WHEREAS** the Public Contracting Rules are administered by the City Administrator.

**NOW, THEREFORE, THE CITY OF HUBBARD ORDAINS AS FOLLOWS:**

**Section 1:** This ordinance shall hereby repeal Chapter 3.25, Public Contracting Rules, of the Hubbard Municipal Code.

**Section 2:** This Ordinance shall be effective on the 30<sup>th</sup> day following its passage.

There foregoing ordinance was passed by the City Council of the City of Hubbard this 9<sup>th</sup> day of April 2024, by the following vote:

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

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

**ABSENT:** \_\_\_\_\_

**WHEREUPON** the Mayor declared the motion to be carried and the ordinance adopted.

**PASSED AND APPROVED** by the City Council of the City of Hubbard this 9<sup>th</sup> day of April 2024.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**



\_\_\_\_\_  
**CITY ATTORNEY**

## Chapter 3.25 PUBLIC CONTRACTING RULES

### Sections:

- 3.25.010 General provisions.**
- 3.25.020 Personal service contracts not including certain construction-related personal services.**
- 3.25.030 Contracts for certain construction-related personal services.**
- 3.25.040 Authority to electronically advertise solicitations for goods and services.**
- 3.25.050 Authority to electronically advertise solicitations for public improvements.**
- 3.25.060 Sole-source procurements.**
- 3.25.070 Notice of intent to award certain contracts.**
- 3.25.080 Procedure for surplus property.**
- 3.25.090 Signature authority.**

### **3.25.010 General provisions.**

(1) Except as provided within these rules, the city's public contracting is governed by the Oregon Public Contracting Code (ORS Chapters [279](#), [279A](#), [279B](#) and [279C](#)) (the "Code") and the Oregon Attorney General's Model Public Contract Rules (OAR Chapter [137](#), Divisions [46](#), [47](#), [48](#) and [49](#)) (the "Model Rules").

(2) The Hubbard city council ("council") is the city of Hubbard's local contract review board. Except as these rules may otherwise provide, the powers and duties of local contract review boards under the Code and Model Rules will be exercised by the council and the powers and duties given or assigned to contracting agencies by the Code or Model Rules will be exercised by the city administrator or designee acting as city of Hubbard's contracting agent.

(3) For the purposes of these rules, "department head" means the acting department head for the city of Hubbard department that is contracting for goods, services or public improvements, or his or her designee.

(4) For the purposes of these rules, "emergency" means circumstances that:

- (a) Could not have been reasonably foreseen;
- (b) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
- (c) Require prompt execution of a contract to remedy the condition. (Ord. 355-2017 § 1)

### **3.25.020 Personal service contracts not including certain construction-related personal services.**

(1) "Personal service contract" means a contract for personal or professional services performed by an independent contractor, primarily for the provision of services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services include, but are not limited to, the services of attorneys, accounting and auditing services, information technology services, planning and development services, artists, designers, performers, property managers and consultants. The city administrator or designee has





discretion to determine whether a particular contract or service falls within this definition. For the purposes of this section, personal services contracts do not include contracts for architectural, engineering, photogrammetric, land surveying and, in very narrow instances, transportation planning services when only such professionals may legally provide the service. The procedures for those contracts are found below at HMC [3.25.030](#).

(2) The following formal selection procedure will be used when the estimated payment to the contractor exceeds \$150,000.

(a) Announcement. City of Hubbard will give notice of its intent to procure personal services through a newspaper of general circulation, and any other means city of Hubbard deems appropriate, including contacting prospective contractors directly. Announcements will include:

- (i) A description of the proposed project;
- (ii) The scope of the services required;
- (iii) The project completion dates;
- (iv) A description of special requirements;
- (v) When and where the application may be obtained and to whom it must be returned;
- (vi) The closing date; and
- (vii) Other necessary information.

(b) Application. Applications will include a statement that describes the prospective contractor's credentials, performance data, examples of previous work product or other information sufficient to establish contractor's qualification for the project, references, and other information identified by city of Hubbard as necessary to make its selection.

(c) Initial Screening. The city administrator or designee will evaluate the qualifications of all applicants and select a prospective contractor or prospective contractors whose application demonstrates that the contractor is best qualified to meet city of Hubbard's needs.

(d) Final Selection.

- (i) The city administrator or designee will interview the finalists selected from the initial screening. At the city administrator or designee's discretion, the interviews may be conducted before the council.
- (ii) After the interview process concludes, the city administrator or designee will make the final selection. If the interviews are conducted before the council, the council will make the final selection.
- (iii) The final selection will be based upon applicant capability, experience, project approach, compensation requirements, references and any other criteria identified by city of Hubbard as necessary for city of Hubbard to select a contractor.

(3) The following informal selection procedure may be used when the estimated payment to the contractor does not exceed \$150,000 or when the city administrator or designee determines that the informal procedures will not interfere with competition among prospective contractors, reduce the quality of services



or increase costs. The city administrator or designee will contact a minimum of three prospective contractors qualified to offer the services sought. The city administrator or designee will request an estimated fee, and make the selection consistent with city of Hubbard's best interests. If three quotes are not received, the city administrator or designee will make a written record of efforts to obtain the quotes.

(4) The city administrator or designee may enter into personal service contracts not exceeding an estimated \$5,000 without following the procedures under subsection (2) or (3) of this section. However, the city administrator or designee must make reasonable efforts to choose the most qualified contractor to meet city of Hubbard's needs. The amount of a given contract may not be manipulated to avoid the informal or formal selection procedures.

(5) The city administrator or designee may negotiate with a single source for personal services if the services are available from only one contractor, or the prospective contractor has special skills uniquely required for the performance of the services. City of Hubbard must make written findings to demonstrate why the proposed contractor is the only contractor who can perform the services desired.

(6) The city administrator or designee may select a contractor without following any procedures if an emergency exists. In such instances, the city administrator or designee must memorialize in writing the circumstances that justify the emergency appointments. (Ord. 355-2017 § 1)

### **3.25.030 Contracts for certain construction-related personal services.**

(1) Purpose. This section implements ORS [279C.100](#) to [279C.125](#). City of Hubbard will rely on this section, not the Model Rules, when it seeks to contract with an architect, engineer, photogrammetrist, land surveyor or (in very narrow instances) a transportation planner.

(2) Applicability. This section applies only to personal services meeting the following criteria:

(a) A contract with an estimated fee that exceeds \$100,000; and

(b) The contract is for a personal service that is legally required to be provided or performed by an architect, engineer, photogrammetrist, transportation planner or land surveyor. For example: hiring an architect to design a building or structure, or hiring an engineer to design a wastewater system. Because the law requires licensed professionals to design buildings and infrastructure, city of Hubbard would rely on this section to hire someone to perform those services. However, if city of Hubbard were hiring an architect or engineer to perform project management services (for example), it may solicit and award such services under HMC [3.25.020](#). See definition of "related services" in subsection (3)(f) of this section.

(c) If either subsection (2)(a) or (2)(b) of this section is not satisfied (i.e., the contract is for a personal service that is legally required to be provided by a licensed architect, etc., but is estimated to not exceed \$100,000; or the contract will require an engineer, etc. to perform a related service) then city of Hubbard may rely on HMC [3.25.020](#) to solicit and award the contract.

(d) Mixed Contracts. Some contracts will contain a mixture of services covered by this section (i.e., services that only the particular consultant may legally perform) and related services. Whether city of Hubbard uses HMC [3.25.020](#) or this section to solicit and award a mixed contract will depend upon the contract's predominant purpose. City of Hubbard will determine the predominant purpose based upon either the amount of money it estimates it will spend for covered services versus related services or the amount of time it estimates the consultant will spend working on covered services versus related services. If covered services predominate, city of Hubbard will solicit the contract



under this section. If related services predominate, city of Hubbard will solicit the contract under HMC 3.25.020.

(3) Definitions. The following definitions apply to this section:

- (a) "Construction-related consultant" means an architect, engineer, photogrammetrist, land surveyor, a transportation planner in narrow instances defined below or a provider of related services.
- (b) "Estimated fee" means city of Hubbard's reasonably projected fee to be paid for a construction-related consultant's services under the anticipated contract, excluding all anticipated reimbursable or other nonprofessional fee expenses. The estimated fee is used solely to determine the applicable contract solicitation method and is distinct from the total amount payable under the contract.
- (c) "Price agreement" is limited to mean an agreement related to the procurement of architectural, engineering, photogrammetric mapping, transportation planning or land surveying services, or related services, under agreed-upon terms and conditions and possibly at a set price with:
  - (i) No guarantee of a minimum or maximum purchase; or
  - (ii) An initial order or minimum purchase, combined with a continuing obligation to provide architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services where city of Hubbard does not guarantee a minimum or maximum additional purchase.
- (d) "Project" means all components of a city of Hubbard-planned undertaking that gives rise to the need for a construction-related consultant's architectural, engineering, photogrammetric mapping, transportation planning or land surveying services, or related services, under a contract.
- (e) "Transportation planning services" only includes project-specific transportation planning required for compliance with the National Environmental Policy Act, 42 USC 4321 et seq., and no other types of transportation planning services. By way of example only, transportation planning services do not include transportation planning for corridor plans, transportation system plans, interchange area management plans, refinement plans and other transportation plans not associated with an individual project required to comply with the National Environmental Policy Act, 42 USC 4321 et seq.
- (f) "Related services" means personal services, other than architectural, engineering, photogrammetric, mapping, transportation planning or land surveying services, that are related to planning, designing, engineering or overseeing public improvement projects or components of public improvements, including, but not limited to, landscape architectural services, facilities planning services, energy planning services, space planning services, hazardous substances or hazardous waste or toxic substances testing services, cost estimating services, appraising services, material testing services, mechanical system balancing services, commissioning services, project management services, construction management services, and owner's representation services or land use planning services. In other words, personal services that are not required by law to be performed by an architect, engineer, photogrammetrist, transportation planner or land surveyor.

(4) Selection Procedures.

- (a) When selecting a construction-related consultant to perform architectural, engineering, photogrammetric mapping, transportation planning or land surveying services under this section, city of Hubbard must award a contract to the most qualified consultant.



(b) In accordance with Oregon law, when determining which consultant is most qualified, city of Hubbard may only solicit or use pricing policies and pricing proposals, or other price information, including the number of hours proposed for the services required, expenses, hourly rates and overhead, to determine a construction-related consultant's compensation after city of Hubbard has selected the most qualified consultant.

(c) When soliciting a construction-related consultant under this section, city of Hubbard will use a request for proposals ("RFP") or a request for qualifications ("RFQ") followed by a RFP, as described below. City of Hubbard may advertise RFQs and RFPs in any manner it deems appropriate. If city of Hubbard directly solicits qualifications or proposals from construction-related consultants, it will attempt to contact at least three consultants.

(d) RFQ. City of Hubbard may in its sole discretion issue a RFQ to evaluate potential construction-related consultants and establish a short list of qualified construction-related consultants to whom it may issue a RFP for some or all of the architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services described in the RFQ. RFQs may include:

- (i) A brief project description;

- (ii) A description of the architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services required for the project;

- (iii) Any conditions or limitations that may constrain or prohibit the selected construction-related consultant's ability to provide additional services related to the project, including but not limited to construction services;

- (iv) A response deadline and a description of how or where to submit a response;

- (v) A statement that interested consultants respond solely at their own expense;

- (vi) RFQ evaluation criteria; and

- (vii) Any other elements the city administrator or designee deems appropriate.

(e) RFP. City of Hubbard will issue a RFP to select the most qualified construction-related consultant, regardless of whether an RFQ precedes an RFP. RFPs will include:

- (i) A description of the project and the specific architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services sought for the project, the estimated project cost, the estimated time period during which the project is to be completed, and the estimated time period in which the specific architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services sought will be performed;

- (ii) The RFP evaluation process and the criteria that city of Hubbard will use to select the most qualified construction-related consultant, including the weight, points or other classifications applicable to each criterion. Without limitation, the criteria may include:

- (A) Proposers' availability and capability to perform the services described in the RFP;



(B) Experience of proposers' key staff persons in providing similar services on similar projects within the last three years;

(C) The amount and type of resources, and number of experienced staff persons proposers will commit to the project;

(D) Proposers' demonstrated ability to successfully complete similar projects on time and within budget, including the hourly rates for key personnel and related cost data for similar projects in the previous 12 months;

(E) References and recommendations from past clients; and

(F) Any other criteria the city administrator or designee deems appropriate.

(iii) Conditions or limitations, if any, that may constrain or prohibit the selected construction-related consultant's ability to provide additional services related to the project, including but not limited to construction services;

(iv) Whether interviews will or may occur and, if so, how the interview will factor into city of Hubbard's selection;

(v) A proposal deadline and a description of how or where to submit a proposal;

(vi) A statement whether city of Hubbard will accept proposals in electronic format;

(vii) A statement that interested consultants respond solely at their own expense;

(viii) A statement reserving city of Hubbard's right to reject any or all proposals and its right to cancel the RFP at any time if doing either would be in the public interest;

(ix) A statement directing proposers to the protest procedures set forth in the RFP;

(x) A statement whether or not city of Hubbard will hold a pre-proposal meeting for all interested construction-related consultants to discuss the project and if a pre-proposal meeting will be held, the location of the meeting and whether or not attendance is mandatory; and

(xi) Any other elements the city administrator or designee deems appropriate.

(f) After selecting the most qualified construction-related consultant in accordance with a RFP, city of Hubbard will notify each proposer accordingly and state that it will begin negotiating a contract with the most qualified consultant. A resulting contract will at least include:

(i) The consultant's performance obligations and performance schedule;

(ii) Payment methodology and a maximum amount payable to the consultant for the services required under the contract;

(iii) Legally required terms; and

(iv) Any other provisions city of Hubbard believes to be in its best interest to negotiate.

(g) City of Hubbard will formally terminate negotiations in writing with the most qualified consultant if it is unable for any reason to negotiate a contract within a reasonable amount of time, as city of Hubbard may determine in its sole discretion. The city may thereafter negotiate with the second





ranked consultant, and if necessary, with the third ranked consultant, and so on, until negotiations result in a contract. If negotiations with any consultant do not result in a contract within a reasonable amount of time, city of Hubbard may end the particular solicitation. Nothing in this section precludes city of Hubbard from re-entering negotiations, in its own discretion, with a consultant if negotiations were previously terminated for the same contract.

(5) Price Agreements. Solicitation materials and the terms and conditions for a price agreement for architectural, engineering, photogrammetric mapping, transportation planning or land surveying services or related services must:

(a) Include a scope of services, menu of services, a specification for services or a similar description of the nature, general scope, complexity and purpose of the procurement that will reasonably enable a construction-related consultant to decide whether to submit a proposal;

(b) Specify whether city of Hubbard intends to award a price agreement to one consultant or to multiple consultants. If city of Hubbard will award a price agreement to more than one consultant, the solicitation document and price agreement will describe the criteria and procedures city of Hubbard will use to select a consultant for each individual work order or task order. Subject to the requirements of ORS [279C.110](#), the criteria and procedures to assign work orders or task orders that only involve or predominantly involve architectural, engineering, photogrammetric mapping, transportation planning or land surveying services are at city of Hubbard's sole discretion.

(c) Specify the maximum term for assigning services under the price agreement. (Ord. 355-2017 § 1)

#### **3.25.040 Authority to electronically advertise solicitations for goods and services.**

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(1) The city administrator or designee is authorized to develop an "electronic procurement system" in accordance with OAR [137-047-0300](#)(2)(b). As described in OAR [137-046-0110](#)(16), this is an information system accessible through the Internet that allows city of Hubbard to post electronic advertisements and receive electronic offers for goods and services. When an electronic procurement system is in place, the Model Rules allow procurement solicitations to be advertised exclusively online. This saves city of Hubbard time and money over newspaper advertisements.

(2) Prior to any development of an electronic procurement system, city of Hubbard may advertise solicitations for goods and services on the Internet in addition to newspaper advertisements. (Ord. 355-2017 § 1)

#### **3.25.050 Authority to electronically advertise solicitations for public improvements.**

(1) For all public improvement contracts with an estimated cost not exceeding \$125,000, the city administrator or designee may electronically advertise solicitations in a manner deemed appropriate. This method of advertising will save city of Hubbard time and money, may be used exclusively, and is allowed under ORS [279C.360](#)(1).

(2) An advertisement for a public improvement contract with an estimated cost over \$125,000 must be published at least once in a trade newspaper of general statewide circulation, such as the Daily Journal of Commerce. (Ord. 355-2017 § 1)

#### **3.25.060 Sole-source procurements.**

(1) Pursuant to ORS [279B.075](#)(1), the city administrator or designee is authorized to declare in writing certain goods and services to be available from only one source.



(2) The determination of a sole source must be based on findings required by ORS [279B.075\(2\)](#), and otherwise be processed in accordance with OAR [137-047-0275](#). (Ord. 355-2017 § 1)

### **3.25.070 Notice of intent to award certain contracts.**

(1) At least seven days before the award of a public contract solicited under a traditional invitation to bid or request for proposals, city of Hubbard will post or provide to each bidder or proposer notice of city of Hubbard's intent to award a contract.

(2) If stated in the solicitation document, city of Hubbard may post this notice electronically or through nonelectronic means and require the bidder or proposer to determine the status of city of Hubbard's intent.

(3) As an alternative, city of Hubbard may provide written notice to each bidder or proposer of city of Hubbard's intent to award a contract. This written notice may be provided electronically or through nonelectronic means.

(4) City of Hubbard may give less than seven days notice of its intent to award a contract if city of Hubbard determines in writing that seven days is impracticable as allowed by ORS [279B.135](#).

(5) This section does not apply to goods and services contracts awarded under small procurements under these rules, or other goods and services contracts awarded in accordance with ORS [279B.070](#), [279B.075](#), [279B.080](#) or [279B.085](#).

(6) This section does not apply to any public improvement contract or class of public improvement contracts exempted from competitive bidding requirements.

(7) A protest of city of Hubbard's intent to award a contract may only be filed in accordance with OAR [137-047-0740](#) or [137-049-0450](#), as applicable. (Ord. 355-2017 § 1)

### **3.25.080 Procedure for surplus property.**

(1) Surplus property is property owned by city of Hubbard such as office furniture, computers, equipment, vehicles, excluding real property, that the city administrator or designee determines is surplus and no longer useful to city of Hubbard.

(2) The city administrator or designee may authorize the sale, donation or destruction of surplus property. Surplus property may be sold through the informal solicitation of bids or through an auction, including an online auction. The city administrator or designee has the discretion to advertise the sale of surplus property in a newspaper of citywide circulation.

(3) Employees of city of Hubbard may purchase surplus property, so long as at least three individuals or entities have bid on the property and the employee's bid is the highest bid. (Ord. 355-2017 § 1)

### **3.25.090 Signature authority.**

(1) The purpose of this section is to clarify when the city administrator or designee may bind city of Hubbard to a purchase of, or a contract for, goods, services (including personal services) and public improvements (collectively "purchases") without additional council authorization. In order to bind city of Hubbard to a purchase, the city administrator or designee must sign a document related to the purchase. For the purposes of this section, "signing" a document includes a digital signature or authorization.

(2) Except as provided in subsection (3) of this section, if the council's adopted budget for a given fiscal year includes or anticipates the purchase, the city administrator or designee may bind city of Hubbard without additional council authorization. For the purposes of this section, the city administrator or designee may exercise reasonable discretion in determining whether the adopted budget anticipates a purchase.



(3) For purchases with a value exceeding \$50,000 and if the council's adopted budget for a given fiscal year does not include or anticipate the purchase regardless of the dollar amount, the council must authorize the purchase in order to bind city of Hubbard to it. (Ord. 355-2017 § 1)

**Mobile Version**







# City Council Memo

To: City Council

From: Shawn Waite, City Administrator

Date: April 1, 2024

RE: Implementation of a Public Safety Fee and Monthly Utility Billing

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## ***1. Issue before Council:***

Should the City Council adopt a new ordinance implementing a Public Safety Fee and approve resolutions for a Public Safety Fee and the monthly Water Rates?

## ***2. Executive Summary:***

Concluding the presentation of the Five-Year Financial Forecast the City Council directed staff to identify revenue options for City Council's consideration. At the March 12, 2024 City Council meeting staff presented multiple revenue options and the City Council directed staff to develop a process that would implement a new Public Safety Fee of \$10 and change utility billing to monthly.

Staff is seeking approval to amend the existing Water Rate resolution to reflect a monthly rate rather than a bimonthly rate and adoption of a Public Safety Fee ordinance and resolutions for a Public Safety Fee and monthly Water Rates.

## ***3. Background:***

At the February 13, 2024 City Council meeting staff presented the city's Five-Year Financial Forecast. The forecast intends to assist in making stronger financial decisions that are in the best interest of the community, city operations, and planning for capital asset/infrastructure replacement. The forecast indicated that the General Fund shortfall is anticipated to be \$300,000 in fiscal year (FY) 2024-25 and the deficit will continue to grow in subsequent years as projected revenues will not be sufficient to cover operating costs. The City Council directed staff to identify potential revenue options for City Council consideration.

Staff presented a list of revenue options at the March 12, 2024, City Council meeting in which one of the options was to add a \$10 Public Safety Fee to utility bills. Implementation of a Public Safety Fee will generate an estimated \$137,135 annually. This will be a dedicated revenue source for the Hubbard Police Department to pay for operational costs.

The current utility billing process is to bill community members every other month for utility usage for two months, and a \$20 General Services Fee is assessed on the bill. The City Council directed staff to develop a process for monthly billing for utilities, the General Services Fee, and a new Public Safety Fee. If approved by the City Council, the monthly utility bill would reflect usage from the previous month, a \$10 General Services Fee, and a \$10 Public Safety Fee. The total financial impact for the implementation



of a Public Safety Fee to community members paying a utility bill will be \$10 per month, for a total of \$120 per year.

If approved by the City Council, staff will begin the following:

- Outreach to community members – social media, webpage, door-to-door conversations
- Program the financial system to process water usage every month
- Finalize implementation planning with staff

The resolution for the water rates is necessary as the current resolution reflects that bimonthly water rate. The attached resolution for water rates reflects the monthly rate rather than the bimonthly. Staff is not proposing an increase to water rates by this resolution.

**4. Options:**

- A. Adopt the Public Safety Fee ordinance and approve the resolutions for the Public Safety Fee and monthly Water Rates.
- B. Adopt the Public Safety Fee ordinance and approve the resolution for the Public Safety Fee and not approve the resolution for Water Rates and direct staff to continue billing bimonthly.
- C. Direct staff to pursue another option.

**5. Recommendation:**

- A. Adopt the Public Safety Fee ordinance and approve the resolutions for the Public Safety Fee and monthly Water Rates.

**6. Attachment(s):**

- A. Public Safety Fee Ordinance 389-2024
- B. Water Rates Resolution
- C. Public Safety Fee Resolution

**ORDINANCE NO. 389-2024**

**AN ORDINANCE AMENDING THE HUBBARD MUNICIPAL CODE AND ADDING  
CHAPTER 3.40 PUBLIC SAFETY FEE TO ESTABLISH A PUBLIC SAFETY FEE**

**WHEREAS**, the City Council of the City of Hubbard finds that Police services are critical to the quality of life and economic well-being of the city, and to the health, safety, and welfare of its residents; and

**WHEREAS**, the City Council has determined that current General Fund Revenues are not keeping pace with Police services needs; and

**WHEREAS**, Police services benefit all utility users in the City; and

**WHEREAS**, in order to safeguard, facilitate, and encourage safety and welfare of the citizens and businesses of the city, the Council finds that a Police Department that is sufficiently well-funded to attract and retain qualified individuals to serve as police officers provides a multitude of economic and social benefits to the public, including, but not limited to:

- Increased police protection.
- Prevention of crime.
- Enhanced protection of property
- Promotion of business and industry.
- Promotion of community spirit and growth.

**NOW, THEREFORE, THE CITY OF HUBBARD ORDAINS AS FOLLOWS:**

**Section 1:** Chapter 3.40, as set forth in the attached Exhibit A, is hereby added to Title 3 Revenue and Finance of the Hubbard Municipal Code.

**Section 2:** This ordinance shall become effective from and after 30 days following its enactment by the City Council, and the first billing for a payment of fees hereunder shall begin for the billing cycle ending on or after the 1 day of July, 2024.

The foregoing ordinance was passed by the City Council of the City of Hubbard this 9<sup>th</sup> day of April 2024, by the following vote:

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

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

**ABSENT:** \_\_\_\_\_

**WHEREUPON** the Mayor declared the motion to be carried and the ordinance adopted.

**PASSED AND APPROVED** by the City Council of the City of Hubbard this 9<sup>th</sup> day of April 2024.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY RECORDER**

**APPROVED AS TO FORM:**



\_\_\_\_\_  
**CITY ATTORNEY**

## EXHIBIT “A”

### Chapter 3.40 PUBLIC SAFETY FEE

#### Sections

- 3.40.010 Purpose and Intent.
- 3.40.020 Definitions.
- 3.40.030 Creation of a Public Safety Fee.
- 3.40.040 Imposition Of A Public Safety Fee.
- 3.40.050 Collection.
- 3.40.060 Program Administration.
- 3.40.070 Appeal Process.
- 3.40.080 Enforcement.
- 3.40.090 Severability.

#### **3.40.010 Purpose and Intent.**

- (1) It is the intent of this ordinance to provide a funding mechanism to help pay for the benefits conferred on city residents and businesses by the provision of an adequate program of public safety; and further to help bring the Police Department up to acceptable service levels.
- (2) The Public Safety Fee enacted in this ordinance is intended to supplement existing funding, and is not intended to provide full funding for the Police Department.

#### **3.40.020 Definitions.**

The following definitions shall apply unless inconsistent with the context:

- (1) “City utility services” means water and sewer services provided by the City.
- (2) “Developed property” means a parcel or portion of real property on which a dwelling, structure, or building exists and is receiving City utility services.
- (3) “Non-residential unit” means developed property that is not primarily for personal domestic accommodation, such as a business or commercial enterprise. A non-residential structure that provides facilities for one or more businesses, including, but not limited to, permanent provisions for access to the public, shall have each distinct business facility considered as a separate non-residential unit. Motels and hotels shall be considered non-residential units for these purposes.
- (4) “Person” means a natural person, unincorporated associates, tenancy in common, partnership, corporation, limited liability company, cooperative, trust,

## **EXHIBIT “A”**

any governmental agency, including the State of Oregon, but excluding the City of Hubbard, and any other entity in law or in fact.

