



City of

GOLD HILL

P.O. Box 308 • Gold Hill, OR 97525
(541) 855-1525 Fax (541) 855-4501

MEETING AGENDA
GOLD HILL CITY COUNCIL – Regular Meeting
April 18, 2023 at 6:00 PM
City Hall, 420 6th Ave

To speak during public input, Info@CityofGoldHill.com or sign up on the signup sheet at the entrance to the Council Room.

The meeting can be viewed live at
<https://zoom.us/j/99524800619?pwd=SlNlcm82bElTVGl0aG1ubGREZXZNUT09>

1. Call to Order/ Roll Call/Pledge of Allegiance

2. Agenda Adjustments

Adjustments to the agenda are limited to a change in the order of business to accommodate visitors making presentations or citizens who are attending for the purpose of a single agenda item. Adjustments in the form of additions to the agenda are discouraged because the general public has had no prior notice of their consideration, and therefore interested persons will not have an opportunity to participate. Adjustments in the form of deletions from the agenda may be accomplished here so long as there is disclosure of the reason for the deletion and an indication as to when or if the item will be placed on a future agenda.

3. Announcements, Correspondence, Awards and Proclamations

A. Proclamation of Yardin' in The Hill and the Annual Clean Up Day

B. Proclamation of Gold Dust Heritage Celebration 2023

4. Public Input

Limited to 5 minutes or less per speaker per Mayor's discretion.

5. Public Hearing

None

6. Consent Agenda

To be approved with single motion in the affirmative; Council Member(s) may elect to pull any and all items which will then be automatically added as the next item under section "7) Action Items"

A. Approval of Council Meeting Minutes

- 1) January 9, 2023
- 2) February 7, 2023
- 3) March 7, 2023

7. Action Items

1. Resolution Authorizing Banking Signatures
2. Resolution Referring Annexation of the City of Gold Hill into the Rogue Valley Sewer Services Special District
3. Review and Approval of Updated City Logo

8. Reports from Councilors

9. City Manager Report

1. Upcoming Meetings/Projects – Council Look Ahead
2. Natural Hazards Mitigation Plan – Inclusion of Gold Hill
3. Oregon Health Authority Water System Survey Update
4. Utility Bill Past Due Billing Process

10. Good of the Order

11. Adjournment

Note: This agenda and the entire agenda packet, including staff reports, referenced documents, resolutions and ordinances are available at the Gold Hill City Hall in advance of each meeting 420 6th Avenue (P.O. Box 308), Gold Hill, OR 97525. Information can also be viewed at www.cityofgoldhill.com



City of Gold Hill City Council

Meeting Minutes

January 9, 2023

Oath of Office for newly elected officials

Ronald Palmer, Mayor
Rick Martin, Councilor
James Newstead, Councilor

Mayor Palmer called the meeting to order at 6:32 p.m.

- 1) **Roll Call:** Mayor Palmer, Councilors Wilson, Rigney, Newstead, Martin, Biedscheid responded as present. Councilor Stancliff- not present. The mayor then led the Pledge of Allegiance.

2) Agenda Adjustments

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3) Announcements, Awards and Proclamations

1. Budget Committee Appointments-March 2023- Interim City Manager Hanks spoke of the roster for the April 2023 budget committee. According to budget law, committee is made up of 7 elect officials and 7 community members. Three community members currently. Hanks to check to see if they need to be reappointed. Notice for applications will be posted on the website. Additional members needed (4).

4) Public Input

None

5) Consent Agenda

To be approved with single motion in the affirmative; Council Member(s) may elect to pull any and all items which will then be automatically added as the next item under section "7) Action Items"

1. Approval of Minutes of October 17, 2022 Regular Council Meetings
Corrections to the minutes to be made
2. Appointment of Joe Berggren to Planning Commission

Need to have who moved/second to approve consent agenda

6) Action Items

7.1	2023 Recognized Holiday Resolution
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	<p>A motion was made by councilor Wilson to approve the 2023 holiday schedule, councilor Biedscheid 2nd the motion Votes 5/0 Yes- motion carries</p>
7.2	2023 City Council Meeting Schedule
	<p>A motion was made to move the council meetings to Tuesday's, alternating with a study/business meeting, Motion was made by councilor Wilson to approve the 2023 City Council Meeting Schedule, motion was 2nd by councilor Rigney Votes 5/0 Yes-motion carries</p>
7.3	Council Liaison Assignments
	<p>Hanks spoke in regard to how Council would like to proceed with assignments to various local committees. A council member to accept the position as a local representative to the following committees. 2023 Council liaison appointments</p> <p>Councilor Biedscheid has agreed to be the council liaison for MRMPO and RV Act, she will continue as the DEQ liaison, but would prefer someone else take over the Planning Commission.</p> <p>Councilor Wilson has agreed to be the council liaison for DEQ.</p> <p>Councilor Newstead has agreed to be the council liaison for Parks Advisor and RVCOG</p> <p>Biedscheid has agreed to have Councilor Wilson be the DEQ liaison.</p> <p>Councilor Martin has agreed to be the council liaison for SOREDI and Planning Commission</p> <p>Councilor Stancliff to act as an alternate for at least one advisory committee initially.</p> <p>Councilor Wilson made the motion to approve Mayor Palmer's Council Liaison Assignments 2023 Councilor Rigney 2nd the motion.</p> <p>Votes 5/0 Yes Motion Carries</p>
7.4	Election of Council President
	<p>Mayor Palmer made a recommendation to Appoint Councilor Wilson as the Council President. The motion was made by councilor Newstead to appoint councilor Wilson as the Council President, Motion was seconded by councilor Rigney.</p> <p>Votes 5/0 Yes-Motion Carries</p>
7.5	Review and Approval of RFP for Contract Operations of Wastewater Treatment Plant and Collection System
	<p>The City engineer, Dan Scalas from Adkins Engineering, has prepared the RFP with coordination from staff to provide council with the opportunity to select the most suitable provider.</p> <p>Hanks reiterates that the RVSS current contract terminates as of March 30, 2023 and includes a 90 day period for coordination of the transition to a new provider (June 30, 2023) which requires us to search for someone to take over the wastewater plant operations.</p> <p>Motion made by councilor Biedscheid to approve the RFP for contract operations of wastewater treatment plant and collections and authorize the City Manager to move forward with the RFP process. Motioned 2nd by councilor Newstead</p>

	Vote 5/0 Yes Motion Carries
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7) Reports from Councilors

Report from Councilor Biedscheid- DEQ liaison still waiting to hear if there is going to be a hearing tomorrow. Hanks responded that he had not received an email from DEQ, assumes a hearing will take place.

8) City Manager Report

9.1	Election Officials Handbook
	Hanks reported the Election Officials Handbook is included in the council packet to all council members (background reference material)
9.2	City Website
	Soft launch of the website, Adjustments/improvements are being made as needed, additional information is being added to the website
9.3	DEQ TMDL (Total Maximum Daily Load) Annual Report
	Report was submitted in November 2022
9.4	Oregon Health Authority 2022 Water System Survey Report
	OHA does a review of the water plant (onsite) -reports items that require additional repairs
9.5	ODOT Small Cities Allocation-Grant Award
	ODOT grants 220K available in March. Grant funds to be used for material/ bids repairs and work such as - asphalt repairs (see maps attached) and additional citywide work/repairs

See attached for full report.

9) Good of the Order

10) Adjournment

Mayor Palmer adjourned the meeting at 7:41

Minutes Approved by: _____

Mayor Ronald Palmer



City of Gold Hill City Council

Meeting Minutes

February 7, 2023

Oath of Office for newly elected officials

Shery Stancliff, Councilor

Mayor Palmer called the meeting to order at 6:00 p.m.

- 1) Roll Call:** Mayor Palmer, Councilors Biedscheid, Martin, Newstead, Rigney, Stancliff, Wilson responded as present.

Mayor Palmer then led the Pledge of Allegiance.

2) Agenda Adjustments

None

3) Announcements, Awards and Proclamations

None

4) Public Input

Speaker	Topic
Shane Ross	Non profit Music program

5) Public Hearing

None

6) Consent Agenda

Councilor Biedscheid inquired about the status of prior meeting minutes. Interim City Manager Hanks noted that Staff is catching up on internal items including meeting minutes. Addition to the Staff-Keri Lewis will assist with the process.

7) Action Items

7.1	Request for Declaration of Gold Dust Day Heritage Celebration and approval for associated street closures for the event June 3, 2023
	Hanks spoke the Gold Dust Day being sponsored by Can Do. The request is for the closure of the streets for the event. Motion made by Councilor Newstead to declare June 3, 2023 Gold Hill Gold Dust Day Heritage Celebration day and the associated street closure request. Motion 2 nd by Councilor Rigney.

