



**GLADSTONE CITY COUNCIL MEETING
CIVIC CENTER COUNCIL CHAMBERS
October 10, 2023 – 6:30 PM**

6:30 p.m. - CALL TO ORDER

The City of Gladstone is abiding by guidelines set forth in House Bill 2560, which requires the governing body of the public body, to extent reasonably possible, to make all meetings accessible remotely through technological means and provide opportunity for members of general public to remotely submit oral and written testimony during meetings to extent in-person oral and written testimony is allowed. Therefore, this meeting will be open to the public both in person and virtually using the Zoom platform.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/86327497813?pwd=YAnVlgMkBgqQUOmaZOExWlqy63xvxxw.XQuF-EqfYfZh-OWn>

Passcode: 541637

Or One tap mobile :

+17207072699,,86327497813#,,,,*541637# US (Denver); +12532050468,,86327497813#,,,,*541637# US

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

+1 720 707 2699 US (Denver); +1 253 205 0468 US

Webinar ID: 863 2749 7813

Passcode: 541637

If members of the public would like to comment on an agenda item (either virtually or in person) please email your comments to kratz@ci.gladstone.or.us prior to 12:00 p.m. (noon) on October 10, 2023. Individuals attending in person may submit a speaker card to the City Recorder prior to the beginning of the meeting. Comments are limited to three (3) minutes.

The City Council will also have *Gladstone City Event Announcements* during the meeting and *Business from the Audience* at the end of the meeting. To speak during either time, (virtually or in person) please email kratz@ci.gladstone.or.us prior to 12:00 p.m. (noon) on October 10, 2023 with your name, topic of discussion and city of residence. Individuals attending in person may submit a speaker card to the City Recorder prior to the beginning of the meeting. Comments are limited to three (3) minutes.

ROLL CALL

FLAG SALUTE

AGENDA ADDITIONS OR CORRECTIONS

CONSENT AGENDA:

1. Approval of September 12, 2023 Regular Minutes
2. Approval of August Bank Balances
3. Budget Report for Period ending 08-30-2023
4. Approval of August Check Register
5. Legal Costs on Projects for July
6. Department Head Monthly Reports for September 2023

7. Consider approval of Resolution 1224 - Authorizing the City to submit a request for funding assistance from the Oregon Department of Land Conservation and Development to establish a Climate-Friendly Area and Metro 2040 Town Center in Gladstone

CORRESPONDENCE: None

8. **RECOGNITION – AMERICAN MEDICAL RESPONSE (AMR) NORTHWEST** – Recognition for providing the River Safety Program at High Rocks Park for 23 years. (no attachments)

9. **REPORT – CLACKAMAS FIRE DISTRICT UPDATE**

10. **PRESENTATION – METRO COUNCILOR CHRISTINE LEWIS**

11. **PRESENTATION – RINEARSON NATURAL AREA** – Evan Ocheltree and Gary Howard from Columbia Restoration will provide a presentation on the Rinearson Natural Area Project

12. **GLADSTONE CITY EVENT ANNOUNCEMENTS**

This is an opportunity for members of the audience to bring to the Council’s attention any upcoming city events otherwise not listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

REGULAR AGENDA:

13. **ORDINANCE 1526 – AMENDING GLADSTONE MUNICIPAL CODE (GMC) CHAPTER 12.24 – UTILITY SERVICES – CONDITIONS OF UTILITY USE IN THE PUBLIC RIGHTS-OF-WAY IN GLADSTONE**

Consider approval of Ordinance 1526 – an Ordinance amending GMC Chapter 12.24 – Utility Services – to update and clarify the terms and conditions of utility use of the public rights-of-way in the City of Gladstone

14. **RESOLUTION 1228 – ADOPTING A REVISED MASTER FEE SCHEDULE AND REPEALING RESOLUTION 1220 – RATE CHANGES FOR RIGHT-OF-WAY FEES**

Consider approval of Resolution 1228 – a resolution revising the Master Fee Schedule and repealing Resolution 1220 to include rate changes for Right-of-Way Fees

15. **RESOLUTION 1229 – FORMALIZING ALLOCATION OF REVENUE COLLECTED FOR IMPLEMENTATION OF RIGHT-OF-WAY USE FEE**

Consider approval of Resolution 1229 – a resolution formalizing allocation of revenue collected for implementation of right-of-way

BUSINESS CARRIED FORWARD –

BUSINESS FROM THE AUDIENCE

Visitors: This is an opportunity for members of the audience to bring to the Council’s attention any item not otherwise listed on the Agenda. Comments will be limited to three (3) minutes per person. Speakers may not yield their time to others and must fill out a speaker card available in the back of the room prior to making a comment.

BUSINESS FROM THE COUNCIL –

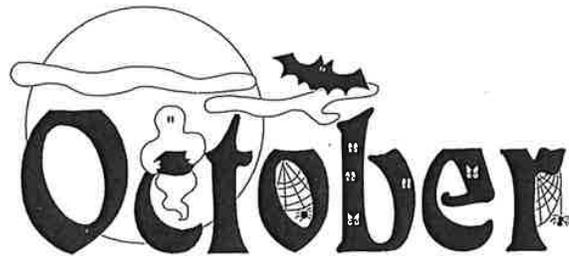
ADJOURN

Upcoming Meeting Dates:

- October 24, 2023 – City Council Work Session at 5:30 pm.
- November 14, 2023 – City Council Regular Meeting at 6:30 pm.

MEETING ACCESSIBILITY SERVICES AND AMERICANS WITH DISABILITIES ACT (ADA) NOTICE

The Civic Center is ADA accessible. Hearing devices may be requested from the City Recorder at least 48 hours prior to the meeting. Individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder at bannick@ci.gladstone.or.us. Staff will do their best to respond in a timely manner and to accommodate requests.



CONSENT AGENDA

GLADSTONE CITY COUNCIL MEETING MINUTES OF SEPTEMBER 12, 2023

Meeting was called to order by Mayor Milch at 6:31 P.M. – (Via Zoom and In Person)

ROLL CALL:

Mayor Michael Milch, Councilor Alexander, Councilor Garlington, Councilor Huckaby, Councilor Reichle, Councilor Roberts, Councilor Cook

ABSENT:

None

STAFF:

Jacque Betz, City Administrator; Tami Bannick, City Recorder; Tiffany Kirkpatrick, Community Services Manager; Nancy McDonald, Human Resources Consultant; Darren Caniparoli, Public Works Director; Chad Jacobs, City Attorney

Mayor Milch called the meeting to order. He explained that the City is abiding by guidelines set forth in House Bill 2560, which requires that they make all meetings accessible remotely, through technologic means and provide the opportunity for the public to participate to the best of their ability. This meeting will be open to the public, both in person and virtually, using the Zoom platform. The Council members and staff will be in person, as well as those citizens who wish to attend in person. He went over the procedures that will be followed for the meeting and the meeting agenda. He said that public announcements will be at the beginning of each meeting and public comments will still be at the end.

He read some excerpts from a book, “The Place We Make: Breaking The Legacy Of Legalized Hate” by Gladstone author Sarah Sanderson.

AGENDA ADDITIONS OR CORRECTIONS:

None.

CONSENT AGENDA:

1. Approval of August 8, 2023 Regular Meeting Minutes
2. Approval of July Bank Balances
3. Budget Report for Period ending 7-31-2023
4. Approval of July Check Register
5. Department Head Monthly Reports for August 2023
6. Approval of a new OLCC Liquor License Application for The Brew LLC, 465 Portland Avenue
7. Authorization for City Administrator to sign Amendment for Community Development Block Grant Program Agreement between City of Gladstone and Clackamas County Department of Health, Housing, and Human Services Housing and Community Development

Councilor Alexander made a motion to approve the Consent Agenda. Motion was seconded by Councilor Roberts. Ms. Bannick took a roll call vote: Councilor Garlington – yes. Councilor Roberts – yes. Councilor Cook – yes. Councilor Reichle – yes. Councilor Alexander – yes. Councilor Huckaby – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

CORRESPONDENCE:

None.

8. REPORT FROM CLACKAMAS FIRE DISTRICT:

Fire Marshal Shawn Olson said that next month is Fire Prevention Month – they will be busy conducting open houses. They will be hosting trick-or-treats at the Gladstone Fire Station.

They had a smaller residential (bark dust/deck) fire earlier in the month off Clayton Way. There have been some small bark dust fires at other locations.

CFD will be at the Community Center on October 25th.

Councilor Roberts thanked them for the partnership they have and said the preventative maintenance they do in the community is outstanding. Councilor Alexander agreed.

9. GLADSTONE CITY EVENT ANNOUNCEMENTS:

Gladstone School District Assistant Superintendent Jeremiah Patterson and Ali Ferrerstein (the teacher on special assignment for student and staff wellness) spoke about a major initiative going on throughout the school year. They went over data regarding the pandemic, attendance, etc. They came up with a model based in Grand Rapids, Michigan, which is a city-wide approach to increase attendance – “Gladstone shows up”. They have created signs/posters and tee shirts with the motto. They invited everyone to an event being held on October 9th pertaining to helping students find purpose.

Ralph Matile wanted to bring attention to the Gladstone High School multi-class reunion they held last month – he thanked everyone who was involved (Chief Schmerber, Darren Caniparoli, Jacques Betz, Mayor Milch, and Tami Bannick).

Robert Everett thanked everyone on the City Council, Public Works, Police Department, and Ms. Betz for their work during the Community Festival. They estimated there were 8,000 – 10,000 attendees over the two days. They are already planning next year’s event and if anyone has suggestions, they are open to them.

This Friday they are starting the monthly bingo games – they will be held on the third Friday of each month at the Senior/Community Center. They start selling tickets at 4:30, doors open at 4:50, and bingo starts at 5:30. The cost is \$5 for seven tickets. They have food and beverages available.

Nancy Eichsteadt, representing the Friends of Gladstone Nature Park, announced a new event coming on October 14th - the first annual Gladstone Nature Park Dog Fest in the Park. They will have a dog Halloween costume contest, holiday photo booth, games/prizes, vendors for K-9’s, and hot dogs/cider.

REGULAR AGENDA

10. PUBLIC HEARING: ORDINANCE 1524 – TEXT AMENDMENTS TO ADD A NEW CHAPTER 17.81 – ANNEXATION – TO THE GLADSTONE MUNICIPAL CODE (GMC), FILE TXT-2023-02:

Ms. Betz explained that the City does not have language in the GMC pertaining to annexation requests, so staff has developed policy for the Council to consider regarding extending utilities to property owners outside the City limits. It is intended to facilitate efficient urban and economic development opportunities by transferring jurisdiction over property within the Metro Urban Growth Boundary from Clackamas County to the City of Gladstone. The City Attorney prepared language for the GMC. They recently held a meeting with the Planning Commission to go through it.

Councilor Huckaby made a motion to open the public hearing. Motion was seconded by Councilor Roberts. Ms. Bannick took a roll call vote: Councilor Huckaby – yes. Councilor Alexander – yes.

Councilor Reichle – yes. Councilor Cook – yes. Councilor Roberts – yes. Councilor Garlington – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

Mayor Milch opened the public hearing. He explained that this is a legislative land use hearing. He went over the order of business to be followed. Any interested person may present testimony concerning the proposed amendments. He went over the procedures for testifying. He asked the Councilors if anyone wished to abstain from this matter or needed to declare any kind of conflict of interest – none did.

Mr. Jacobs went over the staff report and gave an overview of the language/proposed changes. He said that owners may initiate an application for a petition, but they still have to go through the quasi-judicial process to approve that application. They are going to require that the property owner enter into an annexation agreement with the City in accordance with State law in order to receive utility services. That would allow the City to provide services, and then when the property does become contiguous to the City, and therefore eligible for annexation, they would annex at that time. The City Council will look at the approval criteria when an application comes before them and determine whether or not the particular property in question meets the criteria. There are two amendments that pertain to fees and public hearings. The Planning Commission has reviewed this and is recommending approval. There was no written correspondence/testimony.

PUBLIC TESTIMONY:

Anneliese Kiefer said she lives on the ridge above the middle school – they are not part of Gladstone, but they want to hook up to the City sewer system. She hopes this will be a pathway for other people who want to modernize their plumbing systems.

Ms. Betz said there is already an amount set for annexation (\$3,000) in the City’s Master Fee Schedule. This is a land use application process. They are not sure the amount will cover the City’s costs. This is not a revenue making mechanism for municipalities – the fee is set because the City has to pay a planner to review the annexation application, the Public Works Department is involved, Administration is involved, sending notifications, etc. There is also a sewer connection fee of \$235, and a sewer inspection fee of \$100. They will be monitoring the first application to make sure they are capturing all of the costs involved. A group of property owners can apply and only have to pay one fee and only go through one hearing.

Councilor Roberts made a motion to close the public hearing. Motion was seconded by Councilor Alexander. Ms. Bannick took a roll call vote: Councilor Roberts – yes. Councilor Cook – yes. Councilor Reichle – yes. Councilor Alexander – yes. Councilor Huckaby – yes. Councilor Garlington – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

Mayor Milch closed the public hearing.

Discussion:

Councilor Alexander feels this is a good thing.

Councilor Cook feels this has been thought through, is a quick response to a community need, and that it’s fair and balanced.

Councilor Roberts is pleased with it.

Councilor Garlington asked that 17.94 reads that the City will hold public hearings for all quasi-judicial and legislative land use applications except when State or local law does not require a hearing.

Councilor Reichle agreed with Councilor Roberts, as did Councilor Huckaby. Mayor Milch agreed that we need to be consistent in the way we handle this – not to have it just be an administrative matter, but have hearings when they are required.

Councilor Roberts made a motion to approve Ordinance 15.24, approving a text amendment to the Gladstone Municipal Code (GMC) to add Chapter 17.81, Annexations, City File TXT-23-02, with the proposed change to Chapter 17.94, stating the City will hold public hearings. Motion was seconded by Councilor Alexander. Ms. Bannick took a roll call vote: Councilor Huckaby – yes. Councilor Alexander – yes. Councilor Reichle – yes. Councilor Cook – yes. Councilor Roberts – yes. Councilor Garlington – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

11. ORDINANCE 1525 – AMENDING GLADSTONE MUNICIPAL CODE (GMC) CHAPTERS 2.10 AND 2.70 – RENAMING OF THE GLADSTONE SENIOR CENTER ADVISORY BOARD AND DUTIES OF THE BOARD:

Ms. Betz said they recently changed the name to Gladstone Community Center. The advisory board looked at the duties/responsibilities of the board to make sure it is going to be consistent with the adopted City Council goals in relation to the future vision of the Community Center.

Ms. Kirkpatrick, Community Services Manager, and Mindy Proski, Board Chair went over the staff report and proposed changes. They have worked on trying to reach their goal of including a multi-generational, warm, creative center that people feel is theirs to attend. They are also working on their van, which will reflect the name change. They would like the name of the advisory board to represent the name of the center. Chair Proski said this is a very positive change. They have great plans for expanding services out into the community and going for the multi-generational aspect of it. It was a unanimous vote to rename it the Gladstone Community Center Advisory Board. They are excited about getting some new members.

They have included language regarding having ad hoc committees that will focus on individual events (Music On The Green, Winter Market, etc.). There will be an application process for those as well. Councilor Huckaby asked about page 11-7, 2.70.020, third line, asked if “Senior” was supposed to be underlined. It should be a strike-through.

Councilor Huckaby made a motion to approve Ordinance 1525, amending Gladstone Municipal Code (GMC) Chapter 2.10, Boards, Commissions, and Committees generally, and Chapter 2.70, Senior Center Advisory Board. Motion was seconded by Councilor Reichle. Ms. Bannick took a roll call vote: Councilor Cook – yes. Councilor Reichle – yes. Councilor Alexander – yes. Councilor Huckaby – yes. Councilor Roberts – yes. Councilor Garlington – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

12. RESOLUTION 1225 – PARTICIPATION IN THE ICMA/MISSION SQUARE 401 PLAN:

Ms. McDonald went over the staff report. This would authorize the establishment of 401(a) money purchase plans through Mission Square for executive management employees. She explained that recruitment has become much more competitive in the last few years. They have been looking at ways to recruit and retain employees. Tualatin and Oregon City are also offering the 401 plan.

Councilor Garlington asked what the actual dollar amount is (page 12-2/cost impact/percentage rate) - .55% will depend on how much the employee puts in that account. The fee would be paid by the employee. She asked about City contributions. Ms. McDonald said there are currently two suppliers of 457 plans – one has been here for decades, and the other for approximately 10-15 years. Councilor Garlington asked if a full-time employee wanted to invest more money into their retirement program how many plans does the City have right now? The only one they have currently is the 457 plan,

either through ICMA or Equitable. Out of the 50 employees that are eligible to do that, 20 of them are participating. Councilor Garlington questions the need for adding another layer because she feels the salaries are already competitive. Ms. McDonald said any changes would involve a minimal amount of administrative time. If the Council approves this, that would allow her to work with ICMA to get the administrative agreement. There was further discussion regarding options. Councilor Alexander asked why this isn't an option for all employees. Ms. McDonald said the IRS established these plans for the higher wage earners for the executive level employees (six employees). The other type of plan in a government agency is the 457, which has a lower contribution limit. Councilors Cook and Huckaby feel this is a great way to recruit/retain some of our highest qualified positions with a minimal cost to the City.

Councilor Huckaby made a motion to approve Resolution 1225 to authorize the establishment of 401(a) money purchase plans through Mission Square (aka ICMA RC) for executive management employees. Motion was seconded by Councilor Cook.

Discussion: Councilor Garlington wanted to make sure they were talking about an employee contribution, and if that should ever change, then Resolution 1225 would have to change. Ms. McDonald said if there was a change in this resolution it would come before the Council to address it and it would be done through an amendment. This is only authorizing the implementation of the plan. The initial plan can be set up with the City Administrator's contribution, and if the remaining executive group agrees on a percentage, it can be set up as well. Going forward, any benefits included in a compensation package for new executive employees will be determined at the time of an employment offer being given. We will have a document that allows for a provision of an employer contribution, but they are not committed to that by adopting this resolution. Any change like that would have to come by an amendment. There was further explanation/examples. This would not be retroactive. The City Administrator can only make a recommendation for hiring a new Department Head – the City Council has to approve that, which would include the compensation package. Any compensation package has to fall under the City Administrator's budget authority.

Ms. Bannick took a roll call vote: Councilor Reichle – yes. Councilor Alexander – yes. Councilor Huckaby – yes. Councilor Garlington – yes. Councilor Roberts – yes. Councilor Cook – yes. Mayor Milch – yes.

Motion passed with a unanimous vote.

Mayor Milch asked Ms. Betz and Mr. Jacobs to prepare an agenda item for the October meeting to go over this in more detail, such as the City Administrator's current employment contract, timelines, changes in compensation, etc. Ms. McDonald said that if this is set up in October Ms. Betz can direct her contributions into it and that would not require an amendment of her contract. If the Council wants to make a decision to direct a contribution there, whether it's a percentage of salary or the equivalent of leave time, then that would require an amendment to her employment agreement – it just needs to happen in a timely manner. Mr. Jacobs said the current contract is set to expire on June 30th, 2024. If the City does not intend to renew it, they must provide 120 days' notice. They are also required to do an evaluation this spring.

13. RESOLUTION 1226 – ADOPT A PAVEMENT CONDITION INDEX (PCI) OF 71 FOR THE CITY OF GLADSTONE PAVEMENT MANAGEMENT PLAN:

Mr. Caniparoli went over the staff report. In 2016 the City established a Pavement Management Program. At that time a citywide review and rating of roadways within the City was completed. The initial rating provided a Pavement Condition Index (PCI) rating of 67 on a 0-100 scale – a rating of 67 is in the "fair" category. The current funding level of \$400,000 per year will no longer maintain that

index. In 2022 the roads were re-graded, and the PCI stayed at a rating of 67. At the March City Council work session staff brought the Pavement Management Program to them to discuss funding. They discussed what it would cost to bring our current streets to a PCI of 71, which is considered “good”. It would cost approximately \$900,000 per year (for five years), which is currently budgeted in the current biennium. He went over the two options – to approve/adopt a Pavement Condition Index of 71 for the City of Gladstone Pavement Management Program or not to approve it and continue with the current funding.

Councilor Garlington asked if this would include any streets that are “in dire straits” – Mr. Caniparoli said there is money put aside for the streets that are in very poor condition in the final two years of the five-year plan. Once they have the roads re-rated they can look at what it’s going to take to keep the rating at 71, or if the Council would want to look at other options to be able to bring that rating to a higher PCI at that time.

Councilor Cook feels that the strategy is sound; but it’s just not intuitive. They asked if there was an opportunity to do some social media marketing and include information in the newsletter for residents to help them understand the approach that the City is taking. Mr. Caniparoli thinks that’s an excellent idea. Ms. Betz agreed that they need to educate the public better about how the funds are spent and how the streets are prioritized. Mayor Milch pointed out that just because Public Works isn’t going to completely reconstruct some of the bad streets, that doesn’t mean that they won’t do some patching work.

Councilor Alexander made a motion to approve Resolution 1226 to adopt a Pavement Condition Index (PCI) of 71 for the City of Gladstone Pavement Management Plan. Motion was seconded by Councilor Huckaby. Ms. Bannick took a roll call vote: Councilor Alexander – yes. Councilor Reichle – yes. Councilor Cook – yes. Councilor Roberts – yes. Councilor Garlington – yes. Councilor Huckaby – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

14. RESOLUTION 1227 – ADOPTING COUNCIL RULES FOR THE GLADSTONE CITY COUNCIL:

Mr. Jacobs went over the staff report. He said the language hasn’t changed much since they went over it during the last meeting. He pointed out two changes: 1) page 14-9, G-2, Council Member Conduct – language regarding identifying themselves as individuals, 2) page 14-15, Rule R, 2-d, the language in the last sentence about limitations on serving on more than one committee doesn’t apply to the Budget Committee (reincorporating existing language).

Councilor Garlington – said on page 14-14, R-1-a, there should be the word “to” after “council”. Councilor Roberts feels that it is correct as-is, because this pertains to council committees. Mr. Jacobs confirmed that and said it could be read either way, but will make the change.

Councilor Roberts made a motion to approve Resolution 1227, a Resolution adopting Council Rules for the Gladstone City Council and repealing prior rules, with the amendment noted. Motion was seconded by Councilor Reichle. Ms. Bannick took a roll call vote: Councilor Garlington – yes. Councilor Roberts – yes. Councilor Cook – yes. Councilor Reichle – yes. Councilor Alexander – yes. Councilor Huckaby – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

BUSINESS CARRIED FORWARD:

Mayor Milch said there is a letter included in the packet regarding some action that our Representative in Washington, D.C. is hoping to make on the tolling issue. He encouraged everyone to read it and be informed about it. It provides a summary of some of the concerns on this issue. He feels they should be

able to advise our legislators at all different levels of government how this impacts our community and what the best way forward needs to be.

BUSINESS FROM THE AUDIENCE:

None.

BUSINESS FROM THE COUNCIL:

Councilor Huckaby:

She wanted to recognize and give kudos to the Community Center and their staff/volunteers for putting on the Music On The Greens event last Friday – it was a great success. She wanted to give huge kudos to Happy Rock Coffee Roasters who brought the community together by giving out over 100 burgers/chips/drinks to the community. She said there were some people who showed up in opposition of Happy Rock giving out free food, but for the most part they were ignored – it sent the message that that type of unnecessary opposition and hate is not welcome in our community.

Councilor Alexander:

He said he had the opportunity to ride around with Officer Olson and Nanuk. He got to watch the K-9 in action in Lake Oswego – he found gloves, a hat, and a shirt that they were able to obtain DNA from. Nanuk also located some suspects from an incident in Wilsonville in the Ford parking lot. He encouraged everyone to go on a ride-along.

Councilor Reichle:

She attended the Parks & Rec Board meeting last night. She reminded everyone that AMR is done for the season at High Rocks, so use extra caution if you are utilizing the resources there. Chief Schmerber had reported that the calls this season were way down from previous years and there were no deaths reported this year at High Rocks. The restrooms will remain closed, and the port-a-potties are being removed this week. The Board is working on reviewing some options on grant ideas to make improvements in parks. They are waiting on some surveys/permitting pieces to happen in order to get the pavement project completed at the Nature Park. She reminded everyone about the Dog Fest that is going to be happening there on October 14th – from noon to 3:00 P.M.

The play structures for Robin Hood and Meldrum Bar Park have been ordered – they will be delivered in late fall.

Councilor Cook:

Their kids started school. Back to school is a transformative time where parents, teachers, and neighbors/community members are involved in raising children. They are seeing the support and joy happen for all families of young children and they are grateful for it. It's a wonderful time to be in a community like Gladstone where we all come together to uplift all children.

Councilor Roberts:

He also had the opportunity to ride along with the Police Department again – he rode with Jeff Oliver, who came to us from Lake Oswego. He said we are lucky to have him – he brings a unique amount of experience, including specialized skills such as crash reconstruction. He is a resource that other neighboring jurisdictions will call upon.

He is thankful for the relationship with have with AMR at High Rocks.

Councilor Garlington:

She asked if the life jacket stand at High Rocks was taken out for the season – that is correct.

She said on Saturday, September 16th (from 1 – 3 P.M.) they are doing the groundbreaking at the Oak Lodge Library. They have supported Gladstone in the building of our library. She hopes everyone will go and take a peak to see what they're doing.

October 14th, at 9:14 A.M. there will be a solar eclipse. She encouraged everyone to experience it.

In regard to the property owner asking to be annexed - she was impressed with how environmentally conscious they are – she feels it is remarkable that they put that before the benefits of their family. She said after working with Mr. Jacobs on the Charter and the Council Rules that his professionalism is of the highest standard. She appreciates all the little things they've been able to add and making sure all their notes are taken, etc.

Mayor Milch:

He said last week he got to attend an event at Somerset Lodge that was celebrating the 100th birthday of a Gladstone resident named Betty Farley. It was a fun experience.

He serves as the Council Liaison to the School Board and has attended their meetings – he was invited to participate in the event they had the week before school starts where teachers get together and hear some speakers, recognize accomplishments, etc. It was a positive experience. He said Sarah Sanderson gave a good presentation about her book. He encouraged everyone to read it to inform themselves about our role in encouraging a diverse, equitable, and inclusive community.

On Friday they have a tour with some people from Metro – they are going to show them what Gladstone is and what it could be in the future and hope we get support for some of the grants and technical assistance we need in making this community live up to even greater potential.

Mayor Milch asked for a motion to adjourn the meeting.

ADJOURN:

Councilor Roberts made a motion to adjourn the meeting. Motion was seconded by Councilor Cook. Ms. Bannick took a roll call vote: Councilor Huckaby – yes. Councilor Alexander – yes. Councilor Reichle – yes. Councilor Cook – yes. Councilor Roberts – yes. Councilor Garlington – yes. Mayor Milch – yes. Motion passed with a unanimous vote.

Meeting was adjourned at 9:00 P.M.

Approved by the Mayor this _____ day of _____, 2023.

