



City Hall  
206 N. Main St.  
Toledo, Oregon 97391  
6:00 p.m.

TOLEDO CITY COUNCIL  
**Regular Meeting – Electronic Meeting via Zoom meeting platform**  
May 20, 2020

**Virtual Meeting:** Due to the governor’s “Stay Home, Stay Healthy” order, the City Council will hold the meeting through the Zoom video meeting platform. The public is invited to attend the meeting electronically. E-mail [lisa.figueroa@cityoftoledo.org](mailto:lisa.figueroa@cityoftoledo.org) to receive the meeting login information.

**Public Comments:** The City Council may take limited verbal comments during the meeting. Written comments may be submitted by email to [lisa.figueroa@cityoftoledo.org](mailto:lisa.figueroa@cityoftoledo.org) 3:00 p.m. the day of the meeting to be included in the record. Comments received will be shared with the City Council and included in the record.

**1. Call to Order and roll call**

**2. Presentations**

- Proclamation – National Public Works Week
- Fiscal Year 2018-2019 audit presentation – Hanford and Associates
- Community Development Block Grant presentation – DevNW

**3. Visitors/Public Comment**

(The public comment period provides the public with an opportunity to address the City Council regarding items not on the agenda. Please limit your comments to three (3) minutes).

**4. Consent Agenda**

- Minutes from the Work Session held October 23, 2019 and Regular Meeting held February 5, 2020
- Resolution No. 1439, A resolution to receive the 2018-2019 financial audit
- Consideration of annual Liquor License renewals
- Accept the Lincoln County Board of Commissioners Order 5-20-136

**5. Discussion Items**

- Committee updates

**6. Decision Items**

- Approve Contract with Dyer Partnership for engineering services for Arcadia & Spruce Street Improvements
- Update on condition of stairway at 109-115 SE 1st Street. Decision regarding appropriate action moving forward

Comments submitted in advance are preferable. Comments may be submitted by phone at 541-336-2247 extension 2060 or by e-mail at [lisa.figueroa@cityoftoledo.org](mailto:lisa.figueroa@cityoftoledo.org). The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting by calling city offices at (541) 336-2247.

Page 1

- 7. Reports and Comments**
- 8. Adjournment**

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**City of Toledo**  
**PROCLAMATION**  
**National Public Works Week**

**WHEREAS**, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Toledo; and

**WHEREAS**, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

**WHEREAS**, it is in the public interest for the citizens, civic leaders and children in Toledo, Oregon to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and

**WHEREAS**, the year 2020 marks the 60th annual National Public Works Week sponsored by the American Public Works Association.

**NOW THEREFORE**, I, *Mayor Rod Cross* do hereby proclaim **May 17 – 23, 2020** as

***NATIONAL PUBLIC WORKS WEEK***

I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protect our national health, safety, and quality of life.

\_\_\_\_\_  
Mayor Rod Cross

May 20, 2020  
\_\_\_\_\_  
Date

# Community Development Block Grant Home Repairs 2019

Completed with lending services and client support provided by:





Removed and replaced siding,  
insulated walls, installed new  
windows. Project continues with  
funds from USDA.

*May 20, 2020 Toledo City Council Packet*



*Page 5 of 45*



About 40% of this home had no foundation wall. Much of the supporting timber was dry-rotted. We fixed that!





Water leaking over years produced dry rot that created a giant hole in a joist supporting the roof. The contractor had to completely replace all the ceiling joists.





Creative wiring solutions made for a dangerous space right next to the washing machine.





Original windows, siding in poor condition with lead based paint. We replaced windows, siding, exterior doors and the project will continue with funds from the USDA program.





Original water heater serving a 4 person household.





Windows, roof, doors and siding.





Roof, gutters, exterior paint and (not shown) new heating system.

1 **TOLEDO CITY COUNCIL**

2 **Work Session**

3 October 23, 2019

4 6:00 p.m.

5  
6 **1. CALL TO ORDER**

7 Mayor Rod Cross called the meeting to order at 6:00 p.m.

Present	Absent	
X		Mayor Rod Cross
X		Council President (CP) Joshua Smith
X		Councilor Jackie Kauffman
	X	Councilor Heather Jukich
X		Councilor Bill Dalbey
X		Councilor Stu Strom
X		Councilor Betty Kamikawa

8  
9  
10 Staff present: City Manager (CM) Wes Hare, Police Chief (PC) Mike Pace, Finance Director (FD)  
11 Judy Richter, City Recorder (CR) Lisa Figueroa, and City Attorney (CA) David Robinson

12  
13 Visitors present: Kevin Shreeve, Justin Peterson, Sheila Stiley

14  
15 **Visitors/Public Comment**

16 Sheila Stiley of Northwest Coastal Housing (NCH) addressed the Council. She said they have  
17 several complexes within Lincoln County and they are considering a new 11-unit complex, with  
18 eight of those units are specific to veterans. She indicated if the Council believes Toledo is in need  
19 of housing, the NCH would request a letter of intent from the City to apply for funds for that  
20 project indicated.

21  
22 **Discussion and Information Items**

23 **Update on the Water and Wastewater Rate Study**

24 Kevin Shreeve introduced Matt Wadlington [Albany office]. They said the biggest concern for the  
25 City is the loss of Seal Rock Water District. Mr. Shreeve said the people who use the system more  
26 should pay more because of the maintenance needed on the system. He said System Development  
27 Charges (SDC) would be a separate evaluation and will not be included in this one. The Council  
28 indicated the rates have to capture the current and ongoing maintenance needs of the system  
29 because some areas of the system are nearly 60 years old. Mr. Wadlington said the City should be  
30 proactive and consider setting money aside annually for ongoing maintenance to keep costs down.  
31 The Council discussed the need to increase rates to maintain the system. Mr. Shreeve indicated  
32 rates should consist of and include:

- 33 • Labor
- 34 • Parts
- 35 • Maintenance
- 36 • Loans
- 37 • Contingency
- 38 • Capital improvements (anticipated)

1 There was discussion about lower income residents and Mr. Shreeve indicated one way the Council  
2 could help those residents is to establish life line rates, which identifies the poverty level, it  
3 classifies those rates and builds them accordingly. Mr. Shreeve inquired about a utility assistance  
4 program and the Council explained the H2O program and how it is available to customers.  
5

6 Mr. Shreeve listed other options:

- 7 • Tiered rates
- 8 • Time of day pricing, similar to electric rates
- 9 • Surcharges
- 10 • Seasonal rates
- 11 • Booster pumps for people located in high areas
- 12 • Uniform rate structure

13  
14 There was discussion about how the meters are read and whether the meters or wands round to the  
15 nearest 1,000 gallons and the Council asked clarification questions in regards to the billing. CM  
16 Hare said a fixed rate is needed at some point to maintain the system. There were several comments  
17 from the Council who supported a tiered rate.  
18