	Motion approved 6-0
7.2	Gold Valley Little League Sponsorship for 2023
	<p>Hanks reported to the request for Annual sponsorship, and the three levels of sponsorship, prior years \$400.00 sponsorship was granted.</p> <p>Brian Hallin (Golden Valley Little League member) spoke in regard to the cleanup efforts made to the fields. The fields have been cleaned up, mowed, fixed/fixing anything that was broken within the area of the little league area, the infield holes were filled up, snack shack needs repairs -the repairs are in progress and will be competed with funds received by a donation. The graffiti has also been addressed and will be removed as well. (This seems to be an ongoing issue)</p> <p>Motion made by Councilor Wilson to approve the 2023 Gold Valley Little League Sponsorship of \$400, Motioned was 2nd by councilor Rigney and Martin</p> <p>Motion approved 6-0</p>
7.3	Council Direction to City Manager to develop unified fee schedule
	<p>Hanks presented the existing fee schedule and noted that some of the fees are difficult to determine if they have been approved by a prior resolution or if they have been unofficially adjusted. Hanks also noted that a number of fees are embedded in the Municipal Code and they should removed from the Code with the Municipal Code Update process and instead pulled all together as one complete unified fee schedule. Hanks also noted that there are several suggested new fees that will be included in the fee schedule for Council review and decision at a future meeting.</p> <p>Motion was made by councilor Biedscheid to direct the city manager to develop unified fee schedule for councilors review and deliberation for a future council meeting prior to the proposed fiscal year 22-23, Motion 2nd by councilor Newstead</p> <p>Motion approved 6-0</p>
7.4	Council Direction to City Manager to update Utility Billing and Collection policies
	<p>Hanks presented a document that contains a number of operational/administrative policies and procedures for the Utility Billing and Collection processes and is unsure whether or not they had ever been approved by Council or are consistent with state and local laws. Hanks suggested that the policy document be reviewed, updated where necessary and brought back to Council for review and decision at a future meeting.</p> <p>Councilor Wilson motioned with second by Rigney to direct the City Manager to update the policies and present back to Council for review at a future meeting.</p> <p>Motion approved 6-0</p>
7.5	Council direction to update City Personnel Policies and Procedures Manual
	<p>Hanks presented a City Personnel Policies and Procedures manual that appears to have been approved by Council in 2007. Hanks noted that many rules, regulations and best practices for personnel issues have changed substantially since 2007 and should be reviewed for updates. Hanks also noted that there are some compensation related sections that may be beneficial to review and update for consistency across the existing staff positions and for improved recruitment and retention for the organization that he would also like to include and present for Council review.</p>

	<p>Councilor Biedscheid motioned, with a second by Wilson, to direct staff to develop updates to the City Personnel Policies and Procedures Manual and bring forward to Council for review and decision at a future meeting.</p> <p>Motion approved 6-0</p>
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8) Reports from Councilors

None

9) City Manager Report

See attached report

10) Good of the Order

None

Mayor Ronald Palmer adjourned the meeting at 7:48

Minutes Approved by: _____

Ronald Palmer, Mayor

Attested by: _____

Dee Larez, City Recorder



City of Gold Hill City Council

Meeting Minutes

March 7, 2023

1. Call to Order/ Roll Call/Pledge of Allegiance

Meeting called to order at 6:02. pm All Council members present with the exception of Councilor Stancliff. Hanks and Larez present for staff.

2. Agenda Adjustments

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Interim City Manager Hanks requested the Mayor add a time sensitive item to the agenda to formally receive Council direction regarding the opportunity to re-direct DEQ penalty/fine to a local project. Council approved adding the item as Action Item 7.5

3. Announcements, Correspondence, Awards and Proclamations- None

4. Public Input

Joel Clark -Update of Can Do Projects; Community Garden-Purchase of fruit trees w/funds donated, excess vegetable's donated to the food pantry, Sing into Spring, Yard Sale May 13th, Annual Clean up day May 20th, Gold Dust Day Celebration June 30th, Concert August 3rd. www.dandogoldhill.org

Natalie – Requesting Council approval for an 8 hour Crater High School community service project- "Tiny Library" to be constructed and installed at City Park - Council indicated support and directed her to work with City Manager to complete.

5. Public Hearing

None

6. Consent Agenda

To be approved with single motion in the affirmative; Council Member(s) may elect to pull any and all items which will then be automatically added as the next item under section "7) Action Items"

1. Council confirmation of Mayoral appointments to Budget Committee

- A. Sandi Berggren
- B. Gene Nelson
- C. Scott Okon
- D. Lori Nelson

2. Approval of Council Meeting Minutes

- A. October 17, 2022

- B. November 7, 2022
- C. December 19, 2022

Councilor Biedscheid noted several corrections to names and terminology. Councilor Wilson moved approval of consent agenda with noted corrections to minutes. Councilor Newstead second

Motion passes 5-0

7. Action Items

7.1	Declaration of Surplus Property and authorization for City Manager to sell/dispose
	<p>Interim City Manager Hanks provided Council with a list of equipment that is beyond its useful life and requested Council approval to declare the items surplus for disposal via sale or recycling. Total value of items is estimated to be less than \$10,000 total.</p> <p>Councilor Biedscheid moved approval to declare surplus with second by Newstead.</p> <p>Motion passes 6-0</p>
7.2	Permit and Parking Fee Waiver for Sing Into Spring Event – Can Do
	<p>Hanks explained that Can Do is planning a large, free public event called Sing Into Spring and is requesting waiver of fees as a form of City sponsorship of the event. Hanks noted that Can Do is also requesting approval from Council to promote the event with a drive through town with amplification to announce the event date and time one evening prior.</p> <p>Councilor Wilson moved with Newstead second to approve Can Do request for City sponsorship of Sing into Spring, which includes park and parking fee waivers and amplification approvals.</p> <p>Motion passes 5-0</p>
7.3	Wastewater Treatment Plant System – Operations and Maintenance RFP Update and Scoring Committee Assignments
	<p>Hanks updated Council on the RFP process for the selection of a new operator for the Wastewater Treatment Plant and collection systems that is required due to RVSS terminating the current contract. Hanks noted that two bids were received and that a review/scoring committee should be formed to review and rank the bids. Hanks suggested that the committee include himself, the City Engineer (Dan Scalas from Adkins Engineering), one City Councilor and a community member. Hanks further suggested that Council select Mark Warwick as the community member given his prior professional experience in the industry.</p> <p>Two Councilors were interested in participating. Councilor Wilson motioned to select Councilors Rigney and Biedscheid, along with community member Warwick to the review/ranking committee. Newstead provided the second</p> <p>Motion approved 5-0</p>
7.4	Council Goalsetting – Structure and Timeline Discussion

	<p>Hanks provided overview of staff report containing three initial options for Council to consider. Option #1 is most robust and multiple opportunities for community input/engagement. Option #2 slims down the process to some degree. Option #3 utilizes prior Council goals and is a streamlined goals update process.</p> <p>Council discussed all three options and noted their interest in involving the community in some way but also recognizing the staff time involved in conducting a complete, formal goal setting process. Council also discussed the timing compared to the budget process and how the two processes relate.</p> <p>Councilor Wilson noted her concerns with staff availability given other immediate priorities and motioned to defer the process to next year. Councilor Martin provided the second.</p> <p>Motion approved 4-1. (Biedscheid No)</p> <p>Councilor Biedscheid explained that she would at least like to see if the online survey could be done even if the formal goal setting would be deferred. Hanks noted that he could develop draft community survey questions for Council review at a future meeting if there is general agreement from Council to do so. Mayor Palmer asked Council for their agreement, and all affirmed yes.</p>
7.5	<p>DEQ Wastewater Enforcement Action – Penalty Fine Payment Options (added agenda item approved by Council at start of meeting – staff report attached)</p> <p>Hanks thanked Council for the late addition of this agenda item as there was a due date to respond to DEQ about the payment options. Hanks summarized the options:</p> <ol style="list-style-type: none"> 1) Pay the \$6,000 fine in full 2) Continue appeal process to formal Administrative Hearing (City cannot contest amount of fine, only whether or not the violation occurred) 3) Pursue recommendation of DEQ staff and use the optional Supplemental Environmental Project program that allows 80% of the penalty to be spent on a local project that meets DEQ criteria. Remainder of fine (\$1,200) would be paid to DEQ directly. <p>Councilor Biedscheid provided context for the DEQ pre-penalty meeting that she and Hanks attended and recommended Council select option #3 and clarified that she preferred the project ultimately selected in the future by Council to not be specific to the wastewater treatment plant but rather a more broad environmentally beneficial project and suggested that Hanks could investigate and provide project options at a future date.</p> <p>Councilors Rigney and Newstead motion/second to select option #3 and direct staff to return to Council at a future meeting to provide project options for Council to consider for SEP submittal.</p> <p>Motion passes 5-0</p>

8. Reports from Councilors

None

9. City Manager Report

See Attached

10. Good of the Order

Rigney working with Hanks to coordinate a project with the School District to work at beaches, sports park to potentially incorporate into curriculum to connect classroom and outdoor experience.

Mayor Palmer reminded Council of Council rules regarding meeting absences and the need to notify in advance of scheduled absence.