- (5) “Residential unit” means developed property with a residential structure which provides complete living facilities for one or more persons including, but not limited to, permanent provisions for living, sleeping, and sanitation. A home business in a residential zone will be regarded only as a residential unit, not as a non-residential unit. Multi-family residential property consisting of two or more dwelling units, condominium units or individual mobile home units shall have each unit considered as a separate residential unit. A lot or parcel which contains a non-residential building or structure used primarily for personal purposes, not primarily for business or commercial purposes, shall be considered a residential unit.
- (6) “Responsible person” means the person owing the Public Safety Fee; either the individual who normally pays the City utility bills for a developed property or another individual who has agreed in writing to pay the fee. If there is more than one responsible person, then the term includes all responsible persons, jointly and severally.
- (7) “Undeveloped property” means a parcel or portion of real property not receiving City utility services.

### **3.40.030 Creation of a Public Safety Fee.**

There is hereby created a Public Safety Fee for the purpose of providing funding for the Hubbard Police Department. All revenues and expenditures shall be distinctly and clearly noted in the city budget. The revenues from the Public Safety Fee shall be collected in the General Fund and shall be used for Hubbard Police Department expenses (both operational and capital).

### **3.40.040 Imposition Of A Public Safety Fee.**

- (1) The Public Safety Fee shall be assessed to each residential unit and to each non-residential unit receiving City utility services. The amount of the fee shall be set by Council resolution. In the event that funds collected exceed the City’s need, the rate of the fees may be decreased or omitted by Council resolution.
- (2) Except as the fees may be reduced or eliminated under 3.40.070, the obligation to pay a Public Safety Fee arises when a person uses or otherwise benefits from City utility services. Properties not receiving billing statements for City utility services shall not be charged a Public Safety Fee.
- (3) All developed properties receiving City utility services within the City limits shall be charged a Public Safety Fee.

## **EXHIBIT “A”**

- (4) The imposition of the Public Safety Fee shall be calculated on the basis of the number of residential or non-residential units supported, without regard to the number of water meters serving that property. Example – 40-unit complex with one utility bill will receive a fee for each unit.

### **3.40.050 Collection.**

- (1) Public Safety Fees shall be billed and collected monthly. Statements for the fee shall be included as an additional item on the City’s monthly utility billing wherever feasible, unless otherwise specified below.
- (2) Unless another person has agreed in writing to pay, and a copy of that writing is filed with the City, the person normally responsible for paying any City utility service charges for a developed property is responsible for paying the Public Safety Fee (the “responsible person”).
- (3) A request for any City utility service will automatically initiate appropriate billing for the Public Safety Fee.
- (4) There shall be no charge for an undeveloped property until such time as an application for any City utility service is submitted for that property.

### **3.40.060 Program Administration.**

- (1) Except as provided below, the City Administrator shall be responsible for the administration of this Chapter and for the collection of fees hereunder.
- (2) The City Council will review the Public Safety Fee at least annually, as part of the budget development process of the city. Such review shall include, but is not limited to, a review of the amounts collected by the Fee, the amounts spent on police services during the preceding year, the current and projected needs of the Hubbard Police Department, and other sources of funding available for police services. Any adjustment in the public safety fee inconsistent with the existing resolution shall require a new resolution.

### **3.40.070 Appeal Process.**

- (1) Any responsible person who disputes any interpretation given by the City as to property classification may appeal such interpretation. If the appeal is successful, relief will be granted by reassignment to a more appropriate billing category. In such instances, reimbursement will be given for any overpayment, retroactive to the filing date of the appeal. Factors to be taken into consideration include, but are not limited to: availability of more accurate information; equity relative to billing classifications assigned to other developments of a similar nature; changed circumstances; and situations uniquely affecting the party filing the appeal.

## **EXHIBIT “A”**

- (2) Application for appeal shall state the reason for appeal, with supporting documentation to justify the requested change or relief.
- (3) The City Administrator shall be responsible for evaluating appeals. If the City Administrator decides information provided through the appeal process justifies change, the City Administrator may authorize this change (up or down) retroactive to the date the appeal was filed.
- (4) The City Administrator shall make all reasonable attempts to resolve appeals utilizing available existing information, including supporting documentation filed with the appeal, within thirty (30) days of the date the appeal was filed. If, however, more detailed site-specific information is necessary, the City Administrator may request the applicant provide information.
- (5) In any event, the City Administrator shall file a report within ninety (90) days of the date the appeal was filed explaining the disposition of the appeal, along with the rationale and supporting documentation for the decision reached.
- (6) Decisions of the City Administrator may be further appealed to the City Council, and shall be heard at a public meeting. Upon such further appeal, the City Council shall at its first regular meeting thereafter set a hearing date. The matter shall be heard solely upon the record. In no event shall a final decision be made later than ninety (90) days after the matter was formally appealed to the City Council.
- (7) Appeals filed within one hundred twenty (120) days of the effective date of this chapter shall not be subject to paying a filing fee. After this period, the initial filing fee for an appeal shall be fifty (\$50.00) dollars. An additional fifty (\$50.00) dollars fee is required for further appeal to the City Council. These fees are fully refundable should the appellant adequately justify and secure the requested change or relief.

### **3.40.080 Enforcement.**

- (1) Charges for water, wastewater, General Service fee, and the Public Safety Fee shall be billed on the same city utility bill. If full payment of billing is not made on any bill, payment shall be applied in the following order of priority:
  - a. Water fees.
  - b. Sewer Fees.
  - c. General Service Fee.
  - d. Public Safety Fee.
- (2) A Public Safety Fee is delinquent if payment is not received on or before the due date.



## **EXHIBIT "A"**

- (3) If a responsible person's city account is delinquent for nonpayment of the Public Safety Fee only, the City may not discontinue water services billed on that account. However, if the water services are discontinued on account of nonpayment of other utility service charges, the City may refuse to restore water service until all the delinquent utility charges and Public Safety Fee is paid.
- (4) Notwithstanding any provision herein to the contrary, the City may institute any necessary legal proceedings to enforce the provisions of this chapter, including but not limited to injunctive relief and collection of charges owing. The City's enforcement rights shall be cumulative. If the City commences any legal proceedings to enforce the provisions of this Chapter, and the City prevails, the City is entitled to all fees and costs it incurred, as well as any sum that a court, including any appellate court, may deem reasonable as attorney's fees.

### **3.40.090 Severability.**

The sections and subsections of this Chapter are severable. The invalidity of one section or subsection of this Chapter shall not affect the validity of the remaining sections or subsections.

**RESOLUTION NO. 773-2024**

**A RESOLUTION SETTING THE AMOUNT OF THE PUBLIC SAFETY FEE**

**Findings**

- A. On April 9, 2024, the City Council of the City of Hubbard enacted Ordinance No. 389-2024, An Ordinance Amending the Hubbard Municipal Code and Adding Chapter 3.40 Public Safety Fee to Establish a Public Safety Fee.
- B. Section 3.40.040 requires the City Council to set the amount of the Public Safety Fee by resolution.

**Based on these findings, the City of Hubbard resolves as follows:**

- 1. The Public Safety Fee shall be assessed monthly in the amount of \$10.00 for both residential and nonresidential units, beginning with the first billing after the effective date of this resolution.
- 2. The amount of the Public Safety Fee shall automatically be adjusted each July 1, beginning July 1, 2025, based on the percentage of change in the Consumer Price Index (CPI-U Pacific Cities Index) second half report, published in the preceding February of each year.
- 3. This resolution shall take effect on July 1, 2024.

**INTRODUCED AND ADOPTED** this 9th day of May 2024.

**CITY OF HUBBARD, OREGON**

**BY:** \_\_\_\_\_  
**MAYOR**

**ATTEST:**

**BY:** \_\_\_\_\_  
**DIRECTOR OF ADMINISTRATION / CITY RECORDER**

**APPROVED AS TO FORM:**

**BY:**  \_\_\_\_\_  
**CITY ATTORNEY**



Tuesday 2-13-2024

## VOLUNTEER APPLICATION

### CITY OF HUBBARD

"The Small City with a Big Heart"

3720 2<sup>nd</sup> Street/P.O. Box 380, Hubbard OR 97032

(503)981-9633 [www.cityofhubbard.org](http://www.cityofhubbard.org)

RECEIVED  
FEB 13 2024  
CITY OF HUBBARD

COMMISSION OR COMMITTEE APPLYING FOR: Budget Committee

APPLICANTS NAME: Rocki Slater Wood

MAILING ADDRESS: [REDACTED]

HOME ADDRESS: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

E-mail Address: [REDACTED] CELL PHONE [REDACTED]

YEARS AS HUBBARD RESIDENT: 7 years since 2017

ARE YOU A REGISTERED VOTER IN THE CITY OF HUBBARD? YES ☒ NO ☐

OCCUPATION Laborer

PLEASE MAKE A BRIEF STATEMENT ABOUT WHY YOU WOULD LIKE TO SERVE ON THE COMMISSION OR COMMITTEE FOR THE CITY OF HUBBARD. (IF YOU NEED MORE SPACE, USE BACK)

Because I enjoy being vested in my community & I have been on the Committee since 2023 & been serving Hubbard since 2017 as a Coach Community Event Planner & in other areas

WHAT EXPERIENCE, BACKGROUND, OR SKILLS CAN YOU BRING TO THE COMMITTEE/COMMISSION YOU ARE APPLYING FOR?

Fresh ideas & support of our Hubbard community & feedback to help continue to serve as a Budget Committee member.



RECEIVED  
FEB 29 2024  
CITY OF HUBBARD

## CITY OF HUBBARD

"The Small City with a Big Heart"

3720 2<sup>nd</sup> Street/P.O. Box 380, Hubbard OR 97032  
(503)981-9633

COMMISSION OR COMMITTEE APPLYING FOR: Budget  
APPLICANTS NAME: Patrick Zotti  
MAILING ADDRESS: [REDACTED]  
HOME ADDRESS: Same  
HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]  
E-mail Address: [REDACTED] CELL PHONE: [REDACTED]  
YEARS AS HUBBARD RESIDENT: 8 yrs  
ARE YOU A REGISTERED VOTER IN THE CITY OF HUBBARD? YES ☒ NO ☐  
OCCUPATION Service Manager

PLEASE MAKE A BRIEF STATEMENT ABOUT WHY YOU WOULD LIKE TO SERVE ON THE COMMISSION OR COMMITTEE FOR THE CITY OF HUBBARD. (

I believe that each one of us should donate  
some time to our country, state and city.

WHAT EXPERIENCE, BACKGROUND, OR SKILLS CAN YOU BRING TO THE COMMITTEE/COMMISSION YOU ARE APPLYING FOR?

I have run various types of businesses for  
the past 35 years. I feel that this  
experience has given me a good set of skills  
that I can offer the city of Hubbard



# City Administrator Monthly Report

To: City Council

From: Shawn Waite, City Administrator

Date: April 1, 2024

RE: Report for the April 9, 2024 City Council Meeting

## **Financial/Procurement/Grants**

- The year-to-date Burn Rate report is attached to the packet.
- At the March 2024 City Council meeting staff was directed to conduct additional research on several revenue options. That work is underway and will be presented at the May 2024 City Council meeting.
- A draft IGA between Hubbard and Donald for Hubbard providing police services has been sent to the Chief and the City Manager of Donald for review and comment. Staff believes that the agreement will be finalized and presented to City Council by the June 2024 meeting. The intended start date is July 1, 2024.
- Budget development with staff is wrapping up and the proposed budget should be available for the Budget Committee around April 22, 2024 with the first meeting scheduled for May 15, 2024.

## **Community Engagement Activities**

- The book mobile will be operating in Hubbard this summer. Staff is still working out the details with City of Woodburn Library staff and waiving the library card fee. As more information is available staff will share with City Council.
- Staff has been working with a movie licensing company to ensure that the proper license is in place to allow the city to host movies in the park. Staff is evaluating how many times movies should be played and which park would be the best location. Additionally, staff is working on obtaining a sound system and projector, and seeking sponsorship to assist with the cost of the movies which are between \$450 and \$500 each.
- Staff identified a vendor that will create banners for 3<sup>rd</sup> Street that promote the 50<sup>th</sup> Anniversary of the Hop Festival. The banners will be placed on the same poles as the holiday decorations and will cost approximately \$248, which will be paid for by grant dollars. The Hop Festival Board is working on the final design.
- Staff is reviewing Hubbard Municipal Code Chapter 12.15 – Sidewalks applying an equity lens and documenting the process for determining which sidewalks need to be repaired. Staff will be proposing revisions to Chapter 12.15 - Sidewalks for City Council consideration at the next City Council meeting.



# City Council Memo

To: City Council  
From: Shawn Waite, City Administrator  
Date: March 27, 2024  
RE: March 2024 Burn Rate Report – Financial Update

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Please find attached the Burn Rate Report reflecting the budget to actuals through March 2024. The city is 75% through the fiscal year.

The report has been revised to take out beginning fund balances and any contingencies and reserve funds budgeted. This will assist in identifying the funds in which the city's budget is structurally unbalanced. Please note that, in some cases, a structural unbalance was intentional as priorities were identified by the Budget Committee and City Council for park and street improvements. It was determined through the budget development process to spend a portion of fund balance for one-time projects.

Personnel costs continue to come in under budget and while it is anticipated that all vacancies will be filled by the end of May projections indicate that the city will close the fiscal year under budget. Many of the IGA payments have been completed for the fiscal year, such as MetCom and CIS. This overstates the percent spent until the close of the fiscal year.

As we approach the end of the fiscal year staff is anticipating that the impact to the fund balance will be less than the original \$253k deficit.



## Burn Rate Report

Fund	Budgeted	Revenue	July - March Actuals	Burn Rate 75%
General		1,952,233	1,775,562	90.95%
Street		287,005	205,608	71.64%
Street Construction		370,575	364,813	98.45%
Reserve		172,393	173,661	100.74%
Park Improvement		63,850	61,603	96.48%
Sewer Utility		528,600	365,865	69.21%
Sewer Construction		229,450	205,970	89.77%
Sewer Bond		106,531	106,531	100.00%
Water Utility		566,500	391,570	69.12%
Water Construction		1,894,363	119,233	6.29%
ARPA		1,015,000	75,852	7.47%

Fund	Budgeted Expenditure	July - March Actuals	Burn Rate 75%
General	2,267,978	1,478,192	65.18%
Street	355,528	259,597	73.02%
Street Construction	552,500	435,768	78.87%
Reserve	172,393	13,757	7.98%
Park Improvement	244,869	500	0.20%
Sewer Utility	623,138	490,933	78.78%
Sewer Construction	344,802	22,942	6.65%
Sewer Bond	106,531	106,531	100.00%
Water Utility	606,247	372,590	61.46%
Water Construction	1,838,561	49,478	2.69%
ARPA	1,064,047	156,506	14.71%

General Fund: July 1, 2023 through March 31, 2024			Burn Rate
Category	Budget	Actuals	75%
Salaries	868,700	575,501	66.25%
Benefits	610,560	372,832	61.06%
Services	374,540	317,894	84.88%
Supplies	322,243	133,465	41.42%
Utilities	46,135	26,091	56.55%
Program Expenses	66,413	17,995	27.10%
Capital	25,000	24,898	99.59%
Transfers	11,400	11,400	100.00%

CITY OF HUBBARD  
COMBINED CASH INVESTMENT  
MARCH 31, 2024

COMBINED CASH ACCOUNTS

999-000-1005	CASH - UMPQUA BANK	53,373.03
999-000-1010	CASH - XPRESS DEPOSIT ACCOUNT	81,569.51
999-000-1011	LGIP	8,623,339.96
999-000-1012	CASH CLEARING - UTILITIES	( 230,734.80)
999-000-1014	CASH CLEARING - COURT	( 7,005.25)
TOTAL COMBINED CASH		8,520,542.45
999-000-1001	CASH ALLOCATED TO OTHER FUNDS	( 8,520,542.45)

TOTAL UNALLOCATED CASH	.00
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CASH ALLOCATION RECONCILIATION

100	ALLOCATION TO GENERAL FUND	2,241,442.71
121	ALLOCATION TO STREET FUND	147,982.19
122	ALLOCATION TO STREET CONSTRUCTION FUND	395,667.11
123	ALLOCATION TO RESERVE FUND	159,903.67
125	ALLOCATION TO PARK IMPROVEMENT FUND	520,321.62
201	ALLOCATION TO SEWER UTILITY FUND	22,047.40
202	ALLOCATION TO SEWER CONSTRUCTION FUND	2,179,773.56
203	ALLOCATION TO SEWER BOND FUND	219,477.38
205	ALLOCATION TO WATER UTILITY FUND	676,952.48
206	ALLOCATION TO WATER CONSTRUCTION FUND	1,317,814.94
300	ALLOCATION TO FUND 300	639,159.39
TOTAL ALLOCATIONS TO OTHER FUNDS		8,520,542.45
ALLOCATION FROM 999-000-1001		( 8,520,542.45)

ZERO PROOF IF ALLOCATIONS BALANCE	.00
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CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

GENERAL FUND

ASSETS

100-000-1001	CASH IN COMBINED CASH FUND	2,241,442.71	
100-000-1012	PETTY CASH	50.00	
100-000-1013	CASH ON HAND	200.00	
100-000-1113	ACCOUNTS RECEIVABLE	( 330.00)	
TOTAL ASSETS			2,241,362.71

LIABILITIES AND EQUITY

LIABILITIES

100-000-2001	A/P LIABILITY	( 116.84)	
100-000-2010	CASH RECEIPT CLEARING	( 344.14)	
100-000-2021	FEDERAL TAX WITHHOLDING	.01	
100-000-2022	STATE TAX WITHHOLDING	1,020.95	
100-000-2023	RETIREMENT	119.89	
100-000-2026	UNION DUES	30.00	
100-000-2028	WORKERS COMP	( 320.90)	
100-000-2276	STATE ASSESSMENT	( 1,831.26)	
100-000-2277	DEPOSITS - UNITARY	( 231.90)	
100-000-2278	DEPOSITS - LEMLA	( 8.92)	
100-000-2279	DEPOSITS - OJD	( 23.58)	
100-000-2280	DEPOSITS - MARION	( 548.38)	
100-000-2281	DEPOSITS - LAND USE	29,595.43	
TOTAL LIABILITIES			27,340.36

FUND EQUITY

100-000-2520	BEG FUND BALANCE	3,433,918.32	
100-000-2530	FUND BALANCE	( 1,519,703.28)	

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

299,807.31

BALANCE - CURRENT DATE

299,807.31

TOTAL FUND EQUITY

2,214,022.35

TOTAL LIABILITIES AND EQUITY

2,241,362.71

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES AND FRANCHISE FEES</u>					
100-300-3111	PROPERTY TAXES	.00	1,016,642.94	1,065,000.00	48,357.06 95.5
100-300-3112	DELINQ PROP TAXES	.00	10,861.64	30,000.00	19,138.36 36.2
100-300-3180	FF-ALL OTHER	.00	194.36	.00 ( 194.36)	.0
100-300-3181	FF-PGE	.00	30,865.08	125,000.00	94,134.92 24.7
100-300-3182	FF-QWEST	.00	2,050.27	3,000.00	949.73 68.3
100-300-3183	FF-NW NATURAL	.00	23,146.45	25,000.00	1,853.55 92.6
100-300-3184	FF-WAVE	.00	3,670.11	6,000.00	2,329.89 61.2
100-300-3185	FF-REPUBLIC SERVICES	.00	32,075.13	40,000.00	7,924.87 80.2
100-300-3186	FF-DATAVISION	.00	883.84	1,000.00	116.16 88.4
100-300-3188	FF-COMCAST	.00	5,021.31	16,000.00	10,978.69 31.4
100-300-3301	REVENUE SHARING	.00	20,467.13	20,000.00 ( 467.13)	102.3
100-300-3302	CIG TAX	.00	1,641.88	2,500.00	858.12 65.7
100-300-3303	OLCC TAX	2,438.69	50,302.34	67,000.00	16,697.66 75.1
100-300-3305	MARIJUANA TAX - STATE	.00	4,706.38	8,500.00	3,793.62 55.4
100-300-3306	MARIJUANA TAX - LOCAL	.00	22,978.24	35,000.00	12,021.76 65.7
100-300-3415	GENERAL SERVICE FE	.00	94,934.75	146,400.00	51,465.25 64.9
100-300-3601	MISCELLANEOUS REVENUE	.00	24,564.07	1,000.00 ( 23,564.07)	2456.4
100-300-3611	INTEREST INCOME	.00	57,581.50	35,000.00 ( 22,581.50)	164.5
TOTAL TAXES AND FRANCHISE FEES		2,438.69	1,402,587.42	1,626,400.00	223,812.58 86.2
<u>MISC REVENUE</u>					
100-301-3211	BUSINESS REGISTRATION	375.00	5,500.00	5,500.00	.00 100.0
100-301-3221	FARMERS MARKET REG FEE	287.29	287.29	.00 ( 287.29)	.0
100-301-3401	LIEN SEARCH	140.00	1,680.00	2,200.00	520.00 76.4
100-301-3402	BUSINESS OLCC FEE	60.00	180.00	210.00	30.00 85.7
TOTAL MISC REVENUE		862.29	7,647.29	7,910.00	262.71 96.7
<u>POLICE REVENUE</u>					
100-302-3341	SEAT BELT GRANT	.00	.00	3,000.00	3,000.00 .0
100-302-3342	OACP GRANT DUII	.00	375.19	3,000.00	2,624.81 12.5
100-302-3346	BVP REIMB GRANT	.00	.00	1,500.00	1,500.00 .0
100-302-3348	SPEED ENFORCEMENT GRANT	.00	77.74	2,000.00	1,922.26 3.9
100-302-3351	PED. ENF. GRANT	.00	.00	2,000.00	2,000.00 .0
100-302-3357	DISTRACTED DRIVING	.00	99.15	2,000.00	1,900.85 5.0
100-302-3401	FINGERPRINTS	150.00	640.00	800.00	160.00 80.0
100-302-3402	VEHICLE IMPOUND	.00	1,350.00	5,000.00	3,650.00 27.0
100-302-3403	POLICE REPORTS	80.00	540.00	800.00	260.00 67.5
100-302-3601	MISCELLANEOUS REVENUE	.00	17,579.73	3,000.00 ( 14,579.73)	586.0
100-302-3644	PD TRAINING REV	.00	564.16	1,000.00	435.84 56.4
TOTAL POLICE REVENUE		230.00	21,225.97	24,100.00	2,874.03 88.1

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MUNICIPAL COURT REVENUE</u>						
100-303-3401	MUNICIPAL COURT	244.20	39,601.69	65,000.00	25,398.31	60.9
100-303-3402	MARION COUNTY COURT	357.80	6,085.75	7,500.00	1,414.25	81.1
100-303-3403	STATE COURT FINES	1,102.50	3,200.98	8,000.00	4,799.02	40.0
100-303-3611	COLLECTIONS INTERE	.00	3,834.79	6,500.00	2,665.21	59.0
	TOTAL MUNICIPAL COURT REVENUE	1,704.50	52,723.21	87,000.00	34,276.79	60.6
<u>MISCELLANEOUS REVE NE PARKS</u>						
100-304-3601	MISCELLANEOUS REVE NE PARKS	.00	445.05	500.00	54.95	89.0
	TOTAL SOURCE 304	.00	445.05	500.00	54.95	89.0
<u>COMMUNITY DEV REVENUE</u>						
100-305-3305	SCHOOL EXCISE REVE	.00	1,267.40	150.00	( 1,117.40)	844.9
100-305-3351	COMMUNITY PROSPERITY INITIATIV	.00	15,000.00	15,000.00	.00	100.0
100-305-3401	LAND USE FEES	90.00	8,406.89	5,000.00	( 3,406.89)	168.1
100-305-3402	BUILDING PERMITS	4,648.69	90,086.38	10,000.00	( 80,086.38)	900.9
100-305-3403	FORD FOUNDATION	.00	20,000.00	20,000.00	.00	100.0
	TOTAL COMMUNITY DEV REVENUE	4,738.69	134,760.67	50,150.00	( 84,610.67)	268.7
<u>TRANSFERS IN</u>						
100-391-3910	TRANSFER IN -WATER	.00	25,450.00	25,450.00	.00	100.0
100-391-3912	TRANSFER IN SEWER	.00	26,000.00	26,000.00	.00	100.0
100-391-3914	TRANSFER IN- SDC A	.00	2,750.00	2,750.00	.00	100.0
100-391-3920	TRANS IN - OP OH	.00	101,973.00	101,973.00	.00	100.0
	TOTAL TRANSFERS IN	.00	156,173.00	156,173.00	.00	100.0
<u>FUND BALANCE</u>						
100-399-9999	BEGINNING FUND BALANCE	.00	.00	1,916,342.00	1,916,342.00	.0
	TOTAL FUND BALANCE	.00	.00	1,916,342.00	1,916,342.00	.0
	TOTAL FUND REVENUE	9,974.17	1,775,562.61	3,868,575.00	2,093,012.39	45.9