19 Mayor Cross said he would prefer to see different rates for residential, commercial and industrial  
20 rates. He said the cost is higher to process the wastewater from commercial and industrial users  
21 than it is residential. CM Hare suggested Civil West present several scenarios to the Council. The  
22 Council discussed whether they should charge more on the water or wastewater side. There was  
23 discussion about having a fixed rate all year long and eliminating the winter average. It was noted  
24 a flat rate for wastewater usage is easier to manage for residential users and there was consideration  
25 of an average for commercial/industrial, taking into consideration their discharge. The Council  
26 discussed how to charge vacationers and it was stated some cities do not charge at all while other  
27 cities charge a flat fee because the system still exists and is maintained in spite of whether the  
28 residence is occupied. Mr. Shreeve recommended the Council consider increasing fees annually.  
29 He said they would report back to the Council after the first of the year. The Council considered  
30 researching information for upgrading and phasing in new meters.  
31

### 32 **Introduction of contract planner**

33 CM Hare introduced Justin Peterson from the Oregon Cascades West Council of Governments.  
34 Mr. Peterson said he is helping with the day to day planning projects and may potentially assist  
35 with long range planning issues. Mayor Cross and Councilor Strom commented on streamlining  
36 the process for new or current homeowners to be able to build within the City. Mr. Peterson  
37 updated the Council on HB2001, which is related to parking requirements and accessory dwelling  
38 units. He indicated the state mandated local jurisdictions make that update within their Codes,  
39 which will be presented to the Council in a future meeting.  
40

### 41 **Decision Items**

#### 42 **Provide up to \$500 tuition assistance to the Toledo Employee Association members taking** 43 **coursework related to their jobs**

44 CM Hare provided a report to the Council and said it mirrors a provision included in the Toledo  
45 Public Safety Association contract. He noted there would be a maximum of \$500 per contract, it  
46 is not per employee. CP Smith questioned whether this request would set a precedent by not going  
47 to the bargaining unit. CM Hare said he presented it to the bargaining unit and they supported it.  
48 FD Richter noted another difference is in regards to longevity, which has been changed.  
49

1 **Motion** – It was moved and seconded (Strom/Dalbey) to approve tuition assistance not to exceed  
2 \$500 to Toledo Employee Association members taking coursework related to their jobs and the  
3 motion carried five to one with Council President Smith opposing.

4  
5 **Street closure request; Chamber of Commerce Halloween Trick or Treat on Main Street**  
6 CM Hare presented the Council report. Staff answered clarification questions in regards to the  
7 hours of the event.

8  
9 **Motion** – It was moved and seconded (Smith/Kauffman) to approve the request to temporarily  
10 close Main Street from Business Hwy 20 south to Second Street SE from 2:30 p.m. to 7:30 p.m.  
11 for the Chamber of Commerce Halloween Trick or Treat on October 31, 2019 and it carried  
12 unanimously.

13  
14 **Added decision item – Letter of Intent for Northwest Blackberry Hill apartments**

15 Ms. Stiley said the cost is approximately \$12,800 per single family (SF) dwelling. She said the  
16 water and sewer fees are only  $\frac{3}{4}$  of the actual fees. She indicated the letter could state that the City  
17 is willing to commit a portion to support the development once funding has been procured. There  
18 was a concurrence of the Council to financially support the development with the amount to be  
19 determined in the future.

20  
21 **Motion** – It was moved and seconded (Smith/Dalbey) to direct the Mayor to draft a letter of intent  
22 of support for the Blackberry Hill apartments and the motion carried unanimously.

23  
24 **Reports and Comments**

25 FD Richter indicated the Council packet includes the first quarter financial statements. She said  
26 audit report was filed with the Secretary of State this week and she handed out copies of the report  
27 to the Council.

28  
29 CM Hare reported he spoke with Chief Robeson, who is making progress in his recovery and  
30 Assistant Chief Inman is back to work.

31  
32 Councilor Kamikawa indicated she will attend the 100-year water planning meeting in Albany  
33 next week.

34  
35 Mayor Cross said he attended the Mid-Coast Watershed meeting and noted he was excited to see  
36 all the organizations involved.

37  
38 **Adjournment:**

39 The work session adjourned at 8:50 p.m.

40  
41 ATTEST:

APPROVE:

42  
43  
44  
45 \_\_\_\_\_  
City Recorder Lisa Figueroa

\_\_\_\_\_  
Mayor Rod Cross

**TOLEDO CITY COUNCIL**  
**EXECUTIVE SESSION**  
February 5, 2020  
6:30 p.m.

**1. EXECUTIVE SESSION**

Mayor Cross called the Executive Session to order at 5:30 p.m. and read the declaration of Executive Session under the provisions of ORS 192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

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

Present	Absent	
X		Mayor Rod Cross
	X	Council President Joshua Smith
X		Councilor Jackie Kauffman
X		Councilor Heather Jukich
(by telephone)		Councilor Bill Dalbey
X		Councilor Stu Strom
X		Councilor Betty Kamikawa

Staff Present: City Manager Hare, City Attorney Robinson and City Recorder Figueroa

No decisions were made in Executive Session.

**2. ADJOURNMENT**

The Executive Session recessed at 6:55 p.m. and would continue at the appropriate time during the regular meeting.

**TOLEDO CITY COUNCIL  
REGULAR MEETING  
February 5, 2020  
7:00 p.m.**

**1. CALL TO ORDER**

Mayor Rod Cross called the meeting to order at 7:00 p.m.

Present	Absent	
X		Mayor Rod Cross
	X	Council President Joshua Smith
X		Councilor Jackie Kauffman
	X	Councilor Heather Jukich
X		Councilor Bill Dalbey
X		Councilor Stu Strom
X		Councilor Betty Kamikawa

Staff present: City Manager Pro Tem (CM) Wes Hare, Finance Director (FD) Judy Richter, City Recorder (CR) Lisa Figueroa, City Attorney (CA) David Robinson, Contract Planner (CP) Justin Peterson, Planning Assistant Arlene Inukai

Visitors present: Shiela Stiley

**2. VISITORS/PUBLIC COMMENT**

Shiela Stiley, Northwest Coastal Housing updated the Council on getting approved for a potential housing project in Toledo and will approach the Planning Commission. She said they anticipate to receive funding in February or March.

**3. CONSENT AGENDA**

There were no items for consideration.

**4. DISCUSSION AND INFORMATION ITEMS**

There were no items for consideration.

**5. PUBLIC HEARING**

**Public Hearing; Ordinance No. 1381 Ordinance 1286 (Toledo Municipal Code Title 17) to revise the Definitions, Single-Family Residential Zone, General Residential Zone, and Off-Street Parking and Loading Chapters, and declaring an emergency**

Mayor Cross opened the public hearing at 7:07 p.m. for Ordinance No. 1381; Amending Ordinance 1286 (Toledo Municipal Code Title 17) to revise the Definitions, Single-Family Residential Zone, General Residential Zone, and Off-Street Parking and Loading Chapters, and declaring an emergency. He asked the Council members for a conflict of interest and after hearing no comments he provided the process opened the floor for staff presentation.