11. Adjournment

Mayor Palmer adjourned the meeting at 7:18 pm

Minutes Approved by: _____

Ronald Palmer, Mayor

Attested by: _____

Dee Larez, City Recorder



Council Communication

Agenda Item	Resolution Authorizing Banking Signatures on Behalf of the City of Gold Hill		
From	Adam Hanks	Interim City Manager	
Contact	Adam.Hanks@cityofgoldhill.com	Date	April 18, 2023

SUMMARY

The current policy/procedure for the signature of checks for Accounts Payable requires two signatures from Council. The draft resolution formally alters that policy by authorizing specific appointed Council positions (Mayor and Council President) as well as the City Recorder, who by Charter also functions as the City Treasurer.

The result of this resolution should it be approved is formal authority and documentation to provide to the City's banking vendors of the positions authorized to sign when necessary for financial transactions of the City of Gold Hill.

PREVIOUS COUNCIL ACTION

N/A - Unknown

BACKGROUND AND ADDITIONAL INFORMATION

Chapter V of the Gold Hill Charter contains the powers and duties of Officers of the City of Gold Hill. Section 22 specifically assigns the function of City Treasurer to the City Recorder and furthermore states that all financial "orders of the Mayor or Council President" be countersigned by the Recorder.

The resolution is constructed to affirm the authority by position/title rather than individual name to aid administrative/operational efficiency. The signed resolution can be provided to banking institutions along with easily accessible backup documentation to connect a position/title with the current person acting in that position.

While reviewing the Charter for signing authority reference, it was identified that, while Council can (Chapter III, Section 10) and did create and appoint the Officer titled City Manager, there is no specific reference to the authority of that Officer position. Additionally, no reference to the City Manager position exists within Chapter Two – Administration, of the Gold Hill Municipal Code. For that reason, and for proper and legal separation of powers and internal controls, the City Manager is not listed in the banking signature resolution.

The creation of a section within Chapter Two of the Municipal Code for the powers, duties and responsibilities of the Appointed Officer position of City Manager should be developed, reviewed and approved by Council at some point in the future for clarity of all parties.

FISCAL IMPACTS

The approval of this resolution has no fiscal impact but does incrementally benefit administrative operations to some degree by only needing one elected official signature rather than two.

STAFF RECOMMENDATION

Staff recommends approval of this banking services authorized signatures resolution.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

1) I move to approve Resolution 23-R-3 titled “A Resolution Authorizing Signatures for Banking Services on Behalf of the City of Gold Hill”

REFERENCES & ATTACHMENTS

- 1) Draft Resolution 23-R-3
- 2) Gold Hill City Charter, Chapter V – Powers and Duties

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**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLD HILL,
OREGON, RESOLVES AS FOLLOWS:**

Mayor
Council President
City Recorder

SECTION 3. Any designated depository (“Bank”) of the City of Gold Hill is authorized and directed to honor and pay any checks, drafts, or other orders for payment of money withdrawing funds from any account of the City when bearing the signatures of the person listed in Section One of this resolution. The Bank is authorized and directed to honor and to charge the City for such checks, drafts, or other orders for the payment of money provided they resemble the signatures duly certified to and filed with the Bank by the City.

Ronald Palmer, Mayor

CHAPTER V

Powers and Duties of Officers

Section 20. Mayor. The mayor shall appoint the committees provided by the rules of the council. He shall sign all records of proceedings approved by the council. He shall have no veto power and shall sign all ordinances passed by the council within three days after their passage. After the council approves a bond of a city officer or a bond for a license, contract, or proposal, the mayor shall endorse the bond.

Section 21. Municipal Judge. The municipal judge shall be the judicial officer of the city. He shall hold within the city a court known as the municipal court for the city of Gold Hill, Jackson County, Oregon. The court shall be open for the transaction of judicial business at times specified by the council. All area within the city shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined and made punishable by ordinances of the city and of all actions brought to recover or enforce forfeiture or penalties defined or authorized by ordinances of the city. He shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city, to commit any such person to jail or admit him to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before him, to compel obedience to such subpoenas, to issued any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances of this charter, all proceedings in the municipal court for the violation of a city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Section 22. Recorder. The recorder shall serve ex officio as clerk of the council, attend all its meetings unless excused therefrom by the council, keep an accurate record of its proceedings, and sign all orders on the treasury. In the recorder's absence from a council meeting, the mayor shall appoint a clerk of the council pro tem who, while acting in that capacity, shall have all the authority and duties of the recorder. The recorder shall also perform the function of city treasurer and be custodian of the moneys and funds of the city. He shall receive and receipt for all moneys and funds belonging to the city and shall safely keep the same, paying out the same on order of the mayor, or president of the council when acting as mayor; all such

orders shall be countersigned by the recorder and attested with the city's seal of which the recorder is custodian.

CHAPTER VI

Elections

Section 23. Regular Elections. Regular city elections shall be held at the same times and places as biennial general state elections, in accordance with applicable state election laws.



Council Communication

Agenda Item	Resolution Referring Annexation into Rogue Valley Sewer Services Special District		
From	Adam Hanks	Interim City Manager	
Contact	Adam.hanks@cityofgoldhill.com	Date	April 18, 2023

SUMMARY

The attached draft resolution constitutes the first formal step in requesting an election and community vote to annex the Gold Hill city limits into the Rogue Valley Sewer Services (RVSS) special district. If approved, the RVSS Board of Directors must also approve a resolution at its May 17th meeting and both resolutions are then submitted to the Jackson County Clerk to be eligible to conduct a special election on August 22, 2023.

Also provided as attachments are two documents that will need to be formally reviewed and approved at the May 2nd Council meeting should this initial resolution be approved. The draft annexation agreement and draft franchise agreement are attached to assist in understanding how the transition of the wastewater assets, funds and billing data would occur and how the long term relationship between the City and RVSS will be structured. No action will be taken on these documents until the May 2nd meeting.

PREVIOUS COUNCIL ACTION

Numerous prior Council discussion/deliberation and decisions regarding future wastewater plant, most significantly deciding on September 19, 2022 to move forward with a replacement plant rather than a pipeline connection to the RVSS system and October 3, 2022 to select a conventional activated sludge (CAS) type treatment plant.

At its March 21, 2023 meeting, initial financing package options for the construction of a new CAS treatment plant were presented as well as responses from the Request for Proposals/Qualifications to operate and manage the existing plant. At that meeting, Council directed staff to investigate whether or not the annexation to connect to the RVSS regional collections system remained a viable and feasible option and, if so, what the process and structure would need to be followed to pursue that option.

BACKGROUND AND ADDITIONAL INFORMATION

Process/Timeline

As noted by the dates/timeline in the summary above, the window of opportunity to take affirmative action to annex into the RVSS service district is tight, with a number of important process steps needing to be accomplished within the four months between this meeting (April 18, 2023) and the special election on August 22, 2023. The steps are as follows:

- 1) Council approval of the initial referring resolution **April 18th** for inclusion in the **May 17th** RVSS Board Meeting packet
- 2) Council approval of Annexation Agreement between Gold Hill and RVSS at its **May 2nd** meeting
- 3) Council approval of Franchise Agreement between Gold Hill and RVSS at its **May 2nd** meeting

- 4) RVSS Board approval a similar referring resolution on **May 17th**
- 5) Submit both resolutions to Jackson County Clerk and file SEL 805 Request for Ballot Title by **June 3rd**
- 6) Submit SEL 802 Notice of Measure Election and Explanatory Statement to Jackson County Clerk by **June 23rd**
- 7) Special election on **August 22nd** (mail in ballot due date)
- 8) Jackson County Clerk certifies election results (**Sept**)
- 9) Jackson County Commissioners issue order certifying RVSS District boundary change (**Sept/Oct**)
- 10) Transfer of assets, funds and billing data within 45 or 90 days (**Oct/Nov**) of boundary change certification (see annexation agreement for details)

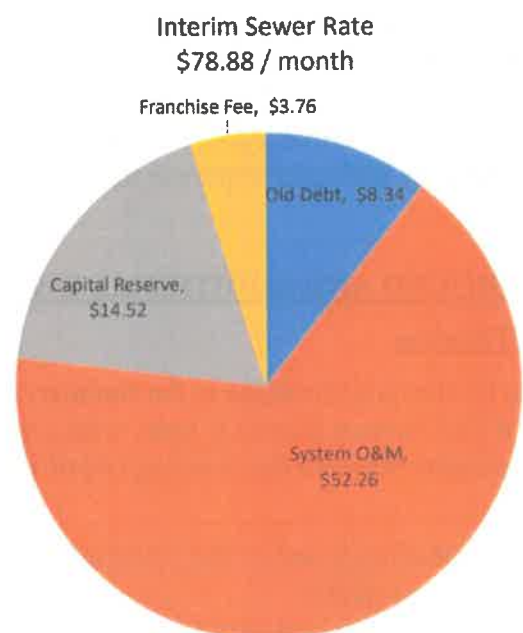
At the completion of the transfer of assets, RVSS becomes the owner and service provider of wastewater collections for all residents within the City of Gold Hill and incorporates the collected materials into their treatment agreement with the City of Medford wastewater treatment plant.

