



City Hall – Council Chambers
206 N. Main Street
Toledo, Oregon 97391
6:00 p.m.

TOLEDO CITY COUNCIL
AMENDED AGENDA
Regular Meeting – also via Zoom Meeting Platform
January 17, 2024

Virtual Meeting: The City Council will hold the meeting for the City Council and staff in person as well as through the Zoom video meeting platform. The public is encouraged to attend the meeting electronically. Visit the meetings page on the city website for details including meeting login information.

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

1. **Call to Order, Pledge of Allegiance and roll call**
2. ****Resolution No. 1541, a resolution a resolution of the Toledo City Council ratifying the State of Emergency declared by the City Manager on January 14, 2024**
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 executive session held October 18, 2023 and the meetings held October 18 and October 25, 2023
5. **Discussion Items**
 - Discussion and consideration to pursue a ballot measure to the voters in the May primary election
 - Consideration to schedule discussions or appoint a task force committee to recommend updates to the Toledo City Charter for the 2024 general election
 - Begin review of City Council rules
6. **Decision Items**
 - Resolution No. 1538, a resolution authorizing an intergovernmental agreement with the Toledo Urban Renewal Agency for the provision of administrative and development services
 - Resolution No 1539, a resolution recognizing grant revenue and making appropriations for spending for Fiscal Year 2023-2024
 - Intergovernmental Agreement with the Greater Toledo Pool and Recreation District for planning of a Recreation Center

Comments submitted in advance are preferable. Comments may be submitted by e-mail at 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.

- Resolution No. 1540, a resolution supporting the Lincoln County Homeless Strategic Plan and granting the Lincoln County Homeless Response Advisory Board authority to execute the continued project administration for this strategy
- Ordinance No. 1416, an ordinance of the Toledo City Council amending the Toledo Municipal Code, Title 8, Health And Safety; creating Chapter 8.24, The Toledo Livability Code, repealing Chapter 15.12 and declaring an emergency
- Appoint members to the Cascades West Area Commission on Transportation


7. Reports and Comments

- Committee updates

8. Adjournment

Comments submitted in advance are preferable. Comments may be submitted by e-mail at 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.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Resolution No. 1541, a resolution ratifying the State of Emergency declared by the City Manager on January 14, 2024
Council Goal:	Agenda Type:	
Improve Emergency Preparedness	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Attorney M. Adams	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion to approve Resolution No. 1541, a resolution of the Toledo City Council ratifying the State of Emergency declared by the City Manager on January 14, 2024.

Background:

ORS 401.309 and Toledo Municipal Code (TMC) 2.40.050 provides authority for The City of Toledo to declare a state of emergency and City Manager Wiggins did such declaration on January 14, 2024 due to the winter ice storm and its impacts to our community. This declaration was issued until January 18, 2024.

Lincoln County declared the emergency on January 13, 2024 and currently the Governor of the Great State of Oregon is contemplating issuing a declaration of emergency recognizing Lincoln County.

Pursuant to TMC 2.40.060(A), the City Council must ratify the Emergency Program Director’s declaration within 7 days and may change the dates of the declaration as they see fit.

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

Attachment:

1. Resolution No. 1541
2. Public Announcement Declaring Emergency

**CITY OF TOLEDO
RESOLUTION NO. 1541**

A RESOLUTION OF THE TOLEDO CITY COUNCIL RATIFYING THE STATE OF EMERGENCY DECLARED BY THE CITY MANAGER ON JANUARY 14, 2024

WHEREAS, ORS 401.309 and Toledo Municipal Code (TMC) Chapter 2.40.050 provides authority for The City of Toledo to declare a state of emergency; and

WHEREAS, the City of Toledo declared a state of emergency due to the winter ice storm and its impacts to our community; and

WHEREAS, Lincoln County, Oregon declared a state of emergency; and

WHEREAS, the Governor of the State of Oregon is contemplating declaring a state-wide state of emergency; and

WHEREAS, the provisions of ORS 401.165 to 401.236 supersede the provisions of a local resolution to declare a local state of emergency when the Governor declares a state of emergency within any area in which such an ordinance or resolution applies; and

WHEREAS, the City Manager, as the Emergency Program Director, declared a state of emergency on January 14, 2024, retroactive to January 13, 2024 at noon, which will expire on January 18, 2024 at noon; and

WHEREAS, pursuant to TMC 2.40.060(A), the City Council must ratify the Emergency Program Director's declaration within 7 days; and

WHEREAS, this declaration can be extended by the City Council upon its ratification on January 17, 2024.

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

Section 1. The Toledo City Council ratifies the Emergency Program Director's declaration, dated January 14, 2024, declaring a local state of emergency in the City of Toledo as a result of the winter ice storm and its impacts to our community.

Section 2. The City Council adds the following specific emergency powers for the duration of the emergency period set forth in the declaration:

(a) All residents are encouraged to minimize travel and only travel as necessary, exercise caution around trees and broken branches, and avoid all downed power lines.

(b) A warming shelter, as needed, is located at St. John's Episcopal Church, 110 NE Alder St. in Toledo, starting at 6:00 p.m. until 8:00 a.m., but call to ensure it is open.

(c) All department heads, please invoice all bills belonging to the emergency under the project code ICESTORM24.

(c) As to Fire, Police and Public Works, if commandeering public assistance during the emergency, please track who, what, when and where for insurance purposes and have them submit receipts for fuel, damage to machinery, and time, to be eligible for state reimbursements; and

- (d) All non-essential city commissions, committees, task forces and city sponsored events are cancelled during the state of emergency; and
- (e) At the discretion of the Council, City Council Meetings may be cancelled, rescheduled, or nonessential agenda items removed and rescheduled.

Section 3. This Resolution shall be effective upon passage by the City Council this 17th day of January, 2024.

APPROVED:

ATTEST:

Mayor Rod Cross

City Recorder Lisa Figueroa

Sunday, January 14, 2024

--- FOR IMMEDIATE PUBLIC RELEASE ---

The City of Toledo has declared a state of emergency, retroactive to January 13, 2024 at noon, until January 18, 2024 at noon, due to the winter ice storm and its impacts to our community. This declaration can be extended by the City Council upon its ratification on January 17, 2024.

Both public and private property have suffered substantially from fallen trees and power outages. Many people in Toledo have been without power now for more than 24 hours. Trees have landed on buildings, vehicles and power lines causing safety concerns for all citizens and our employees.

Toledo Public works, Fire and Police Departments are tirelessly working and responding to many incidents around Toledo. The roads are hazardous and causing many accidents.

Many streets are closed or have restricted travel due to the danger from fallen trees and power lines. The Toledo Public Works Department is focusing on primary routes and dead-end streets for tree removal, but trees continue to break off and fall.

As the next few days progress, temperatures are expected to remain low and the wind should settle out. Additional trees and power lines are likely to continue to be a problem as we head into the next week.

Please minimize travel and only travel as necessary, exercise caution around trees and broken branches, and avoid all downed power lines. The situation remains dynamic, and precautions are essential for public safety.

TOLEDO CITY COUNCIL
EXECUTIVE SESSION
 October 18, 2023

1. EXECUTIVE SESSION

Mayor Rod Cross called the Executive Session to order at 5:24 p.m. electronically via Zoom in Toledo, Oregon. He read the declaration of meeting in Executive Session under the provisions of ORS 192.660(2)(f) To consider information or records that are exempt by law from public inspection and ORS.192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

Representatives of the news media and designated staff were allowed to attend the Executive Session. All other members of the audience were prohibited. Representatives of the news media were specifically directed not to report on any of the deliberations except to state the general subject of the session as previously announced.

Present	Absent	
X		Mayor Rod Cross
X		Council President Kim Bush
	X	Councilor Jackie Kauffman
X		Councilor Tracy Mix
		Councilor Frank Silvia
	X	Councilor Jackie Burns
X		Councilor Stu Strom
X		City Manager Doug Wiggins
X		Finance Director/Assistant City Manager Amanda Carey
X		City Recorder Lisa Figueroa
X		City Attorney Mike Adams
	X	Fire Chief Larry Robeson
	X	Police Chief Mike Pace
	X	Library Director Deborah Trusty
		Public Works Director - Vacant

No decisions were made in Executive Session.

2. ADJOURNMENT

The Executive Session adjourned at 5:45 p.m.

APPROVE:

ATTEST:

 Mayor Rod Cross

 City Recorder Lisa Figueroa

**TOLEDO CITY COUNCIL
REGULAR MEETING
October 18, 2023**

1. CALL TO ORDER

Mayor Rod Cross called the meeting to order at 6:00 p.m. also via Zoom in Toledo, Oregon.

Present	Absent	
X		Mayor Rod Cross
X		Council President (CP) Kim Bush
	X	Councilor Jackie Kauffman
X		Councilor Tracy Mix
X		Councilor Frank Silvia
X		Councilor Jackie Burns
X		Councilor Stu Strom

Staff present: City Manager (CM) Doug Wiggins, City Recorder (CR) Lisa Figueroa, Assistant City Manager (ACM) Amanda Carey, City Attorney (CA) Mike Adams, Police Chief (PC) Michael Pace, Finance Director (FD) Judy Richter; Library Director (LD) Deborah Trusty, Officer Tim Cross, Officer Conor Ringwald

2. PROCLAMATIONS/PRESENTATIONS

Presentation – Police Department

PC Pace provided a presentation and recognized Officer Ringwald with a lifesaving award. PC Pace introduced Tim Cross as a new officer and conducted the oath of office for Officer Cross.

Presentation – Yaquina Pacific Railroad Historical Society; Director Lisa Watson

Yaquina Pacific Railroad Historical Society Director Lisa Watson and Toledo Historical Society Treasurer Brenda Brown addressed the City Council. They informed the Council on how they contribute to promoting tourism for the City of Toledo through a Powerpoint. Ms. Watson indicated she is a certified trainer related to railroad safety. Ms. Brown said the History Center is open five days a week. Each organization commented on how they participate in community events and partnerships. They said both organizations had over 2,000 visitors last year. They stated in addition to their fundraising efforts, they typically receive money from the City’s Contributions Fund and Lincoln County (County) through the Transient Lodging Tax, however they received word that funding from the County will decrease next year.

The Council inquired whether the County has provided any explanation to the decrease in funding and Ms. Watson replied she met with the County Administrator, who commented they have to find money to continue funding. The Council provided suggestions of regional organizations each of the organizations could reach out to. The Council questioned if the organizations know what percentage of the operations was funded by private donations versus grants. The Council considered including an article in the City newsletter listing all the nonprofits within the City to promote donations. There was a consensus of the Council to have Mayor Cross draft a letter to the Lincoln County Board of Commissioners in regards to the issue.

1
2 **3. VISITORS/PUBLIC COMMENT**

3 Jim Chambers, citizen, commented on the City newsletter. He said the newsletter is very
4 informative and suggested they include a summary of the Council meetings as to provide more
5 information to the public.
6

7 **4. CONSENT AGENDA**

8 There were no items for consideration.
9

10 **5. DISCUSSION ITEMS**

11 There were no items for consideration.
12

13 **6. DECISION ITEMS**

14 **Letter of support request from the Economic Development Alliance of Lincoln County**

15 CM Wiggins provided the council report and referenced the e-mail in the Council packet. He said
16 they requested a letter of support from the Council for their program. He said Mr. Schuytema
17 provided a letter and if the Council approves the request, they can authorize the Mayor to sign on
18 behalf of the Council.
19

20 **Motion** – It was moved and seconded (Strom/Silvia) to direct the City Manager to draft a letter of
21 support for the Economic Development Alliance of Lincoln County and authorize Mayor Cross to
22 sign it and the motion carried unanimously.
23

24 **Resolution No. 1531, a resolution accepting and receiving grant funds from the Oregon State
25 Fire Marshall for wildfire response**

26 FD Richter provided the council report. She said this funding is similar to monies received from
27 the State Fire Marshall’s office during the previous wildfire season. She said it is \$35,000 and will
28 provide two extra people in the Fire Department during the summer months.
29

30 **Motion** – It was moved and seconded (Mix/Bush) to approve Resolution No 1531, A resolution
31 of the Toledo City Council accepting and receiving grant funds from the Oregon State Fire
32 Marshall for wildfire response and the motion carried unanimously.
33

34 **Resolution No 1532, A resolution recognizing grant revenue and making appropriations for
35 spending for Fiscal Year 2023-2024**

36 FD Richter delivered the council report. She said the Fire and Library Departments received
37 \$59,816.49 in grants this fiscal year. She indicated due to the unforeseen circumstance, a resolution
38 is needed to recognize those funds. She said after this resolution was prepared, the Library secured
39 another grant, which will require another resolution at the next meeting.
40

41 **Motion** – It was moved and seconded (Bush/Silvia) to adopt Resolution No. 1532 A Resolution
42 of the Toledo City Council recognizing grant revenue and make appropriations for spending for
43 the Fiscal Year 2023-2024.
44
45

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

4 CM Wiggins updated the Council and indicated a presentation was provided to the Council before
5 the new Councilors were appointed. He summarized the presentation and noted this will establish
6 Linn, Lincoln and Benton Counties as their own Continuum of Care in order to be federally
7 recognized.
8

9 **Motion** – It was moved and seconded (Mix/Bush) to approve Resolution No. 1533, a resolution in
10 support of establishing a continuum of care for the Linn, Benton, and Lincoln Counties region and
11 registering with the United States Department of Housing and Urban Development in 2024.
12

13 **A Memorandum of Agreement and appoint two City Councilors to a steering committee for**
14 **construction of a community center and refurbishment of the pool**

15 CA Adams provided the council report and referenced the packet materials. He said the Greater
16 Toledo Pool and Recreation District (District) is its own separate Taxing District. He said staff
17 requested two separate motions, the first is a Memorandum of Understanding (MOU) with the
18 District and the second is to appoint two Councilors to a steering committee for consideration of a
19 community center and the rehabilitation of the pool. He said this MOU is the first step in the
20 process and future items for Council consideration would possibly include Intergovernmental
21 Agreements with the District and the Urban Renewal Agency as well as a financial mechanism
22 such as a bond agreement.
23

24 **Motion** – It was moved and seconded (Strom/Bush) to approve a Memorandum of Agreement
25 with the Greater Toledo Pool and Recreation District, a Political Subdivision of the State and the
26 motion carried unanimously.
27

28 **Motion** – It was moved and seconded to appoint Mayor Cross and Council President Bush to a
29 steering committee with Councilor Silvia as an alternate that will meet with Greater Toledo Pool
30 and Recreation District representatives to bargain the project and act as City liaisons for the project
31 and the motion carried unanimously.
32

33 **Appoint a Council member(s) to local/regional committee vacancies as representatives of the**
34 **City of Toledo**

35 CM Wiggins updated the Council and indicated former Councilor Kamikawa served on several
36 committees, which will need to be filled and he reviewed the information in the packet. He
37 indicated he serves as the alternate to the committees. The Council discussed the schedules and
38 determined who could serve on the committees. After further discussion, there was a consensus of
39 the Council to appoint Councilor Burns to the Cascades West Area Commission on Transportation
40 Executive Committee and Councilor Strom to the Regional Solid Waste Advisory Committee.
41

42 **City Attorney Contract review**

43 Mayor Cross said the Council will increase the Attorney's salary by \$1,000/month, add a
44 \$300/month vehicle allowance and for this fiscal year; reduce their hours from 40 hours to 36
45 hours a week effective upon execution of the agreement.
46

1 **Motion** – It was moved and seconded (Bush/Silvia) to increase the City Attorney’s salary by
2 \$1,000/month, add a \$300/month vehicle allowance and for this fiscal year; reduce their hours
3 from 40 hours to 36 hours a week effective upon execution of the agreement and the motion carried
4 unanimously.
5

6 **7. REPORTS AND COMMENTS**

7 LD Trusty provided a department report to the Council. She commented on the idea of the
8 community center location near the library and encouraged the Council to consider the amount of
9 parking needed for mobility challenged individuals. There was discussion about possible scenarios
10 and the Council acknowledged her concern.
11

12 FD Richter indicated she began to review the final audit report.
13

14 CM Wiggins updated the Council on several activities. He said Community Outreach Specialist
15 Katy Keuter has moved on but will come back for one day to connect with ACM Carey. He said
16 the opening for the Public Works Director position has been posted and will close at the end of the
17 month. He said there was a larger water line break on Fir Street recently. He noted it would cost
18 \$70,000 to replace the asphalt and staff decided to replace the line, which may not occur until
19 March of next year.
20

21 Councilor Strom appreciated going to the League of Oregon Cities’ (LOC) annual conference. He
22 said it will informative to speak to leaders from other cities and see they have the same issues as
23 Toledo.
24

25 Councilor Mix said she was sorry to hear about the passing of Ed Johnston. She expressed
26 appreciation for those who stay involved and express their concerns regardless of whether or not
27 they agree with each other.
28

29 Councilor Silvia suggested the City of Toledo create a database of homeowners who are willing
30 to share their perimeter videos that capture any crimes with the Police Department, which is similar
31 to the City of Newport’s program. PC Pace replied it could be something the department could
32 look into.
33

34 CP Bush said there will be an upcoming meeting with Representative Gomberg to listen to the
35 homeowners from the Town Hall in regards to the homelessness issue in the City.
36

37 CP Bush also enjoyed the LOC’s annual conference.
38

39 Mayor Cross commented on the LOC conference as well and encouraged Councilors to attend next
40 year. He said there is consideration to propose reinstatement of federal revenue sharing, which
41 would provide funding directly to the cities. He said the current process is challenging and
42 cumbersome for smaller cities. There was discussion in regards to Council contacting staff on
43 matters that need to be addressed within the City.
44
45
46

1 **8. ADJOURNMENT**

2 The meeting adjourned at 8:45 p.m.

3

4 Approve:

Attest:

5

6

7

8 _____
Mayor Rod Cross

City Recorder Lisa Figueroa

DRAFT

**TOLEDO CITY COUNCIL
REGULAR MEETING
October 25, 2023**

1. CALL TO ORDER

Mayor Rod Cross called the meeting to order at 6:00 p.m. also via Zoom in Toledo, Oregon.

Present	Absent	
X		Mayor Rod Cross
X		Council President Kim Bush
X		Councilor Jackie Kauffman
	X	Councilor Tracy Mix
	X	Councilor Frank Silvia
X		Councilor Stu Strom
X		Councilor Jackie Burns

Staff present: City Manager (CM) Doug Wiggins, City Recorder (CR) Lisa Figueroa, City Attorney (CA) Mike Adams, Assistant City Manager (ACM) Amanda Carey, Police Chief (PC) Michael Pace, Fire Chief (FC) Larry Robeson, Library Director (LD) Deborah Trusty, Finance Director Judy Richter

2. PROCLAMATIONS/PRESENTATIONS

Proclamation – Arc of Benton County

Social Navigator Misha Marie addressed the Council. Ms. Marie said she is working with someone in Lincoln County as they establish an Arc of Lincoln County to provide services to the public. She presented information on the CommCard program, which is a communications tool for people with developmental disabilities. She said the cards can be personalized to include their home address, their advocate(s) contact information as well as lists ways others can connect with them when communicating such as; speak slowly, minimize noise and lights give them extra personal space, etc. She said the CommCard provides a way for people with developmental disabilities to ask for accommodations. The Council inquired whether there is an age restriction. Ms. Marie responded the age is 15 years and older, however a parent or guardian must be actively involved for anyone under the age of 18.

Victoria Basingwaithe, Board member spoke on behalf of the program. She said the Arc of Benton County has been supportive to Lincoln County as they establish their own program. The Council thanked Ms. Marie for the information. The Council thanked Ms. Marie for their presentation and inquired about having Commcards available for students in the freshman and sophomore level to enable more communication between students, schools and parents. PC Pace provided an example of his experience with the program and commended them for their efforts.

3. VISITORS/PUBLIC COMMENT

There were no comments.

1 **4. CONSENT AGENDA**

2 **Minutes from the regular meeting held August 2 and the Town Hall held on October 4, 2023**

3
4 **Motion** – It was moved and seconded (Strom/Burns) Minutes from the regular meeting held
5 August 2 and the Town Hall held on October 4, 2023 and the motion carried unanimously.
6

7 **5. DISCUSSION ITEMS**

8 There were no items for consideration.
9

10 **6. DECISION ITEMS**

11 **Letter to Lincoln County Board of Commissioners**

12 The Council reviewed the letter Mayor Cross drafted to the Lincoln County Board of
13 Commissioners on behalf of the Council as a follow up to the presentation they received from the
14 Yaquina Pacific Railroad Historical Society and the Toledo History Center in a previous meeting.
15 There were no corrections from the other Council members.
16

17 **Motion** – It was moved and seconded (Bush/Strom) to approve the letter as written to the Lincoln
18 County Board of Commissioners and the motion carried unanimously.
19

20 **City Attorney revised contract**

21 CM Wiggins said the contract includes all the provisions indicated by the Council in a previous
22 session. There were no additional comments from the Council.
23

24 **Motion** – It was moved and seconded (Burns/Kauffman) to approve the City Attorney contract
25 with the negotiated changes and authorizing Mayor Cross to sign the document.
26

27 **Resolution No 1534, a resolution recognizing grant revenue and making appropriations for**
28 **spending for Fiscal Year 2023-2024**

29 ACM Carey provided the council report and indicated the Library received a \$2,000 grant for the
30 umbrella parade. She said the resolution will recognize the funding received.
31

32 **Motion** – It was moved and seconded (Bush/Burns) to adopt Resolution No. 1534 A Resolution
33 of the Toledo City Council recognizing grant revenue and make appropriations for spending for
34 the Fiscal Year 2023-2024 and the motion carried unanimously.
35

36 **Resolution No. 1535, a resolution authorizing signers on the City bank accounts**

37 ACM Carey summarized the council report and said with the staffing changes the City needs to
38 update authorized signers on the City's bank accounts. She reviewed the names that would be
39 removed and added to the accounts.
40

41 **Motion** – It was moved and seconded (Bush/Strom) to approve Resolution 1535, a resolution
42 authorizing signers on the City bank accounts and the motion carried unanimously.
43
44
45
46

1 **Consideration to cancel upcoming City Council meeting(s)**

2 Mayor Cross presented the council report and referenced the upcoming holidays. There was a
3 consensus of the Council to cancel the work sessions in November and December due to their
4 proximity to the holidays.

5
6 **Appointing a Council member to the Toledo Chamber of Commerce Board of Directors**

7 The Council discussed who should be appointed and Councilor Strom volunteered to be on the
8 Chamber of Commerce Board. Following discussion, there was a consensus of the Council
9 consenting to Councilor Stu Strom serving on the Chamber of Commerce Board of Directors.

10
11 **7. REPORTS AND COMMENTS**

12 PC Pace indicated there will be two dispatchers graduating from the academy this month. He said
13 the department is in the midst of the background hiring process for police officers.

14
15 CA Adams thanked the Council for the revisions to his contract. The Council inquired whether the
16 City can control/amend the speed limit on a county road that is within city limits such as Sturdevant
17 Road. CA Adams responded he would have to research whether the City could change the speed
18 limit and report back to the Council. CM Wiggins noted the City would have to petition Lincoln
19 County for the change in speed, however with recent legislative changes, the process is much
20 easier. There was discussion in regards to the blind spots along the road and whether the City could
21 mitigate current and future traffic issues.

22
23 CM Wiggins reported Phase 2 of Mill Creek line is complete and in the spring a hydrant will be
24 added. He said staff tested it and the line has maintained adequate pressure with no leaks.

25
26 Councilor Stu said he attended a solid waste tour, which was very informative. He recommended
27 the City may want to consider rescinding their involvement with the maintenance because of the
28 increased mandates from the Department of Environmental Quality.

29
30 Councilor Burns commented on the City's ballot measure in the special election and inquired
31 whether there was more information available to the public. Staff indicated facts about the ballot
32 are available on the City website and were shared in the latest City newsletter. CA Adams noted
33 staff cannot advocate for citizens to vote because it is an ethics and conflict of interest issue;
34 however Council members [as elected officials] are allowed to advocate for the measure.

35
36 CP Bush commented on the meeting earlier this month with both Representative Gomberg and
37 Senator Anderson in regards to homelessness and camps within the City. She said they listened to
38 the citizens in attendance and there was discussion about designating a non-offensive
39 campground/space for unhoused individuals and the current laws that require cities to provide
40 sanitation facilities.

41
42 Mayor Cross reported Olalla Meadows, the 30 unit apartment complex has an opportunity to
43 receive funding and Blackberry Hill and the veteran 11 unit complex should be completed within
44 the next year. He commented on the need for additional housing within the City and the County.

1 **8. ADJOURNMENT**

2 The meeting adjourned at 7:35 p.m.

3

4 Approve:

Attest:

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8 _____
Mayor Rod Cross

City Recorder Lisa Figueroa

DRAFT

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Discussion and consideration to pursue a ballot measure to the voters in the May primary election
Council Goal:	Agenda Type:	
Not Applicable	Discussion Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Council may direct staff to consult with DA Davidson and bond counsel to prepare a resolution for approval.

Background:

The City Council submitted a ballot measure to the voters in the 2023 special election calling for a general obligation bond to make improvements to the Public Safety building and to replace the Ammons reservoir tank but the measure failed.

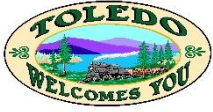
The Council indicated they would like to revisit the issue for consideration to present another measure to the voters in the May primary election. Jonas Biery of DA Davidson will be at the meeting to answer questions the Council may have. Staff seeks direction on whether they need to consult with the bond counsel to begin the ballot measure process, beginning with a resolution for the Council to approve at a February meeting.

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

Attachment:

None

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Consideration to schedule discussions or appoint a task force committee to recommend updates to the Toledo City Charter for the 2024 general election
Council Goal:	Agenda Type:	
Not Applicable	Discussion Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

To direct staff to make preparations for Council to appoint a charter review committee for Council approval.

Background:

The Council has had discussions recently regarding the possibility to update Toledo City Charter (Charter), which could include the consideration of compensation for Council members, procedural updates, adding gender neutral pronouns, etc. The Charter can only be revised by a vote of the electors. There will be a general election this year, which could include a Charter update to the voters.

There are no restrictions that prevent the City Council from reviewing and making the updates themselves, however it is more common for cities to appoint a task force committee that includes one or two citizens for a limited duration to discuss and recommend Charter changes to the Council before it goes to the voters. The discussion about updating the City Charter has circulated other cities as well and attached is a copy of an e-mail that outlines a recommended process.

If Council compensation is to be considered and approved by the voters, budgetary appropriations must be forecasted for fiscal year 2024-2025. Staff recommends the Council appoint a charter review committee comprising of no more than five individuals (for example, two Council members a citizen budget committee member and two citizens) to operate as a task force to review the charter and make a recommendation to the City Council.

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

Attachment:

1. Copy of the City Charter
2. Outline of recommended process for Charter update

**CHARTER
CITY OF TOLEDO, OREGON**

CHAPTER I NAME AND BOUNDARIES

Section 1 Title of Enactment. This enactment may be referred to as the Toledo Charter of 1993.

Section 2 Name of City. The municipality of Toledo, Lincoln County, Oregon, shall continue to be a municipal corporation with the name "City of Toledo."

Section 3 Boundaries. The City shall include all territory encompassed by its boundaries as they now exist or hereafter are modified pursuant to law. The custodian of City records shall keep an accurate, up-to-date description of the boundaries and make copies of this charter and the boundary descriptions available for public inspection.

CHAPTER II POWERS

Section 4 Powers of the City. Except that this charter provides otherwise, the City has all powers that the constitution, statutes, and common law of the United States and of this state expressly or impliedly grant or allow municipalities, as fully as though this charter specifically enumerated each of those powers.

Section 5 Construction of Powers. In this charter, no mention of a specific power is exclusive or restricts the authority that the City would have if the specific power were not mentioned. The charter shall be liberally construed, so that, within the limits imposed by the charter or the constitution or laws of the United States or the State of Oregon, the City has all powers necessary or convenient for conducting its affairs, including all powers that cities may now or hereafter assume under the home rule provisions of the constitution and laws of the State of Oregon. The powers are continuing powers.

CHAPTER III FORM OF GOVERNMENT

Section 6 Where Powers Vested. Except as this charter provides otherwise, all powers of the City are vested in the council.

Section 7 Council. The council shall be composed of a mayor and six councilors elected from the City at large.

Section 8 Councilors. The term of office of each councilor in office when this charter is adopted shall continue until the expiration of the term for which he or she was elected or appointed. At the first biennial general election after the adoption of this charter three councilors shall be elected for a term of four years, and such additional number shall be elected to fill unexpired terms as may be necessary to bring the number of elected councilors to six. Three councilors shall be elected biennially for a term of four years.

Section 9 Mayor. At each biennial general election a mayor shall be elected for a term of two years.

Section 10 Other Officers. The council shall appoint a city manager. Other additional officers of the City may be a city attorney, municipal judge, and other officers the council considers necessary, each of whom the council shall appoint any may remove by majority vote of all members of the council. The council may combine any two or more appointive offices, except the offices of city manager and municipal judge or city attorney and municipal judge. In such combination, the municipal judge shall not be subject in judicial functions to supervision by any other officer. The council shall supervise all officers appointed by the council, except as supervision may otherwise

be authorized by a majority of all members of council. For positions supervised by the council, except the city manager, job duties and responsibilities of such positions shall be established by a resolution adopted by the council.

Section 11 Salaries. The maximum compensation for the services of each city officer and employee shall be the amount fixed by the council.

Section 12 Qualifications of Officers.

(1) To be eligible for an elective city office, a person at the time of election must be a qualified elector within the meaning of the state constitution and have resided in the City during the twelve months immediately preceding the election. For purposes of this subsection, City means all area included in the incorporated limits as of the date of the election.

(2) No elective officeholder of this City may be employed by the City in a position that is not substantially volunteer in nature. Any question about whether employment is substantially volunteer in nature shall be made by the municipal court.

(3) No person may be a nominee for the office of mayor and councilor at the same election.

(4) Except as otherwise provided in subsection (2) of this section, the council is the final judge of the qualifications and election of its own members.

CHAPTER IV COUNCIL

Section 13 Meetings. The council shall hold a regular meeting at least twice a month in the City at a time and at a place that it designates. Other meetings of the council may be held, but only in accordance with procedures prescribed by the council. The council shall adopt rules for the government of its members and proceedings.

Section 14 Quorum. A majority of the incumbent members of the council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance.

Section 15 Record of Proceedings. A record of council proceedings shall be kept and authenticated in a manner prescribed by the council.

Section 16 Mayor's Functions at Council Meetings. The mayor shall preside over council deliberations and shall have a vote on all questions before the council. The mayor shall preserve order, enforce the rules of the council, and determine the order of business under the rules of the council.

Section 17 President of the Council. At its first meeting after this charter takes effect and thereafter at its first meeting of each odd-numbered year, the council shall elect a president from its membership. In the mayor's absence from a council meeting, the president shall preside. When the mayor is unable to perform the functions of the office, the president shall act as mayor.

Section 18 Vote Required. Except as this charter otherwise provides, the concurrence of a majority of members of the council voting when a quorum of the council is present shall decide any question before it.

CHAPTER V POWERS AND DUTIES OF OFFICERS

Section 19 Mayor. The mayor shall appoint the council committees provided by the rules of the council, shall sign all records of proceedings approved by the council, shall sign all ordinances passed by the council, and after the council approves a bond of a city officer or a bond for a license, contract or proposal, shall endorse the bond.

CHARTER - CITY OF TOLEDO, OREGON
CHAPTER V POWERS AND DUTIES OF OFFICERS

Section 20 City Manager.

- (1) Qualifications. The city manager:
 - (a) Shall be the administrative head of the city government.
 - (b) Shall be chosen by a majority vote of all members of the council without regard to political considerations and solely with reference to executive and administrative qualifications.
 - (c) Need not be a resident of the City or of the state at the time of appointment.
- (2) Before taking office, the manager shall give a bond in an amount and with such surety as in approved by the council. The premiums on the bond shall be paid by the City.
- (3) Term. The manager shall be appointed for an indefinite term and may be removed only by a majority vote of all members of the council. If a vacancy occurs in the office of manager after the first appointment under this charter, the council, at its next meeting, shall adopt a resolution of its intention to appoint another manager. The council shall appoint a manager to fill the vacancy as soon as practical, but in no case shall the office of city manager be left vacant for more than twelve months.
- (4) Powers and Duties. The manager shall:
 - (a) Attend all meetings of the council unless excused by the council or the mayor.
 - (b) Keep the council advised of the affairs and needs of the City.
 - (c) Make annual reports, or more frequently if requested by the council, about the affairs and departments of the City.
 - (d) Be responsible for the enforcement of all ordinances.
 - (e) See that all franchises, leases, contracts, permits and privileges granted by the City are observed.
 - (f) Appoint, discipline and remove personnel, except appointees of the mayor or council.
 - (g) Supervise and control the city manager's appointees in their service to the City.
 - (h) Organize and, as necessary, disband and reorganize the various city departments.
 - (i) Prepare the annual budget for transmittal to the council.
 - (j) Supervise all purchasing.
 - (k) Supervise the operation of all City-owned public utilities and City-owned property.
 - (l) Perform such other duties as the council directs.
- (5) The city manager may not supervise or regulate:
 - (a) The council.
 - (b) The Municipal Judge in the Judge's judicial functions.
 - (c) Except as the council authorizes, appointive personnel of the City whom the city manager does not appoint.
- (6) Seats at Council Meetings. The manager and other officers designated by the council are entitled to sit with the council but have no vote on questions before it. The manager may take part in all council discussions.
- (7) Manager Pro Tem. If the office of city manager becomes vacant, the council shall appoint a manager pro tem as soon as practical. If the city manager is temporarily absent from the City or temporarily disabled from

CHARTER - CITY OF TOLEDO, OREGON
CHAPTER V POWERS AND DUTIES OF OFFICERS

acting as manager, the council may appoint a manager pro tem. The appointment and removal of a manager pro tem shall be made by the majority of all members of the council. A manager pro tem shall possess the powers and duties of city manager, except that the manager pro tem may appoint or remove personnel only with the approval of the majority of all members of the council.

- (8) Interference in Administration and Elections. A member of the council shall not directly or indirectly, by suggestion or otherwise, attempt to influence the manager in making an appointment or in removal of an officer or employee or in purchasing supplies; or attempt to exact a promise relative to an appointment from any candidate for manager; or discuss directly or indirectly with the manager for the matter of specific appointments to any city office or employment. A violation of this subsection forfeits the office of the offending member of the council, who may be removed by the council or a court of competent jurisdiction. The council may, however, in open session, discuss with or suggest to the manager anything pertinent to City affairs or the interests of the City. Further, a councilor may, at time, request and receive information to which a private citizen is entitled.

Section 21 Municipal Court.

- (1) The municipal judge shall hold within the City a court known as the municipal court for the City of Toledo, Lincoln County, Oregon. The court shall be open for judicial business at times specified by the council. All area within the City and, as provided by law, territory outside the City, is within the territorial jurisdiction of the court. All proceedings of the municipal court are governed by the general laws of the state for justices of the peace and justice courts except as this charter or City ordinance prescribe to the contrary. The municipal court has original jurisdiction over all offenses defined and made punishable and over all actions to recover or enforce forfeiture or penalties defined or authorized by City ordinance.
- (2) A municipal judge may:
- (a) Render judgments and impose sanctions for enforcement of judgments on persons and property within its jurisdiction.
 - (b) Cause the arrest of a person accused of an offense against the City.
 - (c) Commit to jail pending trial a person accused of an offense against the City.
 - (d) Issue and compel obedience to subpoenas.
 - (e) Compel witnesses to appear and testify or jurors to serve in the trial of any cause before the municipal court.
 - (f) Punish witnesses and others for contempt of court.
 - (g) Issue any process necessary to carry into effect the judgment of the municipal court.
 - (h) Issue search warrants.
 - (i) Perform other judicial or quasi-judicial functions as the council prescribes by general ordinance.
- (3) The council may authorize the municipal judge to appoint municipal judges pro tem for terms of office set by the judge or the council.
- (4) Notwithstanding this section, the council may transfer some or all of the functions or the municipal court to an appropriate state court.

CHAPTER VI PERSONNEL

Section 22 Merit and Fitness and Employee Political Rights and Responsibilities.

(1) Subject to council approval, the city manager shall prescribe rules and procedures governing recruitment, selection, promotion, transfer, demotion, suspension, lay-off and dismissal of city employees on the basis of merit and fitness. Contrary provisions of contracts or collective bargaining agreements entered into by the City and applicable employees shall prevail over rules or procedures promulgated under authority of this section.

(2) The council, by ordinance, may affirm the rights of city employees to participate in political activities and may impose limits necessary to maintain orderly and effective operation of city government.

CHAPTER VII ELECTIONS

Section 23 Regulations of Elections Generally. Except as this charter provides otherwise and as the council provides otherwise by ordinance, the general laws of the state apply to city elections.

Section 24 Tie Votes. In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in a manner prescribed by the council.

Section 25 Commencement of Terms of Office. The term of office of a person elected to a city office at a regular city election commences at the first council meeting of the year immediately following the election.

Section 26 Oath of Office. Before commencing the duties of office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support for the constitutions and laws of the United States and the State of Oregon.

Section 27 Nominations. A person possessing the qualifications required by this charter may be nominated for an elective city office. The council, by general ordinance, shall prescribe the method and form of nomination.

CHAPTER VIII VACANCIES IN OFFICE

Section 28 Vacancies: Occurrence. The office of a member of the council becomes vacant:

- (1) Upon the incumbent's:
 - (a) Death,
 - (b) Adjudicated incompetence, or
 - (c) Recall from the office, or
- (2) Upon declaration by the council of the vacancy in case of the incumbent's:
 - (a) Failure, following election or appointment to the office, to qualify for the office within ten days after the time for his or her term of office to begin,
 - (b) Absence from the City for 30 days without the council's consent or from all meetings of the council within a 45-day period or from seventy-five percent (75%) of all meetings of the council within a six-month period,
 - (c) Ceasing to reside in the City,
 - (d) Ceasing to be a qualified elector under state law,

- (e) Conviction of a public offense punishable by loss of liberty, or
- (f) Resignation from the office.

Section 29 Vacancies: Filling. Vacant elective city offices shall be filled by appointment by a majority vote of the remaining members of the council. The appointee's term of office begins immediately on appointment and continues throughout the unexpired term of the predecessor. During the temporary disability of an officer or during an officer's temporary absence from the City for any cause, the office may be filled pro tem in the manner provided for filling vacancies in office.

CHAPTER IX ORDINANCES

Section 30 Adoption Clause. The adoption clause of all ordinances adopted under authority of this charter shall be, "The City of Toledo ordains as follows:".

Section 31 Mode of Adoption.

- (1) Except as subsections (2) and (3) provide to the contrary, an ordinance shall, before adoption, be read fully and distinctly in open council meeting on two different days.
- (2) Except as subsection (3) allows both readings by title only, an ordinance may be adopted at a single council meeting by unanimous vote of all councilors present after being read first in full and then by title.
- (3) Any of the readings may be by title only if:
 - (a) No councilor present at the meeting requests that the ordinance be read in full, and
 - (b) A copy of the ordinance is provided for each councilor, three copies are provided for public inspection in the office of the custodian of City records not later than one week before the first reading of the ordinance, and notice of the availability of copies is given by written posting at the city hall and two other public places in the City or by advertisement in a newspaper of general circulation in the City.
- (4) An ordinance:
 - (a) Adopted after being read by title alone, under the provisions of subsection (3)(b), shall have no legal effect if it differs substantially from its terms as filed prior to the reading, unless each section incorporating such a difference is read fully and distinctly in open council meeting as finally amended prior to being approved by the council.
 - (b) May be amended at the time of adoption if the ordinance as amended deals with the same general subject.
- (5) On the final vote on an ordinance, the ayes and nays of the members of the council shall be taken and entered in the record of proceedings.
- (6) On the adoption of an ordinance, the custodian of City records shall endorse it with the date of adoption and the attestor's name and title of office. Upon passage, the mayor shall sign and date the ordinance over the title of "mayor."

Section 32 When Ordinances Take Effect. An ordinance takes effect on the thirtieth day after its adoption. However, when the council considers it advisable, an ordinance may provide a later effective date or, in an emergency, an ordinance may take effect immediately on adoption.

CHAPTER X PUBLIC IMPROVEMENTS

Section 33 Improvements. The procedure for making, altering, vacating or abandoning a public improvement shall be governed by general ordinance or, to the extent not so governed, by applicable state laws. Action on a proposed public improvement, except a sidewalk or an improvement unanimously declared by the council to be needed at once because of an emergency, shall be suspended for six months on a remonstrance by the owners of two-thirds of the land to be specially assessed for the improvement. In this section "owner" means the record holder of legal title or, if land is being purchased under a land sale contract recorded or verified in writing by the record holder of legal title to the land, the purchaser.

Section 34 Special Assessment. The procedure for levying, collecting and enforcing payment of special assessments for public improvements or other services to be charged against real property shall be governed by ordinance.

CHAPTER XI MISCELLANEOUS PROVISIONS

Section 35 Debt Limits. The City's indebtedness may not exceed the limits imposed on a city by state law. All city officials and employees who create or officially approve indebtedness in excess of this limitation shall be jointly and severally liable for the excess.

Section 36 Existing Ordinances Continues. All ordinances of the City consistent with this charter and in force when it takes effect remain in effect until amended or repealed.

Section 37 Repeal of Previously Enacted Provisions. All charter provisions of the City enacted prior to the time this charter takes effect are repealed.

Section 38 Severability. If any provision of this charter is held invalid, the other provisions of the charter shall not be affected. If the application of the charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected.

Section 39 Time of Effect of Charter. This charter is in effect November 15, 1993.

Lisa Figueroa

Subject: FW: [Oamr] City of Seaside - Amendment to Charter
Attachments: ATT00001.txt

From: Oamr [mailto:oamr-bounces@listserv.oamr.org] **On Behalf Of** Amber Mathiesen
Sent: Thursday, January 11, 2024 3:35 PM
To: 'Kimberley Jordan' <kjordan@cityofseaside.us>; oamr@listserv.oamr.org
Subject: Re: [Oamr] City of Seaside - Amendment to Charter

Hi Kim,

In order to change the Charter, you will need to have Council refer a ballot measure to the voters with the proposed changes, but there are other steps first. I highly recommend you involve your City Attorney in the process.

The general steps are to:

- Set a timeline for the entire project, plan 9-12 months for the whole project, you will want to work backwards from the election you want to eventually want to use.
- Appoint a Charter Review Committee – This committee is appointed by Council to review the charter and recommend changes back to Council.
- Set a schedule for the committee to meet, these are public meetings and need to be advertised and held accordingly. I recommend breaking the charter into sections and schedule the sections in order so the public knows when they can have input on areas of interest.
- Once the committee has a set of revisions they should approve the revisions and refer them to Council for consideration, if Council agrees they can choose to refer the changes to the ballot for voter consideration.
- Then you would go through the process to refer a measure to the ballot, this process is likely set out in your municipal code. It will involve the County Elections office and there will be a fee for the City to pay. There will also be the need for the City to draft neutral ballot language and title.
- Usually there is a resolution of referral, and later after the election, an ordinance to canvass the vote and if appropriate adopt the new Charter.

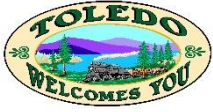
This is all very overly simplified, but hopefully it will help point you in the right direction.

Amber Mathiesen
Finance Director

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**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Begin review of City Council rules
Council Goal:	Agenda Type:	
Not Applicable	Discussion Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

No recommendation at this time.

Background:

The City Council rules were last updated in 2020. Staff recently solicited direction from the Council to consider reviewing the Council rules and the Council agreed.

The rules are attached to begin the review process with Chapter 1 and if time allows at this meeting, Chapter 2 as well. Staff is not seeking a decision at this meeting.

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

Attachment:

1. City Council rules



**CITY OF TOLEDO
CITY COUNCIL
RULES**

REVISED:

October 7, 2020

October 7, 2009

October 17, 2007

November 15, 2000

APPROVED:

March 18, 1981

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PREFACE

In Oregon, many city charters require a city council to establish rules of procedure for how council meetings will be governed, how appointments will be made, and how council members interact with one another, city employees, and the public. Toledo Charter section 13 requires the Council to “adopt rules for the government of its members and proceedings.” Like many other cities’ charters, it does not provide substance or guidance on how to do so. Some rules for elected officials are found in the city charter. Some are found in city code and state law.

The Council Rules that follow are not codified; instead they expand upon the law to guide conduct and procedure specific to the City of Toledo. Once adopted they are enforceable by their own terms and they may be suspended in whole or in part by vote of a majority of incumbent council members.

Establishing rules of procedure for council meetings and councilor conduct has several benefits. First, it allows for meetings to be run in an efficient and consistent manner. Second, it allows for the council to receive information from the public about matters of public concern in a courteous and respectful manner. Third, rules provide guidance to council members on how they are to interact and engage with city employees, other members of council, and members of the public. Fourth, rules of procedure ensure continuity and stability during transition years when new members of the council are elected to office.

The Toledo City Council believes that effective municipal governance requires that individual council members adhere to a general set of principles when dealing with each other and the general public. Furthermore, the Toledo City Council desires to conduct its meetings in a manner that is courteous, effective and efficient while fostering an environment that is fair, open and responsive to the needs of the community.

All questions regarding these rules will be resolved by majority vote of the council.

These rules cite to applicable law and may use the following abbreviations: Toledo Municipal Code (TMC), Toledo Charter (TC or “Charter”), Oregon Revised Statutes (ORS), Oregon Administrative Rules (OAR). References to the City Manager also include designee(s) of the City Manager.

CHAPTER 1 – General Governance

1.1. Rules of Procedure.

A. The current edition of Robert's Rules of Order Revised shall be used as a guideline for conduct of Council meetings, except in those cases where specific provisions contrary to Robert's rules shall be necessary and approved by the Council.

B. Members of the Council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the Council and confuse members of the public.

C. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

1.2. Quorum. Except to adjourn, a quorum is required to conduct official City business at any meeting of City Council

A. A quorum is defined as a majority of incumbent ("currently holding office") members of the Council. (Charter 14)

B. In the event a quorum is not present the members of Council may meet in order to compel the attendance of absent members and for no other purpose.

C. Members of City Council are permitted to congregate socially, in civic organizations, and in any other non-official City engagement regardless of quorum, provided that Council Members do not deliberate on official City business. No public notice is required.

1.3. Presiding Officer

A. The Mayor is the presiding officer and shall preside over council deliberations and shall have a vote on all questions before the Council. The Mayor shall preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council. (Charter 16)

B. The Council shall elect a Council President from its membership at its first meeting of each odd-numbered year. (Charter 17)

C. In the Mayor's absence the Council President is presiding officer. The Council President shall retain all rights and privileges of the office of the Mayor. (Charter 17)

D. If both the Mayor and the Council President are absent from the meeting, the following procedure shall be utilized to appoint a pro tem presiding officer:

1. The City Manager shall call the Council to order and call the roll of the members.
2. Those members of Council present shall elect, by majority vote, a temporary presiding officer for the meeting.
3. Should either the Mayor or the Council President arrive, the pro tem presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
4. The pro tem presiding officer shall retain all rights and privileges of a member of Council when acting in this capacity.

5. The pro tem presiding officer does not have any rights of the Mayor outside of meetings.
6. A pro tem presiding officer shall be reappointed at each meeting under this subsection as long as the Mayor and Council President remain absent.

1.4. Appointed Officers

A. Mandatory Appointment. City Manager. The City Manager is required to attend all Council meetings and is permitted to participate in any discussion; however, the City Manager has no authority to cast a vote in any decision rendered by the Council. The powers and duties of the City Manager are set forth in Toledo Charter 20.

B. Optional Appointments.

1. City Attorney. The City Attorney may attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal matters. (Charter 10)
2. Municipal Court Judge. (Charter 10, 21)
3. Any other Officers that the Council considers necessary. (Charter 10-12)

CHAPTER 2 – Meetings

2.1 Statement of Purpose

Limited Public Forum. The meetings of the council, including regular meetings, special meetings, work sessions and emergency meetings are open to the public in accordance with the Oregon Public Meetings Law. The meetings are considered a limited public forum at which council business is conducted in accordance with the agenda and rules of the council. The mayor, as the presiding officer, along with the council has the authority to require discussion at the meetings be addressed to the matters that are appropriate to be considered, to limit the time for discussion, and to restrict input concerning the matters to be discussed. The council has the right to require persons attending the meeting, addressing the council or participating in the meeting to conform to the rules of the council and directions of the mayor or the presiding officer.

2.2. Types of Meetings

A. Regular meetings.

1. Council shall hold a regular meeting at least twice a month in the City at a time and place that it designates (Charter 13).
2. No Council meeting will be held at a venue that discriminates against individuals based on an individual's race, religion, color, gender, gender identity, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income, disability, or any other status as defined by state law.
3. In the event City Hall is not available for a meeting, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the City. Otherwise, the venue shall be as close to the Toledo's jurisdictional boundary as practicable.
4. The Council shall direct city staff to give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

B. Special meetings. Special meetings are meetings that are nonemergent and not a regularly scheduled meeting or a work session

1. Special meetings may be called by the Mayor, or in the Mayor's absence, the Council President, or the City Manager.
2. Special meetings require at least 24 hours' notice to the general public, any news media who have requested notice, and the members of the governing body. (ORS 192.640)
3. No business other than that for which a special meeting is called can be transacted at a special meeting.