1 CP Justin presented the Council report. He indicated the ordinance would amend Toledo Municipal  
2 Code (TMC) Sections 17.04.020(B), 17.08.090(D), 17.12.040(A), 17.12.060 and TMC Section  
3 17.44.030(A)(7) would be adopted as proposed. He indicated the Planning Commission held two  
4 work sessions and one public hearing in regards to this issue. He said SB1051 was adopted by the  
5 state in 2017 and required Accessory Dwelling Units (ADU) in cities larger than 2,500, which  
6 ADUs already existed in Toledo at that time and no action was required. He said HB2001 was  
7 adopted in 2019 by the state, which clarified a portion of SB1051 in regards to owner occupancy  
8 and parking. He referenced the staff report and reviewed the criteria and staff findings on page 6  
9 of the staff report. He said at the time of writing the planning Commission report staff did not  
10 receive any comments from state agencies, however there were comments received by Department  
11 of Land Conservation and Development (DLCDD) since then, which were included in the packet.  
12 He highlighted Article 10, housing goal 1. He referred to page 24 of the packet, Attachment A and  
13 reviewed the proposed text amendments. He noted the size requirement would change from 'not  
14 to exceed 850 square feet of floor area or 80% of the primary dwelling's floor area, whichever is  
15 smaller'. He said the R-G zone includes a lot size requirement and it is being updated to add the  
16 word 'multifamily'. He said two comments were received before the Planning Commission  
17 meeting from a property owner in the City and Central Lincoln PUD. He said the Planning  
18 Commission recommended the City Council adopt the proposed text amendments. He said the  
19 comments received from DLCDD were in regards to the design standards such as paint color,  
20 materials, etc. because the standards should be clear and objective.

21  
22 **Public Comment:**

23 Shawn Robinson 2500 Del Rio Court, Albany, OR but owns property at 295 NE Beech Street  
24 addressed the Council. He said he could not find property in Oregon that allowed two houses on  
25 the property and learned that more than one house were allowed only through medical hardship.  
26 He indicated diversity in housing is greatly needed and stated he supports ADUs and said a  
27 property owner should be able to do what they want with their property.

28  
29 Mayor Cross closed the public hearing at 7:27 p.m.

30  
31 The Council asked clarification questions in regards to the parking regulations and manufactured  
32 housing. CP Peterson indicated most manufactured houses have a greater square footage than an  
33 ADU. The Council asked if tiny homes were considered an ADU. CP Justin said if a unit or tiny  
34 home on wheels and mobile, they would have to be located within an RV park.

35  
36 **Motion** – It was moved and seconded (Dalbey/Kamikawa) to approve the proposed amendment  
37 to the Toledo Municipal Code based on the testimony received, the findings within the staff report,  
38 and the evidence and arguments before the City Council at the public hearing on February 5, 2020.  
39 The City Council determines that the request by the City of Toledo (ZOA-1-19) to amend Sections  
40 §17.04.020(B), §17.08.090(D), §17.12.040(A), §17.12.060, and repeal §17.44.030(A)(7), of the  
41 Toledo Municipal Code, complies with the criteria identified in TMC 19.20.070(A)-(D) as stated  
42 in the findings contained in the Staff Report. The City Council hereby adopts the staff report as  
43 findings and the other evidence in the record as findings supporting its decision and approves  
44 application ZOA-1-19. In addition, I move to adopt Ordinance No 1381," [by reading by title only,  
45 twice]: "AN ORDINANCE AMENDING ORDINANCE 1286 (TOLEDO MUNICIPAL CODE  
46 TITLE 17) TO REVISE THE DEFINITIONS, SINGLE-FAMILY RESIDENTIAL ZONE,

1 GENERAL RESIDENTIAL ZONE, AND OFF-STREET PARKING AND LOADING  
2 CHAPTERS, AND DECLARING AN EMERGENCY.” The motion carried unanimously.

3  
4 **Continued Public Hearing in regards to the disposition and sale of City property; the  
5 Toledo Industrial Park**

6 Mayor Cross opened the public hearing at 7:49 p.m. and asked for any additional public testimony.

7  
8 After hearing no comments, Mayor Cross closed the public hearing at 7:50 p.m.

9  
10 The Council recessed the Regular Meeting at 7:50 p.m. to enter into an Executive Session under  
11 ORS 192.660(e) or ORS 192.660(f).

12  
13 **EXECUTIVE SESSION**

14 Mayor Cross called the Executive Session to order at 7:50 p.m. and read the declaration of  
15 Executive Session under the provisions of ORS 192.660(e) To conduct deliberations with persons  
16 designated by the governing body to negotiate real property transactions and ORS 192.660(2)(f)  
17 To consider information or records that are exempt by law from public inspection.

18  
19 Representatives of the news media and designated staff shall be allowed to attend the executive  
20 session. All other members of the audience are asked to leave the room. Representatives of the  
21 news media are specifically directed not to report on any of the deliberations except to state the  
22 general subject of the session as previously announced. No final decisions may be made in  
23 Executive Session.

24  
25

Present	Absent	
<u>    X    </u>		<u>Mayor Rod Cross</u>
	<u>    X    </u>	<u>Council President Joshua Smith</u>
<u>    X    </u>		<u>Councilor Jackie Kauffman</u>
	<u>    X    </u>	<u>Councilor Heather Jukich</u>
<u>    X    </u>		<u>Councilor Bill Dalbey</u>
<u>    X    </u>		<u>Councilor Stu Strom</u>
<u>    X    </u>		<u>Councilor Betty Kamikawa</u>

26  
27  
28 Staff Present: City Manager Hare, City Attorney Robinson and City Recorder Figueroa

29  
30 No decisions were made in Executive Session.

31  
32 **ADJOURNMENT**

33 The Executive Session adjourned at 8:26 p.m.

34  
35 **6. RECONVENE REGULAR MEETING**

36 The Council reconvened the meeting at 8:27 p.m.

1 There was a consensus of the Council to direct staff to accept offers with long term detailed plans.  
2 CM Hare indicated he would communicate the information with the two interested parties and CA  
3 Robinson noted he would contact the Department of Transportation.  
4

5 **7. DECISION ITEMS**

6 **Request approval to extend City Manager contract for 60 days**

7 CA Robinson provided the Council report.  
8

9 **Motion** – It was moved and seconded (Cross/Kamikawa) to extend the City Manager Pro Tem  
10 contract for up to 60 days and the motion carried unanimously.  
11

12 The Council recessed into Executive Session at 8:34 p.m.  
13

14 **EXECUTIVE SESSION**

15 Mayor Cross called the Executive Session to order at 8:35 p.m. and read the declaration of  
16 Executive Session under the provisions of ORS 192.660(2)(a) To consider the employment of a  
17 public officer, employee, staff member or individual agent.  
18

19 Representatives of the news media and designated staff shall be allowed to attend the executive  
20 session. All other members of the audience are asked to leave the room. Representatives of the  
21 news media are specifically directed not to report on any of the deliberations except to state the  
22 general subject of the session as previously announced. No final decisions may be made in  
23 Executive Session.  
24

Present	Absent	
X		Mayor Rod Cross
	X	Council President Joshua Smith
X		Councilor Jackie Kauffman
	X	Councilor Heather Jukich
X		Councilor Bill Dalbey
X		Councilor Stu Strom
X		Councilor Betty Kamikawa

25  
26 Staff Present: City Manager Hare, City Attorney Robinson and City Recorder Figueroa  
27

28 No decisions were made in Executive Session.  
29

30 **ADJOURNMENT**

31 The Executive Session adjourned at 9:20 p.m.  
32

33 **8. RECONVENE REGULAR MEETING**

34 The Council reconvened the meeting at 9:20 p.m.  
35

36 Mayor Cross announced the Council will interview five applicants for the City Manager position,  
37 there will be a meet and greet at the Library on February 18 at 7:00 p.m.  
38

1 **9. REPORTS AND COMMENTS**

2 CR Figueroa noted the Council will meet in the Joint Session with the Port of Toledo Commission  
3 hosted by the Port Commission at the Port offices on Wednesday, February 12 at 5:30 p.m.  
4

5 Councilor Strom said he attended a Town Hall for Congressman Schrader and they discussed  
6 housing and water issues. He noted he attended the Pool District meeting and they are in the  
7 process of preparing their budget. They are trying to get a swim team sanctioned but there is a  
8 problem with securing transportation for kids afterschool to the pool. He inquired about a truck  
9 that has been parked across from Timbers Restaurant for several months, which has exceeded the  
10 72 hour notice.