Rates

The current sewer rates for customers incorporate two primary costs. One is for regular operations and maintenance relating to the wastewater treatment plant and collections system that is currently contracted to RVSS for \$360,000 annually. The second is for existing debt service relating to prior infrastructure investments in the plant and collections system totaling just under \$60,000 for a total annual cost of \$420,000.

To meet existing operating and debt expenses, the sewer rates require a rate adjustment to begin the fiscal year (July 1). Staff suggests utilizing the rate methodology and charges in July that are consistent with the rate methodology and charges that will ultimately be implemented at the completion of the transfer of assets with either the November or possibly December RVSS billing cycle. This results in a rate increase from the current residential rate of \$60.64 to \$78.88, an increase of \$18.24 per month (30%). As noted in the draft annexation agreement, this rate will then be locked in until the completion of the pipeline where the rate will then incorporate the new debt service for the construction of the pipeline connecting Gold Hill to the regional system.

Interim Sewer Rate	
System Op & Mgmt	\$ 52.26
Existing Debt	\$ 8.34
Capital Reserve	\$ 14.52
Franchise Fee	\$ 3.76
	<u>\$ 78.88</u>



Pipeline Project

With acknowledgment of prior Council and community dialogue regarding the pipeline project that is the key component to the annexation to the regional system, the following provide some initial concepts and expectations on the development of the project:

- RVSS will manage the project and carry the debt service and incorporate the new debt service into the Gold Hill customer base rates.
- The pipeline is expected to be constructed within the existing Blackwell Rd right of way and not require the granting of easements from private property owners
- Project pre-design and environmental review is an early step in the design/build process and will commence upon securing a financing package. It is likely that the financing/funding options will be similar in structure to the initial financing options for the new wastewater treatment plant project that was presented to Council in its March 21, 2023 meeting with adjustments being made for project costs, anticipated useful life and other pertinent differences between the pipeline and a new plant.
- At the time of pre-design, it will be determined whether the system will require more than the single pump at the current wastewater treatment plant.
- It is anticipated that the current treatment plant will be able to be utilized as a beneficial auxiliary component to the new pipeline project

FISCAL IMPACTS

The fiscal impacts of this decision are significant and not able to be fully described in detail at this time. There are two primary categories of impact. One is to the City budget as the owner and operator of the wastewater system and the other is to the customers (residents and businesses) of Gold Hill as the ratepayers.

City Budget

What will occur over a period of 6-8 months is the elimination of the wastewater fund (fund 35) in the City's annual budget and financials, reducing the overall City budget and making general City administration and operations incrementally more efficient. Conversely, the portion of administrative overhead costs that were assigned to the wastewater fund will now be allocated over one fewer enterprise fund.

The annexation process does result in the creation of an additional franchise fee for the City's general fund. A franchise fee is typically a percentage of the gross revenue from the revenues of other public or private service providers using the City's rights of way to provide their services. Current franchise fees are collected from natural gas, electric, trash/recycling and communications providers and, when combined, are the second largest revenue stream for the general fund (property taxes are largest). The proposed 5% franchise fee is industry standard and will support general administrative operations of the City.

Customers/Ratepayers

As noted in prior meetings, the current regulatory status of the current plant and collections system mandates a significant investment to achieve compliance whether the solution is the pipeline or a new treatment plant (and eventually additional improvements for the collections system and the outfall for treated water from the plant to the river. The result of these investments is equally significant rate increases because of both the cost for the infrastructure and the relatively small user base that must bear the cost burden of the increased rates.

There are no scenarios where significant rate increases can be avoided. Current rates were not supporting the full cost of operations and maintenance of the wastewater system, nor were they capturing the necessary capital reserves for standard and regular infrastructure improvements, not including the mandated new plant/pipeline decision facing Council currently.

STAFF RECOMMENDATION

Staff is acutely aware of the significance and challenge in making this long term decision that impacts both current and future residents of Gold Hill. As noted in prior meetings and discussions, there are several key considerations that favor the annexation and regionalization of the local wastewater system.

- 1) Wastewater collections and treatment require expensive infrastructure that have high levels of maintenance and monitoring that are also costly and scarce in terms of available, certified workforce
- 2) Wastewater systems have high levels of risk and potential liability due to the potential environmental and human impacts if issues occur
- 3) Wastewater systems, because of this risk and liability, are highly regulated by state and federal laws, rules and oversight and these regulations continue to rise in scope and scale.
- 4) Small communities like Gold Hill are inherently challenged in the ability to afford to maintain, operate and replace their wastewater systems because of the small customer base. Rates are the only means of revenue for operations and maintenance and are also the predominant means of revenue for the continual capital expense that wastewater systems require. Dividing a relatively high overall cost by a small customer base results in very high rates. The ability to eventually regionalize the costs associated with wastewater collections and treatment results in moderation/stabilization of rates over the long term due to the much larger customer base of the RVSS service district.

With this in mind, staff recommends that Council look to the future and initiate the steps required to put the issue of annexation and regionalization of the City's wastewater system to the voters of Gold Hill.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

- 1) I move to approve Resolution 23-R-4, titled " A Resolution referring the annexation of the Gold Hill wastewater collections and treatment system into the Rogue Valley Sewer Services District to the registered voters of the City of Gold Hill"
- 2) I move to not approve Resolution 23-R-4 and direct staff to continue to work to secure the necessary financing for the construction of a new wastewater treatment plant.

REFERENCES & ATTACHMENTS

- 1) Draft Resolution 23-R-4
- 2) Draft Annexation Agreement
- 3) Draft Franchise Agreement
- 4) RVSS Info Sheet

RESOLUTION NO. 23-R-4

A RESOLUTION REFFERING THE ANNEXATION OF THE GOLD HILL WASTEWATER COLLECTIONS AND TREATMENT SYSTEM INTO THE ROGUE VALLEY SEWER SERVICES DISTRICT TO THE REGISTERED VOTERS OF THE CITY OF GOLD HILL

Whereas, the the Council understands the urgent regulatory mandate to meet its regulatory obligations in the collection and treatment of wastewater; and

Whereas, Council has determined that it is both financially and operationally beneficial to the community and municipality to pursue a connection to the regional system and cease the independent management and operation of a stand-alone wastewater treatment plant and collections system; and

Whereas, the decision to connect to the regional wastewater collections and treatment system requires a vote of the residents of Gold Hill to annex into the Rogue Valley Sewer Service Special District

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLD HILL,
OREGON, RESOLVES AS FOLLOWS:**

SECTION 1. Council approves a referral of annexation of the City of Gold Hill into the Rogue Valley Sewer Services Special District and directs the City Manager to propose and request that Rogue Valley Sewer Services support a call for an election to annex the City of Gold Hill into its District on the August 22, 2023 Special Election date

SECTION 2. All prior authorizations and directions to the City Manager regarding the construction of a replacement wastewater treatment plant are hereby superseded.

SECTION 3. This resolution is effective upon adoption.

ADOPTED by the City Council this _____ day of April, 2023.

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ATTEST:

Darlene (Dee) Giana-Larez, City Recorder

SIGNED and APPROVED this _____ day of _____, 2023.

Ronald Palmer, Mayor

ANNEXATION AGREEMENT

This agreement is made and entered this, [DATE] 2023 by and between the following entities:

City of Gold Hill

Rogue Valley Sewer Services

PO Box 308

138 West Vilas Road

Gold Hill, OR 97525

Central Point, OR 97502

City of Gold Hill is hereinafter referred to as "Gold Hill"

Rogue Valley Sewer Services is hereinafter referred to as "RVSS"

RECITALS

1. Gold Hill and the Department of Environmental Quality entered into a Mutual Agreement and Order (MAO) in 2013 requiring Gold Hill to address various deficiencies in the sewer collection and treatment systems.
2. One of the final remaining requirements to be addressed is the disposition of the sewer treatment plant. The options for meeting this requirement include rebuilding the existing plant or abandoning the plant in favor of a connection to the regional sewer system operated by RVSS and the City of Medford.
3. Gold Hill and RVSS entered into a temporary Operation and Maintenance Agreement on February 6, 2017. Under the terms of that agreement RVSS would operate the Gold Hill Sewer Treatment Plant and Collection System on a month-to-month basis until a long-term agreement was made.