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION</u>					
100-410-1101 DIRECTOR OF ADMIN/RECORDER	3,681.78	33,136.02	44,190.00	11,053.98	75.0
100-410-1105 ADMIN ASSISTANT/COURT CLERK	828.78	7,305.53	37,950.00	30,644.47	19.3
100-410-1120 CITY ADMINISTRATOR	3,380.06	33,647.04	9,270.00	24,377.04	363.0
100-410-1212 OVERTIME	175.23	1,051.41	3,060.00	2,008.59	34.4
100-410-4110 EB-MEDICAL & DENTAL	1,066.30	9,599.28	12,560.00	2,960.72	76.4
100-410-4120 EB-INSURANCE (LIFE & DISAB)	13.79	129.65	150.00	20.35	86.4
100-410-4150 EB-EMPLOYER TAXES	617.02	5,852.08	7,230.00	1,377.92	80.9
100-410-4170 EB-PERS	2,578.48	22,073.67	30,320.00	8,246.33	72.8
100-410-4190 EB-WORKERS COMP	.14	54.14	80.00	25.86	67.7
100-410-5100 PROFESSIONAL SERVICES	2,484.64	31,565.51	53,940.00	22,374.49	58.5
100-410-6100 BUILDING MAINT & SUPPLIES	426.83	3,297.59	3,800.00	502.41	86.8
100-410-6200 RENTALS AND LEASES	44.51	698.70	1,800.00	1,101.30	38.8
100-410-6300 INSURANCE	.00	4,089.67	5,340.00	1,250.33	76.6
100-410-6400 ADVERTISING & RECRUITMENT	.00	1,002.80	1,000.00	2.80	100.3
100-410-6500 LEARNING, DUES & MEMBERSHIPS	( 19.62)	8,382.75	9,240.00	857.25	90.7
100-410-6600 OFFICE SUPPLIES & MISC EXPENSE	494.18	3,229.72	5,900.00	2,670.28	54.7
100-410-6610 BANK FEES	.00	2,228.09	1,950.00	278.09	114.3
100-410-6700 EQUIP MAINT & SUPPLIES	.00	623.27	3,500.00	2,876.73	17.8
100-410-6900 UTILITIES	568.68	5,343.58	6,855.00	1,511.42	78.0
TOTAL ADMINISTRATION	16,340.80	173,310.50	238,135.00	64,824.50	72.8
<u>COURT</u>					
100-412-1101 DIRECTOR OF ADMIN/RECORDER	409.08	3,681.72	4,910.00	1,228.28	75.0
100-412-1105 ADMIN ASSISTANT/COURT CLERK	2,762.57	24,351.57	30,900.00	6,548.43	78.8
100-412-1120 CITY ADMINISTRATOR	204.86	3,687.39	2,300.00	1,387.39	160.3
100-412-1212 OVERTIME	19.47	116.84	340.00	223.16	34.4
100-412-4110 EB-MEDICAL & DENTAL	427.52	3,887.18	5,040.00	1,152.82	77.1
100-412-4120 EB-INSURANCE (LIFE & DISAB)	5.22	50.00	50.00	.00	100.0
100-412-4150 EB-EMPLOYER TAXES	259.81	2,435.68	2,940.00	504.32	82.9
100-412-4170 EB-PERS	1,013.19	9,485.44	11,500.00	2,014.56	82.5
100-412-4190 EB-WORKERS COMP	.46	18.59	30.00	11.41	62.0
100-412-5100 PROFESSIONAL SERVICES	416.59	4,691.36	11,600.00	6,908.64	40.4
100-412-6100 BUILDING MAINT & SUPPLIES	43.68	356.77	570.00	213.23	62.6
100-412-6200 RENTALS AND LEASES	10.17	129.58	400.00	270.42	32.4
100-412-6300 INSURANCE	.00	7,779.51	1,191.00	6,588.51	653.2
100-412-6400 ADVERTISING & RECRUITMENT	.00	.00	100.00	100.00	.0
100-412-6500 LEARNING, DUES & MEMBERSHIPS	.00	.00	2,070.00	2,070.00	.0
100-412-6600 OFFICE SUPPLIES & MISC EXPENSE	234.08	1,023.20	1,300.00	276.80	78.7
100-412-6610 COURT	.00	222.73	500.00	277.27	44.6
100-412-6700 EQUIP MAINT & SUPPLIES	.00	.00	500.00	500.00	.0
100-412-6900 UTILITIES	126.56	1,391.36	1,680.00	288.64	82.8
TOTAL COURT	5,933.26	63,308.92	77,921.00	14,612.08	81.3



CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COUNCIL</u>					
100-413-5100 PROFESSIONAL SERVICES	.00	4,858.82	10,000.00	5,141.18	48.6
100-413-5300 OPERATIONAL SUPPLIES	320.26	1,181.76	.00	1,181.76	.0
100-413-6500 DUES, EDUCATION & LEARNING	.00	.00	1,000.00	1,000.00	.0
100-413-6600 OFFICE SUPPLIES & MISC EXPENSE	37.99	152.01	3,900.00	3,747.99	3.9
TOTAL COUNCIL	358.25	6,192.59	14,900.00	8,707.41	41.6
<u>COMMUNITY DEVELOPMENT</u>					
100-419-1101 CITY RECORDER	818.18	7,363.62	9,820.00	2,456.38	75.0
100-419-1105 ADMINISTRATIVE ASSISTANT	552.52	4,870.38	6,180.00	1,309.62	78.8
100-419-1120 CITY ADMINISTRATOR	204.86	3,226.47	2,300.00	926.47	140.3
100-419-1212 OVERTIME	38.94	233.64	680.00	446.36	34.4
100-419-4110 EB-MEDICAL & DENTAL	236.96	2,179.45	2,790.00	610.55	78.1
100-419-4120 EB-INSURANCE (LIFE & DISAB)	2.71	26.63	30.00	3.37	88.8
100-419-4150 EB-EMPLOYER TAXES	123.51	1,200.53	1,450.00	249.47	82.8
100-419-4170 EB-PERS	521.29	5,022.70	6,150.00	1,127.30	81.7
100-419-4190 EB-WORKERS COMP	.10	9.09	20.00	10.91	45.5
100-419-5100 PROFESSIONAL SERVICES	503.25	32,901.55	40,000.00	7,098.45	82.3
100-419-5400 INTERGOVERNMENTAL SE	1,416.56	77,596.94	79,500.00	1,903.06	97.6
100-419-5500 PROGRAM & GRANT EXPENSES	553.50	5,134.50	63,663.00	58,528.50	8.1
100-419-5501 PROGRAM EXPENSES	.00	1,500.00	750.00	750.00	200.0
100-419-6500 LEARNING, DUES & MEMBERSHIPS	.00	2,139.00	2,320.00	181.00	92.2
TOTAL COMMUNITY DEVELOPMENT	4,972.38	143,404.50	215,653.00	72,248.50	66.5

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>POLICE</u>					
100-421-1101 DIRECTOR OF ADMIN/RECORDER	654.54	5,890.86	7,860.00	1,969.14	75.0
100-421-1103 CHIEF OF POLICE	16,426.93	102,804.88	119,280.00	16,475.12	86.2
100-421-1105 ADMININSTRATIVE ASSISTANT	4,853.68	43,683.12	58,250.00	14,566.88	75.0
100-421-1106 POLICE OFFICERS	25,178.80	211,587.26	374,560.00	162,972.74	56.5
100-421-1120 CITY ADMINISTRATOR	614.56	3,687.36	6,900.00	3,212.64	53.4
100-421-1212 OVERTIME	1,799.89	12,520.20	42,840.00	30,319.80	29.2
100-421-4110 EB-MEDICAL & DENTAL	10,174.08	98,905.24	193,080.00	94,174.76	51.2
100-421-4120 EB-INSURANCE (LIFE & DISAB)	79.18	670.41	960.00	289.59	69.8
100-421-4150 EB-EMPLOYER TAXES	3,788.91	29,080.97	46,640.00	17,559.03	62.4
100-421-4170 EB-PERS	14,146.15	118,674.49	206,570.00	87,895.51	57.5
100-421-4190 EB-WORKERS COMP	.00	8,249.76	11,540.00	3,290.24	71.5
100-421-5100 PROFESSIONAL SERVICES	8,498.07	28,737.11	41,000.00	12,262.89	70.1
100-421-5200 CONTRACTED SUPPORT	.00	180.00	.00	180.00	.0
100-421-5300 OPERATIONAL SUPPLIES	1,140.39	8,007.95	10,000.00	1,992.05	80.1
100-421-5400 INTERGOVERNMENTAL	24,466.67	109,399.47	120,000.00	10,600.53	91.2
100-421-5500 PROGRAM & GRANT EXPENSES	.00	673.50	1,500.00	826.50	44.9
100-421-6100 BUILDING MAINT & SUPPLIES	599.49	3,743.26	4,700.00	956.74	79.6
100-421-6200 RENTALS AND LEASES	105.17	1,004.36	2,500.00	1,495.64	40.2
100-421-6300 INSURANCE	.00	13,709.58	26,980.00	13,270.42	50.8
100-421-6400 ADVERTISING & RECRUITMENT	.00	428.99	1,000.00	571.01	42.9
100-421-6500 LEARNING, DUES & MEMBERSHIPS	290.00	8,075.48	16,500.00	8,424.52	48.9
100-421-6600 OFFICE SUPPLIES & MISC EXPENSE	464.21	1,933.79	5,500.00	3,566.21	35.2
100-421-6610 POLICE	.00	2,449.99	.00	2,449.99	.0
100-421-6700 EQUIP MAINT & SUPPLIES	2,059.33	18,419.52	62,500.00	44,080.48	29.5
100-421-6800 UNIFORMS	1,116.34	4,613.62	7,000.00	2,386.38	65.9
100-421-6900 UTILITIES	1,378.09	9,831.24	12,600.00	2,768.76	78.0
100-421-9100 DEBT SERVICE - LEASE PRINCIPAL	.00	24,898.00	25,000.00	102.00	99.6
 TOTAL POLICE	 117,834.48	 871,860.41	 1,405,260.00	 533,399.59	 62.0

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARKS</u>					
100-452-1101 DIRECTOR OF ADMIN/RECORDER	163.64	1,472.76	1,960.00	487.24	75.1
100-452-1104 PUBLIC WORKS SUPERINTENDENT	1,251.72	11,144.93	15,630.00	4,485.07	71.3
100-452-1105 ADMINISTRATIVE ASSISTANT	1,698.60	15,287.40	20,390.00	5,102.60	75.0
100-452-1107 UTILITY WORKER 1	2,966.70	25,392.60	37,800.00	12,407.40	67.2
100-452-1108 PW ADMIN ASSISTANT	560.34	5,043.06	7,010.00	1,966.94	71.9
100-452-1109 PW MAINTENANCE PT	.00	3,155.61	9,380.00	6,224.39	33.6
100-452-1113 PT OFFICE ASSISTANT	426.13	3,725.52	6,250.00	2,524.48	59.6
100-452-1120 CITY ADMINISTRATOR	204.86	1,843.71	2,300.00	456.29	80.2
100-452-1212 OVERTIME	566.37	3,858.46	6,390.00	2,531.54	60.4
100-452-1302 PAGER PAY	220.56	2,032.46	.00	2,032.46	.0
100-452-4110 EB-MEDICAL & DENTAL	2,349.22	19,962.61	27,660.00	7,697.39	72.2
100-452-4120 EB-INSURANCE (LIFE & DISAB)	12.99	115.44	90.00	25.44	128.3
100-452-4150 EB-EMPLOYER TAXES	616.54	5,581.29	8,200.00	2,618.71	68.1
100-452-4170 EB-PERS	2,569.30	20,202.26	33,830.00	13,627.74	59.7
100-452-4190 EB-WORKERS COMP	.26	1,135.91	1,650.00	514.09	68.8
100-452-5100 PROFESSIONAL SERVICES	538.95	27,962.81	38,500.00	10,537.19	72.6
100-452-5300 OPERATIONAL SUPPLIES	1,048.42	15,764.40	48,100.00	32,335.60	32.8
100-452-6100 BUILDING MAINT & SUPPLIES	406.66	5,083.53	7,600.00	2,516.47	66.9
100-452-6200 RENTALS AND LEASES	25.91	290.53	500.00	209.47	58.1
100-452-6300 INSURANCE	.00	5,059.82	6,069.00	1,009.18	83.4
100-452-6400 ADVERTISING & RECRUITMENT	.00	.00	300.00	300.00	.0
100-452-6500 LEARNING, DUES & MEMBERSHIPS	.00	926.18	1,800.00	873.82	51.5
100-452-6600 OFFICE SUPPLIES & MISC EXPENSE	96.02	734.44	1,200.00	465.56	61.2
100-452-6610 BANK FEES	.00	148.48	.00	148.48	.0
100-452-6700 EQUIP MAINT & SUPPLIES	1,120.71	22,935.67	9,100.00	13,835.67	252.0
100-452-6800 UNIFORMS	.00	330.74	600.00	269.26	55.1
100-452-6900 UTILITIES	1,449.48	9,524.73	12,400.00	2,875.27	76.8
TOTAL PARKS	18,293.38	208,715.35	304,709.00	95,993.65	68.5
<u>TRANSFER OUT</u>					
100-491-8003 TRANS TO RESERVE FUND	.00	11,400.00	11,400.00	.00	100.0
TOTAL TRANSFER OUT	.00	11,400.00	11,400.00	.00	100.0
<u>CONTINGENCY</u>					
100-900-9900 CONTINGENCY	.00	.00	445,678.00	445,678.00	.0
100-900-9990 RESERVE FUTURE EXPENDITURES	.00	.00	879,919.00	879,919.00	.0
100-900-9995 UNAPPR. ENDING FUND BALANCES	.00	.00	275,000.00	275,000.00	.0
TOTAL CONTINGENCY	.00	.00	1,600,597.00	1,600,597.00	.0
TOTAL FUND EXPENDITURES	163,732.55	1,478,192.27	3,868,575.00	2,390,382.73	38.2

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
NET REVENUE OVER EXPENDITURES	( 153,758.38)	297,370.34	.00	( 297,370.34)	.0

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

STREET FUND

ASSETS

121-000-1001 CASH IN COMBINED CASH FUND

147,982.19

TOTAL ASSETS

147,982.19

LIABILITIES AND EQUITY

LIABILITIES

121-000-2022 STATE TAX WITHHOLDING

165.23

121-000-2023 RETIREMENT

119.89

121-000-2028 WORKERS COMP

3.72

TOTAL LIABILITIES

288.84

FUND EQUITY

121-000-2520 BEG FUND BALANCE

334,354.82

121-000-2530 FUND BALANCE

( 132,672.41)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

( 53,989.06)

BALANCE - CURRENT DATE

( 53,989.06)

TOTAL FUND EQUITY

147,693.35

TOTAL LIABILITIES AND EQUITY

147,982.19

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

STREET FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	<u>STREET FUND REVENUE</u>					
121-300-3190	GAS TAX	.00	120,749.25	178,705.00	57,955.75	67.6
121-300-3407	TRANSPORTATION UTILITY	.00	76,366.07	100,000.00	23,633.93	76.4
121-300-3408	ROW PERMITS	.00	2,115.00	1,800.00	( 315.00)	117.5
121-300-3601	MISCELLANEOUS REVENUE	.00	19.80	500.00	480.20	4.0
121-300-3611	INTEREST INCOME	.00	6,358.20	6,000.00	( 358.20)	106.0
	<u>TOTAL STREET FUND REVENUE</u>	<u>.00</u>	<u>205,608.32</u>	<u>287,005.00</u>	<u>81,396.68</u>	<u>71.6</u>
	<u>FUND BALANCE</u>					
121-399-9999	BEGINNING FUND BALANCE	.00	.00	201,682.00	201,682.00	.0
	<u>TOTAL FUND BALANCE</u>	<u>.00</u>	<u>.00</u>	<u>201,682.00</u>	<u>201,682.00</u>	<u>.0</u>
	<u>TOTAL FUND REVENUE</u>	<u>.00</u>	<u>205,608.32</u>	<u>488,687.00</u>	<u>283,078.68</u>	<u>42.1</u>



CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

STREET FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STREET FUND EXP</u>					
121-431-1101 DIRECTOR OF ADMIN/RECORDER	818.18	7,363.62	9,820.00	2,456.38	75.0
121-431-1104 PUBLIC WORKS SUPERINTENDENT	1,752.40	15,602.85	21,880.00	6,277.15	71.3
121-431-1105 ADMINISTRATIVE ASSISTANT	2,389.26	21,375.40	28,120.00	6,744.60	76.0
121-431-1107 UTILITY WORKER 1	837.60	7,137.35	10,730.00	3,592.65	66.5
121-431-1108 PW ADMIN ASSISTANT	840.50	7,564.50	10,520.00	2,955.50	71.9
121-431-1109 PW MAINTENANCE PT	.00	1,051.89	3,130.00	2,078.11	33.6
121-431-1113 PT OFFICE ASSISTANT	426.13	3,725.52	6,250.00	2,524.48	59.6
121-431-1120 CITY ADMINISTRATOR	1,536.40	13,827.60	17,250.00	3,422.40	80.2
121-431-1212 OVERTIME	597.52	4,127.05	6,930.00	2,802.95	59.6
121-431-1302 PAGER PAY	158.33	1,548.17	.00	1,548.17	.0
121-431-4110 EB-MEDICAL & DENTAL	1,848.52	16,021.60	21,770.00	5,748.40	73.6
121-431-4120 EB-INSURANCE (LIFE & DISAB)	15.18	136.66	130.00	6.66	105.1
121-431-4150 EB-EMPLOYER TAXES	715.76	6,374.32	8,770.00	2,395.68	72.7
121-431-4170 EB-PERS	3,019.71	25,314.74	36,900.00	11,585.26	68.6
121-431-4190 EB-WORKERS COMP	.38	1,472.89	1,190.00	282.89	123.8
121-431-5100 PROFESSIONAL SERVICES	3,588.15	41,606.78	55,300.00	13,693.22	75.2
121-431-5300 OPERATIONAL SUPPLIES	21.99	97.47	.00	97.47	.0
121-431-5500 PROGRAM & GRANT EXPENSES	92.95	3,379.01	12,600.00	9,220.99	26.8
121-431-6100 BUILDING MAINT & SUPPLIES	89.32	600.69	4,600.00	3,999.31	13.1
121-431-6200 RENTALS AND LEASES	24.63	234.34	800.00	565.66	29.3
121-431-6300 INSURANCE	.00	3,943.00	5,085.00	1,142.00	77.5
121-431-6400 ADVERTISING & RECRUITMENT	.00	.00	200.00	200.00	.0
121-431-6500 LEARNING, DUES & MEMBERSHIPS	.00	915.62	800.00	115.62	114.5
121-431-6600 OFFICE SUPPLIES & MISC EXPENSE	192.63	1,350.37	2,600.00	1,249.63	51.9
121-431-6610 STREET FUND EX	.00	593.95	.00	593.95	.0
121-431-6700 EQUIP MAINT & SUPPLIES	1,100.80	6,113.78	7,000.00	886.22	87.3
121-431-6800 UNIFORMS	.00	330.78	400.00	69.22	82.7
121-431-6900 UTILITIES	4,021.16	34,243.43	49,209.00	14,965.57	69.6
TOTAL STREET FUND EXP	24,087.50	226,053.38	321,984.00	95,930.62	70.2
<u>TRANSFER OUT</u>					
121-491-8003 TRANS TO RESERVE FUND	.00	9,000.00	9,000.00	.00	100.0
121-491-8701 OPERATIONAL OVERHEAD	.00	24,544.00	24,544.00	.00	100.0
TOTAL TRANSFER OUT	.00	33,544.00	33,544.00	.00	100.0
<u>CONTINGENCY</u>					
121-900-9900 CONTINGENCY	.00	.00	47,896.00	47,896.00	.0
121-900-9990 RESERVE FUTURE EXPENDITURES	.00	.00	85,263.00	85,263.00	.0
TOTAL CONTINGENCY	.00	.00	133,159.00	133,159.00	.0
TOTAL FUND EXPENDITURES	24,087.50	259,597.38	488,687.00	229,089.62	53.1

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

STREET FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
NET REVENUE OVER EXPENDITURES	( 24,087.50)	( 53,989.06)	.00	53,989.06	.0

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

STREET CONSTRUCTION FUND

ASSETS

122-000-1001 CASH IN COMBINED CASH FUND

395,667.11

TOTAL ASSETS

395,667.11

LIABILITIES AND EQUITY

FUND EQUITY

122-000-2520 BEG FUND BALANCE

741,656.92

122-000-2530 FUND BALANCE

( 275,034.50)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

( 70,955.31)

BALANCE - CURRENT DATE

( 70,955.31)

TOTAL FUND EQUITY

395,667.11

TOTAL LIABILITIES AND EQUITY

395,667.11

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

STREET CONSTRUCTION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	<u>STREET CONSTRUCTION REVENUE</u>					
122-300-3190	GAS TAX	.00	65,018.82	96,225.00	31,206.18	67.6
122-300-3341	SPECIAL ALLOTMENT	.00	250,000.00	250,000.00	.00	100.0
122-300-3551	SDC-IMPROVEMENT	8,398.00	34,465.00	8,750.00	( 25,715.00)	393.9
122-300-3554	SDC ADMINISTRATION	425.00	1,744.00	500.00	( 1,244.00)	348.8
122-300-3601	MISCELLANEOUS REVENUE	.00	.00	100.00	100.00	.0
122-300-3611	INTEREST INCOME	.00	13,585.15	15,000.00	1,414.85	90.6
	<b>TOTAL STREET CONSTRUCTION REVENUE</b>	<b>8,823.00</b>	<b>364,812.97</b>	<b>370,575.00</b>	<b>5,762.03</b>	<b>98.5</b>
	<u>FUND BALANCE</u>					
122-399-9999	BEGINNING FUND BALANCE	.00	.00	466,622.00	466,622.00	.0
	<b>TOTAL FUND BALANCE</b>	<b>.00</b>	<b>.00</b>	<b>466,622.00</b>	<b>466,622.00</b>	<b>.0</b>
	<b>TOTAL FUND REVENUE</b>	<b>8,823.00</b>	<b>364,812.97</b>	<b>837,197.00</b>	<b>472,384.03</b>	<b>43.6</b>

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

STREET CONSTRUCTION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>STREET CONST. FUND EXP</u>					
122-431-7000	CAPITAL OUTLAY	1,500.00	435,268.28	552,000.00	116,731.72	78.9
	TOTAL STREET CONST. FUND EXP	1,500.00	435,268.28	552,000.00	116,731.72	78.9
	<u>TRANSFER OUT</u>					
122-491-8801	SDC ADMINISTRATION	.00	500.00	500.00	.00	100.0
	TOTAL TRANSFER OUT	.00	500.00	500.00	.00	100.0
	<u>CONTINGENCY</u>					
122-900-9990	RESERVE FUTURE EXPENDITURES	.00	.00	284,697.00	284,697.00	.0
	TOTAL CONTINGENCY	.00	.00	284,697.00	284,697.00	.0
	TOTAL FUND EXPENDITURES	1,500.00	435,768.28	837,197.00	401,428.72	52.1
	NET REVENUE OVER EXPENDITURES	7,323.00	( 70,955.31)	.00	70,955.31	.0

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

RESERVE FUND

ASSETS

123-000-1001 CASH IN COMBINED CASH FUND

159,903.67

TOTAL ASSETS

159,903.67

LIABILITIES AND EQUITY

FUND EQUITY

123-000-2520 BEG FUND BALANCE

224,931.28

123-000-2530 FUND BALANCE

( 86,938.16)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

21,910.55

BALANCE - CURRENT DATE

21,910.55

TOTAL FUND EQUITY

159,903.67

TOTAL LIABILITIES AND EQUITY

159,903.67



CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

RESERVE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>RESERVE FUND REVENUE</u>					
123-300-3611 INTEREST	.00	4,267.88	3,000.00	( 1,267.88)	142.3
TOTAL RESERVE FUND REVENUE	.00	4,267.88	3,000.00	( 1,267.88)	142.3
<u>TRANSFERS IN</u>					
123-391-0100 TRANS FROM-GENERAL	.00	11,400.00	11,400.00	.00	100.0
123-391-0121 TRANS FROM-STREETS	.00	9,000.00	9,000.00	.00	100.0
123-391-0205 TRANS FROM-WATER	.00	11,000.00	11,000.00	.00	100.0
TOTAL TRANSFERS IN	.00	31,400.00	31,400.00	.00	100.0
<u>FUND BALANCE</u>					
123-399-9999 BEGINNING FUND BALANCE	.00	.00	137,993.00	137,993.00	.0
TOTAL FUND BALANCE	.00	.00	137,993.00	137,993.00	.0
TOTAL FUND REVENUE	.00	35,667.88	172,393.00	136,725.12	20.7

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

RESERVE FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>RESERVE FUND EXP</u>					
123-423-7506	PUB WRKS TRAC/MOWE	.00	13,757.33	4,000.00	( 9,757.33)	343.9
123-423-7710	PUB WRKS PICK UP	.00	.00	40,000.00	40,000.00	.0
	TOTAL RESERVE FUND EXP	.00	13,757.33	44,000.00	30,242.67	31.3
	<u>CONTINGENCY</u>					
123-900-9990	RESERVE FUTURE EXPENDITURES	.00	.00	128,393.00	128,393.00	.0
	TOTAL CONTINGENCY	.00	.00	128,393.00	128,393.00	.0
	TOTAL FUND EXPENDITURES	.00	13,757.33	172,393.00	158,635.67	8.0
	NET REVENUE OVER EXPENDITURES	.00	21,910.55	.00	( 21,910.55)	.0

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

PARK IMPROVEMENT FUND

ASSETS

125-000-1001 CASH IN COMBINED CASH FUND

520,321.62

TOTAL ASSETS

520,321.62

LIABILITIES AND EQUITY

FUND EQUITY

125-000-2520 BEG FUND BALANCE

833,067.29

125-000-2530 FUND BALANCE

( 373,849.15)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

61,103.48

BALANCE - CURRENT DATE

61,103.48

TOTAL FUND EQUITY

520,321.62

TOTAL LIABILITIES AND EQUITY

520,321.62

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

PARK IMPROVEMENT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	<u>PARK IMPROVMENT REVENUE</u>					
125-300-3301	STATE SHARED REVEN	.00	20,467.15	20,000.00	( 467.15)	102.3
125-300-3551	SDC-IMPROVEMENT	.00	4,458.00	8,000.00	3,542.00	55.7
125-300-3552	SDC-REIMBURSEMENT	.00	696.00	1,250.00	554.00	55.7
125-300-3554	SDC-ADMINISTRATION	.00	215.00	500.00	285.00	43.0
125-300-3601	MISCELLANEOUS REVENUE	.00	.00	100.00	100.00	.0
125-300-3611	INTEREST INCOME	.00	14,355.05	13,000.00	( 1,355.05)	110.4
125-300-3643	DONATION VETS MEMORIAL	.00	21,412.28	21,000.00	( 412.28)	102.0
	<u>TOTAL PARK IMPROVMENT REVENUE</u>	<u>.00</u>	<u>61,603.48</u>	<u>63,850.00</u>	<u>2,246.52</u>	<u>96.5</u>
	<u>BEGINNING FUND BALANCE</u>					
125-399-9999	BEGINNING FUND BALANCE	.00	.00	459,218.00	459,218.00	.0
	<u>TOTAL BEGINNING FUND BALANCE</u>	<u>.00</u>	<u>.00</u>	<u>459,218.00</u>	<u>459,218.00</u>	<u>.0</u>
	<u>TOTAL FUND REVENUE</u>	<u>.00</u>	<u>61,603.48</u>	<u>523,068.00</u>	<u>461,464.52</u>	<u>11.8</u>

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

PARK IMPROVEMENT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARK IMPROV FUND EXP</u>					
125-452-7000 CAPITAL OUTLAY	.00	.00	244,369.00	244,369.00	.0
TOTAL PARK IMPROV FUND EXP	.00	.00	244,369.00	244,369.00	.0
<u>TRANSFER OUT</u>					
125-491-8000 TRANSFERS OUT	.00	500.00	500.00	.00	100.0
TOTAL TRANSFER OUT	.00	500.00	500.00	.00	100.0
<u>CONTINGENCY</u>					
125-900-9900 CONTINGENCY	.00	.00	248,199.00	248,199.00	.0
125-900-9990 RESERVE FUTURE EXPENDITURES	.00	.00	30,000.00	30,000.00	.0
TOTAL CONTINGENCY	.00	.00	278,199.00	278,199.00	.0
TOTAL FUND EXPENDITURES	.00	500.00	523,068.00	522,568.00	.1
NET REVENUE OVER EXPENDITURES	.00	61,103.48	.00	( 61,103.48)	.0