C. Emergency meetings. Emergency meetings are special meetings when circumstances present an emergency whereby it is not possible to give 24 hours' notice to the public of the meeting.

Emergency meetings may be called by the Mayor, or in the Mayor's absence, the Council President, the City Manager, or the City Attorney. In addition to other public record keeping requirements, minutes for such a meeting must describe the emergency that justifies less than 24 hours' notice. No topic other than the emergency may be discussed at an emergency meeting. (ORS 192.640)

D. **Work Session.** Work sessions are authorized by these rules. The purpose of a work session meeting is to present information to the Council so that the Council is prepared for regular or special meetings. The meeting date and time shall be regularly scheduled however the Council, in its sole discretion may reschedule or cancel work sessions.

1. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
2. Work sessions are intended to allow for preliminary discussions. The Council is permitted to take formal or final action on matters at a work session.

E. **Executive Sessions.** The City Council may hold an executive session during a regular, special, or emergency meeting pursuant to ORS 192 and OAR Chapter 199 Division 40.

1. Executive sessions may be called by the Mayor, presiding officer, the City Attorney, or the City Manager.
2. The Council may exclude any person(s) which it is authorized by law to exclude from an executive session.
3. Representatives of the news media shall be allowed to attend executive sessions consistent with state law and in accordance with the Toledo Media Policy. The Presiding Officer shall instruct any media representatives present not to disclose the substance of any discussion during executive session. The media policy may be amended with advice and consent of the Council.
4. No decision or formal action shall be made in an executive session. If the Council in executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with other parties shall be made by designated staff or representatives handling the negotiations or litigation. A Councilor will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion.

2.3. Authority to Reschedule

The City Council may cancel or reschedule any meeting so long as the City Council holds two regular meetings within the month in accordance with City Charter Section 13.

2.4. Travel and Training Sessions

The City Council may attend training sessions outside of the City's jurisdictional limits provided no deliberations toward a decision are made. No public notice is required.

2.5. Agendas

The City Manager shall prepare an agenda for every regular meeting and work session. Agendas for special meetings, emergency meetings, and executive sessions shall be prepared by the individual(s) calling the meeting

A. Agendas shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

B. Agendas shall be posted in at least one location at City Hall.

C. The Mayor, or in the Mayor's absence, the Presiding Officer, or City Manager may place routine items and items referred by staff on the agenda without Council approval or action ("Consent Agenda").

D. The City Manager may remove any items on the agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal at the beginning of the meeting.

E. A member of the Council who wishes to have an item placed on the agenda may:

1. Submit a request to the Mayor with a copy to the City Manager at least one week prior to the meeting.

2. Bring up the item during Council comments for consideration and the Council may vote to add the item to a future meeting agenda.

2.6. Order of Business

The order of business for all regular meetings shall be as follows.

A. Call to order and roll call

B. Public comment - Public comment will be reserved for every regular meeting of the Council. Persons wishing to speak during public comment must sign the "speaker's roster" with the person's name and address and the topic upon which the person wishes to speak. The public comment period shall not exceed a maximum of 30 minutes, unless a majority of the Councilors present vote to extend the time.

C. Community Service Reports and/or presentations to the Council.

D. Consent Agenda - In order to expedite the Council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is removed for further consideration.

2. Any item on the consent agenda may be removed for separate consideration by any member of the Council.

3. Ordinances, resolutions, and orders will not be placed on the consent calendar.

E. Discussion and Information Items

F. Decision Items

G. Reports and Comments - When necessary, reports can be given to the Council by boards, commissions, committees, elected officials, and/or City employees.

H. Adjournment

2.7. Attendance

A. Attendance is mandatory. Members of the Council shall advise the City Manager within one hour prior to the meeting if they will be unable to attend any meetings.

B. Call of the House. When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, any council member may move for a call of the house. The motion will be put in the following form: "I move for a call of the house." That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two council members present must concur for the call of the house motion to pass. If the motion is passed, then all unexcused absent council members will be requested to attend or return to the meeting.

C. The mayor, or in the mayor's absence, the presiding officer, is authorized to recess the meeting to a time certain while attendance is being compelled.

D. Attendance issues may be dealt with by public censure pursuant to Chapter 3, Section IV

2.8. Public Hearings Generally

A. A public hearing may be legislative or quasi-judicial, the formalities of which are governed by law. The public hearing procedure template is set forth in Appendix A. This template may be amended by staff with advice and consent of the Council.

B. The Presiding Officer may limit the time and number of speakers at each public hearing; however, no such limitation shall obstruct the presentation of evidence relevant to determine the facts, apply the law, or give a ruling, order, or determination. In such event, the Presiding Officer shall announce such restriction prior to the beginning of the hearing.

C. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the City, and state their address for the record. All remarks shall be addressed to the Council as a body and not to any member thereof.

2.9. Point of Order

A Point of Order is request of the presiding officer to take notice of state law, the city's charter, city code, of these council rules. Points of Order can be made by a counselor, city manager, city attorney, or city recorder. A Point of Order is made by stating, "Point of Order" and citing to the source of law. Raising a Point of Order stops discussion on the matter that is under consideration. The presiding officer acknowledges the Point of Order by ruling in one of two ways: (a) Agree and implement the law or rule as indicated, (b) Disagree and state a reason for the disagreement. A Point of Order is intended to encourage best practices and compliance with legal standards so

to make council actions defensible; they are not intended to redirect or undermine the process, such as when invoking finer points of Robert's Rules.

2.10. Motions

A. The following rules shall apply to motions:

1. All motions shall be distinctly worded.
2. If a motion does not receive a second, the motion fails and no vote may be taken on the motion.
3. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. A motion to amend can be made to a motion that is on the floor and has been seconded.
5. A motion may be withdrawn by the mover at any time without the consent of the Council.
6. Amendments are voted on first, then the main motion is voted on as amended.
7. Debate on the main subject resumes if the motion fails.
8. A motion that receives a tie vote fails.
9. The motion may be repeated prior to a vote.

B. Motion to Reconsider.

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. A Council member may move for reconsideration on an action at the same meeting prior to the adjournment of the meeting or the next regular meeting, provided that reconsideration of the action has been added to the agenda and noticed accordingly.
3. Once a matter has been reconsidered, no motion for further reconsideration shall be made.

2.11. Debate

The following rules shall govern the debate of any item being discussed by the Council:

A. Every council member desiring to speak shall address the presiding officer and, upon recognition by the presiding officer shall confine themselves to the question under debate, at all times acting and speaking in a respectful manner.

B. A council member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

2.12. Public Comment

The public may be allowed to comment on matters before the Council at discretion of the presiding officer.

A. The presiding officer may open the matter for public comment after the staff report and council discussion but before any action is taken.

B. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receives answers from the Council or City staff.

C. Each person desiring to comment shall provide the Council with their name and address prior to giving comment to ensure the minutes of the meeting properly reflect those persons who provided public comment.

2.13. Voting

The vote on every motion shall be taken by a show of hands or roll call and entered in the meeting minutes. Every Council member shall vote, unless they have declared a conflict of interest or an abstention.

2.14. Minutes

A. Minutes.

1. All minutes should be in written form with an audio recording of the meeting maintained by the City Recorder in accordance with the appropriate record retention schedule and in accordance with Oregon Public Records Law. Neither a full transcript nor a full recording of the meeting is required, except as otherwise prescribed by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants.

2. Contents of Minutes. Meeting minutes shall contain the following information:

- a. The date, time and place of meeting
- b. All members of the governing body present
- c. All motions, proposals, resolutions, orders, ordinances and measures proposed and the disposition
- d. The results of all votes and the vote of each member
- e. The substance of any discussion and a reference to any document discussed

3. Executive Session minutes shall be kept in written form, in accordance with subsection 1 and 2 of this section. An audio recording of an executive session may be kept consistent with state law and in accordance with the City's record retention schedule, and it need not be transcribed unless otherwise provided by law. If a Council Member wishes to review material from the executive session or if a council member is absent from an executive session and wishes to review materials from the executive session, they must submit a request to the Council. Council may approve or deny the request. Council may approve

review of executive session materials by any of the following: listen to the full audio, review written minutes, or get a briefing from the City Manager or City Attorney.

CHAPTER 3– Ethics, Decorum, Outside Statements

3.1. Ethics

All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

- A. Disclosing confidential information.
- B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.
- C. Expressing an opinion contrary to the official position of the Council without so saying.
- D. Conducting themselves in a manner so as to bring disrepute upon the government of the City.
- E. Gifts. (ORS 240 and OAR Ch. 199 Div. 5)

1. Definition. A gift is something of economic value given to a council member, a relative, or member of the council member’s household for which the recipient either makes no payment or makes payment at a discounted price.

2. Rule. A council member, relative, or household member of the councilor may not solicit or receive any gift with a value exceeding \$50 from any single source when the councilor knows the identity of the donor and the donor is known to have a legislative or administrative interest in the subject matter before council. (ORS 244.025)

3. Exceptions.

a. Gifts from relatives or household members

b. Reasonable expenses paid by certain entities if:

(i) The entity is a government entity, a Native American tribe, a membership organization to which the governing body pays dues, or a 501(c)(3) non-profit organization; and

(ii) The council member is participating in a convention, fact-finding mission/trip, or meeting where he or she is scheduled to speak, participate in a panel discussion or represent their governmental unit

c. Reasonable food, travel or lodging expenses for the council member, a relative, household member or staff while the council member is representing his or her governmental unit on:

(i) An officially sanctioned fact-finding mission or trade-promotion; or

(ii) In officially designated negotiations, or economic development activities, approved in advanced;

d. Admission, food and beverages for the council member, a relative, household member, or staff while accompanying the council member at a reception, meal or

meeting held by an organization where the council member represents his or her governmental body;

e. Food, beverage and entertainment that is incidental to the main purpose of the event;

f. Food or beverage consumed by a council member acting in an official capacity in association with a financial transaction or business agreement with another government agency, another public body or a private entity, including review, approval or execution of documents or closing a borrowing or investment transaction;

g. An unsolicited token or award of appreciation in the form of a plaque, trophy, desk or wall item or similar with a resale value of under \$25;

h. Anything of economic value offered, solicited or received as part of the usual and customary practice of the recipient's private business or the recipient's employment or position as a volunteer with a private business, corporation, or other legal entity operated for economic value. The item must bear no relation to official business and must be historical or established long-standing traditions or practices resulting in economic benefits for those that are not in public office;

i. Informational material related to the performance of official duties;

j. Waiver or discount of registration expenses or materials provided at a continuing education event that a council member or candidate may attend to satisfy a professional licensing requirement;

k. Legal defense trust fund contributions; and

l. Campaign contributions.

F. Conflicts of Interest and Abstentions

1. Quasi-Judicial Proceedings ("Hearings"). Generally, conflicts of interest arise in situations where a Councilor, deliberating in a quasi-judicial proceeding, has an actual or potential financial interest in the matter before the Council. Under state law, an actual conflict of interest is defined as one that would be to the private financial benefit of the councilor, a relative or a business, with which the Councilor is associated. A potential conflict of interest is one that could be to the private financial benefit of the councilor, a relative or a business with which the Councilor is associated. A relative means the spouse, children, siblings or parents of the councilor or the councilor's spouse. A Councilor must publicly announce potential and actual conflicts of interest and, in the case of an actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue.

2. All other decision items. A Council Member may abstain from any vote based on their perceived conflict of interest and shall provide a reason for the abstention.

3. Rule of Necessity. If a council member is met with an actual conflict of interest and the council member's vote is necessary to meet the minimum number of votes required for official action, the council member may vote. The council member must still announce the conflict and refrain from any discussion, but may participate in the vote required for official action by the governing body. (ORS 244.120(2)(b)(B)). This provision does not apply in situations where there are insufficient votes because of a member's absence. Rather, it applies where a quorum is lacking solely because council members must refrain from voting due to actual conflicts of interest. Council members with actual conflicts may vote only when it is impossible for the governing body to take official action, even if all members are present.

3.2. Decorum

A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the Council.

B. Members of the City Council will:

1. Be respectful towards fellow Council members, staff, guests, and members of the public.
2. Be well informed and participate in the decisions of the Council.
3. Attend Council meetings and Council sub-committees assigned.
4. Make staff, guests, and members of the public comfortable by fostering a welcoming milieu and educating meeting attendees about the meeting process.
5. Maintain a tone of voice that is friendly, sincere and communicate clearly to ensure they are heard.
6. Preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer or these rules.

C. If significant changes are suggested to a proposed ordinance or resolution, the Council may direct staff to make the necessary amendments to the proposed ordinance or resolution and reintroduce the proposed document for additional review.

D. Members of the City staff and all other persons attending meetings shall observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.

E. Council members, staff, guests and members of the public shall not obstruct the meeting in a manner that prohibits the Council from conducting its business.

F. Picture Taking and Filming is allowed provided it does not disrupt the meeting of the Council as determined by the Presiding officer or Sergeant at Arms.

G. A law enforcement officer of the City may be designated as Sergeant-at-Arms of the Council meetings and shall carry out all orders and instructions given by the Presiding Officer for the purposes of maintaining order and decorum at the Council meeting consistent with state law.

1. Individual(s) may be removed from a meeting if their actions interfere with the order and decorum of the meeting.

2. Vacating Council Chambers. If a meeting is disrupted by members the Council, City staff, guests, or the public, the Presiding Officer or a majority of the Councilors present may order the Council Chambers or other meeting place to be cleared or adjourn the meeting

H. Seating Capacity and Occupancy.

1. The safe occupancy and seating capacity of the Council Chambers, as determined by the Fire Chief, shall be posted within the Council Chambers. The limitations on occupancy and seating capacity so determined and posted shall be complied with at all times.

2. Aisles shall be kept clear at all times. Members of the audience shall abide by the seating plan in the chambers, and should not move forward of the seating areas unless wishing to address and be recognized by the Presiding Officer.

I. Unless authorized by the Presiding Officer, no flags, posters, placards, or signs, are allowed inside Council Chambers or inside any place where a public meeting or public hearing is being held.

3.3. Statements to the Media and Other Organizations

A. Representing City. If the Mayor or Council member appears as a representative of the City, they may only state the official position of the City, as approved by a majority of the Council.

B. Personal Opinions. If the Mayor or Council member appears in their personal capacity to give a statement on an issue, the member must state they are expressing their own opinion and not that of the City before giving their statement.

C. The presiding officer may direct the City Manager, City Attorney, Municipal Court Judge, or other appointed officer to represent the City and if so directed, that individual shall give only the official position of the City, as approved by a majority of the Council.

3.4. Censure

A. The Council may make and enforce its own rules and ensure compliance with city and state laws applicable to governing bodies. If a Council member substantially violates these rules or state law, by words, action, or nonperformance of duties, the Council may take action to protect Council integrity and discipline the Council member with a public reprimand, removal from committee assignments, removal from the position of council president, or removal from office by declaration of vacancy (Charter 20.8, 28.2)

B. A censure shall be brought by motion and seconded. A majority vote in favor of censure is required to censure a Council member.

C. It is the expectation of the Council that all Council Members adhere to the council rules of decorum outside of meetings as well as inside meetings and recognize that as elected officials their conduct and speech reflects on the entire City and their fellow elected officials.

D. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter, or state laws applicable to governing bodies have occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 4 – Communication with Staff and Staff Administrative Support

4.1. Communication with Staff

A. Councilors shall respect the separation between policy making and administration by:

1. Collaborating with the staff as a team in a spirit of mutual confidence and support.
2. Not attempting to influence or coerce the City Manager or department head concerning personnel, purchasing, awarding of contracts, selection of consultants, processing of development applications or the granting of City licenses and permits.
3. Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
4. Respecting roles and responsibilities of staff if expressing criticism in a public meeting, private conversations, or through public electronic mail messages. Staff shall have the same respect for the roles and responsibilities of Council members. All written informational material requested by individual Councilors will be submitted by staff to the entire Council with a notation indicating which Councilor requested the information.
5. Addressing all formal inquiries and requests for information from staff to the City Manager and allowing sufficient time for response. All written information given by the City Manager to one Councilor shall be distributed to all Councilors.

B. Nothing in this section shall limit an individual Council Member from soliciting services and information from City Staff as it relates to the Council Member's private interests. However, the Council Member acting on their own private interests should limit requests from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Manager.

C. Requests to the City Attorney for advice requiring legal research shall not be made by a Councilor except with the concurrence of the Council. Before requesting research or other action by the City Attorney, the Council is encouraged to consider consulting with the City Manager to ascertain whether the request or action can be accomplished more cost-effectively by alternate means. Outside a Council meeting, a Councilor should make requests of the City Attorney through the City Manager. Exceptions to this rule are issues related to the conduct of the City Manager, conduct of a Council Member, or private matters.

4.2. Administrative Support

The City Manager's office shall provide administrative support to the Council, which may include correspondence, clerical support, and other administrative duties as needed.

A. Clerical support

1. The City Manager's office will coordinate all City correspondence to and from the Council. Under direction from the Mayor, all correspondence will reflect the position of the full Council, not individual Council member's positions.

2. All Council member correspondence using City resources will be copied to the full Council and maintained by the City Recorder.
3. Letters addressed to the Mayor and/or City Council that require a response shall be prepared by staff for the Council to review and the Mayor's signature.
4. All correspondence from the full Council shall be maintained at City hall in accordance with Oregon's Public Record Law.

B. Travel and Training

1. Councilors shall follow the employee personnel travel and training procedures as established by City policy.
2. Councilor expenditures other than routine reimbursable expenses, (e.g., conference registration, travel, etc.) may require advance Council approval according to the purchasing rules which apply Citywide.
3. Travel and training accommodations for Councilors shall be made by City staff.
4. The City does not reimburse Councilors for expenses incurred by their spouses.

CHAPTER 5 – City Council, Committee, Commission, and board appointments; Filling Vacancies

5.1. Commissions, Committees, and Boards Generally

A. Planning Commission. The rules for selecting Planning Commissioners and filling vacancies on the Planning Commission are set forth in TMC 2.04. The planning commission shall consist of seven members appointed to staggered, four-year terms by the Mayor of Toledo and of which not more than two members shall be nonresidents of the city of Toledo. Any vacancy on the commission shall be filled by the council for the unexpired portion of the term.

B. Public Utility Commission. The rule for selecting Public Utility Commissioners and filling vacancies on the Public Utility Commission are set forth in TMC 2.08 The commission shall consist of the mayor, the city attorney and the city manager as ex officio, non-voting, members, and of five other members to be appointed by the mayor. All of the appointed members of the commission shall be residents of the City of Toledo. The term of office of the appointed members shall be five years or until their successors are appointed and qualify, and their terms shall be staggered so that the term of office of not more than two will expire in the same year. Any vacancy in the commission shall be filled by appointment made by the mayor for the unexpired portion of the vacated term.

C. Transient Lodgings Tax Review Committee. The rule for selecting Transient Lodgings Tax Review Committee Members and filling vacancies on the Transient Lodgings Tax Review Committee are set forth in TMC 3.08. Transient lodgings tax review committee is a committee composed of an accountant, an attorney and three other persons appointed by the mayor and approved by the council of the city of Toledo and may be owners or operators of a "hotel" as defined in this chapter.

D. Budget Committee. The Council shall appoint Budget Committee Members and fill vacancies on the Budget Committee pursuant to ORS 294.414. The budget committee shall consist of the members of the governing body and a number, equal to the number of members of the governing body, of electors of the municipal corporation appointed by the governing body; if there are electors fewer than the number required, the governing body and the electors who are willing to serve shall be the budget committee; and if there are no electors willing to serve, the governing body shall be the budget committee. The Chief Budget and Fiscal Officer is the City Manager.

E. Other Boards and Committees. The Mayor, in the Mayor's sole discretion or with consent of Council, may appoint other Council Committees and define the purpose, duration, and membership of Council Committees. (Charter 19)

5.1.1. Filling vacancies on Commissions, Committees and Boards generally

With advice and consent of the Mayor and Council, the City Manager shall open recruitment to fill a vacancy. Qualified candidates shall file an application form supplied by the City. The Council may establish a closing date when applications must be filed. The filing of an application from any person eligible for appointment shall be considered as placing that person in nomination. With advice and consent of the Council, the City Manager will set a date for the Council to review applications. When the Council is satisfied that it has concluded the process of reviewing the

qualifications of nominees, the presiding officer shall declare the nominations closed. Interviews shall take place with all eligible candidates.


5.2. City Council. (Charter 28-29)

A. Elections occur every two years. Council members serve four-year terms. The Mayor serves a two-year term. To be eligible for an elective city office, a person at the time of election must be a qualified elector and have resided in the City during the twelve months immediately preceding the election.

B. If a Council position or Mayor's position becomes vacant mid-term, the City Manager shall open recruitment. City Council candidate shall be required to fill out a City application form and file a resume setting forth their background and a statement of reasons why they desire to be considered for appointment to fill the vacancy. The Council shall establish a date when all applications must be filed with the City Recorder. The filing of an application from any person eligible for Council shall be considered as placing that person in nomination. With advice and consent of the Council, the City Manager will set a date for the Council to review applications.

When the Council is satisfied that it has concluded the process of reviewing the qualifications of nominees, the presiding officer shall declare the nominations closed. Interviews shall take place with all eligible candidates and selection shall be determined by a process in which each Councilor votes for one person from the nominees. Vacant elective city offices shall be filled by appointment by a majority vote of the remaining members of the council. The majority of votes cast will select the candidate to fill the office. In the event that no candidate receives a majority of votes cast, the voting will continue until there is a majority.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Resolution No. 1538, a resolution authorizing an Intergovernmental Agreement with the Toledo Urban Renewal Agency for the Provision of Administrative and Development Services
Council Goal:	Agenda Type:	
Maintain and improve public infrastructure and facilities	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Attorney M. Adams	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion to approve Resolution No. 1538, a resolution of the Toledo City Council authorizing an intergovernmental agreement with the Toledo Urban Renewal Agency for the provision of administrative and development services.

Background:

The purpose of urban renewal is to improve specific areas of a city that are poorly developed or underdeveloped. On May 5, 2021, the City Council approved the Toledo Urban Renewal Plan (Plan) by passing Ordinance No. 1394. The Toledo Urban Renewal Agency (Agency) is the body charged with administering and implementing the Plan.

Urban renewal allows for the use of tax increment financing to fund improvement projects. Tax increment revenues are used to repay funds the Agency has borrowed in order to carry out these projects.

The City, in order to enable the Agency to pursue the redevelopment activities anticipated by the Plan, wishes to provide administrative and development services to the Agency. Included in these services is the authority for the City to loan money and provide other forms of financial assistance to the Agency.

Under Oregon state law, any two (or more) units of local government may enter into an intergovernmental agreement regarding any of the functions and activities either is authorized by law to perform.

Approval of this intergovernmental agreement (IGA) will enable to Agency to move forward with instituting the Plan, as approved by Council.

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

Attachment:

1. Resolution No. 1538
2. IGA for the Provision of Administrative and Development Services

**CITY OF TOLEDO
RESOLUTION NO. 1538**

A RESOLUTION OF THE TOLEDO CITY COUNCIL AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE TOLEDO URBAN RENEWAL AGENCY FOR THE PROVISION OF ADMINISTRATIVE AND DEVELOPMENT SERVICES

WHEREAS, the Toledo City Council approved the Toledo Urban Renewal Plan (Plan) by passing Ordinance No. 1394 on May 5, 2021; and

WHEREAS, the Toledo Urban Renewal Agency (Agency) is the body charged with administering and implementing the Toledo Urban Renewal Plan as adopted; and

WHEREAS, the City has experience in the provision of administrative services for local governments and in planning and constructing public improvements, and desires to assist the Agency in the planning and carrying out of the Plan by providing all administrative and development services necessary and proper for carrying out the Agency’s functions and the Plan, pursuant to ORS 457.320; and

WHEREAS, pursuant to ORS 190.010, the City and Agency are authorized to enter into Intergovernmental Agreements for the performance of functions and activities either is authorized by law to perform.

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

- Section 1. Mayor Rod Cross is authorized to sign the Intergovernmental Agreement between the Urban Renewal Agency and the City of Toledo, attached as Exhibit “A.”
- Section 2. That this resolution will take effect immediately upon passage and will continue in full force and effect until revoked or replaced.

That this resolution is hereby adopted by the Toledo City Council on this 17th day of January, 2024.

APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**INTERGOVERNMENTAL AGREEMENT
FOR THE PROVISION OF ADMINISTRATIVE AND DEVELOPMENT SERVICES
between the
CITY OF TOLEDO and the TOLEDO URBAN RENEWAL AGENCY**

THIS INTERGOVERNMENTAL AGREEMENT ("Agreement") is entered into between the City of Toledo, a political subdivision of the State of Oregon ("City"), and the Toledo Urban Renewal Agency, an Oregon quasi-municipal corporation ("Agency"), established under ORS Chapter 457 and duly activated by the City.

WHEREAS, the Agency is a public body, corporate and politic, duly activated by the City, exercising its powers to engage in urban renewal activities as authorized under ORS 457 (Urban Renewal), the City of Toledo Municipal Code and the City of Toledo Urban Renewal Plan ("Plan"); and

WHEREAS, the Agency prepared an Urban Renewal Plan as defined by ORS 457.010(16) (the "Plan"); and

WHEREAS, the Plan was approved by the Toledo City Council, pursuant to ORS 457.095; and

WHEREAS, the Agency will undertake redevelopment activities to carry out the Plan; and

WHEREAS, The City has experience in the provision of administrative services for local governmental activities including the areas of budgeting, financial reporting, planning, project management, engineering, and constructing public improvements, and desires, pursuant to ORS 457.320, to assist the Agency in the planning and carrying out the Plan by providing all administrative and development services necessary and proper for carrying out the Agency's duties and responsibilities related to administering and implementing the Plan and future plans; and

WHEREAS, ORS 190.010 and ORS 457.320 authorize the City and the Agency, and the City and Agency desire, to enter into an Agreement whereby the City provides administrative and development services to the Agency; and

WHEREAS, the City and the Agency desire to clarify the relationship between them with respect to administrative services provided by the City to the Agency, the Agency's obligation to pay for those services, and various other issues related to their relationship as separate legal entities working towards completion of the Plan.

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Article 1: Term and Termination.

Section 1.1: Term and Termination. This Agreement becomes effective upon the date of the last signature hereon, and continues in full force and effect until the Agency is dissolved or terminated, or until the Agency hires an Executive Director, whichever is sooner, and unless sooner terminated as provided herein. This Agreement may be terminated at any time by either party by giving the other party not less than 30 days written notice of that party's intent to terminate this Agreement.

Article 2: Duties of the City

As requested and authorized by the Agency, the City shall provide administrative and development services to the Agency to undertake urban renewal activity as set forth in the adopted Urban Renewal Plan, including but not limited to the following:

Section 2.1: Employees Provided by the City. The City shall provide, where available by the City, administrative and development services on an as-needed basis to the Agency to undertake urban renewal activities as set forth in adopted urban renewal plans, including but not limited to: staff support for public meetings including the preparation of meeting notices, agendas, minutes and mailings; record keeping including filing Agency resolutions; budget preparation, accounting, and financial reporting; contract procurement and administration; real estate procurement and property management; legal advice and document preparation; project engineering and project management services; planning related to plan administration and implementation, project development; and economic development services and other duties and functions as may from time to time be required by the Agency. In so doing, the City shall provide such services in compliance with the laws of the State of Oregon, and in accordance with the Plan and this Agreement. Nothing herein shall be construed as prohibiting the Agency from contracting with third parties to provide all or a portion of staff services.

Section 2.2: Consideration. On an annual basis, or as needed, the Agency shall reimburse the City for all reasonable costs incurred by the City in providing administrative and development services pursuant to this Agreement, with the first payment due no later than thirty days after Agency's receipt of an invoice following the date of execution of this Agreement. The City shall provide to the Agency, as provided in Section 2.5, an invoice made by the City in providing administrative and development services pursuant to this Agreement.

Section 2.3: City Staff Time. It is the intent of the parties that the services performed by City employees on behalf of the Agency shall not interfere with the ability of such employees to carry out their duties and responsibilities for the City.

Section 2.4: City Facilities and Equipment. City staff working on behalf of the Agency are authorized to utilize City office space, furnishings and equipment, including but not limited to telephones, fax machines, printers, photocopiers, computers, office supplies and similar equipment, to carry out Agency business.

Section 2.5: Invoices. The City shall submit to the Agency invoices detailing the specific services rendered by the City and other expenses incurred by the City on behalf of the Agency.

Section 2.6: Employee Status of City Staff. The parties agree that City Staff assigned to perform services and duties for the Agency as part of this Agreement are employees of the City only and that the City has final and exclusive authority over decisions to hire, terminate and discipline City Staff employed by the City and assigned to support and implement the Agency Plan.

Section 2.7: Accounting. The City shall provide accounting services to the Agency for the financial tracking of Agency revenues and expenditures. In doing so, the City shall provide the necessary accounting transactions to make payments on behalf of Agency obligations as well as accept any resources received on behalf of the Agency.

Section 2.8: Segregation of Funds. The City shall segregate all Agency funds into an Urban Renewal Agency Fund(s) in the City's fund accounting structure and shall be responsible for maintaining that segregation.

Section 2.9: Accounting System. The City shall maintain an accounting system for the Agency and charge expenses directly to the Agency through that system.

Section 2.10: Debt Service Payments. The City shall make all debt service payments from Agency funds on behalf of the Agency as such payments come due.

Section 2.11: Annual Agency Audit. In order to comply with ORS 297.405 through 297.555, the City shall contract for an external audit of the Agency's year-end financial statements and accounting transactions. The City auditor will perform the Agency's annual audits or any special financial audits using the same procedures as are used for all other funds of the City and in accordance with State of Oregon audit laws.

Section 2.12: Financial Assistance. Pursuant to ORS 457.320, the City may loan money and provide other forms of financial assistance to the Agency in order to assist in carrying out the Urban Renewal Plan. Any such assistance shall be properly documented and contain adequate provisions for the repayment of any loans made to the Agency.

Section 2.13: Oversight. The Agency is responsible for the oversight and management of the URA and its projects, including, but not limited to, oversight of the financial health of the URA and its authorized and planned projects, management decisions affecting the financial status of the URA, URA indebtedness threshold and capacity, and monitoring of all URA expenditures and revenues. This includes annual budgeting and budget review of planned URA projects and the URA Fund, as required by Local Budget Law in ORS 294.305 to 394.565. The Agency shall coordinate with the City as necessary to ensure proper oversight and management of Agency activities.

Article 3: Duties of the Agency

Section 3.1: Agency Reimbursement of City Costs. The Agency shall reimburse the City for all costs incurred by the City in providing services and supplies pursuant to this Agreement. Unless the Agency objects to an invoice submitted by the City within 30 days of the date of the invoice, the Agency shall be deemed to approve the invoice for payment to the City and the Agency must make payment to the City as required in Section 2.2.

Article 4: Shared Duties and Responsibilities

Section 4.1: Issuance of Urban Renewal Debt. The Agency is ultimately responsible for negotiating and securing debt for the purpose of carrying out the Urban Renewal Plan. City staff may assist the Agency with negotiating and securing debt by providing financial and administrative assistance.

Section 4.2: Agency Staffing. The City shall provide and supervise staff who perform Agency functions. Employees engaged in Agency activities are employees of the City and subject to the City's employment policies, procedures, and standards.

Section 4.3: Reimbursement for Services. The City may seek reimbursement from the Agency for costs of services provided on behalf of the Agency, and City shall provide sufficient documentation and detail of services provided to Agency.

Section 4.4: Advance of Funds. If requested by either Party, the other Party may, from time to time, advance funds to the requesting Party as permitted by law. Any such advance of funds shall be evidenced in writing in the form of a loan or other appropriate legal instrument, which agreement shall not be valid until first having been approved by both the City Council and Agency Board.

Article 5: Conflicts

Section 5.1: Conflicts. The City reserves the right to withhold any administrative support due to conflicts of interest and/or instances in which limited resources are available.

Article 6: Non-Agency Relationship

Section 6.1: Non-Agency Relationship. Nothing in this Agreement is to be interpreted as creating or constituting an agency relationship between the parties. Each party remains separate and neither assumes the debts or obligations of the other by entering into this Agreement. Each party is solely responsible for carrying out its duties and functions in accordance with all applicable laws and regulations.

Article 7: Indemnification

Section 7.1: Indemnification. The City agrees to save and hold harmless the Agency against all claims, suits, or actions whatsoever which arise out of the or result from the negligent or intentional acts of the City's officials, employees and agents as providing the services pursuant to this Agreement.

Article 8: Modification and Termination

Section 8.1: Modification. This Agreement may not be altered, modified, supplemented, or amended in any manner whatsoever except by mutual Agreement of the parties in writing. Any such alteration, modification, supplementation, or amendment, if made, shall be effective only in the specific instance and for the specific purpose given, and shall be valid and binding only if signed by the parties.

Section 8.2: Termination. Either party may cancel this agreement at any time with or without cause by giving thirty (30) days notice in writing and delivered in person or by certified mail to the other party.

Article 9: Waiver

Section 9.1: Waiver. No provision of this Agreement may be waived except in writing by the party granting a waiver of compliance with this Agreement. A waiver of a provision of this Agreement shall not constitute a waiver of any other provision, whether similar or not, nor shall any one waiver constitute a continuing waiver. Failure to enforce any provision of this Agreement shall not operate as a waiver of such provision of any other provision.

Section 10: Severability.

Section 10.1: Severability. The parties agree that if any term or provision of the Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.

Article 11: Entire Agreement

Section 11.1: Entire Agreement. This Agreement sets forth the entire understanding between the parties with respect to the subject matter of this Agreement, and supersedes any and all prior understandings and agreements, whether written or oral, between the parties with respect to such subject matter.

IN WITNESS WHEREOF, THE CITY OF TOLEDO AND THE TOLEDO URBAN RENEWAL AGENCY have caused this agreement to be executed by the authorized representatives as of the date of the last signature affixed below:

Parties to the Agreement:

THE CITY OF TOLEDO

THE TOLEDO URBAN RENEWAL AGENCY

Rod Cross, Mayor

President or Vice President, Toledo Urban Renewal Agency

Date


Date

Attest: _____
Lisa Figueroa, City Recorder

Approved as to content and form:

Mike Adams, City Attorney

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Resolution No 1539, A resolution recognizing grant revenue and making appropriations for spending for Fiscal Year 2023-2024
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
Finance Director/Asst. CM A. Carey	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion to adopt Resolution No. 1539, a resolution of the Toledo City Council recognizing grant revenue and making appropriations for spending for Fiscal Year 2023-2024.

Background:

The City of Toledo Library Department has been successful in obtaining \$3,000 in grant and donation revenue. Local Budget Law allows for specific purpose grants to be appropriated by resolution.

Fiscal Impact:	Fiscal Year:	GL Number:
\$3,000	2023-2024	Multiple

Attachment:

1. Resolution No. 1539

**CITY OF TOLEDO
RESOLUTION NO. 1539**

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

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

WHEREAS, The City of Toledo Library received grant money from the Roadhouse Foundation in the amount of \$2,000.00 to be used for the 2024 Umbrella Parade; and

WHEREAS, The City of Toledo Library received a donation from Margy & Bill Barrs in the amount of \$1,000 for the purchase of Spanish Language Books and Audio Materials.

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

Section 1.		Was	Increased by	
	Refunds & Misc.	001-000-402700	\$35,000	\$3,000
	Books & Materials	001-700-603500	\$25,000	\$1,000
	Youth Program Support	001-700-606500	\$5,150	\$2,000

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

That this resolution is hereby adopted by the Toledo City Council on this 17th day of January, 2024.


APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	December 6, 2023	Intergovernmental Agreement with the Greater Toledo Pool and Recreation District for planning of a Recreation Center
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Attorney M. Adams	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion to approve an Intergovernmental agreement with the Greater Toledo Pool and Recreation District for the planning and bidding for a recreation center using the construction manager general contractor process.

Background:

The City has a memorandum of understanding with the Greater Toledo Pool and Recreation District (GTPRD) to work towards the building of a community and recreation center at Arcadia Park. The next phase is to select an architect, collect geotechnical data, survey the property and publish a request for proposals for the building of the structure. The agreement attached states the City will pay 2/3 of costs associated for those items identified. The cost to the City on this Intergovernmental agreement for this phase of the project will be approximately 66% of a high of \$150,000 to as low as \$50,000 depending on chosen bids.

Fiscal Impact:	Fiscal Year:	GL Number:
30,000 – 100,000	2023-2024	035-350-621900

Attachment:

1. Intergovernmental agreement

Intergovernmental Agreement to Cooperate in Funding the Costs of a Community Center and Pool Refurbishment

This Intergovernmental Agreement (the “Intergovernmental Agreement” or “IGA”) is dated as of _____, 2024, and is entered into by and between the **Greater Toledo Pool and Recreation District**, a Political Subdivision of the State of Oregon (the “GTPRD”) and the **City of Toledo**, an Oregon Municipal Corporation (the “City”).

Section 1. Recitals.

(1) The City and GTPRD previously entered into a Memorandum of Agreement (MOA) is to confirm each participant’s willingness to enter into a collaborative relationship to develop multiple agreements for the refurbishment of the Pool, and the construction of a connecting Community Center, generally where the tennis courts are currently located, to make them so that both can be managed together.

(2) This IGA is executed to benefit the residents of Lincoln County, who live outside the City of Toledo, but use the Pool (“Greater Toledo Area”), and those citizens inside the City of Toledo, summarize the roles of each party, and begin to outline expectations for architecture, engineering, and construction, for both refurbishing of the Pool by the District and the addition of the Community Center. As development progresses, agreements regarding specific services and/or contributions will be defined in a series of contracts between the relevant partners.

The parties hereby agree as follows:

Section 2. Agreement.

(1) **Purpose.** The purpose of this IGA is to describe the rights, duties and responsibilities of the parties relative to City and GTPRD providing funds to prepare for the initial architecture, engineering, and geotechnical analysis required of this joint project, before it goes out to an RFP, as set forth herein.

(2) **Authorization.** This IGA is made pursuant to ORS 190.010 and 190.110.

(3) Rights, Duties and Responsibilities.

A. The City shall enter a contract with an Architectural/Engineering firm, to complete a conceptual design of the joint project, in conjunction with the City and GTPRD staff, RFP development, the CM/GC selection, and project management up until the CM/GC has been selected. The Architectural/Engineering firm will put out an RFP, consistent with ORS 279.337 and the model rules the Attorney General Adopts under ORS 279A.065(3), for constructions manager/general contractor services, to design the project, on behalf of the City and GTPRD.

B. The City shall enter into an additional contract for Geotechnical soil analysis required for construction if needed.

C. If an Engineer is not on staff with the Architectural firm, the City shall enter into another contract with an Engineer, to consult with the Architect to complete the conceptual design.

D. The contracts contemplated in Items A-C above are personal services contracts under the City's adopted Public Contracting Code and Rules, so no competitive process is required.

E. The City agrees to pay 2/3 and GTPRD agrees to pay 1/3 of the costs for the conceptual engineering, architectural design, and geotechnical analysis.

F. The parties contemplate that another IGA will be executed after the CM/GC is selected, which contemplates the initial focus and expenses of the joint project will be the refurbishment of the Pool and a community room, as GTPRD is on a timeline to spend the monies from the State. The next focus and expenses of the joint project will be the covered basketball court.

Section 3. Miscellaneous.

(1) Binding Effect.

This Intergovernmental Agreement shall inure to the benefit of and shall be binding upon the GTPRD and the City and their respective successors and assigns.

(2) Severability.

In the event any provisions of this Intergovernmental Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

(3) Amendments.

This Intergovernmental Agreement may be amended only by a writing signed by both parties.

(4) Execution in Counterparts.

This Intergovernmental Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute the same instrument.

(5) Applicable Law.

This Intergovernmental Agreement shall be governed by and construed in accordance with the laws of the State of Oregon. Any action regarding this Intergovernmental Agreement or the transactions contemplated hereby shall be brought in an appropriate court of the State of Oregon in Lincoln County, Oregon.

(6) Rules of Construction.

References to section numbers in documents that do not specify the document in which the section is located shall be construed as references to section numbers in this Intergovernmental Agreement.

(7) Headings.

The headings, titles and table of contents in this Intergovernmental Agreement are provided for convenience and shall not affect the meaning, construction or effect of this Intergovernmental Agreement.

IN WITNESS WHEREOF, the Agency and the City have executed this Intergovernmental Agreement as of the date indicated above.

Signatures:

City of Toledo, an Oregon Municipal Corporation

Rod Cross, Mayor

Dated: _____, 2024.

Attest: _____
Lisa Figueroa, City Recorder

Dated: _____, 2024.

Approved as to form and content:

Mike Adams, City Attorney

Dated: _____, 2024.

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

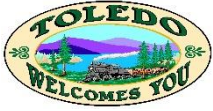
Roy Kinion, President

Dated: _____, 2024.

Attest: _____
Peter Vince, Vice President

Dated: _____, 2024.

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Resolution No. 1540, a resolution of supporting the Lincoln County Homeless Strategic Plan and granting the Lincoln County Homeless Response Advisory Board authority to execute the continued project administration for this strategy
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	Approved by:
City Recorder L. Figueroa	City Manager Doug Wiggins	City Manager Doug Wiggins

Recommendation:

Motion to approve Resolution No. 1540, a resolution of the Toledo City Council supporting the Lincoln County Homeless Strategic Plan and granting the Lincoln County Homeless Response Advisory Board Authority to execute the continued project administration for this strategy.

Background:

The City Council had a presentation in November of 2023 in regards to the Lincoln County Homeless Strategic Plan developed by the Lincoln County Homeless Response Advisory Board.

A final draft of the Strategic Plan is attached. The Lincoln County Administration is seeking Council approval in the form of a resolution supporting the Strategic Plan. A copy of the resolution is also attached.

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

Attachment:

1. Lincoln County Lincoln County Homeless Advisory Board Strategic Plan
2. Resolution No. 1540



MORANT MCLEOD

Where We Call Home: Strategic Plan for Lincoln County Homelessness Advisory Board

©2023

Stephens E., Aiosa C., Brito L., Day K., Meeks Z., Merkushin A.,
Sadsad A., Stevick D., Yarde C., Young T.

Acknowledgements

As we present this report, we extend our heartfelt thanks to all those who have contributed to this comprehensive research on homelessness in Lincoln County. Your insights, expertise, and unwavering commitment have been indispensable in our pursuit of understanding and addressing this complex issue.

We express our sincere gratitude to the members of the Lincoln County Homeless Advisory Board (LCHAB) for their guidance and dedicated efforts. Their contributions have been fundamental in shaping the strategic goals and recommendations outlined in this report. Special appreciation goes to the various government officials, both at the local and state levels, for their support and collaboration. Their willingness to coordinate policies and funding has been crucial in developing an integrated approach to tackling homelessness.

We are profoundly thankful to the community organizations, non-profits, and service providers who work tirelessly on the front lines. Your dedication to serving the unhoused population of Lincoln County is truly inspiring. The insights and data provided by these organizations have been vital in shaping our understanding of the issue. Our gratitude also extends to the healthcare providers, housing developers, and employers in the private sector who have engaged with us in this effort. Your participation has enriched our perspective and will undoubtedly contribute to the success of our collective efforts.

We must also acknowledge the invaluable contributions of smaller organizations and individuals who, despite resource limitations, have actively participated and provided essential data and insights. Your involvement has been key in ensuring a comprehensive and inclusive approach.

Finally, we thank the residents of Lincoln County for their input and engagement. Your experiences and feedback have been critical in making this research as grounded and relevant as possible.

This report is a testament to what can be achieved through collective effort and shared commitment. Together, we move forward with renewed determination to address homelessness in Lincoln County, inspired by the collaboration and unity demonstrated by all involved. Thank you for your indispensable contributions to this important work.

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Thank you

Judy Casper, City of Lincoln City
Jan Kaplan, City of Newport
Rod Cross, City of Toledo
Rick Booth, City of Waldport
Pegge McGuire, Community Services Consortium
Susan Trachsel , City of Siletz
Claire Hall, Lincoln County
Kathy Short, City of Depoe Bay
Ann Stott, City of Yachats
Mitch Parsons, City of Lincoln City
Cynthia Jacobi, City of Newport
Betty Kamikawa, City of Toledo
Greg Holland, City of Waldport
Dina Eldridge, Community Services Consortium
Tina Retasket, City of Siletz
Kaety Jacobson, Lincoln County
Mary Ellen O’Shaughnessey, City of Yachats
Sandi Hollenbeck, City of Depoe Bay
Lisa Norton, Confederated Tribes of Siletz Indians
Sami Jo Difuntorum, Confederated Tribes of Siletz Indians
Karen Rockwell, Housing Authority of Lincoln County
Daphnee Legarza, City of Lincoln City
Spencer Nebel, City of Newport
Judy Richter, City of Toledo
Dann Cutter, City of Waldport
Heide Lambert, City of Yachats
Tim Johnson, Lincoln County
Erik Glover, City of Newport
Derrick Tokos, City of Newport
Dean Sawyer, City of Newport
Peggy Hawker, City of Newport
Travis Reeves, City of Newport
Richard Dutton, City of Newport
Sheila Stiley, Northwest Coastal Housing
Lola Jones, Samaritan House
Amanda Cherryholmes, Coastal Support Services
Elizabeth Reyes , Family Promise of Lincoln County
Onno Husing, Lincoln County
Woody Crobar, Lincoln County School District
Gary Lahman, Community Member
Chasse Davidson, Newport Visual Arts Center
Jayne Romero, Lincoln County
Barbara Chester, City of Siletz
Lisa Norton, City of Siletz
Elizabeth Reyes, Family Promise of Lincoln County
Nancy Mitchell, Food Share Lincoln County
Lucinda Taylor, Habitat Lincoln County
Will Quillian, Oregon Coast Community College
Wiley Thompson, Oregon State University
Ann Siglio, Community Member
Gary Lahman, Community Member
Mike Broili, Community Member
Keith Barnes, Lincoln County Veterans
Kiera Morgan, Grace Winds

Special thank you to the 103 anonymous unhoused and supporting individuals who contributed to this report.

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Thank you

Samaritan North Lincoln Hospital
Samaritan Pacific Communities Hospital
Newport Center For health And Wellness
Samaritan Lincoln City Medical Center
Adventist Health Bayshore Medical-Lincoln City
Samaritan Coastal Clinic
Samaritan Depoe Bay Clinic
Family Medical Clinic-Newport
Lincoln City VA Clinic
Newport VA Clinic
Pacific West
Olalla Center
Centro de Ayuda
Secure Transport Northwest
Lincoln County Sheriff Department
Newport Police Department
Oregon State Police
Toledo Police Department
Lincoln City Police
Lincoln County Jail
North Lincoln Fire & Rescue
Toledo Fire Department
Evergreen Community Partners
Oregon Employment Department

Lincoln County Child & Family Mental Health
Pacific Counseling Services
Discovery Counseling
Lincoln Community Health Center
Lincoln CountyHealth and Human Services
Lincoln County Community Health Center
Lincoln County Community Health Center Newport
Siletz Community Health Clinic
Powerhouse Detox
Phoenix Wellness Center
Equinox Clinics
Reconnections
CHANCE
Capacity Commercial
Lincoln County VA Clinic
Olalla Center
Capacity Commercial
Central Oregon Coast Fire & Rescue
Probation & Parole Lincoln County
Probation & Parole Lincoln County
Community Corrections
Parole Office Newport
Do Good Multnomah
Oregon Department of Revenue

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This is a final administrative draft version of this report and available for internal purposes only.

This version is not available for public consumption.

The public version of this report will include the following:

- Detailed Table of Contents
- Table of Figures
- Academic literature review
- In-line citations and footnotes
- References
- Captions
- Accessibility features
- Appendices
- Glossary

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SECTION 1: Introduction

Homelessness is the tip of the iceberg with regard to poverty; it is the visible peak atop a submerged crisis of inequity. Without the security and stability provided by a home, the hundreds of thousands of Americans who experience homelessness each year also struggle to maintain access to healthcare, employment, education, healthy relationships, and other basic necessities in life. At the national level, nearly 1 million people are estimated to experience literal homelessness each year (sleeping on the street or in an emergency shelter), while millions more are housing insecure.

Lincoln County is a compassionate and engaged community that has dedicated a great deal of time, resources, and collaborative effort to preventing and ending homelessness. Over the decades, Lincoln County has seen varied economic fortunes. Traditionally reliant on industries like fishing, timber, and tourism, Lincoln County has witnessed shifts in economic stability due to market fluctuations, environmental factors, and changing consumer behaviors. These economic shifts, paired with larger national trends like increasing housing costs and stagnating wage growth, have contributed to housing insecurity for many of its residents.

In the efforts to reduce homelessness, a plan for Lincoln County was coauthored by Lincoln County Commissioner Chair, Claire Hall, and former Community Services Consortium Leader Tom Hatley in 2007 titled “At Home in Lincoln County: A Ten-Year Housing Plan for Lincoln County with a Special Focus on Chronic Homelessness.” This plan represented an ambitious and well-structured endeavor to provide a roadmap for eradicating chronic homelessness and ensuring sustainable housing solutions for all residents.