- 1 4. Gold Hill and RVSS entered into a five-year Operation and Maintenance
2 Agreement on July 1, 2017.
- 3 5. Gold Hill and RVSS entered a one year extension of the previous Operation and
4 Maintenance Agreement on July 1, 2022. . This agreement included the
5 following provisions:
- 6 *a. Both parties agree that extension of this operating agreement beyond June*
7 *30 2023 will be contingent upon an agreement for Gold Hill to annex into*
8 *RVSS.*
- 9 *b. Prior to any extension of this agreement, both parties will adopt an*
10 *annexation resolution in accordance with ORS 198.866.*
- 11 The Operation and Maintenance Agreement and any amendments including
12 extensions thereto is hereafter referred to as “OMA”.
- 13 6. In September 2022 Gold Hill made the decision to rebuild the sewer treatment
14 plant and no seek annexation into RVSS
- 15 7. In October 2022 RVSS notified Gold Hill that it would terminate the OMA
16 effective March 31, 2023. This termination date would allow a 90-day transition
17 period to turn over operations to a new operator.
- 18 8. Gold Hill subsequently determined that it is in the best interests of the City to
19 annex into RVSS and has called for an annexation vote. RVSS has agreed to the
20 call for an annexation vote. The annexation vote is scheduled for August 22,
21 2023.
- 22 9. Gold Hill and RVSS are desirous to establish a framework for the transition to
23 · RVSS control of the sewer infrastructure and continued operations in Gold Hill.

1 NOW, THEREFORE, in consideration of the mutual promises and covenants
2 herein contained, it is mutually agreed as follows:

3
4 **1. CONTINUATION OF SERVICE:**

5 a. RVSS will continue to operate and maintain the sanitary sewer system in
6 Gold Hill under the same terms and conditions as outlined in the OMA until
7 the Jackson County Board of Commissioners issues an order confirming
8 Gold Hill's annexation (Board Order) into RVSS or November 1, 2023,
9 whichever is sooner.

10 i. Gold Hill will continue to pay RVSS for this service at a rate of
11 \$30,000 per month in accordance with the terms of the OMA.

12 b. RVSS will provide the same level of service to Gold Hill customers as it does
13 to other customers within RVSS.

14 c. If voters reject the annexation RVSS will cease all operations in Gold Hill on
15 October 31, 2023, and other than reconciling any monetary balances due
16 from City to District at such time, all other provisions of this agreement will
17 be null, void, and of no further force or effect.

18 **2. TRANSFER OF ASSETS:**

19 a. Upon issuance of the Board Order, RVSS will assume full operational
20 control of all sanitary sewer assets, including but not limited to sewer pipes,
21 manholes, treatment plant along with ownership of all associated tools and
22 equipment stored at the treatment plant and used for Gold Hill sewer
23 operation and maintenance.

- 1 b. No later than 45 days after issuance of the Board Order, Gold Hill will
2 transfer the title to the real property located at 2177 Second Avenue (Sewer
3 treatment plant) to RVSS by statutory warranty deed, free of all liens and
4 encumbrances of record.
- 5 c. No later than 45 days after issuance of the Board Order, Gold Hill will
6 transfer the title free of all liens and encumbrances to the 1998 Ford tanker
7 truck (VIN 1FDXF80C1WVA31920) to RVSS.
- 8 d. No later than 90 days after issuance of the Board Order, Gold Hill will
9 transfer all remaining funds in its Sewer Fund (35), Sewer Reserve Fund
10 (67), Collection System Rehab Loan Fund (68), Collection System Rehab
11 Bond Fund (69), and its SDC Wastewater Fund (82), except that Gold Hill
12 may retain an amount sufficient to meet loan reserve requirements.

13 3. **SEWER SERVICE BILLING:**

- 14 a. Gold Hill will provide all sewer billing and account records to RVSS
15 immediately following the citizen vote to approve annexation.
- 16 b. Gold Hill will continue to bill for sewer service through the end of the month
17 in which the Board Order is issued.
- 18 c. RVSS will begin billing for sewer service for the first full month following
19 issuance of the Board Order.
- 20 d. RVSS will maintain the a monthly sewer rate of \$78.88 for a single family
21 residence for two years, or until debt service payments for the planned
22 regional connection hereinafter described are due, whichever is sooner.
- 23 e. Multi-family residences and non-residential uses will be reclassified in
24 accordance with RVSS' sewer user classifications.

1 f. Upon completion of the pipeline connection to the Regional sewer system,
2 sewer bills in Gold Hill will consist of two parts, a base rate and debt service
3 rate as set forth below:

4 i. The sewer base rate will be set by RVSS and will cover all costs
5 associated with the operation and maintenance of the sanitary
6 sewer system, including any needed collection system
7 improvements and treatment charges paid to the City of Medford.
8 The base rate will be the same as all other RVSS customers that
9 are connected to the Regional Water Reclamation Facility.

10 ii. The debt service rate will be set by RVSS and will cover the cost
11 of servicing Gold Hill's sewer related debt. This includes both the
12 existing debt and future debt taken to construct the pipeline to
13 connect Gold Hill's sewer system to the Regional Water
14 Reclamation Facility.

15 g. Gold Hill will forward to RVSS true and accurate monthly water meter
16 readings to be used in calculating sewer bills for non-residential users.

17 **4. SYSTEM DEVELOPMENT CHARGES:**

18 a. RVSS will use Gold Hill's current methodology for assessing system
19 development charges until RVSS adopts a new SDC methodology applicable
20 to Gold Hill.

21 b. Prior to completion of the regional connection, Gold Hill will pay SDCs to
22 the regional sewer system at the rates in effect at the time. SDCs will be
23 assessed using the Large Wet Industrial methodology using flow and waste

1 strength projections identified in the Gold Hill Facilities Plan completed in
2 November 2019.

3 **5. DEBT SERVICE:**

4 a. Upon issuance of the Board Order for annexation, RVSS will establish a
5 Gold Hill Debt Service fund which will be kept separate from all other
6 operating funds.

7 b. This fund will be capitalized from the following sources:

8 i. All funds transferred to RVSS from Gold Hill outlined in Section
9 2.d. above.

10 ii. Sewer revenue collected from Gold Hill accounts in excess of
11 \$30,000 per month, prior to completion of the pipeline connection
12 to the to the Regional Water Reclamation Facility.

13 iii. Sewer revenue collected from Gold Hill accounts specifically for
14 debt service under section 3.f.ii above.

15 c. This fund will be used to make debt service payments for the following

16 i. Existing debt [need to identify]

17 ii. Future debt incurred for the construction of the pipeline connection
18 to the Regional Water Reclamation Facility.

19 iii. SDC payments to RVSS and the City of Medford for the
20 connection to the regional sewer system.

21 **6. COMPLIANCE WITH MAO:**

22 a. Upon issuance of the Board Order, RVSS will assume responsibility for
23 compliance with the remaining items in the MAO. These items include the

1 design and construction of a regional pipeline connection to the Regional
2 Water Reclamation Facility. (MAO 8.A.(13 through 17)).

3 b. RVSS intends to meet these conditions by abandoning the existing treatment
4 plant and constructing a pump station and pipeline to connect to the to the
5 Regional Water Reclamation Facility.

6 c. Gold Hill will be solely responsible for any and all penalties for violations of
7 the MAO that occur prior to issuance of the Board Order.

8 **7. Project Financing**

9 a. RVSS will act as the lead agency in obtaining financing for the design and
10 construction of the regional pipeline connection.

11
12 **8. AGREEMENT DESCRIPTION AND ACKNOWLEDGMENT.**

13 This agreement consists of 9 pages, inclusive. There are no understandings, agreements,
14 or representations, oral or written, regarding this contract, except as specified or
15 reference herein. RVSS, by the signature of its authorized representative, hereby
16 acknowledges that it has read this contract, understands it, and agrees to be bound by its
17 terms and conditions.

18 DATED this _____ day of _____, 2023
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CITY OF GOLD HILL

Attest

By: _____ By: _____

Its _____ Its _____

STATE OF OREGON)

) ss

County of Jackson)

On this _____ day of _____, 2022, before me personally appeared

_____ ,

and _____ ,

of the City of Gold Hill, and acknowledged the foregoing instrument to be the voluntary

act and deed of the City of Gold Hill, Oregon

Notary Public for Oregon

My Commission Expires: _____

1 ROGUE VALLEY SEWER SERVICES

2 Countersigned

3 By: _____ By: _____

4 Kay Harrison, Chair Carl Tappert, Manager

5 Board of Directors

6

7 On this ____ day of _____, 20227, before me personally appeared

8 Kay Harrison, Chair of the Board, and Carl Tappert, Manager of the Rogue Valley Sewer

9 Services and acknowledged the foregoing instrument to be the voluntary act and deed of

10 the Rogue Valley Sewer Services.

11

Notary Public for Oregon

12

13

My Commission Expires: _____

14

**Sewer District Franchise Agreement
Between the City of Gold Hill and RVSS**

This Utility Franchise Agreement (the “Franchise” or “Agreement”) is entered into between the City of Gold Hill (the “City”) and Rogue Valley Sewer Services (RVSS)

SECTION 1. Grant of Non-exclusive Franchise and General Utility Easement. The City hereby grants a non-exclusive franchise to, and gives consent and privilege to, RVSS to lay sewers and drains and related facilities in, on or under any public street, highway, road or utility easement in the City, and for this purpose enter upon it and make all necessary and proper excavations, restoring it to its proper condition, including and together with the right to maintain, operate, construct, reconstruct, upgrade and relocate such sewer lines and drains and related facilities (collectively “Sewer Facilities”) for the purpose of supplying sewer service to the inhabitants of the City and persons, entities, and properties beyond the territorial limits thereof.