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

SEWER UTILITY FUND

ASSETS

201-000-1001 CASH IN COMBINED CASH FUND

22,047.40

TOTAL ASSETS

22,047.40

LIABILITIES AND EQUITY

LIABILITIES

201-000-2022 STATE TAX WITHHOLDING

263.65

201-000-2023 RETIREMENT

119.89

201-000-2028 WORKERS COMP

4.42

TOTAL LIABILITIES

387.96

FUND EQUITY

201-000-2520 BEG FUND BALANCE

442,925.68

201-000-2530 FUND BALANCE

( 296,198.36)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

( 125,067.88)

BALANCE - CURRENT DATE

( 125,067.88)

TOTAL FUND EQUITY

21,659.44

TOTAL LIABILITIES AND EQUITY

22,047.40

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

SEWER UTILITY FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	<u>SEWER UTILITY REVENUE</u>					
201-300-3441	SERVICE CHARGES SE	.00	353,785.09	520,000.00	166,214.91	68.0
201-300-3601	MISCELLANEOUS REVENUE	.00	158.40	100.00	( 58.40)	158.4
201-300-3611	INTEREST INCOME	.00	11,921.63	8,500.00	( 3,421.63)	140.3
	<u>TOTAL SEWER UTILITY REVENUE</u>	<u>.00</u>	<u>365,865.12</u>	<u>528,600.00</u>	<u>162,734.88</u>	<u>69.2</u>
	<u>BEGINNING FUND BALANCE</u>					
201-399-9999	BEGINNING FUND BALANCE	.00	.00	146,728.00	146,728.00	.0
	<u>TOTAL BEGINNING FUND BALANCE</u>	<u>.00</u>	<u>.00</u>	<u>146,728.00</u>	<u>146,728.00</u>	<u>.0</u>
	<u>TOTAL FUND REVENUE</u>	<u>.00</u>	<u>365,865.12</u>	<u>675,328.00</u>	<u>309,462.88</u>	<u>54.2</u>



CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

SEWER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SEWER UTILITY FUND EXP</u>					
201-432-1101 DIRECTOR OF ADMIN/RECORDER	818.18	7,363.62	9,820.00	2,456.38	75.0
201-432-1104 PUBLIC WORKS SUPERINTENDENT	2,753.78	24,518.77	34,380.00	9,861.23	71.3
201-432-1105 ADMINISTRATIVE ASSISTANT	2,734.59	24,419.42	31,980.00	7,560.58	76.4
201-432-1107 UTILITY WORKER 1	1,842.72	15,702.15	23,600.00	7,897.85	66.5
201-432-1108 PW ADMIN ASSISTANT	3,081.82	27,736.38	38,570.00	10,833.62	71.9
201-432-1113 PT OFFICE ASSISTANT	426.13	3,725.52	6,250.00	2,524.48	59.6
201-432-1120 CITY ADMINISTRATOR	1,536.40	13,827.60	17,250.00	3,422.40	80.2
201-432-1212 OVERTIME	597.52	4,599.21	6,930.00	2,330.79	66.4
201-432-1302 PAGER PAY	354.39	3,531.27	.00	3,531.27	.0
201-432-4110 EB-MEDICAL & DENTAL	3,302.00	28,523.99	38,900.00	10,376.01	73.3
201-432-4120 EB-INSURANCE (LIFE & DISAB)	24.49	220.15	200.00	20.15	110.1
201-432-4150 EB-EMPLOYER TAXES	1,082.17	9,595.14	12,900.00	3,304.86	74.4
201-432-4170 EB-PERS	4,475.38	37,272.75	53,400.00	16,127.25	69.8
201-432-4190 EB-WORKERS COMP	.44	1,525.88	2,320.00	794.12	65.8
201-432-5100 PROFESSIONAL SERVICES	1,399.76	18,077.45	51,303.00	33,225.55	35.2
201-432-5300 OPERATIONAL SUPPLIES	1,156.69	6,353.56	8,000.00	1,646.44	79.4
201-432-6100 BUILDING MAINT & SUPPLIES	133.98	835.21	5,100.00	4,264.79	16.4
201-432-6200 RENTALS AND LEASES	44.97	694.75	2,500.00	1,805.25	27.8
201-432-6300 INSURANCE	.00	9,661.58	12,381.00	2,719.42	78.0
201-432-6400 ADVERTISING & RECRUITMENT	.00	.00	400.00	400.00	.0
201-432-6500 LEARNING, DUES & MEMBERSHIPS	.00	5,408.87	7,600.00	2,191.13	71.2
201-432-6600 OFFICE SUPPLIES & MISC EXPENSE	462.38	3,237.63	9,100.00	5,862.37	35.6
201-432-6610 BANK FEES	.00	890.90	.00	890.90	.0
201-432-6700 EQUIP MAINT & SUPPLIES	1,457.00	31,028.99	31,400.00	371.01	98.8
201-432-6800 UNIFORMS	.00	330.78	600.00	269.22	55.1
201-432-6900 UTILITIES	4,499.20	42,377.43	48,780.00	6,402.57	86.9
TOTAL SEWER UTILITY FUND EXP	32,183.99	321,459.00	453,664.00	132,205.00	70.9
<u>TRANSFER OUT</u>					
201-491-8006 TRANS TO SEWER BOND	.00	106,531.00	106,531.00	.00	100.0
201-491-8601 FRANCHISE FEE	.00	26,000.00	26,000.00	.00	100.0
201-491-8701 OPERATIONAL OVERHEAD	.00	36,943.00	36,943.00	.00	100.0
TOTAL TRANSFER OUT	.00	169,474.00	169,474.00	.00	100.0
<u>CONTINGENCY</u>					
201-900-9990 RESERVE FUTURE EXPENDITURES	.00	.00	147,721.00	147,721.00	.0
TOTAL CONTINGENCY	.00	.00	147,721.00	147,721.00	.0
TOTAL FUND EXPENDITURES	32,183.99	490,933.00	770,859.00	279,926.00	63.7
NET REVENUE OVER EXPENDITURES	( 32,183.99)	( 125,067.88)	( 95,531.00)	29,536.88	(130.9)

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

SEWER CONSTRUCTION FUND

ASSETS

202-000-1001 CASH IN COMBINED CASH FUND

2,179,773.56

TOTAL ASSETS

2,179,773.56

LIABILITIES AND EQUITY

FUND EQUITY

202-000-2520 BEG FUND BALANCE

3,721,463.08

202-000-2530 FUND BALANCE

( 1,724,716.46)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

183,026.94

BALANCE - CURRENT DATE

183,026.94

TOTAL FUND EQUITY

2,179,773.56

TOTAL LIABILITIES AND EQUITY

2,179,773.56

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

SEWER CONSTRUCTION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	<u>SEWER CONSTRUCTION REVENUE</u>					
202-300-3550	WASTEWATER REUSE R	.00	105,213.73	158,000.00	52,786.27	66.6
202-300-3551	SDC-IMPROVEMENT	.00	9,262.00	2,800.00	( 6,462.00)	330.8
202-300-3552	SDC-REIMBURSEMENT	.00	25,971.00	7,850.00	( 18,121.00)	330.8
202-300-3554	SDC-ADMINISTRATION	.00	2,430.00	800.00	( 1,630.00)	303.8
202-300-3611	INTEREST INCOME	.00	63,092.91	60,000.00	( 3,092.91)	105.2
	<u>TOTAL SEWER CONSTRUCTION REVENUE</u>	<u>.00</u>	<u>205,969.64</u>	<u>229,450.00</u>	<u>23,480.36</u>	<u>89.8</u>
	<u>BEGINNING FUND BALANCE</u>					
202-399-9999	BEGINNING FUND BALANCE	.00	.00	1,996,746.00	1,996,746.00	.0
	<u>TOTAL BEGINNING FUND BALANCE</u>	<u>.00</u>	<u>.00</u>	<u>1,996,746.00</u>	<u>1,996,746.00</u>	<u>.0</u>
	<u>TOTAL FUND REVENUE</u>	<u>.00</u>	<u>205,969.64</u>	<u>2,226,196.00</u>	<u>2,020,226.36</u>	<u>9.3</u>

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

SEWER CONSTRUCTION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>SEWER CONST FUND EXP</u>					
202-432-7000	CAPITAL OUTLAY	4,779.67	22,142.70	344,002.00	321,859.30	6.4
	TOTAL SEWER CONST FUND EXP	4,779.67	22,142.70	344,002.00	321,859.30	6.4
	<u>TRANSFER OUT</u>					
202-491-8000	TRANSFERS OUT	.00	800.00	800.00	.00	100.0
	TOTAL TRANSFER OUT	.00	800.00	800.00	.00	100.0
	<u>CONTINGENCY</u>					
202-900-9990	RESERVE FUTURE EXPENDITURES	.00	.00	1,881,394.00	1,881,394.00	.0
	TOTAL CONTINGENCY	.00	.00	1,881,394.00	1,881,394.00	.0
	TOTAL FUND EXPENDITURES	4,779.67	22,942.70	2,226,196.00	2,203,253.30	1.0
	NET REVENUE OVER EXPENDITURES	( 4,779.67)	183,026.94	.00	( 183,026.94)	.0

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

SEWER BOND FUND

ASSETS

203-000-1001 CASH IN COMBINED CASH FUND

219,477.38

TOTAL ASSETS

219,477.38

LIABILITIES AND EQUITY

FUND EQUITY

203-000-2520 BEG FUND BALANCE

260,160.56

203-000-2530 FUND BALANCE

( 40,683.18)

TOTAL FUND EQUITY

219,477.38

TOTAL LIABILITIES AND EQUITY

219,477.38

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

SEWER BOND FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TRANSFERS IN</u>					
203-391-0201 TRANS FROM-SEWER UTILITY FUND	.00	106,531.00	( 106,531.00)	( 213,062.00)	100.0
TOTAL TRANSFERS IN	.00	106,531.00	( 106,531.00)	( 213,062.00)	100.0
TOTAL FUND REVENUE	.00	106,531.00	( 106,531.00)	( 213,062.00)	100.0

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

SEWER BOND FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>DEBT SERVICE</u>					
203-432-9001	LOAN INTEREST	.00	1,640.00	1,640.00	.00	100.0
203-432-9002	LOAN PRINCIPAL	.00	104,891.00	104,891.00	.00	100.0
	TOTAL DEBT SERVICE	.00	106,531.00	106,531.00	.00	100.0
	TOTAL FUND EXPENDITURES	.00	106,531.00	106,531.00	.00	100.0
	NET REVENUE OVER EXPENDITURES	.00	.00	( 213,062.00)	( 213,062.00)	.0



CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

WATER UTILITY FUND

ASSETS

205-000-1001 CASH IN COMBINED CASH FUND

676,952.48

TOTAL ASSETS

676,952.48

LIABILITIES AND EQUITY

LIABILITIES

205-000-2021 FEDERAL TAX WITHHOLDING

( .01)

205-000-2022 STATE TAX WITHHOLDING

257.27

205-000-2023 RETIREMENT

( 574.32)

205-000-2028 WORKERS COMP

3.98

205-000-2281 UB DEPOSITS

15,620.00

TOTAL LIABILITIES

15,306.92

FUND EQUITY

205-000-2520 BEG FUND BALANCE

1,108,756.36

205-000-2530 FUND BALANCE

( 466,090.60)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

18,979.80

BALANCE - CURRENT DATE

18,979.80

TOTAL FUND EQUITY

661,645.56

TOTAL LIABILITIES AND EQUITY

676,952.48

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WATER UTILITY REVENUE</u>					
205-300-3401 SERVICE CHARGES WA	.00	343,559.42	509,000.00	165,440.58	67.5
205-300-3403 RECONNECTION FEE	.00	2,550.06	5,300.00	2,749.94	48.1
205-300-3601 MISCELLANEOUS REVENUE	979.26	5,968.58	10,000.00	4,031.42	59.7
205-300-3611 INTEREST INCOME	.00	21,089.28	20,000.00	1,089.28	105.5
205-300-3620 LEASE-WATER TOWER T MOBILE	724.73	6,522.57	7,200.00	677.43	90.6
205-300-3622 VERZION LEASE	.00	11,880.00	15,000.00	3,120.00	79.2
TOTAL WATER UTILITY REVENUE	1,703.99	391,569.91	566,500.00	174,930.09	69.1
<u>BEGINNING FUND BALANCE</u>					
205-399-9999 BEGINNING FUND BALANCE	.00	.00	642,666.00	642,666.00	.0
TOTAL BEGINNING FUND BALANCE	.00	.00	642,666.00	642,666.00	.0
TOTAL FUND REVENUE	1,703.99	391,569.91	1,209,166.00	817,596.09	32.4

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER UTILITY FUND EXP</u>					
205-461-1101 DIRECTOR OF ADMIN/RECORDER	818.18	7,363.62	9,820.00	2,456.38	75.0
205-461-1104 PUBLIC WORKS SUPERINTENDENT	2,586.88	23,032.77	28,750.00	5,717.23	80.1
205-461-1105 ADMINISTRATIVE ASSISTANT	2,734.57	24,419.24	32,300.00	7,880.76	75.6
205-461-1107 UTILITY WORKER 1	2,728.98	23,141.07	31,980.00	8,838.93	72.4
205-461-1108 PW ADMIN ASSISTANT	1,120.66	10,085.94	35,150.00	25,064.06	28.7
205-461-1113 PT OFFICE ASSISTANT	426.11	3,725.43	14,030.00	10,304.57	26.6
205-461-1120 CITY ADMINISTRATOR	2,560.66	18,436.77	6,250.00	12,186.77	295.0
205-461-1212 OVERTIME	597.53	4,401.16	6,930.00	2,528.84	63.5
205-461-1302 PAGER PAY	297.06	2,775.99	.00	2,775.99	.0
205-461-4110 EB-MEDICAL & DENTAL	3,227.70	27,182.24	38,000.00	10,817.76	71.5
205-461-4120 EB-INSURANCE (LIFE & DISAB)	23.05	198.85	190.00	8.85	104.7
205-461-4150 EB-EMPLOYER TAXES	1,061.04	8,979.38	12,640.00	3,660.62	71.0
205-461-4170 EB-PERS	4,384.86	33,686.41	52,240.00	18,553.59	64.5
205-461-4190 EB-WORKERS COMP	.39	1,265.41	1,950.00	684.59	64.9
205-461-5100 PROFESSIONAL SERVICES	1,341.12	19,999.49	82,800.00	62,800.51	24.2
205-461-5300 OPERATIONAL SUPPLIES	997.41	16,062.56	39,500.00	23,437.44	40.7
205-461-6100 BUILDING MAINT & SUPPLIES	133.98	1,117.11	8,400.00	7,282.89	13.3
205-461-6200 RENTALS AND LEASES	44.98	722.53	4,400.00	3,677.47	16.4
205-461-6300 INSURANCE	.00	13,133.17	16,530.00	3,396.83	79.5
205-461-6400 ADVERTISING & RECRUITMENT	.00	.00	400.00	400.00	.0
205-461-6500 LEARNING, DUES & MEMBERSHIPS	.00	1,702.55	11,000.00	9,297.45	15.5
205-461-6600 OFFICE SUPPLIES & MISC EXPENSE	( 1,256.44)	3,886.06	9,000.00	5,113.94	43.2
205-461-6610 BANK FEES	.00	890.86	.00	890.86	.0
205-461-6700 EQUIP MAINT & SUPPLIES	940.04	8,320.49	28,100.00	19,779.51	29.6
205-461-6800 UNIFORMS	.00	330.80	600.00	269.20	55.1
205-461-6900 UTILITIES	4,290.58	40,794.21	58,351.00	17,556.79	69.9
TOTAL WATER UTILITY FUND EXP	29,059.34	295,654.11	529,311.00	233,656.89	55.9
<u>TRANSFER OUT</u>					
205-491-8003 TRANS TO RESERVE FUND	.00	11,000.00	11,000.00	.00	100.0
205-491-8601 TRANS OUT - FRANCH	.00	25,450.00	25,450.00	.00	100.0
205-491-8701 TRANS OUT OP OH	.00	40,486.00	40,486.00	.00	100.0
TOTAL TRANSFER OUT	.00	76,936.00	76,936.00	.00	100.0
<u>CONTINGENCY</u>					
205-900-9900 CONTINGENCY	.00	.00	78,651.00	78,651.00	.0
205-900-9990 RESERVE FUTURE EXPENDITURES	.00	.00	524,268.00	524,268.00	.0
TOTAL CONTINGENCY	.00	.00	602,919.00	602,919.00	.0
TOTAL FUND EXPENDITURES	29,059.34	372,590.11	1,209,166.00	836,575.89	30.8

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

WATER UTILITY FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
NET REVENUE OVER EXPENDITURES	( 27,355.35)	18,979.80	.00	( 18,979.80)	.0

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

WATER CONSTRUCTION FUND

ASSETS

206-000-1001 CASH IN COMBINED CASH FUND

1,317,814.94

TOTAL ASSETS

1,317,814.94

LIABILITIES AND EQUITY

FUND EQUITY

206-000-2520 BEG FUND BALANCE

2,303,368.25

206-000-2530 FUND BALANCE

( 1,055,307.71)

UNAPPROPRIATED FUND BALANCE:  
REVENUE OVER EXPENDITURES - YTD

69,754.40

BALANCE - CURRENT DATE

69,754.40

TOTAL FUND EQUITY

1,317,814.94

TOTAL LIABILITIES AND EQUITY

1,317,814.94

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

WATER CONSTRUCTION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	<u>WATER CONSTRUCTION REVENUE</u>					
206-300-3550	WATER STATIC REVEN	.00	55,302.05	83,000.00	27,697.95	66.6
206-300-3551	SDC-IMPROVEMENT	.00	3,019.00	1,000.00	( 2,019.00)	301.9
206-300-3552	SDC-REIMBURSEMENT	.00	19,362.00	5,850.00	( 13,512.00)	331.0
206-300-3553	REVOLVING LOAN	.00	.00	1,763,563.00	1,763,563.00	.0
206-300-3554	SDC-ADMINISTRATION	.00	2,447.00	950.00	( 1,497.00)	257.6
206-300-3611	INTEREST INCOME	.00	39,102.68	40,000.00	897.32	97.8
	<u>TOTAL WATER CONSTRUCTION REVENUE</u>	<u>.00</u>	<u>119,232.73</u>	<u>1,894,363.00</u>	<u>1,775,130.27</u>	<u>6.3</u>
	<u>BEGINNING FUND BALANCE</u>					
206-399-9999	BEGINNING FUND BALANCE	.00	.00	1,248,060.00	1,248,060.00	.0
	<u>TOTAL BEGINNING FUND BALANCE</u>	<u>.00</u>	<u>.00</u>	<u>1,248,060.00</u>	<u>1,248,060.00</u>	<u>.0</u>
	<u>TOTAL FUND REVENUE</u>	<u>.00</u>	<u>119,232.73</u>	<u>3,142,423.00</u>	<u>3,023,190.27</u>	<u>3.8</u>

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

WATER CONSTRUCTION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>WATER CONST FUND EXP</u>					
206-461-7000	CAPITAL OUTLAY	.00	48,528.33	74,048.00	25,519.67	65.5
206-461-7001	DESIGN AND ENGINEERING	.00	.00	162,500.00	162,500.00	.0
206-461-7002	CONSTRUCTION	.00	.00	1,387,000.00	1,387,000.00	.0
206-461-7003	CONSTRUCTION CONTINGENCY	.00	.00	138,000.00	138,000.00	.0
206-461-7004	LABOR STANDARDS	.00	.00	15,000.00	15,000.00	.0
206-461-7005	ENVIRONMENTAL REVIEW	.00	.00	10,000.00	10,000.00	.0
206-461-7006	PROJECT MGT/FED REQS	.00	.00	15,000.00	15,000.00	.0
206-461-7007	LEGAL FEES	.00	.00	5,000.00	5,000.00	.0
206-461-7008	PERMITTING AND REG FEES	.00	.00	5,000.00	5,000.00	.0
206-461-7009	LOAN FEES	.00	.00	26,063.00	26,063.00	.0
	TOTAL WATER CONST FUND EXP	.00	48,528.33	1,837,611.00	1,789,082.67	2.6
	<u>TRANSFER OUT</u>					
206-491-8000	TRANSFERS OUT	.00	950.00	950.00	.00	100.0
	TOTAL TRANSFER OUT	.00	950.00	950.00	.00	100.0
	<u>CONTINGENCY</u>					
206-900-9990	RESERVE FUTURE EXPENDITURES	.00	.00	1,303,862.00	1,303,862.00	.0
	TOTAL CONTINGENCY	.00	.00	1,303,862.00	1,303,862.00	.0
	TOTAL FUND EXPENDITURES	.00	49,478.33	3,142,423.00	3,092,944.67	1.6
	NET REVENUE OVER EXPENDITURES	.00	69,754.40	.00	( 69,754.40)	.0



CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

WATER BOND FUND

LIABILITIES AND EQUITY

FUND EQUITY

207-000-2520	BEG FUND BALANCE	83,283.22	
207-000-2530	FUND BALANCE	( 83,283.22)	
	TOTAL FUND EQUITY		.00
	TOTAL LIABILITIES AND EQUITY		.00

CITY OF HUBBARD  
BALANCE SHEET  
MARCH 31, 2024

ASSETS

300-000-1001	CASH IN COMBINED FUND	639,159.39	
	TOTAL ASSETS		639,159.39

LIABILITIES AND EQUITY

FUND EQUITY

300-000-2520	BEGINNING FUND BALANCE	695,496.67	
	UNAPPROPRIATED FUND BALANCE:		
	REVENUE OVER EXPENDITURES - YTD	( 56,337.28)	
	BALANCE - CURRENT DATE	( 56,337.28)	
	TOTAL FUND EQUITY		639,159.39
	TOTAL LIABILITIES AND EQUITY		639,159.39

CITY OF HUBBARD  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
	<u>SOURCE 300</u>					
300-300-3611	INTEREST INCOME	.00	24,317.21	15,000.00	( 9,317.21)	162.1
	TOTAL SOURCE 300	.00	24,317.21	15,000.00	( 9,317.21)	162.1
300-302-3311	MC ARPA GRANT	.00	75,851.80	1,000,000.00	924,148.20	7.6
	TOTAL SOURCE 302	.00	75,851.80	1,000,000.00	924,148.20	7.6
300-399-9999	BEGINNING FUND BALANCE	.00	.00	695,497.00	695,497.00	.0
	TOTAL SOURCE 399	.00	.00	695,497.00	695,497.00	.0
	TOTAL FUND REVENUE	.00	100,169.01	1,710,497.00	1,610,327.99	5.9

CITY OF HUBBARD  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 9 MONTHS ENDING MARCH 31, 2024

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
300-423-7000 CAPITAL OUTLAY	.00	4,990.00	7,500.00	2,510.00	66.5
TOTAL DEPARTMENT 423	.00	4,990.00	7,500.00	2,510.00	66.5
<hr/>					
300-432-7000 CAPITAL OUTLAY	21,750.47	111,516.29	1,024,047.00	912,530.71	10.9
300-432-7501 PASS THRU PAYMENTS	.00	15,000.00	15,000.00	.00	100.0
300-432-7502 PASS THRU PAYMENTS - UTILITY	.00	25,000.00	25,000.00	.00	100.0
TOTAL DEPARTMENT 432	21,750.47	151,516.29	1,064,047.00	912,530.71	14.2
<hr/>					
300-900-9990 RESERVE FOR FUTURE EXPENDIURE	.00	.00	638,950.00	638,950.00	.0
TOTAL DEPARTMENT 900	.00	.00	638,950.00	638,950.00	.0
<hr/>					
TOTAL FUND EXPENDITURES	21,750.47	156,506.29	1,710,497.00	1,553,990.71	9.2
<hr/>					
NET REVENUE OVER EXPENDITURES	( 21,750.47)	( 56,337.28)	.00	56,337.28	.0
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# Chief's Report

*"Committed to our community"*

**TO:** Mayor and City Council Members

**FROM:** Donald E. Parise, Chief of Police

**DATE:** April 1, 2024

**RE:** March 2024 Police Department Report

## The Success Of Teamwork

*"Coming together is a beginning; keeping together is progress; working together is success." – Henry Ford*

This following is a report of activity occurred during the month of March 2024:

- Officer Tim Hart successfully graduated DPSST Police academy on March 29 and has returned back to Hubbard PD to resume his Field Training and Evaluation Program. During his time at the academy, Officer Hart was a squad leader and also on the honor guard team.
- Officer Sapp is still going strong in the academy at DPSST about halfway through. Graduation should be sometime in May 2024.
- We completed our evidence inventory on March 13, 2024. This was conducted by the Salem Police Department evidence supervisor and we have received a full report back on this inventory. We have a total of 530 items of evidence and every single piece of evidence was accounted for. There was no missing evidence. Through this inventory there were several recommendations made to improve the overall functionality of the seizure and processing of evidence by officers. We are limited in our

small police department but are looking at ways to achieve these recommendations and best practices. More to come on this in the future.

- I also attended our Marion County Law Enforcement Area Chief's Meeting at DPSST. During this meeting the District Attorney's Office presented on the 2024 Domestic Violence Protocol training and shared this will be coming up very soon throughout the rest of the year.

There was also a presentation by Liberty House, Executive Director on their upcoming process of obtaining accreditation.

- Our certified police officer applicant's background investigation is looking to be completed by the week of April 8.
- Myself and Officer Bentley attended in-service training in Silverton which was hosted with Silverton Police Department. We received training in legal updates and information on LEAD which stands for Law Enforcement Assisted Diversion.
- Sgt. Anderson has picked up the last of the RMR red dots for our sidearms.
- Vehicle # 56 blew the heater core and is going to need to have that replaced which is currently in the works.
- March 30<sup>th</sup> was the annual Easter egg hunt and it was beautiful day filled with bright sunshine and smiles from children and family. Myself and Sgt. Anderson attended from the Police Department and City Administrator Waite and the Mayor were also there along with Hubbard Fire Department. This was a lot of fun and there was a great turnout.
- I am still making my way around the city talking with numerous community members and business owners introducing myself and getting to know others building relationships and strengthening ones already established.