11  
12 Councilor Kamikawa noted the Commons at the fairgrounds will be removed and there is no plan  
13 for a homeless shelter or farmers market at the fairgrounds.  
14

15 Mayor Cross commented on the parking safety zones and suggested Council revisit the issue. He  
16 thanked the local Fire Departments for their mutual aid on a recent house fire on Beech St. He said  
17 he will meet with Representative Gomberg at the Capital and he may speak about the fishing  
18 industry. They set a threshold at 19 counties, all it takes is for the County Commission to say they  
19 want to do it.  
20

21 **10. ADJOURNMENT**

22 The meeting adjourned at 9:44 p.m.  
23

24 ATTEST:

APPROVE:

25  
26  
27  
28 \_\_\_\_\_  
City Recorder Lisa Figueroa

\_\_\_\_\_  
Mayor Rod Cross

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

	<b>Meeting Date:</b>	<b>Agenda Topic:</b>
	May 20, 2020	Resolution No. 1439, A resolution to receive the 2018-2019 Financial Audit
<b>Council Goal:</b>	<b>Agenda Type:</b>	
Be fiscally responsible and maximize available revenue.	Consent Agenda	
<b>Prepared by:</b>	<b>Reviewed by:</b>	<b>Approved by:</b>
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

**Recommendation:**

Motion to adopt Resolution No. 1439, A Resolution of the Toledo City Council to receive the 2018-2019 Financial Audit as presented by Hanford & Associates.

**Background:**

The City of Toledo is required by law to have a Financial Audit done every year and filed with the Secretary of State. Recently the legislature passed regulation that requires acknowledgement of receipt and review of the Audit by the Governing Body when there are “findings.” Although the only finding that was identified by the auditor is that we didn’t draft our own financial statements. This is common in small cities where there isn’t adequate staff to take on a project of this complexity.

The Resolution provides the documentation to the Secretary of State that the Council is aware of the situation and has accepted the associated risk. A copy of the resolution will be forwarded to the Secretary upon signature by the mayor.

<b>Fiscal Impact:</b>	<b>Fiscal Year:</b>	<b>GL Number:</b>
N/A	2019-2020	N/A

**Attachment:**

1. Resolution No. 1439

**CITY OF TOLEDO  
RESOLUTION NO. 1439**

**A RESOLUTION OF THE TOLEDO CITY COUNCIL TO RECEIVE THE 2018-2019 FINANCIAL AUDIT AS PRESENTED BY HANFORD & ASSOCIATES**

**WHEREAS**, the City of Toledo City Council has received and reviewed the Financial Audit for the Fiscal Year 2018-2019 from the City Auditors; and

**WHEREAS**, the Secretary of State of Oregon requires confirmation that the governing body is aware of any audit findings and has taken corrective action: and

**WHEREAS** one finding of significant deficiencies was identified because the City did not draft the financial statements but asked Hanford & Associates to draft them.

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

- Section 1. To confirm the receipt and review of the Fiscal Year 2018-2019 Financial Audit.
- Section 2. To choose to accept responsibility for the risks and deficiencies noted by the auditor and not take corrective action. It is common for small cities to not have adequate staff to draft financial statements.

This Resolution shall be effective upon passage by the City Council this 20th day of May 2020.

APPROVED:

---

Mayor Rod Cross

ATTEST:

---

City Recorder Lisa Figueroa

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

	<b>Meeting Date:</b>	<b>Agenda Topic:</b>
	May 20, 2020	Consideration of annual Liquor License renewals
<b>Council Goal:</b>	<b>Agenda Type:</b>	
Maintain and enhance characteristics that assure Toledo is a good place to be.	Consent Agenda	
<b>Prepared by:</b>	<b>Reviewed by:</b>	<b>Approved by:</b>
City Recorder L. Figueroa	City Manager Judy Richter	City Manager Judy Richter

**Recommendation:**

Staff makes no recommendation. Council may make a motion to waive recommendation or denial based on information below.

**Background:**

Each year the City receives a list of businesses within Toledo that hold liquor licenses, which are issued by the Oregon Liquor Control Commission (OLCC). The businesses included on the list [Attachment 1] are eligible for renewal and OLCC provides local jurisdictions an opportunity to comment in regards to the renewal of each license.

This year, the OLCC extended the renewal application timeline and payment to local jurisdictions deadline to July 30, 2020 for businesses to renew their license. Only two of the businesses listed have paid the renewal fee to the City thus far. The Police Department reviewed the list and found no serious issues with any of the establishments. Staff makes no recommendation.

The City Council recommendations include:

- Do nothing (OLCC will process the renewal application as a favorable recommendation)
- Recommend denial, stating grounds for an unfavorable recommendation (must meet denial criteria)
- Make a written request for additional time to complete an investigation, which must state the City is considering an unfavorable recommendation and the specific grounds being considered