ATTEST:

Michael Milch, Mayor

Hayley Kratz, Acting City Recorder

BANK BALANCES

Month Ending Balance

Bank	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023
LGIP -City Of Gladstone #4472	\$ 25,192,979.55	\$ 25,449,877.99				
LGIP - Urban Renewal Agency #4650	2,427,381.48	2,438,367.43				
Checking Accounts:						
General Fund	432,049.63	169,111.09				
Urban Renewal	549,462.65	33,760.33				
Municipal Court	28,242.65	30,073.80				
Totals	\$ 28,630,115.96	\$ 28,121,190.64	\$ -	\$ -	\$ -	\$ -
Bank	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024
LGIP -City Of Gladstone #4472						
LGIP - Urban Renewal Agency #4650						
Checking Accounts:						
General Fund						
Urban Renewal						
Municipal Court						
Totals	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



Budget Report Account Summary

For Fiscal: 2023-2024 Period Ending: 08/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 100 - GENERAL FUND							
Revenue							
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL							
RptType: 3000 - BEG FUND BAL.							
100-000-309999	BEGINNING FUND BALANCE	8,240,000.00	8,240,000.00	0.00	0.00	-8,240,000.00	0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	8,240,000.00	8,240,000.00	0.00	0.00	-8,240,000.00	0.00 %
RptType: 3100 - LOCAL TAXES							
100-000-310010	CURRENT YEAR TAXES	9,959,943.00	9,959,943.00	0.00	0.00	-9,959,943.00	0.00 %
100-000-310050	PRIOR YEAR TAXES	70,000.00	70,000.00	0.00	0.00	-70,000.00	0.00 %
100-000-314045	TRANSIENT LODGING TAX	350,000.00	350,000.00	2,353.22	4,386.58	-345,613.42	1.25 %
	RptType: 3100 - LOCAL TAXES Total:	10,379,943.00	10,379,943.00	2,353.22	4,386.58	-10,375,556.42	0.04 %
RptType: 3110 - STATE SHARED TAXES							
100-000-310170	STATE REVENUE SHARING	310,000.00	310,000.00	0.00	0.00	-310,000.00	0.00 %
100-000-311010	ALCOHOL TAX REVENUE	486,922.00	486,922.00	0.00	0.00	-486,922.00	0.00 %
100-000-311015	MARIJUANA TAX	88,955.00	88,955.00	0.00	0.00	-88,955.00	0.00 %
100-000-311020	CIGARETTE TAX REVENUE	17,402.00	17,402.00	0.00	0.00	-17,402.00	0.00 %
	RptType: 3110 - STATE SHARED TAXES Total:	903,279.00	903,279.00	0.00	0.00	-903,279.00	0.00 %
RptType: 3120 - RIGHT OF WAY FEES							
100-000-312010	GLADSTONE DISPOSAL FRANCHISE ...	275,000.00	275,000.00	0.00	0.00	-275,000.00	0.00 %
100-000-312025	PGE FRANCHISE FEES	1,018,440.00	1,018,440.00	0.00	0.00	-1,018,440.00	0.00 %
100-000-312030	NW NATURAL GAS FRANCHISE FEE	315,700.00	315,700.00	0.00	0.00	-315,700.00	0.00 %
100-000-312040	COMCAST CABLE TV FRANCHISE FE	280,000.00	280,000.00	0.00	0.00	-280,000.00	0.00 %
	RptType: 3120 - RIGHT OF WAY FEES Total:	1,889,140.00	1,889,140.00	0.00	0.00	-1,889,140.00	0.00 %
RptType: 3130 - LICENSES AND PERMITS							
100-000-313010	BUSINESS LICENSE FEES	187,500.00	187,500.00	755.00	1,595.00	-185,905.00	0.85 %
100-000-313015	LIQUOR LICENSE RENEWALS	1,000.00	1,000.00	170.00	170.00	-830.00	17.00 %
100-000-313020	ALARM PERMITS	19,000.00	19,000.00	400.00	1,225.00	-17,775.00	6.45 %
100-000-313025	PARKING PERMITS	227,000.00	227,000.00	8,932.00	23,052.00	-203,948.00	10.16 %
	RptType: 3130 - LICENSES AND PERMITS Total:	434,500.00	434,500.00	10,257.00	26,042.00	-408,458.00	5.99 %
RptType: 3140 - CHARGES FOR SERVICES							
100-000-314010	RECREATION FEES	14,000.00	14,000.00	220.95	559.17	-13,440.83	3.99 %
100-000-314015	SENIOR CENTER BUILDING RENTAL ...	13,500.00	13,500.00	720.00	587.50	-12,912.50	4.35 %
100-000-314020	PLANNING APPLICATION FEES	80,000.00	80,000.00	6,781.88	6,781.88	-73,218.12	8.48 %
100-000-314025	SOCIAL SERVICES CONTRACT	90,000.00	90,000.00	0.00	0.00	-90,000.00	0.00 %
100-000-314030	LIEN SEARCH FEES	9,500.00	9,500.00	300.00	570.00	-8,930.00	6.00 %
	RptType: 3140 - CHARGES FOR SERVICES Total:	207,000.00	207,000.00	8,022.83	8,498.55	-198,501.45	4.11 %
RptType: 3150 - GRANTS							
100-000-315030	POLICE GRANTS	90,000.00	90,000.00	0.00	0.00	-90,000.00	0.00 %
100-000-315065	WES/GOOD NEIGHBOR GRANT	110,250.00	110,250.00	50,000.00	50,000.00	-60,250.00	45.35 %
100-000-315080	OTHER GRANTS	100,000.00	100,000.00	0.00	0.00	-100,000.00	0.00 %
	RptType: 3150 - GRANTS Total:	300,250.00	300,250.00	50,000.00	50,000.00	-250,250.00	16.65 %
RptType: 3260 - FINES AND FORFEITURES							
100-000-326010	COURT FINES & FORFEITURES	670,000.00	670,000.00	19,747.28	48,979.44	-621,020.56	7.31 %
	RptType: 3260 - FINES AND FORFEITURES Total:	670,000.00	670,000.00	19,747.28	48,979.44	-621,020.56	7.31 %
RptType: 3301 - INTEREST							
100-000-330100	INTEREST	565,000.00	565,000.00	94,951.49	185,508.92	-379,491.08	32.83 %
	RptType: 3301 - INTEREST Total:	565,000.00	565,000.00	94,951.49	185,508.92	-379,491.08	32.83 %
RptType: 3600 - MISCELLANEOUS							
100-000-360000	ALL OTHER GF RECEIPTS	40,000.00	40,000.00	1,982.76	3,221.26	-36,778.74	8.05 %

Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
100-000-360100	NAT'L OPIOID SETTLEMENT FUNDS	140,000.00	140,000.00	7,447.65	7,447.65	-132,552.35	5.32 %
100-000-362115	SENIOR CENTER MISC. INCOME	5,500.00	5,500.00	77.00	238.00	-5,262.00	4.33 %
100-000-362212	TRAM TRIPS	22,000.00	22,000.00	1,226.50	2,793.00	-19,207.00	12.70 %
100-000-362213	MEAL DONATIONS	40,000.00	40,000.00	1,479.15	2,689.05	-37,310.95	6.72 %
RptType: 3600 - MISCELLANEOUS Total:		247,500.00	247,500.00	12,213.06	16,388.96	-231,111.04	6.62 %
RptType: 3700 - OTHER							
100-000-371000	SALE OF SURPLUS EQUIP/PROPERTY	30,000.00	30,000.00	1,379.73	1,379.73	-28,620.27	4.60 %
RptType: 3700 - OTHER Total:		30,000.00	30,000.00	1,379.73	1,379.73	-28,620.27	4.60 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:		23,866,612.00	23,866,612.00	198,924.61	341,184.18	-23,525,427.82	1.43 %
Department: 910 - TRANSFER IN							
RptType: 3990 - TRANSFERS IN							
100-910-399105	TRANSFER IN FROM ARPA FUND	653,500.00	653,500.00	0.00	0.00	-653,500.00	0.00 %
100-910-399205	TRANSFER IN FROM STREET FUND	584,717.00	584,717.00	0.00	0.00	-584,717.00	0.00 %
100-910-399390	TRANSFER IN FROM URBAN RENE...	590,503.00	590,503.00	0.00	0.00	-590,503.00	0.00 %
100-910-399730	TRANSFER IN FROM SEWER FUND	417,900.00	417,900.00	0.00	0.00	-417,900.00	0.00 %
100-910-399740	TRANSFER IN FROM WATER FUND	523,678.00	523,678.00	0.00	0.00	-523,678.00	0.00 %
100-910-399750	TRANSFER IN FROM STORM WATER	427,101.00	427,101.00	0.00	0.00	-427,101.00	0.00 %
RptType: 3990 - TRANSFERS IN Total:		3,197,399.00	3,197,399.00	0.00	0.00	-3,197,399.00	0.00 %
Department: 910 - TRANSFER IN Total:		3,197,399.00	3,197,399.00	0.00	0.00	-3,197,399.00	0.00 %
Revenue Total:		27,064,011.00	27,064,011.00	198,924.61	341,184.18	-26,722,826.82	1.26 %

Expense

Department: 121 - ADMIN

RptCategory: 40 - PERSONNEL SERVICES

100-121-431010	CITY ADMINISTRATOR	409,752.00	409,752.00	16,418.64	37,187.66	372,564.34	9.08 %
100-121-431020	CITY RECRDR/HR MGR	390,672.00	390,672.00	8,504.00	17,008.00	373,664.00	4.35 %
100-121-431030	FINANCE DIRECTOR (.80)	206,542.00	206,542.00	0.00	0.00	206,542.00	0.00 %
100-121-431035	TOURISM/EC DEV COORDINATOR	127,812.00	127,812.00	4,167.86	7,090.34	120,721.66	5.55 %
100-121-431070	OFFICE ASSISTANT	154,764.00	154,764.00	6,354.00	12,708.00	142,056.00	8.21 %
100-121-431500	ACCOUNTING CLERK	182,179.00	182,179.00	7,399.60	14,799.20	167,379.80	8.12 %
100-121-450500	CAREER RECOGNITION PAY	17,311.00	17,311.00	742.90	1,485.80	15,825.20	8.58 %
100-121-470000	ASSOCIATED PAYROLL COSTS	887,946.00	887,946.00	23,180.12	48,020.00	839,926.00	5.41 %
RptCategory: 40 - PERSONNEL SERVICES Total:		2,376,978.00	2,376,978.00	66,767.12	138,299.00	2,238,679.00	5.82 %

RptCategory: 50 - MATERIAL AND SERVICES

100-121-500110	CONTRACTUAL & PROFESSIONAL S...	152,700.00	152,700.00	18,173.75	24,713.75	127,986.25	16.18 %
100-121-500120	MUNICIPAL AUDIT CONTRACT	67,500.00	67,500.00	10,500.00	10,500.00	57,000.00	15.56 %
100-121-500130	LEGAL FEES	206,000.00	206,000.00	10,076.00	10,076.00	195,924.00	4.89 %
100-121-500490	COUNCIL ACTIVITIES	25,000.00	25,000.00	795.30	1,865.30	23,134.70	7.46 %
100-121-500491	OUTSIDE AGENCY REQUESTS	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00 %
100-121-500492	PLANNING SERVICES CONTRACT	180,000.00	180,000.00	11,822.00	11,822.00	168,178.00	6.57 %
100-121-510020	COMM PROMOTIONS/BUSINESS D...	293,000.00	293,000.00	5,049.17	6,622.64	286,377.36	2.26 %
100-121-510021	TOURISM PROMOTION/ACTIVITIES	42,000.00	42,000.00	6,912.32	7,879.52	34,120.48	18.76 %
100-121-520120	BANK CHARGES	8,700.00	8,700.00	0.06	96.56	8,603.44	1.11 %
100-121-520400	OFFICE SUPPLIES & EQUIPMENT	37,000.00	37,000.00	557.65	1,152.75	35,847.25	3.12 %
100-121-520450	CITY NEWSLETTER	85,000.00	85,000.00	6,874.89	6,874.89	78,125.11	8.09 %
100-121-530000	FIRE & LIABILITY INSURANCE	436,800.00	436,800.00	0.00	168,621.96	268,178.04	38.60 %
100-121-530200	EMERGENCY MANAGEMENT	5,000.00	5,000.00	42.75	85.50	4,914.50	1.71 %
100-121-540110	EMPLOYEE APPRECIATION	8,000.00	8,000.00	306.35	306.35	7,693.65	3.83 %
100-121-540120	PERSONNEL RECRUITMENT	20,000.00	20,000.00	787.50	819.50	19,180.50	4.10 %
100-121-540200	DUES & MEMBERSHIPS	60,000.00	60,000.00	375.00	11,029.82	48,970.18	18.38 %
100-121-540220	TRAVEL, CONFERENCES & TRAINING	45,000.00	45,000.00	80.99	1,345.97	43,654.03	2.99 %
100-121-540230	MILEAGE REIMBURSEMENT	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
100-121-542000	PUBLICATIONS & SUBSCRIPTIONS	15,000.00	15,000.00	446.90	3,166.99	11,833.01	21.11 %
100-121-560120	TELEPHONES	18,500.00	18,500.00	623.48	1,244.55	17,255.45	6.73 %
RptCategory: 50 - MATERIAL AND SERVICES Total:		1,717,200.00	1,717,200.00	73,424.11	268,224.05	1,448,975.95	15.62 %
Department: 121 - ADMIN Total:		4,094,178.00	4,094,178.00	140,191.23	406,523.05	3,687,654.95	9.93 %

Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 122 - INFORMATION TECHNOLOGY							
RptCategory: 40 - PERSONNEL SERVICES							
100-122-432010	IT MANAGER	239,844.00	239,844.00	9,844.00	19,688.00	220,156.00	8.21 %
100-122-470000	ASSOCIATED PAYROLL COSTS	125,511.00	125,511.00	5,028.30	10,056.47	115,454.53	8.01 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	365,355.00	365,355.00	14,872.30	29,744.47	335,610.53	8.14 %
RptCategory: 50 - MATERIAL AND SERVICES							
100-122-500110	CONTRACTUAL & PROFESSIONAL	10,600.00	10,600.00	0.00	0.00	10,600.00	0.00 %
100-122-500210	COMPUTER/TECHNOLOGY SERVICE	247,524.00	247,524.00	13,560.37	27,762.13	219,761.87	11.22 %
100-122-520400	OFFICE SUPPLIES & EQUIPMENT	40,260.00	40,260.00	1,443.26	2,086.48	38,173.52	5.18 %
100-122-540220	TRAVEL, CONFERENCES & TRAINING	3,000.00	3,000.00	229.73	229.73	2,770.27	7.66 %
100-122-540300	SMALL TOOLS, EQUIPMENT & SAFE...	1,000.00	1,000.00	72.77	72.77	927.23	7.28 %
100-122-560110	CELL PHONES, PAGERS & RADIOS	71,076.00	71,076.00	1,784.76	5,015.55	66,060.45	7.06 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	373,460.00	373,460.00	17,090.89	35,166.66	338,293.34	9.42 %
RptCategory: 60 - CAPITAL OUTLAY							
100-122-661018	COMPUTER & EQUIPMENT RESERVE	130,499.00	130,499.00	57.99	245.01	130,253.99	0.19 %
	RptCategory: 60 - CAPITAL OUTLAY Total:	130,499.00	130,499.00	57.99	245.01	130,253.99	0.19 %
	Department: 122 - INFORMATION TECHNOLOGY Total:	869,314.00	869,314.00	32,021.18	65,156.14	804,157.86	7.50 %
Department: 124 - FACILITIES							
RptCategory: 40 - PERSONNEL SERVICES							
100-124-437050	PUBLIC WORKS SUPERVISOR	19,846.00	19,846.00	0.00	256.67	19,589.33	1.29 %
100-124-437070	UTILITY WORKER II	119,296.00	119,296.00	2,763.89	5,328.08	113,967.92	4.47 %
100-124-450100	OVERTIME	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
100-124-470000	ASSOCIATED PAYROLL COSTS	81,639.00	81,639.00	1,450.26	3,008.32	78,630.68	3.68 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	221,781.00	221,781.00	4,214.15	8,593.07	213,187.93	3.87 %
RptCategory: 50 - MATERIAL AND SERVICES							
100-124-500110	CONTRACTUAL & PROFESSIONAL S...	165,500.00	165,500.00	3,953.76	5,583.74	159,916.26	3.37 %
100-124-520130	OPERATIONS, MAINTENANCE & RE...	100,000.00	100,000.00	8,082.11	8,940.78	91,059.22	8.94 %
100-124-540220	TRAVEL, CONFERENCES & TRAINING	2,500.00	2,500.00	0.00	0.00	2,500.00	0.00 %
100-124-540300	SMALL TOOLS, EQUIPMENT & SAFE...	5,000.00	5,000.00	84.97	99.28	4,900.72	1.99 %
100-124-560100	UTILITIES	193,500.00	193,500.00	7,608.62	15,109.07	178,390.93	7.81 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	466,500.00	466,500.00	19,729.46	29,732.87	436,767.13	6.37 %
RptCategory: 60 - CAPITAL OUTLAY							
100-124-641005	PUBLIC WORKS FACILITY CONSTRU...	4,660,188.00	4,660,188.00	170,130.93	175,982.17	4,484,205.83	3.78 %
100-124-641010	BUILDING RESERVE/REPAIR	20,000.00	20,000.00	0.00	0.00	20,000.00	0.00 %
	RptCategory: 60 - CAPITAL OUTLAY Total:	4,680,188.00	4,680,188.00	170,130.93	175,982.17	4,504,205.83	3.76 %
	Department: 124 - FACILITIES Total:	5,368,469.00	5,368,469.00	194,074.54	214,308.11	5,154,160.89	3.99 %
Department: 220 - COURT							
RptCategory: 40 - PERSONNEL SERVICES							
100-220-432020	MUNICIPAL COURT CLERK	144,999.00	144,999.00	5,935.89	11,871.78	133,127.22	8.19 %
100-220-432035	COURT ADMINISTRATOR	187,908.00	187,908.00	7,713.00	15,426.00	172,482.00	8.21 %
100-220-450500	CAREER RECOGNITION PAY	7,041.00	7,041.00	289.02	578.04	6,462.96	8.21 %
100-220-470000	ASSOCIATED PAYROLL COSTS	190,166.00	190,166.00	7,617.11	15,233.64	174,932.36	8.01 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	530,114.00	530,114.00	21,555.02	43,109.46	487,004.54	8.13 %
RptCategory: 50 - MATERIAL AND SERVICES							
100-220-500110	CONTRACTUAL & PROFESSIONAL S...	2,000.00	2,000.00	10.50	10.50	1,989.50	0.53 %
100-220-500132	PROSECUTING ATTORNEY	85,000.00	85,000.00	0.00	3,500.00	81,500.00	4.12 %
100-220-500134	ATTORNEYS FOR INDIGENT CLIENTS	57,000.00	57,000.00	650.00	3,050.00	53,950.00	5.35 %
100-220-500136	MUNICIPAL COURT JUDGE	84,000.00	84,000.00	3,500.00	7,000.00	77,000.00	8.33 %
100-220-500137	PRO-TEM JUDGE	3,000.00	3,000.00	0.00	0.00	3,000.00	0.00 %
100-220-500138	JURY EXPENSES	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
100-220-500282	COURTROOM SECURITY	21,000.00	21,000.00	1,500.00	1,500.00	19,500.00	7.14 %
100-220-520120	BANK CHARGES	12,000.00	12,000.00	0.00	0.00	12,000.00	0.00 %
100-220-520400	OFFICE SUPPLIES & EQUIPMENT	12,000.00	12,000.00	9.99	253.72	11,746.28	2.11 %

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
100-220-540220	TRAVEL, CONFERENCES & TRAINING	4,000.00	4,000.00	229.73	229.73	3,770.27	5.74 %
RptCategory: 50 - MATERIAL AND SERVICES Total:		281,000.00	281,000.00	5,900.22	15,543.95	265,456.05	5.53 %
Department: 220 - COURT Total:		811,114.00	811,114.00	27,455.24	58,653.41	752,460.59	7.23 %
Department: 240 - POLICE							
RptCategory: 40 - PERSONNEL SERVICES							
100-240-432110	POLICE CHIEF	337,464.00	337,464.00	13,852.00	27,704.00	309,760.00	8.21 %
100-240-432130	POLICE LIEUTENANT	271,116.00	271,116.00	0.00	0.00	271,116.00	0.00 %
100-240-432140	POLICE DETECTIVE	184,332.00	184,332.00	8,124.70	16,213.03	168,118.97	8.80 %
100-240-432160	POLICE OFFICER	1,529,200.00	1,529,200.00	50,487.34	96,363.50	1,432,836.50	6.30 %
100-240-432170	POLICE SERGEANT	642,360.00	642,360.00	25,840.15	51,281.65	591,078.35	7.98 %
100-240-432182	PROPERTY ROOM TECHNICIAN	59,430.00	59,430.00	3,002.02	5,242.96	54,187.04	8.82 %
100-240-432185	POLICE RECORDS CLERK	131,004.00	131,004.00	5,272.00	10,544.00	120,460.00	8.05 %
100-240-450100	OVERTIME	290,000.00	290,000.00	15,279.75	26,841.16	263,158.84	9.26 %
100-240-450110	TRAFFIC GRANT OVERTIME	80,000.00	80,000.00	2,918.26	6,350.92	73,649.08	7.94 %
100-240-450200	HOLIDAY PAY	30,000.00	30,000.00	2,783.87	7,087.52	22,912.48	23.63 %
100-240-450210	TRAINING OVERTIME	18,000.00	18,000.00	0.00	0.00	18,000.00	0.00 %
100-240-450300	PROFICIENCY PAY	176,563.00	176,563.00	5,771.77	11,208.04	165,354.96	6.35 %
100-240-450500	CAREER RECOGNITION PAY	8,604.00	8,604.00	1,313.08	2,567.98	6,036.02	29.85 %
100-240-470000	ASSOCIATED PAYROLL COSTS	2,192,668.00	2,192,668.00	73,661.29	144,743.48	2,047,924.52	6.60 %
RptCategory: 40 - PERSONNEL SERVICES Total:		5,950,741.00	5,950,741.00	208,306.23	406,148.24	5,544,592.76	6.83 %
RptCategory: 50 - MATERIAL AND SERVICES							
100-240-500110	CONTRACTUAL & PROFESSIONAL S...	149,350.00	149,350.00	1,095.85	27,455.76	121,894.24	18.38 %
100-240-500284	PARK PATROL	19,076.00	19,076.00	8,898.19	8,898.19	10,177.81	46.65 %
100-240-500498	SHARE COST CCOM DISPATCH	153,700.00	153,700.00	13,013.76	13,013.76	140,686.24	8.47 %
100-240-510044	JUVENILE DIVERSION PROGRAM	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00 %
100-240-520100	OPERATIONAL SUPPLIES AND EXPE...	89,948.00	89,948.00	2,639.08	3,013.96	86,934.04	3.35 %
100-240-520112	FIREARMS/AMMUNITION	72,080.00	72,080.00	0.00	44.00	72,036.00	0.06 %
100-240-520320	FLEET FUEL, MAINTENANCE & REPA...	176,960.00	176,960.00	17,706.97	27,982.19	148,977.81	15.81 %
100-240-520345	RADAR MAINTENANCE REPLACEM...	4,240.00	4,240.00	0.00	0.00	4,240.00	0.00 %
100-240-520400	OFFICE SUPPLIES & EQUIPMENT	37,492.00	37,492.00	1,138.92	2,102.76	35,389.24	5.61 %
100-240-540110	EMPLOYEE APPRECIATION	12,000.00	12,000.00	300.00	300.00	11,700.00	2.50 %
100-240-540200	DUES & MEMBERSHIPS	12,000.00	12,000.00	0.00	180.00	11,820.00	1.50 %
100-240-540220	TRAVEL, CONFERENCES & TRAINING	58,652.00	58,652.00	2,584.63	3,011.99	55,640.01	5.14 %
100-240-540301	UNIFORMS AND SAFETY EQUIPMENT	41,976.00	41,976.00	433.86	3,545.86	38,430.14	8.45 %
100-240-542000	PUBLICATIONS & SUBSCRIPTIONS	5,000.00	5,000.00	280.00	432.00	4,568.00	8.64 %
100-240-560120	TELEPHONES	21,412.00	21,412.00	775.90	1,536.95	19,875.05	7.18 %
RptCategory: 50 - MATERIAL AND SERVICES Total:		858,886.00	858,886.00	48,867.16	91,517.42	767,368.58	10.66 %
RptCategory: 60 - CAPITAL OUTLAY							
100-240-651000	VEHICLES AND EQUIPMENT RESERV...	182,850.00	182,850.00	19,637.79	62,223.46	120,626.54	34.03 %
RptCategory: 60 - CAPITAL OUTLAY Total:		182,850.00	182,850.00	19,637.79	62,223.46	120,626.54	34.03 %
Department: 240 - POLICE Total:		6,992,477.00	6,992,477.00	276,811.18	559,889.12	6,432,587.88	8.01 %
Department: 250 - FIRE							
RptCategory: 50 - MATERIAL AND SERVICES							
100-250-500110	CONTRACTUAL & PROFESSIONAL S...	3,668,444.00	3,668,444.00	0.00	555,817.50	3,112,626.50	15.15 %
RptCategory: 50 - MATERIAL AND SERVICES Total:		3,668,444.00	3,668,444.00	0.00	555,817.50	3,112,626.50	15.15 %
Department: 250 - FIRE Total:		3,668,444.00	3,668,444.00	0.00	555,817.50	3,112,626.50	15.15 %
Department: 526 - PARKS							
RptCategory: 40 - PERSONNEL SERVICES							
100-526-437049	PUBLIC WORKS DIRECTOR	56,935.00	56,935.00	2,170.60	4,341.20	52,593.80	7.62 %
100-526-437050	PUBLIC WORKS SUPERVISOR	89,310.00	89,310.00	0.00	1,155.01	88,154.99	1.29 %
100-526-437055	PW ADMIN ASSISTANT	42,343.00	42,343.00	1,677.10	3,339.20	39,003.80	7.89 %
100-526-437070	UTILITY WORKER, JOURNEY	0.00	0.00	5,763.00	5,763.00	-5,763.00	0.00 %
100-526-437071	UTILITY WORKER II	237,712.00	237,712.00	7,505.88	14,812.06	222,899.94	6.23 %
100-526-439011	SEASONAL HELP	77,125.00	77,125.00	0.00	0.00	77,125.00	0.00 %
100-526-450100	OVERTIME	4,000.00	4,000.00	27.39	116.49	3,883.51	2.91 %
100-526-450500	CAREER RECOGNITION PAY	163.00	163.00	111.11	118.66	44.34	72.80 %

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
100-526-470000	ASSOCIATED PAYROLL COSTS	249,276.00	249,276.00	8,145.43	14,708.10	234,567.90	5.90 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	756,864.00	756,864.00	25,400.51	44,353.72	712,510.28	5.86 %
	RptCategory: 50 - MATERIAL AND SERVICES						
100-526-500110	CONTRACTUAL & PROFESSIONAL S...	70,000.00	70,000.00	3,965.88	5,939.14	64,060.86	8.48 %
100-526-520120	BANK CHARGES	11,200.00	11,200.00	476.50	1,223.53	9,976.47	10.92 %
100-526-520130	OPERATIONS, MAINTENANCE & RE...	152,000.00	152,000.00	5,045.76	7,986.18	144,013.82	5.25 %
100-526-520132	HAZARDOUS TREE REMOVAL	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00 %
100-526-520320	FLEET FUEL, MAINTENANCE & REPA...	45,000.00	45,000.00	918.74	1,923.20	43,076.80	4.27 %
100-526-520400	OFFICE SUPPLIES & EQUIPMENT	5,000.00	5,000.00	64.58	166.82	4,833.18	3.34 %
100-526-540220	TRAVEL, CONFERENCES & TRAINING	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
100-526-540300	SMALL TOOLS, EQUIPMENT & SAFE...	10,000.00	10,000.00	673.82	688.13	9,311.87	6.88 %
100-526-540400	DUMPING, HAULING, GARBAGE	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
100-526-560100	UTILITIES	73,300.00	73,300.00	6,094.21	11,554.49	61,745.51	15.76 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	419,500.00	419,500.00	17,239.49	29,481.49	390,018.51	7.03 %
	RptCategory: 60 - CAPITAL OUTLAY						
100-526-660100	EQUIPMENT REPLACEMENT RESER...	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00 %
100-526-676050	SYSTEM IMPROVEMENTS & PROJEC...	599,623.00	599,623.00	6,161.15	6,161.15	593,461.85	1.03 %
	RptCategory: 60 - CAPITAL OUTLAY Total:	649,623.00	649,623.00	6,161.15	6,161.15	643,461.85	0.95 %
	Department: 526 - PARKS Total:	1,825,987.00	1,825,987.00	48,801.15	79,996.36	1,745,990.64	4.38 %
	Department: 527 - RECREATION						
	RptCategory: 40 - PERSONNEL SERVICES						
100-527-435120	RECREATION COORDINATOR	20,000.00	20,000.00	2,653.20	4,054.05	15,945.95	20.27 %
100-527-470000	ASSOCIATED PAYROLL COSTS	7,500.00	7,500.00	1,035.87	1,582.81	5,917.19	21.10 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	27,500.00	27,500.00	3,689.07	5,636.86	21,863.14	20.50 %
	RptCategory: 50 - MATERIAL AND SERVICES						
100-527-510062	SUMMER PROGRAMS	3,000.00	3,000.00	664.65	854.82	2,145.18	28.49 %
100-527-510064	SPECIAL EVENTS	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00 %
100-527-520136	MAINTENANCE & SUPPLIES	2,200.00	2,200.00	0.00	0.00	2,200.00	0.00 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	10,200.00	10,200.00	664.65	854.82	9,345.18	8.38 %
	Department: 527 - RECREATION Total:	37,700.00	37,700.00	4,353.72	6,491.68	31,208.32	17.22 %
	Department: 528 - SENIOR CENTER						
	RptCategory: 40 - PERSONNEL SERVICES						
100-528-435210	COMMUNITY SERVICES MANAGER	223,061.00	223,061.00	8,111.50	16,615.50	206,445.50	7.45 %
100-528-435240	TRAM DRIVER	69,366.00	69,366.00	4,111.62	7,822.63	61,543.37	11.28 %
100-528-435250	NUTRITION CATERER	112,776.00	112,776.00	4,541.00	9,057.00	103,719.00	8.03 %
100-528-435280	CENTER ASSISTANT	140,388.00	140,388.00	5,763.00	12,148.08	128,239.92	8.65 %
100-528-435295	BUILDING MONITOR	4,500.00	4,500.00	177.19	208.69	4,291.31	4.64 %
100-528-450500	CAREER RECOGNITION PAY	1,404.00	1,404.00	57.63	121.48	1,282.52	8.65 %
100-528-470000	ASSOCIATED PAYROLL COSTS	297,810.00	297,810.00	12,053.75	24,313.95	273,496.05	8.16 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	849,305.00	849,305.00	34,815.69	70,287.33	779,017.67	8.28 %
	RptCategory: 50 - MATERIAL AND SERVICES						
100-528-510075	NUTRITION PROGRAM SUPPLIES	30,000.00	30,000.00	1,692.51	2,157.01	27,842.99	7.19 %
100-528-520140	TRAM EXPENSES	14,500.00	14,500.00	705.60	1,442.94	13,057.06	9.95 %
100-528-520200	BLDG MAINTENANCE & SUPPLIES	4,000.00	4,000.00	0.00	124.00	3,876.00	3.10 %
100-528-520320	FLEET FUEL, MAINTENANCE & REPA...	2,800.00	2,800.00	665.02	675.02	2,124.98	24.11 %
100-528-520400	OFFICE SUPPLIES & EQUIPMENT	5,000.00	5,000.00	377.50	730.65	4,269.35	14.61 %
100-528-540200	DUES & MEMBERSHIPS	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
100-528-560120	TELEPHONES	3,000.00	3,000.00	120.70	239.91	2,760.09	8.00 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	60,300.00	60,300.00	3,561.33	5,369.53	54,930.47	8.90 %
	Department: 528 - SENIOR CENTER Total:	909,605.00	909,605.00	38,377.02	75,656.86	833,948.14	8.32 %