Respectfully Submitted,

Donald E. Parise, Chief of Police  
Hubbard Police Department

# HUBBARD POLICE



*PO Box 380/3720 Second Street  
Hubbard, OR 97032 503-981-8738*

## Monthly Statistical Report

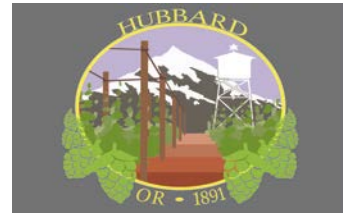
To: Mayor and City Council Members  
From: Chief Don Parise  
Date: April 1, 2024  
RE: March 2024 Statistics

Adult and Juvenile Arrests:	1
Citations Issued:	20
Towed Vehicles:	0
Calls for service:	219



HPD Calls for Service	
Mar-24	
Call Type	
911 Investigation	2
Alarm - Burg	3
Animal Complaint	10
Area Check	39
Assist - Fire	2
Assist - Police	6
Attempt to Locate	6
Bar Check	4
Burglary	
Civil Situation	2
Crash - Hit and Run	1
Crash - Injury	3
Crash - Non Injury	1
DHS Referral	7
Disturbance	4
Extra Patrol	1
Family Disturbance	2
FIR	4
Fireworks	1
Follow Up	1
Foot Patrol	11
Forgery/Counterfeit	2
Harassment - Verbal	3
Insecure Premise	2
Noise Complaint	3
Ordinance - Aban MV	1
Ordinance - Other	1
Parking Violation	2
Property Lost/Found	2
Public Assist	32
Radar	4
Reckless Driving	2
Restraining Order Violation	2
Runaway	2
Sex Offense	1
Suspicious Activity	4
Suspicious Person/Vehicle	10
Theft - All Other	1
Traffic Assist	5
Traffic Stop	14
Trespass	2
Warrant Service	2
Welfare Check	2
Total	219

# DIRECTOR OF ADMINISTRATION/ CITY RECORDER MONTHLY REPORT



To: CITY COUNCIL  
From: VICKIE NOGLE, MMC, Director of Admin./City Recorder  
Date: APRIL 2, 2024  
RE: REPORT FOR APRIL 9, 2024, CITY COUNCIL MEETING

## ELECTIONS

➤ The Mayor and two Council positions (Councilor Audritsh and Councilor Thomas) will be open for the General Election held November 5, 2024. The Mayor shall be elected for a term of two years, and the two Councilors shall be elected for a term of four years. The first day for local candidates to file a declaration of candidacy or nominating petition is June 5, 2024. You may obtain more information from the Secretary of State's Elections website at: <https://sos.oregon.gov/voting-elections/Pages/default.aspx>.

## LAND USE PLANNING - PLANNING COMMISSION

- The April 16, 2024, Planning Commission meeting will be canceled. The next regular scheduled meeting is May 21, 2023, at 6:30 p.m.
- A Notice of Intent to award the City of Hubbard's Economic Opportunities Analysis (EOA) has been submitted and is pending acceptance.
- Pending draft outreach letter from MWVCOG regarding G Street properties potential Zone Change. (Zone Map update – ZC #2023-01). Staff prepared a draft letter and submitted it to MWVCOG for review.

## NEWSLETTER

Please submit your information for the Newsletter no later than **April 15, 2024**. You can submit it in writing or e-mail the Administrative Assistant/Court Clerk Julie Hedden at [jhedden@cityofhubbard.org](mailto:jhedden@cityofhubbard.org).

## BUILDING PERMITS

4 building permit applications were submitted from January - March 2024.

## LASERFICHE UPDATE

*(Update Laserfiche to allow the system to be an archivable records system).*

- The configuration of the Records Management system has been completed.
- Citidigital is currently working with staff to update the Templates to include destruction dates and add/remove templates.

## BUDGET

Budget preparation is currently in process with a submittal deadline to the Budget Officer of April 12, 2024, as well as continued monitoring of the current FY 2023/24 Budget.

	Date Received & Sent to Co.	Date Received From County	Permit #	Applicant Name	Address	Map & Tax Lot #
1	9/20/2023	12/12/2023	555-23-008219-STR	ERIK BERKEY	3092 1ST STREET	041W33DA02700
2						
3	10/23/2023	11/21/2023	555-23-008953-STR	PBSL / SALEM SIGN	3070 SCHMIDT LANE	041W33DC00902
4						
5	10/31/2023			THOMAS SCHMITT	4034 5TH ST	
6						
7	10/31/2023	11/27/2023	555-23-009297-STR	WEST COAST ROOFING	2769 A STREET	041W33AA90001
8						
9	10/31/2023	11/27/2023	555-23-009294-STR	WEST COAST ROOFING	3959 3RD ST	041W33AA90005
10						
11	12/19/2023	1/18/2024	555-23-010425-DWL	Precision NW Construction	3172 5th Street	041W33AC09501
12						
13	MC 1/18/2024	3/14/2024	555-23-010271-STR	LANELL ROBINSON-GALLANT CNST	2400 INDUSTRIAL AVENUE	041W33DD01001
14						
15	1/2/2024			HOLLEMAN PROPERTIES LLC	2694 INDUSTRIAL AVENUE	
16						
17	1/22/2024			JM CUSTOM CONSTUCTION	2330 Industrial Avenue	
18						
19	3/20/2024	3/25/2024	555-24-002187-STR	CITY OF HUBBARD-PUB WORKS	2651 E Street	041WWAD05900
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## BUILDING PERMITS page 2

	Type of permit	Permit Amount	Reciept #	ROW	Reciept #	City Fee	SDC	Reciept #	EXCISE TAX	Valuation
1	CARWASH UPGRADE NEW EQUIP/BLD	\$ 430.00	1.013123							
2	ADDITIONAL PYMNT 9/28/2023	\$ 1,255.36	1.013121	N/A	N/A	\$ 232.87	N/A	N/A		\$ 107,694.00
3	ALTERING EXISTING SIGN	\$ 708.44	1.012817	N/A	N/A	\$ 73.80	N/A	N/A		\$ 45,000.00
4	ADDITIONAL PYMNT 11/27/2023	\$ 18.49	4.000841							
5	2 BED 1 BATH ADDITION	\$ 980.59	1.013159							
6										
7	RE-ROOFING	\$ 277.80	9.004839	N/A	N/A	\$ 30.00	N/A	N/A		\$ 11,900.00
8										
9	RE-ROOFING	\$ 277.80	9.00484	N/A	N/A	\$ 30.00	N/A	N/A		\$ 11,900.00
10										
11	SFR	\$ 401.88	1.013456	\$ 270.00	1.13785	\$ 294.00	\$ 20,853.00	1.13785	\$ 1,685.00	\$ 319,546.41
12										
13	TI-2 LVL OFFICE W/5 BATHROOMS	\$ 7,521.55	1.01363	N/A	N/A	\$ 1,117.67	\$ 8,823.00	1.014093		\$ 1,227,712.50
14		\$ 13,471.69	1.014093							
15	BATHROOM/ LUNCHROOM	\$ 797.85	1.013509							
16				N/A	N/A		N/A	N/A		
17	TI- OFFICE/MERCANTILE/STORAGE	\$ 1,387.64	1.013702							
18										
19	Addition Pump House	\$ 148.68	N/A	N/A	N/A	N/A	N/A	N/A		\$ 11,700.48
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Date: April 2024

To: Hubbard City Council

From: Public Works Superintendent

Re: Public Works Report

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- 1) The Splash Fountain project is progressing as anticipated with the opening still planned for Memorial Day weekend. The concrete foundation will be poured the first week of April and the building construction will start the second week of April.
- 2) The concrete work to be done on the G St. Sidewalk, across the Railroad tracks, has gone out for Bid. At this time The City has only received two bids for the project. Public Works will schedule the completion of this project as soon as coordination all of the players can be arranged.
- 3) The Lawn Mowers have been serviced and are ready for the mowing season, with the exception of the Zero Turn which needed to be taken to the shop for some of the repairs. The Zero Turn mower will be repaired and returned to the City by the end of April.
- 4) The Fire Hydrant repair project is on schedule. The plan is to fix one per month, however the hope is to find additional time and expedite the schedule.

## **Updates from P.W. Administrative Manager's Office As of March 31, 2024 for April 9, 2024 Council Meeting**

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1. **Park Grant Applications:** At the time I am writing this report, both the Wolfer-Will Greenway Dog Park Fencing Project and the Rivenes Park Playground Equipment Replacement Project grant applications are on track for submission Monday, April 1, 2024.

2. **Training Update:**

**P.W. Administrative Manager:**

**P.W. Office Assistant Molly King:**

**P.W. Superintendent Mike Krebs:**

**Utility Worker II Juan Hernandez:**

**Utility Worker I Aaron Caballero:**

**Utility Worker I Bill Doversberger:** Completed the Wastewater Treatment/Collections Certification Review Training on March 19-20, 2024. He is preparing for Level 1 water certification and will be scheduled to take the exam once he has reached the required hours.

3. **Annual Reports:** All annual reports have either already been completed and submitted or are on track to be submitted to the appropriate regulating agencies prior to mandatory due dates.
4. **Budget Work:** Current 2023/24 budget monitoring and procurement/projects continue, as well as planning for the 2024/25 budget cycle.
5. **Public Works Dashboard:** The Public Works Dashboard is included in the council packet and is updated as of March 31, 2024. A reminder that, as requested, all completed projects have been removed from the list.

# PUBLIC WORKS MONTHLY PROJECT DASHBOARD

Revised: March 31, 2024

Project Summary Status				Status Key	
<u>BLUE FONT = RECENTLY ADDED</u>				On Track	Delayed
				Ongoing	At Risk
				Pending	Completed Projects Hidden
Status	Project	Phase	Owner	Projected Completion	Status Summary
	2024 Splash Fountain Mechanical Upgrade Project	1 of 1	P.W. Superintendent	5/20/2024	Work continues on the Splash Fountain. The Marion County permit was approved, and a notice to proceed has been issued for the concrete work. Staff has begun putting together the structure off-site. The electrical components have been removed and the final piping modifications and infill of the excavation site and vault are scheduled for completion the week of March 4, 2024. It has been determined this project is required to go before the planning commission for approval of the proposed building. It is scheduled to be included on the March 19, 2024 planning commission meeting agenda, however an approval delay could result in a delayed project completion.
	2023/24 Water Rights Project (Well #4 & Barendse Park	2 of 2	P.W. Administrative Manager	12/31/2024	The Request for Assignment paperwork is complete and will be submitted to Oregon Water Resources following the next check run cycle. PSA executed and Staff is gathering requested documents.
	2024 Mandatory City- Wide Backflow Testing	1 of 3	P.W. Administrative Manager	12/31/2024	Initial test notices scheduled to be mailed no later than June, 2024.

Status	Project	Phase	Owner	Projected Completion	Status Summary
	2021 Wastewater Facilities Plan Update	2 of 2	P.W. Superintendent	04/09/2024 <del>2/28/2024</del>	<p>P.W. Administrative Manager reached out to DEQ with a request for the approval status. DEQ responded with several questions and requests for clarification. Project Team is working to respond, and anticipates will provide a response to DEQ by the week of April 8, 2024. Continue to hold for DEQ's final approval. Once DEQ approval has been received, a funding plan to move forward with the mandatory capital improvements will be completed and presented to Council for approval and direction. Plan presentation completed February 26, 2024. Received a timing update from DEQ on Friday, February 1, 2024 noting that they were approximately 2-3 weeks out for their final review completion. Civil West Engineering is scheduled to attend the February 27, 2024 special city council meeting to present and answer questions. DEQ completing their final review. <del>Civil West Engineering Services will attend the February 13, 2024 council meeting to present and answer questions.</del></p> <p>Comments on the draft plan have been received which include comments from both DEQ and the Clean Water State Revolving Fund program officer. P.W. Administrative Manager is reviewing an additional scope of services addendum request in the amount of \$9,475 based on DEQ's comments. The final draft has been sent to DEQ and the funding agency for review and comments. Staff has received the final draft, and P.W. Administrative Manager and P.W. Superintendent are in the process of a final review and approval of the plan. This project is in the final stages. Treatment System evaluation continues. Inflow and infiltration study continues. City Engineers tying in the pending new NPDES permit requirements.</p>



Status	Project	Phase	Owner	Projected Completion	Status Summary
	2022 City Shop Yard Access Improvements	1 of 2	P.W. Superintendent	06/30/2024 <del>6/30/2023</del>	General clean-up continues as time allows. The emergency generator access gate has been installed. Staff continues to work on general clean-up and organization. Work at the Shop continues. The shop yard clean-up has begun. Utility Worker II Juan Hernandez has initiated the procurement of materials for this project. Project design stage.
	"G" Street Sidewalk Improvements (R.R. Crossing ROW)	2 of 3	P.W. Superintendent	12/31/2024 Pending U.P. Schedule	Proposals were received, with just one who stated they would be able to be in compliance with Union Pacific's contractor guidelines. P.W. Superintendent is coordinating final steps with ODOT Rail and Union Pacific. Requests for proposals will be requested for project completion in coordination with ODOT Rail and Union Pacific. This project is moving towards construction in the 2024 construction season. The contractor will be required to complete for Union Pacific's approval a "Contractor's Right of Entry." The Agreement has been fully-executed, and an initial quote has been received. Two additional quotes will be requested. Agreement is on the September 12, 2023 Consent Agenda. P.W. Administrative Manager contacted U.P. the week of July 17, 2023, and was told the final agreement will be forwarded for execution. Staff is waiting for the final agreement from Union Pacific, after which it will be presented to Council for acceptance and authorization for the Mayor to sign. P.W. Administrative Manager Melinda Olinger and P.W. Superintendent Mike Krebs will meet regarding legal comments/suggestions, after which will be forwarded to U.P. Pending.
	2022 Water System Emergency Response Plan update	1 of 1	P.W. Administrative Manager	12/31/2024 6/30/2022	Draft Plan 65% complete.

Status	Project	Phase	Owner	Projected Completion	Status Summary
	2022 Water System Improvements Project	1 of 3	Phase 1: P.W. Administrative Manager; Phases 2-3 P.W. Superintendent	12/31/2026	<p>A pre-app meeting was held by the project team in regards to the property acquisition for a replacement site for Well #1. Approval to shift the use of the MCARPA funds has been approved, and the equipment pre-procurement RFP's are close to final. Staff is in the process of working with the City Planner on background requirements in anticipation of submitting a letter of intent (LOI) for a potential property acquisition to relocate Well #1. Procurement requests for proposals are being prepared and reviewed for time-sensitive equipment. Staff is working to complete the construction mitigation plan. The City is requesting a shift of MCARPA fund use towards equipment pre-procurement to ensure lag-time won't effect the overall project schedule. Staff is in the planning process of a replacement well site. Project Kick-off meeting held. Staff working on equipment pre-procurement; potential well sites; weekly project team meetings held; Engineering Design Report is final and will be submitted to Marion County. The draft Engineering Design Report is complete and and Staff is currently reviewing. Work continues to move forward. Preliminary engineering is close to completion, and the initial request for fund reimbursement will be submitted in the coming weeks. P.W. Administrative Manager submitted requested project update information to Marion County. Our project team is scheduled to meet on July 13, 2023. Following this meeting P.W. Administrative Manager anticipates a push of updated project information to go out to the community. Our annual MCARPA project site visit has been scheduled with Marion County representatives for Monday, July 31, 2023. Preliminary design in development. Final review in progress. RFP for Integrator of Record in progress. Funding meeting preparation. 10/11/2022 Council Consent Agenda request for Council authorization to procure an Integrator of Record to provide water and wastewater control system and instrumentation integration services as an independent contractor to the City.</p>

Status	Project	Phase	Owner	Projected Completion	Status Summary
	2023 Water System Improvements Project Phase 1B	1 of 3	P.W. Administrative Manager	12/31/2026 <del>TBD</del>	See 2022 Water System Improvements section above (combined). Engineering Design Report is final. Request for Council authorization to assign this project to City Engineer Matt Wadlington, Civil West as allowed in the personal services agreement. P.W. Administrative Manager has included Resolution No. 764-2023 on the August 8, 2023 consent agenda. Loan documents have been received and are being processed. Loan approved. Agreement is being drafted. Loan application submitted. Public Works Administrative Manager is working with our project team to complete and submit the official SDWRLF application.
	2022 Biosolid Management Plan Update	2 of 2	P.W. Superintendent	06/30/2024 <del>12/31/2022</del>	In addition to the land application site approval renewal, staff plans to complete a cost analysis on additional disposal methods. Coordination with DEQ is moving forward. The land use compatibility statement is complete and fully-executed. No comments were received from the public comment phase. P.W. Superintendent is working with the City's Engineer to complete the initial DEQ monitoring requirement. The public notice phase has begun. Documents have been submitted to DEQ. Project is 70% complete. DEQ notified City will need to obtain an updated land application site approval (Oregon Turf). Additional options will also be re-explored.
	2022 City Shop Roof Replacement	1 of 2	P.W. Superintendent	TBD <del>6/30/2023</del>	This project may be bumped to 2024/25. Budgeted for 2023/24. Project pending.
	2022 Fuel Storage System Plan	1 of 2	P.W. Administrative Manager	06/30/2024 <del>6/30/2023</del>	Notice of award for the Fuel Transportation, 900 gallon equipment was received on March 11, 2024. Staff anticipates receiving the agreement paperwork in the coming weeks. P.W. Administrative Manager submitted an application for a 2024 SPIRE grant for fuel storage equipment. Oregon Emergency Management is still in the process of recruiting their application review team, so there is not currently a date for award notices. Budgeted for 2023/24. Research/partnership in progress.

Status	Project	Phase	Owner	Projected Completion	Status Summary
	2022 Emergency Operations Plan Update	1 of 2	P.W. Administrative Manager	TBD by Marion County	<a href="#">Pending Marion County contractor procurement.</a> P.W. Administrative Manager will be assisting Marion County in the application review and will be on the interview phase of the procurement process for a contractor. Grant received pending agreement execution. Redline begun.
	2022 Safety Manual Plan Update	1 of 2	P.W. Administrative Manager	12/31/2024 6/30/2023	Draft plan scheduled to go to Departments for comments by 04/01/2024. P.W. Administrative Manager completing final draft review. Draft 60% complete on new OSHA-required heat safety program requirements.
	2024/25 P.W. Budget	1 of 3	P.W. Administrative Manager	6/30/2024	Planning for the 2024/25 budget is currently on-going.
	2022/23 Sidewalk Repair Project	1 of 1	P.W. Administrative Manager	TBD	<a href="#">Work continues to move forward, and some projects have been completed and requests for reimbursement submitted for processing.</a> To date 30 ROW permit and sidewalk program applications have been submitted. 3-have been approved and are pending construction. Several applicants plan to complete driveway approach improvements which requires an additional layer of staff and planning review. 50-notices for repair/replacement are scheduled to go out no later than the week of February 26, 2024. A few property owners have already started the process based off the pre-notices sent out in November, 2023. Pre-notices sent out for spring, 2024 construction. As weather permits, additional sidewalk improvements will be completed. P.W. Administrative Manager Melinda Olinger continues to work with property owners working towards project completion. To date five property owners have completed their projects and received reimbursement through the sidewalk program. Working with property owners. Additional notices sent out with repair options. In contact with and working with the property owner of 3269 3rd Street.

Status	Project	Phase	Owner	Projected Completion	Status Summary
	8th Street Pathway Clean-up	1 of 2	P.W. Administrative Manager	TBD	P.W. Administrative Manager plans to discuss options for moving forward with the City Administrator. P.W. Administrative Manager is coordinating a meeting with both Marion County and the developer to get project buy-in. Working through new project development. This area is not within the city limits so will coordinate with Marion County, the developer and adjacent property owners to keep the project moving forward. General cleanup of the existing pathway was completed. Project scoping complete. Informational letters mailed to adjacent property owners.
	2022 T-Mobile Water Tower Lease Audit & Potential Amendment Project	1 of 2	P.W. Administrative Manager	5/24/2024	T-Mobile has had another change of project staff, however it is anticipated this project will be complete by May 24, 2024. P.W. Administrative Manager is working with new T-Mobile project staff, and anticipates the lease agreement will be ready for execution by March, 2024. This project experienced another delay, as T-Mobile had project staff changes. The addendum is pending final approval from legal. P.W. Administrative Manager continues to work with T-Mobile reps regarding the new equipment requested to be located at the Water Tower site. Negotiations have begun. This project has been re-opened due to T-Mobile's request for additional equipment to be located on-site (generator). The amendment will go back into negotiations for additional fees for the requested equipment. This project is complete and has been included in the April 11, 2023 Council Consent Agenda for adoption. P.W. Administrative Manager Melinda Olinger continues work with legal and T-Mobile representatives. Comments and revisions forwarded to T-Mobile representatives December 27, 2022. 11/08/2022 notified by T-Mobile that in response to a recent merger they are auditing all lease agreements to ensure there is not duplication of coverage.
	2022 Water/Wastewater Rate Study	1 of 2	P.W. Administrative Manager	TBD	Budgeted for 2023/24 completion. Project pending water/wastewater improvements project funding forecast completion.

Status	Project	Phase	Owner	Projected Completion	Status Summary
	2022 SDC Methodology Update Project	1 of 2	P.W. Administrative Manager	TBD	Budgeted for 2023/24 completion. Project pending for wastewater plan completion to include recommended CIP.
	Tennis Court Rehab	1 of 2	P.W. Administrative Manager	9/30/2024	This project is moving into the RFP stage, for completion planned in the 2024 construction season. Public Comment/Discussion scheduled for January 9, 2024 council meeting. Outreach planning continues in regards to adding pickleball court(s) to this project. Council requested Staff consider low-energy lighting in the project scope. Initial door hangers requesting feedback were posted on adjacent property doors. A change in project scope to add a pickle ball court, is being considered. This option would open the door for additional recreational users, while still providing an area for tennis recreational users. An RFP is being drafted and will be forwarded to contractors, with a planned project completion in the spring, 2024. Project budgeted for 2023/24. Project pending.
	2022 COOP Plan Update	1 of 1	P.W. Administrative Manager		Living document. Project pending.
	Cross Connection Ordinance and Program Update	1 of 1	P.W. Administrative Manager		Caselle is being updated. Program update has begun. Project scheduled for 2023/24.
	Drinking Water Protection Plan Update	1 of 1	P.W. Administrative Manager		Living document - project pending.
	Parks Master Plan Update	1 of 1	P.W. Administrative Manager		Living document - project pending.
	GIS Mapping Updates to include precise meter locations	1 of 3	P.W. Administrative Manager		The Zone map is complete, and the Comp map is in progress through the COG. Project schedule pending.

Status	Project	Phase	Owner	Projected Completion	Status Summary
In Progress	WWTP Mandatory NPDES Permit Requirement Actions		P.W. Superintendent		Permit approved and issued. Staff has begun mandatory actions. Schedule pending final NPDES permit approval.
	City Hall Toilet Replacement	1 of 2	P.W. Superintendent	TBD	A contractor is assisting in locating a usable replacement. Pending.
	City Hall Window Replacement Project	1 of 2	P.W. Superintendent	TBD	Proposals have been requested. Pending.
	P.W. Annual reports and testing.	Multiple	P.W. Administrative Manager	Ongoing	<a href="#">Ongoing</a> . Additional detail to follow.
On Hold	P.W. Annual events.	Multiple	P.W. Administrative Manager	Ongoing	Specific event information will be included in the P.W. Administrative Manager's monthly update report. Additional detail to follow.
	DEQ Monthly Discharge Monitoring Report.		P.W. Superintendent	Ongoing	<a href="#">Ongoing</a> . Additional detail to follow.
	Bi-annual Biosolids Disposal	1 of 1	P.W. Superintendent	Ongoing	Ongoing. Schedule is dependent on weather and disposal site's need. Additional detail to follow.



**CITY OF HUBBARD  
CITY COUNCIL MEETING MINUTES  
FEBRUARY 13, 2024**

**CALL TO ORDER:** The Hubbard City Council meeting was called to order by Mayor Charles Rostocil at 7:00 p.m.

**FLAG SALUTE:** Mayor Charles Rostocil led the group in reciting the Pledge of Allegiance.

**CITY COUNCIL PRESENT:** Mayor Charles Rostocil, City Councilor Tyler Thomas, City Councilor James Yonally, City Councilor Joseph Steininger and City Councilor James Audritsh.

**STAFF PRESENT:** City Administrator Shawn Waite, Director of Administration/City Recorder Vickie Nogle, Police Chief Don Parise, Police Chief Dave Rash, Public Works Superintendent Mike Krebs, Administrative Assistant / Court Clerk Julie Hedden, Public Works Administrative Manager Melinda Olinger.

**AWARDS PRESENTATIONS – Police Chief Dave Rash.** Police Chief Dave Rash presented a plaque to Officer Glen Bentley recognizing K-9 Zafa, who passed away December 4, 2023, for her years of loyalty and dedicated service to the Hubbard community.

**FY 2022-2023 AUDIT REPORT – Ryan Pasquarella, Grove, Mueller & Swank. P.C.** Ryan Pasquarella with Grove, Mueller & Swank, (REDW), gave a review of the audit for fiscal year 2022-2023. He said included in the City Council packet are the Governance letter, Financial Statements, and Trend Analysis.

Ryan Pasquarella with Grove, Mueller & Swank, (REDW), said there were no significant issues related to the Governance letter that he needed to cover with City Council, but pointed out on Page 2 of the document that there are three significant risks listed. He went on to say those three items listed are just pointing out where issues could happen, nothing negative related to those items, but just an area to focus on. Furthermore, he stated there were no adjustments recommended, all the numbers were good when the auditors received them.

Ryan Pasquarella with Grove, Mueller & Swank, (REDW), said there are a couple of changes in the Financial Statement. He said this is a modified cash basis financial statement, so you will not see the long term debt, or capital assets in these financial statements, except the debt is listed in the footnotes. The other change is this year a new fund was created, the ARPA fund, and there were changes to the ARPA Fund and the General Fund during the year as things happened, so there will be ups and downs in the trend analysis.

Ryan Pasquarella with Grove, Mueller & Swank, (REDW), stated one of the new requirements in the Financial Statements is that any type of Lease Receivables the City has is discussed and on Page 26, is a table showing lease receivables future payment schedule that goes out to 2044. He went on to say listed on page 27 is the long term debts, which shows pretty minimal numbers for the size of the City.



## **PAGE 2 – CITY COUNCIL MEETING MINUTES FEBRUARY 13, 2024**

Ryan Pasquarella with Grove, Mueller & Swank, (REDW), said the trend analysis shows cash has been increasing year over year. The last two years it's the restricted money that has been increasing, which is the ARPA funds, \$396,000 for each of the last two fiscal years have been received, and the unrestricted money has stayed fairly steady. He went on to say the restricted fund will probably go down over the next couple of years because it is limited on how long you can use it.

Ryan Pasquarella with Grove, Mueller & Swank, (REDW), explained the General Fund trend. He said there was a spike in cash the prior year of \$396,000 in the General Fund, and then it dropped this year because it was moved into the ARPA funds, so it is a money in, money out transaction.

Ryan Pasquarella with Grove, Mueller & Swank, (REDW), stated in regards to water, debt was paid off in fiscal year 2022, and the operating revenue is approximately \$300,000 a year. He went on to say the sewer fund seems fairly stable.