<b>Fiscal Impact:</b>	<b>Fiscal Year:</b>	<b>GL Number:</b>
N/A	2019-2020	N/A

**Attachment:**

1. OLCC renewal list

<u>License No./ Premises No.</u>	<u>Tradename/Licensee/License Type</u>	<u>Premises Address &amp; Phone</u>	<u>Premises Mailing Address</u>
Lic. 293162 Prem. 58629	<b>COBBLESTONE PIZZA CO</b> COBBLESTONE PIZZA CO LLC L - LIMITED ON-PREMISES SALES	300 S MAIN ST TOLEDO, OR 97391 541-336-2663	
Lic. 295904 Prem. 3739	<b>EAGLES LODGE #2219 YAQUINA</b> EAGLES LODGE #2219 YAQUINA F-CLU - FULL ON-PREMISES SALES	161 S 2ND ST TOLEDO, OR 97391 541-444-2769	PO BOX 266 TOLEDO, OR 97391
Lic. 293484 Prem. 3740	<b>ELKS LODGE #1664 TOLEDO</b> ELKS LODGE #1664 TOLEDO F-CLU - FULL ON-PREMISES SALES	123 S ALDER ST TOLEDO, OR 97391 541-265-4246	
Lic. 301354 Prem. 25043	<b>HOLY TOLEDO TAVERN &amp; SPIRITS</b> JAMIE L. LAMB O - OFF-PREMISES SALES	155, 163, 179 N MAIN ST TOLEDO, OR 97391 541-336-4000	155 N MAIN ST TOLEDO, OR 97391
Lic. 301355 Prem. 25043	<b>HOLY TOLEDO TAVERN &amp; SPIRITS</b> JAMIE L. LAMB L - LIMITED ON-PREMISES SALES	155, 163, 179 N MAIN ST TOLEDO, OR 97391 541-336-4000	155 N MAIN ST TOLEDO, OR 97391
Lic. 301356 Prem. 25043	<b>HOLY TOLEDO TAVERN &amp; SPIRITS</b> JAMIE L. LAMB F-COM - FULL ON-PREMISES SALES	155, 163, 179 N MAIN ST TOLEDO, OR 97391 541-336-4000	155 N MAIN ST TOLEDO, OR 97391
Lic. 294043 Prem. 4872	<b>JC MARKET</b> JC MARKET OF TOLEDO INC O - OFF-PREMISES SALES	336 E HWY 20 TOLEDO, OR 97391 541-336-5137	
Lic. 294435 Prem. 17241	<b>MIKE'S DOLLAR STORE &amp; MORE</b> MIKE'S MERCANTILE CO O - OFF-PREMISES SALES	722 W HWY 20 TOLEDO, OR 97391 541-336-2261	
Lic. 294333 Prem. 51467	<b>MUGGLY'S</b> MUGGLY'S LLC F-COM - FULL ON-PREMISES SALES	675 NW HWY 20 TOLEDO, OR 97391 541-265-3055	
Lic. 294974 Prem. 3741	<b>THE TIMBERS RESTAURANT</b> RICHARD C WOOD ENTERPRISES INC F-COM - FULL ON-PREMISES SALES	181 MAIN ST TOLEDO, OR 97391 541-336-3272	
Lic. 295326 Prem. 46636	<b>TOLEDO FOOD FAIR</b> TOLEDO FOOD FAIR #1 LLC O - OFF-PREMISES SALES	322 W HWY 20 TOLEDO, OR 97391 541-336-2232	1038 BROADWAY ST NE SALEM, OR 97301

Count for TOLEDO

11

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

	<b>Meeting Date:</b>	<b>Agenda Topic:</b>
	May 20, 2020	Accept the Lincoln County Board of Commissioners Order 5-20-136
<b>Council Goal:</b>	<b>Agenda Type:</b>	
Assure and provide services that protect the public.	Consent Agenda	
<b>Prepared by:</b>	<b>Reviewed by:</b>	<b>Approved by:</b>
City Recorder L. Figueroa	City Manager Judy Richter	City Manager Judy Richter

**Recommendation:**

Motion of the Council to accept Order 5-20-136 as adopted by the Lincoln County Board of Commissioners on May 14, 2020.

**Background:**

The Toledo City Council met with the Lincoln County (LC) Board of Commissioners and the City Councils of each LC city in a joint meeting on May 14, 2020 to consider a framework plan for reopening short term rentals and lodging properties as set forth in Order 5-20-136, Exhibit A [attached]. The Lincoln County Board of Commissioners requested concurrence from each city in regards to the Order in the form of a motion.

<b>Fiscal Impact:</b>	<b>Fiscal Year:</b>	<b>GL Number:</b>
N/A	2019-2020	N/A

**Attachment:**

1. Lincoln County Board of Commission Order 5-20-136

1 **BEFORE THE BOARD OF COMMISSIONERS**  
2 **FOR LINCOLN COUNTY, OREGON**

3  
4 In the Matter of )  
5 ) **ORDER NO. 5-20-136**  
6 *Modifying Order 4-20-118 Exercising Authority* )  
7 *to Act to Protect Lincoln County Citizens and Minimize* )  
8 *the Effects of the COVID-19 Emergency* )  
9

10  
11 WHEREAS Lincoln County, by Resolution dated March 13, 2020 and ratified and  
12 extended by the Board of Commissioners on March 18, 2020, and extended again by the  
13 Board of Commissioners on April 20, 2020 to May 8, 2020<sup>1</sup> declared an emergency in  
14 Lincoln County created by the COVID -19 pandemic crisis which is threatening citizens  
15 of Lincoln County<sup>2</sup>; and

16 WHEREAS by Order No. 3-23-85 dated March 23, 2020 Lincoln County with the  
17 concurrence of authorized personnel or the direct action of city councils for the Cities of  
18 Lincoln City, Depoe Bay, Newport<sup>3</sup>, Siletz, Toledo, Waldport, and Yachats adopted  
19 provisions limiting short term rentals (with exceptions) as set forth in the Order which by  
20 this reference is incorporated herein as if fully set forth; and

21 WHEREAS by Order No. 4-20-118 dated April 27, 2020 Lincoln County with the  
22 concurrence of authorized personnel or the direct action of city councils for the Cites of

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<sup>1</sup> Resolution # 20-18-3A, signed by Chair Jacobson on March 13, 2020, ratified by the full Board on March 18, 2020. Resolution # 20-18-3B adopted by the Board on March 18, 2020 extended the declaration through April 30, 2020. Resolution # 20-20-4B adopted on April 20, 2020 extended the declaration through May 8, 2020. By motion on April 27, 2020, the Board extended the declaration through May 31, 2020.

<sup>2</sup> The Declaration of an Emergency applies throughout Lincoln County since this health issue is not confined to specific geographic portions of the County but threatens county residents across the entire County. On March 11, 2020, the US Center for Disease Control (CDC) declared the threat pandemic in the US and cases have been reported in all 50 states.

<sup>3</sup> Newport adopted its own Order mirroring the County requirements, Newport Order 2020-01 adopted March 24, 2020.

1 Lincoln City, Depoe Bay, Newport, Siletz, Toledo, Waldport and Yachats extended the  
2 provisions limiting short term rentals in the original Order to May 31, 2020.<sup>4</sup>

3 WHEREAS the state of Oregon declaration of an emergency now continues through  
4 July 6, 2020 and Executive Orders issued by the Governor including those requiring social  
5 distancing, stay at home, closing certain businesses, and other responses to the COVID  
6 crisis are being reviewed, modified and amended. Restrictions on non-essential travel  
7 have not been changed as of the date this Order; and

8 WHEREAS the County has applied to the Governor of the State to reopen Lincoln  
9 County and move into Phase 1 of the Governor’s Plan to Reopen Oregon<sup>5</sup>; and

10 WHEREAS that Plan includes science driven requirements for phasing in the return  
11 of businesses for Oregon; and

12 WHEREAS while conditions which warranted the original action of the County and  
13 the Cities continue to be of concern in the County including the recommendations of the  
14 Local Public Health Administrator and Local Public Health Officer as set forth in Order  
15 3-23-85; the elected officials of the County wish to develop and enact a plan to restart  
16 county businesses including local lodging properties and short term rentals; and

17 WHEREAS pursuant to paragraph 2 of Order No. 4-20-118 it was recognized by the  
18 County and the Cities that the Order could be rescinded, extended, or modified; and

19 WHEREAS after discussion and consultation with the Cities at a joint public meeting  
20 of the County and Cities held on May 14, 2020, 3:00 pm the Board determined that it is  
21 necessary to modify the Order to establish a framework for reopening lodging and short  
22 term rentals over a period of time.