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	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 529 - LIBRARY						
RptCategory: 50 - MATERIAL AND SERVICES						
100-529-500110 CONTRACTUAL & PROFESSIONAL S...	446,540.00	446,540.00	0.00	0.00	446,540.00	0.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	446,540.00	446,540.00	0.00	0.00	446,540.00	0.00 %
Department: 529 - LIBRARY Total:	446,540.00	446,540.00	0.00	0.00	446,540.00	0.00 %
Department: 600 - DEBT SERVICE						
RptCategory: 70 - DEBT SERVICE						
100-600-720040 DEBT PRINCIPAL	854,265.00	854,265.00	177,775.00	177,775.00	676,490.00	20.81 %
100-600-730040 DEBT SERVICE - INTEREST	364,010.00	364,010.00	35,091.48	35,091.48	328,918.52	9.64 %
RptCategory: 70 - DEBT SERVICE Total:	1,218,275.00	1,218,275.00	212,866.48	212,866.48	1,005,408.52	17.47 %
Department: 600 - DEBT SERVICE Total:	1,218,275.00	1,218,275.00	212,866.48	212,866.48	1,005,408.52	17.47 %
Department: 990 - CONTINGENCY						
RptCategory: 90 - OTHER						
100-990-910000 CONTINGENCY FUNDS	821,908.00	821,908.00	0.00	0.00	821,908.00	0.00 %
RptCategory: 90 - OTHER Total:	821,908.00	821,908.00	0.00	0.00	821,908.00	0.00 %
Department: 990 - CONTINGENCY Total:	821,908.00	821,908.00	0.00	0.00	821,908.00	0.00 %
Expense Total:	27,064,011.00	27,064,011.00	974,951.74	2,235,358.71	24,828,652.29	8.26 %
Fund: 100 - GENERAL FUND Surplus (Deficit):	0.00	0.00	-776,027.13	-1,894,174.53	-1,894,174.53	0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 105 - AMERICAN RESCUE PLAN RESERVE FUND						
Revenue						
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL						
RptType: 3150 - GRANTS						
105-000-315080 OTHER GRANTS (ARPA)	2,367,344.00	2,367,344.00	0.00	0.00	-2,367,344.00	0.00 %
RptType: 3150 - GRANTS Total:	2,367,344.00	2,367,344.00	0.00	0.00	-2,367,344.00	0.00 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	2,367,344.00	2,367,344.00	0.00	0.00	-2,367,344.00	0.00 %
Revenue Total:	2,367,344.00	2,367,344.00	0.00	0.00	-2,367,344.00	0.00 %
Expense						
Department: 150 - ARPA GRANT						
RptCategory: 50 - MATERIAL AND SERVICES						
105-150-500110 CONTRACTUAL & PROFESSIONAL S...	115,300.00	115,300.00	0.00	6,540.00	108,760.00	5.67 %
105-150-530200 EMERGENCY MANAGEMENT	17,600.00	17,600.00	0.00	13,048.80	4,551.20	74.14 %
105-150-530210 ARPA FUNDING (TBD)	280,944.00	280,944.00	0.00	0.00	280,944.00	0.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	413,844.00	413,844.00	0.00	19,588.80	394,255.20	4.73 %
RptCategory: 60 - CAPITAL OUTLAY						
105-150-660100 EQUIPMENT REPLACEMENT	100,000.00	100,000.00	0.00	0.00	100,000.00	0.00 %
RptCategory: 60 - CAPITAL OUTLAY Total:	100,000.00	100,000.00	0.00	0.00	100,000.00	0.00 %
Department: 150 - ARPA GRANT Total:	513,844.00	513,844.00	0.00	19,588.80	494,255.20	3.81 %
Department: 920 - TRANSFER OUT						
RptCategory: 89 - TRANSFERS OUT						
105-920-899100 TRANSFER OUT TO GENERAL FUND	653,500.00	653,500.00	0.00	0.00	653,500.00	0.00 %
105-920-899730 TRANSFER OUT TO SEWER FUND	840,000.00	840,000.00	0.00	0.00	840,000.00	0.00 %
105-920-899750 TRANSFER OUT TO STORM WATER F...	360,000.00	360,000.00	0.00	0.00	360,000.00	0.00 %
RptCategory: 89 - TRANSFERS OUT Total:	1,853,500.00	1,853,500.00	0.00	0.00	1,853,500.00	0.00 %
Department: 920 - TRANSFER OUT Total:	1,853,500.00	1,853,500.00	0.00	0.00	1,853,500.00	0.00 %
Expense Total:	2,367,344.00	2,367,344.00	0.00	19,588.80	2,347,755.20	0.83 %
Fund: 105 - AMERICAN RESCUE PLAN RESERVE FUND Surplus (Defici..	0.00	0.00	0.00	-19,588.80	-19,588.80	0.00 %

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	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 205 - ROAD AND STREET FUND						
Revenue						
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL						
RptType: 3000 - BEG FUND BAL.						
205-000-309999	BEGINNING FUND BALANCE	2,822,000.00	2,822,000.00	0.00	0.00	-2,822,000.00 0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	2,822,000.00	2,822,000.00	0.00	0.00	-2,822,000.00 0.00 %
RptType: 3100 - LOCAL TAXES						
205-000-310060	VEHICLE REGISTRATION FEES	500,000.00	500,000.00	0.00	0.00	-500,000.00 0.00 %
	RptType: 3100 - LOCAL TAXES Total:	500,000.00	500,000.00	0.00	0.00	-500,000.00 0.00 %
RptType: 3110 - STATE SHARED TAXES						
205-000-310140	STATE HIGHWAY TAXES	1,944,766.00	1,944,766.00	53,533.53	53,533.53	-1,891,232.47 2.75 %
	RptType: 3110 - STATE SHARED TAXES Total:	1,944,766.00	1,944,766.00	53,533.53	53,533.53	-1,891,232.47 2.75 %
RptType: 3120 - RIGHT OF WAY FEES						
205-000-312050	RIGHT OF WAY - TELECOM	240,000.00	240,000.00	49.86	49.86	-239,950.14 0.02 %
205-000-312055	RIGHT OF WAY - OTHER	225,000.00	225,000.00	0.00	0.00	-225,000.00 0.00 %
205-000-312060	ROW LICENSES & APP FEES	1,000.00	1,000.00	0.00	0.00	-1,000.00 0.00 %
	RptType: 3120 - RIGHT OF WAY FEES Total:	466,000.00	466,000.00	49.86	49.86	-465,950.14 0.01 %
RptType: 3600 - MISCELLANEOUS						
205-000-360000	ALL OTHER ROAD/STREET RECEIPTS	50,000.00	50,000.00	235.00	1,175.00	-48,825.00 2.35 %
	RptType: 3600 - MISCELLANEOUS Total:	50,000.00	50,000.00	235.00	1,175.00	-48,825.00 2.35 %
	Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	5,782,766.00	5,782,766.00	53,818.39	54,758.39	-5,728,007.61 0.95 %
Department: 910 - TRANSFER IN						
RptType: 3990 - TRANSFERS IN						
205-910-399730	TRANSFER IN FROM SEWER FUND	462,275.00	462,275.00	0.00	0.00	-462,275.00 0.00 %
205-910-399740	TRANSFER IN FROM WATER FUND	349,000.00	349,000.00	0.00	0.00	-349,000.00 0.00 %
205-910-399750	TRANSFER IN FROM STORM WATER	110,500.00	110,500.00	0.00	0.00	-110,500.00 0.00 %
	RptType: 3990 - TRANSFERS IN Total:	921,775.00	921,775.00	0.00	0.00	-921,775.00 0.00 %
	Department: 910 - TRANSFER IN Total:	921,775.00	921,775.00	0.00	0.00	-921,775.00 0.00 %
	Revenue Total:	6,704,541.00	6,704,541.00	53,818.39	54,758.39	-6,649,782.61 0.82 %
Expense						
Department: 305 - ROAD AND STREET						
RptCategory: 40 - PERSONNEL SERVICES						
205-305-437049	PUBLIC WORKS DIRECTOR	56,935.00	56,935.00	2,170.60	4,341.20	52,593.80 7.62 %
205-305-437050	PUBLIC WORKS SUPERVISOR	89,310.00	89,310.00	0.00	1,155.02	88,154.98 1.29 %
205-305-437051	PW UTILITIES MANAGER	60,981.00	60,981.00	2,384.94	4,769.88	56,211.12 7.82 %
205-305-437055	PW ADMIN ASSISTANT	62,632.00	62,632.00	2,528.73	5,023.71	57,608.29 8.02 %
205-305-437070	UTILITY WORKER, JOURNEY	154,764.00	154,764.00	11,641.20	18,260.63	136,503.37 11.80 %
205-305-437071	UTILITY WORKER II	165,676.00	165,676.00	5,836.44	12,756.72	152,919.28 7.70 %
205-305-439011	SEASONAL HELP	77,125.00	77,125.00	765.60	3,640.88	73,484.12 4.72 %
205-305-450100	OVERTIME	10,000.00	10,000.00	61.63	533.55	9,466.45 5.34 %
205-305-450500	CAREER RECOGNITION PAY	11,727.00	11,727.00	642.48	1,199.48	10,527.52 10.23 %
205-305-470000	ASSOCIATED PAYROLL COSTS	427,801.00	427,801.00	15,852.36	31,622.12	396,178.88 7.39 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	1,116,951.00	1,116,951.00	41,883.98	83,303.19	1,033,647.81 7.46 %
RptCategory: 50 - MATERIAL AND SERVICES						
205-305-500110	CONTRACTUAL & PROFESSIONAL S...	40,000.00	40,000.00	9,242.86	15,347.98	24,652.02 38.37 %
205-305-520130	OPERATIONS, MAINTENANCE & RE...	630,000.00	630,000.00	85,463.47	140,763.12	489,236.88 22.34 %
205-305-520172	STREET LIGHT MAINTENANCE	200,000.00	200,000.00	7,369.16	14,688.72	185,311.28 7.34 %
205-305-520176	TRAFFIC SIGNAL MAINTENANCE	14,000.00	14,000.00	0.00	0.00	14,000.00 0.00 %
205-305-520178	STREET SIGN MAINTENANCE	50,000.00	50,000.00	0.00	0.00	50,000.00 0.00 %
205-305-520320	FLEET FUEL, MAINTENANCE & REPA...	50,000.00	50,000.00	1,171.51	4,661.28	45,338.72 9.32 %
205-305-520400	OFFICE SUPPLIES & EQUIPMENT	4,000.00	4,000.00	67.58	172.82	3,827.18 4.32 %
205-305-540220	TRAVEL, CONFERENCES & TRAINING	2,500.00	2,500.00	0.00	0.00	2,500.00 0.00 %
205-305-540300	SMALL TOOLS, EQUIPMENT & SAFE...	20,000.00	20,000.00	0.00	0.00	20,000.00 0.00 %
205-305-540400	DUMPING, HAULING, GARBAGE	7,500.00	7,500.00	0.00	0.00	7,500.00 0.00 %

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
205-305-560100	UTILITIES	2,500.00	2,500.00	51.04	101.45	2,398.55	4.06 %
RptCategory: 50 - MATERIAL AND SERVICES Total:		1,020,500.00	1,020,500.00	103,365.62	175,735.37	844,764.63	17.22 %
RptCategory: 60 - CAPITAL OUTLAY							
205-305-660100	EQUIPMENT REPLACEMENT RESER...	250,000.00	250,000.00	0.00	0.00	250,000.00	0.00 %
205-305-675056	BIKEWAY & SIDEWALK IMPROVEM...	19,447.00	19,447.00	0.00	0.00	19,447.00	0.00 %
205-305-676050	SYSTEM IMPROVEMENTS & PROJEC...	1,884,122.00	1,884,122.00	0.00	57,007.70	1,827,114.30	3.03 %
205-305-678090	RESERVE FROM SDC'S	596,139.00	596,139.00	0.00	0.00	596,139.00	0.00 %
RptCategory: 60 - CAPITAL OUTLAY Total:		2,749,708.00	2,749,708.00	0.00	57,007.70	2,692,700.30	2.07 %
Department: 305 - ROAD AND STREET Total:		4,887,159.00	4,887,159.00	145,249.60	316,046.26	4,571,112.74	6.47 %
Department: 920 - TRANSFER OUT							
RptCategory: 89 - TRANSFERS OUT							
205-920-899100	TRANSFER OUT TO GENERAL FUND	584,717.00	584,717.00	0.00	0.00	584,717.00	0.00 %
205-920-899730	TRANSFER OUT TO SEWER FUND	277,555.00	277,555.00	0.00	0.00	277,555.00	0.00 %
205-920-899740	TRANSFER OUT TO WATER	277,555.00	277,555.00	0.00	0.00	277,555.00	0.00 %
205-920-899750	TRANSFER OUT TO STORM	277,555.00	277,555.00	0.00	0.00	277,555.00	0.00 %
RptCategory: 89 - TRANSFERS OUT Total:		1,417,382.00	1,417,382.00	0.00	0.00	1,417,382.00	0.00 %
Department: 920 - TRANSFER OUT Total:		1,417,382.00	1,417,382.00	0.00	0.00	1,417,382.00	0.00 %
Department: 990 - CONTINGENCY							
RptCategory: 90 - OTHER							
205-990-910000	CONTINGENCY FUNDS	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
RptCategory: 90 - OTHER Total:		400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
Department: 990 - CONTINGENCY Total:		400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
Expense Total:		6,704,541.00	6,704,541.00	145,249.60	316,046.26	6,388,494.74	4.71 %
Fund: 205 - ROAD AND STREET FUND Surplus (Deficit):		0.00	0.00	-91,431.21	-261,287.87	-261,287.87	0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 228 - POLICE LEVY FUND						
Revenue						
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL						
RptType: 3000 - BEG FUND BAL.						
228-000-309999	BEGINNING FUND BALANCE	23,000.00	23,000.00	0.00	0.00	-23,000.00 0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	23,000.00	23,000.00	0.00	0.00	-23,000.00 0.00 %
RptType: 3100 - LOCAL TAXES						
228-000-310020	CURRENT LEVY TAX	1,515,498.00	1,515,498.00	0.00	0.00	-1,515,498.00 0.00 %
228-000-310050	PRIOR YEAR TAXES	10,000.00	10,000.00	0.00	0.00	-10,000.00 0.00 %
	RptType: 3100 - LOCAL TAXES Total:	1,525,498.00	1,525,498.00	0.00	0.00	-1,525,498.00 0.00 %
RptType: 3301 - INTEREST						
228-000-330100	INTEREST	4,000.00	4,000.00	-66.98	123.05	-3,876.95 3.08 %
	RptType: 3301 - INTEREST Total:	4,000.00	4,000.00	-66.98	123.05	-3,876.95 3.08 %
	Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	1,552,498.00	1,552,498.00	-66.98	123.05	-1,552,374.95 0.01 %
	Revenue Total:	1,552,498.00	1,552,498.00	-66.98	123.05	-1,552,374.95 0.01 %
Expense						
Department: 245 - POLICE LEVY						
RptCategory: 40 - PERSONNEL SERVICES						
228-245-432160	POLICE OFFICER	184,338.00	184,338.00	8,487.92	17,012.22	167,325.78 9.23 %
228-245-432165	SCHOOL RESOURCE OFFICER	184,338.00	184,338.00	0.00	0.00	184,338.00 0.00 %
228-245-432180	MUNICIPAL ORDINANCE SPECIALIST	137,556.00	137,556.00	1,158.71	4,789.25	132,766.75 3.48 %
228-245-432195	EXECUTIVE ASSISTANT	161,508.00	161,508.00	6,663.00	13,326.00	148,182.00 8.25 %
228-245-450100	OVERTIME	30,000.00	30,000.00	1,155.52	1,701.19	28,298.81 5.67 %
228-245-450200	HOLIDAY PAY	4,000.00	4,000.00	0.00	0.00	4,000.00 0.00 %
228-245-450300	PROFICIENCY PAY	67,507.00	67,507.00	1,268.51	2,590.51	64,916.49 3.84 %
228-245-450500	CAREER RECOGNITION PAY	0.00	0.00	175.40	353.85	-353.85 0.00 %
228-245-470000	ASSOCIATED PAYROLL COSTS	490,468.00	490,468.00	11,810.79	24,938.53	465,529.47 5.08 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	1,259,715.00	1,259,715.00	30,719.85	64,711.55	1,195,003.45 5.14 %
RptCategory: 50 - MATERIAL AND SERVICES						
228-245-500498	SHARE COST CCOM DISPATCH	161,386.00	161,386.00	13,544.94	13,544.94	147,841.06 8.39 %
228-245-510032	SRO EXPENSES	4,000.00	4,000.00	1,040.70	1,040.70	2,959.30 26.02 %
228-245-510040	K-9 EXPENSES	14,000.00	14,000.00	653.82	1,232.77	12,767.23 8.81 %
228-245-510041	SWAT PROGRAM	8,200.00	8,200.00	0.00	0.00	8,200.00 0.00 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	187,586.00	187,586.00	15,239.46	15,818.41	171,767.59 8.43 %
	Department: 245 - POLICE LEVY Total:	1,447,301.00	1,447,301.00	45,959.31	80,529.96	1,366,771.04 5.56 %
Department: 991 - UNAPPROPRIATED BALANCE						
RptCategory: 90 - OTHER						
228-991-990000	UNAPPROPRIATED ENDING FUND B...	105,197.00	105,197.00	0.00	0.00	105,197.00 0.00 %
	RptCategory: 90 - OTHER Total:	105,197.00	105,197.00	0.00	0.00	105,197.00 0.00 %
	Department: 991 - UNAPPROPRIATED BALANCE Total:	105,197.00	105,197.00	0.00	0.00	105,197.00 0.00 %
	Expense Total:	1,552,498.00	1,552,498.00	45,959.31	80,529.96	1,471,968.04 5.19 %
	Fund: 228 - POLICE LEVY FUND Surplus (Deficit):	0.00	0.00	-46,026.29	-80,406.91	-80,406.91 0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 229 - FIRE LEVY FUND						
Revenue						
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL						
RptType: 3000 - BEG FUND BAL.						
229-000-309999 BEGINNING FUND BALANCE	160,000.00	160,000.00	0.00	0.00	-160,000.00	0.00 %
RptType: 3000 - BEG FUND BAL. Total:	160,000.00	160,000.00	0.00	0.00	-160,000.00	0.00 %
RptType: 3100 - LOCAL TAXES						
229-000-310020 CURRENT LEVY TAX	690,889.00	690,889.00	0.00	0.00	-690,889.00	0.00 %
229-000-310050 PRIOR YEAR TAXES	5,000.00	5,000.00	0.00	0.00	-5,000.00	0.00 %
RptType: 3100 - LOCAL TAXES Total:	695,889.00	695,889.00	0.00	0.00	-695,889.00	0.00 %
RptType: 3301 - INTEREST						
229-000-330100 INTEREST	6,000.00	6,000.00	658.73	1,290.66	-4,709.34	21.51 %
RptType: 3301 - INTEREST Total:	6,000.00	6,000.00	658.73	1,290.66	-4,709.34	21.51 %
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	861,889.00	861,889.00	658.73	1,290.66	-860,598.34	0.15 %
Revenue Total:	861,889.00	861,889.00	658.73	1,290.66	-860,598.34	0.15 %
Expense						
Department: 255 - FIRE LEVY						
RptCategory: 50 - MATERIAL AND SERVICES						
229-255-500110 CONTRACTUAL & PROFESSIONAL S...	861,889.00	861,889.00	0.00	0.00	861,889.00	0.00 %
RptCategory: 50 - MATERIAL AND SERVICES Total:	861,889.00	861,889.00	0.00	0.00	861,889.00	0.00 %
Department: 255 - FIRE LEVY Total:	861,889.00	861,889.00	0.00	0.00	861,889.00	0.00 %
Expense Total:	861,889.00	861,889.00	0.00	0.00	861,889.00	0.00 %
Fund: 229 - FIRE LEVY FUND Surplus (Deficit):	0.00	0.00	658.73	1,290.66	1,290.66	0.00 %

Budget Report

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	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 390 - URBAN RENEWAL FUND						
Revenue						
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL						
RptType: 3000 - BEG FUND BAL.						
390-000-309999	BEGINNING FUND BALANCE	2,980,000.00	2,980,000.00	0.00	0.00	-2,980,000.00 0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	2,980,000.00	2,980,000.00	0.00	0.00	-2,980,000.00 0.00 %
RptType: 3100 - LOCAL TAXES						
390-000-310010	CURRENT YEAR TAXES	2,129,997.00	2,129,997.00	0.00	0.00	-2,129,997.00 0.00 %
390-000-310050	PRIOR YEAR TAXES	18,000.00	18,000.00	0.00	0.00	-18,000.00 0.00 %
	RptType: 3100 - LOCAL TAXES Total:	2,147,997.00	2,147,997.00	0.00	0.00	-2,147,997.00 0.00 %
RptType: 3301 - INTEREST						
390-000-330100	INTEREST	100,000.00	100,000.00	9,109.40	19,026.77	-80,973.23 19.03 %
	RptType: 3301 - INTEREST Total:	100,000.00	100,000.00	9,109.40	19,026.77	-80,973.23 19.03 %
	Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	5,227,997.00	5,227,997.00	9,109.40	19,026.77	-5,208,970.23 0.36 %
	Revenue Total:	5,227,997.00	5,227,997.00	9,109.40	19,026.77	-5,208,970.23 0.36 %
Expense						
Department: 410 - URBAN RENEWAL						
RptCategory: 50 - MATERIAL AND SERVICES						
390-410-500110	CONTRACTUAL & PROFESSIONAL S...	22,000.00	22,000.00	0.00	0.00	22,000.00 0.00 %
390-410-500120	MUNICIPAL AUDIT CONTRACT	38,000.00	38,000.00	0.00	0.00	38,000.00 0.00 %
390-410-530000	FIRE & LIABILITY INSURANCE	69,000.00	69,000.00	0.00	0.00	69,000.00 0.00 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	129,000.00	129,000.00	0.00	0.00	129,000.00 0.00 %
RptCategory: 70 - DEBT SERVICE						
390-410-730030	DEBT SERVICE PRINCIPAL	986,320.00	986,320.00	485,896.00	485,896.00	500,424.00 49.26 %
390-410-730040	DEBT SERVICE - INTEREST	89,952.00	89,952.00	29,806.60	29,806.60	60,145.40 33.14 %
	RptCategory: 70 - DEBT SERVICE Total:	1,076,272.00	1,076,272.00	515,702.60	515,702.60	560,569.40 47.92 %
RptCategory: 89 - TRANSFERS OUT						
390-410-899100	TRANSFER OUT TO GENERAL FUND	590,503.00	590,503.00	0.00	33,000.00	557,503.00 5.59 %
	RptCategory: 89 - TRANSFERS OUT Total:	590,503.00	590,503.00	0.00	33,000.00	557,503.00 5.59 %
	Department: 410 - URBAN RENEWAL Total:	1,795,775.00	1,795,775.00	515,702.60	548,702.60	1,247,072.40 30.56 %
Department: 990 - CONTINGENCY						
RptCategory: 90 - OTHER						
390-990-910000	CONTINGENCY FUNDS	3,432,222.00	3,432,222.00	0.00	0.00	3,432,222.00 0.00 %
	RptCategory: 90 - OTHER Total:	3,432,222.00	3,432,222.00	0.00	0.00	3,432,222.00 0.00 %
	Department: 990 - CONTINGENCY Total:	3,432,222.00	3,432,222.00	0.00	0.00	3,432,222.00 0.00 %
	Expense Total:	5,227,997.00	5,227,997.00	515,702.60	548,702.60	4,679,294.40 10.50 %
	Fund: 390 - URBAN RENEWAL FUND Surplus (Deficit):	0.00	0.00	-506,593.20	-529,675.83	-529,675.83 0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 730 - SEWER FUND							
Revenue							
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL							
RptType: 3000 - BEG FUND BAL.							
730-000-309999	BEGINNING FUND BALANCE	4,400,000.00	4,400,000.00	0.00	0.00	-4,400,000.00	0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	4,400,000.00	4,400,000.00	0.00	0.00	-4,400,000.00	0.00 %
RptType: 3140 - CHARGES FOR SERVICES							
730-000-314050	OAK LODGE SANITARY	1,900,000.00	1,900,000.00	87,113.33	174,280.30	-1,725,719.70	9.17 %
730-000-314055	TRI-CITY SERVICE DISTRICT	6,505,000.00	6,505,000.00	274,353.94	550,105.95	-5,954,894.05	8.46 %
730-000-314080	CONNECTION FEES	10,000.00	10,000.00	0.00	0.00	-10,000.00	0.00 %
	RptType: 3140 - CHARGES FOR SERVICES Total:	8,415,000.00	8,415,000.00	361,467.27	724,386.25	-7,690,613.75	8.61 %
RptType: 3141 - SDC							
730-000-314110	SEWER SDCS	20,000.00	20,000.00	0.00	0.00	-20,000.00	0.00 %
	RptType: 3141 - SDC Total:	20,000.00	20,000.00	0.00	0.00	-20,000.00	0.00 %
RptType: 3600 - MISCELLANEOUS							
730-000-360000	ALL OTHER SEWER RECEIPTS	482,033.00	482,033.00	0.00	200.00	-481,833.00	0.04 %
	RptType: 3600 - MISCELLANEOUS Total:	482,033.00	482,033.00	0.00	200.00	-481,833.00	0.04 %
	Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	13,317,033.00	13,317,033.00	361,467.27	724,586.25	-12,592,446.75	5.44 %
Department: 910 - TRANSFER IN							
RptType: 3990 - TRANSFERS IN							
730-910-399105	OPERATING TRANSFERS IN-ARPA RE...	840,000.00	840,000.00	0.00	0.00	-840,000.00	0.00 %
730-910-399205	TRANSFER IN FROM ROAD & STREET..	277,555.00	277,555.00	0.00	0.00	-277,555.00	0.00 %
	RptType: 3990 - TRANSFERS IN Total:	1,117,555.00	1,117,555.00	0.00	0.00	-1,117,555.00	0.00 %
	Department: 910 - TRANSFER IN Total:	1,117,555.00	1,117,555.00	0.00	0.00	-1,117,555.00	0.00 %
	Revenue Total:	14,434,588.00	14,434,588.00	361,467.27	724,586.25	-13,710,001.75	5.02 %
Expense							
Department: 703 - SEWER							
RptCategory: 40 - PERSONNEL SERVICES							
730-703-431500	ACCOUNTING CLERK	34,269.00	34,269.00	1,307.00	2,614.00	31,655.00	7.63 %
730-703-437049	PUBLIC WORKS DIRECTOR	56,935.00	56,935.00	2,170.60	4,341.20	52,593.80	7.62 %
730-703-437050	PUBLIC WORKS SUPERVISOR	60,560.00	60,560.00	2,350.25	4,672.25	55,887.75	7.72 %
730-703-437051	PW UTILITIES MANAGER	60,981.00	60,981.00	2,384.94	4,769.88	56,211.12	7.82 %
730-703-437055	PW ADMIN ASSISTANT	62,632.00	62,632.00	2,528.73	5,023.71	57,608.29	8.02 %
730-703-437070	UTILITY WORKER, JOURNEY	71,964.00	71,964.00	3,177.00	5,327.57	66,636.43	7.40 %
730-703-437071	UTILITY WORKER II	37,216.00	37,216.00	4,443.71	8,887.42	28,328.58	23.88 %
730-703-437072	UTILITY WORKER III	146,012.00	146,012.00	0.00	2,744.70	143,267.30	1.88 %
730-703-439011	SEASONAL HELP	38,600.00	38,600.00	0.00	0.00	38,600.00	0.00 %
730-703-450100	OVERTIME	10,000.00	10,000.00	61.63	302.05	9,697.95	3.02 %
730-703-450500	CAREER RECOGNITION PAY	6,148.00	6,148.00	257.33	439.60	5,708.40	7.15 %
730-703-470000	ASSOCIATED PAYROLL COSTS	351,705.00	351,705.00	12,903.36	25,267.38	326,437.62	7.18 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	937,022.00	937,022.00	31,584.55	64,389.76	872,632.24	6.87 %
RptCategory: 50 - MATERIAL AND SERVICES							
730-703-500110	CONTRACTUAL & PROFESSIONAL S...	64,000.00	64,000.00	4,583.02	4,656.78	59,343.22	7.28 %
730-703-500456	OAK LODGE SANITARY DISTRICT	1,193,800.00	1,193,800.00	122,157.76	122,157.76	1,071,642.24	10.23 %
730-703-500458	WATER ENVIRONMENT SERVICES (...)	2,891,161.00	2,891,161.00	126,973.40	253,844.57	2,637,316.43	8.78 %
730-703-520120	BANK CHARGES	72,500.00	72,500.00	2,323.81	4,496.90	68,003.10	6.20 %
730-703-520130	OPERATIONS, MAINTENANCE & RE...	100,000.00	100,000.00	1,739.24	3,829.29	96,170.71	3.83 %
730-703-520320	FLEET FUEL, MAINTENANCE & REPA...	57,800.00	57,800.00	1,058.48	1,935.15	55,864.85	3.35 %
730-703-520400	OFFICE SUPPLIES & EQUIPMENT	5,000.00	5,000.00	67.58	283.16	4,716.84	5.66 %
730-703-520430	UTILITY BILLS & POSTAGE	17,500.00	17,500.00	712.95	1,430.16	16,069.84	8.17 %
730-703-540220	TRAVEL, CONFERENCES & TRAINING	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00 %
730-703-540300	SMALL TOOLS, EQUIPMENT & SAFE...	15,000.00	15,000.00	576.90	832.74	14,167.26	5.55 %
730-703-540400	DUMPING, HAULING, GARBAGE	8,000.00	8,000.00	0.00	0.00	8,000.00	0.00 %
730-703-560100	UTILITIES	5,000.00	5,000.00	107.28	212.49	4,787.51	4.25 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	4,434,761.00	4,434,761.00	260,300.42	393,679.00	4,041,082.00	8.88 %