Ryan Pasquarella with Grove, Mueller & Swank, (REDW), said they were very happy with how the audit went this year, and getting all the information submitted to them in a timely manner.

Mayor Charles Rostocil thanked Staff and City Administrator Shawn Waite for leading the effort with a clean audit report.

City Administrator Shawn Waite thanked the auditors stating they were excellent to work with. She went on to say Kevin, the auditor she worked with, was incredibly patient and professional throughout the whole process, and was a pleasure to work with.

### **PUBLIC HEARINGS.**

#### **A) Supplemental Budget for Fiscal year 2023-24.**

Mayor Charles Rostocil opened the 2023-24 Supplemental Budget Hearing at 7:16 p.m.

City Administrator Shawn Waite said this Supplemental Budget is just to do some clean up after the audit to make sure that our beginning fund balances reflect what our audited ending balances are carrying over into this fiscal year. Additionally, she stated there was a franchise fee for Comcast that was never budgeted and also phase one of the Ford Foundation grant that we received for the community visioning project was not added.

Mayor Charles Rostocil asked for comments and questions from the Council.  
There were none.

Mayor Charles Rostocil asked for comments and questions from the Public.  
There were none.

Mayor Charles Rostocil closed the Supplemental Open Public Budget Hearing at 7:20 p.m.

#### **1. Resolution No. 770-2024. A Resolution approving a Supplemental Budget for the fiscal year 2023-24 Budget.**

MSA/City Councilor Tyler Thomas /City Councilor James Audritsh made a motion to approve Resolution No, 770-2024. A Resolution approving a supplemental budget for the fiscal year 2023-24 budget. Mayor Charles Rostocil, City Councilor James Audritsh, City Councilor Tyler Thomas, City Councilor James Yonally, and City Councilor Joseph Steininger were in favor. Motion carried unanimously.

**FIVE YEAR FORECAST – City Administrator Shawn Waite.** City Administrator Shawn Waite showed a PowerPoint presentation and explained the purpose of this forecast is to project the financial position of primary operating funds, based on current services levels and using conservative assumptions. She said not all of the funds are included in this forecast, the reserve, street construction, sewer construction, water and sewer bond funds, and water construction funds are not included, these funds are specific to budgeted projects and are not operational in nature. Projects will only be budgeted when resources are available to fund the projects and separate reporting is provided for those funds. She added the forecast sets the stage for the annual budget process, aiding both herself and staff, the Budget Committee, and City Council in establishing policies and priorities to allocate resources appropriately. Furthermore, she stated forecasting is one of the most powerful tools the City has available to help make informed financial decisions that will ensure the City's future vitality and economic stability.

City Administrator Shawn Waite explained the graph on slide two is similar to the graph we have used in the City's budget document for the past few years. She said beginning this fiscal year the beginning fund balance decreases year-over-year, and the reduction of the beginning fund balance is not due to spending contingency on city projects, but operating expenditures exceeding revenues and developing a city budget that is not structurally balanced. She went on to explain the significant increase showing on the graph in FY2023 is the result of ARPA grant dollars that the City received, which was used for salary incentives, support for utility and housing services/costs such as Love Inc., Love Santa, and the Liberty House, as well as, city projects such as the static water pressure project. Furthermore, while this graph and the other graphs in the City's Five Year Financial Forecast are alarming, staff will not be presenting a proposed budget for Fiscal Year 2025 that is not structurally balanced in all funds.

City Administrator Shawn Waite went over the assumptions and goals that went into the five year forecast. She said revenues may have been projected a little lower, but Staff is hopeful that we will see more grant revenue in community development and police to offset some expenditures in police, parks, and community development. She also stated materials and services have a 3.3% inflationary factor year-over-year. However, there are some personal services contracts in which vendors have indicated that they will go up 5%. She added staff informed City Council last month that utility costs – specifically PGE is increasing 15.9% this year and another 2-5% in July, benefits have been increased by 7% the first year and 5% for subsequent years, and PERS rates will be 29% through June 2025 and up to 31% afterward. Property tax has been identified as 3.5% for next fiscal year and the forecast adds 3% per statute for subsequent years. Furthermore, Staff will make sure that budget development aligns with the Financial Plan and policies approved by Council in December and a 10% contingency will be built into to not just General Fund, but all funds. Staff will ensure that the proposed budget is structurally balanced – this means that there will be reductions and if directed by Council staff will begin a review of fees and rates and other revenue options.

## **PAGE 4 – CITY COUNCIL MEETING MINUTES FEBRUARY 13, 2024**

City Administrator Shawn Waite explained the five year forecast shows the General Fund is significantly distressed because our projected expenditures, due primarily to inflation, are going to be exceeding our revenues, as our revenues are remaining flat. She said we do have transfers from other funds, as mentioned by the auditor, into the General Fund to overhead related costs associated with administration work to support those funds and a review of those transfers will be conducted during budget development to ensure that the transfers adequately reflect the inflation of salaries and benefit, and to make sure these other funds are not subsidizing the General Fund shortfall. She went on to say additional review is being done on revenue and there is approximately \$15,000 annually of additional franchise fees that staff will be pursuing, and with vacancies filled in the police department court revenues will increase. Also, Staff is still hopeful that the Bear Creek PUD will be developed, which will generate additional revenue through property tax and utilities, however, that revenue will not be realized for several years.

Furthermore, City revenues continue to be flat and personnel, materials and services costs continue to increase with inflationary factors. State share has had very little increase, cigarette tax has decreased, but OLCC revenues have increased as well as the local marijuana tax revenue.

City Administrator Shawn Waite said the Park Improvement fund is basically the most stable fund that we have when we think of the operation pieces of it, but there is a dip in the beginning fund balance because there was a decision to move forward on the refurbishing of the tennis courts/pickleball courts. The fund will stabilize in Fiscal Year 2026, but there is a concern about long-term sustainability as inflation continues to impact the cost of materials and services.

City Administrator Shawn Waite said regarding the Street Fund, it should be self-sustaining, meaning revenue should be sufficient enough to cover expenditures. Gas tax and transportation and right of way permit revenues remain fairly flat while expenditures continue to increase with inflation and a review of fees will be conducted by staff, but a local government tax may be one option to assist with the revenue shortfall. She said several cities throughout Oregon have implemented a local gas tax most of them start between .2 and 3 cents per gallon but it is something for Council's consideration as we look at revenue options for our city.

City Administrator Shawn Waite said there is a spike in expenditures for this current fiscal year in the Sewer Utility Fund Project as a result of paying off the sewer bond loan of approximately \$106,000. She stated the revenue for this fund is primarily charges for services and a rate study, or potentially increases fees for services will be looked into to ensure sustainability of this fund.

City Administrator Shawn Waite said expenditures associated with the Water Utility Fund Project should be covered by existing revenue and the primarily revenue source for this fund is a fee for service. However, Staff will be conducting a rate study for this fund as well for Council consideration.

City Administrator Shawn Waite explained the proposed budget for next fiscal year will reflect a reduction of approximately \$300k in General Fund and reductions in the other funds as necessary to ensure structural balance. She said she will try to ensure there is a minimal impact to services that are provided to the community, but does want to make sure that we start maintaining a structurally balance budget as we are moving forward, and to make sure that our beginning balance we are using towards emergency plan projects are not using our beginning balance to balance our

operating costs. Reductions will not result in layoffs, but may result in hiring delays, maintenance or projects not moving forward, and a reduction in the Reserve Fund for projects/expenditures that were earmarked for some point in the future. She said Staff will continue to maximize revenues where possible, however, the City has reached the point that additional revenue options must be looked at and timing on policy decisions is critical. Grant dollars, in most cases, cannot be used for operational costs, and staff continues to look at grant opportunities to complete projects. However, she said all revenue options take time to develop and implement. Some areas that staff is seeking policy direction from Council on which revenue options the city should pursue. Some revenue options for consideration is a gas tax as previously mentioned, or rate increases for SDC and utilities, or a levy.

Mayor Charles Rostocil said expenditures are going up because of inflation, cost of goods, etc., and our revenues are staying flat, and what this presentation is showing us, is if we don't close the gap we will expend all of our reserve fund. He added a lot of cities are having to deal with this and he is assuming we will be looking at cost savings also.

City Administrator Shawn Waite said staff has been looking at opportunities to decrease our expenditures for the past six months, and there are some requirements, such as DEQ requirements that are killing cities and counties with their unfunded mandates. She went on to say one of the first things she looked at to cut was cutting back the schedule for street sweeping, but if we cut back at all on it we would fall out of compliance with DEQ, so it is really difficult to identify some of those major expenses we would be able to cut back on. She said we are being diligent and looking at every opportunity to save costs.

City Councilor James Yonally said some of the things that have been done in the past is do a water rate study and indexed out percentages over a period of years, so that way the rate would increase automatically over a five to ten-year period. He went on to say other things would be SDC increases, increase in gas tax, or we may need to bump up the general service fee that was put into place years ago by \$10 a month. He went on to say he knows raising the General Service fee is unpopular, but we all live in town and we all have to pay it.

City Administrator Shawn Waite said she has been running some numbers on what a potential public safety fee could be, which is actually decided by resolution by Council, and also if we raised our general services fee on utility bills, we would need to do a substantial increase in order to cover our current service level. She went on to say she does not want to be all doom and gloom, this is something where City Council direction is needed sooner than later, hopefully during budget committee and through budget adoption. Furthermore, if we potentially looked at a levy, that can take up to 18 months to get put in place and voted on, and then another 6 months after that for any revenue to come in.

Mayor Charles Rostocil said his personal opinion is to go towards an operational levy which gives the voters a chance to chime in on, otherwise we will have to reduce services. He did agree that there are incremental fees that we can increase, but as a community member, he said he would be angry if his water billed doubled and he had cloudy water once in a while. He went on to say as a city we need to come together and discuss the opportunity of going out for an operations levy, and say if we want these services this is what we need to do, and give the voters the opportunity.

## **PAGE 6 – CITY COUNCIL MEETING MINUTES FEBRUARY 13, 2024**

City Councilor James Audritsh said he agrees with Mayor Rostocil, that there needs to be a balance and maybe we need to look at a little bit of assistance in the interim.

Mayor Charles Rostocil said there are hard choices to be made and as a city we are going to have to face the fact that we have variable costs that are going up that we cannot control, and we have to decide how to handle it.

City Administrator Shawn Waite said it would be helpful if City Council would send her their thoughts on this ahead of the budget phase to give her time to cost things out to see where we are at as far as the revenue impact and how that would offset any deficits.

City Councilor Tyler Thomas asked how quickly could we get any increases to be included on the water bill such as a public safety fee, or increase in general service fee implemented.

City Administrator Shawn Waite said staff will be back in front of City Council to present the wastewater study, and included in that is proposed a rate study be done, so it could be done in about 6 months, so a proposal could be brought to Council around the first quarter of next fiscal year, which would be August or September. She went on to say if we added a \$20 fee to the general service fee or another fee, it would not take as long because it could be added by resolution.

City Councilor Tyler Thomas said adding a fee would start generating revenues quickly, and also said he has concerns about a levy being approved.

There was a consensus of the City Council that there is a gap that needs to be closed and an update on this will be provided to Council next month.

**APPEARANCE OF INTERESTED CITIZENS.** Rocky Sherwood, 2622 Nina Place, Hubbard, thanked City Administrator Shawn Waite for recruiting a good Police Chief and said we are moving in the right direction as a community.

Rocky Sherwood asked City Council why Northwest Natural and PGE did not come in and address City Council about the rates, so the community could give feedback to them, and what the pluses and take away is going to be from the rate increases, if they are going to do anything differently.

Mayor Charles Rostocil responded the City has no control over anything PGE or Northwest Natural Gas does. He said he believes that is a State run agency in terms of who approves utility rate increases, and he said he has no insight into what PGE is going to do differently in the way of services.

Rocky Sherwood said some community members took a big hit during the pandemic, with some people filing for bankruptcy and paying trustees and mortgages, so are there any plans to help our community members with their utilities.

City Councilor Joseph Steininger responded on the water bill and in the newsletter to seek resources through Love Inc. to help with the water bill, and for PGE and other utilities you would need to call those utilities direct.

City Councilor James Yonally said the city also has financial assistance in the way of reduced water rates for senior citizens who meet certain financial requirements, and which is always in the newsletter, which goes out with every water bill and it is posted on the website. The information for assistance from Love Inc. is in every newsletter as well.

**MAYOR'S AND/OR COUNCIL'S PRESENTATIONS.** Mayor Charles Rostocil said after advice from legal we are no longer able to permit solicitors to come into town, but it is allowed to post no soliciting signs. He said he is getting complaints from community members that these signs are being disregarded and asked if the police could enforce the no soliciting signage if it is being ignored.

Police Chief Dave Rash said he does not believe the department has received any calls regarding this issue, but if someone does call with a trespassing complaint, an officer goes to the location and tells them they need to leave. If they do not leave, and the resident is adamant about pressing charges then the officer would take some course of action such as citing them.

Police Chief Don Parise suggested a formal complaint be filed with the business or the entity the solicitors come from because there could potentially be more weight in that opposed to the criminal justice system.

Mayor Charles Rostocil asked if we could put something on the website to make it clear about solicitation.

Chief Dave Rash asked Council if they get any calls from community members about unwanted solicitors to encourage them to call the police department.

Mayor Charles Rostocil said he knows there has been some interest on social media about the Community Garden and asked Rocky Sherwood if the person who is doing now would come back in to be approved for this next year, because he wants to make sure there is a weed abatement plan put in place, and also to make sure there are policies in place so water is not being wasted.

City Councilor James Audritsh asked how it works if a second group is interested in having plots in the Community Garden. Would there be an application to fill out and any fee?

Mayor Charles Rostocil asked to have the Community Garden as an agenda item for the next City Council meeting.

City Administrator Shawn Waite said it will be put on the next agenda so interested parties can be there. She said any interested parties need to fill out an application and have insurance.

City Councilor James Yonally said he noticed other small cities are using their ARPA funds for filling potholes and water projects, and asked if that was an appropriate use of those funds.

Mayor Charles Rostocil responded they can be used for water projects, and we are already allocated some of those funds for Static Water Pressure Project.

City Councilor Tyler Thomas said we also allocated some of those funds for Streets.

Mayor Charles Rostocil said the ARPA funds just cannot go to operational costs.

City Councilor Joseph Steininger asked if the fountain at Memorial Park (Wofer Will Greenway) gets winterized or if it runs year-round.

Public Works Superintendent Mike Krebs responded that the fountain runs year round.

City Councilor Tyler Thomas said he was asked about the plan for removal of a tree that fell at Memorial Park.

City Administrator Shawn Waite said the property owner, where the tree was, was working on cleaning it up, and thought they had most of it cleaned up.

Public Works Superintendent Mike Krebs said he will follow up with the homeowner.

**STAFF REPORTS:**

**CITY ADMINISTRATOR – City Administrator Shawn Waite.** City Administrator Shawn Waite said Service Options Sheets have been distributed to departments. The sheets will be used to develop and justify any budgetary requests that are above current service level in FY2025. City Administrator Shawn Waite stated the Burn Rate report continues to reflect underspending. The City is 59% through the year as of January 31<sup>st</sup>. General Fund revenues have caught up and are trending a little higher than budgeted. She went on to say we should see an increase in expenditures the last quarter of the fiscal year as projects get underway in Public Works.

City Administrator Shawn Waite said a request for Proposal has been drafted for retainer contracts associated with trade work such as electrical and plumbing. The retainer contracts meet the competitive procurement requirement, but allow Public Works to have contractors on call for emergency response or other project needs.

City Administrator Shawn Waite said the city of Hubbard has been partnering with the City of Woodburn on three grant opportunities that benefit selected businesses and community. She stated the Digital Boost Grant was awarded by Travel Oregon, with no cost to the City or businesses, to contract with a consultant to provide social media and website consulting services to help business improve their presence on social media. She said the second is the Housing Assistance Grant through Business Oregon which is offering a grant to provide rent, mortgage, and utilities assistance to community members. This is the second time that Hubbard has participated in this grant program, the first time 11 individuals/families were provided with assistance. The final is a Multimedia grant which is another grant through Business Oregon that provides funding for a multimedia consultant to take pictures of our events, restaurants and other businesses throughout the North Marion area to help promote tourism in our area.

Consensus of City Council was given to City Administrator Shawn Waite to move forward with finalizing these Grant awards.

City Administrator Shawn Waite said the next community vision town hall is scheduled for February 28, 2024, from 6:30 PM – 8:00 PM at the Fire Hall. The date was originally February 27, 2024, but it had to be moved as we have a special council meeting that night. She went on to say there is a second survey that needs to be completed by community members by February 22, 2024, and this survey identifies top projects the community would like to see completed or worked on.

City Administrator Shawn Waite said there are two more Business Resource fairs being held and the information is included in the packet, and they will be held at the Brooks Chemeketa Campus and the Woodburn Chemeketa Campus. She went on to say they had pretty good turn outs at the first resource fair, with businesses able to get guidance and assistance free of charge.

City Administrator Shawn Waite said staff is looking into a texting solution that will provide staff and community members an option to interact easily, ask questions, and provide updates on projects. She said staff will be conducting a presentation at an upcoming Council meeting once the process is in place.

**POLICE DEPARTMENT- Police Chief Dave Rash.** Police Chief Dave Rash explained the shots fired call that is on the statistics report, was in Woodburn that one of our officers covered.

Police Chief Dave Rash said Officer Tim Hart has completed ten weeks of basic academy, and Officer Andrew Sapp has finished his third week.

Police Chief Dave Rash stated he has done some research on Measure 114, and the State filed an appeal on Friday, so we still do not know when or if this will go into effect, but he said he will keep City Council updated.

Police Chief Dave Rash said the State Legislature is in short session and they are working on trying to find a fix to Measure 110, the drug addiction treatment and recovery act, because it has not been very successful. He went on to say there will be a presentation tomorrow morning at the Police Chief's meeting on the fentanyl crisis, so he will have an update on what is going on with this ongoing drug issue.

Police Chief Dave Rash introduced the new Hubbard Police Chief Don Parise who was sworn in on February 5, 2024.

Police Chief Don Parise thanked the City Council for the opportunity to serve and he looks forward to being the next Police Chief and getting to know the community.

Mayor Charles Rostocil asked if a meet and greet event could be set up on a Saturday for community members to have a chance to meet Chief Parise.



City Administrator Shawn Waite said they will work on a meet and greet event.

Police Chief Dave Rash said this is his last meeting and he thanked the City Council for their support and taking a chance on him and giving him the opportunity to become a Police Chief. He stated a family decision was made to move out of the Portland area to Southern Oregon and will be starting a job in March as the Police Chief of Rogue River. He went on to say he loved this job and the people he has gotten to work with, and appreciated the opportunity to work with everyone here.

Mayor Charles Rostocil thanked outgoing Police Chief Dave Rash for his leadership and service to the community, and stated he will be sorely missed.

City Administrator Shawn Waite said she will be sending out an invite to City Council for the farewell party for Chief Rash on Monday, March 4, 2024, at 1:00 p.m. to 4:30 p.m., at the Hubbard Fire Hall.

**ADMINISTRATION DEPARTMENT – Director of Administration/City Recorder Vickie Nogle.** Director of Administration/City Recorder Vickie Nogle said the request for proposals for the Economic Opportunities Analysis (EOA), has been posted, and this goes in line with the Comprehensive Plan update/Urban Growth Expansion project. She said the project is estimated to be completed in September 2024.

Mayor Charles Rostocil asked about the City's website.

Director of Administration/City Recorder Vickie Nogle stated it is contracted out and the current platform is being upgraded, at no cost to the city but may cause a potential disruption.

City Councilor Joseph Steininger asked if there is a date for the City Council Goal Setting.

Director of Administration/City Recorder Vickie Nogle said that has not been discussed yet and added that she will email a list of potential dates to the City Council.

City Councilor James Audritsh asked if there were some good things happening out in the industrial park.

Director of Administration/City Recorder Vickie Nogle said Gallant Construction will be breaking ground this month to construct a new building for Pacific NW Marble & Granite currently located in the Hubbard Industrial Park.

City Administrator Shawn Waite said Governor Kotek addressed the legislature during the short session to ask them to implement a fast track for Urban Growth Boundaries, but it is only for housing, which means it could slow down our process if we are looking at just commercial or industrial. She went on to say we are running out of space in our Industrial Park and could really use the industrial tax base to help with our revenue issues, so she will be watching that bill very closely, because it could have a direct impact with what happens with our Urban Growth Boundary.

Mayor Charles Rostocil asked if there was anything stopping us from transitioning the Dunn Road Area, that was brought into the Urban Growth Boundary, to industrial use.

Director of Administration/City Recorder Vickie Nogle said that property has already been identified for Residential use from the needs study on the previous Comprehensive Plan update.

**PUBLIC WORKS DEPARTMENT-Public Works Superintendent Michael Krebs.** Public Works Superintendent Mike Krebs said the work on the splash fountain is ahead of schedule and we should be ready to pour the foundation over the top of it by the first of March, and the project is slated for completion the first week of May.

Public Works Superintendent Mike Krebs thanked Winter Bloom Landscaping Inc. for doing clean up at the Jan LaFollette Nature Park. He said the company does a project every year for Martin Luther King's birthday and this year it was the Nature Park. He added they did a wonderful job, and he will be sending them a thank you card.

Public Works Superintendent Mike Krebs said they are still in the process of flushing the hydrants and are hoping to be done by the end of the week.

Public Works Superintendent Mike Krebs stated they received some of the parts needed to repair the fire hydrants. He said there are a couple of fire hydrants by the Industrial Park that need repaired, and they have already repaired one of them that was knocked over by someone.

Public Works Administrative Manager Melinda Olinger stated Civil West Engineering will present the Wastewater Facility Master Plan at the February 27, 2024, City Council meeting. She said there was a two-to-three-week delay from DEQ in getting their final approval.

Public Works Administrative Manager Melinda Olinger said they are moving forward to get the new John Deere mower and the old John Deere will be used for backup.

Public Works Administrative Manager Melinda Olinger stated they have completed an inventory on street signs and directional signs, noting which ones can be cleaned up and which ones are beyond repair and need to be replaced.

Mayor Charles Rostocil asked if there has been any discussion about updating to more stylish signs as opposed to the plain green street signs.

Public Works Administrative Manager Melinda Olinger said she can reach out and get a cost estimate for nicer street signs.

City Councilor James Yonally asked to double check the spelling when they are replacing signs to make sure all they are standardized and consistent; such as is the spelling Allen or Allan, or 1<sup>st</sup> Street or First Street.

Public Works Administrative Manager Melinda Olinger said they will be applying for a Local Government Grant to replace the playground equipment at Rivenes Park. She went on to say we

are able to apply for two separate grants this year and City Administrator Shawn Waite is working on a potential second grant for fencing for a dog park.

Public Works Administrative Manager Melinda Olinger said utility worker Bill Doversberger attended the training for Water Treatment/Distribution Certification, in which he was successful, and once he has a few more hours in the water field he will apply for his actual certification.

Public Works Administrative Manager Melinda Olinger said all annual reports are either already submitted or on track to be submitted.

Mayor Charles Rostocil asked if we could develop a yearly plan for training for utility workers to get their skill levels up.

City Administrator Shawn Waite said she is looking at the Hubbard Personnel Policy and reviewing some cost saving measures and incentives. She went on to say she does feel that training is important for all of our staff, so she will be working with the Department Heads on this, and figuring out a training plan for each of our employees.

Public Works Superintendent Mike Krebs explained it is difficult to get a Certification a year because of the time required on the job or in the field, which can sometimes be a full year, before you can sit down and take the test.

**HUBBARD FIRE DISTRICT –Fire Chief Michael Kahrmann.** No report given.

**CONSENT AGENDA.**

**A) Approval of January 9, 2024, City Council meeting minutes.**

**B) Approval of the January 2024, Check Register Report.**

MSA/City Councilor Tyler Thomas / City Councilor James Audritsh motioned to approve Consent Agenda as read. City Councilor Tyler Thomas, City Councilor James Yonally, City Councilor James Audritsh, City Councilor Joseph Steininger and Mayor Charles Rostocil were in favor. Motion passed unanimously.

**COUNCIL RECESS OPEN PUBLIC MEETING AND CONVENE CLOSED EXECUTIVE SESSION TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO NEGOTIATE REAL PROPERTY TRANSACTIONS ORS 192.660(2)(e), PURSANT TO ORS 192.660(4). COUNCIL SPECIFICALLY REQUEST THAT MEMBERS OF THE MEDIA AND OTHER ATTENDEES NOT DISCLOSE MATTERS DISCUSSED IN THE EXECUTIVE SESSION.** Mayor Charles Rostocil declared the ORS and recessed the public open meeting at 8:49 p.m. to go into the Executive Session.

**COUNCIL CLOSE EXECUTIVE (CLOSED) SESSION AND RECONVENE PUBLIC (OPEN) MEETING.** Mayor Charles Rostocil closed the Executive Session and reconvened the public open meeting at 9:04 p.m.

MSA/Mayor Charles Rostocil/City Councilor Tyler Thomas made a motion to authorize staff to negotiate and issue a letter of intent to purchase property for the relocation of well 1. City

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Councilor James Yonally, City Councilor James Audritsh, City Councilor Tyler Thomas, City Councilor Joseph Steininger, and Mayor Charles Rostocil were in favor. Motion carried unanimously.

**OTHER CITY BUSINESS.** None.

**ADJOURNMENT - (SPECIAL COUNCIL MEETING FEBRUARY 27, 2024 AT 6:30 P.M.;  
NEXT REGULAR CITY COUNCIL MEETING IS MARCH 12, 2024, AT 7:00 P.M).**  
MSA/City Councilor Tyler Thomas /City Councilor Joseph Steininger motioned to adjourn the meeting. City Councilor James Yonally, City Councilor James Audritsh, City Councilor Tyler Thomas, City Councilor Joseph Steininger, and Mayor Charles Rostocil were in favor. Meeting adjourned at 9:07 p.m.

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Charles Rostocil, Mayor

**ATTEST:**

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Vickie L. Nogle MMC  
Director of Administration / City Recorder  
Recording

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Julie Hedden  
Administrative Assistant / Court Clerk  
Transcribing

**CITY OF HUBBARD  
CITY COUNCIL MEETING MINUTES  
FEBRUARY 27, 2024**

**CALL TO ORDER:** The Hubbard City Council meeting was called to order by Mayor Charles Rostocil at 6:30 p.m.

**FLAG SALUTE:** Mayor Charles Rostocil led the group in reciting the Pledge of Allegiance.

**CITY COUNCIL PRESENT:** Mayor Charles Rostocil, City Councilor James Audritsh, City Councilor Tyler Thomas, City Councilor James Yonally, City Councilor Joseph Steininger.