23 NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

- 24 1. That Order No. 4-20-118 is hereby modified beginning June 1, 2020 as follows:

---

<sup>4</sup> Waldport by separate action extended the Order to May 15, 2020 but is considering whether to further extend the Order on May 14, 2020.

<sup>5</sup> The application was approved on May 13, 2020 by the Governor. The Board of Commissioners by motion made and adopted at their meeting on May 14, 2020 entered into Phase 1 on May 15, 2020.  
Order # 5-20-136 Page 2 of 7

1 a. The framework plan for reopening short term rentals and lodging properties as  
2 set forth in the attached Exhibit “A” is hereby adopted to allow for the phased reopening of  
3 properties to rental which were prohibited from renting by Order No. 3-23-85 as extended  
4 by Order No. 4-20-118, both of which are incorporated herein as if fully set forth.

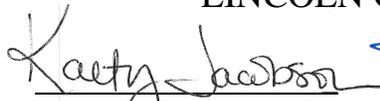
5 b. That this framework plan and this Order may be modified, rescinded or extended  
6 by authority of the Board of Commissioners in consultation with the Cities and Local Public  
7 Health Administrator as more information from the Governor on Phase 2 and 3 restrictions  
8 is developed. If so modified, a copy shall be provided to the Cities of Lincoln City, Depoe  
9 Bay, Newport, Toledo, Siletz, Waldport and Yachats.

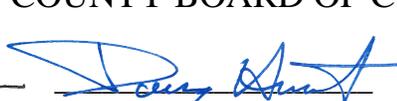
10 2. This Order was presented and concurred to by either authorized city personnel or  
11 the direct action of the City Councils of the City of Lincoln City and Yachats on May 14,  
12 2020 at a joint public meeting with the Board of Commissioners and therefore applies within  
13 the incorporated boundaries of those cities.<sup>6</sup> At any time, the City Council of any of these  
14 cities may opt by Council Action to rescind that concurrence, at which time the Order will  
15 have no effect within the boundaries of that city without necessity of any further action.

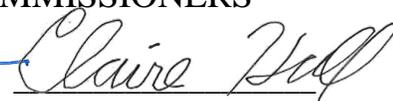
16 3. Copies of this Order shall be provided to Jenny Demaris, Emergency Manager,  
17 Wayne Belmont, County Counsel, and representatives of each of the cities listed above.

DATED: May 14, 2020

LINCOLN COUNTY BOARD OF COMMISSIONERS

  
Kaety Jacobson, Chair

  
Doug Hunt, Commissioner

  
Claire Hall, Commissioner

<sup>6</sup> The City of Newport concurred with restrictions in Exhibit “A” but voted to establish a reopening date of May 23, 2020. The City of Siletz later in the evening of May 14, 2020 voted to concur with the Order. The City of Waldport held a separate meeting and voted to extend Order #4-20-118 to May 22, 2020 but has taken no action on the restrictions, if any, beginning that date. The Cities of Depoe Bay and Toledo will take action, if any, next week.

Order # 5-20-136 Page 3 of 7

**Exhibit A**  
**Lincoln County**  
**and**  
**Cities of Yachats, Waldport, Newport, Depoe Bay, Lincoln City, Toledo, and Siletz**  
**Reopening Framework Plan for Short Term Rentals, Hotels/Motels, RV parks and**  
**Campgrounds**

**Lodging Reopens June 1, 2020<sup>1</sup>**

**Applicable Requirements for Lodging Properties including Hotels, Motels, Bed and Breakfasts, Homestays, Short Term Residences (STRs and aka Vacation Rental Dwellings, VRDs), RV Parks and Campgrounds to reopen on June 1, 2020:**

**Service Changes**

Hotels Motels

- Remote check in if available
- Alternative: curbside check in with conditions below
- Touch free check-in instituted
- Barrier in place at check in – i.e. plexiglass
- Hand sanitizer in lobby
- Owner/Employee wellness checks
  - Health questions and Temp checks – start of each day
- Breakfast
  - Grab and go / sealed items / room service
  - No public space consumption

STRS/VRDs

- Remote check in

RV PARKS / CAMPGROUNDS

- Remote check in or alternative as described above for Hotels/Motels

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<sup>1</sup> This framework plan is based on Lincoln County continuing to move forward to phases 1, 2 and 3 of the State of Oregon reopening plan. If there is a reemergence of COVID cases which requires reinstating restrictions on social distancing under state guidelines, the County and cities may revisit the original prohibitions. Note in Paragraph 2 of this Order and the associated footnote 6 that there are different operative dates and requirements for some cities.  
Order # 5-20-136 Page 4 of 7

## Signage

### Hotels Motels

- Covid health sign at entrances and check in. Sign templates to be provided.
- Public spaces closed (more detailed designation - - no public in pools, spas, gyms, lounges or seating areas) all cordoned off and signed appropriately)

### STRs/VRDs, Homeshares and Bed and Breakfasts

- Covid health signage posted on front entrance. Sign templates to be provided.

## Restrictions

### Hotels Motels

- Owners/Employees required to wear face covering when in public areas when in presence of guests
- Guests encouraged to wear face covering in public places while in town per State of Oregon's guidance (Template language to be provided)
  - Communicated prior to arrival – electronically and via phone
- No stayover guest room service (daily room cleaning for multiple day stays)
- Pools, spas, gyms and any other recreational amenities stay closed unless otherwise authorized by the state
- A minimum 24 hours hold be maintained between check out and the time the room is cleaned and put out for rental again
- Staff must be able to maintain social distance from each other in work stations and meet all other business guidelines as set by the state or local health authority

### STRs/VRDs, Homeshares and Bed and Breakfasts

- Owners/Employees required to wear face covering at all times when in presence of guests
- Guests required to wear a face covering when in shared spaces in Homeshares and Bed and Breakfasts-and encouraged to wear while in public via State of Oregon guidance
  - Communicated prior to arrival – electronically and via phone
- A minimum 24 hours hold be maintained between check out and the time the room is cleaned and put out for rental again
- Bed and Breakfasts and Homestays, no communal meals.

## Housekeeping Minimums for Both STRs/VRDs and Hotels

- Use of CDC/EPA approved disinfectant
  - Sanitizing all high touch items in guest rooms
    - Door handles, elevator buttons...
  - Gloves for housekeepers

Order # 5-20-136 Page 5 of 7

Office of Lincoln County Legal Counsel  
225 West Olive Street, Room 110  
Newport, Oregon 97365  
(541) 265-4108

- Linen washed with approved disinfectant chemicals at correct temperatures
- Removal of paper products
  - Any required items are laminated and cleaned or replaced
- Hair dryers removed from bag
  - Dryer cleaned at each checkout
- All unused linen and terry are removed and exchanged

**Required clean up if Guest is suspected of having COVID 19 (positive, presumptive or symptomatic) for all lodging properties and types**

- Clean room in accordance with OHA guidelines. Current guidelines shown in link below:  
<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2288y.pdf>

**RV Parks and Campgrounds**

- RV parks and Campgrounds
  - all group and public areas closed
  - camping allowed except no group tent camping in this phase
  - restrooms cleaned in accordance with state guidance; patrons bring own soap, hand sanitizer and toilet paper
  - check in and check out contact free
- Employees required to wear face covering at all times when in public areas when guests are present
- Guests encouraged to wear face coverings while in town per State of Oregon’s guidance (Template language to be provided)
  - Communicated prior to arrival

**Phase 2**

- Leisure travel resumes based on Phase 2 requirements – unless this changes
- Limitations on number of nights and occupancy lifted but cleaning practices remain except 24 hour minimum between cleaning
- Limitations on grouping (up to 50 persons and conferences)
  - Pools, spas other amenities open with appropriate restrictions

**Phase 3**

- Limitations lifted except for state law requirements including but not limited to group size limitations (may apply to conferences, meetings, events, etc.)