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	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
RptCategory: 60 - CAPITAL OUTLAY						
730-703-660100 EQUIPMENT REPLACEMENT RESER...	665,000.00	665,000.00	0.00	0.00	665,000.00	0.00 %
730-703-676050 SYSTEM IMPROVEMENTS & PROJEC...	6,648,471.00	6,648,471.00	1,903.12	2,801.65	6,645,669.35	0.04 %
730-703-678090 RESERVE FROM SDC'S	469,159.00	469,159.00	0.00	0.00	469,159.00	0.00 %
RptCategory: 60 - CAPITAL OUTLAY Total:	7,782,630.00	7,782,630.00	1,903.12	2,801.65	7,779,828.35	0.04 %
Department: 703 - SEWER Total:	13,154,413.00	13,154,413.00	293,788.09	460,870.41	12,693,542.59	3.50 %
Department: 920 - TRANSFER OUT						
RptCategory: 89 - TRANSFERS OUT						
730-920-899100 TRANSFER OUT TO GENERAL FUND	417,900.00	417,900.00	0.00	0.00	417,900.00	0.00 %
730-920-899205 TRANSFER OUT TO ROAD & STREET ...	462,275.00	462,275.00	0.00	0.00	462,275.00	0.00 %
RptCategory: 89 - TRANSFERS OUT Total:	880,175.00	880,175.00	0.00	0.00	880,175.00	0.00 %
Department: 920 - TRANSFER OUT Total:	880,175.00	880,175.00	0.00	0.00	880,175.00	0.00 %
Department: 990 - CONTINGENCY						
RptCategory: 90 - OTHER						
730-990-910000 CONTINGENCY FUNDS	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
RptCategory: 90 - OTHER Total:	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
Department: 990 - CONTINGENCY Total:	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
Expense Total:	14,434,588.00	14,434,588.00	293,788.09	460,870.41	13,973,717.59	3.19 %
Fund: 730 - SEWER FUND Surplus (Deficit):	0.00	0.00	67,679.18	263,715.84	263,715.84	0.00 %

Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 740 - WATER FUND							
Revenue							
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL							
RptType: 3000 - BEG FUND BAL.							
740-000-309999	BEGINNING FUND BALANCE	6,100,000.00	6,100,000.00	0.00	0.00	-6,100,000.00	0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	6,100,000.00	6,100,000.00	0.00	0.00	-6,100,000.00	0.00 %
RptType: 3140 - CHARGES FOR SERVICES							
740-000-314060	WATER SERVICE REVENUE	6,350,000.00	6,350,000.00	295,775.85	603,351.92	-5,746,648.08	9.50 %
740-000-314080	WATER SERVICE CONNECTIONS	10,000.00	10,000.00	890.00	890.00	-9,110.00	8.90 %
	RptType: 3140 - CHARGES FOR SERVICES Total:	6,360,000.00	6,360,000.00	296,665.85	604,241.92	-5,755,758.08	9.50 %
RptType: 3141 - SDC							
740-000-314110	WATER SDC'S	20,000.00	20,000.00	19,860.80	19,860.80	-139.20	99.30 %
740-000-314111	SDC Reimbursement Fee	0.00	0.00	1,204.20	1,204.20	1,204.20	0.00 %
	RptType: 3141 - SDC Total:	20,000.00	20,000.00	21,065.00	21,065.00	1,065.00	105.33 %
	Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	12,480,000.00	12,480,000.00	317,730.85	625,306.92	-11,854,693.08	5.01 %
Department: 910 - TRANSFER IN							
RptType: 3990 - TRANSFERS IN							
740-910-399205	TRANSFER IN FROM ROAD & STREET..	277,555.00	277,555.00	0.00	0.00	-277,555.00	0.00 %
	RptType: 3990 - TRANSFERS IN Total:	277,555.00	277,555.00	0.00	0.00	-277,555.00	0.00 %
	Department: 910 - TRANSFER IN Total:	277,555.00	277,555.00	0.00	0.00	-277,555.00	0.00 %
	Revenue Total:	12,757,555.00	12,757,555.00	317,730.85	625,306.92	-12,132,248.08	4.90 %
Expense							
Department: 704 - WATER							
RptCategory: 40 - PERSONNEL SERVICES							
740-704-431500	ACCOUNTING CLERK	41,123.00	41,123.00	1,568.40	3,136.80	37,986.20	7.63 %
740-704-437049	PUBLIC WORKS DIRECTOR	56,935.00	56,935.00	2,170.60	4,341.20	52,593.80	7.62 %
740-704-437050	PUBLIC WORKS SUPERVISOR	62,396.00	62,396.00	2,463.04	4,855.40	57,540.60	7.78 %
740-704-437051	PW UTILITIES MANAGER	60,981.00	60,981.00	2,366.19	4,732.38	56,248.62	7.76 %
740-704-437055	PW ADMIN ASSISTANT	62,632.00	62,632.00	2,528.73	5,023.71	57,608.29	8.02 %
740-704-437070	UTILITY WORKER, JOURNEY	154,764.00	154,764.00	6,354.00	12,708.00	142,056.00	8.21 %
740-704-437071	UTILITY WORKER II	155,649.00	155,649.00	6,251.03	12,502.06	143,146.94	8.03 %
740-704-439011	SEASONAL HELP	38,600.00	38,600.00	0.00	0.00	38,600.00	0.00 %
740-704-450100	OVERTIME	10,000.00	10,000.00	61.63	303.26	9,696.74	3.03 %
740-704-450500	CAREER RECOGNITION PAY	6,746.00	6,746.00	323.67	546.20	6,199.80	8.10 %
740-704-470000	ASSOCIATED PAYROLL COSTS	370,175.00	370,175.00	14,113.37	28,204.86	341,970.14	7.62 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	1,020,001.00	1,020,001.00	38,200.66	76,353.87	943,647.13	7.49 %
RptCategory: 50 - MATERIAL AND SERVICES							
740-704-500110	CONTRACTUAL & PROFESSIONAL S...	275,000.00	275,000.00	2,233.09	12,877.85	262,122.15	4.68 %
740-704-500240	METER READING CONTRACT	64,000.00	64,000.00	2,380.50	4,761.00	59,239.00	7.44 %
740-704-500425	WHOLESALE WATER	1,272,960.00	1,272,960.00	73,075.92	141,319.01	1,131,640.99	11.10 %
740-704-520120	BANK CHARGES	72,000.00	72,000.00	2,008.83	4,111.94	67,888.06	5.71 %
740-704-520130	OPERATIONS, MAINTENANCE & RE...	250,000.00	250,000.00	8,575.00	11,751.76	238,248.24	4.70 %
740-704-520162	LABORATORY WATER TESTS	40,000.00	40,000.00	0.00	0.00	40,000.00	0.00 %
740-704-520165	FIRE HYDRANT MAINTENANCE & RE...	25,000.00	25,000.00	0.00	0.00	25,000.00	0.00 %
740-704-520320	FLEET FUEL, MAINTENANCE & REPA...	45,000.00	45,000.00	1,347.84	2,224.52	42,775.48	4.94 %
740-704-520400	OFFICE SUPPLIES & EQUIPMENT	6,000.00	6,000.00	101.18	316.76	5,683.24	5.28 %
740-704-520430	UTILITY BILLS & POSTAGE	17,500.00	17,500.00	712.95	1,430.16	16,069.84	8.17 %
740-704-540220	TRAVEL, CONFERENCES & TRAINING	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00 %
740-704-540300	SMALL TOOLS, EQUIPMENT & SAFE...	15,000.00	15,000.00	327.16	583.07	14,416.93	3.89 %
740-704-540400	DUMPING, HAULING, GARBAGE	15,000.00	15,000.00	0.00	0.00	15,000.00	0.00 %
740-704-560100	UTILITIES	50,000.00	50,000.00	2,072.48	4,112.81	45,887.19	8.23 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	2,152,460.00	2,152,460.00	92,834.95	183,488.88	1,968,971.12	8.52 %
RptCategory: 60 - CAPITAL OUTLAY							
740-704-660100	EQUIPMENT REPLACEMENT RESER...	279,000.00	279,000.00	0.00	0.00	279,000.00	0.00 %
740-704-676050	SYSTEM IMPROVEMENTS & PROJEC...	7,018,269.00	7,018,269.00	0.00	0.00	7,018,269.00	0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
740-704-678090	RESERVE FROM SDC'S	657,771.00	657,771.00	0.00	0.00	657,771.00	0.00 %
	RptCategory: 60 - CAPITAL OUTLAY Total:	7,955,040.00	7,955,040.00	0.00	0.00	7,955,040.00	0.00 %
	RptCategory: 70 - DEBT SERVICE						
740-704-720040	2005 BONDED DEBT/PRINCIPAL	347,000.00	347,000.00	0.00	0.00	347,000.00	0.00 %
740-704-730040	2005 BONDED DEBT/INTEREST	10,376.00	10,376.00	0.00	0.00	10,376.00	0.00 %
	RptCategory: 70 - DEBT SERVICE Total:	357,376.00	357,376.00	0.00	0.00	357,376.00	0.00 %
	Department: 704 - WATER Total:	11,484,877.00	11,484,877.00	131,035.61	259,842.75	11,225,034.25	2.26 %
	Department: 920 - TRANSFER OUT						
	RptCategory: 89 - TRANSFERS OUT						
740-920-899100	TRANSFER OUT TO GENERAL FUND	523,678.00	523,678.00	0.00	0.00	523,678.00	0.00 %
740-920-899205	TRANSFER OUT TO ROAD & STREET ...	349,000.00	349,000.00	0.00	0.00	349,000.00	0.00 %
	RptCategory: 89 - TRANSFERS OUT Total:	872,678.00	872,678.00	0.00	0.00	872,678.00	0.00 %
	Department: 920 - TRANSFER OUT Total:	872,678.00	872,678.00	0.00	0.00	872,678.00	0.00 %
	Department: 990 - CONTINGENCY						
	RptCategory: 90 - OTHER						
740-990-910000	CONTINGENCY FUNDS	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
	RptCategory: 90 - OTHER Total:	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
	Department: 990 - CONTINGENCY Total:	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
	Expense Total:	12,757,555.00	12,757,555.00	131,035.61	259,842.75	12,497,712.25	2.04 %
	Fund: 740 - WATER FUND Surplus (Deficit):	0.00	0.00	186,695.24	365,464.17	365,464.17	0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 750 - STORM WATER FUND							
Revenue							
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL							
RptType: 3000 - BEG FUND BAL.							
750-000-309999	BEGINNING FUND BALANCE	1,875,000.00	1,875,000.00	0.00	0.00	-1,875,000.00	0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	1,875,000.00	1,875,000.00	0.00	0.00	-1,875,000.00	0.00 %
RptType: 3140 - CHARGES FOR SERVICES							
750-000-314060	STORM REVENUE	2,010,500.00	2,010,500.00	81,985.37	163,964.75	-1,846,535.25	8.16 %
	RptType: 3140 - CHARGES FOR SERVICES Total:	2,010,500.00	2,010,500.00	81,985.37	163,964.75	-1,846,535.25	8.16 %
RptType: 3141 - SDC							
750-000-314110	STORMWATER SDC'S	11,000.00	11,000.00	0.00	0.00	-11,000.00	0.00 %
	RptType: 3141 - SDC Total:	11,000.00	11,000.00	0.00	0.00	-11,000.00	0.00 %
RptType: 3600 - MISCELLANEOUS							
750-000-360000	ALL OTHER STORM FUND RESOURC...	187,833.00	187,833.00	0.00	0.00	-187,833.00	0.00 %
	RptType: 3600 - MISCELLANEOUS Total:	187,833.00	187,833.00	0.00	0.00	-187,833.00	0.00 %
	Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	4,084,333.00	4,084,333.00	81,985.37	163,964.75	-3,920,368.25	4.01 %
Department: 910 - TRANSFER IN							
RptType: 3990 - TRANSFERS IN							
750-910-399105	TRANSFER IN FROM ARPA FUND	360,000.00	360,000.00	0.00	0.00	-360,000.00	0.00 %
750-910-399205	TRANSFER IN FROM ROAD & STREET..	277,555.00	277,555.00	0.00	0.00	-277,555.00	0.00 %
	RptType: 3990 - TRANSFERS IN Total:	637,555.00	637,555.00	0.00	0.00	-637,555.00	0.00 %
	Department: 910 - TRANSFER IN Total:	637,555.00	637,555.00	0.00	0.00	-637,555.00	0.00 %
	Revenue Total:	4,721,888.00	4,721,888.00	81,985.37	163,964.75	-4,557,923.25	3.47 %
Expense							
Department: 705 - PUBLIC WORKS DIRECTOR							
RptCategory: 40 - PERSONNEL SERVICES							
750-705-431500	ACCOUNTING CLERK	34,269.00	34,269.00	1,307.00	2,614.00	31,655.00	7.63 %
750-705-437049	PUBLIC WORKS DIRECTOR	56,935.00	56,935.00	2,170.60	4,341.20	52,593.80	7.62 %
750-705-437050	PUBLIC WORKS SUPERVISOR	60,560.00	60,560.00	2,308.68	4,630.68	55,929.32	7.65 %
750-705-437051	PW UTILITIES MANAGER	60,981.00	60,981.00	2,384.92	4,769.84	56,211.16	7.82 %
750-705-437055	PW ADMIN ASSISTANT	62,632.00	62,632.00	2,528.71	5,023.67	57,608.33	8.02 %
750-705-437070	UTILITY WORKER, JOURNEY	71,964.00	71,964.00	3,177.00	5,327.56	66,636.44	7.40 %
750-705-437071	UTILITY WORKER II	112,157.00	112,157.00	2,953.42	5,906.84	106,250.16	5.27 %
750-705-437072	UTILITY WORKER III	146,012.00	146,012.00	0.00	2,744.70	143,267.30	1.88 %
750-705-450100	OVERTIME	5,000.00	5,000.00	61.61	302.04	4,697.96	6.04 %
750-705-450500	CAREER RECOGNITION PAY	6,148.00	6,148.00	257.26	439.50	5,708.50	7.15 %
750-705-470000	ASSOCIATED PAYROLL COSTS	376,348.00	376,348.00	12,250.04	23,990.23	352,357.77	6.37 %
	RptCategory: 40 - PERSONNEL SERVICES Total:	993,006.00	993,006.00	29,399.24	60,090.26	932,915.74	6.05 %
RptCategory: 50 - MATERIAL AND SERVICES							
750-705-500110	CONTRACTUAL & PROFESSIONAL S...	44,000.00	44,000.00	2,681.35	3,255.07	40,744.93	7.40 %
750-705-520120	BANK CHARGES	80,000.00	80,000.00	2,323.81	4,496.89	75,503.11	5.62 %
750-705-520130	OPERATIONS, MAINTENANCE & RE...	60,000.00	60,000.00	1,734.77	3,273.30	56,726.70	5.46 %
750-705-520320	FLEET FUEL, MAINTENANCE & REPA...	50,000.00	50,000.00	2,455.79	2,455.79	47,544.21	4.91 %
750-705-520400	OFFICE SUPPLIES & EQUIPMENT	5,000.00	5,000.00	67.55	283.08	4,716.92	5.66 %
750-705-520430	UTILITY BILLS & POSTAGE	17,500.00	17,500.00	713.17	1,430.61	16,069.39	8.17 %
750-705-540220	TRAVEL, CONFERENCES & TRAINING	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
750-705-540300	SMALL TOOLS, EQUIPMENT & SAFE...	6,000.00	6,000.00	576.91	832.75	5,167.25	13.88 %
750-705-540400	DUMPING, HAULING, GARBAGE	7,500.00	7,500.00	0.00	0.00	7,500.00	0.00 %
750-705-560100	UTILITIES	2,000.00	2,000.00	51.03	101.43	1,898.57	5.07 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	274,000.00	274,000.00	10,604.38	16,128.92	257,871.08	5.89 %
RptCategory: 60 - CAPITAL OUTLAY							
750-705-660100	EQUIPMENT REPLACEMENT RESER...	215,000.00	215,000.00	0.00	0.00	215,000.00	0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
750-705-676050	SYSTEM IMPROVEMENTS & PROJEC...	2,302,281.00	2,302,281.00	815.63	1,221.15	2,301,059.85	0.05 %
	RptCategory: 60 - CAPITAL OUTLAY Total:	2,517,281.00	2,517,281.00	815.63	1,221.15	2,516,059.85	0.05 %
	Department: 705 - PUBLIC WORKS DIRECTOR Total:	3,784,287.00	3,784,287.00	40,819.25	77,440.33	3,706,846.67	2.05 %
	Department: 920 - TRANSFER OUT						
	RptCategory: 89 - TRANSFERS OUT						
750-920-899100	TRANSFER OUT TO GENERAL FUND	427,101.00	427,101.00	0.00	0.00	427,101.00	0.00 %
750-920-899205	TRANSFER OUT TO ROAD & STREET ...	110,500.00	110,500.00	0.00	0.00	110,500.00	0.00 %
	RptCategory: 89 - TRANSFERS OUT Total:	537,601.00	537,601.00	0.00	0.00	537,601.00	0.00 %
	Department: 920 - TRANSFER OUT Total:	537,601.00	537,601.00	0.00	0.00	537,601.00	0.00 %
	Department: 990 - CONTINGENCY						
	RptCategory: 90 - OTHER						
750-990-910000	CONTINGENCY FUNDS	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
	RptCategory: 90 - OTHER Total:	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
	Department: 990 - CONTINGENCY Total:	400,000.00	400,000.00	0.00	0.00	400,000.00	0.00 %
	Expense Total:	4,721,888.00	4,721,888.00	40,819.25	77,440.33	4,644,447.67	1.64 %
	Fund: 750 - STORM WATER FUND Surplus (Deficit):	0.00	0.00	41,166.12	86,524.42	86,524.42	0.00 %

Budget Report

For Fiscal: 2023-2024 Period Ending: 08/31/2023

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 801 - MUNICIPAL COURT TRUST FUND						
Revenue						
Department: 000 - UNDESIGNATED / NON DEPARTMENTAL						
RptType: 3000 - BEG FUND BAL.						
801-000-309999	BEGINNING FUND BALANCE	40,000.00	40,000.00	0.00	0.00	-40,000.00 0.00 %
	RptType: 3000 - BEG FUND BAL. Total:	40,000.00	40,000.00	0.00	0.00	-40,000.00 0.00 %
RptType: 3260 - FINES AND FORFEITURES						
801-000-326020	CITY OF GLADSTONE FINES/FEES	710,000.00	710,000.00	20,876.64	40,623.92	-669,376.08 5.72 %
801-000-326030	CLACKAMAS COUNTY FINES/FEES	34,000.00	34,000.00	1,142.02	2,131.83	-31,868.17 6.27 %
801-000-326040	STATE OF OREGON FINES/FEES	122,000.00	122,000.00	4,217.11	8,429.23	-113,570.77 6.91 %
801-000-326050	RESTITUTION	3,000.00	3,000.00	0.00	-100.00	-3,100.00 3.33 %
801-000-326060	BOND	1,000.00	1,000.00	1,040.64	1,935.27	935.27 193.53 %
	RptType: 3260 - FINES AND FORFEITURES Total:	870,000.00	870,000.00	27,276.41	53,020.25	-816,979.75 6.09 %
	Department: 000 - UNDESIGNATED / NON DEPARTMENTAL Total:	910,000.00	910,000.00	27,276.41	53,020.25	-856,979.75 5.83 %
	Revenue Total:	910,000.00	910,000.00	27,276.41	53,020.25	-856,979.75 5.83 %
Expense						
Department: 220 - COURT						
RptCategory: 50 - MATERIAL AND SERVICES						
801-220-500500	CITY OF GLADSTONE FINES & FEES	710,000.00	710,000.00	19,747.28	48,979.44	661,020.56 6.90 %
801-220-500510	CLACKAMAS COUNTY FINES & FEES	34,000.00	34,000.00	989.81	2,429.32	31,570.68 7.15 %
801-220-500520	STATE OF OREGON FINES & FEES	122,000.00	122,000.00	4,212.12	9,862.98	112,137.02 8.08 %
801-220-500530	RESTITUTION	3,000.00	3,000.00	0.00	0.00	3,000.00 0.00 %
801-220-500540	BOND - COURT	1,000.00	1,000.00	0.00	0.00	1,000.00 0.00 %
	RptCategory: 50 - MATERIAL AND SERVICES Total:	870,000.00	870,000.00	24,949.21	61,271.74	808,728.26 7.04 %
	Department: 220 - COURT Total:	870,000.00	870,000.00	24,949.21	61,271.74	808,728.26 7.04 %
Department: 990 - CONTINGENCY						
RptCategory: 90 - OTHER						
801-990-910000	CONTINGENCY FUNDS	40,000.00	40,000.00	0.00	0.00	40,000.00 0.00 %
	RptCategory: 90 - OTHER Total:	40,000.00	40,000.00	0.00	0.00	40,000.00 0.00 %
	Department: 990 - CONTINGENCY Total:	40,000.00	40,000.00	0.00	0.00	40,000.00 0.00 %
	Expense Total:	910,000.00	910,000.00	24,949.21	61,271.74	848,728.26 6.73 %
	Fund: 801 - MUNICIPAL COURT TRUST FUND Surplus (Deficit):	0.00	0.00	2,327.20	-8,251.49	-8,251.49 0.00 %
	Report Surplus (Deficit):	0.00	0.00	-1,121,551.36	-2,076,390.34	-2,076,390.34 0.00 %

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
100 - GENERAL FUND	0.00	0.00	-776,027.13	-1,894,174.53	-1,894,174.53
105 - AMERICAN RESCUE PLAN RE:	0.00	0.00	0.00	-19,588.80	-19,588.80
205 - ROAD AND STREET FUND	0.00	0.00	-91,431.21	-261,287.87	-261,287.87
228 - POLICE LEVY FUND	0.00	0.00	-46,026.29	-80,406.91	-80,406.91
229 - FIRE LEVY FUND	0.00	0.00	658.73	1,290.66	1,290.66
390 - URBAN RENEWAL FUND	0.00	0.00	-506,593.20	-529,675.83	-529,675.83
730 - SEWER FUND	0.00	0.00	67,679.18	263,715.84	263,715.84
740 - WATER FUND	0.00	0.00	186,695.24	365,464.17	365,464.17
750 - STORM WATER FUND	0.00	0.00	41,166.12	86,524.42	86,524.42
801 - MUNICIPAL COURT TRUST FL	0.00	0.00	2,327.20	-8,251.49	-8,251.49
Report Surplus (Deficit):	0.00	0.00	-1,121,551.36	-2,076,390.34	-2,076,390.34

CHECK REGISTER FOR AUGUST 2023

Check Date	Check No.	Vendor	Amount	Line Item Description
08/01/2023	93673	United States Postal Service	1,279.09	Newsletter Postage - Admin
08/02/2023	93674 - 93678	Utility Billing Refund Checks	681.14	Utility Billing Refund Checks - PW
08/04/2023	417	Amy Lindgren Law, LLC	3,500.00	Municipal Judge - CT
08/04/2023	418	Beery Elsner & Hammond LLP	4,913.00	Legal Fees - Admin
08/04/2023	419	Ian Jeffrey Slavin	2,400.00	Indigent Defense - CT
08/04/2023	420	Lundquist, Kyndre	3,500.00	Prosecutor Services - CT
08/04/2023	421	Meterreaders	2,380.50	Meter Reading Service - PW
08/04/2023	422	Nancy McDonald	6,195.00	HR Consultant Services - Admin
08/04/2023	423	Rotator, LLC	5,000.00	Mural Project - Admin
08/04/2023	93679	Aramark	203.24	Mat Rental - PW
08/04/2023	93680	Backflow Management Inc	78.00	Backflow Testing Letters - PW
08/04/2023	93681	Brown & Caldwell	2,133.75	Professional Fees - PW
08/04/2023	93682	Clackamas County Finance Department	1,760.53	Signal Maint/Work Crew/Ammo - PW/PD
08/04/2023	93683	Gladstone Oak Grove Rotary Foundation	360.00	Annual Memberships - Admin/PD
08/04/2023	93684	Integrity Staffing, Inc.	2,260.80	Temporary Staffing - PW
08/04/2023	93685	Lane Council of Governments	15.00	Background Checks - Admin
08/04/2023	93686	League of Oregon Cities	1,610.00	Conference Reg. - Admin/Council
08/04/2023	93687	Les Schwab Tires	2,279.15	Vehicle Maintenance - PD
08/04/2023	93688	Northwest Natural Gas	304.67	Natural Gas Usage - All Depts.
08/04/2023	93689	Oak Lodge Water Services	1,345.63	Water Purchases - PW
08/04/2023	93690	Oregonian Media Group	473.32	Public Hearing Notification - Admin
08/04/2023	93691	Paramount Pest Control Inc	385.00	Pest Control - PW
08/04/2023	93692	Passport To Languages	19.25	Interpreting Service - CT
08/04/2023	93693	Philadelphia Insurance Companies	301.00	Insurance on Volunteers - Admin
08/04/2023	93694	Portland General Electric	7,856.21	Electric Usage - All Depts
08/04/2023	93695	Ritz Safety	3,267.59	Training/Safety Supplies - PW
08/04/2023	93696	Stericycle	169.91	Shredding Service - PD
08/04/2023	93697	Verizon Wireless	3,178.24	Cell Phone Usage - All Depts.
08/04/2023	93698	Workplace Results LLC	787.50	Professional Fees - Admin
08/04/2023	93699	WorkSAFE Service Inc	60.00	Drug Testing - Admin
08/09/2023	424	Amazon Capital Services	77.56	Office Supplies - PW
08/09/2023	425	Daily Journal of Commerce	68.85	Project Bid Announcement - PW
08/09/2023	426	Jill Tate	345.00	Transcription - Admin
08/09/2023	427	Smith-Wagar Brucker Consulting Inc.	10,263.75	Financial Services - Admin
08/09/2023	93700	BMS Technologies	2,139.07	Utility Bill Printing/Mailing
08/09/2023	93701	Buel's Impressions Printing	304.00	Business Card/Form Printing - PD
08/09/2023	93702	Cascade Form Systems	85.75	Business Card Printing - Admin
08/09/2023	93703	Cintas First Aid Lockbox	49.00	Water Cooler Rental - Admin
08/09/2023	93704	City of Oregon City	506.50	GIS Services - PW
08/09/2023	93705	Comcast	52.55	Digital TV Receivers - PD
08/09/2023	93706	Ferguson Enterprises	976.97	Water System Parts - PW
08/09/2023	93707	The Garden Corner	967.20	Flower Basket Watering - Admin
08/09/2023	93708	Gold Wrench	953.85	Vehicle Maintenance - PD
08/09/2023	93709	Integrity Staffing, Inc.	2,034.72	Temporary Staffing - PW
08/09/2023	93710	Laserwerks	17.00	Name Badges - Admin
08/09/2023	93711	Portland General Electric	6,731.18	Street Light Electricity - PW
08/09/2023	93712	Sign Guy	720.00	Vehicle Graphics - PD
08/09/2023	93713	Stein Oil Co. Inc.	4,784.79	Gasoline - PD/PW/SC
08/09/2023	93714	Water Environment Services	128,434.37	Sewer Billing - PW
08/09/2023	93715	Mackin's Canby Auto Body	1,000.00	Vehicle Repair Deductible - PD
08/17/2023	428	3J Consulting, Inc.	4,246.00	Planning Services - Admin
08/17/2023	429	Amazon Capital Services	117.63	Office/Summer Rec Supplies - Admin/CT/PW
08/17/2023	430	BridgePay Network Solutions, LLC	191.00	Utility Billing Online Pmt Fees - PW
08/17/2023	431	Ian Jeffrey Slavin	650.00	Indigent Defense - CT
08/17/2023	93716	American Society Composers & Conductors	418.25	Community Festival Costs - Admin
08/17/2023	93717	Bravo Land Care & Maintenance	945.00	Landscape Maintenance - PW
08/17/2023	93718	The Campbell Course	200.00	Rental Deposit - Clack. Cities Dinner - Admin
08/17/2023	93719	Cintas First Aid Lockbox	733.73	First Aid Supplies/Water Coolers - All Depts