SECTION 2. Term. The term of this Franchise and General Utility Easement shall begin on the effective date of the Jackson County Board of Commissioners Order for the annexation of Gold Hill into RVSS and shall continue so long as City remains a part of the jurisdictional boundaries of RVSS.

This Franchise and General Utility Easement shall expire on June 30, 2043.

SECTION 3. Non-exclusive Franchise. The city reserves the right to use the Public Ways for itself or any other entity that provides services to City residences or businesses; and to grant other or further franchises in, along, over, through, under, below or across any of its public rights-of-way. This franchise shall in no way prevent or prohibit the City from using any of its public rights-of-way or other public properties or affect its jurisdiction over them or any part of them, and the City shall retain power to make all necessary changes, relocations, repairs, maintenance, establishment, improvement and dedication of same, including the dedication, establishment, maintenance and improvement of all new rights-of-way, thoroughfares, and other public properties of every type and description, provided, however, that such use or exercise of jurisdiction shall not unreasonably interfere with RVSS’s Sewer Facilities or RVSS’s rights granted herein.

SECTION 4. City Regulatory Authority. In addition to the provisions herein contained, the City reserves the right to adopt such additional reasonable ordinances and regulations as may be deemed necessary in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties or the exercise any other rights, power, or duties required or authorized, under the Constitution of the State of Oregon, the laws of Oregon or City Ordinances, so long as such do not unreasonably interfere with RVSS activities and privileges granted herein.

SECTION 5. Indemnification. The City shall in no way be liable or responsible for any loss or damage to property or any injury to, or death, of any person that may occur in the

construction, operation or maintenance by RVSS of its Sewer Facilities. RVSS shall indemnify, defend and hold the City harmless from and against claims, demands, liens and all liability or damage of whatsoever kind on account of RVSS's use of the Public Ways within the City, and shall pay the costs of defense plus reasonable attorney's fees for any claim, demand or lien brought hereunder. The City shall: (a) give prompt written notice to RVSS of any claim, demand or lien with respect to which the City seeks indemnification hereunder; and (b) unless in the City's judgment a conflict of interest exists between the City and RVSS with respect to such claim, demand or lien, permit RVSS to assume the defense of such claim, demand, or lien with counsel satisfactory to City. If such defense is not assumed by RVSS, RVSS shall not be subject to liability for any settlement made without its consent. Notwithstanding any provision to the contrary herein, RVSS shall not be obligated to indemnify, defend, or hold the City harmless to the extent any claim, demand or lien arises out of or in connection with any negligent or willful act or failure to act of the City or any of its officers or employees.

SECTION 6. Annexation.

6.1 Extension of City Limits. Upon the annexation of any territory to the City, the rights granted herein shall extend to such annexed territory. All Sewer Facilities owned, maintained, or operated by RVSS located within any public ways of the annexed territory shall thereafter be subject to all of the terms hereof.

6.2 Annexation. When any territory is approved for annexation to the City, the City shall, not later than ten (10) working days after passage of an ordinance approving the proposed annexation, provide by certified mail to RVSS: (a) each site address to be annexed as recorded on county assessment and tax rolls; (b) a legal description of the proposed boundary change; and (c) a copy of the City's ordinance approving the proposed annexation. The notice shall be mailed to:

Rogue Valley Sewer Services
PO Box 3130
Central Point, OR 97502

SECTION 7. Planning, Design, Construction and Installation and Maintenance of Sewer Facilities.

7.1 All Sewer Facilities installed or used under authority of this Franchise shall be used, constructed and maintained in accordance with applicable federal, state and city laws, codes and regulations, subject to preexisting nonconformities.

7.2 Except in the case of an emergency, RVSS shall, prior to commencing new construction or major reconstruction work in the public way or street or other public places, apply for a permit from the City, which permit shall not be unreasonably withheld, conditioned, or delayed. The City shall not assess any fees related to the issuance of the permit. RVSS will

abide by all applicable ordinances and all reasonable rules, regulations and requirements of the City, and the City may inspect the manner of such work and require remedies as may be necessary to assure compliance. Notwithstanding the foregoing, RVSS shall not be obligated to obtain a permit prior to performing emergency repairs. In the event of an emergency, RVSS shall obtain a permit as soon as practical after the start of the work.

7.3 To the extent practicable, all Sewer Facilities shall be located so as to cause minimum interference with the Public Ways of the City. All Sewer Facilities shall be constructed, installed, maintained, renovated or replaced in accordance with applicable rules, ordinances and regulations of the City.

7.4 If, during the course of work on its Sewer Facilities, RVSS causes damage to or alters the Public Way or public property, RVSS shall (at its own cost and expense and in a manner approved by the City) replace and restore it to a condition comparable to that which existed before work commenced.

7.5 RVSS shall have access water from City fire hydrants for use in sewer cleaning operations. RVSS will account for all water taken on a monthly basis and pay the City its normal rate for bulk water.

7.5 Before commencing any street improvements or other work within a Public Way that may affect RVSS's Sewer Facilities, the City shall give written notice to RVSS.

7.6 No structures, buildings, signs, or other fixed in place structures or improvements shall be erected over RVSS's facilities or in a location that inhibits reasonable access to its facilities.

7.7 RVSS shall maintain as-built and electronic maps of newly installed or recently upgraded facilities. As-built information shall be provided to the City upon request.

SECTION 8. Relocation of Sewer Facilities.

8.1 The City reserves the right to require RVSS to relocate Sewer Facilities within the Public Ways at City's sole expense in the interest of public convenience, necessity, health, safety, or general welfare.

8.2 As the construction and reconstruction of public sewers is of primary interest to the health, safety, and welfare of the public, the City, to the extent that it has the authority, will request public utilities defined under ORS 757.005 to relocate their facilities to accommodate public sewer construction and reconstruction.

8.3 RVSS shall not be obligated to pay the cost of any relocation that is required or made a condition of a private development.

SECTION 9. Subdivision Plat Notification. The City shall require that subdivision plats include an approval line for RVSS; and on other land divisions or development applications require an approval (with conditions) from RVSS as a condition to any sewer service being available to or provided to such development prior to issuing any such land division or development approval. Before the City approves any new subdivision and before recordation of the plat, the City shall mail notification of such approval and a copy of the plat to RVSS:

Rogue Valley Sewer Services
PO Box 3130
Central Point, OR 97502

SECTION 10. Vegetation Management. RVSS or its contractor may prune all trees and vegetation which overhang the Public Ways, whether such trees or vegetation originate within or outside the Public Ways, to prevent the branches or limbs or other part of such trees or vegetation from interfering with RVSS's Sewer Facilities. Such pruning shall comply with the *American National Standard for Tree Care Operation (ANSI A300 and the City of Central Point Tree Plan)* and be conducted under the direction of an arborist certified with the International Society of Arboriculture. A growth inhibitor treatment may be used for trees and vegetation species that are fast-growing and problematic. Nothing contained in this Section shall prevent RVSS, when necessary and with the approval of the owner of the property on which they may be located, from cutting down and removing any trees which overhang streets.

SECTION 11. Compensation.

11.1 In consideration of the rights, privileges, and franchise hereby granted, RVSS shall pay to the City from and after the effective date of the acceptance of this franchise, five percent (5%) of its gross revenues derived from within the corporate limits of City. The term "gross revenue" as used herein shall be construed to mean any revenue of RVSS derived from the retail sale and use of sewer service within the municipal boundaries of the City after adjustment for the net write-off of uncollectible accounts and corrections of bills theretofore rendered. All amounts paid under this Section 11 shall be subject to review by the City; provided that only payments which occurred during a period of thirty-six (36) months prior to the date the City notifies RVSS of its intent to conduct a review shall be subject to such review.

11.2 The franchise fee shall not be in addition to any other license, occupation, franchise or excise taxes or charges which might otherwise be levied or collected by the City from RVSS with respect to RVSS's sewer business or the exercise of this franchise within the corporate limits of the City and the amount due to the City under any such other license, occupation, franchise or excise taxes or other charges for corresponding periods shall be reduced by deducting those charges from the amount of said franchise fee paid hereunder.

11.3. Renewal. At least 120 days prior to the expiration of this Franchise, RVSS and the City shall agree to either extend the term of this Franchise for a mutually acceptable period of time

or the parties shall use best faith efforts to renegotiate a replacement Franchise. In no event shall the franchise fee on renewal ever exceed 5% of RVSS's gross revenues referenced above. RVSS shall under all circumstances have the continued right to use the Public Way of the City as set forth in the City's Utility License Fee Ordinance in the event an extension or replacement Franchise is not entered into upon expiration of this Franchise.

11.4. No Waiver. Neither the City nor RVSS shall be excused from complying with any of the terms and conditions of this Franchise by any failure of the other, or any of its officers, employees, or agents, upon any one or more occasions to insist upon or to seek compliance with any such terms and conditions.