**STAFF PRESENT:** City Administrator Shawn Waite, Director of Administration/City Recorder Vickie Nogle, Public Works Superintendent Michael Krebs, Public Works Administrative Manager Melinda Olinger, Administrative Assistant / Court Clerk Julie Hedden.

**REVIEW PROPOSED WASTEWATER FACILITIES PLAN – Civil West Engineering – Matt Wadlington, and Clinton Cheney.** Matt Wadlington, Civil West Engineering, presented a PowerPoint presentation on the City of Hubbard Wastewater Facility Plan. He said this is a 20 year planning document and the purpose of this plan is for future improvements and the city can budget for the costs of these improvements that are going to be necessary. He also said the main steps of this facility plan are; review the existing system, develop growth projections to compare what the city has now versus what is going to be needed in the future, and identify deficiencies and develop a plan to address each of those issues.

Matt Wadlington said the current population of Hubbard is 3,454, and the projected population in 2045 is 5,268. He stated DEQ requires the numbers used to report project population growth are from the population studies done by Portland State University, but DEQ is saying the population increase could be higher because of the impending development. He went on to say along with the population growth is an increase in wastewater flows from an average of 0.2 million gallons a day, with 830 gallons per minute during peak hours in 2023, with an increase to 0.3 million gallons a day, with 1250 gallons per minute during peak hours in 2045.

Matt Wadlington went through the list of issues they identified while putting together the Wastewater Facility Plan along with the recommended solutions.

Matt Wadlington said the wastewater treatment plant effluent frequently exceeds the thermal load management so the DEQ puts a limit on the temperature of the water that is being discharged into the creek and the city has not been able to meet that for a number of years. He said he is talking with Public Works Superintendent Mike Krebs and working with DEQ to enter into an agreement with DEQ on a schedule on how the city will meet that limit.

Matt Wadlington stated there are multiple areas in the city's collection system that were observed to have direct sources of stormwater inflow or groundwater infiltration. He said they have identified four or five different areas that can help with that by doing some minor treatments such as; reconstruct the manhole south of the railroad, patch a hole in the wall of a manhole Northeast of Pacific Highway and D Street, patch a void in Main "B" near the intersection of 7<sup>th</sup> and F Streets.

Matt Wadlington said the pump system that conveys wastewater to the headworks of the treatment plant is under capacity for future flows and the current pumps are also past their design life. He said he recommends replacing it. Furthermore, he said he would also replace the existing solids dewatering centrifuge, as it cannot treat biosolids effectively because of staffing limitations, and installing a different style, such as a screw press unit which takes minimal staff to oversee.

Matt Wadlington stated they identified the existing UV disinfection system is undersized per DEQ requirements, and said there should be 2-unit minimum. He recommends to replace the existing UV ballast and expand to a two-ballast system, which would meet the DEQ redundancy requirement.

Matt Wadlington said the city lacks a redundant secondary clarifier, and the existing clarifier cannot be taken offline to be maintained. His recommendation is to construct a secondary clarifier in the available space near the existing secondary treatment system.

Matt Wadlington stated segments of the collection system should be CCTV's to identify sources of unexpected flow increases, such as potential line breaks.

Matt Wadlington said the existing headworks, the screen, has difficulty managing the loads of fats, oils, grease, and grits, which causes clogs of the screen and downstream processes. He recommends replacing the fine screen with a unit that can more effectively handle the fats, oils, and grease, and install a grit removal chamber.

Matt Wadlington said the existing aeration equipment is expected to surpass its useful life by the end of the planning period, as they are outside in the weather. He went on to say they are also very loud and may violate the city's noise ordinance. His recommendation is to upgrade the aeration equipment and construct a building to reduce the exposure of the new units to the elements and will also help dampen the noise.

Matt Wadlington stated the last issue identified is the existing sludge pump for one of the solids digester that frequently clogs, and it is almost impossible to get to because it is at the bottom of a deep manhole. He recommends constructing a new pump system with surface-accessible valves to address the maintenance issues associated with the digester.

Matt Wadlington stated they have identified the projects as to which ones are a higher priority and should be done within the first five years. He said the priority 1 projects, higher priority, come in at a cost of \$3.6 million, and the priority 2 projects come in at \$2.5 million.

Mayor Charles Rostocil asked how large the void is that needs to be patched.

Clinton Cheney, Civil West Engineering said it is approximately a 6" diameter hole in a pipe, which can cause obstructions.

Public Works Superintendent Mike Krebs added there can be gaps or cracks, that tree roots or something that can invade the collection system, and that allows infiltration into that system.

City Councilor James Yonally asked what the clarifier does.

Matt Wadlington, Civil West Engineering, explained that the clarifier lets solids settle so it provides a very calm, low velocity flow allowing it to settle. It has a mechanism at the bottom that

scrapes and collects all that solid into a central tube then takes it to the digesters, and it is pretty passive settling that happens.

City Councilor James Audritsh asked how long we have had the existing solids dewatering centrifuge, and why it is no longer effective.

Public Works Superintendent Mike Krebs responded that we have had it since 2000 and was used up until 2020. The reason it needs to be replaced is that it needs to be taken out and sent back to Wisconsin to be rebuilt at the cost of \$40,000. It also needs to have a dedicated operator watching it the whole time it is running because it can malfunction at any time. Someone needs to be there to make the adjustments or it will overflow and cause a major clean up and possibly having a spill large enough that you would need to contact DEQ. He went on to say it is very slow and old, and when it started having so many problems, there just wasn't enough staff to deal with it.

Public Works Superintendent Mike Krebs said with the screw-press unit, once you get it tuned in it takes about a half an hour, and you can let it run for about 3 days without anyone having to deal with it, because it is a slower rotation and newer technology.

City Councilor Tyler Thomas asked how we compare to other cities that are about the same size regarding aging infrastructure.

Matt Wadlington, Civil West Engineering, said most cities are fighting the same issues and have similarly sized projects coming up. He went on to say most of the problems here in Hubbard are pretty common and other cities are dealing with the same problems with their aging infrastructure.

City Councilor James Yonally asked if this current plan robust enough to carry us beyond 2038, and will we have enough capacity to handle the wastewater we will be producing at that time.

Matt Wadlington, Civil West Engineering, stated they generally do a 20-year forecast, and this report looked out to 2045, meaning the improvements recommended in this report should get the city to 2045. He went on to say DEQ requires planning documents be designed for 20 years, so as not to burden existing citizens with future developments.

Public Works Administrative Manager Melinda Olinger, stated Staff is currently drafting a funding plan for these recommended improvements. She said part of that plan is going to include coordination with all the outside funding agencies, Staff, and City Engineers to look at all of the different options such as available grants, and low interest state loans, which can often times come with some forgivable debt. She went on to say we have a fairly good amount of savings in our water construction fund both from the reuse fees, collected with every utility bill, and SDC's that have been collected throughout the years. Furthermore, she said there will be a little bit of consideration also in the pending rate study that is scheduled to be completed as soon as DEQ officially approves this plan, and there is always the potential to help fund with a bond as well. Staff will make a presentation to the City Council when they have all the details and make a recommendation at that time for City Council to approve.

Mayor Charles Rostocil asked how much we have saved up from the water reuse and SDC's.

Public Works Administrative Manager Melinda Olinger, said currently we have approximately \$1.8 million in savings for this project.

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City Councilor James Audritsh asked if both of the priorities needed to be done together, or if they can be broken apart.

Public Works Superintendent Mike Krebs said they can be broken up, and not have to all be done at the same time.

Mayor Charles Rostocil said he is concerned about growing inflation and the costs going up if we wait.

City Administrator Shawn Waite, said once DEQ approves the plan, staff will move forward with developing financing options for Council consideration.

**APPOINT CITY ADMINISTRATOR SHAWN WAITE AS THE BUDGET OFFICER.**

MSA/Mayor Charles Rostocil /City Councilor James Audritsh motioned to appoint City Administrator Shawn Waite as the Budget Officer. City Councilor James Yonally, City Councilor Joseph Steininger, City Councilor Tyler Thomas, City Councilor James Audritsh and Mayor Charles Rostocil were in favor. Motion carried unanimously.

**ADJOURNMENT - (NEXT REGULAR CITY COUNCIL MEETING IS MARCH 12, 2024, AT 7:00 P.M.)** MSA/City Councilor James Audritsh /City Councilor Tyler Thomas motioned to adjourn the meeting. City Councilor James Yonally, City Councilor Joseph Steininger, City Councilor Tyler Thomas, City Councilor James Audritsh and Mayor Charles Rostocil were in favor. Meeting adjourned at 7:17 p.m.

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Charles Rostocil, Mayor

**ATTEST:**

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Vickie L. Nogle MMC  
Director of Administration / City Recorder  
Recording

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Julie Hedden  
Administrative Assistant / Court Clerk  
Transcribing



**CITY OF HUBBARD  
CITY COUNCIL MEETING MINUTES  
MARCH 12, 2024**

**CALL TO ORDER:** The Hubbard City Council meeting was called to order by Mayor Charles Rostocil at 7:00 p.m.

**FLAG SALUTE:** Mayor Charles Rostocil led the group in reciting the Pledge of Allegiance.

**CITY COUNCIL PRESENT:** Mayor Charles Rostocil, City Councilor James Audritsh, City Councilor Tyler Thomas, City Councilor James Yonally, City Councilor Joseph Steininger.

**STAFF PRESENT:** City Administrator Shawn Waite, Director of Administration/City Recorder Vickie Nogle, Public Works Superintendent Michael Krebs, Police Chief Don Parise, Public Works Administrative Manager Melinda Olinger, Administrative Assistant / Court Clerk Julie Hedden.

**CALENDAR OF ORDINANCES – City Administrator Shawn Waite.** City Administrator Shawn Waite said the reason for this amendment is a case, Fields v. City of Newport, revolved around a plaintiff who slipped and fell on a wooden bridge on Newport's Ocean to Bay trail in which the case was initially dismissed. However, it was brought before the Oregon Court of Appeals and the case was reversed and remanded. CIS determined that this ruling ended recreational immunity and requested that local governments close certain trails to avoid lawsuits. Instead of closing trails or pathways in our parks, staff has drafted Ordinance No. 386-2024, which adopts the limitation of liability per Oregon Statute.

**A) Ordinance No. 386-2024. An Ordinance amending the Hubbard Municipal Code to add Section No. 12.05.025, Limitation of Liability for certain claims arising from the use of trails or structures within public easements and unimproved rights-of-way under ORS 105.668.**

MSA/City Councilor Tyler Thomas /City Councilor James Audritsh moved to read Ordinance No. 386-2024 by title only for the first reading. Mayor Charles Rostocil, City Councilor James Yonally, City Councilor James Audritsh, City Councilor Tyler Thomas, City Councilor Joseph Steininger were in favor.

Mayor Charles Rostocil read Ordinance No. 386-2024 by title only.

MSA/City Councilor James Audritsh /City Councilor Tyler Thomas moved to read Ordinance No. 386-2024 by title only for the second reading. Mayor Charles Rostocil, City Councilor James Yonally, City Councilor James Audritsh, City Councilor Tyler Thomas and City Councilor Joseph Steininger were in favor.

Mayor Charles Rostocil read Ordinance No. 386-2024 by title only for the second reading.

MSA/City Councilor Joseph Steininger /City Councilor James Yonally moved to adopt Ordinance No. 386-2024 amending the Hubbard Municipal Code to add Section No. 12.05.025, Limitation of Liability for certain claims arising from the use of trails or structures within public easements and unimproved rights-of-way under ORS 105.668. Mayor Charles Rostocil, City Councilor

James Yonally, City Councilor James Audritsh, City Councilor Tyler Thomas and City Councilor Joseph Steininger were in favor. Ordinance adopted unanimously.

**PROPOSED DOG PARK AND GRANT APPLICATIONS - City Administrator Shawn Waite.**

- 1. Resolution No. 772-2024. A Resolution confirming the City of Hubbard's intent to apply to the Local Government Grant Program through the Oregon Parks and Recreation Department for monies to be used for Wolfer-Will Greenway Dog Park fencing project.**

City Administrator Shawn Waite said for several years the community has been requesting that the city identify an area for a dog park, as stated in the 2007 Parks Master Plan. Staff has evaluated several locations within the city with the following considerations in mind: cost of creating the park – as fencing, and other infrastructure will need to be installed, safety for not just people and their pets using the park, but for the community, access and parking, and maintenance.

City Administrator Shawn Waite said the west end of Wolfer-Will Greenway has been identified as the most cost effective and community friendly. There is an existing parking lot and sidewalk that would lead to the park. Staff would ensure that the fencing would be far enough away from the Veterans Memorial and the road to ensure safety of community members, their pets, and the memorial.

City Administrator Shawn Waite said the Parks and Recreation Department announced that a recreational grant opportunity, funded through State lottery dollars, is open. The intent would be to apply for playground equipment that would replace outdated equipment at Rivenes Park and for the infrastructure needed for the dog park, which would include fencing material and other equipment. This grant does require a 20% match, but in-kind services will offset some of that 20% match. Until final cost estimated are gathered, staff does not know what the remaining cash contribution would be. If so directed, staff would be returning to City Council for further approvals as required.

City Councilor James Yonally expressed his concerns regarding the location and would want to make sure we receive input from the surrounding property owners. He also said the parking spots are for the Memorial and is concerned when people park there and let their dogs out to go to the dog park that the dogs could possibly cause damage to the Memorial Park. Furthermore, he stated kids in the community like to slide on the hill at the far end when there is snow, and the dog park could encroach on that event.

City Councilor Joseph Steininger asked if a bathroom would be installed at the dog park.

City Administrator Shawn Waite responded that a bathroom is not required for a dog park, and not many communities have them. Most dog parks just have a large amount of green space which could be made safe.

City Councilor Tyler Thomas inquired about the size of the park. He also said he was in favor of this, and also agreed we need to get feedback from the surrounding property owners. Furthermore,

he proposed signage is put up stating the rules and that dogs need to be on a leash when entering and exiting the park.

Public Works Administrative Manager Melinda Olinger, said it is approximately 450 linear feet, or 1/3 of an acre. She stated the perimeter fence of the dog park is proposed to be approximately 6 feet off of the existing fences so the city can get in and maintain those areas.

City Councilor James Audritsh said he lives over in the proposed area, and he proposed that area during the Visioning meeting because of the proximity to the big sidewalk, and the safety of the area.

MSA/City Councilor Tyler Thomas /City Councilor James Audritsh moved to adopt Resolution No. 772-2024 to approve the west end of Wolfer-Will Greenway as the proposed location for the dog park and direct staff to continue gathering cost estimates, complete the application, conduct community outreach and authorize the Mayor to sign. Mayor Charles Rostocil, City Councilor Tyler Thomas, City Councilor James Audritsh and City Councilor Joseph Steininger were in favor. City Councilor James Yonally voted against. Resolution adopted 4-1 in favor.

**APPOINTMENT OF BUDGET COMMITTEE MEMBERS.**

*(Once position term January 1, 2023 – December 31, 2025; Two positions term from January 1, 2024 – December 31, 2026)*

- A) Olivia Conte.**
- B) Melissa Laninga.**
- C) John Nash.**
- D) Rocky Sherwood.**
- E) Jonnie Wachter.**
- F) Patrick Zotti.**

MSA/Mayor Charles Rostocil /City Councilor James Yonally motioned to appoint Olivia Conte to the Budget Committee for a term January 1, 2023 – December 31, 2025. City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor James Yonally, City Councilor Joseph Steininger and Mayor Charles Rostocil were in favor. Motion passed unanimously.

MSA/Mayor Charles Rostocil /City Councilor Tyler Thomas motioned to appoint John Nash and Jonnie Wachter to the Budget Committee for a term January 1, 2024 – December 31, 2026. City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor James Yonally, City Councilor Joseph Steininger and Mayor Charles Rostocil were in favor. Motion passed unanimously.

**DISCUSSION REGARDING REVENUE OPTIONS – City Administrator Shawn Waite.**

City Administrator Shawn Waite said the five-year financial forecast was presented at the February 13th City Council meeting where City Council directed staff to provide revenue options for consideration. She said staff received some input from City Council as to some options to research as well as reaching out to other cities to explore alternative revenue options. She went on to give a summary of those options but stated she is going to have to do some additional research on some of the options if directed by Council.

City Administrator Shawn Waite said the first revenue option is a Local Improvement District. She said this method is a financing options in which a group of property owners can share the cost of infrastructure improvements and finance it for 20 years at an interest rate of approximately 3.5%. This would improve the city infrastructure with a return on investment. If directed by City Council, staff would need to research how to implement this program and she was unsure if this would require voter approval.

Mayor Charles Rostocil said he thinks a Local Improvement District is one of the better ways to try to finance an overall development, but is concerned it would not be much help in the near term to help our budget shortfall.

City Administrator Shawn Waite said in looking at the option of a Local Improvement District, the upfront money would need to be taken out of our beginning fund balance. She went on to say there are a lot more details that would need to be ironed out, and if directed by Council she will do some additional research, and bring this back to Council.

Mayor Charles Rostocil asked if there was a specific area identified that this would apply to.

City Administrator Shawn Waite said we could have multiple areas, but she is hearing from community members that they would like to see 3<sup>rd</sup> Street developed. She went on to say we could also enter into some sort of public/private partnership where we could help out and this would make it more feasible for people to start developing that area.

Public Works Superintendent Mike Krebs agreed. He said 3<sup>rd</sup> Street would be our best bet at this point because it would enhance economic development, develop the lots that are open, and take care of some of the problems we have in the adjoining streets.

Consensus of the City Council was to have City Administrator Shawn Waite conduct additional research and provide a few options on how this could be done.

City Administrator Shawn Waite stated the next option is an alcohol tax and concluding a conversation with the Oregon Liquor Control Commission the city would need to implement a sales tax to earn any extra revenue on the sale of alcohol. Currently, the city does receive small portion of the excise tax that is collected at the state and federal level, and this option would require voter approval.

Consensus of the City Council is not to pursue an Alcohol Tax at this time.

City Administrator Shawn Waite said another option is an Operations or Public Safety Levy. The Assessor's Office reported that the average residential assessed value is approximately \$196,170. The city could receive approximately \$334,686 annually if a \$1.20 per thousand was assessed, which means property tax rates would increase an average of \$235 annually for a taxpayer. She went on to say this option would require voter approval.

## **PAGE 5 – CITY COUNCIL MEETING MINUTES MARCH 12, 2024**

City Administrator Shawn Waite cautioned Council on this one because she had a conversation with the Fire Chief, and after their current levy expires they will be going out for another one, and that would be about the same time we would go out for one. She went on to say she looked at going out for a Public Safety Levy that included Fire services and Law Enforcement, but that would be a substantial increase and taxes would go up about \$500 more a year for property tax payers.

Mayor Charles Rostocil said Hubbard is unique in that we have our own Police Department, and it is very expensive to have a Police Department and we need to find a means to be able to increase officer pay to retain officers, so in the long run we will need to look at some sort of levy, but it is bad timing to put it on top of the Fire District's levy. He went on to say he hates raising taxes, but we need to support the Police Department and stop losing officers.

City Councilor James Yonally suggested delaying this one election cycle so no one is getting hit with 2 levies at the same time, then revisit it again in 6 months or a year from now.

City Councilor Joseph Steininger said he appreciates the opportunity for the voters to make the decision instead of us finding money elsewhere. He went on to say we should delay it and not go out for it at the same time as the Fire Department, and we should look at asking for under \$1.00 per thousand instead of \$1.20 per thousand.

City Councilor Tyler Thomas agreed that we should not compete with the Fire Department over a levy but is in favor of a public services fee. He said we will need to do it, but timing is important.

City Councilor James Audritsh said he doesn't feel we can wait that long for a levy, and would rather see us go out for one. He stated he does not want to compete with anyone else for a levy, but thinks we have a strong case to go out for one, and it is not going to be surprising to anybody that we are not keeping up with inflation.

Consensus of the City Council is to move forward on this and asked City Administrator Shawn Waite to come back with some options. One if we were to delay, and one if we were to go simultaneously with the Fire Department.

City Administrator Shawn Waite explained alarm permits require any residential and commercial burglar or robbery alarm that summons police to any building or premises to obtain an alarm permit. The annual permit fee would be \$20 for residential, \$50 for commercial, and free for seniors as well as adopting a false alarm response fee as outlined in the staff report would generate approximately \$3,500 annually. While this is not a significant source of revenue, it is a process that many cities have already adopted and implemented, and this could be adopted by resolution.

The City Council is in favor of moving forward with a resolution for approval.

City Administrator Shawn Waite said a transit lodging tax is another option but staff does not recommend implementing this option at this time. She explained there is not enough lodging

industry with a City of Hubbard addresses to generate any amount of revenue to offset the cost of implementation.

The consensus of the City Council is not to pursue a transit lodging tax.

City Administrator Shawn Waite said another revenue option is a gas tax. She said staff received information from ODOT regarding the number of gallons of gas that were sold by the two gas stations within the city limits. If a \$0.03 gas tax was implemented the estimated annual revenue would be \$132,814, and it would go specifically towards roads and sidewalks. She said this option would require voter approval, and in the cities that have put this forward, it has been unanimously approved.

City Council directs staff to look at pursuing a gas tax as a revenue option.

City Administrator Shawn Waite another revenue option is changing the utility billing to monthly rather than every other month, which means the general services fee that the city normally charges \$20 every other month, would be \$20 every month. The annual revenue that this increase would generate would be \$137,135 after expenses, and would increase what utility customers pay annually by \$120. She went on to say this can be implemented through resolution, but staff would ask that we have time to do community outreach and help the community understand the change. Furthermore, would we call this a General Services fee increase or call this a new fee associated with public safety and the revenue would go directly to the Police Department.

City Councilor James Audritsh said this would be the easiest and quickest option, and the fee going for public safety would be more feasible for the public to accept, knowing it is going for the police department.

City Councilor Tyler Thomas agrees that it should be a public safety fee. He went on to say people in Hubbard are very pro-police, and is in favor of this option.

City Councilor Joseph Steininger stated he likes the idea of going to a monthly utility bill.

City Councilor James Yonally agreed this is the easiest and quickest way to get the revenue in the city coffers, but we need to make sure we inform the community members what it is and why it is needed. Furthermore, we need to make sure the community knows about the Low Income Senior discount for Utility bills, and also about the assistance put aside from the ARPA money.

City Administrator Shawn Waite responded to City Councilor James Yonally that community members can get assistance through Love, Inc., and also that we have partnered with the City of Woodburn, and applied for a utility, rent, and mortgage assistance grant that we were awarded through Business Oregon.

City Council directed staff to move forward and prepare a Resolution and come back with additional information.

**APPEARANCE OF INTERESTED CITIZENS.** Rocky Sherwood, 2622 Nina Place, Hubbard, Oregon, said he was on the Budget Committee last year, and said he was overlooked this year. He also said he was not in favor of one of the people the City Council appointed to that committee.

Rocky Sherwood stated he had a concern regarding the location of the dog park by the Marion Carl Veterans Memorial. He said the Veterans and their families who go to the Memorial should not be interrupted or bothered by dogs when they are there.

Rocky Sherwood stated he would be in favor of monthly utility billing if everything worked, but we have issues with the water and people should not be charged more. He went on to say we should focus more on our sidewalks on 3<sup>rd</sup> Street, because he cannot walk his kids or dogs without worrying about someone not paying attention and speeding.

City Councilor Tyler Thomas called for a point of order, Mr. Sherwood's 3 minutes were up.

Jake Ramirez, 3759 3<sup>rd</sup> Street, Hubbard, Oregon, said he gets his mail in Dundee and likes that you can pay the Utility bill online, but worries the mail doesn't get to people that are out of state on time to pay their bill.

Jake Ramirez stated last year he got a late start on the community garden, but wants to do it again this year and plans on getting an earlier start. He said he grew up in Dundee and has a background in Horticulture, working with invasive plants at Champoege Park. He said his plan for this year is to have the paperwork for the Community Garden to the city in March, start cleaning and fixing some of the boxes in April, with plans to join the National Association of Community Gardens so he can utilize some of their resources. He went on to say he would start planting in May, with pumpkins planted in June for use as a free pumpkin patch for the community.

Jake Ramirez said if he gets enough sponsors, such as the Bistro and other restaurants, he will put in a drip system, which is not permanent, will save water, and allow him to monitor the water use better. He went on to say he has six people already that will be helping out and his goal is to have the first meeting by the end of the month.

Mayor Charles Rostocil said he could probably have some drip lines donated, and Public Works could maybe work with Mr. Ramirez to help prevent tampering with the water. He went on to say his biggest concern would be the invasive weeds, and wants to make sure there is a plan in place so the garden looks nice and not overgrown.

Mayor Charles Rostocil asked Mr. Ramirez to continue working with City Administration and Public Works with getting the plan in place for the Community Garden and asked him to come back next month to present his outlined plan.

Narciso Lopez, 4229 3<sup>rd</sup> Street, Hubbard, Oregon, stated he has concerns about the dog park and grant application. He said it is a great idea but also would like to see the sidewalks extended down 3<sup>rd</sup> Street because it is dangerous to walk in the road. He went on to say he received a letter from the Public Works Department about fixing his sidewalk, and appreciates the incentive from the city, but sees no point in repairing his sidewalk then down the road a contractor will come and put in a new sidewalk.

Narcisco Lopez, said he has done business here for 22 years and has not seen any improvement between A Street and J Streets and more money needs to be put in the budget for that and to make the city look great.

Mayor Charles Rostocil said he knows Mr. Lopez attended the Visioning Sessions, and had to leave early, and there was much discussion on how we fix from D Street to J Street on Highway 99E. He went on to say we are doing the last Visioning meeting on March 21, 2024 and hopes Mr. Lopez can attend.

Narcisco Lopez, said applicants for the Budget Committee should be interviewed by the residents of the city and not just appointed.

Narcisco Lopez, said he has been paying a fee through the utility bill in case something goes wrong with the water, and would like to see some results from the collection of this fee, and would like to see a letter go out to everyone about how the money has been used.

**MAYOR'S AND/OR COUNCIL'S PRESENTATIONS.** City Councilor James Yonally said he was reviewing some old weekly report and inquired about the stage procurement and the cost for having movies in the park.

City Administrator Shawn Waite said she is still working on it, and is looking for a stage that folds up and can be used as a giant screen as well with the goal of having movies and music in the park. She said the one she is looking at is around \$750 and there is the possibility of getting a grant, and she is reaching out to some of our other city partners to see if we can borrow a projector and sound system. Furthermore, she stated you need to pay the licensing fee for the movie which can be between \$500 and \$1000 a movie, so she is having conversations with community members to see if they would be interesting in sponsoring either a movie or music.