Advocates and activists use the word “unhoused” or “houseless” to describe individuals without a physical address. Government agencies and research institutions, however, use the word “homeless” when reporting on people experiencing homelessness or housing insecurity. Describing unhoused individuals as “people experiencing homelessness or homelessness” emphasizes the humans at the center of this crisis rather than houses and emphasizes that the problem isn’t solely people, but the lack of housing and affordable housing along with a multitude of other factors. These are individuals experiencing the effects of a housing shortage and increasingly unaffordable rentals on the market. Technically, they are homeless, houseless and unhoused. This report will use the words homeless and unhoused

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interchangeably with the fundamental understanding that language is one of the most important signals we have to demonstrate acceptance or rejection of a person's identity.

Key Aspects of Hall & Hatley's 2007 Plan

Comprehensive Approach: The plan was not just about constructing more shelters or homes. It sought to holistically address the root causes of homelessness, from economic barriers and mental health issues to the lack of affordable housing.

Community Engagement: Recognizing that solutions are most effective when tailored to the unique needs of the community, the plan emphasized active participation from residents, local businesses, and community groups.

Chronic Homelessness Focus: While the plan targeted homelessness at large, there was a distinct emphasis on chronic homelessness – those who have been homeless for over a year or have had at least four episodes of homelessness in three years. This group, although smaller in number, often requires more specialized and prolonged assistance.

Collaboration and Partnerships: The plan underscored the importance of synergies between governmental agencies, non-profits, private sectors, and other stakeholders. This collaborative spirit was aimed at pooling resources, knowledge, and expertise.

This pioneering plan set a goal to develop a path that will see homelessness disappear and that every citizen has a decent, safe, and affordable place to call home. However, as with any big initiative, there were challenges. Economic downturns, natural disasters, and increasing housing demands outpaced the plan's milestones. Despite the community's strong commitment and coordinated efforts to address homelessness, there is still more work to be done:

Lincoln County has seen a noticeable rise in the number of unhoused individuals. Specific areas, like the City of Newport and the City of Lincoln City, have experienced more pronounced challenges. Many of those affected are not chronically homeless but are individuals and families who have faced recent economic hardships or health crises. The unhoused community is larger than historical data reports; individuals

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have difficulty obtaining help.

Lincoln County is experiencing a surge in population growth and rising rent costs, putting more individuals at-risk of experiencing Homelessness. The availability of affordable housing in Lincoln County has not kept pace with demand, leading to increasing housing insecurity.

Job losses in traditional industries and the rise in living costs have placed many Lincoln County residents in precarious financial positions. The cost of living in Lincoln City, for example, is 5.9% higher than the national average, up 3.9% from last year.^[1] There are significant differences between current incomes and market rents, placing accessibility pressures on those in poverty.

From 2017 to 2023: A New Way Forward

In 2017, there were an estimated 186 homeless people in Lincoln County, amid a population of 48,920 total residents. In 2022 and 2023, those estimates were 160 and 159 unhoused individuals respectively. During our research, we learned that many in the community believe these figures to be an undercounted representation of the size of the unhoused population in Lincoln County. A portion of this concern is due to the significant differences between school district data and Point-in-Time (PIT) data in regards to the estimated size of the unhoused population in Lincoln County.

A PIT count is a count of sheltered and unsheltered people experiencing homelessness on a single night in January. The U.S. Department of Housing and Urban Development requires that Continuum of Care (CoCs) programs conduct an annual count of people experiencing homelessness who are sheltered in emergency shelter, transitional housing, and Safe Havens on a single night. HUD first began attempting to annually count the number of people experiencing homelessness nationwide in the 1980s. The methodology, which is dictated by HUD and includes counts of both sheltered and unsheltered people, has for years remained largely unchanged. That consistency enables communities to compare their counts year over year.

Although the PIT count is imperfect, federal requirements mean counties must continue conducting the point-in-time count, even if better data is available. Until those requirements change, the count must be used. Lincoln County continues to

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refine its PIT County methods to ensure the most accurate counts. While the below numbers undercount the total amount of unhoused in Lincoln County, they do provide some estimates to track progress annually.

Alternatively, for a more accurate picture of unhoused people, the McKinney-Vento Act provides rights and services to children and youth experiencing homelessness, which includes those who are: sharing the housing of others due to loss of housing, economic hardship, or a similar reason; staying in motels, trailer parks, or camp grounds due to the lack of an adequate alternative; staying in shelters or transitional housing; or sleeping in cars, parks, abandoned buildings, substandard housing, or similar settings. It is a more accurate snapshot of the youth experiencing homelessness and from that data, the discrepancy between the PIT data and data gathered through the McKinney-Vento Act can be extrapolated.

Despite this point in time survey data, the Oregon Health Authority shows 825 homeless students in 2017, and the Lincoln County School District shows 630 homeless students in 2022. This discrepancy in data has been a key driver in developing estimation methods to better understand the size of the unhoused community population in Lincoln County.

This report calculates the size of the unhoused population across Lincoln County is estimated to be around 2,000 individuals. Some key improvements over the past ten years helped Lincoln County develop a strong, coordinated community response include:

- The creation of additional affordable housing units across the county.
- Strengthened community outreach programs to provide early intervention and support.
- Enhanced services for those struggling with mental health issues and substance abuse.

Lincoln County, encompassing cities such as Newport, Yachats, Waldport, Siletz, Depoe Bay, Toledo, and Lincoln City, as well as the Confederated Tribe of Siletz Indians and organizations like the Community Services Consortium, represents a diverse tapestry of cultures, experiences, and insights. This diversity, when channeled correctly, is one of our greatest strengths in addressing challenges like homelessness.

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The journey towards fulfilling this mission is complex, layered with numerous challenges and opportunities. This research report, commissioned by LCHAB and conducted by Morant McLeod, delves deep into the roots of homelessness in Lincoln County, seeking to shed light on the various facets of the issue and potential pathways forward. Our goal is to provide actionable insights, data-driven recommendations, and strategic directions that can help shape LCHAB's efforts in the days and years to come.

This strategic plan analyzes current data and trends in Lincoln County around homelessness, contributing factors to homelessness, the current state of the Lincoln County homeless response system, and feedback from key stakeholders to develop a set of actionable recommendations for improving Lincoln County's coordinated community response to homelessness. Implementation of these recommendations will require community-wide, multi-sector collaboration. ***No one organization or agency can end homelessness in Lincoln County on its own.*** Together, with collection resolve and guided strategy, we can move closer to a future where involuntary homelessness is a thing of the past.

We invite readers to engage with this report, understanding that every number represents a human story, and every recommendation underscores our shared commitment to creating a Lincoln County where every individual has a place to call home.

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SECTION 2: EXECUTIVE SUMMARY

SECTION 2: Executive Summary

Homelessness is a complex issue, often rooted in a myriad of interrelated factors. Addressing it requires a deep understanding of these factors and a comprehensive approach to remedy them. The Lincoln County Five Year Homelessness Strategic Plan is the result of a highly collaborative, year-long process lead by the Lincoln County Homeless Advisory Board (LCHAB) in 2023. The LCHAB engaged the assistance of Morant McLeod to develop a holistic planning process and craft a strategic plan to respond to homelessness in Lincoln County. The plan relies heavily on data collected from in-person meetings and supplemented by data from other agencies and systems that play a role in Lincoln County's response to homelessness and housing insecurity. Feedback was solicited throughout the process from persons who have experienced homelessness themselves, government representatives, nonprofit partners, faith based communities, advocates, businesses, and the community at large.

Mission & Methodology

Using a systematic, phased approach over a twelve-month period, Morant McLeod integrated rigorous research, wide engagement, and iterative development in the development of this plan, underscoring LCHAB's commitment to community-driven, sustainable solutions. LCHAB developed a mission that wasn't just aspirational, but actionable:

“To ensure that every member of our community has access to the resources they need, while also working to prevent the circumstances that lead to homelessness.”

Community meetings were held over eight months, including a wide range of stakeholders across Lincoln County including individuals with lived experience, service organizations, community leaders, subject matter experts, and representatives from various demographics. Desktop and field level research, surveys, interviews, field studies, and community workshops gathered data, insights, and perspectives, as well as reviewing system wide data. This report consolidates information and findings gathered through this process.

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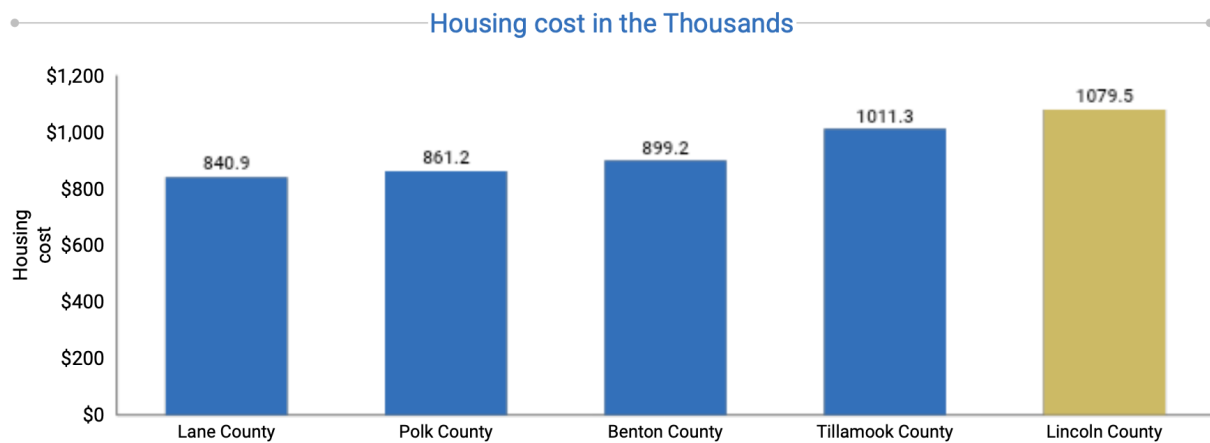
Findings

This report presents a strategic and comprehensive approach to addressing the challenges of homelessness in Lincoln County. It synthesizes extensive research and data across multiple dimensions - housing, services, economic challenges, and transportation - to propose a multifaceted strategy for tackling homelessness in the unique context of this coastal, rural community.

Key Findings

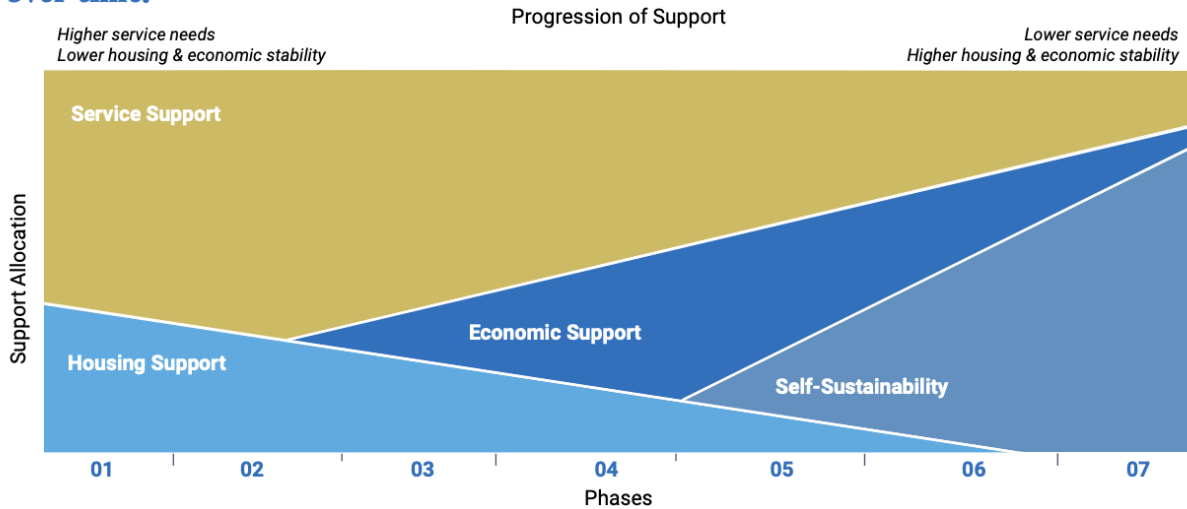
Housing Challenges: Lincoln County faces a significant gap between income levels and housing costs, exacerbated by a scarcity of affordable housing options and the prevalence of short-term rentals and second homes. When surveying 3 bedroom homes, Lincoln County was found to be the most expensive amongst neighboring counties.

Cost of Housing for 3 Bedroom Homes, In All Selected Counties



Service Needs: There is a critical need for diverse services aligned with the seven phases of the HUD housing continuum, addressing specific requirements from emergency shelter to permanent housing. We've designed a progression of support model to understand how to reach self sustainability.

The progression of support model indicates that individuals from unhoused communities will decrease service needs and enter into housing stability over time.



Economic Pressures: Residents face mounting economic pressures, including low wages and high living costs, contributing to the risk of homelessness.

Percentage of Gross Income Devoted to Monthly Mortgage Payment (Median)



Source: NAR, Freddie Mac, Census Bureau, Federal Reserve
Calculations by Morant McLeod

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Transportation Barriers: The county’s rural and coastal geography poses unique transportation challenges, hindering access to essential services and employment opportunities.

Strategic Recommendations

The report outlines five strategic goals, each aimed at addressing different facets of the homelessness issue in Lincoln County.

Summary of Recommendations

1. LCHAB to remain a permanent body that focuses on homelessness/houselessness.



2. Adopt the strategic goal to reduce homelessness to emergency & voluntary levels, utilizing the progression of support model.



3. Coordinate policy and funding efforts at city, county, regional and state levels.



4. Stand up and support a navigation system, with a priority to use or develop common data/reporting systems to track each network and community needs.



5. Integrate local housing, community services, economic development and transportation efforts to support and provide resources for community organizations.



1. **Permanent Lincoln County Homeless Advisory Board (LCHAB):** Establish LCHAB as a permanent body to focus on homelessness, ensuring ongoing attention and long-term planning. Adopted as: “LCHAB to remain a permanent body that focuses on homelessness/houselessness.”
2. **Reduction to Emergency and Voluntary Levels:** Adopt a goal to reduce homelessness to manageable levels, utilizing the Progression of Support model for targeted interventions. Adopted as: “Adopt the strategic goal to reduce homelessness to emergency & voluntary levels, utilizing the progression of support model.”

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3. **Coordinated Policy and Funding:** Enhance collaboration across city, county, regional, and state levels to optimize resource utilization and policy effectiveness. Adopted as: [“Coordinate policy and funding efforts at city, county, regional and state levels.”](#)
4. **Navigation System Development:** Create a comprehensive navigation system with a common data/reporting framework to track community needs and network efficiency. Adopted as: [“Coordinate policy and funding efforts at city, county, regional and state levels.”](#)
5. **Integration of Local Efforts:** Foster integration of housing, community services, economic development, and transportation efforts to support community organizations effectively. Adopted as: [“Integrate local housing, community services, economic development and transportation efforts to support and provide resources for community organizations.”](#)

Impact and Implementation

Implementing these strategic goals promises to significantly impact Lincoln County's approach to homelessness. The establishment of LCHAB as a permanent entity ensures a dedicated focus on homelessness. The reduction of homelessness to emergency and voluntary levels acknowledges the reality of the issue while striving for manageable solutions. Coordinating policy and funding efforts is expected to streamline resources and enhance the efficiency of interventions. The proposed navigation system will ensure a 'no wrong door' approach, simplifying access to services. Integrating local efforts across different sectors will provide a holistic support system for the unhoused and at-risk populations.

This report offers a roadmap for Lincoln County to address homelessness in a coordinated, strategic, and compassionate manner. By implementing these recommendations, the county can make significant strides in not only providing immediate support to those in need but also in fostering long-term solutions to prevent and reduce homelessness. The collaborative approach outlined here is essential for building a more inclusive, supportive, and resilient community.

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SECTION 3: RESEARCH STRUCTURE

SECTION 3: Research Structure

In our endeavor to address the complex issue of homelessness in Lincoln County, our research methodology, which commenced in January 2023, adopted a hybrid framework that combined the empathetic, inclusive principles of Community-Based Participatory Research (CBPR) with the objectivity and precision of quantitative research techniques. This dual approach capitalized on the strengths of CBPR's community engagement and local expertise, while also harnessing quantitative methods to generate measurable, broadly applicable data.

This integrative method was chosen for the following synergistic reasons and advantages:

Synergy of Community Engagement & Statistical Analysis

- **Balanced Methodology:** CBPR's emphasis on collaborative research processes would complement the structured nature of quantitative analysis, ensuring that personal stories and experiences were underpinned by solid numerical data.
- **Improved Data Gathering:** The trusting relationships developed through CBPR would facilitate the collection of robust quantitative data, resulting in higher participation rates and more reliable statistics.
- **In-Depth Understanding:** While quantitative data provides a macroscopic view of homelessness trends and patterns, CBPR contributes qualitative depth, enabling a multifaceted analysis.
- **Triangulated Outcomes:** The research would benefit from triangulating the community's qualitative insights with quantitative data, reinforcing the validity of the findings.

Advantages of the Mixed-Methods Approach During the Research Phase

- **Cultural Relevance with Numerical Strength:** The community-led aspect of CBPR ensures greater cultural sensitivity in data collection, while quantitative strategies maintain the study's statistical integrity.

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- **Trust Enriched by Verification:** The community's involvement in the study via CBPR would build a foundation of trust instrumental in gathering quantitative data, which in turn validates the qualitative evidence.
- **Strategic Interventions and Impact Assessment:** CBPR sheds light on specific community needs, and quantitative data provides a framework for evaluating the prevalence and distribution of homelessness, guiding targeted interventions and enabling assessment of their efficacy.
- **Policy Shaping and Evaluation:** Quantitative research offers concrete data required for shaping policies, whereas CBPR ensures these policies are pertinent, addressing real community concerns.
- **Optimized Resource Deployment:** Quantitative findings highlight critical areas of need and depicts trends, while insights from CBPR ensures that resources are allocated in ways that the community deems most beneficial and efficient.

The Process and Outcomes of the Combined Research Approach

The research was initiated with a CBPR approach to establish a partnership between the community and researchers, fostering a shared vision for addressing homelessness. This partnership guided the creation of quantitative research tools. Subsequently, quantitative methods such as structured surveys, statistical analyses of homelessness service utilization, and housing data collection were employed. The data thus gathered was then interpreted in the context of qualitative feedback, providing a comprehensive understanding of the issue.

By integrating CBPR with quantitative research methods, the research aimed to offer Lincoln County an insightful, action-driven, and community-informed study. The approach transcended mere number-crunching or narrative collection; it melded the two into a dynamic and exhaustive portrait of homelessness, aiming to propel practical, meaningful community interventions.

Research Phase 1: Mission Articulation. *January 2023*

Homelessness is a complex issue, often rooted in a myriad of interrelated factors. Addressing it requires a deep understanding of these factors and a comprehensive approach to remedy them. In this context, the Lincoln County Homelessness Advisory

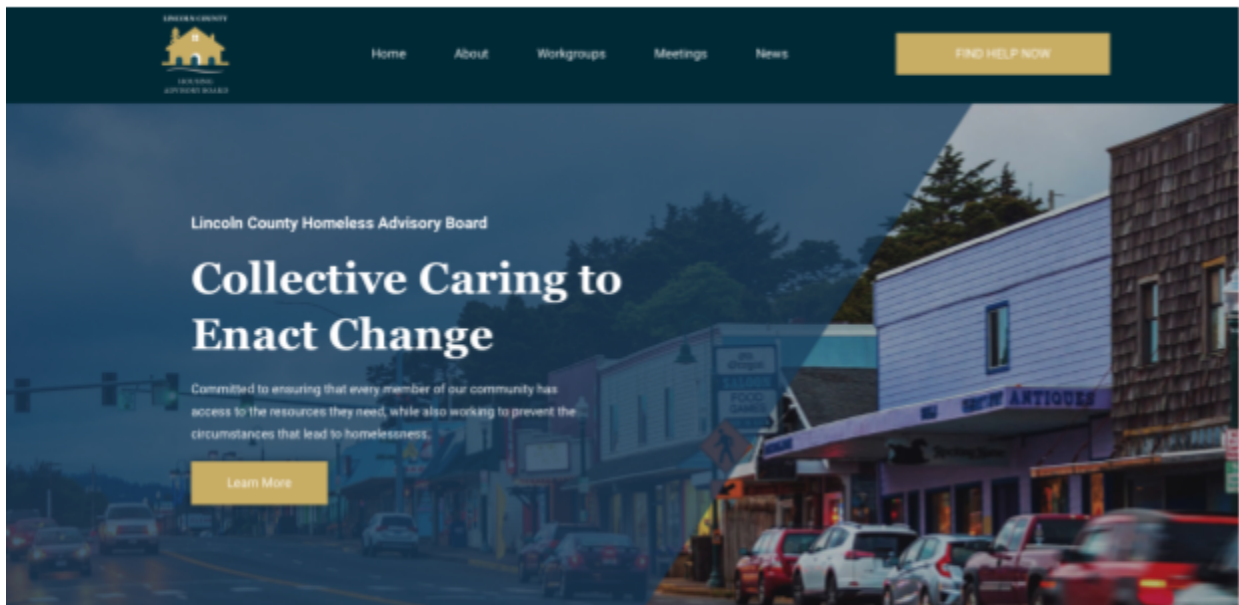
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Board embarked on a strategic planning process to shed light on the intricacies of homelessness within the county.

The first month was dedicated to laying down the foundation for the entire process:

1. **Drafting a Shared Goal:** Before diving into the intricacies, the first order of business was to draft a shared goal. This goal was a concise statement capturing the essence of the initiative's purpose.
2. **Preparation for Community Validation:** Recognizing that the strength of the initiative lay in its community acceptance, preparations were made to validate the shared goal with the community. This included setting up feedback mechanisms and engaging local organizations to foster community participation.



Lincoln County Homeless Advisory Board website. www.lchab.org
Developed by Morant McLeod

The Lincoln County Homelessness Advisory Board's initial step was the acknowledgment of the complexity of the problem. Recognizing that a single-pronged approach would be inadequate, the Board embarked on a holistic planning process. This involved gathering diverse stakeholders, from homeless individuals themselves to local businesses, nonprofits, and government entities, ensuring a spectrum of perspectives were considered.

With data collection and analysis, a thorough research process was initiated. Initial data pinpointed several drivers of homelessness, such as economic downturns, mental health issues, substance abuse, and a lack of affordable housing. However, to create an effective strategy, it was vital to determine the primary drivers – those core issues that, if addressed, could have a cascading positive effect on the others.

Armed with these insights, the Board was in a position to craft a mission that wasn't just aspirational, but also actionable. The mission emphasizes both proactive and reactive measures, understanding that while immediate relief is crucial, long-term solutions lie in prevention.

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“To ensure that every member of our community has access to the resources they need, while also working to prevent the circumstances that lead to homelessness.”

- Lincoln County Homelessness Advisory Board mission

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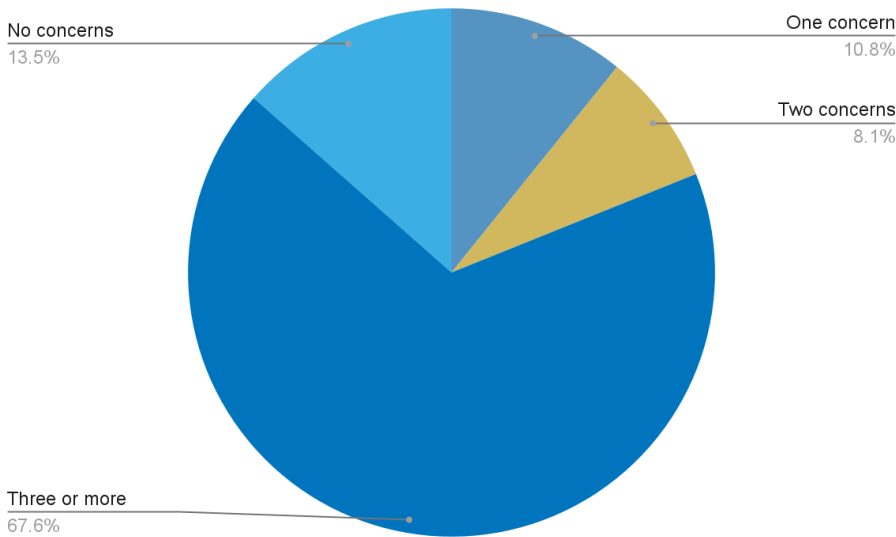
Research Phase 2: Organizing the Community Study. February 2023 - May 2023

A nuanced problem like homelessness necessitates an equally nuanced approach to solution-building. The Lincoln County Homelessness Advisory Board recognized this and further refined their strategy by segmenting the research process into four specialized workgroups: "Finance & Economics", "Mental & Physical Health", "Community Engagement", and "Service Provision & Policy". Each group focused on distinct dimensions of homelessness, ensuring a comprehensive understanding and approach.

Mental & Physical Health Workgroup

This workgroup focused on the health challenges faced by the homeless population. With research identifying mental health as a primary driver of homelessness in Lincoln County, this group's role was pivotal. Their research explored the accessibility of mental and physical health services, the prevalence of chronic illnesses among the homeless, and the barriers to obtaining consistent medical care. The workgroup also liaised with local healthcare providers, aiming to devise collaborative solutions to bridge the health service gaps.

Serious health concerns experienced by Lincoln County unhoused community



Source: Morant McLeod

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Community Engagement Workgroup

Recognizing that the community's perception and involvement are integral to resolving homelessness, the "Community Engagement" workgroup targeted public awareness and involvement. They gauged community sentiment towards the unhoused, organized awareness campaigns, and created digital platforms for community members to contribute. By fostering empathy and dispelling myths, this group sought to create a community united in its approach to tackle homelessness.

Workgroup Facts

41

Individuals attended meetings and participated in research process.

93

Action items from the workgroup research process.

167

Community organizations across Lincoln County discovered.



Service Provision & Policy Workgroup

This workgroup operated at the intersection of service delivery and policy-making. They assessed the existing services provided to the homeless, identifying inefficiencies, overlaps, or gaps. Moreover, they worked to understand the legislative landscape and identify areas for policy reform. Their goal was to ensure that services and policies were not just well-intentioned but were also effective and streamlined.

Finance & Economics Workgroup

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The "Finance & Economics" workgroup delved into the workforce related and economic aspects of homelessness. By investigating the cost of living, job market dynamics, and economic barriers faced by the unhoused population, this group sought to understand the financial realities contributing to homelessness. Furthermore, the group researched potential economic solutions and opportunities for affordable housing investments in the county.

By dividing their research into these specialized workgroups, the Lincoln County Homelessness Advisory Board ensured that every facet of homelessness was meticulously explored. Each group dove deep into its domain, providing insights and recommendations that were both in-depth and holistic. This collaborative, multi-pronged approach stands as a model for other counties and cities, showcasing the importance of specialized, collaborative research in crafting impactful, sustainable solutions.

Research Phase 3: Community Discovery and Analysis. June 2023 - September 2023

During the meetings, members critically analyzed the accumulated data, offering interpretations and proposing additional avenues of investigation. They served as a crucial sounding board, providing feedback on preliminary findings and grounding the research with on-the-ground experiences and expertise.

Monthly Meetings and Research Iterations

At the monthly meetings, researchers presented the latest quantitative data and preliminary analyses. In turn, the workgroups contributed qualitative insights, sharing stories and observations that either corroborated or questioned the emerging data patterns. This process allowed for a real-time understanding of the data within the cultural and social context of Lincoln County.

Moreover, the workgroups reviewed the research findings with a critical eye, ensuring that each insight was not only statistically sound but also resonant with the lived experiences of the community. These discussions often led to an enhanced research direction, identifying gaps that required further exploration or highlighting the need to refine data collection methods.

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Impact on the Research Direction

The qualitative insights and suggestions from the workgroups were pivotal. They informed the subsequent month's research activities, enabling the research team to adapt and evolve the study's trajectory. This iterative process ensured that the research remained dynamic and responsive to the unfolding understanding of the homelessness situation in Lincoln County.

After Each Meeting: Research Evolution

Post-meeting, our researchers took the rich qualitative insights and refined research directions back to the drawing board. This translated into:

- Adjusting data collection tools to better capture the nuanced realities of the community.
- Developing new hypotheses to test in quantitative analyses.
- Identifying additional demographic variables or service gaps to investigate.
- Exploring the potential for new partnerships or resource avenues based on workgroup recommendations.

The researchers' role was thus both reactive—responding to community insights—and proactive, pushing the boundaries of existing knowledge through further data collection and analysis. This balanced approach ensured that our study was not only informed by the voices of those it aimed to serve but also driven by empirical evidence that could facilitate effective change.

The collaborative dynamic between the community workgroups and the research team created a powerful synergy, propelling a cycle of learning, feedback, and action. The ongoing dialogue established a research process that was not only inclusive and participatory but one that culminated in actionable intelligence, ready to be leveraged in the fight against homelessness in Lincoln County.

Field research

In a concerted effort to delve deeper into the lived experiences of those directly impacted by homelessness, our research team conducted extensive fieldwork over a period of five days. This period was intensively dedicated to engaging with unhoused individuals and those who have previously experienced homelessness within Lincoln

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County. The goal was to gather personal narratives and firsthand accounts that would enrich our understanding of the complex factors contributing to and sustaining homelessness in the community.

Approach to Field Research

Our field research was planned to ensure respectful and meaningful interactions with participants. The research team:

- **Prepared Interview Protocols:** Developed sensitive and comprehensive interview guides to facilitate open-ended conversations and allow participants to share their stories in their own words.
- **Peer Reviews:** Reviewed interview protocols with peer academic organizations for ethical and informed consent purposes.
- **Scheduled Interviews:** Coordinated with local shelters, community centers, and outreach programs to identify and schedule interviews with willing participants.
- **Conducted Street Outreach:** Went into communities to meet individuals where they were, in churches, service organizations, parks, streets, and trusted neighborhood locations, to ensure inclusivity in our research sample.
- **Ensured Ethical Considerations:** Prioritized the ethics, safety, and comfort of the interviewees, obtaining informed consent and guaranteeing confidentiality.

Interview Process and Participant Engagement

During the interviews, researchers listened to a wide range of experiences, capturing diverse perspectives on the challenges faced while being unhoused:

- **Personal Stories:** Participants shared their journeys into homelessness, their daily challenges, and their interactions with existing support systems.
- **Barriers to Housing:** Many discussed the obstacles they faced in securing stable housing, including financial, bureaucratic, and social barriers.
- **Resource Access:** Insights were gathered on the accessibility and effectiveness of community resources and services currently available.
- **Suggestions for Improvement:** Participants offered their views on what changes could make a tangible difference in their lives.

Impact on the Research Findings

The qualitative data collected from these interviews added a profound layer of context to our study. These narratives did more than humanize the statistics; they provided

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critical insights into the efficacy of current initiatives and identified potential areas for systemic change. By incorporating the voices of those with lived experiences, our research gained depth and relevance, shaping recommendations that are grounded in reality.

Moving Forward

After each day of field research, our team debriefed, cataloging the information while the interactions were fresh. These debriefing sessions were vital for preserving the emotional nuances and complexities of each story. The insights from these interviews will be invaluable in developing a responsive and informed strategic plan that not only addresses the symptoms of homelessness but also tackles its root causes within Lincoln County.

Research Phase 4: Planning & Reporting. *October 2023 - December 2023*

Analysis and Initial Recommendations

Upon concluding the field research, our teams embarked on a rigorous phase of data analysis. The process involved synthesizing the quantitative data with the rich qualitative insights obtained from the interviews with unhoused individuals. This phase was critical, as it laid the groundwork for developing actionable and impactful plan recommendations.

The quantitative data provided a statistical backbone, outlining the scope and scale of homelessness, while the qualitative insights offered a nuanced understanding of the underlying causes and personal experiences. The blend of these data streams enabled our team to draft informed, empathetic, and practical recommendations aimed at reducing homelessness in Lincoln County.

Presentation to Lincoln County Homeless Advisory Board

These initial recommendations were then compiled and presented to LCHAB. The presentation served two main purposes:

1. **Feedback and Validation:** To validate the findings with LCHAB and ensure that the recommendations resonated with their mission and vision.
2. **Refinement of Recommendations:** To incorporate the board's expertise and insights, further refining the recommendations.

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The LCHAB's input was invaluable in this stage, as it provided a local governance perspective and ensured that the recommended strategies were aligned with policy frameworks and resource allocations.

Iterative Adjustments

Taking into account the feedback from LCHAB, our team revisited the draft recommendations. This iterative process was essential for aligning the plan with the practical realities and strategic priorities of Lincoln County. Adjustments were made to ensure the recommendations were not only evidence-based and community-informed but also actionable and sustainable.

Development of Final Recommendations

The refined set of recommendations was then developed into a comprehensive plan. This plan encapsulates a strategic approach to tackling homelessness, drawing from the collaborative input of all stakeholders involved in the research phase. The final recommendations were designed to be specific, measurable, achievable, relevant, and time-bound (SMART), laying a clear roadmap for implementation.

Review and Adoption Process

Before these recommendations are adopted, they are scheduled to undergo a review by each city within Lincoln County and the Lincoln County Board of Commissioners. This multi-level review process aims to ensure:

- **Local Relevance:** Each city's unique context is considered, and the plan's adaptability to different local circumstances is ensured.
- **Broad-based Endorsement:** Securing the buy-in from all relevant governmental entities, which is crucial for the successful implementation of the plan.
- **Transparency and Inclusivity:** Maintaining an open dialogue with the public and stakeholders, fostering trust and support for the plan.

The adoption of the final recommendations is anticipated to mark a significant step towards a more coordinated and effective response to homelessness in Lincoln County. With the engagement of the cities and the County Board of Commissioners, the plan is poised to translate into targeted actions and policy reforms that will drive meaningful change in the community.

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SECTION 4: LIVED EXPERIENCE

SECTION 4: Homelessness in Lincoln County

Lincoln County residents in the unhoused communities report that homelessness makes them sad, and although they have one another and know of some service providers who work to help, there is often a sense of impossibility. Some unhoused residents enjoyed having someone to talk to about their situation and gladly gave information to support our surveys, while others had prior experiences that limited their interactions. Those experiences ranged from earlier abuse from previously trusted individuals to mental health concerns, from physical disabilities to severe employment uncertainty, and beyond.

“Get into a house, back on my feet, and find a full time job... but it’s impossible when you’re camping.”

- Lincoln County Resident

Rather than expecting the homeless community to come to them, Morant McLeod consultants went to the places these individuals frequented. Food pantries, soup kitchens, food shares, and other community programs became the primary settings for these interactions. Such settings provided a more relaxed environment, allowing the homeless individuals to feel at ease and encouraging honest conversations.

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Unhoused Communities are Connected and Caring

Our research has revealed a remarkable level of interconnectedness within the unhoused communities of Lincoln County. Despite the challenges posed by their circumstances, these individuals have forged a network characterized by mutual recognition, reliance, information sharing, and support. This connectedness has significant implications for the development and implementation of homelessness interventions in the region.

Nature of connections among unhoused individuals

The threads that weave through the unhoused population in Lincoln County are strong and multifaceted:

- **Familiarity and reciprocity:** There is a profound sense of familiarity amongst individuals within local unhoused communities. The shared experiences of hardship and the necessity for survival have fostered a culture of reciprocity. People often know each other by name, face, or story and extend help whenever possible.
- **Shared resources and information:** Information flows freely within these networks. From sharing tips about safe places to sleep to updates about service availability, the exchange of information acts as a critical lifeline that benefits all members of the community.
- **Collective support systems:** These informal networks often fill the gaps left by formal support systems. They provide a form of social capital that can be leveraged for a range of support – be it emotional, material, or in the form of advice.
- **Resilience through solidarity:** The solidarity evident in these communities contributes to their resilience. There is an understanding that surviving homelessness often requires a collaborative effort, which in turn reinforces their sense of community.

Taking care of those with greater needs: Although many residents in local unhoused communities have faced extreme physical, social, and emotional hardships, there is a recognition that some have faced harder times than others. Those who have faced less severe experiences or whose hardships originated some time further into the past, recognize those who are newer to the community or who have faced more

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severe circumstances. It's common for those who have been there longer to care for those who are newer to their unhoused community. For example: it's common for older women to care for women who have recently entered the community, and provide a level of protective support for them at a distance while the newer individual adjusts to the circumstances.

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Estimated Number of Individuals Experiencing Homelessness

The challenge of accurately estimating the unhoused population in Lincoln County has been approached using three distinct methodologies, each leveraging different data sources and assumptions. These methods provide varied perspectives on the scale of homelessness, encompassing both the visible and less visible segments of this population.

Method 1: PIT Count and School District Data Correlation

The first method integrates the 2022 Point-In-Time (PIT) count estimates with the 2022 school district data. The PIT count is a comprehensive enumeration of individuals experiencing homelessness, typically conducted on a single night. This method specifically examines the relationship between unsheltered individuals from the PIT count and students who are not 'doubled up' in the school district data.

- Approach: By correlating the number of unsheltered individuals in the county with the proportion of unhoused students in the school data who are in non-'doubled up' situations (such as unsheltered, sheltered, or in hotels/motels), this method provides an estimate that encompasses a broader definition of homelessness.
- Estimate: It approximates that there are 1,748 unhoused individuals in Lincoln County, including those who are 'doubled up'.
- Implications: This approach acknowledges the varied living conditions under the umbrella of homelessness and offers a more inclusive count.

Method 2: Comparative Analysis of Yachats and Lincoln County Populations

The second methodology dives into the specific context of the City of Yachats within Lincoln County. It uses a ratio-based estimation stemming from a small-scale self-reporting measure within Yachats.

- Approach: Over a week, 28 unique individuals in Yachats identified themselves as unhoused. Given Yachats' population of 994 and Lincoln County's total population of 50,395, the method extrapolates these figures to estimate the county-wide unhoused population.
- Estimate: The extrapolation leads to an approximation of 1,420 unhoused individuals across Lincoln County.

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- Implications: This method relies on a small, localized sample and assumes that the ratio of unhoused individuals in Yachats is representative of the entire county. It provides a conservative estimate, potentially underrepresenting areas with different socio-economic dynamics than Yachats.

Method 3: Census Data and School District Analysis

The third method leverages demographic data from the Census Bureau, juxtaposed with the school district's count of unhoused students.

- Approach: This method compares the proportion of unhoused students (630) to the total population of individuals under 18 years (8,421) in the county. It then applies this proportion to the over-18 population (41,445) to estimate the total unhoused population.
- Estimate: Using this demographic proportion approach, the method estimates 3,731 unhoused individuals in Lincoln County.
- Implications: This approach assumes that the rate of homelessness among minors is indicative of the rate in the adult population. While it provides a broader estimate, it might not accurately account for adult-specific factors influencing homelessness.

Synopsis of Estimation Methods

Each method offers a unique lens through which to view the challenge of homelessness in Lincoln County. Method 1 provides a broad perspective, including various forms of housing instability. Method 2 offers a localized, ratio-based estimate, while Method 3 uses a demographic proportionality approach. Together, these methodologies highlight the complexity of estimating homelessness and underscore the need for multi-faceted approaches in understanding and addressing this issue. The variation in estimates also reflects the inherent challenges in quantifying a population that is often hidden and fluid, emphasizing the importance of continuous data collection and analysis in shaping effective policy and support interventions.

Incorporating the Mean of Estimates for a Comprehensive Understanding

In addition to the individual insights provided by each of the three methodologies, it is informative to consider the mean of these estimates for a more balanced understanding of the scale of homelessness in Lincoln County. By averaging the estimates from the

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three distinct approaches, we arrive at a figure that potentially offers a more moderated and comprehensive perspective.

- **Calculating the Mean:** The three methods yield estimates of 1,748, 1,420, and 3,731 unhoused individuals, respectively. The mean of these figures, calculated as the sum divided by three, is approximately 2,090 unhoused individuals.
- **Using the Mean for Estimation:** This report adopts the mean estimate of 2,090 unhoused individuals for broader estimation purposes. This figure is seen as a middle ground that balances the diverse methodologies and their inherent assumptions and limitations.
- **Implications:** Utilizing the mean provides a more rounded view that mitigates the potential biases or specificities of each individual method. It acknowledges the variability and uncertainty inherent in estimating hidden populations like the unhoused and serves as a pragmatic figure for policy planning, resource allocation, and further analysis.

By considering this mean estimate, the report aims to encapsulate a more holistic picture of homelessness in Lincoln County, offering a crucial figure that can guide a range of interventions and support services. This approach underscores the importance of using multiple methods and perspectives when engaging with complex social issues, ensuring that policies and strategies are grounded in a comprehensive understanding of the situation at hand.

Unhoused Children in Lincoln County

Categories of data

Including “Doubled Up” to Understand the Experience of Homelessness

When discussing homelessness, the image that often comes to mind is that of individuals living on the streets or in shelters. However, this perspective overlooks a significant and often hidden aspect of homelessness known as being “doubled up.” This term refers to individuals and families who, due to economic hardship or similar crises, are forced to live with relatives, friends, or others in temporary, overcrowded, or unsustainable living conditions. Recognizing and including “doubled up” as a metric in understanding homelessness is crucial for several reasons.

Economic Instability and Housing Insecurity: Being “doubled up” often stems from financial hardship, job loss, or eviction, reflecting underlying economic instability. While individuals in these situations have a roof over their heads, their living conditions are precarious, and their housing security is often temporary and dependent on the goodwill of others.

Risk of Transitioning to More Severe Forms of Homelessness: Those who are “doubled up” are at a heightened risk of transitioning into more severe forms of homelessness. As temporary arrangements become untenable, the likelihood of ending up in shelters or on the streets increases. Early intervention for those who are “doubled up” can prevent this escalation.

Psychological and Social Impact: The instability and uncertainty associated with living “doubled up” can have profound psychological effects, especially on children and teenagers in addition to adults. It can lead to stress, anxiety, and a sense of social isolation. Moreover, the lack of a stable environment can adversely affect academic performance, employment prospects, and overall well-being.

Hidden Nature of the Problem: “Doubled up” individuals are often invisible in traditional homelessness statistics. Without acknowledging this group, the true scope of the housing crisis remains hidden, leading to underestimation of the need for resources and support services.

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Risk of Transitioning to More Severe Forms of Homelessness: Those who are "doubled up" are at a heightened risk of transitioning into more severe forms of homelessness. As temporary arrangements become untenable, the likelihood of ending up in shelters or on the streets increases. Early intervention for those who are "doubled up" can prevent this escalation.

Policy and Resource Allocation: Including "doubled up" as a category in homelessness metrics is crucial for policy development and resource allocation. It enables a more comprehensive understanding of the housing crisis, ensuring that policies are inclusive and resources are appropriately directed.

Comprehensive Support Systems: Recognizing "doubled up" situations allows for the development of support systems that address the unique needs of these individuals, such as housing assistance, counseling services, and educational support for affected children and adults.

Understanding and addressing the needs of those who are "doubled up" is essential in the fight against homelessness. It broadens our perspective of what homelessness looks like and allows for more effective and compassionate solutions. By including "doubled up" in homelessness metrics, we can ensure a more accurate representation of the issue, leading to better-targeted policies and support systems that address the full spectrum of housing instability.

Prevalence of Homelessness Among Students in the Lincoln County School District

The dataset received from Lincoln County School District encompasses 630 students, all of whom are identified as experiencing some form of homelessness. These students are categorized into four types of homelessness as defined by their night-time residency status: Unsheltered (U), Sheltered (S), Doubled Up (D), and Hotel/Motel (H).

Breakdown of Homelessness Types

Doubled Up (D):

- Count: 397 students
- This category, indicating students living in overcrowded or shared housing due to economic hardship, is the most prevalent form of housing instability within the group.

Unsheltered (U):

- Count: 150 students

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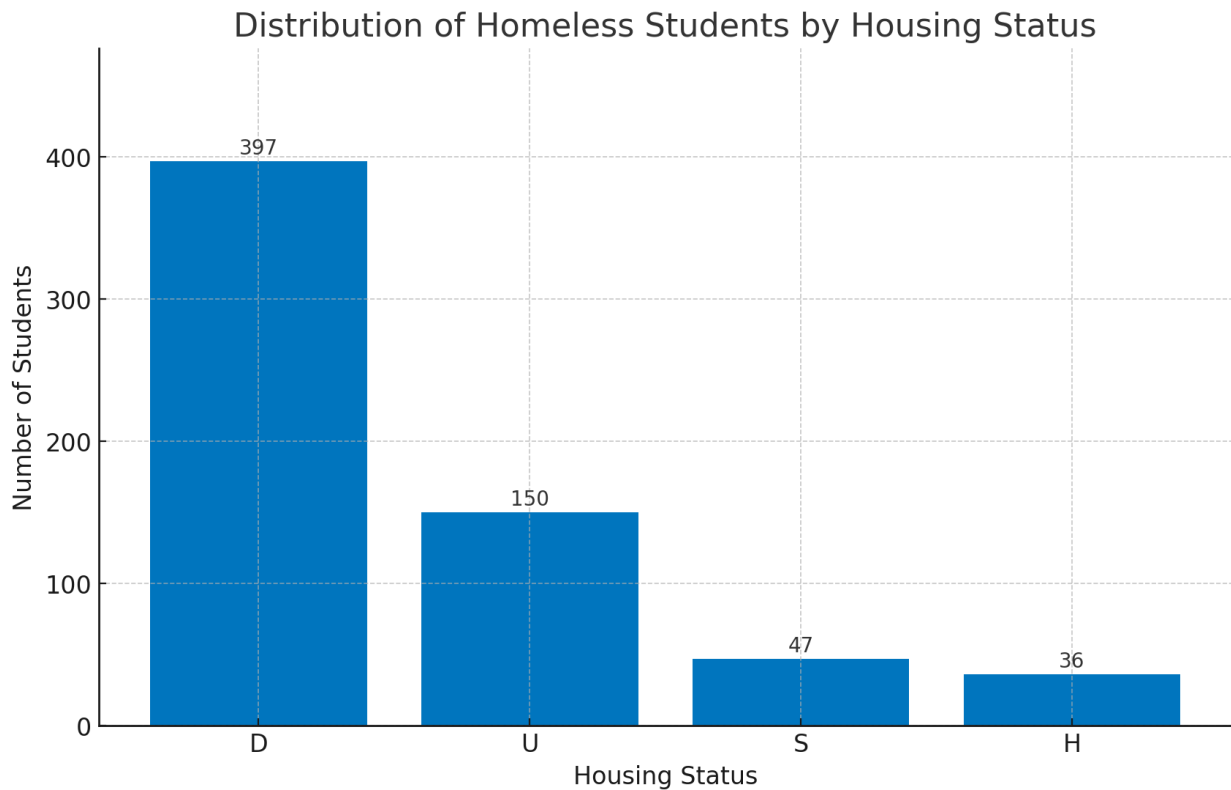
- These students are living in conditions not meant for habitation, such as in cars, parks, or abandoned buildings.

Sheltered (S):

- Count: 47 students
- This group includes students living in emergency or transitional shelters.

Hotel/Motel (H):

- Count: 36 students
- These students are temporarily residing in hotels or motels, possibly due to a lack of alternative adequate accommodation.



Implications for the Lincoln County School District

In the Lincoln County School District, a closer look at the 630 students identified as experiencing homelessness reveals a complex and challenging landscape. These students, each facing unique struggles, are categorized into four distinct types of living situations, each reflective of the varied facets of homelessness.

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The most common scenario, experienced by 397 students, is being 'Doubled Up'. This term refers to living in overcrowded conditions or sharing housing with others due to economic necessity. The stories behind this number likely speak of families grappling with financial hardships, making difficult choices to stay afloat. In these settings, students may face challenges such as lack of privacy, limited study spaces, and the psychological toll of instability.

A strikingly high number, 150 students, are classified as 'Unsheltered'. This designation paints a picture of the most severe form of homelessness: children and adolescents living in cars, parks, abandoned buildings, or other unsuitable conditions. Their daily lives are a testament to resilience in the face of adversity, yet their circumstances pose serious concerns about their safety, health, and ability to engage effectively in school.

A smaller, yet significant group of 47 students are in 'Sheltered' situations, residing in emergency or transitional shelters. Their experiences often involve constant movement and uncertainty, a transient lifestyle that can disrupt education and emotional development.

Lastly, 36 students are living in 'Hotel/Motel' situations. This often temporary solution might arise from an urgent loss of housing or as a stop-gap arrangement until more stable housing can be found. While potentially more stable than being unsheltered, these accommodations are not a long-term solution and often come with their own set of challenges.

Together, these figures not only quantify the issue but also humanize it. They represent individual stories of resilience in the face of hardship and underscore the need for compassionate, comprehensive support systems. For these students, school might be one of the few constants in their lives, a place not just for learning, but also for finding support, stability, and a sense of normalcy. The data thus serves as a call to action, highlighting the urgent need for targeted interventions and resources to support these young members of our community.