11.5. Transfer of Franchise. RVSS shall not transfer or assign any rights under this Franchise to another entity, except transfers and assignments by operation of law, unless the City shall first give its approval in writing, which approval shall not be unreasonably withheld; provided, however, inclusion of this Franchise as property subject to the lien of RVSS's secured indebtedness shall not constitute a transfer or assignment.

11.6. Amendment. At any time during the term of this Franchise, the City, through its City Council, or RVSS may propose amendments to this Franchise by giving thirty (30) days written notice to the other of the proposed amendment(s) desired, and both parties, thereafter, through their designated representatives, will, within a reasonable time, negotiate in good faith in an effort to agree upon mutually satisfactory amendments(s). No amendment or amendments to this Franchise shall be effective until mutually agreed upon by the City and RVSS and formally adopted as an ordinance amendment.

11.7. Non-Contestability—Breach of Contract.

Neither the City nor RVSS will take any action for the purpose of securing modification of this Franchise in any Court of competent jurisdiction; provided, however, that neither shall be precluded from taking any action it deems necessary to resolve difference in interpretation of the Franchise nor shall RVSS be precluded from seeking relief from the Courts in the event the legislature makes performance under the Franchise illegal.

In the event RVSS or the City fails to fulfill any of their respective obligations under this Franchise, the City, or RVSS, whichever the case may be, will have a breach of contract claim and remedy against the other in addition to any other remedy provided by law, provided that no remedy which would have the effect of amending the specific provisions of this Franchise shall become effective without such action which would be necessary to formally amend the Franchise.

11.8Notices. Unless otherwise specified herein, all notices from RVSS to the City pursuant to or concerning this Franchise shall be delivered to the City Recorder's Office. Unless otherwise specified herein, all notices from the City to RVSS pursuant to or concerning this Franchise shall

be delivered to the _General Manager, and such other office as RVSS may advise the City of by written notice.

11.9. Severability. If any section, sentence, paragraph, term or provision hereof is for any reason determined to be illegal, invalid, or superseded by other lawful authority including any state or federal regulatory authority having jurisdiction thereof or unconstitutional, illegal or invalid by any court of common jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision hereof, all of which will remain in full force and effect for the term of the Franchise or any renewal or renewals thereof.

11.20. Invoices. RVSS shall be entitled to include a line item on all customer invoices showing the amount of franchise fee imposed.

DATED this _____ day of _____, 2023

Rogue Valley Sewer Services

City of Gold Hill

By: _____ By: _____

Title _____ Title _____

Who is Rogue Valley Sewer Services?

Rogue Valley Sewer Services (RVSS) is a Special District. Special Districts in Oregon are a form of local government with limited authority. In our case, our authority is limited to managing sewer and stormwater systems.

RVSS is governed by a five member elected Board of Directors. Directors are elected to four year terms. As a public agency, RVSS is governed by the same public records, public meetings, and budget laws as the City of Shady Cove.

Our History:

- RVSS was formed in 1966 under the provisions of ORS 450.705 to 450.980.
- Originally known as Bear Creek Valley Sanitary Authority, our first project was to construct an interceptor system that would connect the cities of Talent, Phoenix, Medford, and Central Point to a regional wastewater treatment facility.
- After the completion of the interceptor in the early 1970's RVSS began to extend service into unincorporated areas of Jackson County to address health hazards caused by failing septic systems.
- Talent voted to be part of RVSS in 1966 when RVSS was formed.
- **White City Sanitary District** approved annexation into RVSS in 1985.
- **Eagle Point** voters approved an annexation into RVSS in 1998.
- **Central Point** voters approved an annexation into RVSS in 2000.
- **Jacksonville** voters approved an annexation into RVSS in 2005.
- **Phoenix** voters approved an annexation into RVSS in 2006.
- **Shady Cove:** RVSS has operated the Shady Cove sewer system under contract since 2011.
- **Gold Hill:** RVSS has operated the Gold Hill sewer system since 2017.

Today, RVSS has a staff of 36 employees who operate over 400 miles of sewer collection system pipe, 30 sewer pump stations, and three treatment facilities (Shady Cove, Gold Hill, and White City Lagoons). In addition we manage the stormwater quality permit for the cities of Phoenix, Talent, Central Point, and Jackson County.

Our staff includes:

- Two licensed engineers
- A licensed wetland scientist
- Five licensed plumbing inspectors.
- One Treatment Level 4 certified employee
- Four Treatment Level 2 certified employees
- Six Collections Level 4 certified employees
- Two Collections Level 3 certified employees
- Four Collections Level 2 certified employees

Our expertise, experience, and efficiency allow us to maintain very high performance standards for the infrastructure while having one of the lowest monthly user rates in the state.

Typical Single Family Residential Monthly Sewer Rate

- | | |
|-------------------------|---------|
| • RVSS | \$20.50 |
| • Medford | \$21.60 |
| • Ashland | \$43.51 |
| • Shady Cove (Current) | \$46.00 |
| • Shady Cove (Proposed) | \$44.00 |
| • State-wide Average | \$49.51 |



Council Communication

Agenda Item	Gold Hill Logo Update		
From	Adam Hanks	Interim City Manager	
Contact	Adam.hanks@cityofgoldhill.com	Date	April 18, 2023

SUMMARY

Staff has developed an updated logo and is requesting Council review, discussion and approval of the draft logo. Should Council approve, the new logo would replace the two or three existing logo versions that exist on various City equipment, electronic communications tools, forms, templates, etc.

PREVIOUS COUNCIL ACTION

N/A – Unknown

BACKGROUND AND ADDITIONAL INFORMATION

The City of Gold Hill has several different logos that are utilized on different documents, communication tools, signage, vehicles, etc. Over the past several months while updating and modernizing a number of forms, templates and systems, I enlisted the assistance of a graphic designer I had worked with on several other logo/branding efforts and asked them to update the logo that seemed to be the most current and widely used (on this document).

The objective is to convey a professional, clean, memorable graphic that identifies the organization and represents the community that the organization serves and supports.

The key components of the prior logo were maintained, but were modernized and stylized to reflect the current and forward thinking of the organization and community.

FISCAL IMPACTS

The initial draft logo design work is less than \$500. Should Council approve the logo design, final high resolution files will be created with a variety of file types for our future needs. Digital replacement of the old logo will have virtually no cost. Pre printed materials with the older logo's will continue to be utilized and any new orders for replacement stock will use the new logo. The two newest vehicles currently have no logo and the new logo will be placed on both the F150 and the Colorado in conjunction with an updated equipment identification system that will be implemented for all equipment in the City's inventory.

The total cost for updating the logo across all systems over time should not exceed \$1,000 with these funds recommended to come from the MRMPO funds already assigned to vehicle replacement as we have been able to realize considerable savings with shrewd purchasing decisions.

STAFF RECOMMENDATION

Staff recommends Council approval of the new logo.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

- 1) I move to approve the new logo and authorize its utilization throughout the City replacing the prior logos as feasible and practical.

2) I move to maintain the existing logos currently in place.

REFERENCES & ATTACHMENTS





City Manager's Report

March 7, 2023

1. Upcoming Meetings/Projects – Council Look Ahead

Attached is the most recently updated Look Ahead document for Council review. The primary meeting focus in addition to the regular Council business and study session meetings are the meetings associated with the Municipal Code Update Project and the Budget Process.

2. Natural Hazards Mitigation Plan

Jackson County Emergency Management is leading a process to update and renew the existing Natural Hazards Mitigation Plan (NHMP) document. This is a framework that guides decision-making and policy development for the reduction or elimination of risk resulting from natural disasters such as earthquake, flood, wildfire, winter storm events, etc.

The NHMP update will address natural hazards impacts in unincorporated areas of Jackson County as well as nine incorporated cities. Gold Hill has not previously been among those incorporated cities to participate and have its own specific addendum within the plan. Participating and being included in the NHMP makes Gold Hill eligible for grants to reduce/mitigate its own local vulnerabilities as well as be eligible for reimbursements from state and federal agencies should a natural disaster occur.

More information will be provided to Council as the Gold Hill addendum document is developed and submitted to Jackson County in the next 30-60 days.

3. Oregon Health Authority (OHA) – Water System Survey Update

As reported in a prior City Manager Report, the City's water system is regulated by OHA who conduct physical assessments/surveys of the system on a three year cycle. The November 2022 survey identified a deficiency that had also been identified in the 2019 survey that was identified in an April 6, 2023 notice as needing immediate corrective action to avoid enforcement action.