CHECK REGISTER FOR AUGUST 2023

Check Date	Check No.	Vendor	Amount	Line Item Description
08/17/2023	93720	CivicPlus, LLC	3,677.90	Web Platform Annual Pmt - IT
08/17/2023	93721	Clackamas Community College	500.00	Watershed/Stormwater Education - PW
08/17/2023	93722	Clackamas County Clerk	93.00	Recording - Admin
08/17/2023	93723	Clackamas County Finance Department	349.82	Ammo/Signal Maint. - PD/PW
08/17/2023	93724	Cummins Sales and Service	5,427.30	Generator Mainenance/Repairs -PW
08/17/2023	93725	The Garden Corner	1,520.00	Flower Baskets/Installation/Delivery - Admin
08/17/2023	93726	Grainger	28.62	Safety Glasses - PW
08/17/2023	93727	Integrity Staffing, Inc.	4,069.44	Temporary Staffing - PW
08/17/2023	93728	Knife River Corporation NW	46,110.00	Pavement Repair Project - PW
08/17/2023	93729	Kristi Walls	167.50	Training Per Diem - PD
08/17/2023	93730	Lake Oswego Police Department	55.00	Metro Law Enforcement Dinner - PD
08/17/2023	93731	One Call Concepts Inc	67.20	Utility Locates - PW
08/17/2023	93732	Oregonian Media Group	1,116.77	Public Notifications - Admin
08/17/2023	93733	School Specialty, LLC	13,048.80	Computer Tables - Community Center
08/17/2023	93734	Sign Guy	670.00	Vehicle Graphics - PD
08/17/2023	93735	Sonya Norton	200.00	Comm. Ctr. Deposit Refund - SC
08/17/2023	93736	SymbolArts, LLC	170.00	Employee Recognition - PD
08/17/2023	93737	Trio Community Meals	679.22	Nutrition Program Supplies - SC
08/17/2023	93738	Two Chicks and a Rooster	427.50	Deposit - Clack. Cities Dinner - Admin
08/17/2023	93739	Tyler Technologies, Inc.	2,901.95	Annual Software Fee - Admin
08/17/2023	93740	Walter E. Nelson Co.	571.28	Park/Janitorial Supplies - PW
08/17/2023	93741	Wire Works LLC	6,752.13	Vehicle Modification - PD
08/24/2023	434	8x8, Inc.	1,788.99	Phone Service - IT
08/24/2023	435	Amazon Capital Services	134.97	Office/Summer Rec Supplies - Admin/PW
08/24/2023	436	Daily Journal of Commerce	324.00	RFP Publications - PW
08/24/2023	437	Meterreaders	2,380.50	Meter Reading Service - PW
08/24/2023	438	Quadient Finance, USA	1,000.00	Postage - All Depts
08/24/2023	439	Satcom Global Ltd.	42.75	Satellite Phone Access - PD
08/24/2023	93742	Allstream	186.23	Land Lines - PW
08/24/2023	93743	American Medical Response	600.00	Blood Draws - PD
08/24/2023	93744	Backflow Management Inc	52.00	Backflow Testing Letters - PW
08/24/2023	93745	Buel's Impressions Printing	224.00	Form Printing - PD
08/24/2023	93746	Canon Financial Services, Inc.	1,443.26	Copier Leases/Usage - IT
08/24/2023	93747	Cathy Rowe Arts	4,998.28	Mural Project - Admin
08/24/2023	93748	Clackamas 800 Radio Group	55,919.00	Radio Use/FY 23 Cost Sharing - PD
08/24/2023	93749	CNA Insurance	10,515.00	Builders Risk Policy - Admin
08/24/2023	93750	Cumming Management Group, Inc.	1,232.50	Professional Fees - PW
08/24/2023	93751	Elite Window Tinting, LLC	773.00	Vehicle Modification - PD
08/24/2023	93752	FlashAlert Newswire	484.00	Emerg. Flash Notice Subscription - Admin/PD
08/24/2023	93753	General Tree Service	128.00	Tree Maintenance - PW
08/24/2023	93754	Gladstone Municipal Court	25.00	Reimburse Misposted check - Admin
08/24/2023	93755	Hadronex	2,402.00	Rain Data Tracking Device/Software - PW
08/24/2023	93756	Integrity Staffing, Inc.	3,391.20	Temporary Staffing - PW
08/24/2023	93757	League of Oregon Cities	59.00	Training Registration - Admin
08/24/2023	93758	Les Schwab Tires	606.71	Vehicle Maintenance - PD
08/24/2023	93759	North Clackamas County Water	66,897.46	Water Purchases - PW
08/24/2023	93760	Northwest Success, Inc.	2,253.31	Janitorial Service - PW
08/24/2023	93761	Oregon DMV	12.00	Driving Records - PD
08/24/2023	93762	Oregon Economic Development Association	375.00	Annual Membership - Admin
08/24/2023	93763	Oregon Patrol Service	5,193.29	Security - PD/CT/Admin
08/24/2023	93764	Pacific Mobile Structures, Inc.	2,332.00	Mobile Office Rent/Relocation - PW
08/24/2023	93765	UB Customer Overpayment Refund	2,000.00	Overpayment Refund - PW
08/24/2023	93766	Platt Electric Supply	551.23	Repair Parts - PW
08/24/2023	93767	Sisul Engineering	2,025.00	Professional Fees - PW
08/24/2023	93768	Stein Oil Co. Inc.	4,962.12	Gasoline - PD/PW/SC
08/24/2023	93769	T-Mobile	83.75	Cell Phone Usage - PW
08/24/2023	93770	TransUnion Risk and Alternative	75.00	Data Research - PD
08/24/2023	93771	TriTech Software Systems	9,134.31	Annual APS Software Fee - IT

CHECK REGISTER FOR AUGUST 2023

Check Date	Check No.	Vendor	Amount	Line Item Description
08/24/2023	93772	United Rentals Inc	1,080.31	Forklift Rental - PW
08/24/2023	93773	Wire Works LLC	2,799.37	Vehicle Modification - PD
08/25/2023	93774	Roberson Motors	42,182.38	2023 Dodge Durango - PD
08/29/2023	93774	Payroll Check	425.00	Payroll Check
08/30/2023	93375	United States Postal Service	1,165.50	Newsletter Postage (Aug 23)
08/30/2023	93376	United States Postal Service	1,259.80	Newsletter Postage (Balance due FY 22-23)
08/30/2023	440	CIS Trust	65,725.17	Monthly Health Insurance
08/30/2023	441	HRA VEBA Plan	3,552.20	Employer VEBA contribution
08/30/2023	442	MissionSquare Retirement	15,443.04	Voluntary Payroll Deferred Comp
08/30/2023	93778	Axa Equi-Vest	8,894.12	Voluntary Payroll Deferred Comp
08/30/2023	93779	Clackamas Community Federal Credit Union	1,064.71	GPA Union Dues
08/30/2023	93780	Equitable	1,463.22	Non-PERS Retirement Pmt
08/30/2023	93781	Equitable Financial Life Insurance Co.	86.00	Non-PERS Retirement Pmt
08/30/2023	93782	Oregon AFSCME Council #75	1,184.97	AFSCME Union Dues
08/30/2023	93783	Oregon Department of Justice/Child Support	286.00	Child Support
Total August 2023 Payments			<u>\$ 646,531.32</u>	

ATTORNEY CHARGES

Attorneys:	July, 2023	Aug, 2023	Sept, 2023	Oct, 2023	Nov, 2023	Dec, 2023	Totals
City Charter	\$ -						\$ -
Elections	132.50						132.50
Finance	-						-
General	199.50						199.50
Meeting Attendance	-						-
Governance/City Council	655.50						655.50
Meeting Attendance	1,852.50						1,852.50
Intergovernmental	57.00						57.00
Meeting Attendance	-						-
Land Use/ Community Development	1,054.50						1,054.50
Meeting Attendance	-						-
Parks & Recreation	28.50						28.50
Personnel/Labor	-						-
GPA	-						-
City Administration	-						-
Personnel Handbook	-						-
Meeting Attendance	-						-
Public Records & Meetings	399.00						399.00
Public Safety	199.50						199.50
Public Works	464.50						464.50
Public Works Facility Project	737.00						737.00
Real Property Transactions	57.00						57.00
Risk Management/Litigation	28.50						28.50
Rights of Way-Telecommunications	4,210.50						4,210.50
Urban Renewal							-
Total	\$ 10,076.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,076.00

Attorneys:	Jan, 2024	Feb, 2024	Mar, 2024	Apr, 2024	May, 2024	June, 2024	Totals for Year
City Charter							\$ -
Elections							132.50
Finance							-
General							199.50
Meeting Attendance							-
Governance/City Council							655.50
Meeting Attendance							1,852.50
Intergovernmental							57.00
Meeting Attendance							-
Land Use/ Community Development							1,054.50
Meeting Attendance							-
Parks & Recreation							28.50
Personnel/Labor							-
GPA							-
City Administration							-
Personnel Handbook							-
Meeting Attendance							-
Public Records & Meetings							399.00
Public Safety							199.50
Public Works							464.50
Public Works Facility Project							737.00
Real Property Transactions							57.00
Risk Management/Litigation							28.50
Rights of Way-Telecommunications							4,210.50
Urban Renewal							-
Total	\$ -	\$ 10,076.00					



Public Works

Staff Report for September 2023

Report Date : September 30, 2023
To : Jacque M. Betz, City Administrator
Copy : Mayor and City Council
From : Darren Caniparoli, Public Works Director

PARKS:

- Trash pick-up in all parks two days a week.
- Park irrigation has been turned off for the season.
- Mowing parks weekly: Irrigated fields are mowed weekly; non-irrigated fields are mowed bi-weekly.
- Detail work within our parks has been a priority. Edging and trimming of flowerbeds, trimming and cutting back plants, which need attention.

While Graffiti continues to be an ongoing issue citywide, parks staff came across this fun artistic expression down at the bridge bulkhead. This location is regularly tagged with far less appealing art but Tigger is a welcome addition to this area, for now anyways!

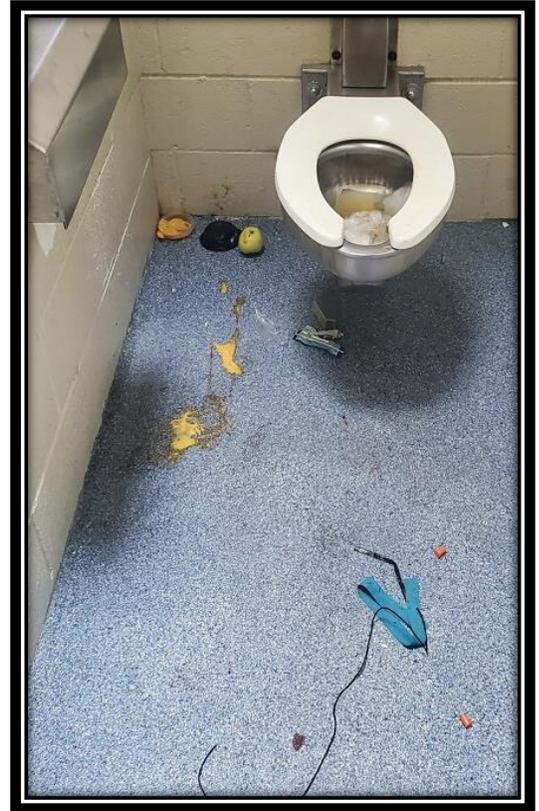
Fall is here, with that, we have some new, and surprising items that we find being used to make messes in our bathrooms. Pumpkins being exploded inside the bathrooms, makes a huge mess, luckily as of yet the damage has been just the mess but with the explosives being used eventually more costly damage could result.

We continue to see large amounts of drug paraphernalia in our bathrooms, crewmembers have to dispose of these items daily.





Pumpkin explosion @ park bathrooms



Drug paraphernalia
in park bathrooms



Drug paraphernalia and garbage removed
from our park bathrooms

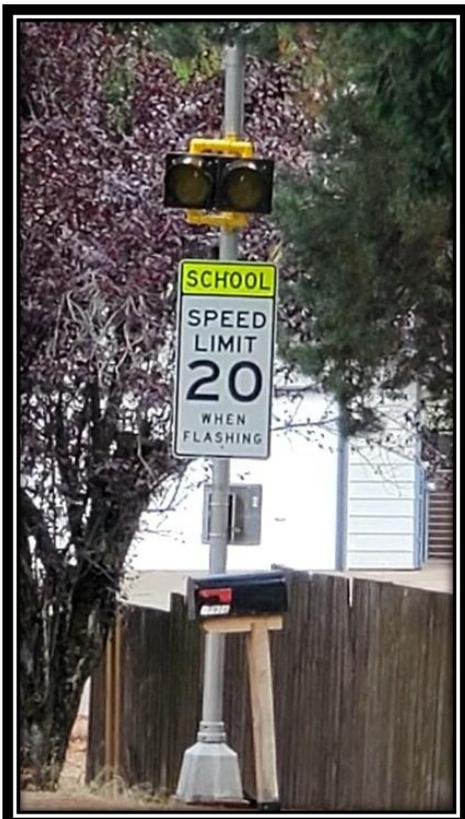


Crewmember Chris Mott works to make repairs to the boat dock at Meldrum Bar Park. The City maintains the boat ramp, dock and bathroom facility for our boaters who utilize Meldrum Bar Park for access to the waterway.

Did you know the City of Gladstone receives additional funding based on a percentage of funds spent for repairs and ongoing maintenance in the form of a grant from Oregon State Marine Board (OSMB)? Time and cost associated with repairs and ongoing maintenance are tracked over two year spans, which are then reported to the (OSMB) for funding of the Maintenance Assistance Grant Program (MAG).

STREETS:

Skin patching continues when weather allows, the streets crew is making progress with the long list of areas in town that need attention.



Crews were able to install the flashing beacon in the school zone near Kraxberger Middle School; the original beacon was damaged in a single vehicle accident several months ago.

FACILITIES:

- Twice a month Facility Inspections continue
- Completed several work orders at City facilities, hanging artwork, signage, bulletin boards, etc.



Public Works staff has worked with multiple vendors to complete a door and blind project at the Gladstone Community Center. The project is complete with the installation of new remote blinds and fire rated doors for the office spaces in the center.



WATER:

- Read and reported Master Meter reads weekly.
- Change Charts at Webster Pump Station weekly.
- Test Chlorine Residuals at least 2 times per week.
- Routine maintenance for the pump station control panels and auto dialer.
- Routine Water Samples as required.
- Door Hangers and water meter shut offs for non-payment.
- Map updates, utility locates.
- Leak detected at The Sommerset Lodge, Turned out to be an irrigation leak for the complex.
- Water leak repair at 7504/7506 Springhill Dr.





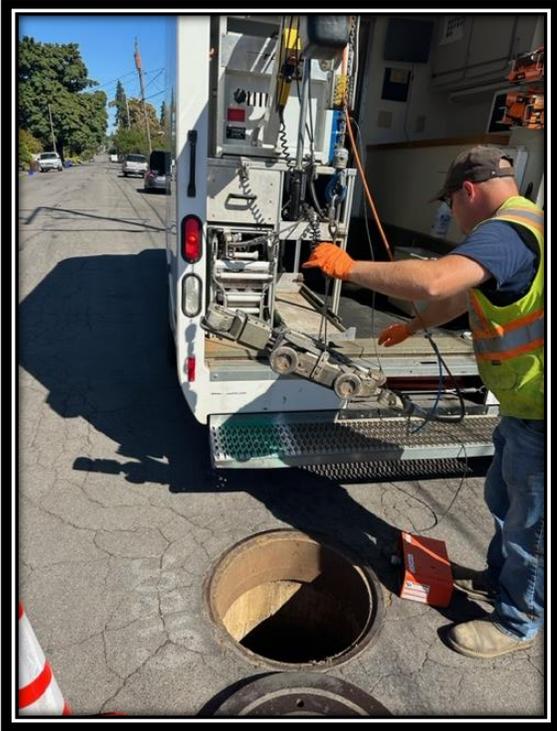
The Water Dept. had what appeared to be a small water leak that turned into a substantial job that included two taps that serve three businesses and one residence. The repair took crews several days to complete with challenges due to the location and other ongoing construction projects in the area.



Crewmember Eric Fanning using the tapping machine to re-tap the water main for the new service lines on Portland Ave. (Pictured right)

SEWER:

- Utilized the new camera truck to perform CCTV inspection of a troubled sewer line on E. Clarendon St.
- Crews are working on jetting known sewer line hotspots within the city.



Utility Journey Dan Ori, is working to familiarize himself with the new CCTV truck the City recently purchased from WES. This new to us piece of equipment will be a game-changer for the Public Works Dept. and we are excited to get it up and running.



STORM:

- Finished cleaning stormwater catch basins
- Jetted the troubled storm lines ahead of the rainy season
- Cleaned key storm system manholes
- CCTV performed on a storm line on River rd. @ the Nissan Car lot
- City wide street sweeping performed per schedule.



The Barclay Stormline project is coming up on the end of its maintenance bond period requiring an inspection of the projects main components. Crews jetted, cleaned and CCTV'd the new stormline on Barclay from Portland Ave to Watts Ave.

During the inspection, deficiencies were found. Public Works administration is working to extend the maintenance bond with the contractor until the work can be done to correct the deficiencies that were identified.

ADMINISTRATION:

- Clackamas River Basin Council conducted an invasive species treatment at Cross Park as part of the Cross Park Restoration Project.
- Worked with Jim Smith Excavating to complete the Oatfield Rd at Hereford St pressure reducing valve replacement.
- Worked with Sisul Engineering to complete Barclay Ave Project as built.
- Working on preparing stormwater MS4 annual report to submit to DEQ.
- Working with North Clackamas Watersheds Council to coordinate May-October temperature monitoring on Rinearson Creek adjacent to the Olsen Wetlands and at Meldrum Bar Park.
- Working with Backflow Management Incorporated (BMI) to complete water system Lead and Copper Rule sampling.
- Working on completing Gladstone's Clackamas County Multi-Jurisdiction Natural Hazard Mitigation Plan Addendum.
- Clackamas County Building Permit plan reviews, approvals and release letters.
- Filed the bi-annual Maintenance Assistance Grant Program (MAG) with Oregon State Marine Board.

“Just one small positive thought in the morning can change your whole day”

~Dalai Lama

Gladstone Police Department
Monthly Report
September 2023





GLADSTONE POLICE DEPARTMENT CHIEF'S MONTHLY REPORT TO CITY ADMINISTRATOR AND COUNCIL



CHIEF'S REPORT

September 2023

Greetings,

As a reminder, local elections take place on November 7, 2023. Before posting political signs, here are some helpful reminders:

- Residential properties may have two temporary signs with a total maximum size of 16 square feet for both signs.
- No sign shall extend into the public right of way; temporary signs must observe half of the zoning district setback which typically means the signs must be back 10 feet from the street property line, not the curb line.
- No sign shall be attached to a tree or utility pole.

As mentioned above, signs are not to be placed in the public right of way as outlined in the Gladstone Municipal Code. The police department is asking for the communities help in adhering to the sign code as any sign placed in the public right of way will be strictly enforced.

For more sign details you can visit the police departments website and view Chapter 17.52 of the Municipal Code.

Thank you in advance, I hope you have a wonderful and safe October.

Sincerely,

A handwritten signature in black ink, appearing to read "John Schmerber".

John Schmerber, Chief of Police



GLADSTONE POLICE DEPARTMENT
MONTHLY ACTIVITY REPORT



SEPTEMBER 2023

"Respect ~Service ~Character ~Passion"

GENERAL STATISTICS/TYPE	THIS MONTH	YTD THIS YEAR	YTD LAST YEAR	% +/-	TOP 5 TRAFFIC CITE CHARGES	
Dispatched Incidents	554	4,846	4,976	-2.61%	Driving While Suspended	16
Officer Initiated Incidents	303	3,921	3,731	5.09%	Driving Uninsured	14
Total Number of Incidents	857	8,767	8,707	0.69%	Improper Display of License Plate	10
Police Reports Filed	283	2,594	2,844	-8.79%	Speeding	8
Traffic Contacts	187	2,697	2,024	33.25%	No Operators License	6
Citations Issued (Charges)	77	1,212	1,224	-0.98%	ALARM ADMINISTRATION REPORT	
Parking Citations Issued	17	81	121	-33.06%	Renewals Billed	N/A
DUII	4	35	31	12.90%	Renewal Fees Collected	N/A
Community Policing Contacts	13	123	191	-35.60%	New Permits Issued	N/A
Murders	0	0	0	0.00%	False Alarms w/No Permit	N/A
K9 Deployments	6	25	35	-28.57%	1st False Alarm Events	N/A
Tow Releases	2	20	14	42.86%	2nd False Alarm Events	N/A
					3rd False Alarm Events	N/A
					False Alarm fees collected	N/A
					False Alarm fees billed	N/A



GLADSTONE POLICE DEPARTMENT
MONTHLY ACTIVITY REPORT

SEPTEMBER 2023



"Respect ~Service ~Character ~Passion"

SELECTED CALLS FOR SERVICE**	THIS MONTH	YTD THIS YEAR	YTD LAST YEAR	% +/-	SPECIFIC OVERTIME CATAGORIES	HOURS
Abuse/Neglect	2	22	31	-29.03%	Cover Short Shift	209.75
Accident/Injury or Fatal	1	16	16	0.00%	Court	20.5
Accident/Property Damage	5	59	62	-4.84%	Training	25
Assault	8	31	32	-3.13%	Presentations/Meetings	7
Burglary	5	24	22	9.09%	Grants	43.75
Domestic Disputes	11	173	157	10.19%	Special Assignment	5
Drugs/Narcotics	4	29	15	93.33%	K9	7
Disturbance-Fights-Noise	16	121	134	-9.70%	SRO	6
Forgery/Fraud	8	88	67	31.34%		
Hit and Run	3	41	36	13.89%		
Ordinance Violations	31	193	106	82.08%		
Runaway/Missing	8	38	48	-20.83%		
Sex Offense	4	23	39	-41.03%		
Suicide Attempt/Threat	4	40	49	-18.37%		
Suspicious Person or Circumstance	71	534	606	-11.88%		
Thefts	11	163	216	-24.54%		
Trespass/Prowler	14	95	125	-24.00%		
Vandalism	9	57	87	-34.48%		
Vehicles Recovered	1	23	33	-30.30%		
Vehicles Stolen	5	34	69	-50.72%		
Death(Not Suicide/Murder)	2	8	13	-38.46%		

**Coded at time of dispatch, not final disposition



GLADSTONE POLICE DEPARTMENT BIAS MONTHLY REPORT TO CITY ADMINISTRATOR AND COUNCIL



BIAS MONTHLY REPORT

REPORTED BY: Kristi Walls

September 2023

Bias crimes and incidents. The definition of a Bias Crime and Bias Incident can be found in the Oregon Revised Statutes at:

- 166.155 (Bias Crime in the second degree)
- 166.165 (Bias Crime in the first degree)
- 147.380 (b) (Bias Incident)

No Bias Crimes were reported.
2 Bias Incidents were reported.

Bias Incident defined: a person's hostile expression of animus towards another person, relating to the other person's perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. "Bias Incident" does not include any incident in which probable cause of the commission of a crime is established by the investigating law enforcement officer.

1. 23-018832- On September 8, 2023, A group of flag wave protesters had gather directly across from the new location of Happy Rock Coffee, which happens to be directly across the street from the Gladstone Community Center. Someone from the flag waving group yelled towards the Happy Rock Coffee gathering related to sexual orientation. A report was written to document the allegations of the statement made towards the protected group.

The Gladstone Police Department made the proper referral per ORS 147.380.

2. 23-018436 – On September 3, 2023, an officer was dispatched to a disturbance/fight in the 200 block of East Hereford St. A neighbor was upset about another neighbor being loud and partying for three days. Words were exchanged between neighbors, including derogatory slurs relating to the others sexual preference. Neighbors were trespassed from each other's property and separated for the night.

The Gladstone Police Department made the proper referral per ORS 147.380.



GLADSTONE POLICE DEPARTMENT CODE ENFORCEMENT MONTHLY REPORT TO CHIEF AND COUNCIL



CODE ENFORCEMENT OFFICER MONTHLY REPORT

Prepared by Yvonne McNeil

September 2023

Hello Gladstone community. My name is Yvonne McNeil, your new Community Services Officer that covers Community Code Compliance, Outreach and Events for the Police department within the city. I started at the beginning of the September and have been working with Sgt. Okerman, learning all about our city codes and the tools we have in place to help our community. I came to Gladstone Police with a background in traffic safety, as a volunteer with the Police department for seven years and had served on the Traffic Safety Advisory Board for eight years. I am Child Passenger Safety Technician. I have lived in Gladstone for more than 25 years. I have had the pleasure of working with many community members over the last month and look forward to working with many more in the years to come.

- 31 Citizen Contacts
- 9 Car seat checks
- 8 Slow Down yard signs distributed to the community
- 5 Bicycle helmets distributed to the community
- 3 Dog calls
- 11 Parking Citations
- 16 Vehicles tagged to be towed during the month.
 - 1 Towed
 - 3 Pending
 - 12 Vehicles moved
- 9 Ordinance Violations
- 3 Pool complaints
- 3 Chicken Permits required to be completed
- 4 Business License for Rental Properties required to be completed



GLADSTONE POLICE DEPARTMENT CODE ENFORCEMENT MONTHLY REPORT TO CHIEF AND COUNCIL



CODE ENFORCEMENT OFFICER MONTHLY REPORT Continued.....

Ordinance Violation *(completed)*

I received a complaint about a business with overgrown vegetation. The business owner was more than willing to abate all the nuisances, and did so very quickly.



Ordinance Violation *(completed)*

There was a pending complaint when I started, about a residence with overgrown vegetation. The homeowner has abated the nuisances.



**CODE ENFORCEMENT OFFICER
MONTHLY REPORT Continued.....**



Parking Violation (completed)

This vehicle had been left on the side of the street and abandoned. It did not appear to be operable. The vehicle was towed.

Junk Keeping (ongoing)



Currently working with an apartment complex management, on cleaning up several areas that are an issue. The three photos below have been cleaned up, with other areas still pending clean up by tenants. The management appears to be on top of the issue. Expecting this issue to be taken care of by management in the next 5-7 days and if it is not, citations maybe written.





**GLADSTONE POLICE DEPARTMENT
DETECTIVES MONTHLY REPORT
TO CHIEF AND COUNCIL**



DETECTIVES MONTHLY REPORT

Prepared by Detective Fich

September, 2023

New Cases Assigned:

1. 23-018475 Sexual Abuse. Assigned 09/05/23
2. 23-018639 Rape 1, Sodomy 1, Strangulation, and Violation of Restraining Order. Assigned 09/06/23
3. 23-019334 Robbery, Menacing, Coercion, Theft, and Assault. Assigned 09/19/23
4. 23-019347 Identity Theft (Related to case 23-019334) Assigned 09/19/23
5. 23-020134 Sexual Abuse. Assigned 09/27/23

Current Caseload:

1. 23-007287 Sexual Abuse. Assigned 04/10/23. (Awaiting DNA forensic results)
2. 23-007432 Sexual Abuse. Out-of-state referral (Great Falls, Montana) Assigned 04/10/23
3. 23-009913 Sexual Abuse. Assigned 05/13/23
4. 23-017654 Sexual Assault. Assigned 08/25/23
5. 23-018098 Sexual Assault. Assigned 08/31/23
6. 23-018475 Sexual Abuse. Assigned 09/05/23
7. 23-018639 Rape 1, Sodomy 1, Strangulation, and Violation of Restraining Order. Assigned 09/06/23
8. 23-020134 Sexual Abuse. Assigned 09/27/23

Cases Cleared:

1. 23-016554. Sexual Assault. Case closed as unfounded on 09/04/23
2. 23-018213 Sexual Assault. Case suspended on 09/06/23 pending victim cooperation
3. 23-013024 Assault 1, Burglary 1. Case suspended pending further investigative leads on 09/22/23
4. 23-019334 Robbery, Menacing, Coercion, Theft, and Assault. Arrest warrant entered on 09/21/23. Case forwarded to the Clackamas County District Attorney's Office on 09/22/23.
5. 23-019347 Identity Theft (Related to case 23-019334) Case closed as a civil matter on 09/25/23

Sex Offender Registrations Completed: 0

Highlights/Noteworthy:

1. On September 13, 2023, a suspect was indicted by a Clackamas County Circuit Court Grand Jury on charges of Rape in the First Degree, Sodomy in the First Degree, Kidnapping in the First Degree, Unlawful Use of a Weapon, Coercion, Strangulation, Assault in the Fourth Degree, Menacing, Burglary in the First Degree, Interference with Making a Report, Tampering with a Witness, and Criminal Mischief in the Second Degree. The suspect is in custody at the Clackamas County Jail. (GPD Case 23-018639)



GLADSTONE POLICE DEPARTMENT DETECTIVES MONTHLY REPORT TO CHIEF AND COUNCIL



DETECTIVES MONTHLY REPORT Continued.....