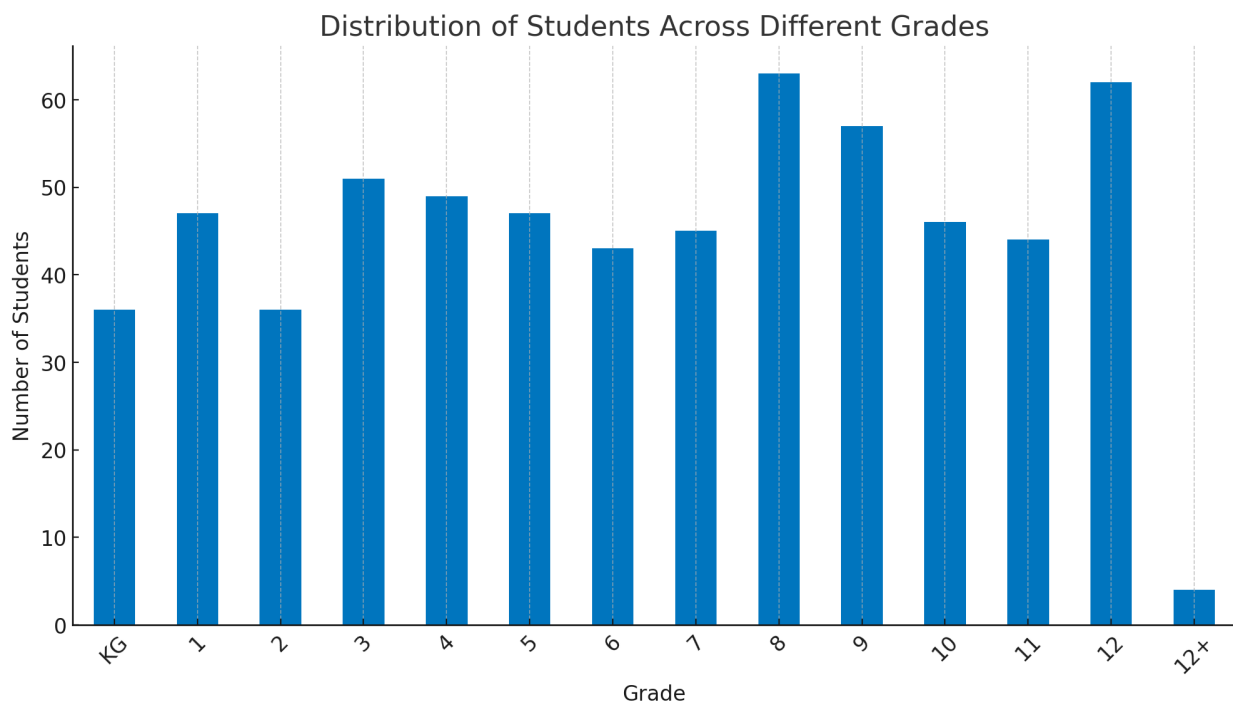
These insights highlight a critical need for interventions and support systems within the Lincoln County School District. Addressing housing instability is crucial for ensuring the well-being and educational success of students. Community engagement, policy development, and resource allocation should focus on providing stable housing solutions and supporting the diverse needs of students facing these challenges.

Distribution across grades

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An initial analysis reveals varied distributions of these residency codes across grade levels.

- **Early Grades (Kindergarten to Grade 3):** These grades show a higher prevalence of the 'Doubled Up' status, suggesting that younger students are more likely to live with other families or relatives due to economic constraints.
- **Middle Grades (Grade 4 to Grade 8):** In these grades, there's an increased occurrence of the 'Sheltered' and 'Hotel/Motel' statuses. This trend might indicate that as children grow older, their families face more challenges in maintaining stable, long-term housing.
- **Higher Grades (Grade 9 to Grade 12):** Here, we observe a concerning increase in the 'Unsheltered' status, particularly in the later high school years. This troubling trend suggests that high school students are increasingly facing the most extreme forms of housing insecurity.



Grade-Specific Trends

Certain grades stand out in their housing situation profiles. For example, Grade 8 shows a significant presence of the 'Hotel/Motel' status, indicating a possible transitional

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phase in housing. Grade 12 has a noticeable proportion of 'Unsheltered' students, highlighting the harsh reality faced by students nearing adulthood.

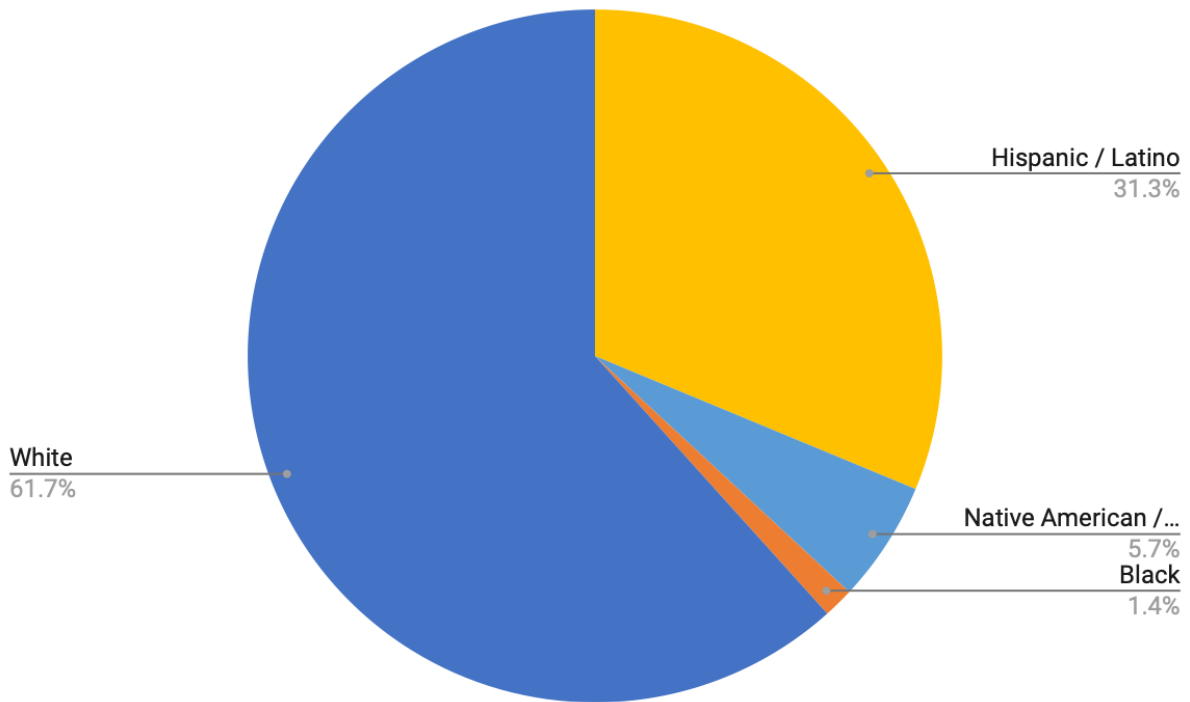
Implications

This analysis brings to light the critical need for targeted support and interventions. The varying housing situations across grades underscore the importance of providing tailored resources. Younger students might benefit from programs that support families in economic hardship, while older students may need direct assistance with housing, counseling, and academic support to manage the challenges of unstable living conditions.

The ethnic and racial distribution of the unhoused student population

In the Lincoln County School District, the unhoused student population, totaling 630 individuals, presents a diverse ethnic and racial makeup. This diversity is not just a statistic; it's a reflection of the varied backgrounds and cultures of the students navigating the challenges of homelessness.

- 61.66% of unhoused students identify as **White**. Encompassing 349 students.
- 31.27% of the unhoused students identify as **Hispanic**. Translating to 177 students.
- 5.65%, identifies as **Native American, American Indian or Alaska Native**, amounting to 32 students.
- 1.41% of unhoused students identify as **Black or African American**, 8 in total.
- No unhoused students identified themselves as **Asian** or as **Native Hawaiian or Other Pacific Islander** in the data received. However, this may change in future years, and future unhoused students who identify themselves as Asian or Native Hawaiian or Other Pacific Islander warrant full inclusion.



This ethnic and racial distribution paints a picture of a student population rich in diversity yet united by the common challenge of homelessness. Each percentage point and number represent real students, each with their own stories, cultural backgrounds, and educational journeys. Understanding this diversity is crucial in tailoring educational support and housing assistance to meet the varied needs of these students, ensuring that every child has the opportunity to thrive despite their housing circumstances.

Unhoused Student Housing Status by Zip Code

In the Lincoln County School District, the geographical distribution of unhoused students, as reflected through the lens of zip codes, offers a compelling view of the varying concentrations of students across different areas.

The dataset, encompassing 630 students, spans 25 unique zip codes, each representing a distinct part of the district. Among these, two zip codes stand out due to their significantly higher numbers of unhoused students, painting a picture of areas where the challenge of homelessness is particularly pronounced.

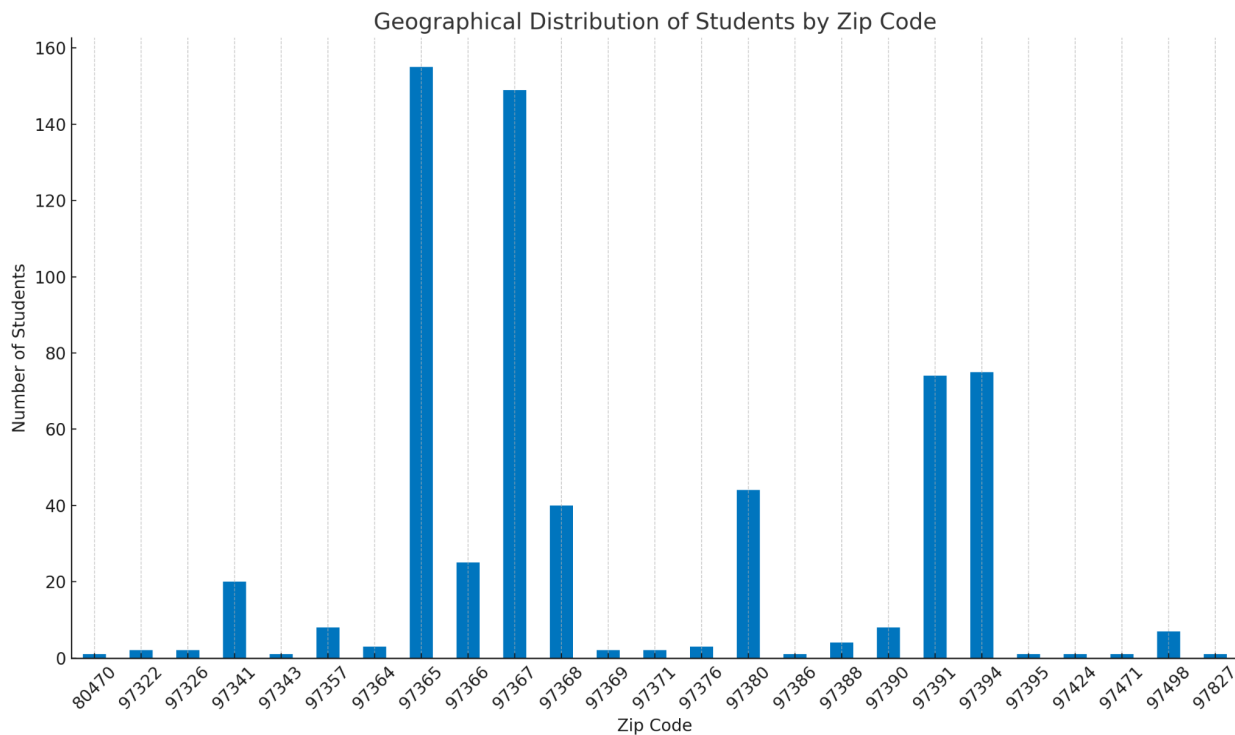
Key Zip Codes with High Student Concentrations:

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- **Zip Code 97365:** This area is the most densely represented, with 155 students calling it home. The high number in this zip code suggests it as a central hub where many unhoused students reside.
- **Zip Code 97367:** Close in numbers to 97365, this zip code accounts for 149 students. Together with 97365, these two areas form the epicenter of the student homelessness issue within the district.

Other Areas of Note:

- **Zip Codes 97391 and 97394:** Each of these areas houses a substantial number of students, 74 and 75 respectively, indicating significant pockets of homelessness.
- **Zip Codes 97368 and 97380:** These areas also show notable concentrations, with 40 and 44 students respectively, highlighting them as key areas of concern.



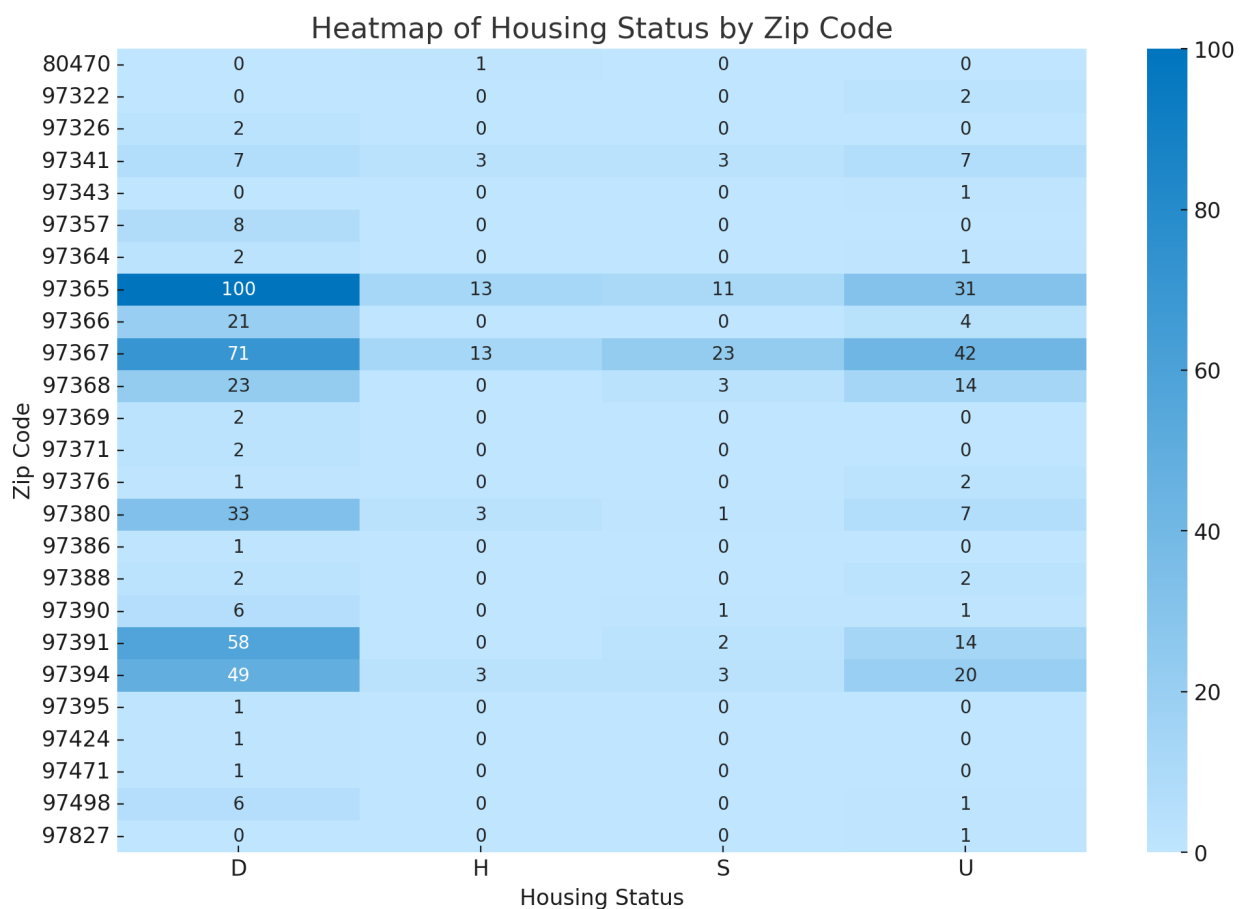
Areas with Fewer Unhoused Students:

- Several zip codes, such as 80470, 97343, 97386, 97395, 97424, 97471, and 97827, report minimal numbers, each with only a single student. While these

areas appear less impacted, each student's situation is a critical part of the overall picture.

- A few other zip codes have slightly higher, yet still low numbers, like 97322, 97326, 97369, and 97371, each hosting 2 students.

This geographic spread indicates that while certain areas within the district are hotspots for student homelessness, the issue touches a wide range of locations, albeit to varying degrees. The reasons behind these concentrations could be multifaceted, including factors like the availability of affordable housing, the location of shelters, and the socio-economic status of different neighborhoods.



In the Lincoln County School District, a detailed heatmap analysis of the unhoused student population, categorized by zip codes and types of homelessness, has provided a striking visual representation of the geographic distribution of homelessness. This analysis illuminates the areas most heavily impacted and the diverse nature of housing challenges faced by the students.

The heatmap's inverted color gradient, transitioning from light to dark blue, effectively highlights the varying intensities of homelessness across different zip codes. Darker shades in the map indicate higher concentrations of students experiencing specific types of homelessness. Notably, zip codes like 97365 and 97367 emerge as significant hotspots, particularly in the 'Doubled Up' and 'Unsheltered' categories, suggesting these areas are central to the district's homelessness challenge. Meanwhile, zip codes such as 97391 and 97394 also exhibit notable concentrations but in more specific categories like 'Doubled Up'.

This visual tool does more than just map out numbers; it reveals subtle yet significant patterns. Lighter shades in certain areas indicate lower incidences of homelessness, yet these areas remain an integral part of the overall narrative. The distribution suggests that homelessness among students is a complex issue that varies widely across the district, influenced by a range of factors including economic conditions, availability of shelters, and community resources.

The implications of this analysis extend far beyond mere data interpretation. It symbolizes the real-life situations of students and serves as a crucial tool for policymakers, educators, and community organizations. The heatmap provides a clear guide on where to focus intervention efforts, ensuring that resources and support are directed efficiently to areas with the highest need. It calls for a coordinated approach that acknowledges the geographic dimensions of the issue, aiming to foster stable and supportive environments for all students, regardless of their location within the district.

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Unhoused Adults in Lincoln County

This section presents a detailed exploration across five critical dimensions: health concerns, educational background, service utilization, demographic profiles, and the reasons leading to housing loss. Each of these aspects provides valuable insights into the complexity of homelessness, challenging common stereotypes and revealing the diverse challenges faced by the unhoused community.

Health Concerns: Our investigation into health-related issues sheds light on the physical and mental challenges that significantly impact the lives of those experiencing homelessness. Despite a notable percentage having health insurance, a vast majority suffer from various health conditions, often compounded by difficulties in accessing healthcare services.

Educational Background: We explore the educational attainment within the unhoused community, revealing a surprising parallel with the general population of Lincoln County. This section highlights that while education is a critical factor, it alone does not insulate against the risk of homelessness.

Service Utilization: In assessing service utilization, we examine the awareness and engagement with available support services, including housing assistance. This analysis uncovers the gaps between service availability and accessibility, underscoring the need for more streamlined and effective delivery mechanisms.

Families and Demographics: This demographic analysis provides a detailed overview of the composition of the unhoused population in Lincoln County. By understanding who is most affected, we can tailor strategies and solutions to be more effective and inclusive.

Reasons for Loss of Housing: Lastly, we delve into the myriad reasons individuals find themselves without a home. From economic hardship and health crises to relationship breakdowns and lifestyle choices, the causes of homelessness are as varied as they are complex.

This comprehensive exploration aims not only to deepen our understanding of homelessness in Lincoln County but also to inform the development of targeted, evidence-based strategies to combat this multifaceted issue. By closely examining these key dimensions, we strive to create a foundation for interventions that are responsive, inclusive, and effective in addressing the unique needs of the unhoused community.

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Understanding Work History of Unhoused Individuals

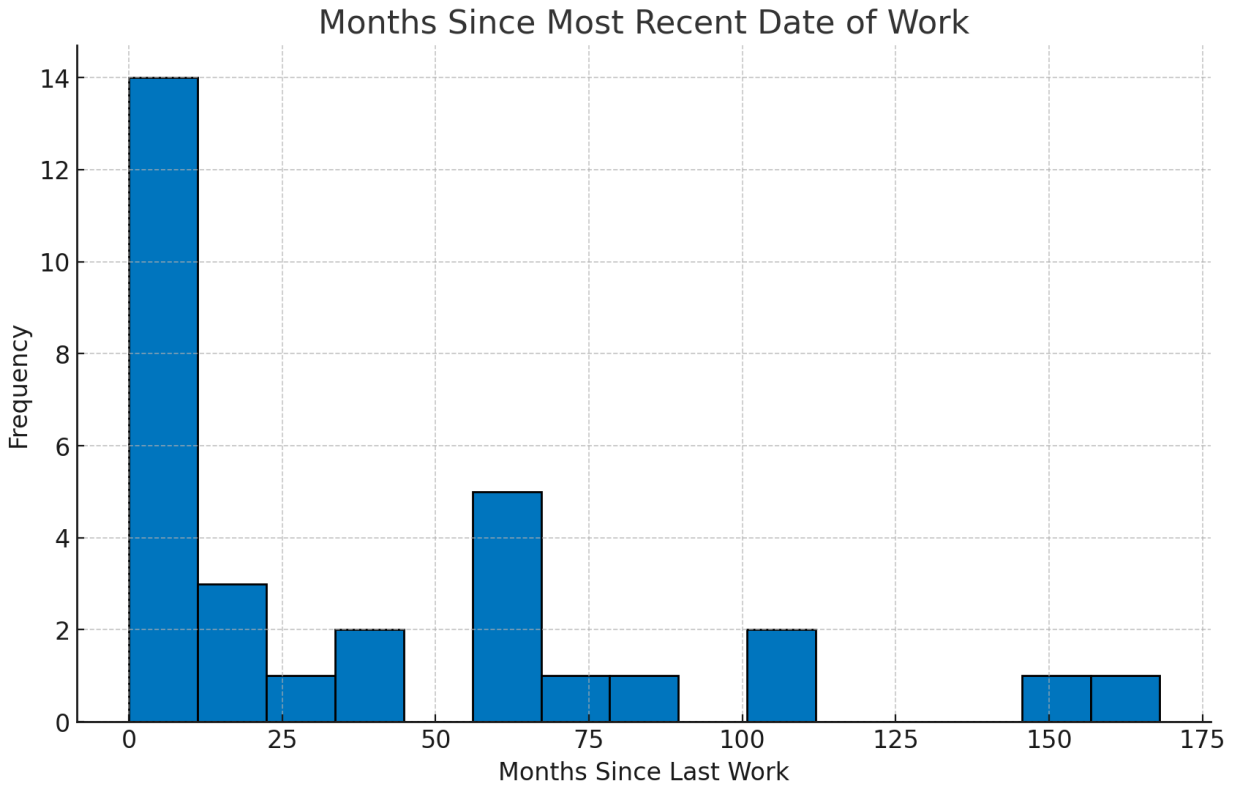
In our research, a critical data point emerged: the number of months since these individuals last held a job. This information is crucial in developing targeted assistance programs and understanding the dynamics of homelessness.

The dataset comprises various individuals, each with their unique story reflected in the time since they last worked. The data ranges widely, from those who have been out of work for as little as zero months to those who have not been employed for as long as 168 months. This range underscores the diversity within the unhoused population, highlighting that homelessness can affect anyone, regardless of their work history.

A closer look at the data reveals some key insights:

- **Average Duration:** The average (mean) duration since last employed is approximately 37.39 months. This average, however, is influenced by outliers – individuals who have been out of work for an exceptionally long time.
- **Most Common Scenario:** The mode of the dataset is 1 month, indicating a significant number of individuals have only recently lost their jobs. This suggests a potentially high rate of individuals falling into homelessness shortly after losing employment.
- **Median Value:** The median duration of 12 months provides another perspective, showing that half of the individuals have been out of work for a year or less. This median value is a more representative measure of the central tendency in this case, as it is less affected by extreme values.

The histogram of the data paints a vivid picture. There's a notable concentration of individuals who have been out of work for a relatively short period (less than 20 months), indicating a recent transition into homelessness for many. On the other hand, the presence of individuals who have not worked for over 100 months points to long-term unemployment challenges in a subset of the unhoused population.



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Many within the unhoused community are currently working, recently without permanent housing, or actively searching for both housing and gainful employment. It's common for them to reach dead-ends in their pursuit.

46 yrs

Average age of the unhoused community.
(Ages 19 to 72 yrs sampled.)

2 yrs

2 yrs, 8 mos.
Since most recent date of employment, average.

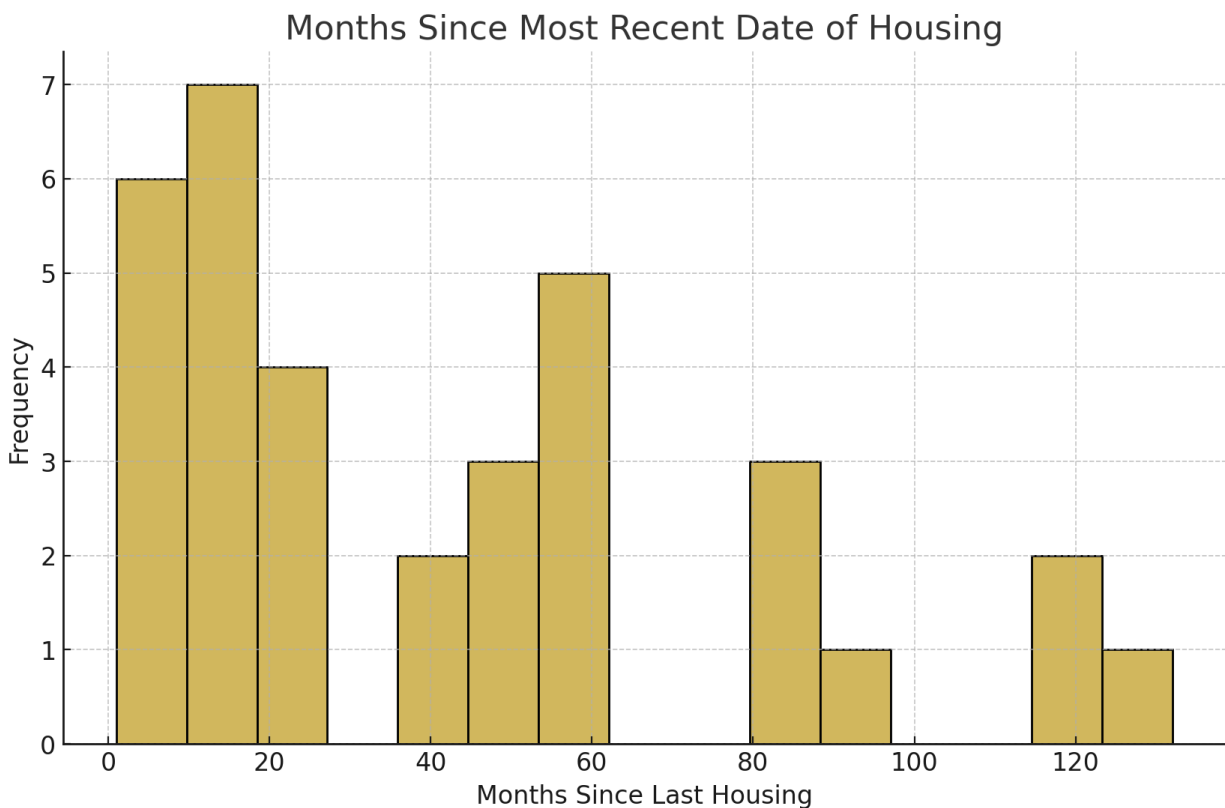
3 yrs

3 yrs, 7 mos.
Since most recent date of permanent housing, average.

Exploring the Housing History of Unhoused Individuals

The research shows a broad spectrum of recent housing, reflecting the varied experiences of those who are unhoused. It ranges from individuals who have recently lost their housing to those who have been without a home for over a decade. Key insights from the data include:

- **Average Duration:** The average duration since last stable housing is approximately 42.53 months. This figure indicates a significant period of instability for many in the population, but it is also skewed by those who have been without housing for an extremely long time.
- **Common Experience:** The mode of the dataset is 12 months, revealing that a notable number of individuals lost their housing about a year ago. This points to a potentially critical time frame for intervention to prevent prolonged homelessness.
- **Median Value:** At a median of 30 months, this suggests that half of the unhoused population has been without stable housing for two and a half years or less, while the other half has been unhoused for longer.



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The histogram (above) of the data paints a picture of this distribution. It shows a concentration of individuals who have been without housing for fewer than 50 months, suggesting a recent increase in homelessness or a recent loss of housing for these individuals. Conversely, the presence of those who have been unhoused for over 100 months indicates a subgroup facing long-term homelessness, potentially compounded by additional barriers such as health issues, lack of support networks, or long-term unemployment.

Quotes regarding housing goals

"I want a roof over my head, or maybe a boat, RV, or apartment... anything to get off the streets in the winter."

"I want a space to myself, with a working kitchen and bathroom."

"We want a house to get our kids back."

"Get into a house, back on my feet, and find a full time job... but it's impossible when you're camping."

"I would like an apartment or even a shelter. I don't want a homeless camp."

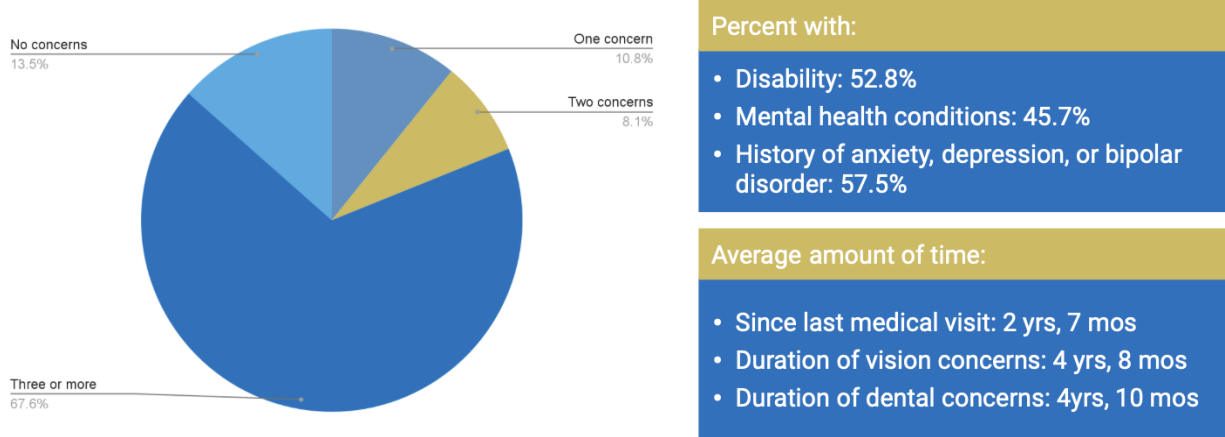
Health Concerns in Unhoused Communities

The incongruity between health insurance coverage and the lived health experiences of Lincoln County’s unhoused communities is stark and multifaceted. While a majority of these individuals have medical insurance, notably from the Oregon Health Plan, our research indicates that 86.5% are grappling with one or more serious health conditions. This is compounded by the fact that the average individual has not had a medical visit in 2 years and 7 months, signaling substantial barriers to accessing care.

Extended Duration of Unaddressed Health Issues

The duration of unmet health needs is a telling indicator of the chronic nature of health neglect in these communities. On average, individuals with vision concerns have gone 4 years and 8 months without adequate care. For dental health, the duration is even longer, with an average of 4 years and 10 months since receiving proper dental attention. These extended periods contribute to a cycle of deteriorating health that is challenging to break.

Serious health concerns experienced by unhoused community



The Gap Between Insurance and Care

This data underscores a gap that has less to do with insurance coverage and more with the delivery and utilization of health services. The insured may still face considerable obstacles, including:

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- **Service accessibility:** With an average gap of over two years since the last medical visit, it's evident that physical and logistical access to health care providers is a critical issue.
- **Complex health needs:** Those experiencing homelessness with multiple health issues, which our research found to be 67.6% of the surveyed group, require integrated care that addresses all their needs simultaneously.
- **Ongoing conditions:** The protracted nature of vision and dental concerns illustrates the need for regular, ongoing care, which is often harder to secure for the unhoused due to transportation issues, competing survival priorities, and lack of consistent care options.

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Education Throughout Unhoused Communities

The relationship between homelessness and education is often presumed to be one of deficit on the part of those experiencing homelessness. However, our research in Lincoln County challenges this assumption. The educational attainment within unhoused communities exhibits remarkable similarities to the broader population, suggesting that lack of education is not a primary driver of homelessness in this region.

Unhoused Community Educational Levels

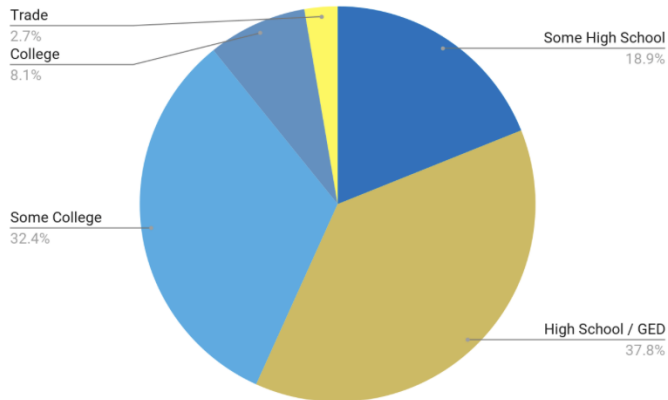
An analysis of the educational attainment among the unhoused community reveals a spectrum of educational experiences:

- **Some high school:** 19.44% of the unhoused population reported some high school education, indicating a number of individuals may have faced interruptions during their secondary education.
- **High school/GED completion:** 36.11% achieved a high school diploma or GED, reflecting a significant proportion that reached a foundational level of education which mirrors the critical threshold for many entry-level jobs.
- **Some college experience:** A significant 33.33% have attended college without completing a degree, which suggests a pursuit of higher education that was not brought to fruition for various reasons.
- **College graduates:** At 8.33%, the proportion of college graduates in the unhoused community, while smaller, is noteworthy, especially when juxtaposed with the broader societal narrative.
- **Trade certification:** With 2.78% having completed trade certifications, this highlights that vocational paths are also present within the unhoused demographic.

Unhoused Community: Highest Level of Education

All Lincoln County

- High School / GED: 24.1%
- Some College: 31.0%
- College Degree: 17.6%
- Graduate Degree: 11.0%



Comparison with all Lincoln County Residents

When compared with the overall educational statistics of Lincoln County:

- **High school / GED:** The rate of high school completion or equivalent is notably higher in the unhoused communities (36.11%) than in the general population (24.1%).
- **Some college:** Both populations have a substantial proportion with some college experience, with the unhoused community slightly outpacing the county average (33.33% vs. 31.0%).
- **Advanced education:** The county at large has a higher percentage of residents with college degrees (17.6%) and graduate degrees (11.0%), which exceeds the combined total for college completion and trade certification in the unhoused communities (11.11%).

Experiences Receiving Services in Unhoused Communities

Awareness vs. Utilization of Support Services

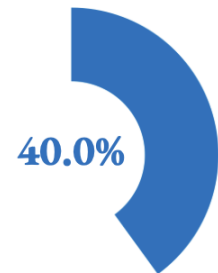
Within Lincoln County’s unhoused populations, a significant majority – 68.57% – report being aware of available support services, a positive indicator of outreach and information dissemination efforts. However, this awareness does not always translate into successful utilization of services, with 48.39% reporting difficulty in accessing housing assistance. These statistics reveal a gap between service availability and effective service engagement.



Percentage of unhoused community **aware of local support services.**

Housing Services Experience

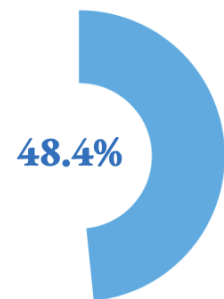
Although 40.0% of the individuals have previously received housing services, nearly half have encountered challenges when seeking this critical support. The barriers to accessing housing services include complex application processes, limited availability of services, stringent qualification criteria, or a lack of follow-through due to administrative barriers. Many noted that they have experience with discrimination in the process of locating housing.



Percentage of unhoused community **who have received local housing services.**

Challenges in Service Delivery

The reported difficulty in receiving housing services points to systemic issues within the service delivery framework that necessitate attention. Delays, lack of coordination between agencies, or mismatches between referrals and intake processes contribute to these challenges.



Percentage of unhoused community **who have had difficulty receiving local housing services.**

Community and Informal Support Networks

A majority of the unhoused individuals – 62.86% – receive informal support from within the service community or through connections in the unhoused community itself. This suggests a robust network of peer-to-peer assistance that

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supplements or even substitutes formal support mechanisms. Such informal networks are vital, often providing immediate assistance, emotional support, and practical advice based on lived experiences.

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Unhoused Families and Community Dynamics

A significant aspect of our study on homelessness in Lincoln County involves understanding the family dynamics within the unhoused population. This narrative aims to juxtapose these findings with broader census data from the county to offer a comparative perspective.

Prevalence of Families among the Unhoused

A notable 57% of the unhoused individuals in Lincoln County have children, indicating that family homelessness is not an isolated issue but rather a substantial component of the overall homelessness challenge in the region. This proportion underscores the critical need to address family-specific needs within homelessness services and policies.

Size and Composition of Unhoused Families

On average, these unhoused families consist of 2.3 children. This figure does not include parents, which suggests that when parents are considered, the average unhoused family size may be comparable to, or slightly larger than, the average household size in the broader Lincoln County community.

Marital Status and Divorce Rates

The data reveals that 18.43% of unhoused males and 12.57% of unhoused females have been married and are now divorced. These percentages provide insight into the marital challenges within this demographic, potentially implicating factors like economic stress, health issues, and other personal crises contributing to both divorce and homelessness.

Comparison with all of Lincoln County

In Lincoln County, families constitute 58.42% of all households, a figure closely aligned with the 57% of unhoused individuals with children. This similarity suggests that the propensity to form families is not diminished by the state of being unhoused.

The average household size in Lincoln County, at 2.23 people including parents, is nearly on par with the average number of children in unhoused families. This parallel indicates

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that, in terms of family size, unhoused families are not significantly different from housed families within the county.

However, the divorce rates show a divergence between the unhoused and the broader population: 18% of males and 12% of females among the unhoused have experienced divorce, compared to 14% of males and 18% of females county-wide.

The comparison of family dynamics between the unhoused communities and the broader Lincoln County population reveals several parallels and some distinct differences. Understanding these aspects is crucial in crafting targeted interventions that address the unique needs of families experiencing homelessness, ensuring that both adults and children receive the comprehensive support necessary for stability and well-being.



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SECTION 5: RESEARCH FINDINGS

SECTION 5: Unraveling the Dimensions of Homelessness in Lincoln County

Lincoln County, with its unique coastal and rural landscape, confronts a complex homelessness crisis influenced by interrelated factors of housing, services, economic challenges, and transportation. This report presents a comprehensive analysis, integrating these dimensions to understand and address the needs of the unhoused communities effectively.

Housing challenges in the county are marked by high market prices and a scarcity of affordable options, exacerbated by the prevalence of short-term rentals and second homes. Services for the unhoused are diverse, ranging from emergency interventions to long-term support, and are crucial in aiding individuals from homelessness to stability. Economic pressures, including low wages and high living costs, significantly contribute to the risk of homelessness. Furthermore, the unique transportation needs in Lincoln County's rural and coastal settings are vital in connecting individuals to essential services and opportunities.

Central to this report is the Progression of Support model, which ties together these critical dimensions. It illustrates how housing, services, economic stability, and transportation are interwoven across different stages of the homelessness continuum. This model provides a cohesive framework, ensuring that at each phase, from emergency to stability, the necessary support is aligned and accessible, facilitating a smoother transition towards self-sufficiency and stable living.

The integration of these dimensions in the model underscores the need for a coordinated response that addresses the multifaceted nature of homelessness in Lincoln County. The report aims to guide policymakers, service providers, and community stakeholders in developing comprehensive strategies for the county's unhoused population.

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Housing

Tax Assessed Values vs Real Market Values

In the context of addressing homelessness in Lincoln County, understanding the distinction between tax assessed values and real market values of properties becomes crucial. These two valuation metrics, while related to real estate, have different implications for housing affordability, property taxation, and consequently, the issue of homelessness. This essay explores the nuances of these valuations in the context of our research on homelessness in Lincoln County.

Tax Assessed Values in Lincoln County

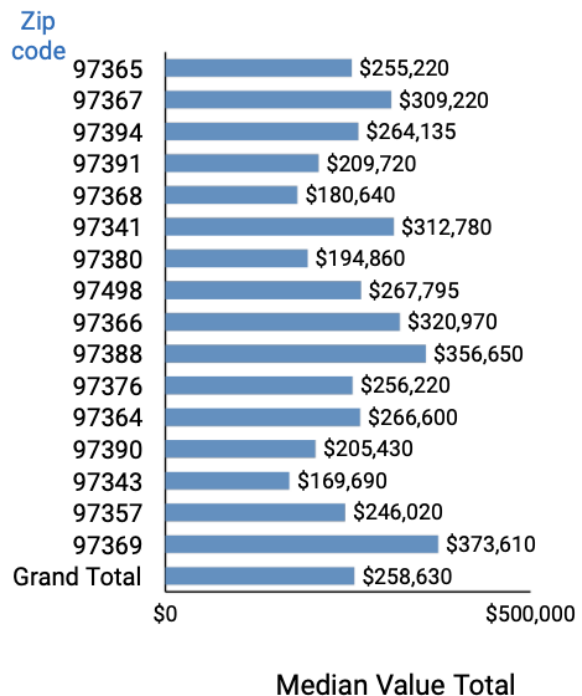
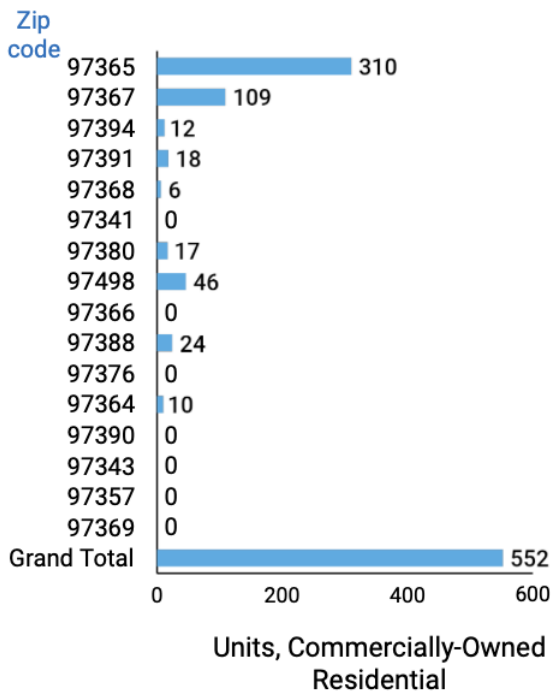
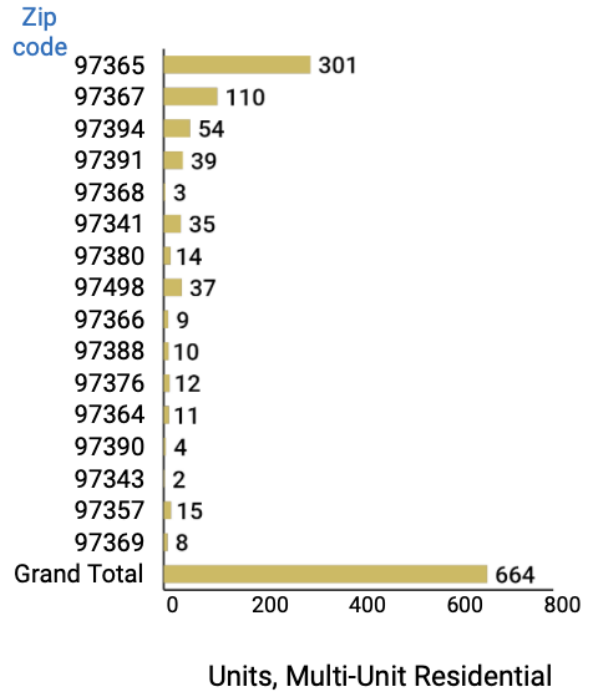
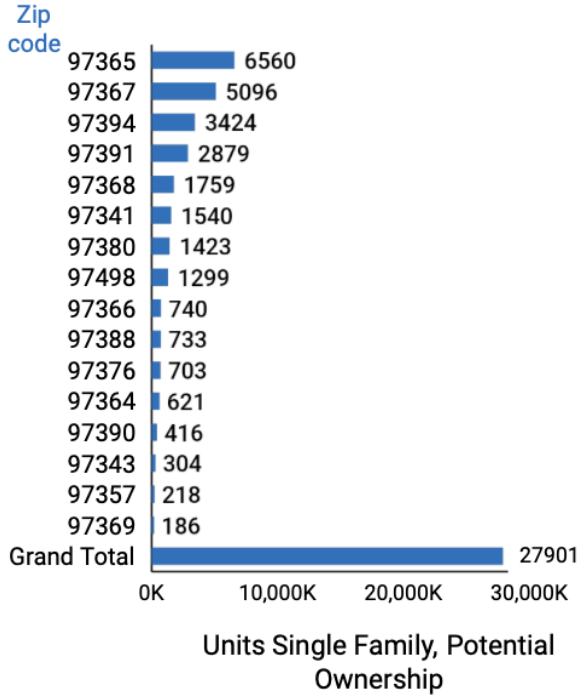
Tax assessed values in Lincoln County, determined by local government assessors, play a pivotal role in defining property taxes. However, these values often do not reflect the current market conditions due to infrequent updates. In the context of homelessness, the way properties are assessed can influence the allocation of resources and funding for social services, including those aimed at combating homelessness.

Real Market Values and Housing Affordability

Real market values, representing the current market price of properties, are a more dynamic measure and are crucial in understanding the housing market's state. In Lincoln County, where real market values for homes are significantly high, this has direct implications for housing affordability. The disparity between average incomes and high market values of homes points to a larger issue of accessible and affordable housing, a key factor in the context of homelessness.

Tax Assessed Value & Units

- Median RMV Total
- Units Single Family, Potential Ownership
- Units Commercial
- Units, Multi-Unit Residential



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Disparity and Its Implications for Homelessness

The disparity between tax assessed values and real market values can have several implications in the context of homelessness:

- **Housing Affordability:** If tax assessments are not reflective of market realities, it may lead to a skewed understanding of housing affordability, impacting policy decisions related to affordable housing.
- **Property Tax Revenue and Social Services:** Inaccurate assessments can lead to inconsistent property tax revenues, which in turn can affect the funding available for social services, including those for homeless populations.
- **Perception of Housing Market:** Discrepancies between assessed and market values can influence public perception of the housing market, affecting community support for initiatives aimed at addressing homelessness.

Addressing the Challenges in Lincoln County

To better tackle homelessness in Lincoln County, it is essential to address the challenges posed by the disparity between tax assessed and market values:

- **Regular Property Reassessments:** Ensuring property values are reassessed regularly to reflect market changes can aid in more accurate property taxation and budgeting for homelessness services.
- **Enhanced Transparency and Communication:** Clear communication about property valuations and their implications for housing affordability can foster better public understanding and support for homelessness initiatives.
- **Policy Adjustments Based on Market Realities:** Policies aimed at addressing homelessness should be informed by real market conditions rather than solely on tax assessed values to ensure they are effectively targeting the issue.

Home Price Analysis

A detailed examination of the housing market reveals a complex interplay between home prices and the pervasive issue of homelessness. This analysis focuses on the broad spectrum of home prices and their implications for various income groups within the county, particularly in the context of housing affordability and its role in exacerbating homelessness.

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Diversity in Home Prices

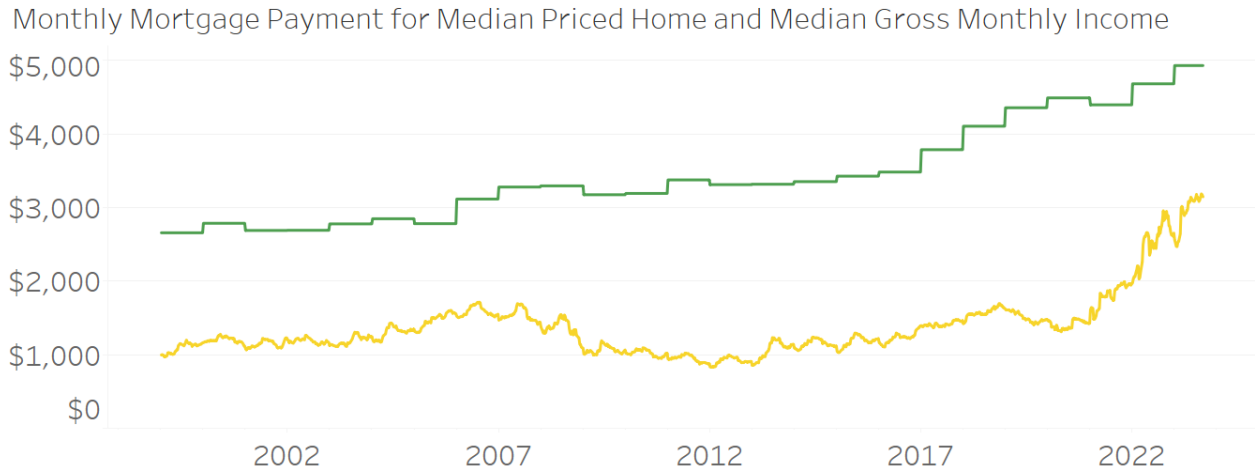
The investigation into Lincoln County's housing market uncovers a significant range in home prices, indicating a diverse and stratified market. Entry-level 1-bedroom homes are priced at \$506,200, a figure that is already challenging for lower-income groups. This pricing trend escalates with larger homes, with 2-bedroom and 3-bedroom houses priced at \$820,000 and \$1,079,500, respectively. Such pricing patterns underscore a market characterized by high entry points even for smaller properties.