Corrective action had been discussed between myself and Southern Oregon Water Technologies (SOWT), the City's contract water systems operator prior to the receipt of the attached notice with solution options identified, cost estimates provided and preferred path selected. The solution will



PUBLIC HEALTH DIVISION
Center for Health Protection, Drinking Water Services
Tina Kotek, Governor

Oregon
Health
Authority

800 NE Oregon St.
Portland, Oregon 97232-2162
Voice (971) 673-0405
FAX (971) 673-0694
TTY (971) 673-0372

April 6, 2023

Adam Hanks
City of Gold Hill
420 6th Avenue
Gold Hill, OR 97525

RE: Notice of failure to correct significant deficiencies at the City of Gold Hill
public water system

The City of Gold Hill owns and operates the public water system (hereinafter "Water System"), identified by public water system ID# OR4100333 and serving the residents and businesses of Gold Hill, Oregon. The City of Gold Hill (hereinafter "Water Supplier") is therefore a water supplier as defined in ORS 448.115(12) and OAR 333-061-0020(150) and has specific responsibilities as defined in OAR 333-061-0025.

The Water System is subject to regulation according to the Oregon Drinking Water Quality Act (Oregon Revised Statutes 448.115 to 448.290) and Oregon Administrative Rule (OAR) 333-061-0005 through OAR 333-061-0272.

OAR 333-061-0076(5) requires water suppliers to correct significant deficiencies identified during sanitary surveys or to comply with an approved corrective action schedule. The Oregon Health Authority, Drinking Water Services (DWS) reviewed the operation of the Water System and found that a significant deficiency, the lack of a means to determine disinfection contact time under peak flow and minimum storage conditions, remains uncorrected following two consecutive sanitary surveys.

Water Supplier has not reported that this deficiency was corrected by the specified due date, following the surveys conducted on December 30, 2019 and November 9, 2022 respectively. Water Supplier is therefore not in compliance with OAR 333-061-0076(5) and not meeting its responsibilities as a water supplier.

Please submit written verification to bradley.k.daniels@oha.oregon.gov within 30 days of the date of this notice, demonstrating that this deficiency was corrected.

If Water Supplier does not comply with the deadline specified in this letter, the continued non-compliance may result in additional enforcement action, which could include the assessment of civil penalties in the amount of \$250 for every distinct rule violation and for every day the Water System is in violation of a rule as prescribed by OAR 333-061-0090. Contact me at bradley.k.daniels@oha.oregon.gov or (503) 735-5438 if you have any questions about the compliance action specified in this letter.

Respectfully,



Brad K. Daniels

Oregon Health Authority, Drinking Water Services

cc: Mike Bollweg, Southern Oregon Water Technology
Zach Golik, Oregon Health Authority, Drinking Water Services



City of

GOLD HILL

P.O. Box 308 • Gold Hill, OR 97525
(541) 855-1525 Fax (541) 855-4501

April 10, 2023

Gold Hill Water and Sewer Customer,

You are receiving this letter because your Gold Hill utility account for water, sewer and storm drainage has a balance that is over **60 days past due**.

As you are likely aware, there have been internal staff changes along with software issues that have created a higher than acceptable rate of billing errors and delays over this same time period. Additionally, the City of Gold Hill has made some changes over the past four to six months regarding how utility bills are processed, billed and collected. Most notably changing the due date to 30 days rather than 15 and temporarily suspending the issuance of late fees.

Staff feel confident that these issues have been resolved and the billing process is accurate and able to be completed timely for our customers. During this four to six month period, a higher than typical and higher than acceptable number of utility accounts have become past due, some significantly so.

The City of Gold Hill relies on the revenues from utility payments to operate the water treatment plant and distribution system and the wastewater plant and collections system. When bills are not paid in a timely manner, the ability to properly operate and manage this critical systems is negatively impacted.

IMPORTANT NOTICE

With health of the water and sewer systems in mind, the City will re-institute the issuance of late fees and service shut off notices on past due accounts starting in July. Between now and July, customers are highly encouraged to pay your past due amounts to avoid late fees and potential service shut offs. If you are unable to pay the entire past due amount, please contact City staff to apply for a payment plan.

Additionally, the City registered with ACCESS to allow all eligible Gold Hill utility customer availability to federal grant funds to assist residents with their water/sewer bills. Information on this program is included in this letter.

Sincerely,

Adam Hanks
Interim City Manager

Gold Hill City Council Look Ahead

Note: This is a DRAFT schedule of future agenda items and is subject to frequent changes.

AGENDA ITEM:	MEETING	Presenter	Agenda Type
April 18 - Business Meeting			
Resolution Requesting/Referring RVSS Annexation	For Council to pursue RVSS annexation/pipeline for wastewater compliance, resolution approval on 4/18 is required. Annexation agreement and franchise	Adam Hanks	Presentation
Resolution Authorizing Banking Signatures	This provides formal documentation by title/position of who is authorized to sign banking documents (checks/deposits/etc) for the City. Proposed to be any two of these three titles (Mayor, Council President, City Recorder)	Adam Hanks	Resolution
Council Adoption of Updated City Logo	Draft logo was developed by staff to update look/feel	Adam Hanks	Action
April 25 - Council/PC Open House			
Open House - Municipal Code/Land Use Code Update Project	Public Information and input on updates proposed by the Planning Commission - Hosted by City Council and Planning Commission	Adam Hanks/James Shireman + Plannign Commissioners	Community Engagement
May 2 - Business Meeting			
Community Online Survey - Draft Questions	Follow up on Council direction from Council Goals discussion - Draft questions for Council review prior to online website release	Adam Hanks	Direction
Citizen Rep for MRMPO	Announce opening for Gold Hill citizen opening for MNRMPO Citizen committee	Mayor Palmer	Announcement
RVSS Annexation Agreement & Franchise Agreement for wastewater system	Annexation agreement details the process and timing of the transfer of wastewater assets, billing data and infrastructure financing for the connection to the regional wastewater collections and treatment system. Franchise agreement addresses the long term operating structure of RVSS within Gold Hill rights of ways	Adam Hanks	Action
City Manager Recruitment Process update	Sub-committee/staff update on recruitment process	Adam Hanks/Mayor Palmer	Update
Solid Waste Franchise Ordinance	Franchise Ordinance update - First Reading (remove rates from ordinance)	Adam Hanks	Public Hearing
Unfied Fee Resolution	Resolution combining all existing City fees into one document, including proposed increases to select existing fees and presentation of potential new fees	Adam Hanks	Resolution
May 16 - Business Meeting (6:00 - 6:30PM)			
Municipal Code/Land Use Code Update Project	Public Hearing and Ordinance First Reading of all proposed edits to Municipal Code	Adam Hanks/James Shireman	Public Hearing
2023-24 Budget meeting	City Manager presentation and overview of proposed budget	Adam Hanks	Presentation
May 23 - Special Business Meeting			
Municipal Code/Land Use Code Update Project	Public Hearing and Ordinance Second (final) Reading of all proposed edits to Municipal Code	Adam Hanks/James Shireman	Public Hearing
Solid Waste Franchise Ordinance	Franchise Ordinance update - First Reading (remove rates from ordinance)	Adam Hanks	Public Hearing
2023-24 Budget meeting	City Manager presentation and overview of proposed budget - Continued	Adam Hanks	Presentation
June 6 - Business Meeting			
FY23-24 Budget Approval	Final Budget Review after Budget Committee Recommendations	Adam Hanks	Action
Encroachment Permit Application - Dardanelles St	Adjacent property owner request for encroachment permit for undeveloped section of Dardanelles r-o-w at South end of street. (dead ends at Rogue River)	Adam Hanks	Public Hearing
June 20 - Business Meeting			
FY23-24 Budget Resolutions	Required resolution approval for tax rate, state revenues, etc	Adam Hanks	Action
Personnel Policies and Procedures Manual	Resolution to approved updated personnel policies and procedures (prior document from 2007)	Adam Hanks	Action
Utility Billing Policies and Procedures Manual	Resolution to approved updated Utility Billing Policies and Procedures (prior never formally approved)	Adam Hanks	Action
July 18 - Business Meeting			
August 1 - Business Meeting			

<u>Planning Commission Meeting Schedule</u>	<u>Parks Advisory Committee Meeting Schedule</u>	<u>Budget Committee Meeting Schedule</u>
Third Wednesday of each Month	First Wednesday of each Month	TBD

Gold Hill City Council Look Ahead

Note: This is a DRAFT schedule of future agenda items and is subject to frequent changes.

REOCCURRING EVENTS			
Election of Chair of Council	January		
Council Liaison Appointments	January		
Citizens' Budget Committee (Re)appointments	February		
Quarterly Financial Report & Budget Amendment	February		
Proclamation for Arbor Week (PAC)	March		
Quarterly Financial Report & Budget Amendment	April		
Commission Reappointments	May		
Budget Approval	June		
Quarterly Financial Report & Budget Amendment	June		
Annual Audit	September/October		
Quarterly Financial Report & Budget Amendment	First Meeting in November		

Unscheduled/TBD Projects			
Summer Town Hall			
Public Open House - Council Goalsetting			
SafeRoutes to School Grant Authorization			
ODOT SCA - Street overlay bid issuance/selection			
Fuels Reduction grant acceptance			
Powerhouse - Design Alternatives Grant Report			

Gold Hill City Council Look Ahead

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