2. On September 18, 2023, Justin Tyler Dreger pled guilty in Clackamas County Circuit Court to two counts of Sexual Abuse in the Second Degree, two counts of Rape in the Third Degree, and one count of Sodomy in the Third Degree. He was sentenced to the custody of the Oregon Department of Corrections for a period of 30 months, 3-years of Post-Prison Supervision, and ordered to register as a sex offender. (GPD Case 22-011316)



GLADSTONE POLICE DEPARTMENT
K9 MONTHLY REPORT
TO CHIEF AND COUNCIL



K9 MONTHLY REPORT

Prepared by: Officer Olson

September 2023

K9 Nanuk is a seven year-old German Shepherd born in Slovakia. At seven weeks old K9 Nanuk was sold to a man in Germany who started training K9 Nanuk. In Germany in order to breed a dog they must achieve a sport title. In Germany the primary sport is schutzhund. schutzhund training is comprised of three separate parts, they are obedience, tracking, and protection work. You can accomplish three levels of titles from this training. K9 Nanuk was imprinted with the beginning knowledge in schutzhund training however he was sold at a young age and he had not achieved a title. Most working dogs are sold to kennels where police agencies purchase them with some sport dog training up to titled dogs in sport training. The training is then adapted to police work.

Officer	K9 Deployments GPD	K9 Deployments Other Agencies	K9 Training Hours
Olson	1	5	36

In September, K9 Nanuk and I attended the Fall Oregon Police Canine Association training seminar in Springfield Oregon.

K9 Nanuk deployed six times in September obtaining a capture in Gladstone and a second capture in Lake Oswego.

Nanuk helped locate the suspect from a vehicle elude in Milwaukie that ended in Gladstone after the vehicle tires were spiked. The driver was taken into custody a short distance from the vehicle after being located.

Nanuk assisted Lake Oswego Police in locating a suspect with kidnapping warrants hiding inside a dog crate in an apartment. The suspect eventually surrendered and was taken into custody.



GLADSTONE POLICE DEPARTMENT OPERATIONS MONTHLY REPORT TO CHIEF AND COUNCIL



OPERATIONS MONTHLY REPORT

Prepared by Sgt. Okerman

September 2023

9/3 A dispute between neighbors erupted in the evening over the volume and content of a conversation. The situation escalated to the point slurs were yelled in both directions. Trespass warnings were issued to everyone involved and a bias incident report was completed.

9/5 A theft occurred at Walgreens. An officer was very close by and confronted the suspect in the parking lot. Stolen property was put in a vehicle being driven by another person. That person fled the scene in the vehicle, driving over a curb to get away from the officer who was on foot. The fleeing vehicle was located by other GPD officers and a detective from CCSO. The vehicle fled through town but the responding officers and deputies were able to keep visual on it. The vehicle broke down near Webster Rd and Oatfield Rd. A high-risk stop was conducted and the driver taken into custody. While all that was happening the original officer had located the original theft suspect hiding in the bushes near the store. Both subjects were taken to jail.

9/19 Two dogs from a house on Oatfield Rd got through a hole in the fence and into a neighbor's yard. The dogs attacked the neighbor dog causing significant injuries. The dogs made it back to the original house and the victim dog was taken to the vet. The owner of the dogs causing the injuries was issued a citation.

9/20 Officers responded to a house to assist a victim to getting back inside. They had been locked out during a violent incident and needed to rekey the house. Officers were able to gain access to the house and verify the suspect was not there.

9/21 A subject returned to a house she used to live at several years prior and was acting very suspicious. Police arrived and learned the subject had a warrant. The subject was arrested and transported to the Jail.

9/22 Officers responded to McLoughlin Blvd in front of Baskin Robbins for a crash. When they arrived there was a confusing scene involving a motorized bicycle and a seriously injured rider but no vehicle. Witnesses helped piece together the story that the front wheel of the bicycle fell off when it went up a ramp on the sidewalk at high speed. When the wheel fell off the rider crashed. This was confirmed by examining the wheel closely.

9/23 A vehicle was stolen from the Honda dealership lot when the key drop box was broken into and keys taken over night.

OPERATIONS MONTHLY REPORT Continued.....

9/27 Officers were called to an apartment on Risley Ave for a domestic. The argument started over one of the parties having a warrant. There were no crimes committed but the wanted subject was arrested.

9/28 Officers were called back to a residence where a violent crime occurred. The suspect was reportedly back inside the residence. When Officers arrived the suspect appeared to be barricading the doors but officers were able to confirm the suspect was inside. Given the nature of the crimes the suspect committed and being barricaded in the residence, the Clackamas County Interagency SWAT team and the Crisis Negotiation Team was called in. Multiple hours were spent trying to deescalate the suspect and get him to surrender but he refused. Tear gas and other tactics were used and the suspect was eventually located in the house and safely taken into custody.



9/29 A vehicle crashed through a fence and into a utility pole on River Rd. Officers responded and investigated. There were 145 feet of skid marks in the road. The driver admitted to driving 55 MPH in a 30 MPH zone when he swerved to avoid a car. The driver lost control and crashed into the utility pole, through the fence, and into a tree. The damage to the passenger side of the vehicle was extensive. The driver was the only occupant and suffered only minor bumps and bruising.



GLADSTONE POLICE DEPARTMENT OPERATIONS MONTHLY REPORT TO CHIEF AND COUNCIL



OPERATIONS MONTHLY REPORT

Prepared by Sgt. Graves

September 2023

09/02/23- Officers on patrol noticed a suspicious vehicle in the parking lot of a church in the 8300 block of Cason Rd. Officers made contact with the occupants and one of them had a felony warrant for their arrest. They were taken into custody without incident.

09/06/23- Officers responded to 2 separate calls at the same address in the 6300 block of Caldwell in a matter of 90 minutes. (a known problem house) Both of the calls were for drug overdoses. In both incidents, officers used Narcan to revive the overdoses. Both subjects were transported to hospitals.

09/06/23- A victim came down to GPD to speak with an Officer about a Violation of Restraining Order that had just occurred. After speaking with the victim, Officers determined there were many other felony level crimes that had occurred. The victim notified Officers that the suspect was still in her home. Officers, including several outside agencies, responded to the location. The suspect was taken into custody without incident and transported to Clackamas County Jail. GPD Detective was called to the scene to further investigate the incident.

09/26/23- A suspicious circumstance was reported in the 17300 block of Craig Ct. From a prior incident, Officers were looking for a suspect that use to live at the address and had assaulted their parent and their partner. There were several felony level crimes that were committed during the incident. It was believed that the suspect broke back into the home and may be inside. Officers, several from outside agencies, responded to the location. A full search of the property and inside of the home were conducted. The suspect was not located.



GLADSTONE POLICE DEPARTMENT OPERATIONS MONTHLY REPORT TO CHIEF AND COUNCIL



OPERATIONS MONTHLY REPORT

Prepared by Sgt. Hutchinson

September 2023

September 1 – Officers responded to a domestic disturbance. No crime was established, but the female was acting erratic and being loud and uncooperative. She could not communicate if she wanted to hurt herself and was visibly having a mental episode. It was determined she was a danger to herself and she was taken to the hospital on a Police Officer Hold.

September 2 – Officers responded to a theft of a tip jar at the Black Rock Coffee. The suspect took all the money from the two workers and fled on foot. The victims did not see the direction the suspect fled towards, and unfortunately, the suspect was not located.



September 6 – Officers responded to a violation of a restraining order. The suspect was still at the residence. The victim-contacted officers at the Gladstone police department. She stated that the suspect had held her against her will since the night before, assaulted her, and raped her. Police Officers along with Clackamas County Deputies formulated a plan and made entry into the home. The suspect was ordered out at gunpoint. When the use of a Police K9 was threatened he finally surrendered without incident. The suspect was arrested and lodged at the Clackamas County Jail.

Officers responded to a report of a theft of rentable motorized Scooters. The owner of the company had located his scooters at an address in Gladstone. The suspect was on scene and in possession of 10,000 dollar's worth of stolen goods. The suspect was arrested for Aggravated Theft I.

OPERATIONS MONTHLY REPORT Continued.....

Officers conducted annual Taser training where Officers were recertified to carry their less lethal Tasers. Officer Olson volunteered to be the training dummy.



September 7 – Officers responded to an unwanted call. The homeowner’s son broke into the home with a crowbar and obtained items that he had there. The parents had obtained a restraining order, but it had not been served yet. The suspect’s behavior caused public alarm, and he will be charged with disorderly conduct and served the restraining order when he is located.

September 8 – Gladstone had a Music in the Park Event at the Community Center. The event was disrupted by a flag wave/protest across from the new home of Happy Rock Coffee and in front of the Gladstone Community Center. Both parties were contacted and advised police will be in the area.

September 9 – Gladstone officers attempted to stop a vehicle for speeding, the vehicle did an illegal u turn on Mcloughlin and eluded the police by driving recklessly at high rates of speed. Gladstone terminated the pursuit as it was not within policy. Oregon City Police later located the vehicle. The driver was Tased, and the suspect was arrested for DUII in addition to the Gladstone Charges.



GLADSTONE POLICE DEPARTMENT OPERATIONS MONTHLY REPORT TO CHIEF AND COUNCIL



OPERATIONS MONTHLY REPORT Continued.....

September 13 – Officers responded to a crash on 82nd Drive near Wheeler Ct. A vehicle crossed two lanes of traffic traveling south and caused a collision between two other vehicles traveling North. Injuries were minor and the at-fault driver was cited and charged with providing false information of insurance.

September 15 – Officers responded to a disturbance where one resident at a home assaulted another, breaking his arm and causing other facial injuries. The suspect would not speak to police and was transported to the jail.

September 20 – Officers responded to Tukwilla Springs on a report of a theft of keys. The suspect is known and has warrants for his arrest. A search for the suspect was conducted, but he is still at large. From the condition of the woman's apartment, it is unsure if the keys were actually stolen.

September 22 – Officers responded to an assault that occurred at Kraxberger Junior High. A student was on video attacking another student. The students were interviewed. The suspect was suspended, and the matter was forwarded to the Juvenile Department.

Officers responded to a disturbance on Ridgewood Dr where 4 females went to a male's parent's residence and refused to leave. They struck the male and then fled the property. The females were later located after a brief chase. They were all cited for Criminal Trespassing.

September 23 – Officers responded to a welfare check of a male in his residence asking for help. The male was located and was not cooperative. He had a difficult time articulating what was wrong but wanted to go to the hospital. After a brief time of speaking with him, he stated he wanted to die. At that point, he was taken into police custody on Police Officer Hold and transported to the hospital.

RECORDS UNIT MONTHLY REPORT

Reported by: Executive Assistant Kristi Walls

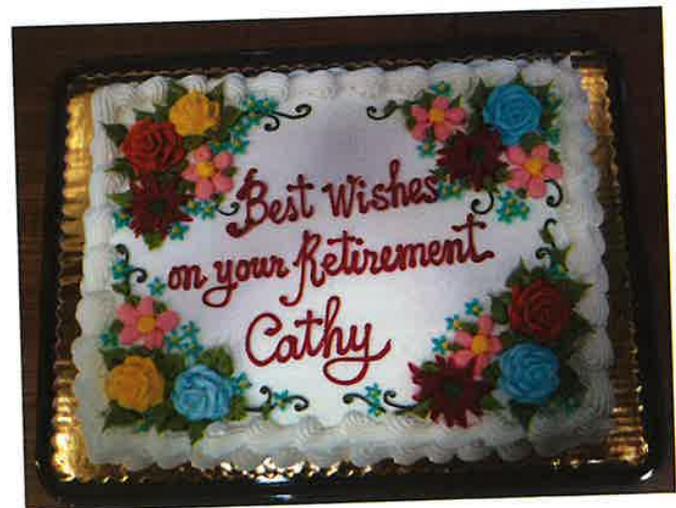
September 2023

Watch our website and our Face Book page for our Monthly “Where is K9 Nanuk” photo contest. The first person to guess where K9 Nanuk is and contacts me at kwalls@gladstoneoregon.us will win a prize. We had no correct answer last month. The correct answer was at the Pow Wow Tree.

Don't forget to stop by the Police Department to get your free bicycle helmet. We have all sizes ranging from toddlers to adults. We are here to help you Monday through Friday from 9:00am – 4:00pm. We gave away a total of 18 bike helmets this month!

Cathy Kerrigan, our Records Technician for the last 8 years, retired this month. She has always been involved with the community events including the Community Festival, Fourth of July BBQ, Bike Rodeo and the Halloween event. Every year Cathy has been the Elf for the Shop with a Cop event and the Easter Bunny for the Annual City Easter Egg Hunt.

We hope that Cathy can finally take time to enjoy her quilting, sewing and gardening. She will be greatly missed!

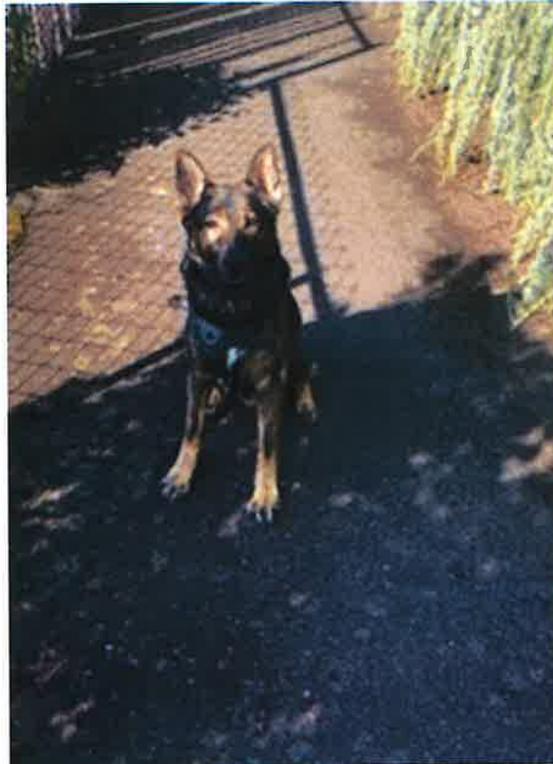




Where is K9 Nanuk? October 2023



Join us every month to identify where is K9 Nanuk



Each month we will post of a picture of K9 Nanuk somewhere in Gladstone. Be the first to identify where K9 Nanuk is, and you will get something special from us. If you think you know where K9 Nanuk is, contact us at kwalls@gladstoneoregon.us. You must email your response to win.





GLADSTONE POLICE DEPARTMENT TRAINING UNIT MONTHLY REPORT TO CHIEF AND COUNCIL



TRAINING UNIT MONTHLY REPORT

Prepared by: Sergeant Okerman

September 2023

The training unit strives to keep all Police Department members updated on legal and training issues. This is no small task considering that to maintain certification as a Police Officer in Oregon you must meet minimum requirements based on required annual or semi-annual training mandates. We also strive to send Officers to training that may not be required, but relate to a particular Officer’s field of expertise or for purposes of career development.

Officer	Training	Mandatory State/Federal	Hours
Hutchinson	Leadership	Yes	12
Olson	K9	Yes	24
Crotchett	Interview	No	24
Pavey	Interview	No	24
Orr	Labor	No	24
Butler	Labor	No	24
Fich	Investigation	No	8
Total			132

Sergeant Hutchinson attended the Fall Leadership Conference at DPSST. The Oregon Association Chiefs of Police and the Oregon State Sheriffs Association sponsor the conference jointly. The conference provided excellent leadership training from multiple angles and is a great opportunity to meet with other police leaders from around the state.

Officer Olson and K9 Nanuk attended the fall K9 conference. They received maintenance training, legal updates, and in-person scenario training in K9 deployments.

Officers Crotchett and Pavey attended Interview and Interrogation training. This is a three-day class to give advanced skills to newer officer’s interview technics in a variety of situations. The class not only prepares officers for interrogating criminal but it gives skills in how to interview victims of crimes in compassionate and empathetic ways.

Officers Orr and Butler were able to attend premier labor/management training over a few days. This will help advance everyone’s understanding of labor laws and employee/employer relations.



GLADSTONE POLICE DEPARTMENT TRAINING UNIT MONTHLY REPORT TO CHIEF AND COUNCIL



TRAINING UNIT MONTHLY REPORT Continued.....

Yvonne McNeil also started in her new assignment as the new Community Service Officer. Her main duties are Code Compliance. Her training started in that area this month. She has volunteered with the Police Department for many years and is familiar with the agency and the area so she has a good head start but she is now learning all the city codes, radio procedures, and report writing.

Detective Fich attended an update training from the Oregon Department of Justice on investigations related to internet crimes against children. The DOJ changed how they are referring cases to local law enforcement and this training was to learn how the information was coming in and what investigative steps would need to happen with the changes.



City of Gladstone Monthly Planning Report September 2023

PUBLIC CONTACTS/PLANNING ACTIONS

CUSTOMER CONTACT/ Planning Actions	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	YEAR-TO-DATE TOTALS
Customer Service Counter Contacts	1	1	1	1	0	1	0	0	0				5
Customer phone/email Contacts	48	37	31	43	34	27	20	32	42				314
Building Permits with Land Use Review	4	6	2	4	8	4	2	6	9				45
Code Compliance Review	1	1	1	0	0	0	1	0	0				4
Pre-application Conferences	1	0	1	0	0	0	1	1	1				5
Administrative Decisions	2	2	0	0	0	0	2	0	1				7

PLANNING COMMISSION ACTIONS/DECISIONS

- No Planning Commission in September 2023

CITY COUNCIL LAND USE ACTIONS/DECISIONS

- Annexation Code Update- Council Approved

PRE-APPLICATION CONFERENCES

- PAC 23-04 Toyota of Gladstone Expansion

ADMINISTRATIVE PERMITS

- Approval of sign replacement at Subway

BUILDING PERMITS WITH LAND USE REVIEW

Date	Address	Permit #	Description
09/06/23	18595 Portland Ave	B0203923	Gladstone Public Works Building (approved by PC in April 2023) Re-review. Conditions met.
09/06/23	18355 Cornell Pl	B0457023	Replace and expand existing deck attached to single-household detached residence. All setbacks and applicable standards met.
09/06/23	6665 Devonshire Dr	B0456823	Addition of a deck attached to single-household detached residence. All setbacks and applicable standards met.
09/13/23 09/20/23	275 Ipswich Street	B0210923	Triplex addition to site with 1 dwelling unit (total of 4 dwelling units/quadplex) Middle Housing- no design review required. Setbacks and maximum height met. No trees to be removed. Parking not required because site is within ½ mile of McLoughlin (high frequency transit) per CFEC rules. However, if parking is provided, it must meet city standards. Returned to applicant to revise parking to either meet city standards or remove one or more spaces on 09/13/23. Applicant revised to meet standards and was approved on 09/20/23.
09/13/23	19505 McLoughlin Blvd	B0198123	Gladstone Nissan Service Bay Expansion (approved by PC in February 2023)- addition to service bay in rear of property and a small shed to side of existing building. Small landscaping change. All PC Conditions met with submittal.
09/18/23 09/27/23	19405 McLoughlin Blvd	B0194023	Mazda of Gladstone addition. Approved by Planning Commission in March 2023. Submitted building permit complies with approval.
09/27/23	430 High Court	B0506123	Addition to an existing single-household detached residence which meets all setbacks and other dimensional standards of the R-7.2 zoning district.

FUTURE ITEMS/PROPERTY UPDATES

Date	Topic
10/17/23	Planning Commission Public Hearing- FIRE Warehouse Building Design Review at 6075 Duniway Avenue
10/24/23	City Council Work Session- Updating Home Occupation Code Language (GMC Chapter 17.78)

GLADSTONE MUNICIPAL COURT FROM SEPTEMBER 2023

General Court Information from September 2023

- 40 traffic citations filed
- 59 violations disposed
- 7 misdemeanors filed
- 11 misdemeanors disposed
- 7 payment agreements entered
- 21 warrants were issued
- 31 payment reminders were mailed to defendants
- 33 driver's licenses were requested suspended
- 17 driver's licenses were released
- 44 violations were sent to collections
- 180 cases were sent to the Department of Revenue
- 0 Jury trial was held
- \$20,765.00 in violation fees assessed
- \$23,599.95 in violation fees paid
- \$10,323.80 in misdemeanor fees assessed
- \$7,261.55 in misdemeanor fees paid
- \$316.80 collection with Department of Revenue
- \$12,133.08 collected with The Western Agency

	Traffic Cites Issued 2021	Traffic Cites Issued 2022	Traffic Cites Issued 2023	Traffic Viol Disp 2021	Traffic Viol Disp 2022	Traffic Viol Disp 2023	Misd. Issued 2021	Misd. Issued 2022	Misd. Issued 2023	Misd. Disp. 2021	Misd. Disp. 2022	Misd. Disp. 2023	Parking 2021	Parking 2022	Parking 2023
Jan	96	78	120	197	97	132	6	2	2	14	3	10	3	0	1
Feb	49	86	64	117	115	173	5	13	9	8	8	6	2	0	1
Mar	157	62	129	87	122	92	6	3	3	10	8	6	3	1	21
Apr	107	118	84	137	93	166	6	13	8	6	2	8	8	3	4
May	92	76	69	173	189	109	5	4	10	6	9	9	9	40	14
Jun	177	118	64	93	150	122	5	13	10	7	8	12	49	13	3
Jul	146	42	61	254	160	111	21	2	11	4	9	13	45	61	7
Aug	101	37	59	199	111	99	7	16	12	10	12	10	19	21	6
Sep	127	35	40	144	76	59	7	5	7	7	8	11	12	5	17
Oct	55	37		199	32		2	4		10	3		4	5	
Nov	70	67		87	64		8	4		3	9		8	2	
Dec	55	99		85	62		0	4		7	3		1	0	
Total	1232	855	690	1772	1271	1063	78	83	72	92	82	85	163	151	7412,133.08

GLADSTONE MUNICIPAL COURT FROM SEPTEMBER 2023

TRAFFIC FINE & FEES ASSESSED AND PAID BY YEAR

	Traffic Fees Assessed 2021	Traffic Fees Assessed 2022	Traffic Fees Assessed 2023	Traffic Fees Paid 2021	Traffic Fees Paid 2022	Traffic Fees Paid 2023
Jan	51,046.00	35,192.50	39,830.00	16,230.42	18,573.88	24,445.59
Feb	31,940.00	30,750.00	58,120.00	32,689.75	25,724.67	19,848.78
Mar	22,844.00	33,126.10	22,835.00	16,401.78	36,100.00	21,799.95
Apr	39,964.84	28,805.00	50,087.50	40,979.85	26,349.01	45,057.40
May	50,745.00	57,275.00	37,620.00	22,791.29	27,039.72	25,258.81
Jun	28,460.00	38,788.00	39,330.00	23,934.76	42,927.32	29,711.23
July	22,818.60	51,636.25	36,920.00	43,103.86	24,562.98	21,100.71
Aug	53,950.00	28,160.00	33,645.00	26,648.20	25,312.14	21,492.13
Sept	44,225.00	31,143.00	20,765.00	25,539.13	23,137.49	23,599.95
Oct	47,026.00	24,148.77		28,491.79	9,505.00	
Nov	26,505.00	17,975.00		21,086.93	20,958.48	
Dec	30,290.00	16,775.00		17,573.05	28,268.41	
Total	\$449,814.44	\$393,774.62	\$339,152.50	\$315,470.81	\$308,459.10	\$232,314.55

MISDEAMNOR FINE & FEES ASSESSED AND PAID BY YEAR

	Misdemeanor Fees Assessed 2021	Misdemeanor Fees Assessed 2022	Misdemeanor Fees Assessed 2023	Misdemeanor Fees Paid 2021	Misdemeanor Fees Paid 2022	Misdemeanor Fees Paid 2023
Jan	13,698.48	2,136.00	14,109.00	7,346.08	3,771.92	2,944.52
Feb	5,511.00	6,511.00	10,168.00	5,267.95	10,412.41	5,025.10
Mar	4,308.00	5,831.62	6,775.00	10,012.54	6,955.75	4,709.73
Apr	4,128.28	963.00	12,564.00	14,939.91	6,962.43	10,229.69
May	4,737.00	7,062.00	5,293.92	5,646.16	1,841.15	8,143.54
Jun	9,960.01	7,183.00	9,794.00	5,179.63	9,152.68	6,316.30
July	4,381.00	7,921.38	12,359.10	6,741.67	3,411.36	3,803.50
Aug	14,716.00	8,991.00	13,131.75	10,463.60	2,149.64	4,873.64
Sept	30,584.00	6,868.00	10,323.80	6,507.01	2,668.68	7,261.55
Oct	5,546.00	4,155.73		9,914.75	6,588.00	
Nov	5,463.00	8,535.00		5,557.93	3,654.71	
Dec	3,786.00	2,580.00		1,834.12	2,552.88	
Total	\$106,818.77	\$68,737.73	\$94,518.57	\$89,411.35	\$60,121.61	\$53,307.57

Monthly Report Date: September 2023

To: City Administrator, Jacque Betz

From: Community Services Manager, Tiffany Kirkpatrick, MA

Current Staffing: 1.) Full-time Manager 2.) Full-time Office/Program Assistant II. 3.) Full-time Temporary Nutrition Assistant 4.) 25hr/wk Tram Driver

Services we provide; The center captured 6 Info and Assistance calls coming in about inquiries regarding program/service needs, transportation, follow-up etc. The center handled 5 reassurance calls out into the community to assist participants, gather resource info to assist, follow-up with other organizations/businesses that provide services. As well as 5 case management, calls to direct plan, support and assist our senior participants navigate the system.

Guest Attendance

Total number of participants/guests, 575 this month

Food Program/Home Deliveries and Volunteers

The center continues to have a highly active volunteer staff who have helped us serve food in and out of the center. A total of 270 in-dining meals were served to our guests/participants.

We delivered 1594 Homebound meals to Gladstone community members.

Over the month, 180 food boxes were sourced, prepped, and delivered.

We reported 485 volunteer hours over the month, and 3 new volunteers.

We total 135 active volunteers.

September HIGHLIGHTS

We shared, as required by our grantee Kroger Co /Fred Meyers, via social media, they the center was awarded \$5000 in gift cards to shop at Fred Meyer for our weekly Food Box grocery program for food insecure 60+ community members.

We literally could not deliver fresh vegetables/fruits and other staples to community members who are in need of food, and typically socially isolated, each week, if it were not for a combination of donations from Gleaners, Gladstone Food Bank, Neighbors Buy Nothing group via Becky, our volunteer, all of our center's Food Pantry volunteers that pickup, deliver, call people, create the grocery bags...shop for the food...the list goes on...

THANK YOU!!!

The center will hold the City's Annual Volunteer Appreciation BBQ - for all City volunteers to be held, Friday, Oct 6th, at 5pm.



Some of our weekly Food Box volunteers who organize, sort and make grocery bags for the most vulnerable in our community



Grant-funded Dining/Kitchen Modernization updates—

American Legacy Home + Construction LLC has started on the kitchen back door awning/shelter and it's almost complete. They will paint the structure and add gutters. Also, the center had local senior artist, Jerry Schmidt made a handmade wooden sign

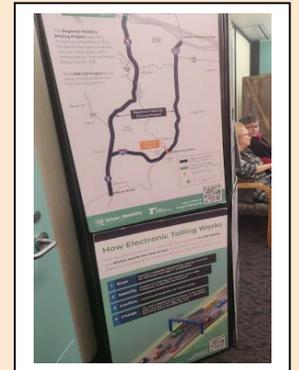
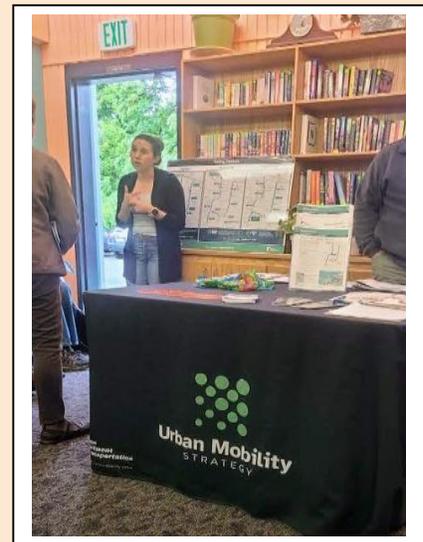
for the lobby with our new name "Gladstone Community Center". Public Works installed the sign this month and everyone loves it.