Price Variability and Its Implications

The variability in home prices across Lincoln County is notable. On the lower end, prices may represent older or smaller properties, possibly in less desirable locations. Conversely, higher-end properties likely offer additional space, amenities, or desirable locations, commanding premium prices. This variability reflects a housing market with options catering to different economic segments, yet it also highlights the widening gap between affordable and high-end housing.

Income-Housing Price Disparity and Homelessness

A critical aspect of this analysis is the juxtaposition of these home prices against the backdrop of local income levels. With median and per capita incomes in Lincoln County standing at \$54,961 and \$32,776, respectively, a significant proportion of the population finds itself priced out of the housing market. This disparity between income levels and housing costs is a fundamental driver of housing instability and, subsequently, homelessness. The inability of a substantial segment of the population to afford even the lower end of the housing market points to an urgent need for policy intervention.



Source: NAR, Freddie Mac, Census Bureau, Federal Reserve
 Calculations by Morant McLeod

Measure Names

- Median Gross Monthly Income
- Mortgage payment

Policy Implications

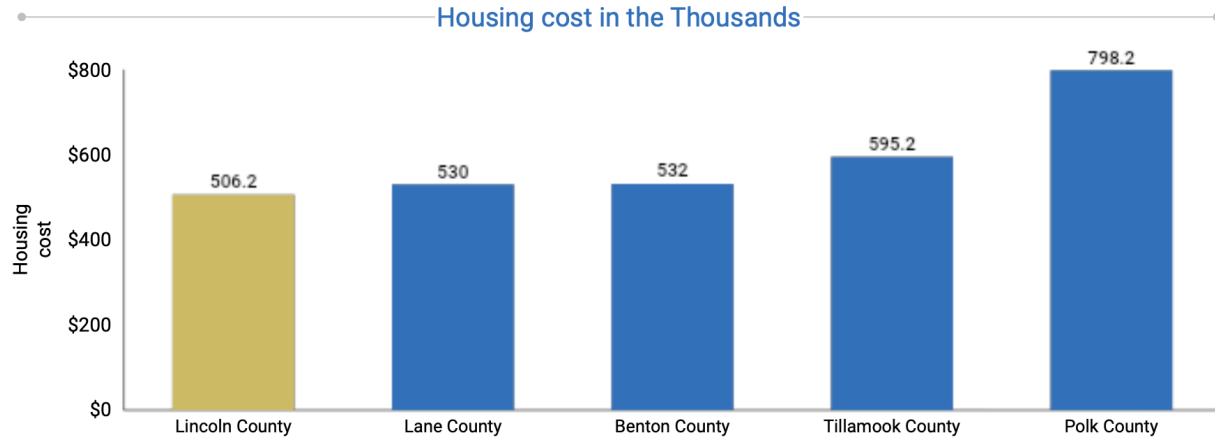
The findings of this research suggest a pressing need for comprehensive strategies to address housing affordability in Lincoln County. Policymakers are encouraged to consider a range of solutions, including the development of affordable housing, revisions to zoning laws to encourage a diverse range of housing types, and support programs for low-income homebuyers or renters. Additionally, aligning housing policies with real market conditions is essential to effectively tackle the housing affordability crisis and, by extension, reduce homelessness.

This analysis of the housing market in Lincoln County reveals a clear and present challenge of housing affordability, contributing significantly to the issue of homelessness. Addressing this challenge requires a nuanced approach that considers both the housing market's complexity and the diverse needs of the county's residents. Effective policy making and community engagement are crucial in shaping a future where housing is accessible and affordable for all segments of the Lincoln County population.

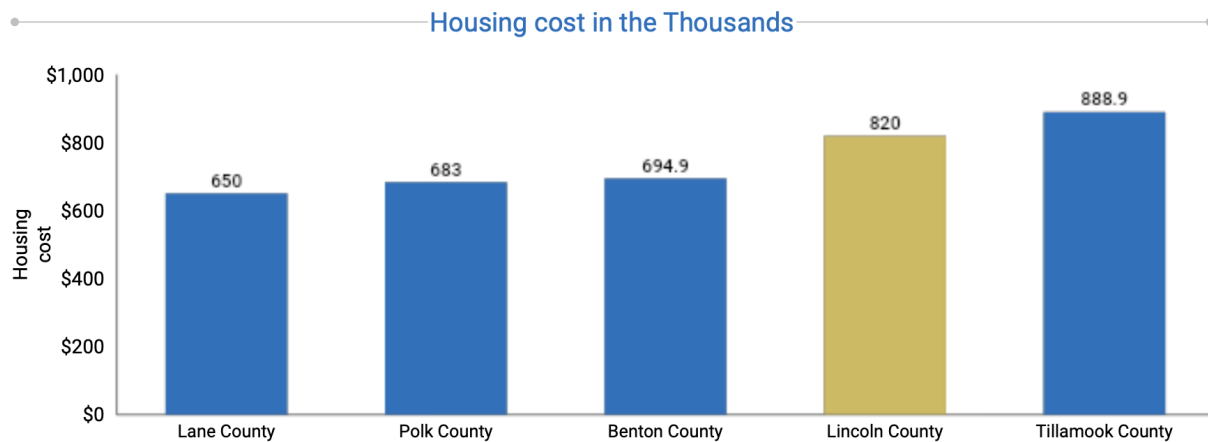
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Surveyed Home Prices, 1-3 Bedrooms

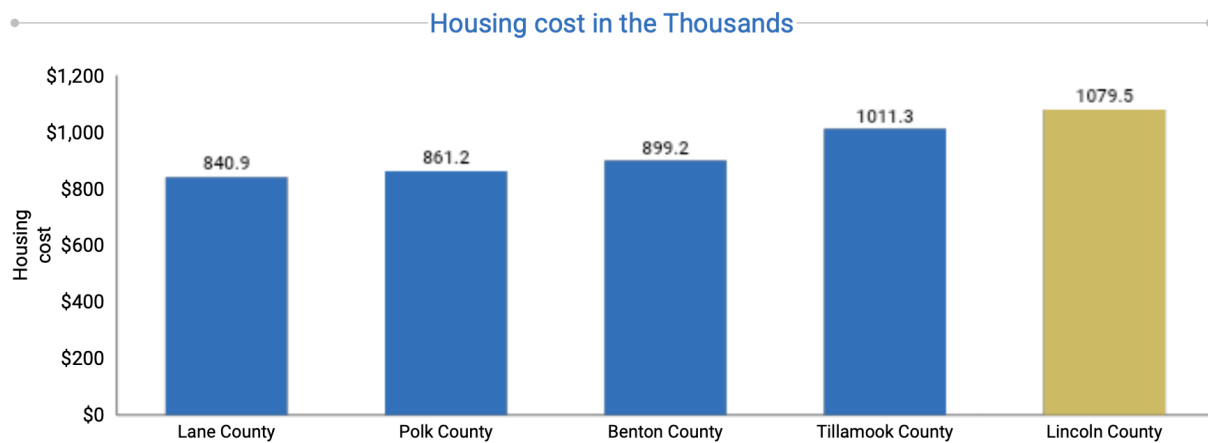
Cost of Housing for 1 Bedroom Homes, In All Selected Counties



Cost of Housing for 2 Bedroom Homes, In All Selected Counties



Cost of Housing for 3 Bedroom Homes, In All Selected Counties



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Examining Housing Affordability

Housing affordability, a crucial aspect of economic stability, has become a pressing concern in Lincoln County. Amidst a backdrop of rising home prices, this analysis seeks to understand how these trends contribute to the growing challenge of homelessness, evaluating the disparity between housing costs and resident incomes.

Lincoln County's housing market exhibits a wide range of home prices, with notable disparities between different housing types. The data reveals that 1-bedroom homes begin at \$506,200, with a substantial increase to \$820,000 for 2-bedroom homes, and further escalation to \$1,079,500 for 3-bedroom residences. This pricing structure presents a significant barrier to homeownership for a large segment of the population.

Contrasting these home prices with Lincoln County's median income of \$54,961 and a per capita income of \$32,776, a stark discrepancy emerges. The prevailing financial guideline of allocating no more than 30% of income to housing is rendered impractical for most residents, leading to an affordability crisis. This disparity highlights the widening gap between housing prices and earning capacities.

Further examination of the housing stock in Lincoln County indicates a dominance of single-family homes, which constitute 95.8% of the housing market. The limited availability of more affordable housing options, such as multi-family units and apartments (which account for only 2.3% and 1.9% respectively), exacerbates the affordability issue. This skewed housing distribution limits the options available to lower-income residents.

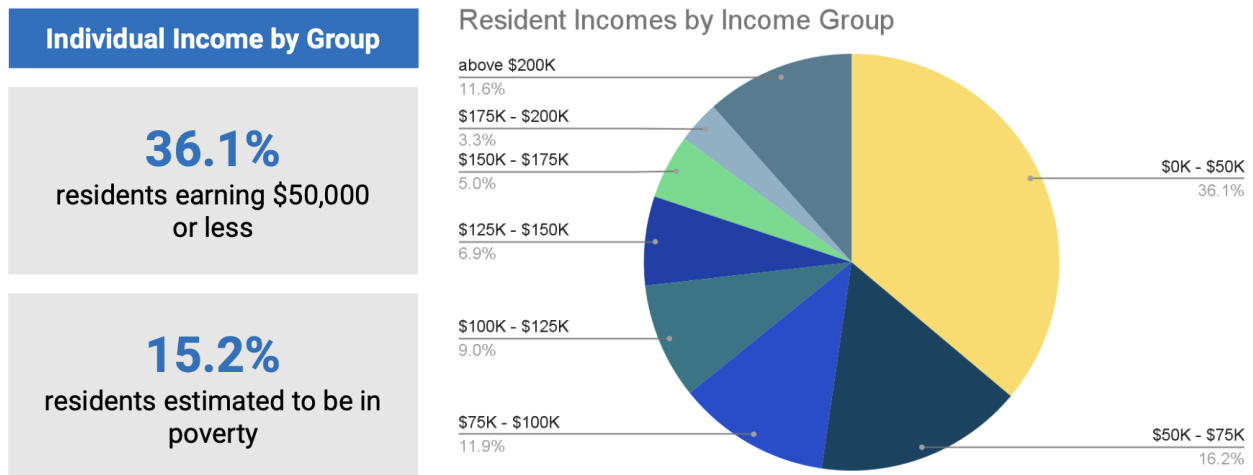
\$54,961
Median income in 2021

\$32,776
Per capita income in 2021

Poverty and Income Distribution in Lincoln County

An additional dimension to the housing affordability crisis in Lincoln County is the prevalence of poverty and the distribution of income among its residents. Recent estimates indicate that 15.2% of the population lives below the poverty line, a significant proportion that underscores the economic challenges faced by a substantial segment of the community. Moreover, the income distribution data reveals that 36.1% of households earn \$50,000 or less annually. This income bracket, while above the poverty threshold, still struggles with the high cost of living and housing in the county.

The convergence of these factors – a high poverty rate and a large portion of the population earning relatively low incomes – further intensifies the affordability crisis. It not only restricts access to adequate housing but also limits the ability of these residents to meet other basic needs, exacerbating the overall economic vulnerability of the community. This context of poverty and income inequality is crucial in understanding the broader implications of the housing affordability issue and in formulating targeted interventions to address the needs of the most impacted populations in Lincoln County.



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Distribution of Housing Types

Our research indicates that Lincoln County's housing market is predominantly composed of single-family homes, which constitute 95.8% of the total housing stock. In contrast, multi-family residential units and commercially owned residential properties (apartments) represent a minimal portion, accounting for just 2.3% and 1.9% respectively. This distribution highlights a significant imbalance in the housing options available to residents.

Implications for Housing Affordability and Homelessness

The overwhelming dominance of single-family homes has several implications:

- **Limited Affordable Options:** The scarcity of multi-family and apartment options often translates into fewer affordable housing choices for residents. This is particularly challenging for low-income individuals and families, who are disproportionately affected by the lack of diverse and affordable housing options.
- **Market Dynamics:** The high percentage of single-family homes can influence market dynamics, often driving up prices and making homeownership unattainable for many. This situation exacerbates the risk of housing instability and homelessness among lower-income groups.
- **Barriers to Entry for Vulnerable Populations:** The limited availability of multi-family and apartment-style housing can pose significant barriers to entry for vulnerable populations, including those experiencing homelessness, low-income earners, and individuals with disabilities. These groups often require more affordable, accessible, and supportive housing options.

Recommendations for Addressing Housing Imbalance

To address the challenges posed by the current distribution of housing types in Lincoln County, several strategies are recommended:

- **Increasing Diversity of Housing Stock:** Encouraging the development of multi-family and apartment-style housing can provide more affordable options. This could be achieved through policy incentives for developers, revisions in zoning laws, and targeted investment in affordable housing projects.
- **Supportive and Transitional Housing Programs:** Expanding supportive and transitional housing programs can offer a pathway out of homelessness,

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providing temporary accommodation coupled with services aimed at achieving long-term housing stability.

- **Public-Private Partnerships:** Engaging in public-private partnerships can be effective in increasing the supply of diverse housing options. Collaboration between government entities, private developers, and non-profit organizations can yield innovative solutions to the housing crisis.
- **Community Engagement and Advocacy:** Engaging local communities in discussions about housing needs and advocating for policy changes are crucial for creating a more balanced housing market that caters to the needs of all residents, including the most vulnerable.

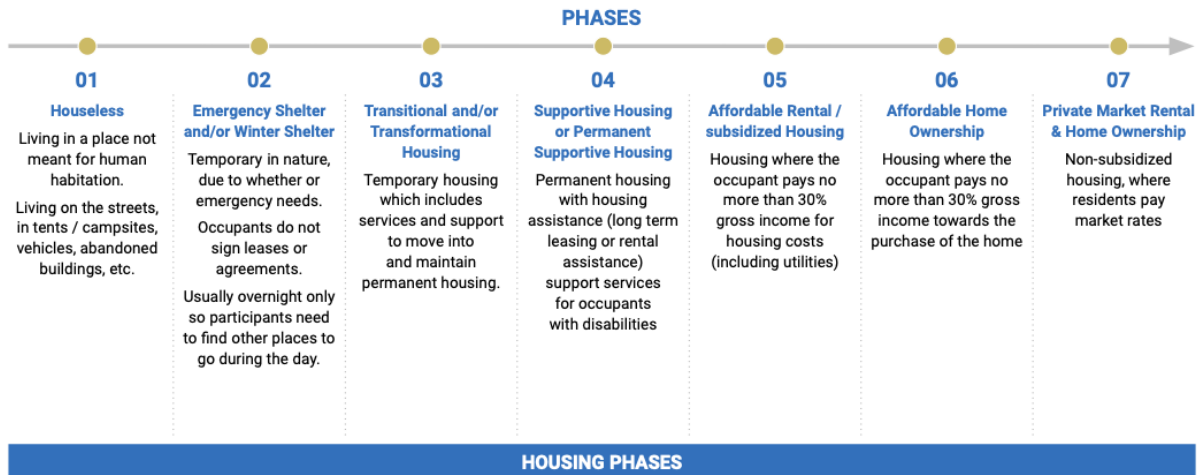
The distribution of housing types in Lincoln County plays a significant role in the context of homelessness and housing affordability. Addressing the imbalance in this distribution is essential for mitigating the risk of homelessness and ensuring that all residents have access to suitable and affordable housing options. Through a combination of policy reform, community engagement, and strategic partnerships, Lincoln County can work towards a more inclusive and balanced housing market.



Using the Seven Phase Housing Continuum to Support Houseless Communities

Housing is a fundamental human need, yet its accessibility remains a challenge for many, particularly in Lincoln County. The United States Department of Housing and Urban Development's (HUD) seven-phase housing continuum provides a framework for understanding the various stages of housing stability. Our research adopts the Housing First model, which prioritizes immediate access to housing without preconditions, as a lens to analyze and address the housing needs in Lincoln County.

Applying the housing-first model gives us a basis for organizing types of housing needed to meet the help needs of the unhoused community.



Phase 1: Houselessness

In Lincoln County, houselessness represents the most acute form of housing instability. Individuals in this phase live in conditions not meant for human habitation, such as streets, vehicles, or abandoned buildings. This phase necessitates urgent intervention, highlighting the need for immediate shelter and supportive services.

Phase 2: Emergency and Winter Shelters

Emergency and winter shelters offer temporary respite, typically providing overnight accommodation. While they address immediate safety concerns, they do not offer a long-term solution, underlining the necessity for more sustainable housing options in Lincoln County.

Phase 3: Transitional and Transformational Housing

This phase marks the transition towards more stable living conditions. In Lincoln County, transitional housing provides temporary residence, coupled with services aimed at facilitating the move to permanent housing. This phase is crucial for preparing individuals for long-term stability.

Phase 4: Supportive and Permanent Supportive Housing

Permanent supportive housing is a cornerstone of the Housing First model. In Lincoln County, this phase involves providing long-term housing assistance and support services, particularly for individuals with disabilities. This approach underscores the importance of stability in fostering long-term well-being.

Phase 5: Affordable and Subsidized Rental Housing

Affordable rental housing, where occupants spend no more than 30% of their gross income on housing costs, is vital in preventing housing cost burden. In Lincoln County, expanding affordable rental options is essential for ensuring accessibility to a broader population.

Phase 6: Affordable Homeownership

Affordable homeownership is an important step towards housing independence, allowing occupants to spend no more than 30% of their income on home purchases. This phase is particularly challenging in Lincoln County, given the high market prices and income disparities.

Phase 7: Private Market Rental and Homeownership

The final phase, involving non-subsidized, market-rate housing, represents the ultimate goal for many. However, in Lincoln County, the disparity between incomes and market prices makes this phase inaccessible for a significant portion of the population.

The implementation of the Housing First model in Lincoln County, within the framework of HUD's seven housing phases, presents a comprehensive approach to tackling homelessness and housing instability. Each phase addresses specific needs and challenges, requiring targeted strategies and policies. A concerted effort involving policy reform, investment in affordable housing, and supportive services is imperative to

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ensure that each stage of the housing continuum is accessible and effective in meeting the diverse needs of Lincoln County's residents.

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Experience of Service Providers in Lincoln County Who Support Unhoused Communities

In addressing the challenges of homelessness in Lincoln County, a critical aspect is the assessment of the current landscape of homeless service providers. Understanding the number of these entities and the potential capacity that could be harnessed from an efficient network is essential for developing effective strategies to combat homelessness.

The Experience of Service Provision

Supporting unhoused communities is a profoundly challenging yet vital mission for homeless service providers. Their experience is often marked by a complex interplay of dedication, resourcefulness, and the constant navigation of various challenges.

- **Resource Constraints:** One of the primary difficulties faced by these providers is the limitation of resources. This includes financial constraints, insufficient staffing, and a lack of physical infrastructure like adequate shelter spaces or facilities. Funding is often uncertain, with many organizations relying heavily on grants, donations, and fluctuating government support.
- **High Demand and Diverse Needs:** Homeless populations have diverse and complex needs ranging from immediate shelter to long-term housing, health care, mental health support, substance abuse treatment, and assistance with employment and education. Meeting this wide spectrum of needs with limited resources can be overwhelming. The high demand for services often leads to capacity issues, forcing providers to make difficult decisions about resource allocation.
- **Systemic Barriers and Policy Challenges:** Providers frequently encounter systemic barriers that hinder effective service delivery. This includes bureaucratic red tape, restrictive policies, and zoning laws that complicate efforts to establish new shelters or affordable housing. Navigating these legal and administrative challenges requires significant time and expertise.
- **Mental Health and Substance Abuse Issues:** A significant portion of the homeless population struggles with mental health issues and/or substance abuse problems. Addressing these requires specialized services and support,

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which may be beyond the scope of what some organizations can provide. Additionally, the stigma associated with these issues can impact funding and community support.

- **Safety and Security Concerns:** Managing safety and security in shelters and during service provision is a constant concern. This includes not only the safety of the clients but also that of the staff and volunteers. Conflict resolution and managing sometimes unpredictable behaviors can be challenging.
- **Burnout and Emotional Toll:** Working with unhoused populations can be emotionally taxing. Providers and staff often face situations of extreme poverty, health crises, and personal tragedies. This can lead to burnout and high turnover rates among staff, further straining the system.
- **Community Relations and Stigma:** Homeless service providers sometimes face opposition from local communities where they operate. This NIMBYism ("Not In My Back Yard") mentality can hinder the establishment of new facilities or expansion of services. Additionally, societal stigma towards homelessness can impact fundraising and support.

Despite these challenges, many homeless service providers remain deeply committed to their mission. They often advocate for systemic changes, work towards increasing community awareness and support, and tirelessly seek innovative solutions to better serve unhoused populations. Their role is critical in not only providing immediate support but also in working towards long-term solutions to end homelessness.

Number of Homeless Service Providers in Lincoln County

Our research indicates a diverse array of service providers operating within Lincoln County. These include government agencies, public service organizations, faith-based groups, non-profits, healthcare providers, and various community initiatives. Collectively, these entities form a broad spectrum of support services ranging from emergency shelter provision to long-term housing solutions, healthcare, counseling, job training, and other critical assistance programs. The diverse nature of these organizations reflects the multifaceted approach required to address the complex issue of homelessness.

Capacity of the Service Network

The potential capacity of an efficient network of these service providers in Lincoln County is significant. When operating in a coordinated and cohesive manner, these organizations can offer comprehensive support that addresses the various needs of the homeless population. Key areas of impact include:

- **Enhanced Resource Utilization:** Through effective collaboration, resources can be pooled and utilized more efficiently, minimizing duplication of efforts and maximizing the impact of available funding and services.
- **Improved Service Delivery:** An integrated network allows for streamlined service delivery, where individuals facing homelessness can access a continuum of support services tailored to their specific needs, from immediate shelter to long-term housing and rehabilitative services.
- **Data Sharing and Best Practices:** A cohesive network fosters an environment where data and best practices can be shared, leading to informed decision-making and the implementation of evidence-based strategies.
- **Community Engagement and Support:** An efficient network can better engage and mobilize community resources, including volunteers, local businesses, and residents, thereby fostering a community-wide approach to addressing homelessness.
- **Policy Advocacy and Influence:** A united front of multiple service providers can be more influential in advocating for policy changes and funding at local, state, and national levels, leading to broader systemic changes.

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Challenges and Opportunities

While the potential of an efficient network is considerable, there are challenges to be addressed. These include overcoming organizational silos, ensuring effective communication and coordination among providers, and addressing gaps in service provision. The opportunity lies in leveraging technology for better data management and communication, fostering leadership and collaboration across organizations, and engaging in continuous evaluation and adaptation of strategies.

Categories of Service Providers

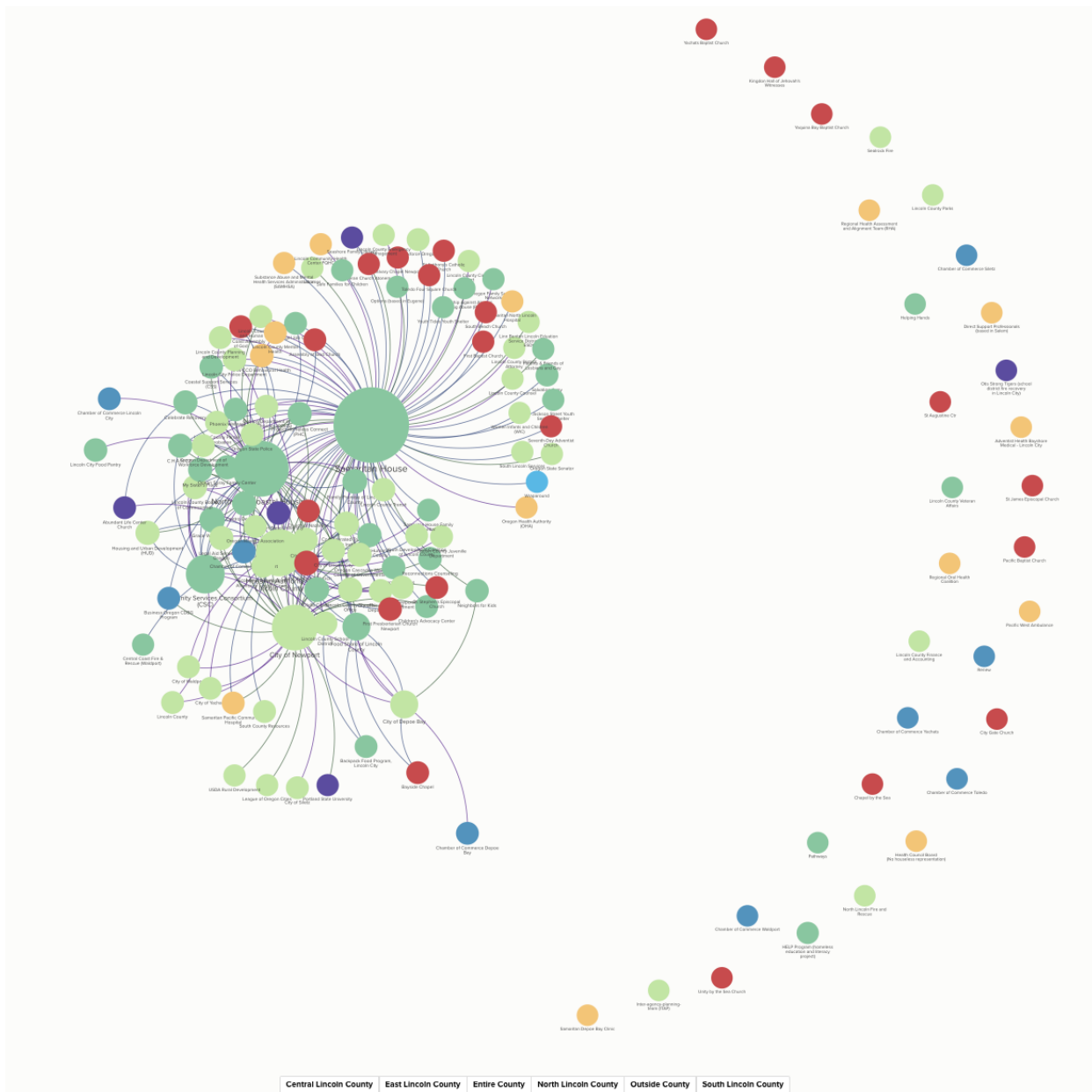
- **Education-Based Organizations:** These may include schools, colleges, universities, and other educational institutions, as well as organizations providing educational programs and resources. They often contribute through initiatives like scholarship programs, educational outreach for at-risk populations, literacy programs, and training and skill development initiatives. In the context of homelessness, they can offer crucial support by providing educational continuity for children affected by homelessness and job training for adults.
- **Businesses:** Businesses, ranging from small local companies to large corporations, can contribute significantly through corporate social responsibility (CSR) initiatives. They can offer employment opportunities to vulnerable populations, sponsor community programs, provide funding or resources for service providers, and engage in public-private partnerships. Businesses also have a role in economic development, which can indirectly impact homelessness by fostering a more robust job market.
- **Social Organizations:** This category encompasses a wide range of nonprofits and community groups that work directly with people in need. These organizations might provide services like shelter, food assistance, counseling, or legal aid. They often serve as the front line in addressing homelessness, offering immediate assistance and long-term support to help individuals and families transition out of homelessness.
- **Public Organizations:** Public organizations include government agencies at the local, state, and federal levels. They are responsible for public welfare programs, housing policies, urban planning, and funding for social services. These organizations play a crucial role in shaping the policy environment and resource

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allocation for addressing homelessness. They can implement housing-first initiatives, subsidized housing programs, and other systemic approaches to reduce homelessness.

- **Faith-Based Organizations:** Churches, mosques, synagogues, and other religious institutions often provide vital services to the homeless population. Their contributions can range from offering direct services like shelter and meals to providing counseling, financial assistance, and community support. Faith-based organizations can also be influential advocates for policy changes and play a significant role in mobilizing community support.
- **Health-Related Organizations:** This category includes hospitals, clinics, mental health providers, and organizations focused on public health. They address the physical and mental health needs of homeless individuals, which is crucial since this population often faces significant health challenges. Health-related organizations can provide direct medical services, mental health support, substance abuse treatment, and health education. They are also key in identifying and addressing the health-related causes and consequences of homelessness.

Key organizations hold a larger number of business relationships, while other key organizations hold relationships with smaller community organizations (faith-based organizations, for example). Other organizations have little connection with the larger community of service providers.



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Interconnectedness and Relationships Between Providers

In an effort to comprehensively address homelessness in Lincoln County, our research has delved into the intricate network of service providers. These entities range from government offices and public service providers to faith-based organizations, non-profits, healthcare organizations, and various community groups. Understanding the dynamics of these networks is crucial for identifying strengths, gaps, and opportunities for enhanced collaboration in supporting homeless communities.

What are Centrality Dynamics?

Centrality dynamics in social networks are crucial for understanding and enhancing the effectiveness of service providers working with homeless populations. In the context of social network analysis, 'centrality' refers to the various ways in which the importance of a node (in this case, a service provider) within a network can be measured. Here's how different aspects of centrality are significant for homeless service providers:

Degree Centrality: *This measures the number of direct connections a node has with other nodes in the network. For homeless service providers, high degree centrality means having numerous connections with other organizations, which can facilitate resource sharing, information dissemination, and collaborative interventions. Providers with high degree centrality are often central to coordinated community responses, able to mobilize resources effectively and efficiently.*

Betweenness Centrality: *This reflects the extent to which a node acts as a bridge between other nodes in the network. Providers with high betweenness centrality are crucial in facilitating communication and collaboration among organizations that might not otherwise be connected. They play a key role in integrating various services and resources, ensuring that efforts are not duplicated and that gaps in service are identified and addressed.*

Closeness Centrality: *This measures how close a node is to all other nodes in the network in terms of the shortest paths. For service providers, high closeness centrality indicates their ability to quickly and efficiently access and disseminate information across the network. It also suggests their potential to understand and respond rapidly to emerging needs and trends in the homeless community.*

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Eigenvector Centrality: This considers not just the number of connections a node has, but also the importance of those connected nodes. Providers with high eigenvector centrality are connected to other influential and resourceful organizations. This can enhance their ability to leverage significant resources and influence for the benefit of homeless populations.

Centrality Analysis for Lincoln County Service Providers

High Degree Centrality (also referred to as “connectors” or “hubs”)

Our analysis reveals that a small number of service providers form the nexus of community connections. Samaritan House emerges as the most interconnected entity, boasting 85 connections. Following closely are Northwest Coastal Housing with 54 connections, and the Housing Authority of Lincoln County with 40. The City of Newport and HALC each have 38 connections, while the Community Services Consortium has 27. This concentration of connections indicates these organizations' pivotal roles in coordinating efforts and disseminating information within the network, reflecting their significant involvement in addressing homelessness in Lincoln County.

Rank	Label	Value
#1	Samaritan House	85
#2	Northwest Coastal Housing	54
#3	Housing Authority of Lincoln County	40
#4	City of Newport	38
#5	Community Services Consortium (CSC)	27
#6	City of Depoe Bay	10
#7	Food Share of Lincoln County	10
#8	Grace Wins Haven	6
#9	HELP (homeless education and literacy project) Program	6
#10	City of Toledo	5

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Low Degree Centrality

Conversely, our research indicates a considerable number of service providers operating with low degrees of interconnectedness. These entities, numbering 29, either exhibit minimal connections with other providers or have not actively engaged in collaborative efforts. This finding underscores a fragmentation in the service provider network, potentially leading to inefficiencies and duplication of efforts. It highlights the necessity for a more cohesive approach in integrating these providers into the broader network.

Betweenness Centrality (also referred to as “brokers” or “bottleneck [solvers]”)

Certain entities play a critical role in controlling information flow and bridging gaps between service providers. Northwest Coastal Housing stands out as the most influential in this respect, followed by the City of Newport, the Community Services Consortium, and the City of Depoe Bay. These organizations are key to the efficacy of the service network, but their central role also poses a risk of network failure should they face operational challenges.

Rank	Label	Value
#1	Northwest Coastal Housing	0.078
#2	City of Newport	0.049
#3	City of Depoe Bay	0.022
#4	Community Services Consortium (CSC)	0.020
#5	Food Share of Lincoln County	0.009
#6	Celebrate Recovery	0.003
#7	HELP (homeless education and literacy project) Program	0.001
#8	Project Homeless Connect (PHC)	0.001

Closeness Centrality (also called “sensors” and “spreaders”)

Regarding the dissemination of information between providers, our analysis identifies approximately 30 service providers with high closeness centrality. This indicates a significant potential for improving operational efficiency, as these entities have established pathways for accessing and sharing critical information. However, the challenge lies in effectively leveraging these connections to enhance the overall service provision to the homeless community.

Rank	Label	Value
#1	City of Newport	0.366
#2	Northwest Coastal Housing	0.358
#3	Community Services Consortium (CSC)	0.333
#4	City of Depoe Bay	0.231
#5	HELP (homeless education and literacy project) Program	0.220
#6	Family Promise of Lincoln County	0.219
#7	Habitat for Humanity of Lincoln County	0.217
#8	Legal Aid Services of Oregon	0.217
#9	Confederated Tribes of Siletz Indians	0.216
#10	Grace Wins Haven	0.216

Eigenvector Centrality (also referred to as “leaders”)

In Lincoln County's network of service providers for the homeless, Samaritan House emerges as the most influential organization with an eigenvector centrality score of 0.056. It is followed closely by Northwest Coastal Housing at 0.052, indicating its significant role in the network. The City of Newport and the Housing Authority of Lincoln County also hold substantial influence, with scores of 0.037 and 0.033, respectively, suggesting their pivotal roles in resource distribution and housing services. The

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Community Services Consortium (CSC) rounds out the top five with a score of 0.027, underscoring its importance in the local network. This data highlights the varying degrees of influence and connectivity among key entities within the homeless service providers' network in Lincoln County.

Rank	Label	Value
#1	Samaritan House	0.056
#2	Northwest Coastal Housing	0.052
#3	City of Newport	0.037
#4	Housing Authority of Lincoln County	0.033
#5	Community Services Consortium (CSC)	0.027
#6	Grace Wins Haven	0.019
#7	Confederated Tribes of Siletz Indians	0.017
#8	HELP (homeless education and literacy project) Program	0.016
#9	City of Toledo	0.015
#10	Family Promise of Lincoln County	0.015

The landscape of service providers in Lincoln County, as revealed by our research, presents a complex but insightful picture. The network's effectiveness is characterized by a few highly connected entities and a larger number of less integrated providers. Addressing homelessness in Lincoln County thus requires not only the strengthening of individual service providers but also the enhancement of network connectivity and collaboration. By fostering greater interconnectedness and leveraging the central roles of key organizations, there is potential to create a more cohesive and effective support system for the homeless population in Lincoln County.

Administrative Distance in Homeless Service Provision

A significant challenge identified in our research on homelessness in Lincoln County is the concept of 'administrative distance' – the disparity between the administrative expectations of government entities and funders, and the capabilities of service providers. This section of the report delves into how this administrative distance affects the effectiveness of service delivery and proposes strategies to bridge this gap.

Understanding Administrative Distance

Administrative distance is characterized by the differing expectations between funders and homeless service providers. Funders, including government bodies and private organizations, often require extensive documentation for funding allocation. This includes years of audited financial reports, detailed staffing plans, analyses of overhead percentages, and employee benefits information. However, many service providers, particularly smaller or less-established organizations, struggle to meet these requirements due to limited resources. The lack of external accountants and advanced technology for administrative tasks further exacerbates this issue.

Impact on Service Providers

Service providers in Lincoln County, often well-versed in direct service delivery, find themselves less equipped to handle the stringent administrative demands. This mismatch leads to a situation where organizations capable of impactful service delivery may be excluded from crucial funding due to administrative shortcomings. The high degree centrality of certain organizations like Samaritan House and Northwest Coastal Housing indicates that a few entities, likely with more developed administrative structures, are managing a disproportionate share of the connections and resources. In contrast, organizations with low degree centrality, potentially indicative of less developed administrative capacities, remain on the periphery.

Implications for Homelessness Services

The administrative distance not only impacts the sustainability of service providers but also the overall efficacy of homelessness services in the county. Organizations with high betweenness centrality, acting as bridges in the service network, may become overwhelmed, leading to potential service gaps. Furthermore, the lack of diverse and multi-faceted service options, as indicated by the dominance of single-family homes

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and lack of affordable housing, may persist due to the underfunding of capable but administratively challenged providers.

Approaches to Bridge Administrative Distance

To address this administrative gap, several strategies are can be explored:

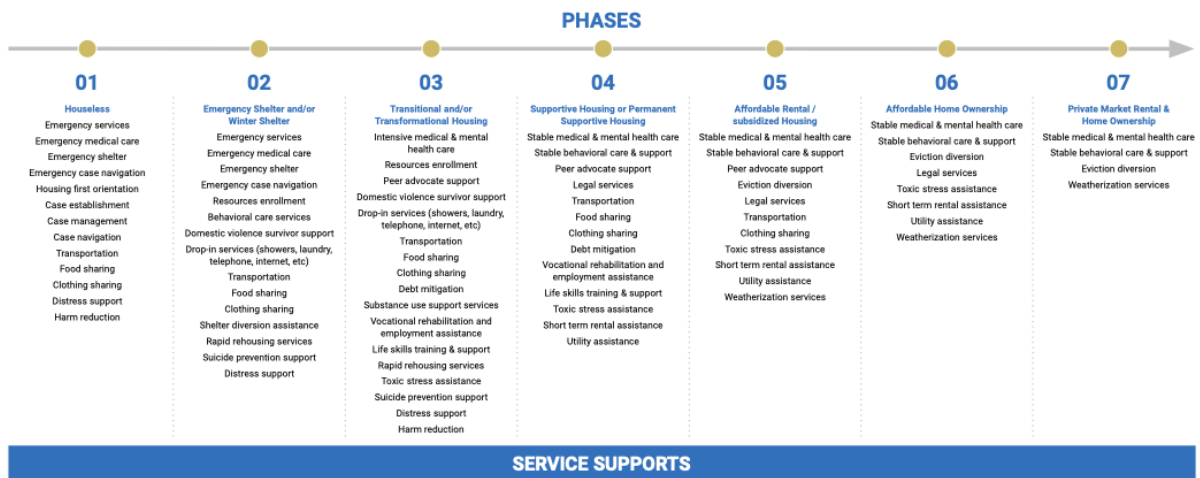
- **Capacity Building for Service Providers:** Implement training programs and workshops focused on administrative skills, financial management, and grant writing. Providing technical assistance in these areas can enhance providers' abilities to meet funding requirements.
- **Streamlining Funding Requirements:** Encourage funders to reevaluate and potentially simplify their administrative requirements. This could involve a more flexible approach to funding criteria, tailored to the realities of smaller or less-resourced organizations.
- **Fostering Collaborations:** Encourage collaborations between organizations with high administrative capacity and those with less. Such partnerships can lead to a sharing of resources and expertise, benefiting the entire service network.
- **Technology Grants and Assistance:** Provide grants or assistance specifically for technological upgrades, enabling providers to modernize their administrative processes and more effectively meet funding requirements.
- **Advocacy and Policy Change:** Advocate for policy changes that recognize and address the administrative challenges faced by service providers. This includes lobbying for more balanced funding criteria that consider the unique challenges of smaller or emerging organizations.

The concept of administrative distance highlights a critical barrier faced by homeless service providers in Lincoln County. Bridging this gap is essential for creating a more equitable and effective network of services. By implementing strategies focused on capacity building, streamlining funding requirements, fostering collaborations, providing technology assistance, and advocating for policy changes, the network of service providers can be strengthened, ultimately leading to more effective and comprehensive services for the homeless population in Lincoln County.

Alignment of Service Provision with HUD’s Seven Phases of Housing for Unhoused Communities

Our research in Lincoln County has systematically categorized the services offered by various providers to align with the seven phases of housing as defined by the United States Department of Housing and Urban Development (HUD). This alignment not only highlights the range of services essential at each phase of housing stability but also demonstrates how service providers, whether specialists in a single phase or spanning multiple phases, contribute to a comprehensive approach in supporting unhoused communities.

Service supports involve networking and managing resources to align with housing needs to the extent that alignment is possible. All situations are unique but generally align to phases.



Phase 1: Houseless

In the initial phase, services are primarily emergency-oriented, addressing immediate needs of the houseless population. Providers offer crucial services such as emergency medical care, shelter, and case navigation. Additional supports like transportation, food and clothing sharing, distress support, and harm reduction are vital in this phase. These services are foundational, offering the first point of contact and crucial aid to individuals in their most vulnerable state.

Phase 2: Emergency Shelter and/or Winter Shelter

During this phase, emergency services continue, with added emphasis on resources enrollment, behavioral care, and survivor support for domestic violence. Providers also offer drop-in services like showers and laundry, which are essential for maintaining basic hygiene and dignity. Rapid rehousing services, along with suicide prevention and shelter diversion assistance, play a key role in transitioning individuals from emergency shelters to more stable living conditions.

Phase 3: Transitional and/or Transformational Housing

This phase involves more intensive support, including medical and mental health care, peer advocate support, and substance use services. Providers focus on life skills training, vocational rehabilitation, and debt mitigation, facilitating a smoother transition to independent living. Services in this phase are designed to build resilience and equip individuals with the skills and resources needed for long-term stability.

Phase 4: Supportive Housing or Permanent Supportive Housing

Here, the focus shifts to providing stable medical, mental, and behavioral health care. Legal services, along with ongoing support in vocational rehabilitation, continue to play a crucial role. Short-term rental and utility assistance ensure that individuals can maintain their housing and live independently, yet with the necessary support.

Phase 5: Affordable Rental / Subsidized Housing

As individuals move into affordable or subsidized housing, the emphasis is on maintaining stability. Eviction diversion and continued access to stable health care and legal services are key. Utility and rental assistance, along with weatherization services, help in managing living costs and maintaining the affordability of the housing.

Phase 6: Affordable Home Ownership

In this phase, the support is geared towards sustaining homeownership. Legal services, eviction diversion, and assistance with utilities continue to be important. The focus is on ensuring that individuals can not only acquire but also maintain their homes in a sustainable manner.

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Phase 7: Private Market Rental & Home Ownership

In the final phase, the emphasis is on maintaining stable living conditions in the private market. Services are more focused on long-term stability and include ongoing health care and behavioral support, weatherization services, and eviction diversion programs.

The alignment of service provision with HUD's seven phases of housing underscores a strategic and comprehensive approach to addressing homelessness in Lincoln County. By categorizing services according to the phase of housing stability they support, it becomes evident how different providers contribute to a continuum of care. This alignment not only facilitates targeted service delivery but also highlights gaps and opportunities for enhanced collaboration among providers, ultimately striving towards the shared goal of supporting unhoused communities towards stable and independent living.

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Economic Pressures Faced by Individuals in the Unhoused Community

Individuals in the unhoused community face a myriad of economic pressures that exacerbate their situation and hinder their transition to stable housing and employment. This section of the report delves into the various economic challenges encountered by this population, including difficulties in job applications and housing, the impact of short-term rentals and second homes on housing availability, health-related issues, utilization of education, and societal stigmas.

Challenges in Income

A critical aspect of the economic pressures in Lincoln County is the significant proportion of gross monthly income that residents must devote to rent or mortgage payments. For many, this financial burden is the most substantial monthly expense, consuming a disproportionate share of their income. The generally accepted benchmark suggests that housing costs should not exceed 30% of a household's gross income to be considered affordable. However, in Lincoln County, this threshold is often exceeded, with a substantial number of residents spending well over 30%, and in some cases even 50% or more of their income on housing. This situation leaves little financial room for other essential expenses such as food, healthcare, transportation, and education, not to mention savings or emergency funds.

Percentage of Gross Income Devoted to Monthly Mortgage Payment (Median)



Source: NAR, Freddie Mac, Census Bureau, Federal Reserve
Calculations by Morant McLeod

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The high housing cost-to-income ratio is exacerbated by the region's elevated housing prices and the scarcity of affordable housing options. As residents stretch their budgets to cover housing costs, they become increasingly vulnerable to financial instability. Any unexpected expense or a slight dip in income can push these individuals and families closer to the brink of poverty and, potentially, homelessness. This dynamic creates a precarious living situation for many in Lincoln County and highlights the need for urgent measures to increase the availability of affordable housing and support residents in achieving greater financial stability. Addressing this imbalance between income and housing costs is crucial for alleviating the economic pressures that lead to housing insecurity and the risk of homelessness.

Challenges in Employment

The process of applying and interviewing for jobs presents significant hurdles for unhoused individuals. Lack of a permanent address, limited access to communication tools, and gaps in employment history often result in their applications being overlooked. During interviews, the absence of professional attire and the stigma associated with homelessness can further diminish their prospects. Moreover, many face logistical challenges such as transportation to job sites or interviews.

Housing Application Difficulties

Applying for housing is another daunting task for those experiencing homelessness. Stringent rental application processes, requirements for credit checks, rental histories, and deposits are often insurmountable barriers. Additionally, the high cost of application fees alone can be prohibitive. The lack of a stable income and the stigma attached to homelessness further complicate their ability to secure housing.

Impact of Short-Term Rentals and Second Homes

The prevalence of short-term rentals and second homes in Lincoln County significantly reduces the availability of long-term rental housing. This trend drives up rental prices and limits the stock of affordable housing, making it even more challenging for unhoused individuals to find stable accommodation.

Health Issues and the Economic Burden of Medical Care

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For many in the unhoused community, health issues represent not just a physical or emotional challenge but also a substantial economic burden. The cost of medical care, often unaffordable for those without stable income or health insurance, exacerbates their financial strain. Chronic illnesses, mental health conditions, or disabilities require ongoing treatment and medication, which are often prohibitively expensive. Unforeseen medical emergencies can quickly deplete limited savings, pushing individuals at the brink of poverty into homelessness. The lack of affordable healthcare options leaves many in the unhoused community with untreated conditions, further impairing their ability to secure stable employment and housing.

Adverse Life Events and Financial Vulnerability

Adverse life events such as job loss, family breakdowns, or the loss of a primary earner can rapidly transition individuals from a state of economic stability to one of vulnerability. The costs associated with these life-changing events - legal fees for divorces or custody battles, funeral costs, or sudden unemployment - often leave individuals without a financial safety net. In the absence of adequate savings or support systems, such events can precipitate a slide into poverty and homelessness.

Utilization of Education

Despite possessing education and skills, unhoused individuals frequently find it difficult to leverage their qualifications for economic benefit. The gap in their resumes, societal stigma, and the lack of current references often overshadow their educational achievements and work experience.

Stigmas in the Workforce

Societal stigmas and misconceptions about homelessness present significant barriers to workforce participation. Unhoused individuals often face discrimination and prejudice during job searches and in the workplace, which can lead to reduced employment opportunities and hinder their efforts to achieve economic stability.

Unaffordability of Increased Cost of Living

The rising cost of living in Lincoln County places immense pressure on those who are already struggling financially. Increases in rent, utilities, food, and transportation costs can disproportionately impact individuals and families on the brink of poverty. As wages fail to keep pace with these rising expenses, even those who are employed may find

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themselves choosing between essential needs like housing, food, and healthcare. This financial strain can lead to a precarious living situation, where a single unexpected expense or income disruption can result in homelessness.

Economic Pressure on Poverty-Stricken and At-Risk Populations

Individuals and families who are at risk of poverty face a relentless escalation of economic pressure. The cumulative effect of low wages, high living costs, and the unaffordability of healthcare and other essentials creates a vicious cycle. Those already struggling financially are the most vulnerable to the impacts of economic downturns, job market fluctuations, and cuts to public assistance programs. This vulnerability is heightened in regions like Lincoln County, where the availability of affordable housing is increasingly scarce due to market trends such as the proliferation of short-term rentals and second homes.

The economic pressures faced by the unhoused and those at risk of homelessness in Lincoln County are a confluence of health-related expenses, adverse life events, and the escalating cost of living. Addressing these challenges requires a comprehensive approach that includes expanding access to affordable healthcare, providing financial assistance and support during life crises, and addressing the rising cost of living through policy and community initiatives. By tackling these issues, Lincoln County can create a more supportive environment for its most vulnerable residents, reducing the risk of homelessness and fostering greater economic stability.