City Councilor James Yonally asked if there was any word on the City of Donald inquiry about utilizing our police services.

City Administrator Shawn Waite said there are somethings staff is looking into, such as radio coverage and the cost of a booster, and working with the City of Woodburn on some additional research because we would need to get a FCC license. She went on to say she does not know if we will be ready by July 1, 2024, to implement services just because of infrastructure and staffing.

City Councilor James Yonally said there are a whole bunch of vehicles at the corner of 3<sup>rd</sup> and J Street, by the railroad tracks, and asked if it was a junkyard. He stated it is not screened properly and asked if any code enforcement has been done.

City Administrator Shawn Waite said she has been having multiple conversations with Mr. Kennedy about his property and how it is being used. She said one of her big concerns is if the car that is jack upped, that has been there awhile, is leaking oil that would be an EPA concern. She went on to say Mr. Kennedy is in the process of ending the contracts he has with people to use his property and getting it cleaned up.



**STAFF REPORTS:**

**POLICE DEPARTMENT- Police Chief Don Parise.** Police Chief Don Parise said the department is continuing to get training for our officers. We have two officers at the academy, with Officer Hart graduating at the end of the month, and Officer Sapp is scoring well on his quizzes and enjoying his time there. He also stated Sergeant Chris Anderson just got back from a week-long leadership training.

Police Chief Don Parise stated he attended the METCOM board meeting and they are anticipating an overall 5.9% increase in their budget, so there will be a bit of added cost from the previous fiscal year.

Police Chief Don Parise said before Chief Rash left they went over the LEXIPOL policy manual and made several different updates to the policy based on State, Federal Law and best practice. He said they also were able to get the policy manual switched over to Chief Parise's name.

Police Chief Don Parise said they have one certified police officer in the background phase for hiring and that would fill the sixth and final open position.

Police Chief Don Parise said a meet and greet was held at La Petite for the community to meet him. They had a good turn out and he got to meet a lot of great people. He went on to say he has spent a lot of time in his first month here getting out and meeting as many residents, business owners, and stakeholders as he can, and commented that the community is very supportive of the Hubbard Police Department.

Mayor Charles Rostocil asked if the information can be shared with ODOT that Pacific Highway 99E between Salem and Highway 551 has been identified as a crash/fatality area.

Police Chief Don Parise responded yes, that should all be public information. He said he received the information in a briefing from the area commander of the Salem office.

**CITY ADMINISTRATOR REPORT – City Administrator Shawn Waite.** City Administrator Shawn Waite said the city is wrapping up the community visioning work and the last town hall meeting will be on March 21<sup>st</sup> from 6:30 PM to 8:00 PM at the Fire Hall and Zoom. She encourages people to attend as there will be prioritization of projects that will be reported to the City Council at the goal setting session in April.

City Administrator Shawn Waite stated the city is partnering with Congresswoman Andrea Salinas' Office to host two caseworkers on March 21<sup>st</sup> from 11:00 AM – 1:00 PM at City Hall. The caseworkers will be available to assist veterans in the area applying for benefits, or identifying services, and answering question.

City Administrator Shawn Waite said over 100 people from Hubbard, Woodburn, and Salem attend the North Marion Business Resource Fairs.

City Administrator Shawn Waite said there are flyers in the packet regarding a new communication tool, TextMyGov, that the city has implemented. This allows the city to communicate directly to community members via cell phone rather than relying on Facebook, and the city's website as the

only source of communication. Additionally, Staff can control the communication and send out message when needed in both Spanish and English.

City Administrator Shawn Waite thanked Public Works Administrative Manager Melinda Olinger for the work she has done on getting some Grant applications completed. She said she was notified last Thursday that SB 1530 passed in full Ways and Means and is with the Governor for signature. In that bill the City of Hubbard was appropriated \$1.1M for upgrades to the wastewater lift stations and other improvements with that project. She also thanked the COG for the lobbying on behalf of the city. Additionally, staff was notified the Office of Emergency Management awarded the city funding through the SPIRE grant in the Fuel transportation category for the diesel generator that will be mounted on a trailer and will hold approximately 900 gallons of fuel and can be accessed in an emergency.

City Administrator Shawn Waite said she is excited about moving forward into the next regular legislative session. She stated she has a couple of meetings coming up with Senator Merkley's office as well as the Governor's office to talk about the possibility of getting some funding for our wastewater project that was presented last month.

**ADMINISTRATION DEPARTMENT – Director of Administration/City Recorder Vickie Nogle.** Director of Administration/City Recorder Vickie Nogle stated the Goal Setting meeting will be April 9, 2024, at 6:30 p.m.

Director of Administration/City Recorder Vickie Nogle said there is a Planning Commission meeting March, 19, 2024, to review a Major Variance application regarding the pump house for the splash fountain equipment in Rivenes Park.

Director of Administration/City Recorder Vickie Nogle said she, the Mayor, City Administrator, Public Works Superintendent, and the Council President attended a Groundbreaking ceremony for the new facility of Pacific NW Marble and Granite in the Industrial Park. She stated they had a great turn out and good weather.

Director of Administration/City Recorder Vickie Nogle thanked Mayor Charles Rostocil for scanning in a bunch of old pictures of the City. She said Administrative Assistant / Court Clerk Julie Hedden, did a little bit more editing and we have some pictures on order that we will put in the hallway of City Hall.

**PUBLIC WORKS DEPARTMENT-Public Works Superintendent Michael Krebs.** Public Works Superintendent Mike Krebs said they are still working through the procurement process for the gear unit for the polishing clarifier and hopes to have it back in operation in a couple of months.

Public Works Superintendent Mike Krebs said the splash fountain project will be going in front of the Planning Commission for approval of a major variance regarding the setbacks of the building. He went on to say it is still on schedule to have the splash fountain up and running by Memorial Weekend.

Public Works Superintendent Mike Krebs stated the tree that had fallen in the Wolfer-Will Greenway has been cleaned up.

Public Works Superintendent Mike Krebs said they are working on fixing the fire hydrants that needs repair at the rate of one a month.

Public Works Superintendent Mike Krebs states they are getting equipment ready for the mowing season, and will start as soon as the weather breaks.

City Councilor James Audrtish asked if there were any more fire hydrants that needed fixing besides the five that were identified a couple of months ago.

Public Works Superintendent Mike Krebs said there are still only 5 fire hydrants that need repaired.

Public Works Administrative Manager Melinda Olinger said she mentioned on her report about the secondary clarifier. She said she had hoped to have that further along than it is, but she is still working with the City's engineers on the procurement process for both the secondary clarifier and the U.V. upgrades.

Mayor Charles Rostocil asked if there were any updates on Union Pacific and G Street.

Public Works Superintendent Mike Krebs said they are good to go, and they are working on getting bids for the project.

**DISCUSSION REGARDING FRESHWATER QUALITY TRADING PROGRAM – DEQ NPDES PERMIT REQUIREMENTS – Public Works Department.** Public Works Superintendent Mike Krebs said this is one of the options we must consider correcting the temperature problems. He went on to say there are two parts to this option with the first being a MAO, or Mutual Agreement order, which is an agreement with DEQ that we have a problem, DEQ agrees there is a problem, and that we are going to agree to mitigate the problem through DEQ. He went on to say when we get into this discussion to work out a solution with DEQ, they will not fine us for each violation while we work through this problem. Furthermore, he said it may help us receive more grants to help us in funding the solution.

Public Works Superintendent Mike Krebs said the second part of this option is the Freshwater Trust which is a 501(c)(3) Nonprofit Corporation that deals with temperature credits. They come out and will evaluate the system to find out if this program will work, and if it does then we set up a schedule for planting trees along the creek bed. For each tree we plant, we get a certain amount of credit towards the temperature, because the trees create shade which cools down the creek, therefore the creek is able to absorb more of the energy that we are putting out in our wastewater system.

The consensus of City Council is for Public Works Superintendent Mike Krebs to work with City Administrator Shawn Waite on this and then come forward to the City Council with a detailed document for review, more detailed information on the Freshwater Trust, and recommendations on how to proceed.

**HUBBARD FIRE DISTRICT –Fire Chief Michael Kahrmann.** No Report given.

**CONSENT AGENDA.**

**A) Approval of the February 2024 Check Register Report.**

- B) Resolution No. 771-2024. A Resolution confirming the City of Hubbard's intent to apply to the Local Government Grant Program through the Oregon Parks and Recreation Department for monies to be used for the Rivenes Park Playground Equipment Upgrade Project.**

MSA/City Councilor Tyler Thomas /City Councilor James Audritsh motioned to approve Consent Agenda as read. City Councilor Tyler Thomas, City Councilor James Audritsh, City Councilor Joseph Steininger, City Councilor James Yonally and Mayor Charles Rostocil were in favor. Motion passed unanimously.

**OTHER CITY BUSINESS.** Mayor Charles Rostocil let John Nash know, who had joined the meeting via zoom, that he was appointed to the Budget Committee and to reach out to City Administrator Shawn Waite, or Director of Administration/City Recorder Vickie Nogle with any questions.

**ADJOURNMENT - (NEXT REGULAR CITY COUNCIL MEETING IS APRIL 9, 2024, - Work Session 6:30 p.m., REGULAR SESSION APPROXIMATELY 7:00 P.M.).** MSA/City Councilor James Audritsh /City Councilor James Yonally motioned to adjourn the meeting. City Councilor Joseph Steininger, City Councilor James Audritsh, City Councilor Tyler Thomas, City Councilor James Yonally and Mayor Charles Rostocil were in favor. Meeting adjourned at 8:47 p.m.

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Charles Rostocil, Mayor

**ATTEST:**

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Vickie L. Nogle MMC  
Director of Administration / City Recorder  
Recording

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Julie Hedden  
Administrative Assistant / Court Clerk  
Transcribing

**RESOLUTION NO. 775-2024**

**A RESOLUTION AMENDING WATER RATES FOR THE CITY OF HUBBARD  
AND REPEALING RESOLUTION NO. 713-2021.**

**Findings**

- A. Section 13.15.170 of the Hubbard Municipal Code provides for water rates and charges to be established by resolution of the City Council.
- B. The City Council finds it is necessary to go from a bimonthly billing system to a monthly billing system.
- C. In order to implement the monthly billing system, it is necessary to split existing water rates and charges between two monthly bills rather than one bimonthly bill.
- D. These changes continue to ensure that as an enterprise fund, the water fund is a self-supporting activity.
- E. Water rates and charges shall comply with the rate covenant provision set forth in Section 9 of Resolution No. 355-2003.

**Based on these findings, the City of Hubbard resolves as follows:**

- 1. The City of Hubbard does adopt a new water rate schedule as set forth in Exhibit “A” attached hereto and by this reference incorporated herein and entitled City of Hubbard Water Rates & Charges.
- 2. Resolution No. 713-2021 is hereby repealed.
- 3. This resolution shall be effective June 11, 2024.

**ADOPTED BY THE CITY COUNCIL** this 9th day of April 2024.

**APPROVED:**

\_\_\_\_\_  
Charles Rostocil, Mayor

**ATTEST:**

\_\_\_\_\_  
Vickie L. Nogle, MMC  
Director of Admin / City Recorder

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Beery, Elsner, & Hammond, City Attorney

Exhibit "A"

City of Hubbard Water Rates & Charges

Effective June 16, 2021

- A) Rates for water meters with a diameter of 2" or less:

Meter Size	Monthly Base Rate*	Volume 1 (Gallons)	Rate/1,000 (After 6,000)	Volume 2 (Gallons)	Rate/1,000 (After Vol. 2)
5/8"	<del>\$51.66</del> <b>\$25.83</b>	<del>6,000</del> <b>3,000</b>	<del>\$2.45</del> <b>\$1.23</b>	<del>25,000</del> <b>\$12,500</b>	<del>\$3.64</del> <b>\$1.82</b>
1"	<del>\$129.09</del> <b>\$64.55</b>	<del>6,000</del> <b>3,000</b>	<del>\$2.45</del> <b>\$1.23</b>	<del>100,000</del> <b>\$50,000</b>	<del>\$3.64</del> <b>\$1.82</b>
1 1/2"	<del>\$258.14</del> <b>\$129.07</b>	<del>6,000</del> <b>3,000</b>	<del>\$2.45</del> <b>\$1.23</b>	<del>225,000</del> <b>\$112,500</b>	<del>\$3.64</del> <b>\$1.82</b>
2"	<del>\$413.00</del> <b>\$206.50</b>	<del>6,000</del> <b>3,000</b>	<del>\$2.45</del> <b>\$1.23</b>	<del>375,000</del> <b>\$187,500</b>	<del>\$3.64</del> <b>\$1.82</b>
All meter sizes	<del>\$ 12.16</del> <b>\$6.08</b>	Increase Static Water Pressure			

- B) Rates for services requiring water meters larger than 2" to be negotiated.
- C) Multiple residential accounts with a common water meter: ~~\$51.66~~ **\$25.83** monthly rate times the number of residential units for the first ~~6,000~~ **3,000** gallons times the number of residential units. For each ~~1,000~~ **500** gallons thereafter, to and including ~~25,000~~ **12,500** gallons times the number of residential units, ~~\$2.45~~ **\$1.23**. For each ~~1,000~~ **500** gallons thereafter, ~~\$3.64~~ **\$1.82**.
- D) Hydrant sales: \$115.73 connection fee plus \$3.64 per 1,000 gallons. All hydrant sales must be approved by the Public Works Superintendent.

## Report Criteria:

Report type: Summary

Check.Type = {&lt;&gt;} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
03/24	03/05/2024	13310	20	Canby Trophies & Awards	100-000-2001	26.00- V
03/24	03/05/2024	13320	178	Law Enforcement Services, INC.	100-000-2001	425.00- V
03/24	03/06/2024	13348	18	Canby Rental & Equip, Inc	100-000-2001	14.29
03/24	03/06/2024	13349	20	Canby Trophies & Awards	100-000-2001	12.50
03/24	03/06/2024	13350	753	CANON FINANCIAL SERVICES, INC.	205-000-2001	381.78
03/24	03/06/2024	13351	394	Caselle Inc	205-000-2001	2,174.00
03/24	03/06/2024	13352	711	Civil West Engineering Services Inc	300-000-2001	24,597.64
03/24	03/06/2024	13353	31	Code Publishing Company	100-000-2001	305.50
03/24	03/06/2024	13354	531	DATAVISION	205-000-2001	1,095.84
03/24	03/06/2024	13355	57	Fisher's Supply	100-000-2001	131.94
03/24	03/06/2024	13356	95	GW Hardware Center	100-000-2001	336.77
03/24	03/06/2024	13357	61	John Deer Financial	205-000-2001	203.92
03/24	03/06/2024	13358	856	Karina Archibald	100-000-2001	182.00
03/24	03/06/2024	13359	854	Law Enforcement Seminars LLC	100-000-2001	425.00
03/24	03/06/2024	13360	571	Legacy Health	100-000-2001	214.00
03/24	03/06/2024	13361	110	Les Schwab-W	121-000-2001	199.99
03/24	03/06/2024	13362	130	Net Assets Corporation	100-000-2001	30.00
03/24	03/06/2024	13363	764	NW TECH SUPPORT	121-000-2001	382.00
03/24	03/06/2024	13364	137	ODB Business Solutions, LLC	205-000-2001	351.13
03/24	03/06/2024	13365	754	OES	205-000-2001	197.78
03/24	03/06/2024	13366	139	One Call Concepts, Inc.	205-000-2001	78.40
03/24	03/06/2024	13367	237	Oregon Assoc Chiefs of Police	100-000-2001	290.00
03/24	03/06/2024	13368	807	OREGON FIRE SAFETY SOLUTIONS, INC.	100-000-2001	49.00
03/24	03/06/2024	13369	783	OREGON RIFLEWORKS LLC	100-000-2001	640.00
03/24	03/06/2024	13370	152	PGE- Portland General Electric	100-000-2001	9,350.16
03/24	03/06/2024	13371	855	Polymax, Inc.	100-000-2001	25.00
03/24	03/06/2024	13372	266	Profectus, INC.	100-000-2001	558.26
03/24	03/06/2024	13373	364	Symbol Arts	100-000-2001	312.50
03/24	03/06/2024	13374	853	TextMyGov	100-000-2001	6,000.00
03/24	03/06/2024	13375	582	The Police & Sheriffs Press Inc.	100-000-2001	78.05
03/24	03/06/2024	13376	122	Verizon Wireless	205-000-2001	285.33
03/24	03/06/2024	13377	125	Walmart-Capital One	205-000-2001	42.34
03/24	03/07/2024	13378	711	Civil West Engineering Services Inc	202-000-2001	1,134.00
03/24	03/07/2024	13379	112	USA Blue Book	201-000-2001	239.47
03/24	03/07/2024	13380	643	WEX Bank	121-000-2001	284.72
03/24	03/07/2024	13381	643	WEX Bank	100-000-2001	791.81
03/24	03/20/2024	13382	859	A.E. Nelson Leather Company	100-000-2001	41.69
03/24	03/20/2024	13383	297	Beery Elsner & Hammond, LLP	300-000-2001	976.00
03/24	03/20/2024	13384	858	Bridge Tower OpCo. LLC	100-000-2001	553.50
03/24	03/20/2024	13385	18	Canby Rental & Equip, Inc	121-000-2001	25.85
03/24	03/20/2024	13386	753	CANON FINANCIAL SERVICES, INC.	205-000-2001	127.17
03/24	03/20/2024	13387	501	Cascade Columbia Distribution	205-000-2001	507.50
03/24	03/20/2024	13388	28	CIS	205-000-2001	1,225.00
03/24	03/20/2024	13389	797	CLAUDIA DRESSEN	122-000-2001	1,500.00
03/24	03/20/2024	13390	355	Don Sprague Sales	201-000-2001	45.00
03/24	03/20/2024	13391	49	ELAN Corporate Payment Systems	201-000-2001	3,598.65
03/24	03/20/2024	13392	57	Fisher's Supply	100-000-2001	45.00
03/24	03/20/2024	13393	13	Galls LLC	100-000-2001	163.84
03/24	03/20/2024	13394	378	Great Western Sweeping, Inc.	121-000-2001	2,945.28
03/24	03/20/2024	13395	95	GW Hardware Center	205-000-2001	330.24
03/24	03/20/2024	13396	645	Hillyer's Mid City Ford	100-000-2001	1,455.87
03/24	03/20/2024	13397	76	Idexx Distribution Corp.	201-000-2001	540.23
03/24	03/20/2024	13398	571	Legacy Health	205-000-2001	321.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
03/24	03/20/2024	13399	181	Marion County Treasury Dept	100-000-2001	197.38
03/24	03/20/2024	13400	844	Marketek	205-000-2001	3,846.02
03/24	03/20/2024	13401	293	Metcom 9-1-1	100-000-2001	24,466.67
03/24	03/20/2024	13402	123	Mid-Willamette Valley	100-000-2001	1,787.81
03/24	03/20/2024	13403	211	NAPA Davison Auto Parts	205-000-2001	162.86
03/24	03/20/2024	13404	132	NW Natural Gas	205-000-2001	647.95
03/24	03/20/2024	13405	121	Olinger, Melinda	205-000-2001	3,180.20
03/24	03/20/2024	13406	190	Oregon Dept of Revenue	100-000-2001	427.32
03/24	03/20/2024	13407	784	OREGON WATER RESOURCES DPT.	205-000-2001	120.00
03/24	03/20/2024	13408	148	Pacific Office Automation	100-000-2001	95.00
03/24	03/20/2024	13409	152	PGE- Portland General Electric	121-000-2001	3,621.52
03/24	03/20/2024	13410	266	Profectus, INC.	100-000-2001	558.26
03/24	03/20/2024	13411	284	Republic Services	100-000-2001	545.92
03/24	03/20/2024	13412	628	Schwartz, Molly	100-000-2001	109.88
03/24	03/20/2024	13413	157	SOS Lock Service	100-000-2001	115.00
03/24	03/20/2024	13414	582	The Police & Sheriffs Press Inc.	100-000-2001	32.60
03/24	03/20/2024	13415	857	Ticor Title	100-000-2001	250.00
03/24	03/20/2024	13416	615	TransUnion Risk	100-000-2001	150.00
03/24	03/20/2024	13417	122	Verizon Wireless	100-000-2001	787.03
03/24	03/20/2024	13418	343	Walter E. Nelson Co	100-000-2001	688.80
03/24	03/20/2024	13419	109	Waste Connections	100-000-2001	50.67
03/24	03/20/2024	13420	127	Waterlab Corporation	205-000-2001	380.00
03/24	03/20/2024	13421	64	Yes Graphics Printing Co. Inc.	100-000-2001	79.00

Grand Totals:

107,645.83

## Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
100-000-2001	726.00	53,841.47-	53,115.47-
100-000-2276	417.11	.00	417.11
100-000-2279	10.21	.00	10.21
100-000-2280	197.38	.00	197.38
100-301-3211	25.00	.00	25.00
100-410-5100	2,484.64	.00	2,484.64
100-410-6100	426.83	.00	426.83
100-410-6200	44.51	.00	44.51
100-410-6500	255.38	275.00-	19.62-
100-410-6600	494.18	.00	494.18
100-410-6900	568.68	.00	568.68
100-412-5100	416.59	.00	416.59
100-412-6100	43.68	.00	43.68
100-412-6200	10.17	.00	10.17
100-412-6600	234.08	.00	234.08
100-412-6900	126.56	.00	126.56
100-413-5300	320.26	.00	320.26
100-413-6600	37.99	.00	37.99
100-419-5100	503.25	.00	503.25
100-419-5400	1,416.56	.00	1,416.56
100-419-5500	553.50	.00	553.50
100-421-5100	8,498.07	.00	8,498.07
100-421-5300	1,166.39	26.00-	1,140.39
100-421-5400	24,466.67	.00	24,466.67
100-421-6100	599.49	.00	599.49



GL Account	Debit	Credit	Proof
100-421-6200	105.17	.00	105.17
100-421-6500	715.00	425.00-	290.00
100-421-6600	464.21	.00	464.21
100-421-6700	2,059.33	.00	2,059.33
100-421-6800	1,116.34	.00	1,116.34
100-421-6900	1,378.09	.00	1,378.09
100-452-5100	538.95	.00	538.95
100-452-5300	1,048.42	.00	1,048.42
100-452-6100	406.66	.00	406.66
100-452-6200	25.91	.00	25.91
100-452-6600	96.02	.00	96.02
100-452-6700	1,120.71	.00	1,120.71
100-452-6900	1,449.48	.00	1,449.48
121-000-2001	.00	9,131.63-	9,131.63-
121-431-5100	3,588.15	.00	3,588.15
121-431-5300	21.99	.00	21.99
121-431-5500	92.95	.00	92.95
121-431-6100	89.32	.00	89.32
121-431-6200	24.63	.00	24.63
121-431-6600	192.63	.00	192.63
121-431-6700	1,100.80	.00	1,100.80
121-431-6900	4,021.16	.00	4,021.16
122-000-2001	.00	1,500.00-	1,500.00-
122-431-7000	1,500.00	.00	1,500.00
201-000-2001	.00	9,153.98-	9,153.98-
201-432-5100	1,399.76	.00	1,399.76
201-432-5300	1,156.69	.00	1,156.69
201-432-6100	133.98	.00	133.98
201-432-6200	44.97	.00	44.97
201-432-6600	462.38	.00	462.38
201-432-6700	1,457.00	.00	1,457.00
201-432-6900	4,499.20	.00	4,499.20
202-000-2001	.00	4,779.67-	4,779.67-
202-432-7000	4,779.67	.00	4,779.67
205-000-2001	.00	8,214.61-	8,214.61-
205-461-5100	1,341.12	.00	1,341.12
205-461-5300	997.41	.00	997.41
205-461-6100	133.98	.00	133.98
205-461-6200	44.98	.00	44.98
205-461-6600	466.50	.00	466.50
205-461-6700	940.04	.00	940.04
205-461-6900	4,290.58	.00	4,290.58
300-000-2001	.00	21,750.47-	21,750.47-
300-432-7000	21,750.47	.00	21,750.47
Grand Totals:	109,097.83	109,097.83-	.00

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

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City Recorder: \_\_\_\_\_

Report Criteria:  
Report type: Summary  
Check.Type = {<>} "Adjustment"

**CITY OF HUBBARD**  
**2024/25 Budget Calendar**

<u>ORS Requirement</u>	<u>City Timeline / Due Dates</u>	<u>City Process</u>
<b>ORS 294.331</b> Appoint Budget Officer	2/27/24	Appoint acting Budget Officer at Council Meeting
<b>ORS 294.401</b> Publish 1st Notice of Budget Committee Meeting	4/9/24	Submit budget committee meeting notice for publication on 4/9/24. The publication date should list the first date of the actual meeting and any additional dates if necessary. Publish no more than 30 days before the meeting.
<b>ORS 294.401</b> Publish 2nd Notice of Budget Committee Meeting	4/21/24	Submit 2nd meeting notice for publication on 4/21/24. The publication date should list the first date of the actual meeting and any additional dates if necessary. Publish at least 5 days before the meeting OR post on City website at least 10 days before the meeting.
<b>ORS 294.426</b> Budget Committee Meets	5/15/24 6:30PM	Committee first meets to receive the 2024-25 budget message and budget presentation of the proposed budget. Proposed budget will be on file in the city office by this date. Budget Committee hears public comments on state shared revenues during budget committee process.
<b>ORS 294.426</b> Budget Committee Meets	5/22/24 6:30PM	Committee second meeting if necessary. Additional meeting dates may be scheduled if needed. When the Budget Committee is satisfied with the budget, including any additions or deletions, it is approved and forwarded to City Council.
<b>ORS 294.428</b> Approve Budget		When the Budget Committee is satisfied with the budget, including any additions or deletions, it is approved and forwarded to City Council.
<b>ORS 294.448</b> Publish Budget Summary & Notice of Budget Hearing	5/28/24	LB-1 - Submit newspaper publication of financial summary, notice of budget hearing, & state shared revenue hearing by council. Publish no later than 6/6/23 or 5 days before the hearing.
<b>ORS 294.453</b> Public Hearings	6/11/24 6:30PM	Council holds public hearing on the approved budget. Council holds public hearing on State Shared Revenue. The council adopts the budget.
<b>ORS 294.456</b>	6/11/24 6:30PM	Adopt budget, makes appropriations, impose taxes and categorize taxes.
<b>ORS 294.458</b> Submit Tax Certification Document to Assessor	6/28/24	Submit State Share Revenue resolution and forms by 6/28.
<b>ORS 294.458</b> Submit Tax Certification Document to Assessor	6/28/24	Submit LB50 and copies of adopted budget to Assessor's office no later than 7/15 each year. Submit copies to county clerk no later than 9/30 each year.

Updated as of March 25, 2024