Public Work install our new signage in the lobby

Lunch and Learn w/ Clackamas County Sustainability Team + Visit from ODOT on the Toll Bridge:

We had a very engaged audience for the presentation Reduce, Reuse and Recycle, by the Sustainability team in September. Lots of questions about items that can or cannot be recycled and also questions were answered by Tenille, staff at Clackamas County regarding disposal services and services like, Ridwell and Junk pickups. We also held space for ODOT, Toll Bridge team to come set-up in the library in September. There were approximately 40-45 people that came there, besides the regulars at the center. The team shared lots of good resource info and displays to help the community understand the tolling project and its timeline, and where their info and suggestions go from here.



GEM; Gladstone Emergency Management Team +

Clackamas Fire will host Fire Prevention Training in October



Fire Prevention & Preparedness Training

with Shawn Olson from Clackamas County Fire District #1

**Wednesday
October 25th,
5-6pm**



**Gladstone
Community Center**



**1050 Portland Ave
Gladstone, OR 97027**



Gladstone Community Center Advisory Board recruiting for Ad-Hoc Committee Members –

openings for the committee, start in October and end Dec. 9th 2023. These were posting on all socials, and provided at the public via website, email, and as flyers.



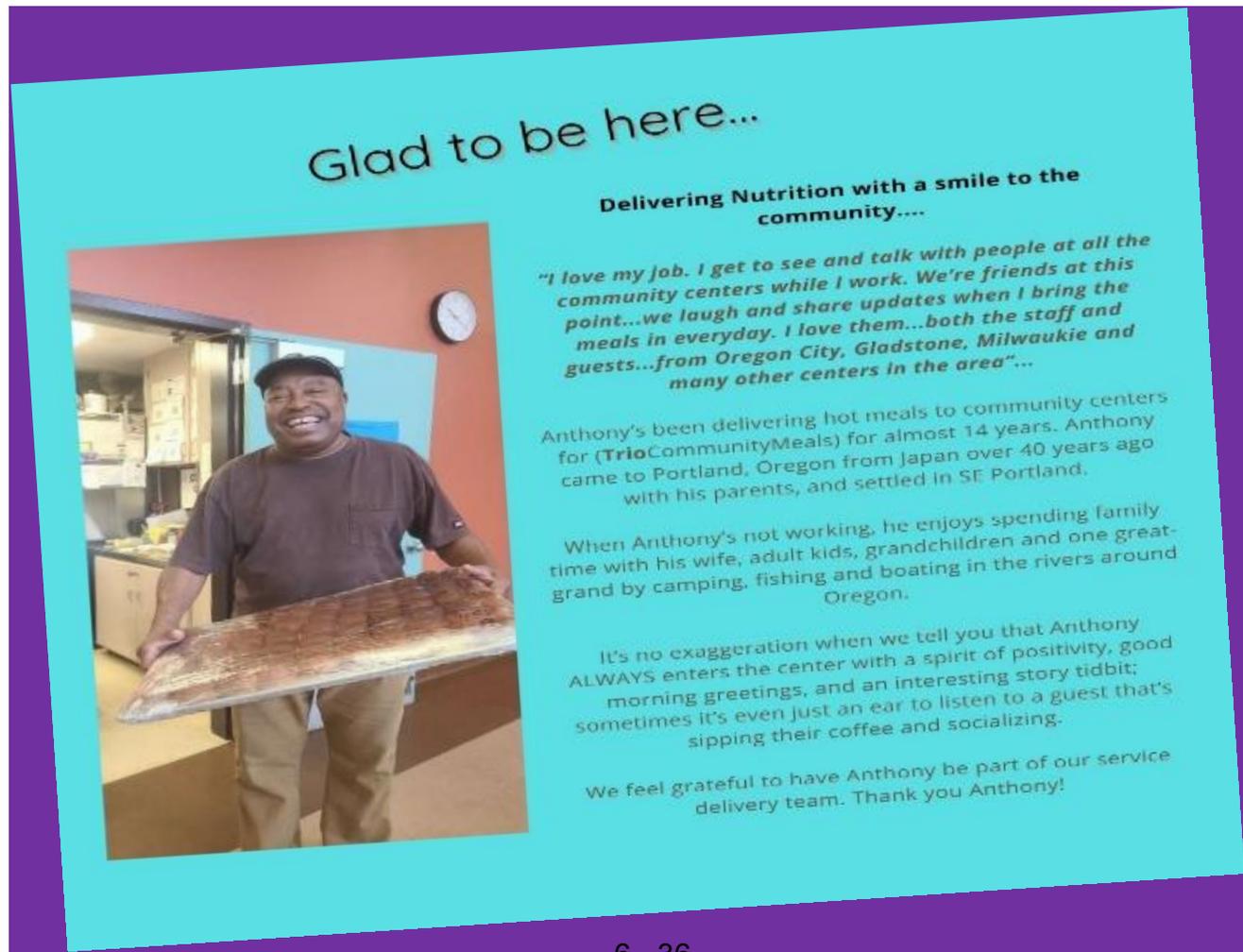
Winter Market Committee Member positions:

To apply, complete an application at this link: <https://tinyurl.com/ycx4rssb>

- 1. Community Event Evaluator:** Very comfortable with computers (i.e., Word doc), access to email to create, help distribute and analyze surveys from the community about the event. Provides insight and data collection; to give feedback on the value and impact of the event/s on the community. Works with Center Staff
- 2. Media Coordinator:** Very comfortable with computers and Word program; Access to email to Create map of vendor booths, parking instructions; communicates with vendors about details of event (set-up, clearing out vendor booth number); creates an email/phone contact list of all accepted vendors for communication of market. Works with Center Staff.
- 3. Event + Entertainment Coordinator:** Very comfortable with computers, phone contact, making requests to performers, or other entertainment as a donation of time. Assist Center staff to support the entertainment happening at the market, before event and during. Help in creating a space for entertainment at the center for music and Santa visit during event.



GLAD TO BE HERE featured in September



Glad to be here...

Delivering Nutrition with a smile to the community....

"I love my job. I get to see and talk with people at all the community centers while I work. We're friends at this point...we laugh and share updates when I bring the meals in everyday. I love them...both the staff and guests...from Oregon City, Gladstone, Milwaukie and many other centers in the area"...

Anthony's been delivering hot meals to community centers for (TrioCommunityMeals) for almost 14 years. Anthony came to Portland, Oregon from Japan over 40 years ago with his parents, and settled in SE Portland.

When Anthony's not working, he enjoys spending family time with his wife, adult kids, grandchildren and one great-grand by camping, fishing and boating in the rivers around Oregon.

It's no exaggeration when we tell you that Anthony ALWAYS enters the center with a spirit of positivity, good morning greetings, and an interesting story tidbit; sometimes it's even just an ear to listen to a guest that's sipping their coffee and socializing.

We feel grateful to have Anthony be part of our service delivery team. Thank you Anthony!

City of Gladstone Staff Report

Report Date: October 3, 2023
Meeting Date: October 10, 2023
To: Gladstone City Council
From: Jacque M. Betz, City Administrator

AGENDA ITEM

Approve Resolution 1224 authorizing the City of Gladstone to submit a request for funding assistance from the Oregon Department of Land Conservation and Development to assist Gladstone in the creation of a Town Center Boundary and Plan and establishment of goals, policies and regulations for development in the Town Center.

History/Background

In 2022, the Oregon Department of Land Conservation and Development (DLCD) implemented the Climate-Friendly and Equitable Communities (CFEC) Oregon Administrative Rules, compelling cities in metro regions, such as Gladstone, to “change their local transportation and land use plans to do more to ensure Oregonians have more safe, comfortable ways to get around, and don’t have to drive long distances just to meet their daily needs.” In order to meet this requirement, the City of Gladstone must adopt formal boundaries for its “Town Center”, a designation of a place that our regional government, Metro, categorizes as the center of activity for a community. In addition to designating this area, the city will adopt regulations regarding development in these areas as well as completing required parking reform.

Funding assistance for the type of planning work described above is potentially available through a Technical Assistance (TA) Grant from DLCD. The city of Gladstone submitted an application by the October 2, 2023 deadline for the 2023-25 funding period and is awaiting response. If the city is unsuccessful in securing a TA grant, DLCD staff have stated that direct CFEC funding will be available in the coming months. Gladstone staff intend to submit for CFEC funding if the TA Grant application is not successful.

PROPOSAL:

The City of Gladstone has requested technical assistance in the amount of \$75,000 for the purpose of several related initiatives intended to designate the city’s Town Center and implement regulations for development. Specifically, if awarded the funds would be used for technical assistance to create a Town Center Boundary and Plan, and to create and adopt revisions to our Comprehensive Plan and Development Code. A copy of the full application is included in the packet (Attachment A). Note that our application calls for a thorough community engagement effort as part of this work.

DLCD specifically asks for local governing bodies to also submit a resolution authorizing the submission of requests for funding; and it is permissible for the City Council to approve the resolution after the submittal of the grant application.

OPTIONS:

1. The City Council could choose to not approve the resolution and staff would withdrawal the application request for funding.

Recommended Staff Action

Approve Resolution 1224 authorizing the City of Gladstone to submit a request for funding assistance from the Oregon Department of Land Conservation and Development to promote the City's endeavors to create a Town Center in Gladstone with associated land use regulations.

Department Head
Signature

Date

Jacqueline M. Bell 9-28-23

City Administrator
Signature

Date

RESOLUTION 1224

A resolution authorizing the City of Gladstone to submit a request for funding assistance from the Oregon Department of Land Conservation and Development to promote the City's endeavors to create a Town Center in Gladstone with associated land use regulations.

WHEREAS, the Oregon Legislature appropriated funds to the Oregon Department of Land Conservation and Development (DLCD) for the purpose of providing Technical Assistance (TA) to local governments in various planning efforts, including those that promote economic development and climate resiliency; and

WHEREAS, the Metro Urban Growth Management Functional Plan will be updated by the end of 2024 to require that all cities (such as Gladstone) adopt, by December 31, 2025, boundaries for Town Centers identified on the 2040 Growth Concept map; and

WHEREAS, a Town Center in Gladstone would comply with the Climate-Friendly and Equitable Communities (CFEC) rules that require designation of a Climate-Friendly Area in cities, parking reform, and associated development regulations; and

WHEREAS, the City of Gladstone is beginning the long-range planning work required to designate a Town Center with associated land use regulations; and

WHEREAS, the City of Gladstone desires to participate in the DLCD TA grant program in order to complete the planning effort of designating a Town Center, including implementable land use regulations and a robust community involvement process; and

WHEREAS, the City of Gladstone has available in-kind matching resources and capacity to fulfill its share of obligation related to this grant application should the grant funds be awarded.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The City of Gladstone City Council supports a request for funding assistance (Exhibit A) from DLCD in the amount of \$75,000 to fulfill the obligations set forth above.

Section 2. The City Administrator is hereby authorized to submit the request for funding assistance to DLCD on behalf of the City of Gladstone.

Section 3. The resolution is effective immediately upon its enactment by the City Council.

This Resolution is adopted by the Gladstone City Council and approved by the Mayor this _____ day of _____, 2023.

ATTEST:

Michael Milch, Mayor

Hayley Kratz, Acting City Recorder

**RECOGNITION
OF
AMERICAN
MEDICAL
RESPONSE (AMR)**

No attachments

**CLACKAMAS
FIRE DISTRICT
REPORT**



CLACKAMAS FIRE DISTRICT #1

FIRE CHIEF'S REPORT

September 2023

Here for you

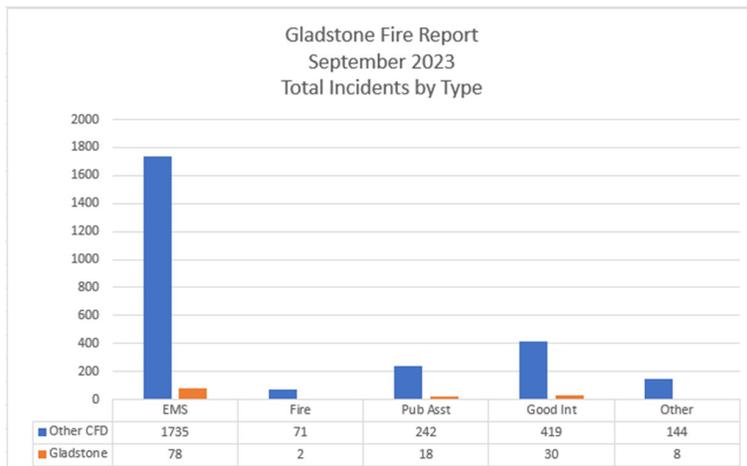
- Fire Prevention Week is October 8 – 14 with the theme: Cooking safety starts with YOU.
- In the early morning of September 16th, Clackamas Fire responded to a structure fire at a former fiberglass manufacturing plant. This fire was in buildings slated for demolition and caused sheltering in place and evacuations of nearby residences. Thirty-one units, including seven from Portland, Gresham, and TVFR, responded to the incident.
- On September 21st, the Camp Creek Fire was transferred to the local Mt. Hood Type 3 incident management team. Clackamas Fire Battalion Chief Brent Olson is serving as the incident commander trainee through October 5th. The most recent update is the fire reached 2,055 acres and is 62% contained. Hazard trees, terrain, and weather have limited operations.



Sept. 9: E301 and E302 training on hoseline deployment in Milwaukie.



Sept. 16: Clackamas and mutual aid firefighters working a 3rd alarm fire on Otty Road at I-205.



Sept. 16: Inspector/Investigator Denny Dahlgren quizzed many attendees on fire and life safety at the Hilltop Safety Fair.

Fire Incidents in Gladstone

Incident Date/Time Incident Number	Status	Address Incident Type	Unit(s) Shift
09/09/2023 08:29:02 F3223-0034626	LOCKED	19 MELDRUM BAR PARK RD (1421) - Barkdust Fire	E322 D Shift
09/07/2023 14:29:54 F3223-0034367	LOCKED	580 E FAIRFIELD ST (1421) - Barkdust Fire	E322 B Shift
09/02/2023 16:06:08 F3223-0033670	LOCKED	I205 EXIT 11 (GLADSTONE) (143) - Grass fire	E322, HR305, IE309, B... B Shift

Meldrum Bar Park Road (single unit response)

Arrived to find a 1x1 area of smoldering barkdust and was extinguished with the booster line. E322 cleared.

E. Fairfield Street (single unit response)

E322 was dispatched to a small barkdust fire in a front yard at a residence. The fire was discovered by some landscape workers. E322 arrived and used the homeowners adjacent hose to extinguish the burning material. There were no signs of ignition present. E322 cleared this call.

I-205 (four units dispatched, only two units used)

10'x10' grass fire on the west side side of I205. Fire is extinguished and BC302 & OSP on scene. E322 overhauls area with copious amounts of water via booster line. Fire area is wet and cool to the touch. All units depart.

PRESENTATION

#1



District 2 Metro update

Gladstone City Council •

Councilor Christine Lewis • October 10, 2023

Garbage and recycling

- RID Patrol success
- 880 tons of garbage in the last year
- Response time down to 1 day
- ridpatrol.oregonmetro.gov

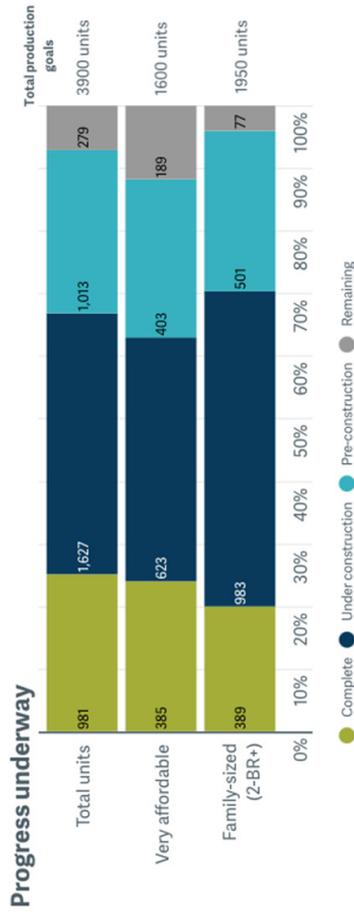


Growth management decision

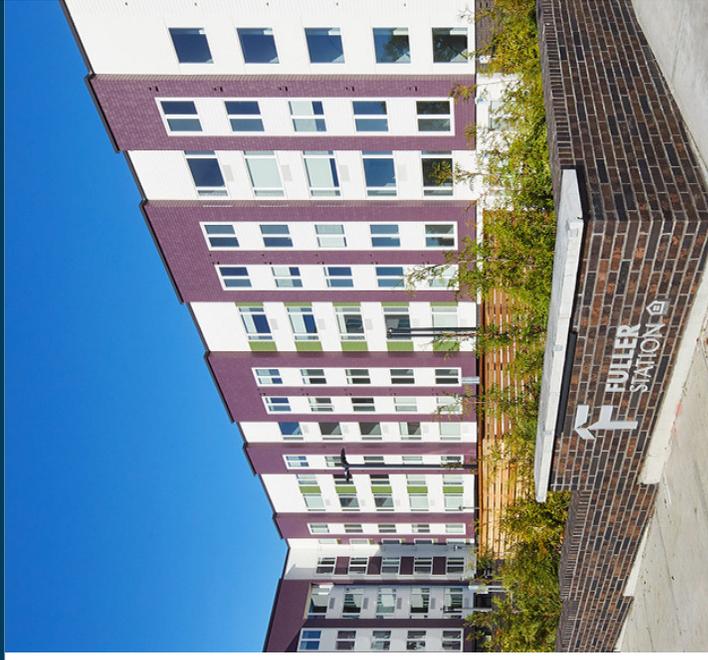
Ensuring enough
land for 20 years
of growth, and
supporting
economic
development



Affordable housing



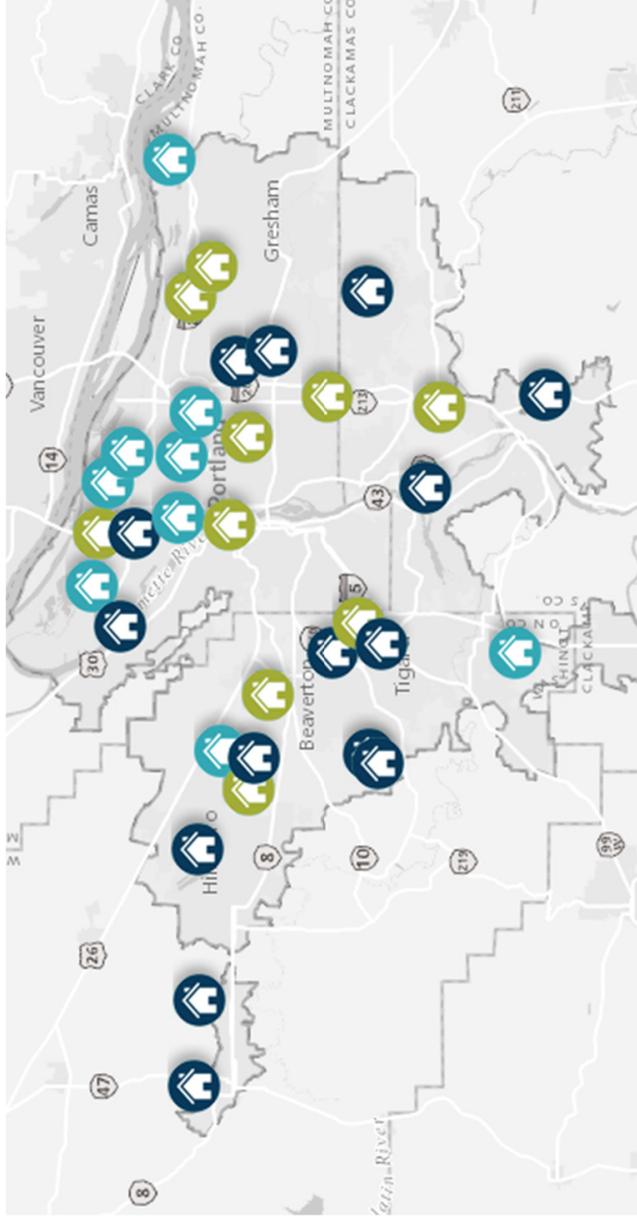
- On pace to exceed our construction goals





Metro

Project Map

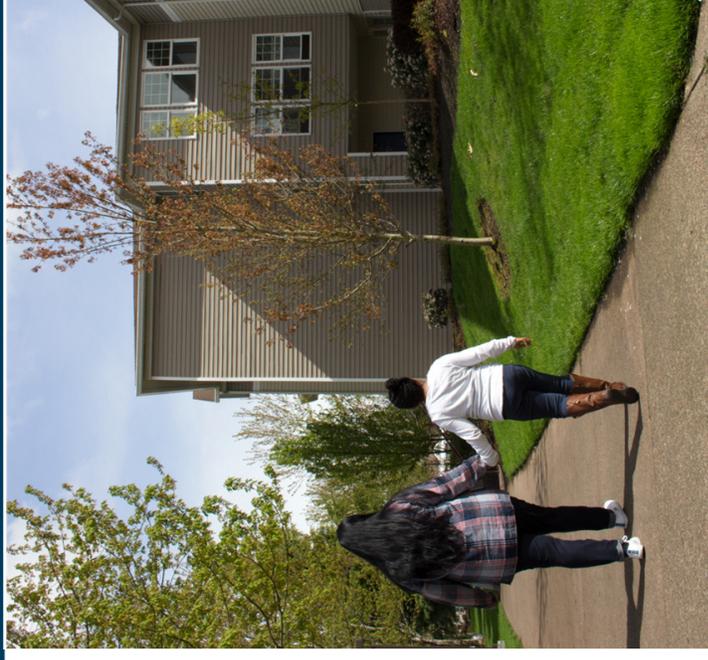


Supportive Housing Services

Hundreds placed in housing

140 new Clackamas County
shelter beds

643 eviction preventions



Regional transportation plan

A transportation system that cuts congestion, supports clean air and improves safety across our region.



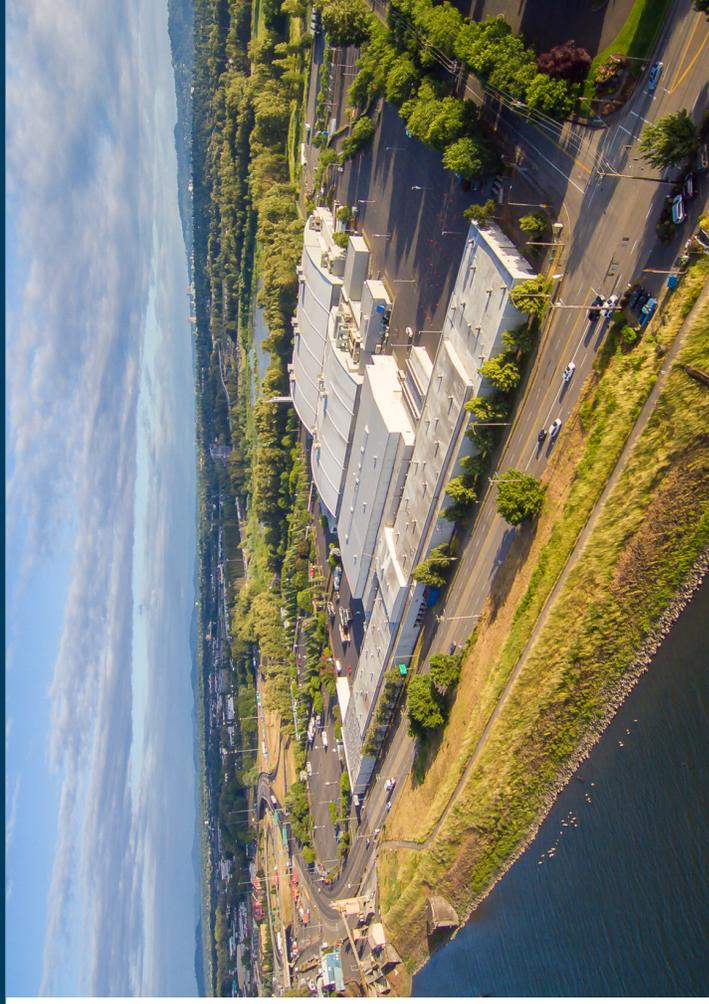
Oregon Zoo

Thinking about what's next for
animal welfare, visitor accessibility
and sustainability



Expo Center

Examining the
feasibility of
Expo as a facility
to host sports
competitions



Questions?

Christine Lewis
Metro Councilor, District 2
503-797-1887

christine.lewis@oregonmetro.gov



Stay in touch

oregonmetro.gov/connect

PRESENTATION

#2

Portland Harbor Cleanup and Restoration Overview

- The EPA and Oregon Department of Environmental Quality oversee the cleanup efforts of the Portland Harbor.
- The Portland Harbor Trustee Council oversees the restoration of the Natural Resource Damages.
- The Trustee Council consists of:
 - 5 Tribes
 - Grand Ronde
 - Nez Perce
 - Siletz
 - Umatilla
 - Warm Springs
 - NOAA
 - Oregon Department of Fish and Wildlife
 - US Department of the Interior

Portland Harbor Natural Resource Damage Assessment Overview

- Since the Trustee Council was formed in 2002, they have been actively studying and researching potentially injured natural resources within the Portland Harbor.
- During their research, they identified the following list of potentially injured natural resources.
 - **Fish**
 - Salmon
 - Lamprey
 - Sturgeon
 - **Birds**
 - Bald Eagle
 - Osprey
 - **Mammals**
 - Minks
 - **Water**
 - **Sediments**
 - **Soils**
 - **Invertebrates**

Restoration Planning

- The Trustee Council has been planning and coordinating restoration efforts since 2007
- Their geographic priorities are:
 - 1st Priority:
Superfund Study Area
 - 2nd Priority:
Broader Focus Area



Current Efforts Underway

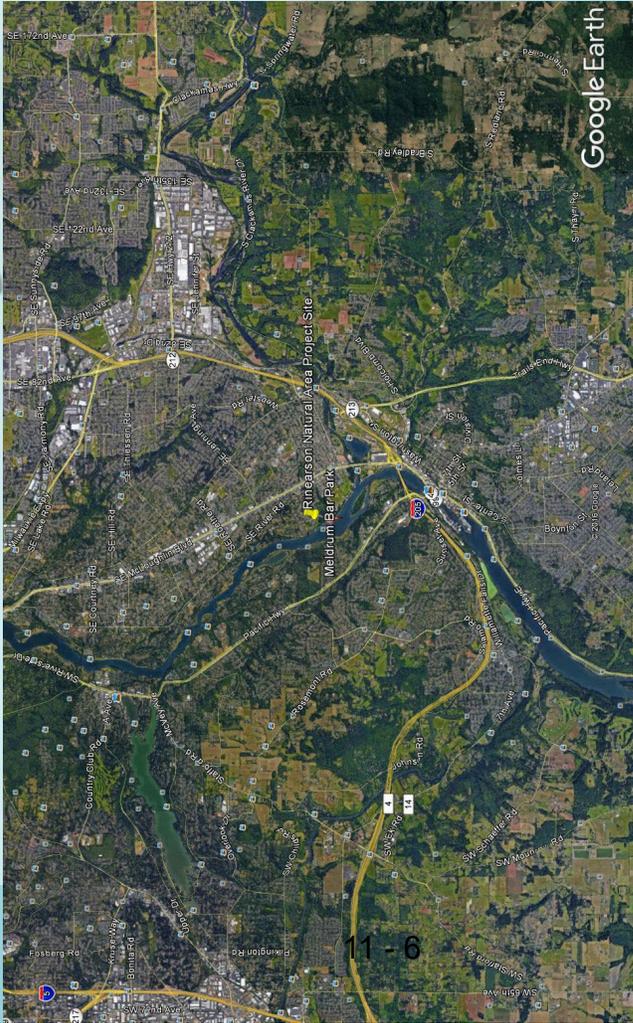
- There are currently 3 approved restoration projects within the Priority One (Superfund) site.
 - Alder Creek
 - Linnton Mill
 - PGE Harbortown Wetlands
- There is currently one approved restoration project within the Priority Two (Broader Focus) area.
 - Rinearson