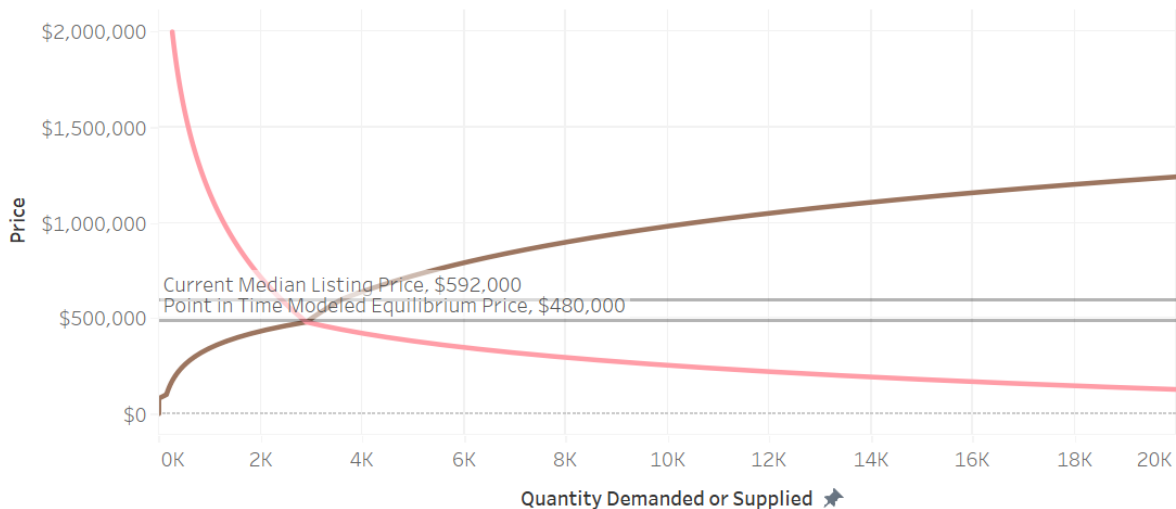


Building Our Way Out of the Homeless Crisis: Modeling to Predict Economic Impacts

During the course of our research, the Finance and Economics workgroup focused on evaluating the feasibility of addressing Lincoln County's homelessness crisis by significantly increasing the housing supply. By analyzing current housing supply and demand, then modeling the impact of changes in these dynamics, we aimed to understand how such an approach would affect housing affordability in the county. This area of analysis takes into account various factors that contribute to the market dynamics, including median home prices, income levels, and the existing housing stock.

Findings from Model 1 of 3

Our findings indicate that the current equilibrium price in Lincoln County's housing market is approximately \$480,000, with the actual median listing price hovering around \$592,000. This disparity suggests that homes are being listed at prices significantly above what would be expected based on supply and demand alone. In comparison, the median income in Lincoln County stands at \$54,961, with a per capita income of \$32,776. This discrepancy between income levels and housing prices highlights a severe affordability gap, placing homeownership beyond the reach of many residents.



Sources: Realtor.com, Census Bureau, Federal Reserve
 Modeling: Morant McLeod

Measure Names
■ Quantity Demanded
■ Quantity Supplied

Existing Housing Stock and Its Implications

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The housing stock in Lincoln County is predominantly comprised of single-family homes, accounting for 95.8% of the total. The lack of diversity in housing types, particularly a shortage of multi-family and affordable housing units, contributes to the high housing prices. The dominance of single-family homes tends to cater to higher-income groups and does not adequately address the needs of low-income or vulnerable populations, further exacerbating the affordability crisis.

Impact of Short-Term Rentals and Second Homes

The prevalence of short-term rentals and second homes in the county also plays a significant role in the housing market dynamics. These properties reduce the availability of long-term rental housing, driving up prices and limiting options for residents seeking affordable accommodations. This trend contributes to the higher median listing prices and the disconnect between the equilibrium price and the actual market prices.

Economic Pressures and Homelessness

Furthermore, individuals and families in Lincoln County face various economic pressures, including rising living costs and health-related expenses, which affect their housing affordability. Those at risk of poverty or already experiencing homelessness are particularly vulnerable to these market dynamics. The high cost of living, combined with the scarcity of affordable housing options, creates a challenging environment for securing stable and affordable housing.

The current housing market analysis in Lincoln County reveals a complex scenario where high median listing prices, predominance of single-family homes, and the impact of short-term rentals and second homes contribute to a significant affordability gap. Understanding these factors is crucial for developing strategies that effectively address the housing affordability crisis in the county. It is clear that simply increasing the housing supply without addressing these underlying issues may not lead to the desired outcome of improved affordability and accessibility for all residents.

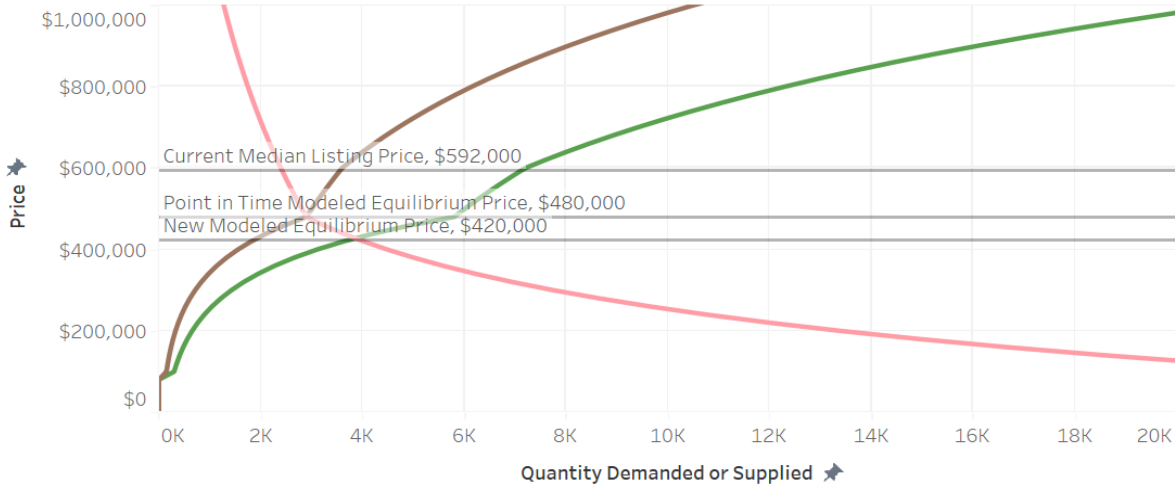
Findings from Model 2 of 3

The original model predicted a decrease in the equilibrium housing price from \$480,000 to \$420,000 with a significant increase in housing supply. This drop in price suggests that a larger number of homes could potentially make housing more affordable for residents, assuming other market conditions remain constant.

Several factors must be considered when evaluating the impact of increased housing supply:

- **Type of Housing Added:** The effectiveness of increasing the housing supply depends significantly on the types of housing introduced. Adding more single-family homes may not adequately address the affordability issue, especially for low-income individuals. Incorporating a mix of housing types, including multi-family units and affordable housing, is crucial.
- **Location and Infrastructure:** The location of new housing developments and their integration with existing infrastructure and services also play a vital role. Developments that are far from employment centers or lack necessary amenities may not be as effective in meeting the community's needs.
- **Development Costs and Timeframes:** The cost and time required to develop new housing can impact the supply increase's effectiveness. High development costs may lead to higher final housing prices, while lengthy construction timelines can delay the benefits of increased supply.

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Sources: Realtor.com, Census Bureau, Federal Reserve
 Modeling: Morant McLeod

- Measure Names**
- Quantity Demanded
 - Quantity Supplied
 - Supply Curve Shift

Broader Market Dynamics

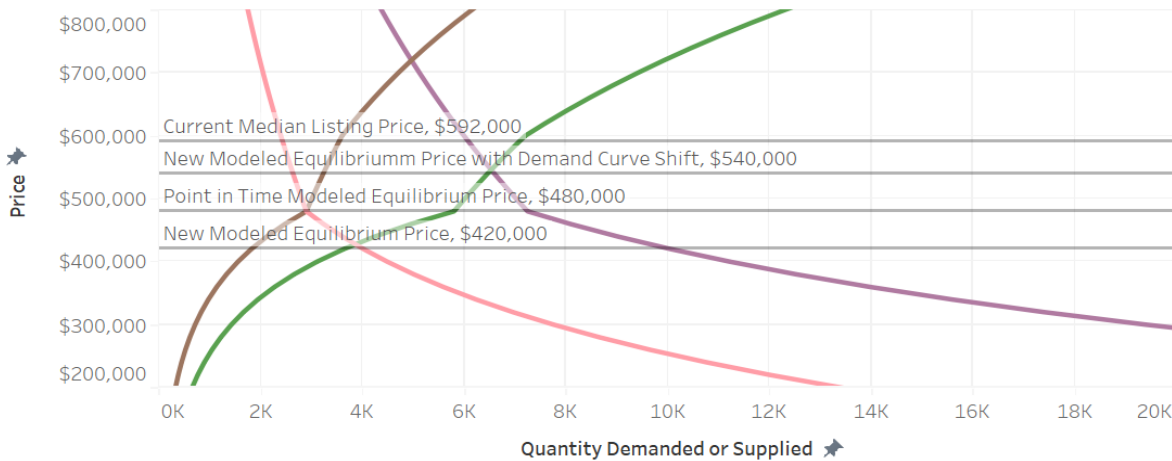
Increasing the housing supply does not occur in isolation and can affect other market dynamics:

- **Attractiveness of the Market:** An increase in housing supply may make the area more attractive, potentially drawing in new residents and investors. This influx can create additional demand, which may counteract the initial price reduction effect.
- **Impact on Current Homeowners:** For current homeowners, an increase in supply may impact the value of their properties. This could have broader economic implications, affecting consumer spending and investment decisions.
- **Long-term Market Equilibrium:** The long-term impact on the housing market equilibrium needs to be considered. Market forces may eventually adjust to the new supply levels, potentially stabilizing prices but not necessarily resulting in the initially anticipated price reduction.

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Findings from Model 3 of 3

Our initial model suggested that an increase in housing supply would lower the equilibrium price from \$480,000 to \$420,000. However, when accounting for the subsequent shift in the demand curve due to this increased supply, we observed a potential rise in the equilibrium price to \$540,000. This indicates that an increase in supply might inadvertently boost demand, thereby pushing prices higher than initially expected.



Sources: Realtor.com, Census Bureau, Federal Reserve
Modeling: Morant McLeod

- Measure Names**
- Quantity Demanded
 - Quantity Supplied
 - Supply Curve Shift
 - Demand Curve Shift

Factors Influencing Demand Curve Shift

Several key factors contribute to this potential shift in the demand curve:

- **Market Attractiveness:** An increase in housing availability can enhance the market's attractiveness, potentially attracting new residents and investors. This influx can increase demand, offsetting the initial price reduction caused by the increased supply.
- **Perceived Affordability:** The initial decrease in prices might lead to a perception of improved affordability, drawing in buyers who were previously priced out of the market. This could further elevate demand.

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- **Economic Growth and Employment Opportunities:** Economic development and job creation in Lincoln County could result in an increased population seeking housing, thereby elevating demand.
- **Investment and Speculation:** Lower housing prices might attract investors and speculators, who purchase properties with the expectation of future price appreciation. This speculative buying can further drive up demand and prices.

Broader Economic and Social Impacts

The potential increase in demand, and consequently housing prices, has broader economic and social implications:

- **Impact on Low-Income and Vulnerable Populations:** If housing prices rise due to increased demand, the initial goal of making housing more affordable for low-income and vulnerable populations may not be achieved. This could exacerbate the existing affordability crisis.
- **Changing Housing Market Dynamics:** The interplay of supply and demand might lead to a more volatile housing market, with fluctuations that could impact both current and prospective homeowners.
- **Long-Term Housing Market Stability:** The long-term stability of the housing market could be impacted, with potential cycles of boom and bust, making it difficult for policies aimed at stable growth to be effective.

Policy and Strategic Recommendations

Given these complexities, comprehensive coordination and policy interventions that include economic development, housing, and service related interventions are essential to ensure that increasing housing supply achieves the desired outcome of improved affordability:

- **Monitoring and Regulation:** Continuous monitoring of the housing market and regulatory measures may be necessary to mitigate rapid price fluctuations and speculation.
- **Targeted Affordable Housing Policies:** Implementing policies specifically targeted at affordable housing, such as housing subsidies or incentives for

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developers to build affordable units, can help ensure that new supply benefits those most in need.

- **Comprehensive Economic Development Strategies:** Aligning housing policies with broader economic development strategies can help manage the influx of new residents and ensure that housing supply matches the community's needs.

Given these complexities, policy interventions may be required to ensure that the increase in housing supply effectively addresses affordability. Such interventions could include incentives for affordable housing development, zoning law reforms to facilitate diverse housing types, and measures to ensure that new developments are integrated with necessary infrastructure and services.

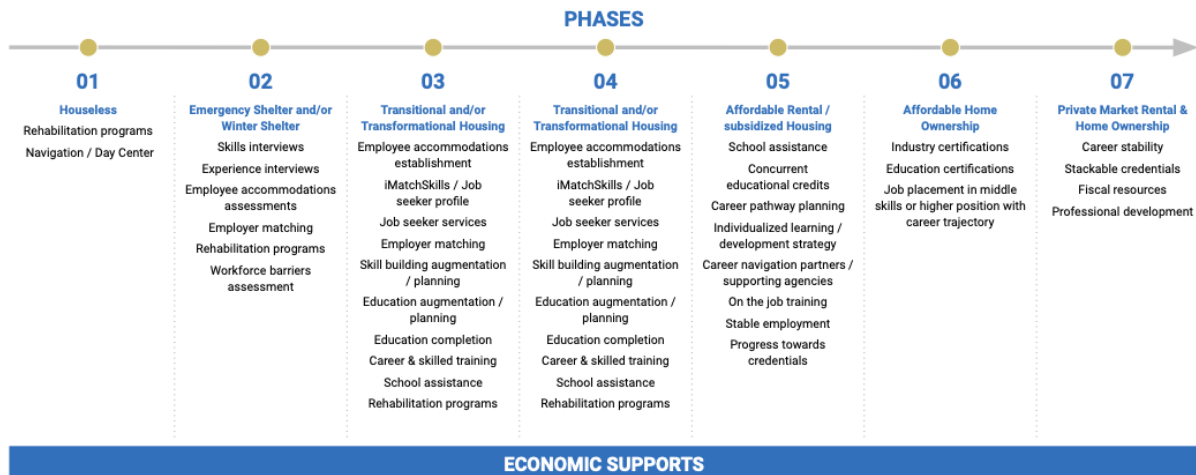
While the second model predicts that increasing the supply of housing in Lincoln County would lower the equilibrium price, the actual impact on the housing market and affordability is influenced by a variety of factors. The type of housing, market dynamics, and broader economic conditions all play a role in determining the effectiveness of this approach. A nuanced understanding of these factors is essential for policymakers and stakeholders to make informed decisions that will truly benefit the community and address the housing affordability crisis.

Our third, expanded modeling indicates that while increasing housing supply in Lincoln County is a critical step towards addressing affordability, it may also lead to a shift in the demand curve, potentially elevating housing prices. A multifaceted approach, encompassing strategic planning, policy intervention, and continuous market monitoring, is essential to ensure that the increase in housing supply translates into real and sustainable benefits for all segments of the community, particularly those most in need of affordable housing options.

Aligning Economic Development Networks with HUD's Seven Phases of Housing to Support Unhoused Communities

In addressing the multifaceted challenges faced by unhoused communities in Lincoln County, our research has identified a structured approach to aligning economic development services with the seven phases of housing as defined by the United States Department of Housing and Urban Development (HUD). This section details the specific economic needs and related services for each phase, discussing the potential impact on unhoused communities when economic development networks, service providers, and housing administrators work in tandem.

Economic supports involve discovering, managing, or creating educational-workforce opportunities to align with housing-employment needs



Phase 1: Houseless

For individuals experiencing houselessness, immediate needs center around rehabilitation programs and navigation or day centers. These services provide critical support in stabilizing individuals, offering guidance, and preparing them for reintegration into the workforce. The impact of these services is foundational, setting the stage for more complex economic and employment-related interventions.

Phase 2: Emergency Shelter and/or Winter Shelter

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In this phase, the focus shifts to developing skills and work readiness. Services like skills and experience interviews, assessments for employee accommodations, and employer matching are crucial. Additionally, rehabilitation programs and workforce barrier assessments help individuals overcome specific challenges they face in gaining employment, paving the way for sustainable economic independence.

Phase 3: Transitional and/or Transformational Housing

In the Transitional and/or Transformational Housing phase, economic development services in Lincoln County are geared towards equipping individuals with the necessary tools for independence. This phase focuses on skill building, education planning, and vocational training, tailored to suit individual career paths and market demands. Support extends to creating job seeker profiles on platforms like iMatchSkills, offering resume building, interview preparation, and facilitating employer matching. Additionally, school assistance for children and rehabilitation programs for adults are integral, ensuring a holistic approach to readiness for employment. Establishing necessary employee accommodations is also a key service, bridging the gap between the workforce and housing stability.

Phase 4: Supportive Housing or Permanent Supportive Housing

As individuals transition to Supportive or Permanent Supportive Housing, the emphasis shifts to ensuring long-term stability and growth. Continuous access to medical and mental health care is pivotal in this phase, supporting ongoing health and employment. Legal services are provided to navigate any barriers, while ongoing skill development and education ensure that individuals are not just employed but are also progressing in their careers. Collaboration with career navigation partners and agencies offers guided support for career advancement. This phase is characterized by a focus on sustaining employment, advancing in careers through on-the-job training and credentialing, and developing individualized strategies for continued personal and professional development. These efforts are crucial in maintaining long-term housing stability and fostering self-sufficiency.

Phase 5: Affordable Rental / Subsidized Housing

As individuals move into more stable housing situations, the focus on economic development includes school assistance, concurrent educational credits, career pathway planning, and individualized learning strategies. Collaboration with career

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navigation partners and on-the-job training are integral to ensuring that residents progress towards acquiring credentials and stable employment.

Phase 6: Affordable Home Ownership

In this phase, the emphasis is on attaining industry and education certifications and securing job placements in middle-skilled or higher positions with clear career trajectories. This level of economic stability is essential for sustainable homeownership, particularly for residents who have transitioned from homelessness.

Phase 7: Private Market Rental & Home Ownership

For individuals in private market rentals and homeownership, economic services focus on career stability, acquiring stackable credentials, accessing fiscal resources, and professional development. These services ensure long-term economic security and the ability to maintain and thrive in private market housing.

Aligning economic development services with the HUD housing continuum phases offers a structured and holistic approach to supporting the economic needs of unhoused communities. By integrating these services with the efforts of housing administrators and service providers, it is possible to create a more cohesive and effective support system. This approach not only addresses immediate needs but also focuses on long-term economic stability and self-sufficiency, which are crucial for breaking the cycle of homelessness and ensuring sustainable housing solutions for Lincoln County's unhoused population.

Not All Unhoused Individuals are Unemployed

Contrary to common perception, not all individuals facing homelessness are unemployed; many fall into the category of 'underemployed'. Underemployment refers to the situation where individuals are working, often in part-time or low-wage roles, but the nature of their employment is insufficient to meet their basic needs, including stable housing. In Lincoln County, a notable segment of the unhoused population is engaged in some form of employment, yet they remain unable to secure permanent housing due to the precarious nature of their work, which is often characterized by irregular hours, inadequate pay, and lack of job security.

Characteristics of Underemployment Among the Unhoused

The underemployed unhoused individuals often work in sectors like hospitality, retail, or casual labor, where jobs are susceptible to economic fluctuations and offer little in the way of benefits or advancement opportunities. These jobs rarely provide a livable wage in the context of Lincoln County's cost of living, and the absence of stable income complicates the ability to plan for and secure housing.

Employment Interventions for Unhoused Communities

To address underemployment among the unhoused, specific employment interventions are needed:

Job Training and Education Programs:

- Tailored training programs that equip individuals with skills relevant to in-demand industries can enhance employability and the potential for higher wages.
- Education programs should also focus on soft skills like communication and time management, which are critical for long-term employment success.

Supportive Employment Services:

- Initiatives like job placement assistance, resume-building workshops, and interview preparation can help unhoused individuals navigate the job market more effectively.

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- Ongoing support post-employment, including mentorship and counseling, can aid in job retention and career advancement.

Creating Pathways to Stable Employment:

- Collaborations with local businesses to create employment opportunities specifically for unhoused individuals.
- Development of apprenticeship or internship programs that provide hands-on experience and a pathway to permanent employment.

Addressing Barriers to Employment:

- Providing support for common barriers such as transportation to and from work, child care for working parents, and flexible work schedules to accommodate those with unique challenges.
- Ensuring access to necessary resources such as work attire and tools, and assistance with obtaining necessary documentation for employment.

Advocacy for Livable Wages:

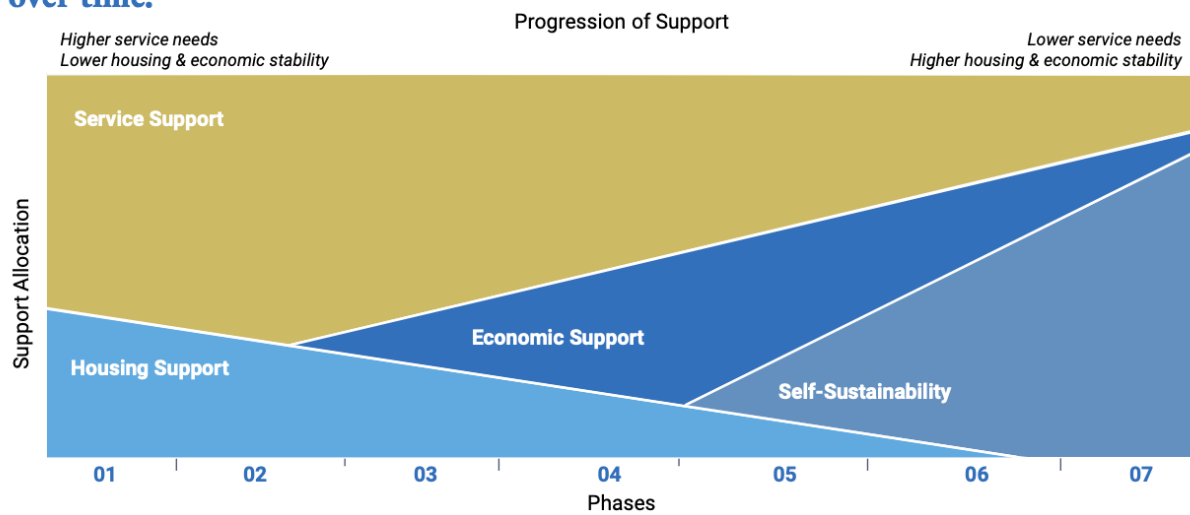
- Engaging with policymakers and community leaders to advocate for minimum wage adjustments that reflect the living costs in Lincoln County.
- Promoting employer awareness about the importance of livable wages and job stability in combating homelessness.

The issue of underemployment among Lincoln County's unhoused population highlights the need for comprehensive employment interventions that go beyond merely providing jobs. These interventions must address the specific challenges faced by underemployed individuals, offering pathways to stable, well-paying employment that can support the attainment and maintenance of housing. By focusing on both immediate employment needs and long-term career development, these strategies can play a critical role in breaking the cycle of homelessness and underemployment in the community.

Progression of Support Model

The Progression of Support model provides a comprehensive framework for Lincoln County's approach to homelessness, integrating the seven phases of housing, services, and economic needs. This model is visualized as a continuum, illustrating the support allocation across different phases, with a focus on the journey toward self-sufficiency and the consideration of individual circumstances, such as age and work capability.

The progression of support model indicates that individuals from unhoused communities will decrease service needs and enter into housing stability over time.



In the design of the Progression of Support model, a distinct correlation is evident between the phases of support and the varying levels of service needs, housing, and economic stability. In the earlier phases, particularly Phases 1 through 3, which encompass the Houseless stage to Transitional Housing, there is a heightened need for services. This is a period marked by significant instability where individuals require substantial assistance, ranging from emergency shelter and rehabilitation to job training and initial steps towards education and skill development. These services are crucial in addressing the immediate challenges faced by the unhoused, setting the foundation for their journey towards stability. As the model progresses into the later phases, especially from Phase 4 (Supportive Housing or Permanent Supportive Housing) onwards, there is a noticeable shift towards higher housing and economic stability. The dependency on

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intensive services gradually decreases as individuals gain more stable footing in terms of secure housing and sustainable employment. In these phases, the focus is on reinforcing the stability already achieved, with an emphasis on long-term employment prospects, financial independence, and the acquisition of permanent housing. The model thus reflects a transition from a high-dependency, service-intensive approach in the early stages to a more self-sufficient and stability-oriented approach in the later stages.

Description of the Model

Each phase in the model is characterized by specific types of housing, services, and economic support that cater to the unique needs of individuals at that stage:

- **Phases 1 to 3 (Houseless to Transitional Housing):** These initial phases are marked by intensive support, including emergency shelter, rehabilitation, and employment services, aiming to stabilize individuals in crisis.
- **Phase 4 (Supportive Housing or Permanent Supportive Housing):** As individuals move to supportive or permanent supportive housing, the model begins to shift towards self-sufficiency. This phase is pivotal as it represents a potential ceiling for those who are past working age. For such individuals, the model emphasizes sustainable support that ensures stability and dignity, even if full economic independence may not be feasible.
- **Phases 5 to 7 (Affordable Rental to Private Market):** In these phases, the focus increasingly shifts towards self-reliance. The support provided evolves to facilitate individuals' transition to affordable homeownership or private market rentals, with an emphasis on long-term economic stability. Services are geared towards career advancement, financial planning, and access to continuing education.

Self-Sufficiency and Consideration of Individual Circumstances

The model recognizes that self-sufficiency is a gradual process and varies based on individual circumstances, particularly age and employment potential. It highlights that for some, particularly older adults or those unable to work, Phase 4 may represent the peak of their self-sufficiency journey. In these cases, the model ensures that adequate support systems are in place to maintain their quality of life and prevent a return to earlier phases of instability.

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Safety Net Across All Phases

Importantly, the model incorporates a safety net throughout, acknowledging that life circumstances can change unpredictably. This safety net is crucial to protect the gains made by individuals at various phases and to offer a buffer against potential setbacks.

The Progression of Support model in Lincoln County is a dynamic and empathetic approach to addressing homelessness. By aligning housing, services, and economic support with the realities of individuals' lives, including their age and work capability, the model provides a nuanced roadmap for guiding individuals towards stability and self-sufficiency, while ensuring continued support for those who have reached their potential in terms of economic independence. This balanced approach is key to building a resilient and inclusive community.

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Transportation

In coastal, rural regions like Lincoln County, the challenges of transportation for unhoused communities are markedly different and often more complex than those in urban areas. This expanded section of the report delves into the specific transportation needs within Lincoln County, a region characterized by its unique geographic and demographic features. Unlike urban centers with denser populations and more established public transit systems, Lincoln County's coastal and rural nature presents distinct challenges that critically impact the mobility of its unhoused population.

Geographic and Demographic Challenges

Lincoln County, with its sprawling, rugged terrain and scattered population centers, lacks the comprehensive public transportation infrastructure commonly found in urban environments. The vast distances between various service providers, combined with limited public transit routes, create significant barriers for residents, particularly those without personal vehicles. This rural setting poses unique hurdles in providing consistent and efficient transportation services.

Accessibility and Connectivity Issues

The county's coastal geography, characterized by smaller towns and communities spread along the coastline and inland areas, results in service providers being geographically dispersed. This dispersion exacerbates accessibility issues, as individuals often need to travel long distances to access essential services like shelters, healthcare facilities, job centers, and supportive housing. The lack of connectivity between these services further complicates the ability of unhoused individuals to engage consistently with the support systems they need.

Impact on Unhoused Communities

For the unhoused communities in Lincoln County, these transportation challenges are not merely an inconvenience but a significant barrier to accessing the support and resources necessary for stability and self-sufficiency. The ability to travel to service locations is crucial for engaging with the seven phases of support, from emergency services to employment and housing opportunities. Without reliable transportation, the pathway out of homelessness becomes increasingly difficult, and the effectiveness of support services is diminished.

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- **Phase 1 (Houseless):** In the initial phase, transportation is crucial for accessing emergency services, shelters, and rehabilitation programs. Without reliable transport, individuals in crisis may be unable to reach the help they need promptly.
- **Phase 2 (Emergency Shelter/Winter Shelter):** Here, transportation is needed for individuals to attend interviews, engage in employment services, and access healthcare. The ability to travel to different service locations is vital for maintaining safety and accessing resources for survival and stability.
- **Phases 3 and 4 (Transitional/Supportive Housing):** As individuals move into transitional or supportive housing, transportation becomes key to attending job training, educational programs, and regular healthcare appointments. Consistent access to transportation supports the journey towards self-sufficiency.
- **Phase 5 (Affordable Rental/Subsidized Housing):** In this phase, individuals often need to balance employment, education, and family responsibilities. Reliable transportation is crucial for maintaining employment and accessing continuing education and childcare.
- **Phases 6 and 7 (Affordable Home Ownership/Private Market):** As individuals gain more stability, transportation remains important for sustaining employment, accessing advanced educational opportunities, and participating fully in community life.

Need for Tailored Transportation Solutions

Given these unique challenges, Lincoln County requires tailored transportation solutions that account for its rural and coastal characteristics. Addressing these needs is essential for ensuring that all residents, regardless of their housing status, have access to the support services essential for their well-being and progress. This report will explore the specific transportation needs across the seven phases of support and discuss the role of both government-led initiatives and service provider-driven transportation options in meeting these needs.

Government-Level Transportation Options

Government-led initiatives can play a significant role in providing comprehensive transportation solutions. This could include expanded public transit routes, subsidized transit fares for low-income individuals, and specialized transportation services for those with disabilities. Government involvement ensures that transportation services

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are consistent, reliable, and accessible to all, regardless of their phase in the support continuum.

Transportation Options Provided by Service Providers

Service providers can complement public transportation by offering targeted transport services. This could include shuttle services between key service locations, transportation assistance for job interviews or medical appointments, and partnerships with local transportation companies. These services are particularly important in areas not adequately covered by public transit or for individuals who require more personalized transportation assistance.

The integration of transportation solutions into the framework of support for unhoused communities in Lincoln County is imperative. Both government-level transportation options and services provided by individual organizations are necessary to ensure that individuals can access the support they need at each phase of their journey towards stability. Effective transportation networks not only facilitate access to essential services but also contribute significantly to the overall success of programs designed to support the unhoused population. Collaboration between government agencies, service providers, and community stakeholders is key to developing and implementing effective transportation solutions that meet the diverse needs of Lincoln County's unhoused residents.



MORANT MCLEOD

SECTION 6: RECOMMENDATIONS

SECTION 6: Strategic Recommendations for Addressing Homelessness in Lincoln County

In the wake of a comprehensive analysis of the multifaceted homelessness crisis in Lincoln County, the board is set to adopt a series of strategic recommendations. These recommendations are designed to address the complex interplay of housing, services, economic challenges, and transportation needs that characterize the struggle against homelessness in our coastal, rural community. Recognizing the unique challenges posed by our demographic and geographic context, these strategies are rooted in the insights gained from our extensive research and the Progression of Support model, which provides a nuanced framework for understanding and tackling homelessness.

1. **LCHAB as a Permanent Body:** The first recommendation solidifies the Lincoln County Homeless Advisory Board (LCHAB) as a permanent entity dedicated to addressing homelessness and houselessness. This ensures continued, focused attention on these critical issues and facilitates long-term planning and intervention.
2. **Strategic Goal Adoption:** In alignment with our Progression of Support model, we recommend adopting a strategic goal to reduce homelessness to only emergency and voluntary levels. This approach emphasizes the need for a systematic, phase-specific response to the various needs of the unhoused population.
3. **Policy and Funding Coordination:** Recognizing the importance of unified efforts, the third recommendation calls for the coordination of policy and funding across city, county, regional, and state levels. Such collaboration is crucial for maximizing resources and implementing effective, large-scale solutions.
4. **Navigation System Implementation:** The establishment of a navigation system is vital. Prioritizing the use or development of common data and reporting systems will enhance our ability to track network efficacy and community needs, ensuring resources are directed where they are most needed.
5. **Integration of Local Efforts:** Finally, we advocate for the integration of housing, community services, economic development, and transportation efforts. This

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integrated approach is essential for providing comprehensive support to community organizations working directly with the unhoused population.

These strategic recommendations represent a commitment to a coordinated, informed, and compassionate approach to addressing homelessness in Lincoln County. By adopting these strategies, we aim to create a more stable, supportive, and sustainable environment for all members of our community, particularly those who are most vulnerable.

Summary of Recommendations

1. LCHAB to remain a permanent body that focuses on homelessness/houselessness.



2. Adopt the strategic goal to reduce homelessness to emergency & voluntary levels, utilizing the progression of support model.



3. Coordinate policy and funding efforts at city, county, regional and state levels.



4. Stand up and support a navigation system, with a priority to use or develop common data/reporting systems to track each network and community needs.



5. Integrate local housing, community services, economic development and transportation efforts to support and provide resources for community organizations.



Implementing these strategic recommendations will significantly benefit Lincoln County's houseless communities. Establishing LCHAB as a permanent entity ensures ongoing, focused support, while adopting the strategic goal aligned with the Progression of Support model promises a more effective approach to aid. Coordinated policy and funding efforts across government levels will optimize resource use and service delivery. The introduction of a comprehensive navigation system, with an emphasis on data, will facilitate targeted assistance and improved outcomes. Crucially, integrating housing, services, economic development, and transportation initiatives will create a unified support network. This holistic strategy addresses both immediate and long-term needs, paving the way for a more inclusive and resilient community where transitioning from houselessness to housing stability is a supported and achievable journey for all.

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Recommendation 1: Lincoln County Homelessness Advisory Board as a Permanent Body

Echoing the foundational work initiated by the 2007 report “At Home in Lincoln County,” the board has officially proposed a critical measure: “Lincoln County Homeless Advisory Board (LCHAB) to remain a permanent body that focuses on homelessness/houselessness.” This recommendation signifies a commitment to an ongoing, structured approach in addressing the multifaceted nature of homelessness in the region.

Incorporating a Comprehensive Data Review

An essential function of the LCHAB, as a permanent entity, will be to regularly review and analyze data from all four critical dimensions of homelessness: housing, services, economic pressures, and transportation. This comprehensive data review is pivotal for understanding the full spectrum of issues faced by the unhoused communities and for identifying emerging trends and challenges. By systematically evaluating data across these dimensions, LCHAB can gain a holistic view of the situation, enabling more informed decision-making and strategic planning.

“Lincoln County Homeless Advisory Board (LCHAB) to remain a permanent body that focuses on homelessness/houselessness.”

Coordinated Response to Community Needs

The permanence of LCHAB also positions it to effectively coordinate responses to the identified needs in a collective manner. With representatives from each city in Lincoln County, the county itself, the Confederated Tribe of Siletz Indians, and the Community Services Consortium, the board is uniquely equipped to foster collaboration across various municipal and organizational boundaries. This collaborative approach ensures

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that responses are not only tailored to specific local needs but also benefit from shared resources, expertise, and insights.

Role of LCHAB in Collective Action

As a centralized body, LCHAB will facilitate the pooling of efforts and resources, encouraging a unified response to homelessness. This includes coordinating policy initiatives, aligning service delivery, and ensuring that economic and transportation strategies are effectively integrated with housing and service efforts. The board's role in collective action is crucial for maximizing the impact of interventions and for ensuring that all segments of the community receive the support they need.

Making LCHAB a permanent, inclusive, and data-driven entity is a significant stride towards a comprehensive and collaborative effort to address homelessness in Lincoln County. By reviewing data across all dimensions of homelessness and coordinating a collective response, LCHAB is well-positioned to lead effective and sustainable strategies to combat and alleviate homelessness, building on the groundwork laid by the 2007 housing plan and adapting to the evolving needs of the community.

Recommendation 2: Strategic Goal Adoption

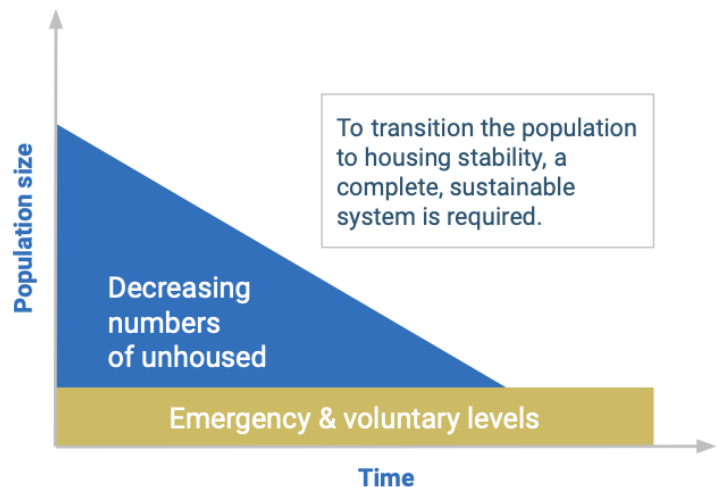
In a concerted effort to address the persistent issue of homelessness in Lincoln County, the board has adopted a pivotal strategic goal, articulated as: "Adopt the strategic goal to reduce homelessness to emergency & voluntary levels, utilizing the progression of support model." This goal is reflective of the nuanced understanding of homelessness as gleaned from our comprehensive research and acknowledges the varying circumstances under which individuals become houseless.

"Adopt the strategic goal to reduce homelessness to emergency & voluntary levels, utilizing the progression of support model."

Understanding Emergency and Voluntary Homelessness

Our research indicates that there are instances of houselessness that emerge due to unforeseen emergencies which cannot be entirely prevented. These situations might include natural disasters, sudden economic downturns, or personal crises. Recognizing this, the goal is not to eliminate homelessness entirely, an unrealistic expectation, but to minimize its occurrence to these unavoidable emergencies.

Additionally, there exists a segment of homelessness that can be described as voluntary. This encompasses individuals who, for various personal or lifestyle reasons, choose transient living situations. While this represents a smaller portion of the houseless population, it is a factor that needs to be acknowledged in any comprehensive homelessness strategy.



Strategic Goal of Reduction to Manageable Levels

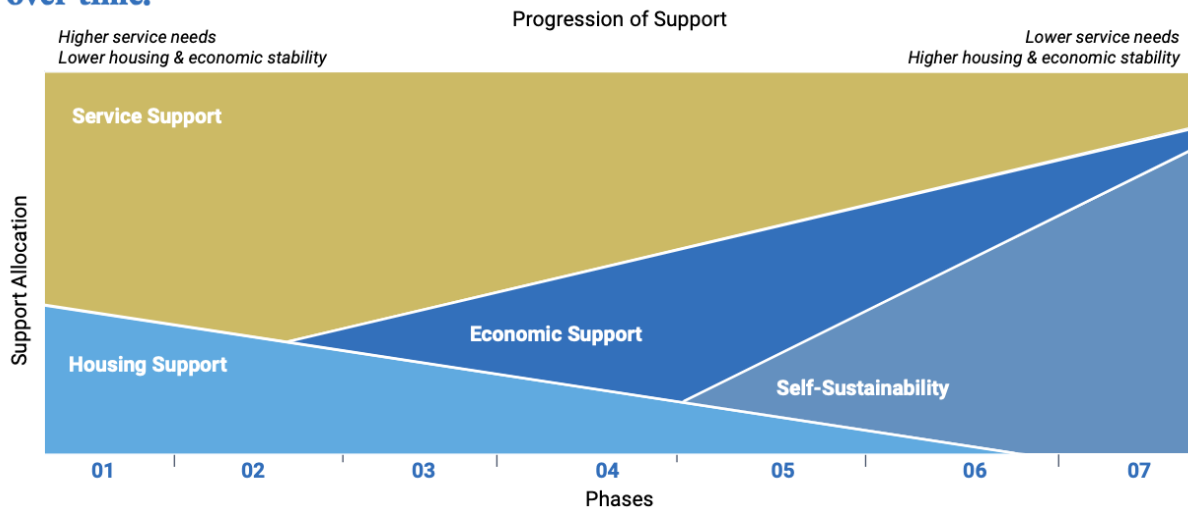
The primary objective of this strategic goal is to reduce the level of homelessness in the community to these emergency and voluntary levels. This approach is realistic and focuses on managing and responding effectively to these situations, rather than an unattainable goal of complete eradication of homelessness.

Utilizing the Progression of Support Model

Central to achieving this goal is the application of the Progression of Support model. This model, with its seven phases of housing support, provides a structured framework to understand and address the varying needs of individuals experiencing homelessness. By aligning resources and interventions with each phase, from emergency shelter to private market rental and homeownership, the model facilitates targeted support that efficiently assists individuals in their journey towards stability.

The model also serves as a guide for the allocation of resources. By understanding the specific needs at each phase, the board can ensure that resources are directed where they are most needed, thereby maximizing their impact. This targeted approach is crucial for moving individuals through the phases effectively and, where possible, aiding their transition to the seventh phase of self-sufficiency and stable housing.

The progression of support model indicates that individuals from unhoused communities will decrease service needs and enter into housing stability over time.



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The adoption of this strategic goal, grounded in the practical realities of homelessness and the insightful Progression of Support model, represents a significant step forward in Lincoln County's efforts to combat homelessness. By focusing on reducing homelessness to manageable levels and utilizing a phased support approach, the board sets a realistic and structured path to address this complex issue. This strategy acknowledges the inevitability of certain homelessness situations while striving to provide comprehensive support to those in need, ultimately aiming to guide as many individuals as possible towards stability and independence.

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Recommendation 3: Policy and Funding Coordination

The board's strategic goal, "Coordinate policy and funding efforts at city, county, regional and state levels," addresses a pivotal aspect of tackling homelessness in Lincoln County. This goal, grounded in our extensive research, emphasizes the necessity of a consolidated approach across various governmental and organizational levels. Such coordination not only streamlines efforts and resources but also positions the region to more effectively attract state and federal funding.

Reducing Administrative Distance and Fostering Collaboration

A critical component of this strategy involves bridging the administrative distance between larger entities and smaller, local organizations. By aligning efforts, these groups can collectively pursue funding opportunities, share best practices, and efficiently address the needs of the homeless population. Larger organizations, with their broader reach and resources, can support smaller non-profits in service delivery, allowing for a more cohesive response to homelessness across the region.

"Coordinate policy and funding efforts at city, county, regional and state levels."

Leveraging Unique Strengths of Municipalities

Each city and municipality within Lincoln County brings unique strengths to the table. Some areas may excel in creating employment opportunities and programs, while others possess the necessary land or infrastructure for affordable housing development. By coordinating these individual capabilities, the region can develop a comprehensive strategy that leverages the full spectrum of resources available, ensuring balanced and sustainable growth.

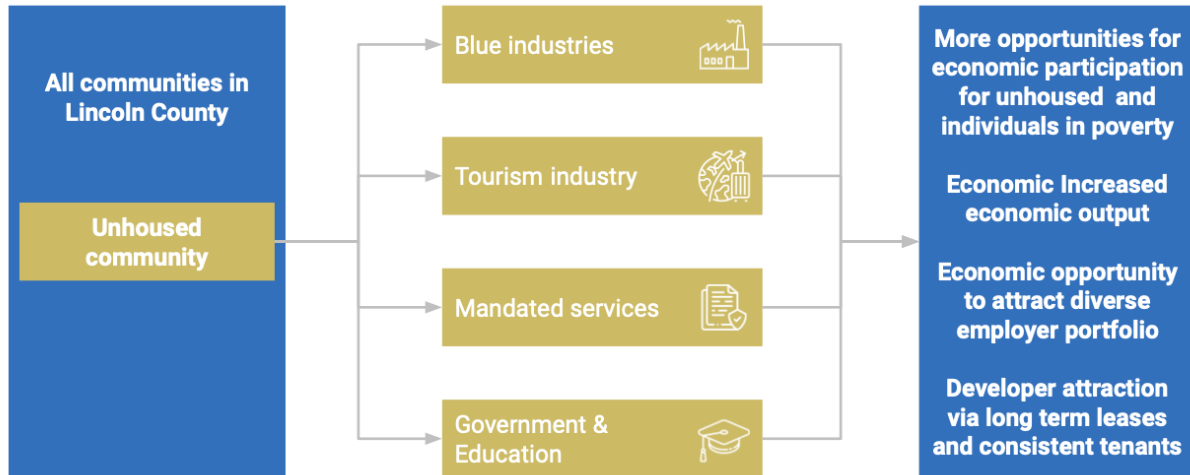
Creating an Attractive Landscape for State and Federal Funding

One of the most significant advantages of this coordinated approach is its potential to make Lincoln County more attractive for state and federal funding. A consolidated and

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unified regional strategy demonstrates effective use of resources, clear planning, and a commitment to addressing homelessness in a comprehensive manner. Such a display of regional unity and efficiency is often a key criterion for larger funding bodies, making Lincoln County a more compelling candidate for these critical funds.

Coordinated organization to develop pipelines that support our unhoused and broader communities.



Envisioning a New Day for Lincoln County

This coordinated approach heralds a new era for Lincoln County, where the collective effort transcends individual municipal boundaries and leads to a stronger, more unified region. The consolidation of policies, funding efforts, and resources promises not only an enhanced response to homelessness but also a brighter future for the entire county. By working together, Lincoln County can achieve significant strides in addressing homelessness, supported by a robust framework that attracts increased state and federal assistance.

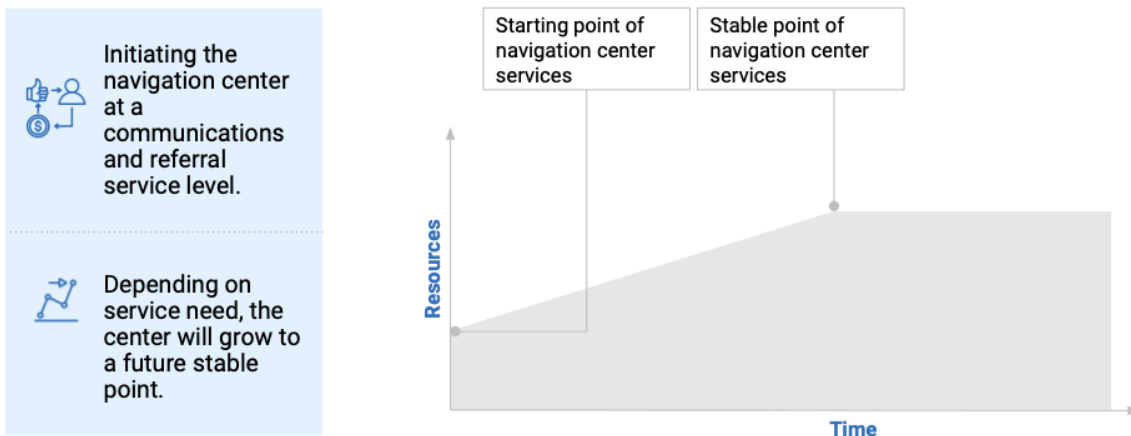
The third strategic goal sets a clear path for Lincoln County, emphasizing the power of collaboration and coordination across all levels of government and organizations. This unified approach is vital for maximizing the impact of efforts to combat homelessness and for elevating the region's profile in securing necessary funding. It is a strategy that promises not only immediate benefits for those in need but also long-term, sustainable development for the entire region.

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Recommendation 4: Navigation System Implementation

In alignment with the broader strategy to address homelessness in Lincoln County, the board has articulated its fourth strategic goal: "Stand up and support a navigation system, with a priority to use or develop common data/reporting systems to track each network and community needs." This goal underscores the importance of a cohesive, integrated approach in managing and responding to the needs of the unhoused or those at risk of homelessness.

A navigation center is needed to centralize efforts across municipalities. The center acts as a hub of information with a connected, “no wrong door” approach.



Comprehensive Participation in the Navigation System

The proposed navigation system is envisioned to be all-encompassing, involving participation from all housing programs, service providers, economic support resources, governmental offices, and healthcare organizations across the county. This inclusive approach ensures that the system has a broad reach, covering every aspect of support needed by the unhoused population, including mental, dental, vision, and general healthcare services. The integration of these diverse resources into a single navigation system facilitates a more streamlined and effective response to homelessness.

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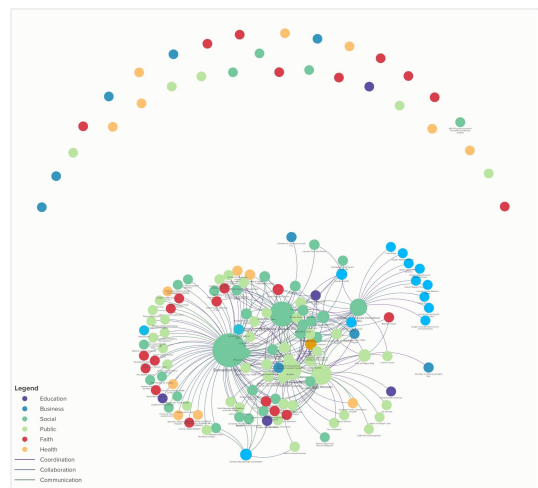
"Stand up and support a navigation system, with a priority to use or develop common data/reporting systems to track each network and community needs."

'No Wrong Door' Approach

A key feature of this navigation system is the implementation of a 'no wrong door' approach. This methodology ensures that individuals seeking help can approach any service provider within the network and receive guidance, information, or referral to appropriate services without delay. Whether an individual first contacts a housing program, a healthcare clinic, or a government office, the system is designed to provide immediate access to the wider network of services. This approach not only simplifies the process for those seeking help but also ensures that opportunities for assistance are maximized.

Administration and Coordination of the System

Effective administration of the navigation system is crucial. This involves maintaining an active understanding of the intake processes and eligibility requirements of all participating service providers. The administration team should be equipped to refer individuals to the most suitable organization based on their immediate needs. Additionally, the system needs to have up-to-date information on the availability and operational hours of each service provider, along with their current capacity, to maintain responsiveness and efficiency.