**Each establishment that will reopen shall submit a plan detailing how they will meet the minimum requirements established in this Order. The plans will be sent to the respective jurisdictions via email at the addresses below. Failure to adhere to the plan shall be grounds for revocation of permission to open and may subject owner/operator to other remedies available under state and local law.**

**Lincoln County's website for submitting a plan is found at:**

<https://www.co.lincoln.or.us/boc/page/lodging-reopen-application>

**Detailed information and application forms, and links to City processes will be posted on this website as developed.**

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

	<b>Meeting Date:</b>	<b>Agenda Topic:</b>
	May 20, 2020	Approve Contract with Dyer Partnership for engineering services for Arcadia & Spruce Street Improvements
<b>Council Goal:</b>	<b>Agenda Type:</b>	
Maintain and improve public infrastructure and facilities.	Decision Items	
<b>Prepared by:</b>	<b>Reviewed by:</b>	<b>Approved by:</b>
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

**Recommendation:**

Motion to approve Amendment No. 2 to Task Order No.4 City of Toledo, Arcadia & Spruce Street Improvements Project and authorize the City Manager to execute the contract with Dyer Partnership for \$53,090.

**Background:**

The City of Toledo has received two Small City Allotments grants totaling \$150,000 for overlay of Spruce and Arcadia Streets. In preparation for the overlay work, water and sewer lines require replacement on NW Spruce Street. This contract with Dyer Partnership is to provide engineering design, project bidding and management services for the water and sewer line replacement. It is critical to get the bids out as quickly as possible to take advantage of the summer season to complete the water/sewer line replacement phase of the project. If the first phase of the project can be completed quickly, then possibly the overlay can be completed in the fall. Otherwise, it can be ready for bid early next spring. All of these projects and costs are included in the 2020-2021 Budget.

<b>Fiscal Impact:</b>	<b>Fiscal Year:</b>	<b>GL Number:</b>
\$53.090	2019-2020	041-410-620520 or 042-420-600420

**Attachment:**

1. Amendment No 2 to Task Order No. 4 City of Toledo, Arcadia & Spruce Street Improvements Projects

**Amendment No. 2 to Task Order No. 4**  
**City of Toledo**  
**Arcadia and Spruce Street Improvements Project**

**SCOPE OF SERVICES**

In conjunction with the Arcadia and Spruce Street Improvements Project, the City has requested that The Dyer Partnership Engineers & Planners (Dyer) provide design, bidding and construction management services for the replacement of water and sewer lines on NW Spruce St.

Dyer will provide design plans and technical specifications to cover this additional construction phase and incorporate these items into the Arcadia and Spruce Street Improvements Project document set. The water and sewer phase will be advertised for bids as part of the street reconstruction and overlay phases on Arcadia and Spruce Streets. Construction management services will be expanded to cover the installation of the water and sewer lines. Survey work to obtain field data, complete easement requirements and descriptions for crossing private property, and construction staking has also been included for the water and sewer line construction phase.

The preliminary cost estimate previously provided and engineering man-hours for this additional work (attached) are based on the replacement of approximately 1,500 linear feet of 6-inch water line and 360 linear feet of 8-inch sewer line.

The Engineer will be responsible for the following tasks:

**Task 1 – Water and Sewer Line Replacements**

- Project setup and management.
- Review of the project site.
- Complete topographic survey of Spruce St. to establish right-of-way and utility locations.
- Design meetings and coordination with City Staff.
- Prepare design plans for City review and comment.
- Prepare technical specifications for City review and comment.
- Provide estimated costs for construction and an estimated timeline for construction.
- Prepare and submit final construction documents to City.
- Expand bidding services to include the water and sewer line replacement phase.
- Expand construction management to include the water and sewer line replacement phase.
- Review/prepare easement descriptions for water line crossing private property.
- Provide construction staking for water and sewer line construction.

**PROPOSED FEE**

Services will be performed and billed on a time and materials basis. The fee for these services is a not to exceed maximum of \$53,090, including all professional services and reimbursable expenses.

**PAYMENT METHOD**

Monthly progress payments based on work completed.

**WORK PRODUCT**

Three paper copies and one electronic copy of the final plans and specifications.

**SERVICES NOT INCLUDED**

- City to Pay Advertising Expense
- County Pre and Post Construction Surveys
- Sidewalk and Storm Drainage Design
- Permits, if required

City of Toledo

The Dyer Partnership  
Engineers & Planners, Inc.

\_\_\_\_\_  
Judy Richter,  
City Manager

\_\_\_\_\_  
Steve Major, PE,  
President

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

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

CITY OF TOLEDO										
ARCADIA & SPRUCE STREET IMPROVEMENTS - AMENDMENT NO. 2										
ATTACHMENT A - MAN HOURS AND COSTS										
DATE: 30-Apr-20		PROJECT No: 199.04								
TASK	DESCRIPTION	MAN HOURS							SURVEY CREW	CLER
		PRINC MNGR	PROJ MNGR	PROJ ENGR	ENGR TECH	INSP	DRFR			
<b>1</b>	<b>Spruce Street NW - Water and Sewer Replacement</b>									
	A. Project Setup and management	2	8		2					
	B. Site Visit		8		8					
	C. Meetings and Coordination with City Staff		4		2					
	D. Project Plans	2	24		60		32			
	E. Technical Specifications	2	8		16				4	
	F. Cost Estimate	2	2		4					
	G. Additional Bid Period Services		4		4				2	
	H. Additional Construction Management		24		32		4		2	
	<b>TOTAL ESTIMATED HOURS</b>	<b>8</b>	<b>82</b>	<b>0</b>	<b>128</b>	<b>0</b>	<b>36</b>	<b>0</b>	<b>8</b>	
MATERIAL COSTS		DESCRIPTION OR UNIT					QUANTITY	UNIT COST	TOTAL COST	
	PRINTING (Construction)	Copies							\$0	
	PHOTOGRAPHS	Each							\$0	
	PLAN & SPECIFICATION SETS	Copies					6	100	\$600	
	<b>TOTAL MATERIAL COSTS</b>								<b>\$600</b>	
TRAVEL AND PER DIEM		DETAIL					QUANTITY	UNIT COST	TOTAL COST	
	MILEAGE						200	0.56	\$112	
	COMMERCIAL						0	1	\$0	
	PER DIEM						0	51	\$0	
	LODGING						0	130	\$0	
	<b>TOTAL TRAVEL AND PER DIEM</b>								<b>\$100</b>	
OTHER SIGNIFICANT COSTS		DETAIL					UNIT COST	TOTAL COST		
	Route Survey								9,886	
	Easement Descriptions & Maps								7,200	
	Construction Stakeout								7,305	
	<b>TOTAL OTHER SIGNIFICANT COSTS</b>								<b>\$24,391</b>	