Current image of the service network.

Data Collection and Reporting

A vital component of this system is the collection and analysis of data from each service provider. This data should encompass the four key dimensions of housing,

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services, economic, and transportation needs, providing a comprehensive overview of service capacity and community requirements. Regular reporting of this data to the board is essential for informed decision-making and strategic planning. It allows the board and its municipal members to identify trends, gaps, and areas of need, facilitating a collaborative and proactive response.

The establishment of a navigation system, as outlined in this strategic goal, represents a significant advancement in the way Lincoln County addresses homelessness. By ensuring wide-ranging participation, adopting a 'no wrong door' approach, and focusing on effective administration and data-driven insights, this system promises to significantly enhance the coordination and delivery of services. It marks a crucial step towards a more connected, efficient, and responsive support network for the unhoused and at-risk populations in Lincoln County, driving collective efforts towards more sustainable solutions.

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Recommendation 5: Integration of Local Efforts

The fifth strategic goal, pivotal to the holistic approach towards addressing homelessness in Lincoln County, is articulated as: "Integrate local housing, community services, economic development and transportation efforts to support and provide resources for community organizations." This goal underlines the importance of a unified approach across various sectors, facilitating effective data sharing and resource allocation to combat homelessness.

Data Integration Across Four Dimensions

The establishment of a navigation network is critical in achieving this goal. This network should be designed to compile and analyze data across the four key dimensions: housing, community services, economic development, and transportation. Such comprehensive data collection and reporting are vital for understanding the full spectrum of needs within the homeless community and for identifying areas where support is most urgently required. By viewing these dimensions in tandem, the network can ensure a coordinated response that addresses the multifaceted nature of homelessness.

"Integrate local housing, community services, economic development and transportation efforts to support and provide resources for community organizations."

Inclusion of Diverse Organizations in Data Collection

While larger organizations in Lincoln County may already be participating in data systems like the Homeless Management Information System (HMIS), smaller organizations often lack the technical resources for such data gathering and reporting. The network should establish mechanisms to bridge this gap. This involves creating





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public-private and public-public partnerships with key organizations that can act as conduits for data collection, extending these relationships to include smaller organizations. By doing so, the network ensures that data from all service providers, regardless of their size, is captured and considered in strategic planning.

Formulating Value Propositions for Smaller Organizations

Integrating smaller organizations into the data network offers dual benefits. Firstly, it ensures that their valuable service data is included in the larger homelessness response strategy. Secondly, it provides these organizations with access to resources and support that they might not have independently. The collaborative funding efforts from the third strategic recommendation play a crucial role here, creating a value proposition for smaller organizations. By providing them with resources and incentives to participate in data sharing, the network not only enhances its data quality but also supports the growth and efficacy of these smaller entities.

Build the four networks required to include all organizations. The product of each network will focus on the unhoused population, but also support the community at large.

Strategic Body	Principal Organizations	Networks	Outcomes
LCHAB & Navigation System	 Housing	Shelters, Municipalities, Private Developers, Funders, Property Managers, Policy Staff, etc	Illumination of Unhoused Community Needs
	 Services	Direct Service Providers, Indirect Service Providers, Municipal Services, Government Services, etc	Determining System Needs Locate Funding & Joint Funding Asks
	 Economic Development	Employers, Potential Employers, Workforce Programs, Northwest Oregon Works, OCWCOG, Education Programs, etc	Opportunities for Public-Private Partnerships
	 Transportation	Service Network, Service Providers, etc	Innovations Reporting Integration into Service Progression Model

Engaging the Private Sector

Extending beyond nonprofits and service providers, these value propositions should also engage the private commercial sector. This includes housing developers, employers with workforce programs, healthcare providers, and transportation companies. Their participation is crucial in creating a comprehensive picture of the resources available and the needs within the community. By involving these private

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entities, the network can leverage additional resources and expertise, contributing to a more robust and multifaceted response to homelessness.

Strategic Goal Five represents a commitment to integrating efforts across housing, services, economic development, and transportation, ensuring that all community organizations, big and small, are supported and utilized effectively. By fostering a collaborative environment that values data integration and resource sharing, Lincoln County can create a more cohesive, efficient, and impactful approach to addressing homelessness, with benefits extending to every corner of the community.

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**CITY OF TOLEDO
RESOLUTION NO. 1540**

A RESOLUTION OF THE TOLEDO CITY COUNCIL SUPPORTING THE LINCOLN COUNTY HOMELESS STRATEGIC PLAN AND GRANTING THE LINCOLN COUNTY HOMELESS RESPONSE ADVISORY BOARD AUTHORITY TO EXECUTE THE CONTINUED PROJECT ADMINISTRATION FOR THIS STRATEGY

WHEREAS, the City of Toledo has completed a review of the countywide Five Year 2022-2027 Homeless Strategic Plan; and

WHEREAS, the countywide Five Year 2022-2027 Homeless Strategic Plan incorporates a mission statement and goals for the City of Toledo to use with its partner cities involved through the Lincoln County Homeless Advisory Board to provide a framework to reduce homelessness countywide; and

WHEREAS, the City of Toledo as a member of the Lincoln County Homeless Response Advisory Board through an intergovernmental agreement approves and adopts the countywide Five Year 2022-2027 Homeless Strategic Plan.

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

- Section 1. The Toledo City Council hereby supports this strategy in alignment with State House Bill 4123.
- Section 2. The City of Toledo grants authority for the Lincoln County Homeless Response Advisory Board to execute continued project administration for this strategy.
- Section 3. That this Resolution shall be effective immediately upon passage by the Toledo City Council.

That this resolution is hereby adopted by the Toledo City Council on this 17th day of January, 2024.

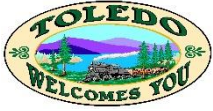
APPROVED

ATTEST

Mayor Rod Cross

City Recorder Lisa Figueroa

**CITY OF TOLEDO
REQUEST FOR COUNCIL ACTION**

	Meeting Date:	Agenda Topic:
	January 17, 2024	Ordinance No. 1416, an ordinance of the Toledo City Council amending the Toledo Municipal Code, Title 8, Health And Safety; creating Chapter 8.24, The Toledo Livability Code, repealing Chapter 15.12 and declaring an emergency
Council Goal:	Agenda Type:	
Not Applicable	Decision Items	
Prepared by:	Reviewed by:	
City Attorney M. Adams	City Manager Doug Wiggins	Doug Wiggins

Recommendation:

Motion to adopt (with specified changes, if any): “an ordinance of the Toledo City Council amending the Toledo Municipal Code, Title 8, Health And Safety; creating Chapter 8.24, The Toledo Livability Code, regulating the exterior conditions of all residential and non-residential structures, interior conditions of residential tenant occupied structures, and recreational vehicles occupied for a temporary residential use; repealing Toledo Municipal Code Chapter 15.12; and declaring an emergency.”

[After approval of council, Mayor:] “Does any councilor present at the meeting request the ordinance be read in full?”

[If no, then a councilor can:] make a second motion to adopt (**read title again**). [If approval with unanimous vote, approval in one meeting].

Background:

The Toledo Livability ordinance has been discussed in public meetings on Nov. 1st, Nov. 15th, Dec. 6th, and Dec. 20th, 2023. At the council’s request, it is presented for possible adoption.

This draft ordinance regulates the exterior conditions of all residential and nonresidential structures, and the interior conditions of residential tenant occupied structures, and recreational vehicles. After significant public input and suggestions that have been incorporated as well as significant changes proposed by council, staff recommends approval as presented. Testimony has shown this needed as a tool for enforcement against many out of city/state owners and entities in control of properties in the City.

The City of Toledo Charter, Chapter XI – Ordinances, Section 31, requires that a copy of the ordinance be provided to each councilor, three copies are provided for public inspection with the city recorder, and notice of the availability of copies is given by written posting at the city hall and two other public places in the City. This has all occurred not later than one week before the first reading of the ordinance tonight as required.

Fiscal Impact:	Fiscal Year:	GL Number:
None	2023-2024	N/A

Attachment:

1. Ordinance No. 1416

**CITY OF TOLEDO
ORDINANCE NO. 1416**

AN ORDINANCE OF THE TOLEDO CITY COUNCIL AMENDING THE TOLEDO MUNICIPAL CODE, TITLE 8, HEALTH AND SAFETY; CREATING CHAPTER 8.24, THE TOLEDO LIVABILITY CODE, REGULATING THE EXTERIOR CONDITIONS OF ALL RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES, INTERIOR CONDITIONS OF RESIDENTIAL TENANT OCCUPIED STRUCTURES, AND RECREATIONAL VEHICLES OCCUPIED FOR A TEMPORARY RESIDENTIAL USE; REPEALING TOLEDO MUNICIPAL CODE CHAPTER 15.12; AND DECLARING AN EMERGENCY

WHEREAS, the City Council has a duty to ensure and protect the public health, safety and welfare of all residents of Toledo; and

WHEREAS, all residents and property owners in the City of Toledo benefit from the prevention of urban blight and the preservation of community livability; and

WHEREAS, minimum property maintenance standards and minimum livability standards prevent urban blight and preserve community livability; and

WHEREAS, special considerations for rental housing habitability are necessary to ensure the health, safety and welfare of tenants and to preserve community livability.

NOW THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

- Section 1. Toledo Municipal Code Chapter 8.24, Toledo Livability Code, is hereby created to read as set out in Sections 1-57 of Exhibit A of this Ordinance and incorporated by this reference as if fully set out herein.
- Section 2. Toledo Municipal Code Chapter 15.12, Abatement of Dangerous Buildings, consisting of Sections § 1-9 of Ord. 1101 (1980), Section §10 of Ord. 1101 (1980), as amended by Ord. 1118 (1980), and as further amended by Section § 14 of Ord. 1244 (1996), are hereby repealed.
- Section 3. This ordinance being necessary for the immediate preservation of the public welfare, health and safety, an emergency is declared to exist and this ordinance shall take effect upon its passage.

This Ordinance adopted by the Toledo City Council this 17th day of January, 2024.

APPROVED:

ATTEST:

Mayor Rod Cross

City Recorder Lisa Figueroa

Ordinance No. 1416 (2023) - Exhibit A

Section 1. Sections 2 through 57 of this Ordinance are added to and made a part of the Toledo Municipal Code to create Chapter 8.24, “Toledo Livability Code,” as indicated.

Section 2. Section § 8.24.010 of the Toledo Municipal Code is created to read as follows:

8.24.010 - Short Title.

This chapter shall be known and may be cited as the “Toledo Livability Code” and may be referred to herein as "this chapter."

Section 3. Section § 8.24.020 of the Toledo Municipal Code is added to read as follows:

8.24.020 - Purpose.

The purpose of this chapter is to ensure and protect the public health, safety and welfare and to prevent or reduce urban blight by establishing minimum property maintenance and livability standards for all premises.

Section 4. Section § 8.24.030 of the Toledo Municipal Code is added to read as follows:

8.24.030 - Application of other Laws.

- A. Nothing in this chapter shall be construed to relieve a person from complying with any federal, state or local law, including any other provisions of the Toledo municipal code or the requirement to obtain all necessary permits and approvals.
- B. **Changes and Alterations.** Any repair, alteration, or addition to, or change of occupancy in an existing building, or any change of use of any property, shall be made in accordance with all applicable provisions of law, including, but not limited to the Toledo Municipal Code.
- C. No provisions in this chapter shall preclude the abatement of a nuisance as provided in the general nuisance ordinance of the city, TMC Chapter 8.04.
- D. **Conflicts.**
 - 1. Except as provided otherwise by federal, state or local law, if a provision of this chapter conflicts with a residential property maintenance law, rule or regulation promulgated by a state or federal authority having jurisdiction over residential property in the City of Toledo, the provision of the state or federal law, rule or regulation shall apply to the exclusion of the conflicting provision of this chapter.

2. This chapter is intended to supplement rather than conflict with the habitability standards and the assignment of landlord and tenant responsibilities in the State of Oregon Residential Landlord and Tenant Act.
3. This chapter is intended to expand the regulation of the temporary residential use of recreational vehicles located within the city limits, beyond TMC Chapter 8.08, whether or not a temporary permit has been granted under TMC Chapter 8.08.040, including the regulation of the interior and exterior conditions in or near recreational vehicles.
4. If a provision of this chapter conflicts with a provision of the adopted building code, the provision of the building code shall apply to the exclusion of the conflicting provision of this chapter.

Section 5. Section § 8.24.040 of the Toledo Municipal Code is added to read as follows:

8.24.040 - Scope.

- A. This chapter establishes minimum requirements and standards for the protection of structures and premises from the elements, life safety and other hazards, and for their safe and sanitary maintenance; assigning the responsibility of owners and occupants; and, establishes the processes and standards for the administration of this chapter, its administration, enforcement, Appeals, and penalties.
- B. Provisions of this chapter that address the interior conditions of residential structures apply to tenant occupied residential structures and recreational vehicles only.
- C. Provisions of this chapter that address the exterior conditions of structures and the conditions of premises apply to all residential and nonresidential structures and all premises, with the exclusion of children's play structures which shall be exempt from the maintenance standards established by this chapter other than with respect to conditions that constitute imminent or incipient hazards, as those terms are defined in this chapter.
- D. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health, safety and maintenance, as required by the provisions of this chapter.

Section 6. Section § 8.24.050 of the Toledo Municipal Code is added to read as follows:

8.24.050 - Saving Clause.

Compliance with this chapter shall not affect violations of any other ordinance, code or regulation existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

Section 7. Section § 8.24.060 of the Toledo Municipal Code is added to read as follows:

8.24.060 - Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter which shall continue in full force and effect, and to this end the provisions of this chapter are hereby declared to be severable.

Section 8. Section § 8.24.070 of the Toledo Municipal Code is added to read as follows:

8.24.070 - Administration.

- A. The City Manager is hereby authorized to administer and enforce all of the provisions of this chapter. The authority of the City Manager to enforce the provisions of this chapter is independent of and in addition to the authority of other city officials to enforce the provisions of other city codes.
- B. The City Manager may grant authority to enforce all or a portion of this chapter to the administrator of the City Planning Department, or the Chief of Police, or the Chief of the Fire Department, or Code Enforcement Officer, or any combination, and/or their respective designees.
- C. This chapter shall be liberally construed to the end that the City Manager shall not be required to personally perform the administrative or enforcement duties and functions that are the responsibilities of the City Manager under the terms and standards of this chapter.

Section 9. Section § 8.24.080 of the Toledo Municipal Code is added to read as follows:

8.24.080 - Appointments.

- A. The City Manager may retain the authority to administer and enforce all of the provisions of this chapter, as Director, or may appoint a Director and delegate authority to administer this chapter to the Director.
- B. The Director may appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration and enforcement of this chapter.
- C. The Director is authorized to designate an employee as deputy who shall exercise all the powers of the Director during the temporary absence or disability of the Director.
- D. Any acts done by any employee who is under the direct supervision and control of the Director and done pursuant to a delegation of authority given by the Director to said

employee shall be deemed to be done by the Director as required by the terms and standards of this chapter.

Section 10. Section § 8.24.090 of the Toledo Municipal Code is added to read as follows:

8.24.090 – Complaint Based Response; Mediation; Violation of untruthfulness.

- A. Administrative and enforcement responses under this chapter are intended to be initiated on the basis of a complaint. Before initiating a complaint, the person making the complaint must take such actions that are a bonafide attempt to resolve the issue, which at a minimum is a good faith effort or actual neighborly conversation. As part of the complaint process, the complaining party must provide an explanation of what actions were taken to resolve the issue.
- B. Complaints may be filed by members of the public, by representatives of the city organization and by representatives of external agencies in a manner that shall be consistent with administrative operating guidelines.
- C. Notwithstanding the provisions above in subsections A and B, the Director may choose to not initiate or continue administrative or enforcement activities under this chapter when the Director has determined that the city has received a complaint based on untruthfulness, or this chapter is being used as a pretext to resolve a neighborhood dispute, property-line dispute, or other private civil dispute.
- D. Anonymous complaints will not be accepted.
- E. Notwithstanding the provisions above in subsections A and B, the Director may choose to initiate administrative or enforcement activities when conditions are known or suspected to be present on a property, premises or a structure that would constitute an imminent hazard or an incipient hazard, as those terms are defined herein.
- F. Notwithstanding the provisions above in subsections A and B, the Director may choose to require that, before the initiation or continuation of administrative and enforcement activities, the parties participate in mediation. If the Director makes this determination, the person making a complaint and the subject of the complaint, shall voluntarily agree to participate in informal mediation, without the City as a party, before the City will take further administrative or enforcement action. The party who the mediator agrees is either most at fault, or non-cooperative, shall be responsible to pay all of the costs of the mediation, unless the parties agree up-front to share the costs of the mediation. At any point, when the mediation has concluded or is not productive, the city may perform administrative and enforcement activities.
- G. Notwithstanding the provisions above in subsections A, B and C, the Director may impose a penalty at any time during the enforcement and administration process if the Director has good faith cause to believe that one or more significant facts of a complaint are at least in part based on untruthfulness. Upon such determination, this

penalty may be imposed as a violation of this section of this chapter, and such complaint dismissed.

Section 11. Section § 8.24.100 of the Toledo Municipal Code is added to read as follows:

8.24.100 – Relationship to Other Chapters.

- A. The Director is authorized to make all inspections, and seek administrative search warrants, pursuant to TMC Chapter 1.16, “Right of Entry for Inspections,” necessary for the purposes of enforcing this chapter. A right of entry exists, and the Director may enter all premises, including the interior of structures, at all reasonable times whenever an inspection is necessary to enforce any regulations of this code, or whenever the Director has reasonable cause to believe that there exists in any structure or upon any premises any condition which makes such premises substandard as defined in any regulations of this code. If entering a premises based on a complaint, the subject matter of the complaint shall control the scope of the inspection.
- B. The Director is authorized to seek the imposition of civil penalties under TMC Chapter 1.20, “Civil Enforcement,” for all violations of this chapter.

Section 12. Section § 8.24.110 of the Toledo Municipal Code is added to read as follows:

8.24.110 - Historic Structures.

The provisions of this chapter shall not be mandatory for an existing structure designated as a local or national historic resource when such structure is judged by the Director to be safe and its continued maintenance in historic condition to be in the public interest.

Section 13. Section § 8.24.120 of the Toledo Municipal Code is added to read as follows:

8.24.120 - Modifications.

Where there are extreme hardships involved in carrying out provisions of this chapter, the Director shall have the right to vary or modify such provisions upon application of an owner or occupant, provided that the spirit and intent of the law is observed and that the public health, safety and welfare is assured.

Section 14. Section § 8.24.130 of the Toledo Municipal Code is added to read as follows:

8.24.130 - Definitions.

- A. All words and terms assume their dictionary definitions unless they are specifically defined in this chapter.
- B. Words stated in the present tense in this chapter include the future; the singular number includes the plural, and the plural includes the singular.

- C. Whenever the words "dwelling unit," "dwelling," "premises," "structure," or "building" are used in this chapter, they shall be construed as though they were followed by the words "or any part thereof."
- D. Unless the context otherwise specifically requires, for purposes of this chapter, the following terms and phrases mean:
1. **Abandoned Structure.** A vacant structure that is an attractive nuisance.
 2. **Abatement [e.g., of a Nuisance].** The act of removing, repairing, or taking other steps as may be necessary in order to remove a nuisance.
 3. **Accessible Means of Egress.** This term shall have the meaning provided under the Oregon Fire Code, Chapter 2, Section 202: A continuous and unobstructed way of egress travel from any accessible point in a building or facility to a public way.
 4. **Accessory Structure.** Any structure not intended for human occupancy. Accessory structures may or may not be attached to a primary structure. Examples of accessory structures include, but are not limited to: garages, carports, sheds, playhouses, decks, awnings, heat pumps, fences, trellises, flag poles, tanks, towers, exterior stairs, driveways and walkways.
 5. **Agent.** A person authorized by another to act in his/her behalf.
 6. **Approved.** Meets the standards set forth by this chapter, or is approved by the Director.
 7. **Attic.** The unfinished, non-habitable part of a structure between the roof and the ceiling immediately below.
 8. **Attractive Nuisance.** Buildings, structures, or premises that are in an unsecured, derelict or dangerous condition so as potentially to constitute an attraction to minors, vagrants, criminals or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing an unlawful act.
 9. **Basement.** That portion of a building or structure which is partly or completely below grade.
 10. **Bathroom.** A room containing plumbing fixtures including a bathtub or shower.
 11. **Bedroom.** Any room or space used or intended to be used for sleeping purposes.
 12. **Boarded.** The securing of an unoccupied building or structure against entry by the placement of material such as plywood, boards, or other similar material over openings, consistent with administrative operating guidelines, that are designed or intended for

windows or doors, where the materials are visible off the premises and where the materials are not lawfully or customarily installed on a building or structure that would be occupied.

13. **Building.** Any structure designed for habitation, shelter, storage, trade, manufacture, business, education, or other similar purposes.

14. **Building Code.** The specialty codes adopted by the State of Oregon, which includes any enforcement performed by the Lincoln County Building Office through an IGA with the County.

15. **Building Official.** The Lincoln County Building Office, through an IGA the City has entered with Lincoln County.

16. **Bulk Solid Waste.** Discarded bedding, mattresses and furniture, junk, yard debris, uprooted tree stumps, demolition or construction debris, or other non-putrefactive and nonhazardous materials not placed in a receptacle, or too large to be placed into a receptacle.

17. **City Council.** The Toledo City Council, interpreting its code, to serve and to decide matters stipulated for quasi-judicial review under this chapter.

18. **Civil infraction.** A “Civil infraction” means a violation of a city ordinance designated as a civil infraction.

19. **Deterioration.** A lowering in the quality, condition or appearance of a building or structure, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or any other evidence of physical decay, neglect, excessive use or lack of maintenance.

20. **Derelict Structure.** A building or structure that is unfit for human habitation, or poses an incipient hazard, or is detrimental to public health, safety or welfare, as a result of one or more of the following conditions:

- a) Is unoccupied and unsecured;
- b) Is partially constructed;
- c) Is an abandoned structure or attractive nuisance;
- d) Is in condition-of deterioration;
- e) Has an infestation of pests;
- f) Has doors or windows boarded over, or;

g) Other condition that in the opinion of the Director is detrimental to public health, safety or welfare.

21. **Dilapidation.** Being in a state of partial ruin, decay or disrepair.

22. **Director.** The City Manager, the person appointed by the City Manager as the administrator of the City's Planning Department for the City of Toledo, or the person charged by the City Manager with the implementation and enforcement of this chapter, or the appointed person's designee.

23. **Dwelling.** Any structure containing one or more dwelling unit.

24. **Dwelling Unit.** A single unit within a dwelling providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

25. **Exit.** A continuous, unobstructed means of egress from a dwelling to the exterior of the building and to a public way.

26. **Exterior Property.** The areas of a property which are outside the exterior walls and roof of a building. All parts of property that are exposed to the weather including the exterior of structures built for human occupancy. This includes, but is not limited to, yards, gardens, vehicles parked on the property; open and accessible porches, carports, garages, and decks; accessory structures, and any outdoor storage structure.

27. **Extermination.** The control, elimination and removal of pests by eliminating harborage places; by removing or making inaccessible materials that serve as food; by poison spraying, fumigating, trapping or by any other pest elimination method approved by the Director.

28. **Forfeiture.** A "Forfeiture" means the penalty imposed for a civil infraction if a violation is found to be have been committed.

29. **Hazardous Solid Waste.** Any solid waste which, in the opinion of the Director, would constitute a danger to collection personnel or to any person who may come in contact with such solid waste, and includes, without limitation, any hazardous waste as defined in ORS 466.005(7) as may be amended.

30. **Habitable.** Suitable for human habitation.

31. **Habitable Space.** A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

32. **Hazardous Thicket.** Blackberry vines, also known as brambles, or other thickets that conceal trash, debris, or junk; or create a harborage for people involved in criminal

activity or for products used for unlawful activity; or that encroach upon the public right of way, or private property of another in a manner that may be hazardous.

33. **Human Habitation.** The use of a structure, portion of the structure, or space, in which any person remains for a continuous period of two or more hours per day, or for periods which will accumulate to four or more hours in a day.

34. **Imminent Hazard.** Any condition of deterioration that places public health, safety or welfare in high risk of peril, when the peril is immediate, impending, or on the point of happening.

35. **Incipient Hazard.** Any condition that can become an imminent hazard if further deterioration is allowed to occur.

36. **Indoor Fixture.** Any item that is designed to be used indoors or otherwise protected from environmental elements, including, but not limited to, heating, plumbing and electrical fixtures.

37. **Indoor Furnishing/Furniture.** Any item that is designed to be used indoors or otherwise protected from environmental elements including, but not limited to, upholstered furniture, indoor appliances and indoor carpet.

38. **Infestation.** The presence of pests in large numbers that is harmful or bothersome within or adjacent to a building or structure or upon premises.

39. **Junk.** Articles of personal property that have outlived their usefulness in their original form, or articles of personal property that have been discarded and are no longer used for their manufactured purpose, regardless of value. As used in this chapter the term "junk" includes, but is not limited to:

a) any derelict motor vehicle, RV, trailer, or boat, i.e., any used motor vehicle, RV, trailer, or boat without a vehicle license or with an expired license; or,

b) neglected motor vehicle, RV, trailer, or boat, i.e., a motor vehicle, RV, trailer, or boat, that is missing critical parts required for the normal and legal operation of the vehicle, but has all of its body parts intact, including fenders, hood, trunk, glass, and tires; or,

c) wrecked motor vehicle, recreational vehicle, trailer, or boat or part thereof, i.e., a motor vehicle, RV, trailer, or boat, that is dismantled or partially dismantled, or having a broken or missing window or windshield, or lacking a wheel or tire; or,

d) machinery or parts thereof that are inoperative, worn out, or in a state of disrepair; or,

e) any appliances or parts thereof that are inoperative, worn out, or in a state of disrepair; or,

f) any worn out or dilapidated indoor fixtures or furnishings, or parts thereof; or,

g) any bulk solid waste not placed in a Receptacle; or,

h) solid waste items that are of a type or quantity inconsistent with normal and usual use such as wood, metal, scrap and other similar items; and

i) Excluded from a), b) and c) of this definition are projects where a motor vehicle, RV, trailer, or boat are actively being repaired, and machinery or parts related to such projects are not considered junk

40. Landlord. The owner or lessor of a dwelling unit, a building, or premises, including a person authorized by the owner or lessor to manage the premises or to enter into a rental agreement.

41. Legally Occupied. The use of premises for a purpose authorized by law, including the building code and the Toledo land development code. For the purposes of this chapter, a premises shall be considered legally occupied, even if presently vacant, as long as the premises is maintained in compliance with the provisions of this chapter, and in the case of a building or structure, conditions that would qualify the building or structure as derelict are not present.

42. Let for Occupancy or Let. To permit, to provide, or to offer possession or occupancy of a dwelling unit, building, structure or premises, pursuant to a lease, permit, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

43. Maintained Compost. A small portion of a property set aside for the purpose of methodically encouraging the rapid decomposition of yard debris and other vegetable matter into a suitable fertilizer or amendment for the soil on the property. Maintained compost shows clear indicators that the organic materials placed there are being actively managed to encourage its rapid decomposition. Possible signs of such active management may include evidence of regular turning, a mixture of yard debris types, any woody materials present having been chopped into small sizes, and the presence of internal heat in the composting mixture. A location where yard debris is placed primarily as a means to store it or dump it without reasonable expectation of rapid decomposition does not constitute maintained compost.

44. Means of Egress/Doors. A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. Includes any doors that are present at the exit access, along the path of exit, and at the exit discharge.

45. **Multi-Family Dwelling.** A building containing two or more dwelling units.
46. **Must.** Mandatory.
47. **Naturescape.** Landscaping and gardening approaches that use predominately native plants for the purpose of creating improved outdoor habitat for native insects, birds, and mammals and reducing the need for pesticides, chemical fertilizers, and summer watering.
48. **Occupancy.** The purpose for which a building, structure or premises is used or intended to be used.
49. **Occupant.** Any person, including an owner, tenant or operator, using a building or any part of a building for its lawful, intended use or having possession of a space within a building or structure or possession of a premises.
50. **Owner.** The person recorded in the official records of the state, county or city as holding title to premises, and that person's agent; any person who has purchased or otherwise acquired a premises but whose ownership is not yet reflected in the official records of the state, county or city; a trustee, executor, administrator, guardian or mortgagee in possession and having control of the premises; a person who has care and control of a premises in the case of the absence or disability of the person holding title thereto.
51. **Partially Constructed.** An occupied or vacant structure, or portion thereof, that has been left in a state of partial construction for more than six months, or that has not been completed prior to the expiration of any building permit.
52. **Person.** An individual, corporation, a limited liability company, cooperative, association, partnership, or any other entity in law or fact.
53. **Pests.** Animals detrimental to humans or human concerns including, but not limited to, insects, rodents, rats or vermin.
54. **Premises.** A lot or parcel of land, including any buildings or structures thereon.
55. **Rank Vegetation.** Any vegetation existing in a state of uncontrolled growth or without commonly recognized vegetation maintenance or management practices applied.
56. **Receptacle.** With respect to solid waste containment, a trash can, cart, bin, container, drop box, trailer, or other vessel used for the disposal of solid waste that has been approved by the City Manager, and if not provided by Dahl Disposal, is taken to Dahl Disposal or other landfill by the Tenant, and into which solid waste, compostable material, mixed compostables, recyclable material or mixed recycling may be placed for such disposal.

57. **Recreational vehicle (RV).** As defined in TMC 8.08.020, which can be a derelict structure, or junk, as defined, under this chapter.

58. **Recycling.** The process of transforming waste into new or different products in such a manner that the original waste products may lose their identity. Recycling includes collection, transportation and storage of waste that places the waste in the stream of commerce for recycling, resource recovery or utilization.

59. **Remediation.** The elimination or correction of a condition, including, but not limited to, repair, replacement, restoration or removal.

60. **Repair.** The reconstruction or renewal of any part of an existing structure for the purpose of its maintenance.

61. **Residential Property.** Real property and all improvements thereon including edifices, structures, buildings, dwelling units or parts thereof used or intended to be used for residential purposes including single-family, duplex, multi-family structures and mixed-use structures including accessory dwellings which have one or more dwelling units. Hotels and other building types used exclusively for transient occupancy are included in this definition of residential property. Recreational vehicles are also included in this definition of residential property.

62. **Rubbish.** Worthless, discarded material, including, but not limited to, cardboard, plastic, glass, paper, rags, sweepings, wood, rubber, leather, and similar waste materials that ordinarily may accumulate on a premises.

63. **Shall.** Mandatory.

64. **Solid Waste.** This term shall have the same meaning in TMC Section 8.16.030.

65. **Structure.** That which is built or constructed, an edifice or building of any kind, or any piece or work artificially built up or composed of parts joined together in some definite manner. A structure includes a recreational vehicle.

66. **Temporary.** Unless otherwise specified, a period up to 6 months in any 12 month period.

67. **Unfit for Human Habitation.** A building or structure that, as found by the Director, is unfit for human habitation due to unsanitary conditions, infestation, accumulation of filth or contamination, lack of required ventilation, illumination, sanitary or heating facilities, or is not connected to approved water or electricity, such that habitation would be injurious to the health, safety, or welfare of the occupants.

68. **Unoccupied.** Not legally occupied.

69. **Unsecured.** Any structure in which doors, windows, or apertures are open or able to be opened from the outside so as to allow access by unauthorized persons; unlocked or otherwise open to entry.

70. **Ventilation.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

71. **Watertight.** As secure as possible against the entry of rain, melt water and storm water.

72. **Waste Tire.** A tire that is no longer suitable for its original intended purpose because of wear, damage, or defect.

73. **Weathertight.** As secure as possible against the entry of wind, rain, melt water, storm water and natural elements.

74. **Workmanlike.** Executed in a skilled manner, consistent with generally accepted standards of construction and maintenance, e.g., generally plumb, level, square, in line, undamaged, without marring adjacent work.

Section 15. Section § 8.24.140 of the Toledo Municipal Code is added to read as follows:

8.24.140 - General Maintenance Requirements.

No person shall maintain or permit to be maintained any structure or premises that does not comply with the requirements of this chapter. All systems, devices and safeguards required by this chapter or by a previous statute or code applicable to the building, structure or premises at the time the building, structure or premises were erected or altered shall be maintained in good working order, thus ensuring the health and safety of all inhabitants.

Section 16. Section § 8.24.150 of the Toledo Municipal Code is added to read as follows:

8.24.150 - Existing Structures.

An existing structure that does not comply with the provisions of this chapter shall be altered or repaired to provide a minimum level of public health, safety and maintenance as required herein.

Section 17. Section § 8.24.160 of the Toledo Municipal Code is added to read as follows:

8.24.160 - Applicable Building Code.

All structures shall be constructed, altered or repaired in accordance with the standards of the applicable building code in effect at the time of construction, alteration or repair.

Section 18. Section § 8.24.170 of the Toledo Municipal Code is added to read as follows:

8.24.170 - Skilled Work Required.

All repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this chapter shall be executed and installed in a workmanlike manner.

Section 19. Section § 8.24.180 of the Toledo Municipal Code is added to read as follows:

8.24.180 - Interior Conditions of Tenant Occupied Residential Structures and Recreational Vehicles.

- A. The provisions of TMC Sections 8.24.190, 8.24.200, 8.24.210, 8.24.220, 8.24.230, 8.24.240, 8.24.250, 8.24.260, shall be exclusively applicable to all structures, including recreational vehicles, occupied for residential use by tenants, at all times, regardless of the terms of their possession, and regardless of whether they are current on their rent or otherwise in violation of a written or unwritten agreement.
- B. The Director or designee shall apply a standard of “reasonable efforts” in determining whether the actions taken under the TMC Sections referenced in subsection A. of this section are adequate (ie, for example, to meet a reasonable standard of security or heat or ventilation that does not cause harm or discomfort to the tenant).

Section 20. Section § 8.24.190 of the Toledo Municipal Code is added to read as follows:

8.24.190 - Lighting of Accessible Means of Egress.

- A. Every landlord of any structure, building, or premises who rents, leases or lets a dwelling unit or sleeping unit within any such space, other than in 1-2 family dwellings, shall, at all times:
 - 1. provide illumination at floors, landings and stairs for all common areas and spaces in all residential occupancies, with responsibility to maintain functioning bulbs; and,
 - 2. for all other accessible means of egress within dwelling units, shall provide the means for illumination at floors, landings and stairs, or shall provide at least one operable fixture capable of illuminating a 60-watt standard incandescent bulb, or equivalent, for each 200 square feet of floor area, not spaced greater than 30 feet apart.
- B. Every landlord who rents, leases or lets one or more dwelling unit or sleeping unit of any 1-2 family structure shall provide the means for minimum illumination of either:
 - 1. at floors, landings and stairs; or,
 - 2. shall provide at least one operable fixture capable of illuminating a 60-watt standard incandescent bulb, or equivalent, for each 200 square feet of floor area, not spaced greater than 30 feet apart, for all accessible means of egress.

Section 21. Section § 8.24.200 of the Toledo Municipal Code is added to read as follows:

8.24.200 - Ventilation.

- A. Every dwelling, including basements, and attics shall be maintained reasonably free from dampness to prevent conditions conducive to decay, mold growth, or deterioration of the structure.

- B. Every landlord of any structure, building or premises who rents, leases or lets a dwelling unit within any such space shall be responsible to maintain an openable window area in every bathroom and near the kitchen or approved mechanical ventilation system to provide ventilation.
 - 1. In kitchens, recognizing that not all kitchens are the same, a local exhaust ventilation system shall be maintained to remove the contaminating agent at the source, or alternatively, where no oven exists but a small kitchenette with either counter top plate or burners , operable windows shall be present for emergency ventilation if an ventilation exhaust system is not present .

 - 2. Clothes dryer exhaust systems shall be independent of all other systems, shall be exhausted outside the structure and shall be installed in accordance with manufacturer's instructions.

 - 3. Mechanical clothes drying appliances and exhaust systems shall be properly installed, connected, and maintained in a safe condition and good working order. Exhaust hoses must be free from leaks and obstructions and kept functioning properly so as to be free from fire, health, and accident hazards.

Section 22. Section § 8.24.210 of the Toledo Municipal Code is added to read as follows:

8.24.210 – Recreational Vehicles.

- A. All recreational vehicles, whether located on public or private property, used for a temporary residential use, as allowed under TMC Chapter 8.08, are hereby regulated, and must comply with all the provisions of this chapter, regardless of whether or not a temporary permit has been issued under TMC Chapter 8.08.040.

- B. If a recreational vehicle does not meet the criteria for which a permit may be issued under TMC Section 8.08.060, or does meet the conditions for which the revocation of a permit is permitted under TMC Section 8.08.080, all of the provisions of this chapter may be used to ensure compliance, regardless of whether or not rent, or any other form of compensation is provided by the person occupying the recreational vehicle, or whether or not the occupants of the recreational vehicle are otherwise in violation of a written or unwritten agreement.

Section 23. Section § 8.24.220 of the Toledo Municipal Code is added to read as follows:

8.24.220 - Circuit Protection and Equipment Exposed to Water.

- A. Every landlord of any structure, building or premises who rents, leases or lets a dwelling unit within any such space shall be responsible to provide and maintain each building and dwelling unit in accordance with these standards:
 - 1. Every kitchen and other interior location with a water containment or water supply fixture in its area shall contain at least one grounded type receptacle or a receptacle with a ground fault circuit interrupter.
 - 2. Every bathroom shall contain at least one receptacle. Any new or replacement bathroom receptacle outlet shall have ground fault circuit interrupter protection.
 - 3. All receptacle outlets shall have the appropriate faceplate cover for the location.
- B. Every landlord of any structure, building or premises who rents, leases or lets a dwelling unit within any such space shall replace electrical equipment or portions of electrical systems that have been exposed to water.
- C. For purposes of this subsection, "exposed to water" shall include but is not limited to: submersion due to flooding; inundation due to firefighting activities; drenching by stormwater; intrusion of moisture; or plumbing system failures.
- D. Exception: Electrical equipment or portions of electrical systems that are exposed to water shall be allowed to be repaired where an inspection and testing report from the equipment manufacturer, approved manufacturer's representative, or a state of Oregon Licensed Supervising Electrician indicates that the electrical equipment or electrical system has not sustained damage that requires replacement and may be repaired, safely reenergized, and placed back into service.

Section 24. Section § 8.24.230 of the Toledo Municipal Code is added to read as follows:

8.24.230 - Plumbing System - hot water.

Every landlord of any structure, building or premises who rents, leases or lets a dwelling unit within any such space shall be responsible to provide and maintain each dwelling unit in accordance with these standards:

- A. Plumbing systems shall be installed and maintained in a safe and sanitary condition and shall be free of defects, leaks and obstructions. Plumbing components shall be of materials allowed or approved by the Plumbing Code.
- B. All sinks, lavatory basins, bathtubs and showers within a dwelling unit shall be supplied with both hot and cold running water facilities which are installed in an approved

manner, properly maintained, properly connected and have a reasonably objective appropriate water pressure for the intended use.

- C. Water heating facilities shall be supplied for each dwelling unit. Water heating facilities within a dwelling unit shall be capable of heating an adequate amount of water to provide hot water at each hot water outlet.

Section 25. Section § 8.24.240 of the Toledo Municipal Code is added to read as follows:

8.24.240 - Heat in Bathrooms and Habitable Rooms.

Every landlord of any structure, building or premises who rents, leases or lets a dwelling unit within any such space shall be responsible to provide and maintain every dwelling unit with permanent heating facilities that provides heat to all habitable rooms and all bathrooms as described herein:

- A. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.
- B. The use of portable open flame and/or unvented fuel burning devices in occupancies or situations where such use or operation would present an undue danger to life or property is prohibited.
- C. All heating devices or appliances shall be of an approved type.
- D. Every landlord of any structure, building or premises who rents, leases or lets a dwelling unit within any such space on terms, either expressed or implied, to furnish heat to the occupants thereof shall ensure there are permanent heating facilities that supply heat to all habitable rooms and all bathrooms. Adequate heat may be provided without a direct source in bathrooms.

Section 26. Section § 8.24.250 of the Toledo Municipal Code is added to read as follows:

8.24.250 - Interior Sanitation.

- A. The interior of every structure that is rented, leased or let for residential occupancy shall be maintained in good repair, in a clean and sanitary condition, free from any accumulation of rubbish, garbage or solid wastes. For purposes of this subsection, the term "clean and sanitary" shall mean free from any material or condition that:
 - 1. Provides a breeding place for insects, rodents or vermin; or,
 - 2. Produces dangerous or offensive gases or odors; or,
 - 3. Blocks exits, hallways, corridors or accessible means of egress; or,

4. Provides a surface, exposed or concealed, which is conducive for the growth of mold or mildew.
- B. **Occupant Responsibilities.** Occupants shall keep that part of the dwelling unit which they occupy or control in a clean and sanitary condition.
- C. **Landlord Responsibilities.** Every landlord of any dwelling who rents, leases or lets a dwelling unit within any such space shall:
1. Maintain the common halls, stairways, utility rooms and areas, and similar public areas of the dwelling in a clean and sanitary condition; and,
 2. Pursuant to this subsection A. but notwithstanding the requirement under this subsection B. that the occupants shall keep such spaces in a clean and sanitary condition, provide and maintain all interior surfaces in good repair, including windows and doors, as follows: Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected; walls, floors, ceilings, cabinets and interior doors shall be free of holes larger than four inches in diameter and cracks wider than one-half inch; and,
 3. Pursuant to this subsection A. but notwithstanding the requirement under this subsection B. that the occupants shall keep such spaces in a clean and sanitary condition, be responsible to ensure that every toilet compartment, bathroom, and kitchen floor surface of every dwelling unit is constructed and maintained to be substantially impervious to water and to permit the floor to be kept in a clean and sanitary condition.

Section 27. Section § 8.24.260 of the Toledo Municipal Code is added to read as follows:

8.24.260 – Window and Door Security.

- A. Every landlord of any structure, building or premises who rents, leases or lets a dwelling unit within any such space shall be responsible to provide and maintain all exterior doors, windows or hatchways for every dwelling unit with devices designed to provide security for the occupants and property within.
- B. **Entrance Doors.** Every entrance door to a dwelling unit shall be provided with a door knob and a dead bolt lock, keys for same, or alternatively, electronic locks, designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort.
1. Dead bolt or electronic locks shall be installed according to the manufacturer's specifications.
 2. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door to discourage unwanted entry.

3. For the purpose of this subsection, where an electronic lock is not used, a sliding bolt shall not be considered an acceptable deadbolt lock.

- C. **Operable Windows.** Operable windows located in whole or in part within 10 feet above ground level or a walking surface below that provide access to a dwelling unit shall be equipped with a window sash locking device.
- D. **Basement Hatchways.** Basement hatchways that provide access to a dwelling unit shall be equipped with devices that secure the unit from unauthorized entry.

Section 28. Section § 8.24.270 of the Toledo Municipal Code is added to read as follows:

8.24.270 - Exterior Structure and Premises Conditions.

The provisions of this section shall be applicable to all structures, properties and premises and for all occupancy and use types, including but not limited to structures occupied for residential use by tenants, with the exception that children's play structures shall be exempt from the maintenance standards herein established other than with respect to conditions that constitute imminent or incipient hazards, as those terms are herein defined. The assignment of responsibilities for owner, landlord and tenant occupants shall be as set forth within the following standards.

Weatherproofing and Waterproofing. It is the responsibility of the owner of every property to maintain every building and structure on the property in a manner that complies with the following requirements:

- A. **Roofs and Drainage.** All roofs, flashing, vent stacks and boots, and chimneys shall have no defects which might admit rain or melt water.
 - 1. Roof drainage shall be adequate to prevent rain or melt water from causing dampness in the walls, attic or interior portion of the building and shall channel rain or melt water in an approved manner to an approved point of disposal.
 - 2. Any building or structure having originally been designed for and fitted with gutters and downspouts shall continuously be maintained with such devices, in sound condition and good repair.
 - 3. Roof drains, gutters and downspouts of a building or structure shall be free from obstructions and maintained in good repair, so as not to be plugged, overflowing, or in a state of deterioration.
- B. **Exterior Walls and Exposed Surfaces.** Every exterior wall and weather-exposed exterior surface or attachment of a building or structure shall be free of holes, breaks, loose or rotting boards, or timbers, and any other conditions which might admit rain or

melt water or dampness to the interior portions of the walls or the occupied spaces of the building or structure.

1. All exterior wood surfaces shall be made substantially impervious to the adverse effects of weather by periodic application of an approved protective coating of weather-resistant preservative, and be maintained in good condition.
2. Every landlord of a structure, building or premises who rents, leases or lets a dwelling or dwelling unit for residential occupancy within any such space shall maintain in a weathertight condition all siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights.
3. Every owner of any structure, building or premises that is not for rent, lease or to be let for residential occupancy, shall maintain in a watertight condition all siding and masonry and joints, including those between the building envelope and the perimeter of windows, doors and skylights.
4. Exterior metal surfaces shall be protected from rust and corrosion. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.

C. **Windows and Doors.** Every window, sash, door and door frame of a building shall be kept in sound condition and in good repair. Every exterior door, skylight, and window shall comply with the following:

1. Every exterior door, door hinge, door knob, door lock, and strike plate shall be maintained in good condition;
2. Every exterior door, when closed, shall fit reasonably well within its frame;
3. Every exterior door frame shall be constructed and maintained in relation to the adjacent wall construction so as to exclude rain or melt water as completely as possible; and, with respect to all dwellings and dwelling units that are for rent, lease or to be let for residential occupancy, to also substantially exclude wind from entering a building;
4. Every window sash shall be maintained in sound condition and good repair; and, with respect to all dwellings and dwelling units that are for rent, lease or to be let for residential occupancy, shall also substantially exclude wind from entering a building when the window components are placed in a closed position within the frame and jamb;
5. Every window frame and casing shall be constructed and maintained in relation to the adjacent wall construction so as to substantially exclude rain or melt water as completely as possible; and, with respect to all dwellings and dwelling units that are for

rent, lease or to be let for residential occupancy, shall also substantially exclude wind from entering a building.

- D. **Glazing.** Every window sash of a building exterior envelope shall be fully supplied with glass window panes or an approved substitute without open cracks and holes.
1. All glazing materials shall be maintained free from cracks and holes.
 2. Glazing with holes, cracks, or that is partially or wholly missing shall be replaced within thirty (30) calendar days of the incident that caused the defect.
- E. **Basement Hatchways.** Every basement hatchway shall be maintained to prevent as completely as possible the entrance of rodents, rain or melt water and surface drainage water.
- F. **Temporary Measures.** The use of tarps or similar material for emergency repair, or in place of a customary building component such as siding or roofing, shall not exceed a continuous period of more than 30 days, and shall not exceed 90 days total in any 12 month period, except when weather conditions necessitate keeping the building, home, or structure dry until the siding or roof can be repaired, or except for use during construction in association with a building permit, or as a requirement included in a lawfully served Public Nuisance notice.

Section 29. Section § 8.24.280 of the Toledo Municipal Code is added to read as follows:

8.24.280 - Exterior Sanitation.

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The exterior property and premises and the adjacent rights of way shall be maintained in a manner that complies with the following requirements:

- A. **Responsibilities.** The owner of every property shall maintain the structures, premises and all common areas of the exterior property in compliance with these requirements. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- B. **Holes, Tanks, and Child Traps.** Remove, or fill where filling will abate the nuisance, all holes, cisterns, open cesspools, open or unsanitary septic tanks, excavations, open foundations, refrigerators, freezers, or iceboxes with unlocked attached doors and any other similar substance, material or condition which may endanger neighboring property or the health or safety of the public or the occupants of the property.
- C. **Unsecured Structures.** Board over or otherwise secure, and keep boarded over or otherwise secured, all open or broken exterior doors, windows, or apertures of any unsecured structure so as to prevent access by unauthorized persons through such openings. No requirement imposed under this section shall constitute relief from or an

exemption to compliance with the provisions in subsection C. and D. of TMC Section 8.24.270 for weathertight and watertight standards.

- D. **Rat Harborage.** Remove or repair, and keep removed or repaired, any condition that provides a place where rats gain shelter, feed, or breed.

- E. **Emergency Access Routes.** All brush, vines, overgrowth and other entangling or rank vegetation located within 10 feet of a structure or within 10 feet of a property line, which is likely to obstruct or impede the necessary passage of fire or other emergency personnel, shall be removed and kept clear.

- F. **Thickets that Conceal Hazards.** Not all thickets are required to be addressed, but keeping adequate defensible space is a necessity, requiring an owner, occupant of agent to cut and remove and keep cut and removed those thickets, in close proximity to buildings, structures and fences, to protect life and property. To mitigate the risk to life, structures, and other values, from fire or nuisances, such growth shall be cut when it is found to be:
 - 1. Concealing trash and debris; or,
 - 2. Creating rat harborage; or,
 - 3. Creating harborage for people involved in criminal or prohibited activity or for products used for criminal activity.