CITY OF TOLEDO										
ARCADIA & SPRUCE STREET IMPROVEMENTS - AMENDMENT NO. 2										
MAN HOURS AND COSTS										
SUMMARY										
BREAKDOWN OF PROPOSED FEE										
DATE: 30-Apr-20		PROJECT NO.: 199.04								
DIRECT LABOR COSTS:					SUBTASK BREAKDOWN:					
	PRINCIPAL/MANAGER	140.00	8	1,120	A	\$1,520				
	PROJECT MANAGER	130.00	82	10,660	B	\$1,840				
	PROJECT ENGINEER	120.00	0	0	C	\$720				
	ENGINEER TECH	100.00	128	12,800	D	\$12,088				
	INSPECTOR	90.00	0	0	E	\$3,108				
	DRAFTER/CAD OPERATOR	84.00	36	3,024	F	\$940				
	SURVEY CREW	135.00	0	0	G	\$1,014				
	CLERICAL 1	47.00	8	376	H	\$6,750			<b>\$28,000</b>	
	<b>TOTAL DIRECT LABOR COSTS:</b>	<b>\$28,000</b>								
DIRECT PROJECT EXPENSES										
	A. MATERIAL COSTS (BREAKDOWN ATTACHED)				600					
	B. TRAVEL & PER DIEM (BREAKDOWN ATTACHED)				100					
	C. OTHER SIGNIFICANT COSTS				24,391					
	TOTAL OF: A THROUGH C				<u>\$25,091</u>					
	<b>TOTAL HOURLY LABOR &amp; EXPENSES NOT TO EXCEED MAXIMUM:</b>				<b>\$53,090</b>					

**CITY OF TOLEDO  
REQUEST FOR COUNCIL ACTION**

	<b>Meeting Date:</b>	<b>Agenda Topic:</b>
	May 20, 2020	Update on condition of stairway at 109-115 SE 1 <sup>st</sup> Street. Decision regarding appropriate action moving forward
<b>Council Goal:</b>	<b>Agenda Type:</b>	
Assure and provide services that protect the public.	Decision Items	
<b>Prepared by:</b>	<b>Reviewed by:</b>	<b>Approved by:</b>
City Manager J. Richter	City Manager Judy Richter	City Manager Judy Richter

**Recommendation:**

Motion to direct staff action with regard to unsafe stairway at 109-115 SE 1<sup>st</sup> Street.

**Background:**

This item was presented to Council on May 6, 2020. To allow for time to provide all notifications and publication requirements, a hearing date of June 3, 2020 was set. However, when Fire Department personnel went to post the notices for the hearing at the property, they found further deterioration of the stairway including at least one board that was broken.

Dennis Lowry, Structural Engineer from Waldport, OR was called to assess the situation and provide a report of what needed to be done. His recommendation was to have plywood installed immediately on the deck to prevent someone from falling through the boards. He is to provide a written report of immediate action to be taken and a recommendation for repair or replacement of the stairs.

Decision item is decide if this is the become a Summary Abatement under TMC 15.12.090

**15.12.090 - Summary abatement.**

The procedures of this chapter pertaining to council declaration of a dangerous building need not be followed where a building is unmistakably dangerous and imminently endangers human life or property. In that instance, the chief of the fire department, the fire marshal or the chief of police may proceed summarily to abate the building.

The issue with the Summary abatement is that it is not clear if the City can recover costs for any repairs made. Under TMC 15.12.030, including the hearing process, the City can file a lien against the property to recover costs.

<b>Fiscal Impact:</b>	<b>Fiscal Year:</b>	<b>GL Number:</b>
Unknown at this time	2019-2020	N/A

**1. Creative Design & Engineering report**

## Creative Design & Engineering

1417 Fircrest Way  
Waldport, OR 97394  
541-563-8515 office  
541-272-2908 cell

May 18, 2020

To: Greg Musil, Staff Captain, Toledo Fire Department  
Ref: Inspection for existing deck for units 109, 111, 113 & 115  
Located at SE 1<sup>st</sup> St, Toledo, OR

Mr. Musil,

On May 15, 2020 Creative Design & Engineering (CDE) performed a site inspection of the existing deck, handrail and stairway system to determine structural adequacy and overall occupant safe use of the existing deck system.

The deck is approximately 8 foot above pavement / concrete pad and serves as access and egress for the 4 apartments located above. The deck appears to be the only access from the apartments. No back-door access from the units was observed.

### Observations:

- The deck extends 4' beyond the wall of the apartment units, and is supported by a set of double 2x10 cantilevered beams at 4' centers. I was not able to observe the internal length of the cantilever support beams, since they are located in a covered attic space. The overall length of the deck / stairway is approximately 73 feet. Decking consists of 2X6 planks spanning 4'. Deck boards are a mixture of materials, with most planks being non pressure treated.
- Deck planks have severe wood rot, as observed from below. Moss and vegetation is growing on the underside of the deck planks along the full length of the deck.
- In several instances, deck planks have broken off from their end supports and are hanging free.
- The handrail system is not stable and deflects several inches when a moderate force is applied to the top rail. Oregon Structural Specialty Code latest edition, section 1607.8.1.1 requires the handrail to support a horizontal force of 200 lbs. The existing deck handrail does not comply with this requirement.

### Recommendations:

- 1) First priority
  - a. Install ½" plywood sheets over the existing deck planks, and secured to the deck planks with deck screws. The plywood sections should be placed end to end for the entire length of the deck / stairway area, ensuring that any open areas and weak spots are covered. This deck plywood operation should be installed soon, possible beginning Monday May 18, and be completed within a one day period.
- 2) Next Step

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- a. The existing deck structure, stairway area and handrail system should be demolished and a new deck system designed to conform to code required loads and details.
- b. The existing cantilevered 2x10 support beam system can remain in place. These beams are pressure treated, and are adequately supported by additional beams and posts located in the walls of the garage unit. Keep this support system in place and remove all the remaining deck planks, deck support transverse beams, handrail system and stairway support deck area.
- c. Construct a new deck using the existing support beams, along with new stairway area and new handrails.
- d. CDE will provide a deck drawing showing extent of demolition and new deck plan and structural details.
- e. During construction of the new deck, the existing stairway area and entry/exit stairs will need to be removed. During new construction, provide a means of access and egress by temporary means during the construction progress.

Thanks for the opportunity to work with you on this project. Please call with any questions or clarifications.

Dennis Lowrey

OR PE 16867



12/31/20

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# Memorandum

**To:** Chief Pace  
**From:** Tony Bour Code Enforcement Officer  
**CC:** City Manager  
**Date:** 5/18/20  
**Re:** April 2020 Monthly Report

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## Code Enforcement Report

2018 open cases  
2 Dilapidated Homes/ Junk  
All works in progress  
77 closed cases

2019 open cases  
7 Dilapidated Homes  
3 Junk  
1 Vehicle related  
5 Vegetation  
1 Commercial Tenant  
24 closed Cases

2020 open cases  
2 Dilapidated Structures  
1 Junk  
4 Animal Related  
2 Vehicle related  
16 closed