- G. **Trash and Debris.** Remove, and keep removed, even if located behind a private fence where not readily visible from the right-of-way or a neighboring lot or parcel, unless specifically authorized by ordinance to do otherwise:
 - 1. All garbage, offal, dead animals, animal and human waste, and waste materials;
 - 2. Accumulations of litter, glass, scrap materials (such as wood, metal, paper, and plastics), junk, combustible materials, stagnant water, or trash;
 - 3. All dead bushes, dead trees, and stumps with the exception of such material which:
 - a) Is being maintained as part of a naturescaped property, or chipping area and wood piles for use as firewood; and,
 - b) Does not result in a nuisance as otherwise defined in this chapter; and,
 - c) Is located on a property which is otherwise substantially in compliance with this chapter;

4. All trees which are dead, dying or dangerous and are determined by the Director or a private certified arborist to require removal in order to safeguard people or property;

5. Accumulations of dead organic matter and yard debris but only if it results in a nuisance, excluding an accumulation of such material in a maintained compost area if such material does not result in a nuisance, such as creating rat harborage, as otherwise defined in this chapter; and,

6. Accumulations of clothing and any other items not designed for outdoor storage.

H. **Storage of non-Trash Items.** Remove, and keep removed, unless specifically authorized by ordinance to do otherwise:

1. Accumulations of wood pallets;

2. Any woody debris from Elm trees and all firewood that is not stacked and useable. "Useable" firewood has more wood than rot and is cut to lengths that will fit an approved fireplace or wood stove on the property. Elmwood which is infected with Dutch Elm Disease must be properly disposed of at the direction of the Director;

3. Accumulations of vehicle parts or waste tires except for storage of nonwaste, serviceable parts or tires that are reasonably expected to be used on a vehicle and are stored in a manner to protect their utility and prevent deterioration;

4. All construction materials except those that are stored in a manner to protect their utility and prevent deterioration and are reasonably expected to be used at the site;

5. All appliances or appliance parts except for storage of appliances that are reasonably expected to be used at the site and are stored in a manner to protect their utility and prevent deterioration;

6. All indoor furniture except that which is stored in a manner to protect its utility and prevent deterioration and is reasonably expected to be used at the property;

7. All recycling materials except for reasonable accumulations that are stored in a well-maintained manner;

8. All other non-trash items which:

a) Are of a type or quantity inconsistent with normal and usual use; or,

b) Are likely to obstruct or impede the necessary passage of fire or other emergency personnel.

Section 30. Section § 8.24.290 of the Toledo Municipal Code is added to read as follows:

8.24.290 – Solid Waste Removal.

- A. **General.** All exterior property and premises, and the interior of every structure, shall be kept free from any accumulation of solid waste as defined in TMC Section 8.16.030.
 - 1. Approved receptacles for solid waste shall be provided and utilized for the containment and disposal of solid waste;
 - 2. Bulk solid waste shall be disposed of within two weeks of discard, or in accordance with franchise utility services, or approved alternative.
- B. **Occupant Responsibilities.** Every occupant of a structure or premises shall dispose of solid waste by placing all such material in an approved solid waste disposal facility or approved receptacles.
- C. **Landlord Responsibilities.**

The landlord of any multi-family dwelling shall:

- 1. Provide, in a location accessible to all dwelling units, adequate solid waste receptacle capacity for the containment of solid waste generated or discarded on the property or premises, whether that containment capacity is provided individually for each dwelling unit or cumulatively for more than individual dwelling units, into which all solid waste from the dwellings unit may be emptied for storage between days of collection. Receptacles must be of sufficient capacity to prevent the overflow of solid waste from occurring; and,
- 2. Subscribe to and pay for weekly solid waste management services, including recycling and yard waste service, by a person holding a valid franchise from the City of Toledo, or alternatively, upon agreement with tenant, the tenant can maintain the waste in a receptacle and the tenant can dispose of tenant’s waste at the landfill. Notwithstanding the minimum of solid waste management services herein established, the period and frequency of collection must be sufficient to prevent the overflow of solid waste from occurring.

The landlord of any 1 and 2 family dwelling, except as otherwise provided by written agreement between the landlord and the tenant, shall:

- 1. Provide, in a location accessible to each dwelling unit, adequate solid waste receptacle capacity for the containment of solid waste generated or discarded on the property or premises, whether that containment capacity is provided individually for each dwelling unit or cumulatively for more than individual dwelling units, into which solid waste from the dwelling unit(s) may be emptied for storage between days of collection. Receptacles must be of sufficient capacity to prevent the overflow of solid from occurring; and,

2. Subscribe to and pay for weekly solid waste management services, including recycling and yard waste service, by a person holding a valid franchise from the City of Toledo upon agreement with tenant, the tenant can maintain the waste in a receptacle and the tenant can dispose of tenant's waste at the landfill. Notwithstanding the minimum of solid waste management services herein established, the period and frequency of collection must be sufficient to prevent the overflow of solid waste from occurring.

Section 31. Section § 8.24.300 of the Toledo Municipal Code is added to read as follows:

8.24.300 - Building and Accessory Structures.

It is the responsibility of the owner of any property, improved or unimproved, to maintain the exterior property, premises, buildings and structures of the property and the adjacent right of way in a manner that complies with the following requirements:

- A. **General Maintenance.** The exterior of a building or structure and any attached decorative features shall be maintained in good repair, with proper anchorage, and structurally sound in a safe condition so as not to be in a state of deterioration, and in a sanitary condition so as not to pose a threat to the public health, safety or welfare.
- B. **Foundations and Structural Members.** Foundation elements shall adequately support the building and shall be free of rot, crumbling elements, or similar deterioration.
 - 1. All foundation walls shall be maintained free from large open cracks and breaks and shall be kept in such condition so as to prevent the entry of insects, rodents or pests.
 - 2. All supporting structural members in every building and structure shall be maintained structurally sound, showing no evidence of deterioration or decay which would substantially impair their ability to carry imposed loads.
- C. **Exterior Walls and Exposed Surfaces.** Every exterior wall of a building and all weather-exposed exterior surface or attachment of a building shall be free of holes, breaks, loose or rotting boards, or timbers.
- D. **Brick and Veneers.** Every section of exterior brick, stone, masonry or other veneer applied to a building shall be maintained structurally sound and be adequately supported and tied back to its supporting structure.
- E. **Chimneys.** Every masonry, metal, or other chimney shall remain adequately supported and free from obstructions and shall be maintained in a condition which ensures there will be no leakage or backup of noxious gases. Every chimney shall be reasonably plumb. Loose bricks or blocks shall be rebonded. Loose or missing mortar shall be replaced. Unused openings into the interior of a structure shall be permanently sealed using approved materials.
- F. **Roofs.** All building roofs shall be structurally sound.

- G. **Accessory Structures.** Every accessory structure, including sheds, trellises, awnings, fences, and other similar features, shall be maintained structurally safe and sound, and in good repair. Exterior steps and walkways shall be maintained free of unsafe obstructions or hazardous conditions.
- H. **Retaining walls.** All retaining walls stabilize slopes by retaining the soil behind them, and the city has topography that requires retaining walls to be built and remain in good repair to avoid unsafe or hazardous conditions, consistent with the standards in TMC Chapter 15.20. Retaining walls can be made from a variety of materials such as sheet pile, timbers, stacked rock, poured concrete or gabions. Regardless of construction material or method, every retaining wall must continue to retain the soil and must not be missing materials to accomplish this purpose, or leaning, tipping, or bulging, to create a potential safety hazard, or otherwise impede normal and expected movement on an exterior stairway or sidewalk. Retaining walls that do not meet these standards and the standards in TMC Chapter 15.20 are a nuisance, may be declared dangerous, and must be abated due to being in violation this code.
- I. **Vacant Structures and Land.** All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.
- J. **Decks, Stairs and Handrails; Maintenance.** It is the responsibility of the owner of every property to maintain the building and structures on the property in a manner that complies with the following requirements:
1. Every exterior stairway, deck, porch and balcony and attachment to stairways, decks, porches and balconies shall be:
 - a) Maintained so as to be safe to use and capable of supporting the loads to which it is subjected;
 - b) Kept in sound condition and good repair, including replacement as necessary of flooring, treads, risers, and stringers that evidence excessive wear and are broken, warped, rotten, deteriorated or loose;
 2. Every handrail and guardrail shall be firmly fastened, maintained in sound condition and good repair, and capable of supporting the loads to which it is subjected;
 3. Handrails and guardrails required by building codes at the time of construction shall be maintained or, if removed, shall be replaced.
- K. **Exterior Lighting.** Exterior site lighting required by the Toledo land development code or the building code at the time of development shall be maintained or, if removed, shall be replaced.

Section 32. Section § 8.24.310 of the Toledo Municipal Code is added to read as follows:

8.24.310 - Fire Safety.

In addition to, and unless in conflict with, the Oregon Fire Code (OFC), referenced in TMC Section 8.20.010, the further emphasis of life, fire, and safety is required for all structures, properties and premises and for all occupancy and use types, including but not limited to structures occupied for residential use by tenants, by this section.

- A. **Means of Egress Door Locks.** All means of egress doors shall be readily openable from the side from which egress is to be made without the use of a key or any special knowledge or effort.

- B. **Unobstructed Path of Travel.**
 - 1. Every accessible means of egress, fire escape or stairway, stair platform, corridor or passageway which may be one of the regular accessible means of egress or means of emergency exit from a residential structure shall be kept free of encumbrances or obstructions of any kind.

 - 2. Any installed storm windows on windows required for emergency escape must be easily openable from the inside without the use of a key or special knowledge or effort.

- C. **Fire-Resistive Assembly; Maintenance.**
 - 1. Where required by the code in effect at the time of construction, the fire resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

 - 2. The surfaces of all other non-rated interior walls, floors and ceilings shall be free of holes larger than four inches in diameter.

- D. **Smoke Detectors.**
 - 1. Every dwelling unit shall be equipped with an approved and properly functioning smoke alarm or smoke detector installed and maintained in accordance with the State Building Code, ORS 479.270, 479.275, and 479.285, and applicable rules of the Department of the State Fire Marshal.

 - 2. No person shall remove or tamper with a properly functioning smoke alarm or smoke detector. This prohibition included removal of working batteries.

 - 3. A violation of this subsection is a separate Class A infraction each day that the violation exists or continues.

Section 33. Section § 8.24.320 of the Toledo Municipal Code is added to read as follows:

8.24.320 - Enforcement.

A. Enforcing compliance. To enforce any of the requirements of this chapter, the Director may gain compliance by:

1. Instituting an action before the Toledo Municipal Court; or,
2. Causing appropriate action to be instituted in any other court of competent jurisdiction; or,
3. If denied access, seeking an administrative search warrant, pursuant to TMC Chapter 1.16, "Right of Entry for Inspections; or
4. Imposing civil penalties; or,
5. Taking other action as the Director in the exercise of the Director's discretion deems appropriate.

B. Initial Contacts.

1. The Director receives complaint or information of possible violation of this chapter.
2. One contact is made with responsible party, when possible, and the property is inspected.
3. If no violation exists or violation conditions are immediately corrected, file is closed.
4. If violation exists and cannot be immediately corrected, the Director may issue to the responsible party a correction notice that identifies code violation, specifies required abatement action, and assigns a deadline for completion of abatement, consistent with the provision of this chapter. Service of the correction notice may be made:
 - a) in person when contact can be promptly made at the premises; or,
 - b) for occupant responsibility circumstances at 1-2 Family dwellings, the correction notice may be posted conspicuously on the dwelling if in person contact is not made; or,
 - c) via US First Class mail.
 - d) Failure for service to be made in the manner provided for within this paragraph shall not render the correction notice void.

C. Notice of Violations. If violation exists and remains uncorrected after issuance of correction notice, the Director may issue a notice of violation to the responsible party.

1. Notice of violation will identify code violation, will specify required abatement action, and will assign a deadline for completion of abatement, consistent with the provision of this chapter.

2. A copy of a notice of violation issued shall be forwarded to the landlord and the occupant if either is not the responsible party identified as recipient of the notice;

a) copy will be mailed to the owner of the property at the address on record with the county assessor's office;

b) copy will be mailed to the occupant(s) of the affected premises by situs address(es); and

c) Additionally, a link to an electronically accessible copy will be emailed to the landlord if that person has provided an email address.

3. Person receiving a notice of violation may request an extension of period of time to correct the violation.

D. Compliance Period for Required Abatement Response.

1. Other than as specifically provided for under paragraph 2 of this subsection, the landlord or occupant responsible for any violation of the standards in the sections specified under TMC Section 8.24.180 shall be ordered to complete required repairs or abatement within 7 days, plus three days if the notice and order are mailed rather than served on the person.

2. When the finding of violation of a standard of this chapter is due to any of the following conditions the landlord or occupant, as applicable, shall be ordered to complete the required repair or abatement within 48 hours:

A) lack of heat, per TMC Section 8.24.240;

b) lack of water, or any properly functioning toilets or sinks, per TMC Section 8.24.230;

c) lack of hot water, per TMC Section 8.24.230;

d) lack of a properly functioning or tampering or removal of a smoke detector, per TMC Section 8.24.310;

e) uncontained solid waste, other than bulk solid wastes, per TMC Section 8.24.290; or

f) is otherwise unfit for human habitation, as defined in TMC Section 8.24.130(66).

E. Failure to Obey Order of Director.

1. It shall be unlawful for any person acting intentionally to refuse to obey an order by the Director acting in the discharge or apparent discharge of official duty administering this chapter.

2. It is no defense to a prosecution for a violation of this section that the Director lacked legal authority to issue the order, provided the Director was acting under color of official authority.

Section 34. Section § 8.24.330 of the Toledo Municipal Code is added to read as follows:

8.24.330 - Derelict Structures.

A. Derelict Structures Prohibited. Derelict structures on any premises are hereby declared to be a public nuisance and their presence prohibited.

B. Prohibited Habitation.

1. No person shall inhabit a derelict structure, and no owner shall allow any person to inhabit a derelict structure, or a building or structure ordered vacated by the Director.

2. A violation of this subsection is a separate Class A infraction each day that the violation exists or continues.

C. Order to Vacate Buildings or Structures.

1. If the Director finds that a building or structure is or exists in a condition in violation of subsection A. of section 8.24.330, the Director may order that a placard be posted on the building or structure ordering the building or structure vacated. The placard shall additionally contain the information required by subsection B of TMC Section 8.24.350.

2. Persons performing active work to abate a violation are exempt from a vacation order while working at a premises subject to a vacation order.

D. Removal of Placard Prohibited. The Director shall remove a placard whenever the conditions that resulted in the order to vacate the building or structure have been eliminated.

1. No person shall deface or remove a placard without the approval of the Director.

2. A violation of this subsection is a separate class A infraction each day that the violation exists or continues.

F. **Temporary Safeguards.** Notwithstanding any other provisions of this code, whenever, as determined by the Director, a building or structure poses an imminent hazard or incipient hazard, the Director may:

1. Order necessary work to be performed, including the boarding of openings or installation of security fencing, to render such building or structure temporarily safe and secure, whether or not proceedings to abate the hazard have been instituted; and,
2. Cause such other action to be taken that the Director deems necessary to meet such condition.

G. **Abatement of Derelict Structure by Remediation.** In addition to, and not in lieu of, the abatement remedies provided for in TMC 8.24.330 through 8.24.350 and receivership authority in TMC 8.24.410, the Director may file a notice with the City Recorder to set a public hearing before the City Council to seek an order for remediation of the conditions creating a derelict structure.

1. **Notice.** Upon receipt of such notice, the City Recorder shall:

- a) set the matter for prompt public hearing before the Toledo City Council; and
- b) not less than fifteen days prior to the hearing, cause notice thereof to be served via certified mail to the owner at the owner's address as reflected on the most recent tax rolls of the county assessor, and on the occupant; and,
- c) cause notice to be posted on or near the derelict structure.

2. **Service.** Failure of the owner or occupant to receive such notice shall not render the notice void, and an unsuccessful attempt to deliver the notice shall be deemed sufficient service.

3. **Presentation at Hearing.** At the hearing, the Director shall present whatever information, evidence or testimony the City Council may deem relevant in support of the Director's determination, and the owner(s) and occupant(s) shall be afforded a like opportunity to rebut the determination.

- a) Any information, opinion, testimony, or evidence may be received which the City Council deems material, relevant, and probative of the matters in issue.
- b) The owner and occupants may represent themselves or be represented by counsel provided that such counsel is admitted to the practice of law in the state of Oregon.

4. **Order for Remediation.** If the Director demonstrates, by a preponderance of the evidence, that the building or structure is a derelict structure, the City Council shall order the conditions creating the derelict structure be remediated.

5. **Remediation Factors.** In determining whether the conditions are such that remediation is required, the City Council shall determine whether the building is:

- a) In a condition unfit for human habitation; or,
- b) In a condition that is an incipient hazard, based on the number and extent of the following factors:
 - (1) Dilapidation;
 - (2) Disrepair;
 - (3) Structural defects noted by the Building Official;
 - (4) Defects increasing the hazards of fire, accident or other calamity, including combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable substance of any kind such as parts standing or attached in such manner as to be likely to fall and cause a fire damage or injury;
 - (5) Uncleanliness or infestations of pests;
 - (6) Condition of sanitary facilities;
 - (7) The presence of a public nuisance; and,
 - (8) The history of unlawful activity in or around the building or structure.

Section 35. Section § 8.24.340 of the Toledo Municipal Code is added to read as follows:

8.24.340 - Public Nuisance Prohibited.

- A. **Declared Public Nuisances.** The following are specifically declared to be public nuisances: Any thing, condition, or act which is or may become a detriment or menace to the public health, welfare, and safety, where such thing, condition, or act is or exists contrary to the provisions of this chapter.
- B. **Prohibition.** In addition to the provision of subsection A of TMC Section 8.24.330, no person shall cause, permit, or maintain a public nuisance on public or private property.
- C. **Joint Responsibility.** If more than one person is responsible for a public nuisance, they shall be jointly and severally liable for correcting the violation and for any costs incurred by the city in abating the nuisance.

Section 36. Section § 8.24.350 of the Toledo Municipal Code is added to read as follows:

8.24.350 - Notice to Person Responsible.

A. **Notice.** Whenever the Director has reasonable grounds to believe that a violation of TMC Section 8.24.330 has occurred, a notice and order shall be served on the owner(s) and occupant(s).

B. **Form of Notice.** Such notice prescribed in subsection A of this section and subsection C(1) of TMC Section 8.24.330 shall:

1. Be in writing;
2. Include a description of the premises sufficient for identification;
3. Include a statement of the reason or reasons why the notice is being issued;
4. Include a correction order allowing a reasonable time, as specified under subsection D. of TMC Section 8.24.320, for the repairs and improvements required to bring the premises into compliance with the provisions of this chapter;
5. Include a notice that the city may abate the nuisance pursuant to this chapter and that the person responsible for correcting the public nuisance shall be responsible for the costs of such abatement;
6. Include instructions for requesting an appeal.

C. **Method of Service.**

1. Notices issued under this section shall be deemed to be properly served if a copy thereof is:

- a) Personally delivered to the owner(s) and occupant(s); or,
- b) Sent by first class mail to the owner(s) and occupant(s) at their last known address; or,
- c) Posted at the premises and also sent first class mail to the owner(s) and occupant(s) at their last known address, if they cannot be located.

2. Failure of the owner(s) or occupant(s) to receive such notice or an error in the name or address of the owner(s) or occupant(s) shall not render the notice void and in such case the service shall be deemed sufficient.

D. **Effective Date of Notice.** All notices served pursuant to this section shall be considered served on the date of personal service or as of the date of mailing, if not personally served.

Section 37. Section § 8.24.360 of the Toledo Municipal Code is added to read as follows:

8.24.360 - Action by Responsible Party.

Within the time specified for achieving compliance, as provided for under subsection D. of TMC Section 8.24.320, the responsible party or person in charge of the property on whom the notice has been served or posted shall remove the nuisance or shall request an appeal hearing in accordance with TMC Section 8.24.430.

Section 38. Section § 8.24.370 of the Toledo Municipal Code is added to read as follows:

8.24.370 - Recording a Violation.

- A. The city may record a notice of violation issued under this section with the County Recorder.
- B. Failure to record a notice of violation shall not affect the validity of the notice as to persons who receive the notice.
- C. When the property is brought into compliance, a satisfaction of notice of violation shall be recorded if a notice of violation had been recorded against the property.

Section 39. Section § 8.24.380 of the Toledo Municipal Code is added to read as follows:

8.24.380 - Abatement Procedures- by the City.

- A. If, within time prescribed under subsection D. of TMC Section 8.24.320, the violation has not been corrected the Director may cause the violation to be corrected.
- B. The Director shall keep an accurate record of the expense incurred while physically correcting the violation and shall therein add an administrative cost of twenty (20) percent for overhead.
- C. Any civil penalties awarded by the City Council or a Court pursuant to this chapter shall accrue interest at the rate of 9% per year until paid, pursuant to TMC Section 1.20.120(D), and may be recorded as a municipal assessment lien and foreclosed as provided in TMC Section 1.20.130.
- D. The Director or a person authorized by the Director may enter upon the subject property to abate the nuisance only upon obtaining consent of the person in possession or in charge of the property; or upon obtaining an administrative search warrant for abatement pursuant to TMC Chapter 1.16 or subsection A of TMC Section 8.24.100.

Section 40. Section § 8.24.390 of the Toledo Municipal Code is added to read as follows:

8.24.390 - Abatement Procedures - Assessment of Costs.

- A. After abatement by the city, the Finance Director, by first class mail, shall forward to the owner(s) and occupant(s) a notice stating:
 - 1. The total cost of correction, including the administrative overhead; and,
 - 2. That the costs and administrative overhead as indicated will be assessed to and become a lien against the property unless paid within thirty days from the date of the notice.
- B. If the costs and administrative overhead are not paid within thirty days of the billing date, the Director shall thereafter file with the Municipal Court Judge an itemized statement of costs and overhead, including an additional administrative fee in an amount of (20) twenty percent of the actual cost of correction to cover the additional expenses involved in collecting the unpaid balance.
- C. Upon filing of such statement of costs and overhead required under subsection B. of this section, the Municipal Court Judge shall set the matter for prompt public hearing before the Municipal Court Judge and cause notice thereof to be served via certified mail to the owner(s) and occupant(s), consistent with the procedures under subsection G(1) of TMC Section 8.24.330.
- D. After the hearing, the Municipal Court Judge shall declare the correctness of such statement and shall declare those as may be accordingly validated to be a lien upon the property.
- E. An error in the contents or service of any notice shall not void the assessment nor will a failure of the owner to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

Section 41. Section § 8.24.400 of the Toledo Municipal Code is added to read as follows:

8.24.400 - Abatement Procedures - Summary Abatement.

The Director may summarily abate a situation involving a health, safety, or other nuisance which unmistakably exists and from which there is imminent danger to human life or to property. In that instance, the Director, Chief of the Fire Department, the Fire Inspector, the Code Enforcement Officer, or the Chief of Police may proceed summarily to abate the building. The abatement procedure provided by this chapter is not exclusive but is in addition to procedures provided by other laws.

Section 42. Section § 8.24.410 of the Toledo Municipal Code is added to read as follows:

8.24.410 - Receivership Authority.

In addition to, and not in lieu of any other provision in this chapter, when the Director finds residential property in violation of this chapter, and believes that the violation is a threat to the public's health, welfare and safety, and that the owner has not acted in a timely manner to correct the violation, the Director may apply to a court of competent jurisdiction for the appointment of a receiver to perform an abatement pursuant to the Oregon Housing Receivership Act (ORS 105.420 to 105.455).

Section 43. Section § 8.24.420 of the Toledo Municipal Code is added to read as follows:

8.24.420 - Collections.

Collection of abatement costs, fees and penalties may be, in addition to any other remedy provided for by law, pursued through a contract collection agency or small claims court, or except as provided below, entered into the city's lien docket or County's Deed Recording System in the manner below as a lien for the entire amount placed against the real property.

- A. Any cost of abatement, fine, assessment or civil penalty imposed pursuant to this chapter, which remains unpaid 30 days after the penalty is imposed (or after the fine, assessment or civil penalty has been affirmed on appeal), shall be filed as a lien against the lot, lots or parcels of land involved, in the Municipal Lien Docket, or in the County's Deed Recording System, or both, as determined by the Director, except an owner of property shall not be subject to a lien against the owner's property for the actions of another person, unless the owner is also a person who is a responsible party. However, a lien may be recorded against different lot, lots or parcels of land owned by the responsible parties, even it is not recorded against the property that is the subject of the abatement.
- B. At the time of filing in the Municipal Lien Docket or County's Deed Recording System, notice shall be provided to the responsible parties. If no owner of the property shown in the electronic records of the Lincoln County Assessor on that date is a responsible party, then a lien shall not be recorded against the lot, lots or parcels of land involved. However, if one or more of the responsible parties are also an owner of the property shown in the electronic records of the Lincoln County Assessor on that date, then a lien may be recorded. Failure to provide notice shall not in any way effect the validity of the lien. The notice shall state that the amounts imposed as penalties shall be payable and due, and as applicable, that the penalties shall be liens against the lots or parcels of land involved, respectively.
- C. All such liens remaining unpaid after 30 days from the date of recording on the municipal lien docket shall become delinquent and shall bear interest at the rate of nine (9) percent per annum from and after that date. The liens shall be enforced in the manner provided for municipal liens in ORS Chapter 223 and shall have priority over all such other liens and encumbrances of any character.
- D. Pursuant to this chapter, the City Council, as the legislative body of the city, elects to treat costs associated with the enforcement of property maintenance and livability

standards, and any related fine, assessment or administrative civil penalties, as a routine obligation of property owners when a person, as defined in this chapter, is a responsible party. Therefore, any municipal costs incurred in the abatement of any derelict structure or public nuisance and/or any fine, assessment or administrative civil penalty not paid within 30 days shall be an assessment, and lien, as applicable, against the property where the building is located.

- E. The term “responsible party” means a person, as defined in this chapter, who is at least partially responsible for causing the need to abate as determined in the sole judgment of the city. “Responsible party” includes: a person who is an owner and has not leased the property that is the subject of an abatement to another person; a person who has actual or apparent control of the property; and a person who has a partial ownership interest in a corporation, a limited liability company, cooperative, association, partnership, or any other entity in law or fact, that has actual or apparent control of the property.

Section 44. Section § 8.24.430 of the Toledo Municipal Code is added to read as follows:

8.24.430 -Appeals.

- A. **Appeals Generally.** Any person served a notice, order, interpretation or decision under authority of this chapter has the right of appeal from the notice, order, interpretation or decision to the City Council.
- B. **Filing of Appeal.**
 - 1. **Appeal Period.** An appeal must be submitted to the Director within seven days, plus three days for mailing, from the date that the notice or order was issued.
 - 2. **Appeal Fee.** Any appeal submitted under this chapter shall include a \$75.00 filing fee, except the filing fee paid shall be refunded to a person who is found to not be in violation of any provision of this chapter that is the subject of the appeal.
- C. **Scope of Appeal.** Appeals may be filed regarding technical matters of notices or determinations, administrative orders, and interpretations and decisions made by the Director relative to this chapter.
- D. **Form of Appeal.** An appeal must be in writing and include the following:
 - 1. Name of person filing the appeal;
 - 2. Copy of the subject notice or order;
 - 3. Copy of the section of this chapter which is being appealed;
 - 4. A complete explanation of the appeal;

5. An explanation of what is requested of the City Council.

E. Appeal Procedure.

1. The Director shall confirm that the appeal meets the filing criteria as prescribed under paragraphs A-D of TMC Section 8.24.430, and that the person filing the request for an appeal has standing.

2. If the filing criteria have not been met, or if the filing party does not have standing, the person filing the appeal will be so notified and hearing before the City Council will not be convened. The Director, at his/her discretion, may extend the filing deadline by an additional three (3) days to allow a prospective appellant with standing to resubmit a request for an appeal that has been deemed incomplete. Only one extension may be granted.

3. If the filing criteria are met, the Director shall, within 30 days of the filing of the appeal, contact the City Recorder to set the schedule for a hearing before the City Council. The hearing shall be held not later than 60 days after the filing of the appeal.

4. The appeal shall be conducted on the record.

5. Formal rules of evidence are not required.

6. The City Council shall have the authority to hear appeals of orders, decisions or determinations made under authority of this chapter to determine whether the substance of the order, decision or determination was arbitrary and capricious.

7. The City Council shall not be empowered to waive requirements of this chapter.

8. The City shall issue a written finding and conclusion on the appeal within fifteen (15) days of the hearing, and shall provide a copy to the person filing the appeal and to the Director.

Section 45. Section § 8.24.440 of the Toledo Municipal Code is added to read as follows:

8.24.440 - Violation Penalties.

Persons who violate a provision of this chapter or fail to comply with any of the requirements of this chapter or a directive of the Director authorized by this chapter shall be subject to the provisions of TMC Sections 8.24.450 through 8.24.560.

Section 46. Section § 8.24.450 of the Toledo Municipal Code is added to read as follows:

8.24.450 - Separate Violations.

A. Each day's violation of a provision of this chapter constitutes a separate offense.

- B. The abatement of a nuisance or violation shall not constitute a penalty for violating this chapter but shall be an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate a nuisance or violation.

Section 47. Section § 8.24.460 of the Toledo Municipal Code is added to read as follows:

8.24.460 - Infractions.

- A. **Imposition of Penalty.** Any person who shall violate any of the provisions herein or fail to comply therewith or who shall violate or fail to comply with any order made hereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council or by a court of competent jurisdiction within the time fixed herein shall severally for each and every such violation and noncompliance respectively be guilty of an infraction, as designated under TMC Section 1.20.070, unless otherwise provided for by the provisions of this chapter.

- 1. All such persons shall be required to correct or remedy such violations or defects within a reasonable time, consistent with subsection D. of TMC Section 8.24.320, and, when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

- 2. Upon conviction of an infraction offense, any person shall be liable for the fines provided for under TMC Sections 8.24.440, 1.20.070 and 1.20.120.

Section 48. Section § 8.24.470 of the Toledo Municipal Code is added to read as follows:

8.24.470 - Classification of Offenses.

- A. Violation of the provisions of this chapter, with forfeiture amounts specified in TMC Section 1.20.070, shall be designated as follows:

- 1. Violation of TMC Section 8.24.280, Solid Waste Removal, is a Class A Infraction.

- 2. Violation of Subsection B of TMC Section 8.24.330, Public Nuisance Prohibited, is a Class A Infraction.

- 3. Violation of TMC Section 8.24.310, Fire Safety provisions; Subsection E of TMC Section 8.24.320, Failure to Obey; or subsection B of TMC Section 8.24.330, Prohibited Habitation, is a Class A Infraction.

- 4. Violations of any of the subsections in TMC Section 8.24.180, 8.24.190, 8.24.200, 8.24.210, 8.24.220, 8.24.230, 8.24.240, 8.24.250, 8.24.260, applicable to all structures occupied for residential use by tenants, is a Class A Infraction.

5. Violation of every provision of this chapter not otherwise designated herein is deemed a Class C infraction, except:

- a) the 2nd offense for violation of same section of this chapter within a twenty-four (24) month period shall be a Class B infraction; and
- b) the 3rd and subsequent offenses for violation of the same section of this chapter within a twenty-four (24) month period shall be a Class A infraction.

Section 49. Section § 8.24.480 of the Toledo Municipal Code is added to read as follows:

8.24.480 - Civil Penalties.

- A. In addition to and not in lieu of any other means of enforcement or any other penalty provided by law, any person who shall violate a provision of this chapter or who shall fail to comply with any of the requirements thereof or an order of the Director may incur a civil penalty in an amount as specified in TMC Section 1.20.070, plus an administrative fee and any cost of service or recording.
- B. All such persons incurring a civil penalty shall be required to correct or remedy such violations or defects within a reasonable time, consistent with subsection D. of TMC Section 8.24.320, and, when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

Section 50. Section § 8.24.490 of the Toledo Municipal Code is added to read as follows:

8.24.490 - Purpose.

The purpose of a civil penalty is to provide an efficient, convenient, and practical system to enforce a violation of this chapter.

Section 51. Section § 8.24.500 of the Toledo Municipal Code is added to read as follows:

8.24.500 - Civil Penalty against Agents.

Any person who acts as the agent of, or otherwise assists, a person who engages in an activity which would be subject to a civil penalty shall likewise be subject to a civil penalty.

Section 52. Section § 8.24.510 of the Toledo Municipal Code is added to read as follows:

8.24.510 – Procedure for Issuing Civil Penalty.

A civil penalty shall be imposed under this section by issuance of a notice of civil money penalty. A civil penalty may be imposed for each day the violation continues or remains. The notice of civil money penalty shall be issued and served in accordance with the procedures specified within this subsection.

Section 53. Section § 8.24.520 of the Toledo Municipal Code is added to read as follows:

8.24.520 - Notice of Civil Money Penalty.

- A. If a civil penalty is imposed, the Director shall issue a notice of civil money penalty to the person responsible for the code violation.
- B. **Notice.** The notice of civil money penalty shall include:
 - 1. reference to the applicable code provision(s);
 - 2. a statement of the basis of the finding of a violation;
 - 3. a statement of the amount of the civil money penalty;
 - 4. a statement of the party's right to protest the civil penalty to the City Council; and,
 - 5. a statement that a delinquent civil money penalty may become a lien against the property.
- C. **Service.** The notice of civil money penalty shall be served on the person responsible for the code violation by:
 - 1. Personal service; or,
 - 2. posted in a conspicuous place in, on or about the structure or premises affected by such notice; or,
 - 3. sent by US first class mail or US certified mail, return receipt requested, to the person's last known address;
 - a) failure of the recipient to sign for the certified mail shall not make the notice void;
 - b) notice served by mail shall be deemed received three days after the date mailed to an address within Oregon or seven days to an address outside of Oregon;
 - c) notice served by mail shall be concurrently posted in a conspicuous place in, on or about the structure or premises affected by such notice.

Section 54. Section § 8.24.530 of the Toledo Municipal Code is added to read as follows:

8.24.530 -Courtesy Notice to Owner.

If the subject violation relates to real property and the person responsible for the violation is not the owner of the property, an informational copy of the notice of civil money penalty shall be sent to the owner of the property by first class mail, at the owner's address as reflected on the most recent tax rolls of the county assessor, at the same time as service on the person responsible.

Section 55. Section § 8.24.540 of the Toledo Municipal Code is added to read as follows:

8.24.540 - Protest of Civil Penalty.

- A. A person issued a notice of civil money penalty may protest the existence of a violation or the circumstances involved in the presence of a violation that resulted in imposition of a civil penalty to the City Council.
- B. An appeal request must be submitted to the Director within seven days, plus three days for mailing, from the date of service of the notice of civil money penalty.
 - 1. After a hearing in which the City Council determines that a violation did or does exist, the City Council may uphold or reduce the original penalty imposed after considering reasonable mitigating factors as determined by the City Council.
 - 2. The City Council may not reduce the civil money penalty by any amount if a violation has not been corrected by the responsible party and inspected by the city.
 - 3. The civil money penalty imposed by the City Council shall not be less than the minimum amount specified under TMC Section 8.24.560.

Section 56. Section § 8.24.550 of the Toledo Municipal Code is added to read as follows:

8.24.550 - Collection of Civil Penalty.

- A. The civil penalty shall become final upon expiration of the time for filing a protest or, if a protest is filed and the City Council affirms the civil penalty, the civil penalty shall become final upon issuance of the City Council's decision.
- B. The civil penalty shall be delinquent if not paid within 30 days from the date the civil penalty becomes final.
 - 1. A late payment charge shall begin to accrue from the date of delinquency.
 - 2. If the civil penalty is imposed on an Owner of the property where the violation occurred, and is delinquent, the notice of civil money penalty, interest, and a late payment charge shall be entered in the docket of city liens in the manner provided under TMC Section 8.24.420 and a lien or other recorded instrument showing the debt recorded in the Lincoln County Deed Records.

a) Failure to pay may result in foreclosure in any manner provided by ORS 223.505 to 223.650, or TMC Section 1.20.130, or as otherwise provided by law or code.

b) An error in the name of the owner shall not void the lien, nor shall a failure of the owner to receive the notice render the lien void, but it shall remain a valid lien against the property.

3. If the civil penalty is imposed on a Person who is not an Owner of the property where the violation occurred, and is delinquent, the notice of civil money penalty, interest, and a late payment charge shall be added, as well as the costs of collection permitted by law, and referred to a debt collection company to seek payment of the debt on behalf of the city.

4. Any civil penalties that become final pursuant to this chapter shall accrue interest at the rate of 9% per year until paid and may be recorded as a municipal assessment lien, lien or other recorded instrument recorded in the Lincoln County Deed Records, and foreclosed, or referred for collection, as provided in this section.

Section 57. Section § 8.24.560 of the Toledo Municipal Code is added to read as follows:

8.24.560 - Amount of Civil Penalty.

The Director is authorized to impose civil penalties in the amounts as follows, and the City Council may allow reductions consistent with subsection B(1) of TMC Section 8.24.540 and operational guidelines in the amounts as follows:

A. Violation of a provision of this chapter may be subject to a civil penalty in an amount no less than \$50.00 and not exceeding \$1,000.00 per offense, or in the case of a continuing offense, not more than \$1,000.00 for each day of the offense, based on the classification of each offense, and the maximum forfeitures specified in TMC Section 1.20.070.

B. **Considerations.** In imposing a penalty authorized by this section, the Director shall consider:

1. The person's past history in taking all feasible steps or procedures necessary or appropriate to correct the violation;

2. Any prior violations of statutes, rules, orders, and permits;

3. The gravity and magnitude of the violation;

4. Whether the violation was repeated or continuous;

5. Whether the cause of the violation was an unavoidable accident, negligence, or an intentional act;

6. The violator's cooperativeness and efforts to correct the violation; and,
7. Any relevant rule of this or other city code.

Lisa Figueroa

From: Ashlyn Muzechenko <amuzechenko@ocwcog.org>
Sent: Friday, January 12, 2024 10:25 AM
To: Lisa Figueroa
Cc: Ashlyn Muzechenko
Subject: REMINDER: CWACT Full Commission and Technical Advisory Committee Membership Nominations - DUE WEDNESDAY, JANUARY 31, 2024
Attachments: CWACT Member Nomination Fillable Form.pdf
Importance: High

Good Morning All and Happy Friday!

Here is a reminder that membership nominations for the CWACT Full Commission and Technical Advisory Committee are due Wednesday, January 31, 2024. Please be sure you are reaching out to the appropriate parties to get your membership renewal nominations for the CWACT on the agenda for your next legally convened public meeting (City Council, Commission, or Tribal Council, etc. as appropriate).

More information regarding CWACT Member nominations/renewals is available below, including where to find the current roster, and the fillable forms for nominations.

Should you have any further questions, please don't hesitate to reach out.

I am here and happy to help!

Kind Regards,

Ashlyn Muzechenko

From: Ashlyn Muzechenko
Sent: Tuesday, December 12, 2023 2:20 PM
To: Justin Peterson <jpeterson@ocwcog.org>; Nick Meltzer <nmeltzer@ocwcog.org>

Cc: Ashlyn Muzechenko <amuzechenko@ocwcog.org>; Emma Chavez Sosa <EChavez@ocwcog.org>
Subject: CWACT Full Commission and Technical Advisory Committee Membership Nominations - DUE
WEDNESDAY, JANUARY 31, 2024
Importance: High



CWACT

Full Commission and Technical Advisory Committee Member Nominations

Due Wednesday, January 31, 2024

The **Cascades West Area Commission on Transportation (CWACT)** provides a forum for local governments in the Linn, Benton, and Lincoln County Regions to collaborate on transportation issues of Regional and Statewide significance. The CWACT is a standing committee of Oregon Cascades West Council of Governments (OCWCOG), and the OCWCOG Board of Directors will formally appoint Full Commission Membership. *According to the CWACT Bylaws: **ARTICLE III- Membership** Representation on the CWACT shall be as follows:* a) Each of the following entities shall be invited to nominate one representative and one alternate as voting members of the CWACT: 1. All incorporated cities in the Cascades West region 2. Linn, Benton, and Lincoln Counties 3. All port districts and intermodal facilities in the Cascades West region 4. All federally recognized Indian tribes in the Cascades West region. (The current list of CWACT Full Commission Members can be found on our Website: [Cascades West Commission on Transportation | OCWCOG](#).)

The terms of approximately half the members of the CWACT Full Commission will be expiring on December 31, 2023, and need to be renewed for another two-year term (2024-2025). **Please visit this website for the current CWACT Full Commission membership list: [Cascades West Commission on Transportation | OCWCOG](#) to see if your member's term is expiring and will need to be re-elected or a new member assigned.**

The CWACT Full Commission primary member for each jurisdiction must be an elected official. **Alternates do not need to be elected officials. Nominations must be made during a legally convened public meeting of the City Council, Commission, or Tribal Council, as appropriate.**

The CWACT also has a **Technical Advisory Committee (TAC)**. Each entity that is a voting member of the CWACT is invited to nominate a representative to the TAC. Members of the TAC do not need to be elected officials. The TAC acts in the direction of the CWACT Full Commission and provides technical information, advice, and recommendations. Please visit this website for the current CWACT TAC membership list: [CWACT Technical Committee | OCWCOG](#).

Please see the member nomination form (PDF) [attached](#) for the CWACT Full Commission and TAC nominations. Once the form is completed, please scan or email it to amuzechenko@ocwcog.org.

The CWACT Full Commission meets at least quarterly, on the fourth Thursday of the month from 5:00 pm 7:00 pm. Please see the CWACT Website ([Linked HERE](#)) for the 2024 meetings

schedule. Meetings are held both in person and virtually, depending on the meeting topics and need. The CWACT TAC meets on an as needed basis. More information about CWACT is available by clicking this link: [Cascades West Commission on Transportation | OCWCOG](#).

If you have any further questions, please feel free to reach out via email.

Kind Regards,

Ashlyn Muzechenko

Ashlyn Muzechenko

Administrative Assistant

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

Cascades West Area Commission on Transportation Nomination Form

The following individuals have been nominated to represent (City/County/Port/Tribe) _____ on the Cascades West Area Commission on Transportation (CWACT). The nominations were made during a legally convened public meeting of the (City Council/Commission/Tribal Council) _____ on (date) _____.

Signed: _____ Date _____ Time _____

CWACT Full Commission Primary Representative

Name & Title: _____

Mailing Address: _____

City _____ State _____ Zip _____

Phone: _____ FAX: _____

E-mail: _____

CWACT Full Commission Alternate Representative

Name & Title: _____

Mailing Address: _____

City _____ State _____ Zip _____

Phone: _____ FAX: _____

E-mail: _____

CWACT Technical Advisory Committee (TAC) Representative

Name & Title: _____

Mailing Address: _____

City _____ State _____ Zip _____

Phone: _____ FAX: _____

E-mail: _____



Toledo City Council Dashboard – December 2023

Police

Citations	
Careless Driving	1
Driving Uninsured	4
Driving W/O Privileges	1
DWS-Violation	2
Fail Carry Proof Insurance	2
Failure to Renew Vehicle Registration	2
Improper Display of Sticker	2
Violation of Basic Speed Rule	26
Violation of Posted Speed	3
Violation of Posted Truck Route	1
Total	44

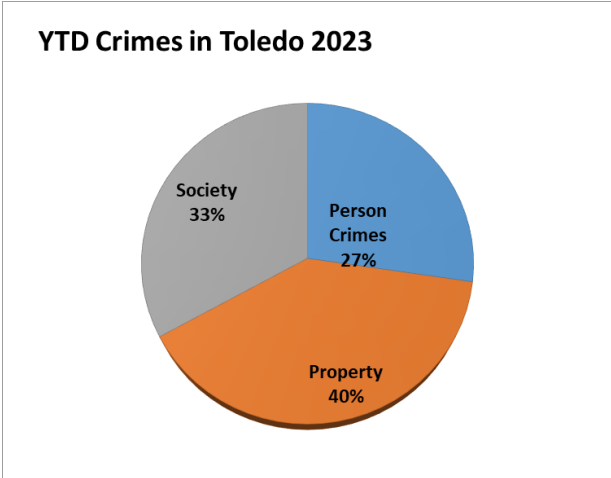
	<u>Citations</u>	<u>Warnings</u>	<u>Total</u>	<u>Average Warning</u>	<u>DUII</u>
Total	44	69	113	61%	

Overtime

Chief	25.5	Non-Compensated
Dispatch	252	
Patrol	116.5	
Total	394	Compensated
	297	

Crimes

Person		
Assault		2
Harassment		2
Menacing		1
Violation Restrain/No Contact Order		1
Total		6
Property		
Burglary		1
Criminal Mischief		1
Theft		2
Total		4
Society		
Disorderly Conduct		1
Parole/Probation Detainer		1
Resisting Arrest		1
Warrant		2
Total		5



Library

Use Jane's Circulation report (all categories) + ebooks
 Reports 195, 331, 365 and direct search
 Reports 195, 331, 365 and direct search
 look at how many work days then multiply
 56 peeps per daywinter/spring 59
 spring/summer

Denyse
 Libsyn
 Harrison end of month count form
 Harrison end of month count form

check FB stats

Harrison end of month count form
 check chart on door & Harrison end of month
 count form

count all uses

Circulation of Library Materials

Hotspots
 Laptops
 In person visits

Programs

Childrens Programs
 Podcast
 Computers sessions
 Reference

Facebook Viewings

Post reach
 Post Engagement
 New Page Likes
 Volunteer Hours

Community Room Use
 Upstairs conference
 room 5

December

Materials	3515
Hotspots	21
Laptops	5
In person visits	1259
Programs	
Childrens Programs	105
Podcast	40
Computers sessions	124
Reference	92
Facebook Viewings	
Post reach	5,310
Post Engagement	1,383
New Page Likes	9
Volunteer Hours	35.5
Community Room Use	45
Upstairs conference room 5	4



Fire

Total Calls:	1012	Unit Deployment:	Apparatus Deployed: 1798	Total Medical : 642	Fire : 175	Motor Vehicle Accident : 98	Check sum totals
Calls in City:	594	in city:	1080	422	100	14	594
Calls in District:	307	in district:	597	168	51	62	307
Calls Out of District:	111	out of district:	121	52	24	22	111

Municipal Court

No report.

Public Works

Planning Department Permit Applications
December, 2023

New Construction Applications:
House at 180 SE 2nd Street

<i>2023 Permit Applications</i>		
<i>Type of Permit</i>	<i>Estimated Project Value</i>	<i>Number of Permits</i>
<i>Residential</i>		
<i>Site Built Home</i>	<i>860,000</i>	<i>4</i>
<i>Manufactured Home</i>	<i>100,000</i>	<i>2</i>
<i>Multi-Family</i>	<i>0</i>	<i>0</i>
<i>Accessory dwelling</i>	<i>55,000</i>	<i>1</i>
<i>Garage/Carport</i>	<i>15,000</i>	<i>1</i>
<i>Deck/Porch/Shed</i>	<i>0</i>	<i>0</i>
<i>Retaining Wall/Fence</i>	<i>0</i>	<i>0</i>
<i>Remodel/Improvement</i>	<i>58,700</i>	<i>5</i>
<i>Room Addition</i>	<i>154,000</i>	<i>3</i>
<i>Roof</i>	<i>0</i>	<i>0</i>



<i>Footing/Foundation</i>	<i>0</i>	<i>0</i>
<i>Commercial</i>		
<i>Structure</i>	<i>0</i>	<i>0</i>
<i>Repair/Improvement</i>	<i>826,689</i>	<i>11</i>
<i>Sign</i>	<i>21,500</i>	<i>2</i>
<i>Industrial</i>		
<i>Structure</i>	<i>0</i>	<i>0</i>
<i>Repair/Improvement</i>	<i>0</i>	<i>0</i>
<i>Public</i>		
<i>Structure</i>	<i>50,000</i>	<i>1</i>
<i>Repair/Improvement</i>	<i>40,000</i>	<i>1</i>
<i>Total Building Permits and Values</i>	<i>\$2,180,889</i>	<i>31</i>
<i>Miscellaneous Permits:</i>		
<i>Demolition Permit</i>		<i>1</i>
<i>Excavation/Work in R-W</i>		<i>28</i>
<i>Grazing Permit</i>		<i>0</i>
<i>Water/Sewer Connection</i>		<i>9</i>

Land Use Applications:

1. Temporary Use Permit (RV Permit) to reside in an RV during construction at 331 SE Elder Street

Application update: Toledo City Council approved Ordinance 1417 to adopt the 2023 Comprehensive Land Use Plan document.

<i>2023 Land Use Applications</i>	
<i>Type of Application</i>	<i>Number of Applications</i>
<i>Conditional Use Permit</i>	<i>2</i>
<i>Floodplain Development Permit</i>	<i>7</i>
<i>Lot Line Adjustment</i>	<i>1</i>
<i>Minor Partition</i>	<i>1</i>
<i>Plan Amendment</i>	<i>1</i>
<i>Temporary Trailer Permit</i>	<i>4</i>
<i>Variance</i>	<i>3</i>
<i>Total</i>	<i>19</i>

Annual Transportation Permits:

A total of 14 Annual Transportation Permits were issued for calendar year 2023, totaling \$2976 for the program (372 trucks).



Annual Department Statistics				
Type of Permit	December	2023	2022	2021
Building Permit	1	31	21	27
Other Permits*	0	38	38	20
Land Use Application	1	19	23	29
Truck Permit	0	14	14	13
Value of Construction Improvements	\$60,000	\$2,180,889	\$2,267,667	\$4,167,776

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