Rinearson Natural Area Project

A Public-Private Portland Harbor NRD Restoration Project

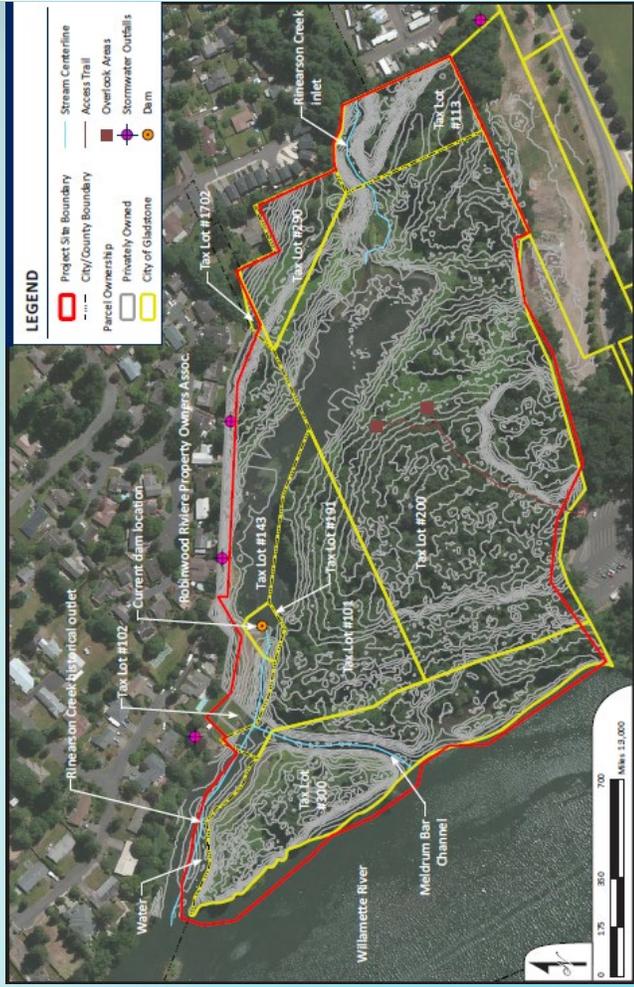
Partner	Role
Columbia Restoration Group	Project Owner / Developer
The City of Gladstone	Landowner
Robinwood Riviere Property Owners Association	Landowner
Private Homeowner	Landowner
Waterways Consulting, Inc. The Wetlands Group	Project Designer/Monitoring Environmental Consultant and Construction Contractor

Project Location

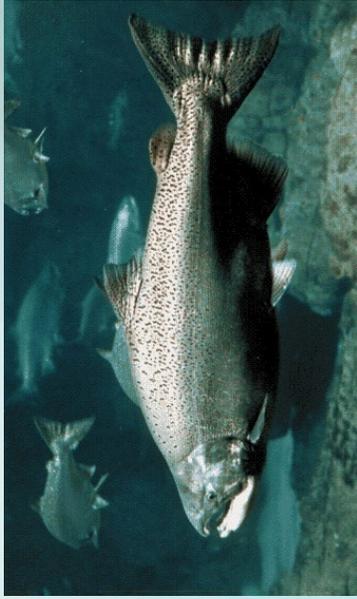


Area Map

Site Map



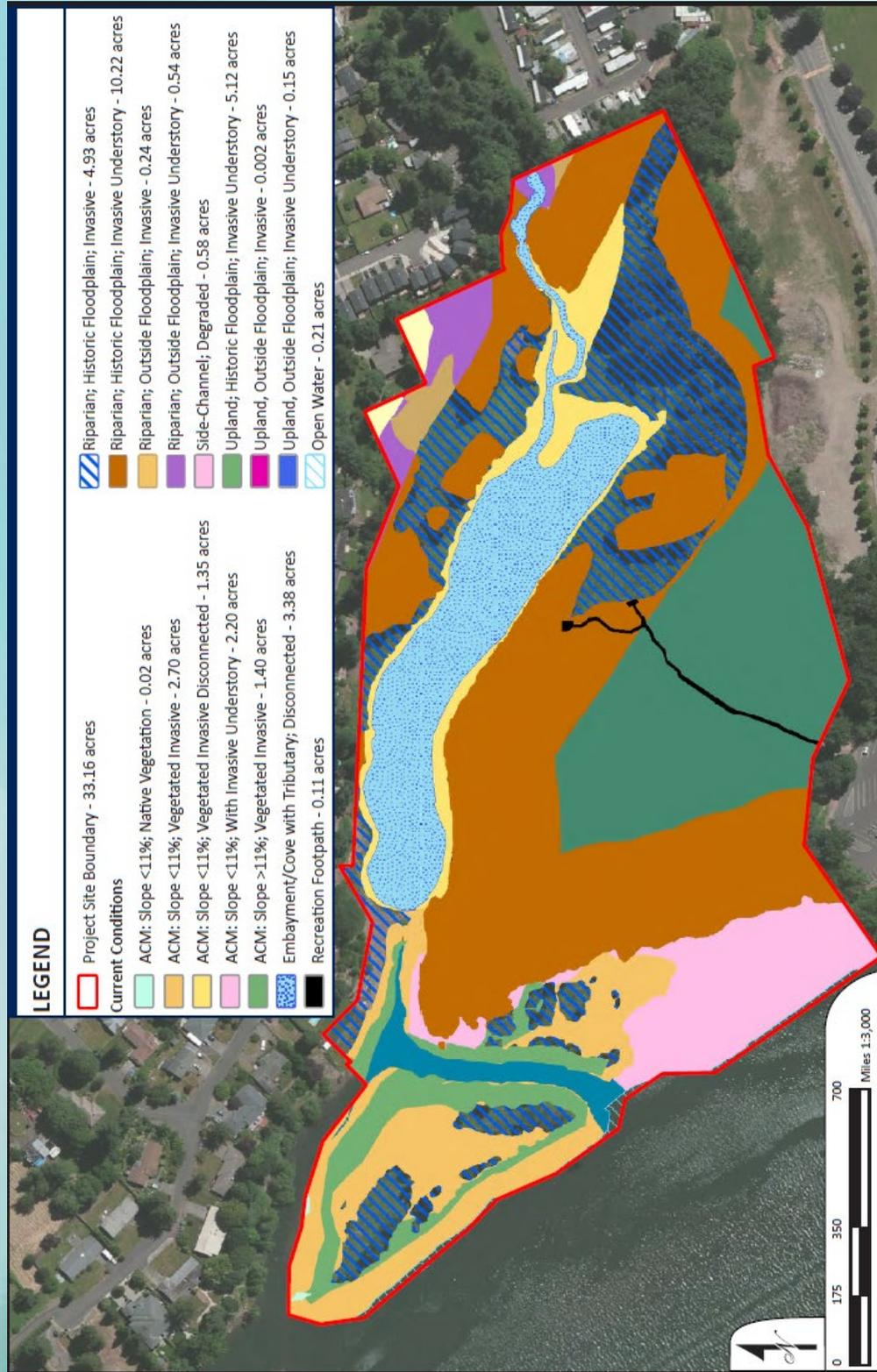
Target Species



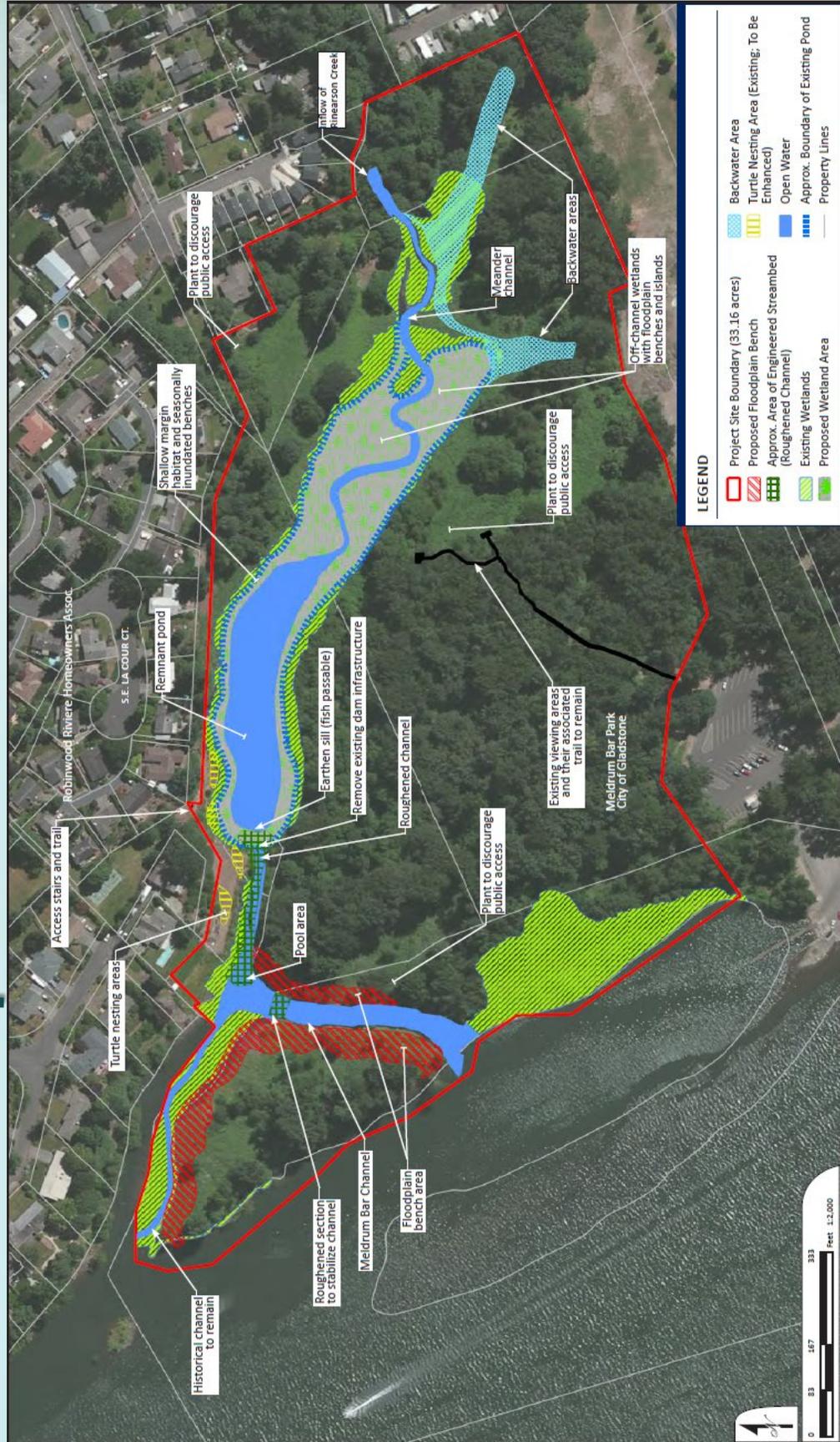
Non-Target Species



Pre-Construction Habitat



Completed Restoration



Summary of Goals

- **Goal 1 – Restore typical floodplain structure**
 - Grade the Project site to typical floodplain topographic conditions; modify existing dam; establish floodplain benches; restore Rinearson Creek channel
 - Install and retain woody structures, rock and debris habitat piles.
 - Provide fish passage
- **Goal 2 – Restore native vegetation communities**
 - Control invasive vegetation throughout the project site
 - Establish native-dominated vegetation in the PEM, PSS, PFO and upland areas
- **Goal 3 – Restore typical hydrologic conditions**
 - Restore floodplain interaction between Willamette River and areas upstream of the remnant dam
 - Increase area inundated by regularly recurring flood events in the Willamette River
- **Goal 4 – Improve water quality over existing conditions by improving water temperature, dissolved oxygen, and conductivity in aquatic habitats**
- **Goal 5- Increase use by fish and wildlife species by improving access and improving habitat quality**

Thank you for this opportunity!

Evan Ocheltree

Columbia Restoration Group

Evan@ColumbiaRestorationGroup.com

(804) 330-8092

Gary Howard

Columbia Restoration Group

Gary@ColumbiaRestorationGroup.com

(208) 573-4866

Rinearson Project Photos

Pre-Restoration Photos – A Reminder of What Once Was



Pre-Restoration Photos – A Reminder of What Once Was (Cont'd)



Post Restoration – What is and What Shall Be: The Channel



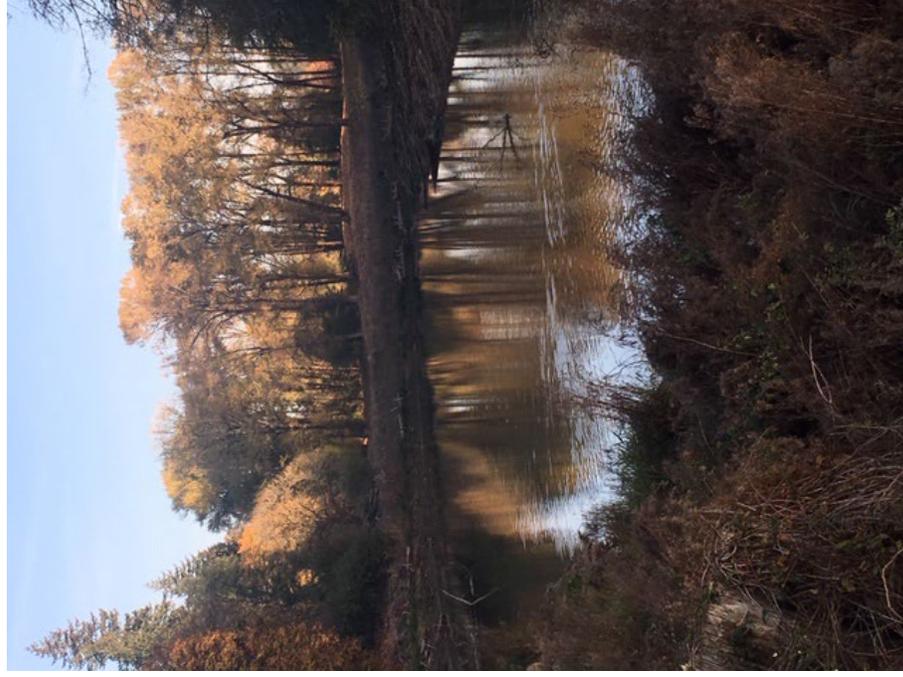
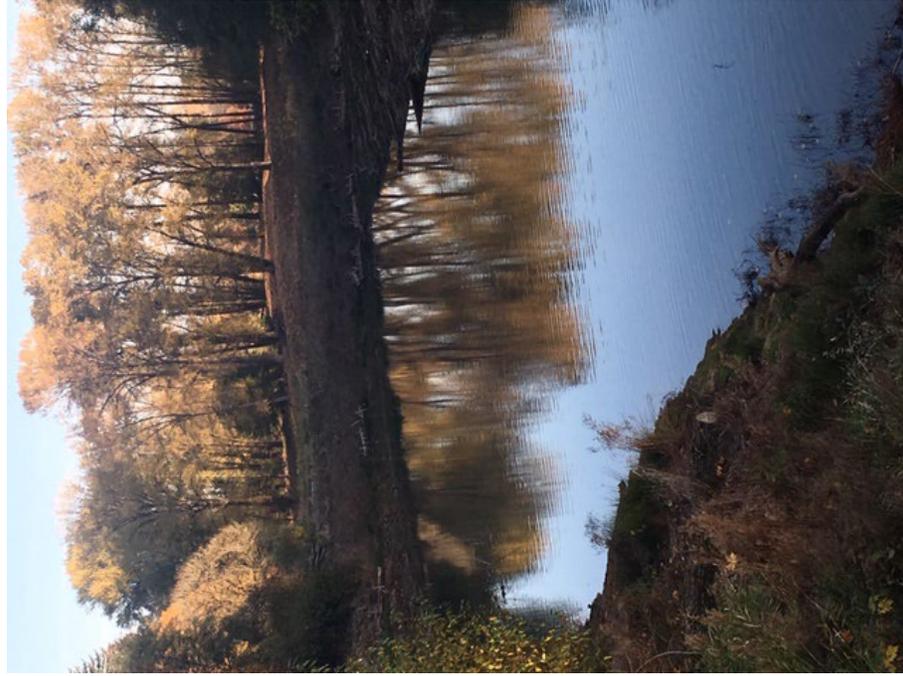
Post Restoration – What is and What Shall Be: The Pond (and Beaver Activity)



Post Restoration – What is and What Shall Be: Moving Up Creek



Post Restoration – What is and What Shall Be: Moving Up Creek



Post Restoration – What is and What Shall Be: Looking Back at the Pond



Post Restoration – What is and What Shall Be: Rinearson Creek Outlet



Post Restoration – What is and What Shall Be: Rinearson Creek Outlet



Post Restoration – What is and What Shall Be: Habitat Structures



What it is now



**GLADSTONE
CITY
EVENT
ANNOUNCEMENTS**

City of Gladstone

Staff Report

Report Date : October 3, 2023
Meeting Date : October 10, 2023
To : City Council
From : Cathy Brucker, Finance Consultant; Nancy Werner, Attorney

AGENDA ITEM

Consider approval of Ordinance 1526, an ordinance amending Gladstone Municipal Code (GMC) Chapter 12.24 to update and clarify the terms and conditions of utility use of the public rights-of-way in the City.

History/Background

GMC Chapter 12.24 "Utility Services" regulates use of the public rights-of-way in the City by utilities, including electric, gas, and communications companies, as well as water and sewer. GMC Chapter 12.24 requires utilities that own facilities in the rights-of-way to obtain a license authorizing such use and establishes the terms and conditions for utility-related work in the rights-of-way. It also requires these entities to pay a license fee for such use. GMC Chapter 12.24 also applies to entities that use other utilities' facilities in the rights-of-way to provide utility services to customers in the City.

The City enacted GMC Chapter 12.24 in 2016 and updated it in 2018. While the City has revised its fees to comply with several changes in federal law since 2018, the provisions of the Chapter have not been reviewed or updated since that time. In response to recent changes in use of the rights-of-way and to inquiries regarding the application of Chapter 12.24 to various entities, staff recommend revising the Chapter to update and clarify the terms and conditions of the Chapter.

Proposal

Included in the packet is the ordinance in track-changes. Staff worked with attorney Nancy Werner to draft the updates. Language deleted is in ~~strike through~~ and language proposed is in red. A clean copy of the ordinance is also included in the packet.

The changes include the following:

1. Removing unnecessary defined terms and duplicative provisions.
2. Clarifying that owners of utility facilities in the rights-of-way must obtain a license authorizing use of the rights-of-way, but utility service providers that do not own facilities need not obtain a license.
3. Requiring utility service providers to register with the City, which enables the City to track providers that serve customers in the City but which do not own facilities and thus do not need to obtain a license.
4. Clarifying the existing fee structure, which currently and in the updated draft imposes fees on (i) utilities that own facilities in the rights-of-way and (ii) utilities that use facilities in the rights-of-way to provide utility service to customers in the City (whether or not they own the facilities used to provide the service). There is a clear offset provision to ensure that utilities that both own facilities and provide service in the City pay only the greater of the two fees, not both fees.

These changes are clarifications and updates that do not alter the operation of GMC Chapter 12.24, with the exception of the license and registration requirements. In the current Chapter, utility owners and utility service providers that do not own facilities both had to obtain licenses. Staff received questions about the need for providers that do not own facilities to receive licenses. The license provisions include, among

other things, obligations for the licensee to protect the rights-of-way and the City during work in the rights-of-way. Those obligations do not apply to non-owners who will not undertake any work in the rights-of-way. Thus, staff recommends the updates described above to remove the requirement that non-owners obtain licenses and instead require non-owners (and all service providers) to register with the City. Registration will allow the City to track the various entities providing services through facilities in the City's rights-of-way to ensure compliance with the applicable provisions of GMC Chapter 12.24.

As noted above, the fee structure in GMC Chapter 12.24 is not changed in the revised Chapter. The changes are intended to clarify the current fee structure in response to questions about its applicability, particularly given the increased interest by wireless providers in deploying wireless equipment in the rights-of-way.

As addressed in Resolution No. 1228, The rights-of-way fee rates also remain the same, subject only to the annual 3% increase on January 1st, in fees charged based on linear footage (for entities with no revenue earned in the City) as stipulated in the Master Fee Schedule. Staff recommend eliminating the existing "ROW License Fee" but retaining the ROW License Application Fee (at \$150 rather than the current \$50, to better cover the City's costs for the licensing process) and retaining the ROW Use Fee (at the same rates other than the 3% increase to some fees as described above). Staff also recommend a new annual registration application fee of \$100 to help cover the City's costs of managing the registration process.

Finally, Resolution No. 1229 will address the need to retain revenues within the General Fund from the previous franchise agreements, as they expire and revert to payment of a right-of-way use fee.

Options

1. Maintain current GMC Chapter 12.24.
2. Accept and approve amendments to GMC Chapter 12.24 and subsequently, Resolutions No. 1228 and 1229.

Cost Impact

There are no cost impacts, and only slight revenue adjustments from these updates.

Recommended Staff Action

Staff recommends Council approval by making the following motion: "I make a motion to approve Ordinance 1526, an ordinance amending Gladstone Municipal Code (GMC) Chapter 12.24 to update and clarify the requirements of utilities using the public rights-of-way in the City."



Department Head Signature

10/4/23

Date

 10/4/23

City Administrator Signature

Date

ORDINANCE 1526

***AN ORDINANCE AMENDING GLADSTONE MUNICIPAL CODE (GMC)
TITLE 12, CHAPTER 12.24 – UTILITY SERVICES***

WHEREAS, the City has the authority pursuant to its Charter and the Oregon Constitution and statutes to manage its rights-of-way and to receive compensation for use of the rights-of-way consistent with applicable state and federal law, and

WHEREAS, the City adopted GMC, title 12, Chapter 12.24 in 2016 and updated the Chapter in 2018; and

WHEREAS, the City has revised its fees to comply with several changes in federal laws since 2018, however the provisions of the Chapter have not been reviewed or updated since that time and the City has determined that amendments are required; and

WHEREAS, the City finds it is in the public interest to enact the updates to the Gladstone Municipal Code as set forth in this Ordinance; and

NOW, THEREFORE, the City of Gladstone ordains as follows:

Section 1. Gladstone Municipal Code Chapter 12.24, Utility Services, is amended as shown on Exhibit “A”. New language is underlined in **red**; deleted language appears as ~~strikethrough~~ text.

Section 2. All remaining provisions of Gladstone Municipal Code Chapter 12.24 are reaffirmed in their entirety.

Section 3. This Ordinance takes effect 30 days from its adoption.

Adopted by the Gladstone City Council this _____ day of _____, 2023.

ATTEST:

Michael Milch, Mayor

Hayley Kratz, Office Assistant

**ORDINANCE
1526**

**RED-LINED
VERSION**

ORDINANCE 1526

EXHIBIT "A"

~~12.24.010 Title.~~

~~The ordinance codified in this chapter shall be known and may be referenced as the utility service ordinance.~~

~~12.24.020 Purpose and intent.~~

The purpose and intent of this chapter is to:

(1) Permit and manage reasonable access to the rights-of-way of the city for utility purposes and conserve the limited physical capacity of those rights-of-way held in trust by the city consistent with applicable state and federal law;

(2) ~~Assure~~ Ensure that the city's current and ongoing costs of granting and regulating access to and the use of the rights-of-way are fully compensated by the persons seeking such access and causing such costs;

(3) Secure fair and reasonable compensation to the city and its residents for permitting use of the rights-of-way by persons who generate revenue by placing, owning, using or operating facilities therein or charging residents for services delivered;

(4) ~~Assure~~ Ensure that all utility companies, persons and other entities owning or operating utility facilities and/or providing utility services within the city comply with the ordinances, rules and regulations of the city;

(5) ~~Assure~~ Ensure that the city can continue to fairly and responsibly protect the public health, safety and welfare of its residents;

(6) Encourage the provision of advanced and competitive utility services on the widest possible basis to businesses and residents of the city ~~by:~~

~~(a) Allowing the city to enter into other agreements with utility providers and utility operators, if the public's interest is served, and to amend the requirement of this chapter as new technology is developed;~~

~~(b) Allowing the city to be resilient and adaptive to changes in technology;~~ and

(7) Comply with applicable provisions of state and federal law.

~~12.24.030~~ **12.24.0230 Jurisdiction and management of the public rights-of-way.**

(1) The city has jurisdiction and exercises regulatory management over all rights-of-way within the city under authority of the City Charter and Oregon law.

(2) The city has jurisdiction and exercises regulatory management over each right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way, and whether the

legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.

(3) The exercise of jurisdiction and regulatory management of a right-of-way by the city is not official acceptance of the right-of-way and does not obligate the city to maintain or repair any part of the right-of-way.

(4) The provisions of this chapter are subject to and will be applied consistent with applicable state and federal laws, rules and regulations, and, to the extent possible, shall be interpreted to be consistent with such laws, rules and regulations.

12.24.0340 Regulatory fees and compensation not a tax.

(1) The fees and costs provided for in this chapter, and any compensation charged and paid for use of the rights-of-way provided for in this chapter, are separate from, and in addition to, any and all other federal, state, local, and city charges, including but not limited to: any permit fee, or any other generally applicable fees, tax, or charge on business, occupations, property, or income as may be levied, imposed, or due from a utility operator, utility provider or licensee, its customers or subscribers, or on account of the lease, sale, delivery, or transmission of utility services.

(2) The city has determined that any fee or tax provided for by this chapter is not subject to the property tax limitations of Article XI, Sections 11 and 11b of the Oregon Constitution. These fees or taxes are not imposed on property or property owners.

(3) The fees and costs provided for in this chapter are subject to applicable federal and state laws.

12.24.0450 Definitions.

For the purpose of this chapter the following terms, phrases, words and their derivations shall have the meaning given herein. ~~When not inconsistent with the context, words not defined herein shall be given the meaning set forth in the Communications Act of 1934, as amended, the Cable Act, and the Telecommunications Act. If not defined in those statutes, the words shall be given their common and ordinary meaning.~~ When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The words “shall” and “will” are mandatory and “may” is permissive.

~~“Cable Act” means the Cable Communications Policy Act of 1987, 47 U.S.C. Section 521 et seq., as now and hereafter amended.~~

“Cable service” is to be defined consistent with federal laws and means the one-way transmission to subscribers of: (1) video programming, or (2) other programming service; and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

~~“Calendar year” means January 1st to December 31st, unless otherwise noted.~~

“City” means the City of Gladstone, an Oregon municipal corporation, and individuals authorized to act on the city’s behalf.

“City Council” means the elected governing body of the City of Gladstone, Oregon.

“City facilities” means ~~city_ or publicly owned~~ structures or equipment located within the right-of-way or public easement used for governmental purposes that are owned, managed, maintained or operated by the City and used for governmental purposes, including, but not limited to, sanitary sewer, storm sewer or water infrastructure such as pipes, wires, conduit, valves, vaults and appurtenances.

~~“City property” means and includes all real property owned by the city, other than public right-of-way and utility easement as those are defined herein, and all property held in proprietary capacity by the city.~~

“City standards” means the Gladstone ~~Public Works and Engineering~~ Design and Construction Standards; and any other applicable city construction, engineering and design standards and policies in effect at the time of any work, ~~is subject to this chapter.~~

“Communications services” means any service provided for the purpose of transmission of information including, but not limited to, voice, video, or data, without regard to the transmission protocol employed, whether or not the transmission medium is owned by the provider itself.

“Communications service” includes all forms of telephone services and voice, video, data or information transport, but does not include: (1) cable service; (2) open video system service, as defined in 47 C.F.R. 76; ~~(3) private communications system services provided without using the public rights of way;~~ ~~(43)~~ public communications systems; ~~(54)~~ over-the-air radio or television broadcasting to the public-at-large from facilities licensed by the Federal Communications Commission or any successor thereto; and ~~(65)~~ direct-to-home satellite service within the meaning of Section 602 of the Telecommunications Act of 1996, Pub. L. 104–104, 110 Stat. 56 (1996).

~~“Construction” means any activity in the public right of way resulting in physical change thereto, including excavation or placement of structures.~~

~~“Control” means actual working control over utility facilities in whatever manner exercised.~~

“Days” mean calendar days unless otherwise specified.

~~“Emergency” means a circumstance in which immediate work or action is necessary to restore lost service or prevent immediate harm to persons or property.~~

~~“Federal Communications Commission” or “FCC” means the federal administrative agency, or its lawful successor, authorized to regulate and oversee telecommunications carriers, services and providers on a national level.~~

“Gross revenue” means any and all amounts, of any kind, nature or form, without deduction for expense, less net uncollectables, derived directly or indirectly from the operation of utility

facilities in the city and/or the provision of utility service in the city, subject to all applicable limitations in federal or state law.

~~“License” or “ROW license” means the authorization granted by the city to a utility operator or utility provider pursuant to this chapter.~~

~~“Licensee” means any person that has a valid right-of-way license issued by the city pursuant to this chapter.~~

“Person” means and includes any individual, firm, sole proprietorship, corporation, company, partnership, co-partnership, joint-stock company, trust, limited liability company, association, municipality, special district, government entity or other organization, including any natural person or any other legal entity.

~~“Private communications system” means a system, including the construction, maintenance or operation of the system, for the provision of a service or any portion of a service which is owned or operated exclusively by a person for their use and not for sale or resale, including trade, barter or other exchange of value, directly or indirectly, to any person.~~

“Public communications system” means any system owned or operated by a government entity or entities for its exclusive use for internal communications or communications with other government entities, and includes services provided by the State of Oregon pursuant to ORS [283.140](#). “Public communications system” does not include any system used for sale or resale, including trade, barter or other exchange of value, of communications services or capacity on the system, directly or indirectly, to any person.

“Public utility easement” means the space in, upon, above, along, across, over or under an easement for the constructing, reconstructing, operating, maintaining, inspecting, and repairing of utilities facilities. “Public utility easement” does not include an easement (1) that has been privately acquired by a utility operator, (2) solely for the constructing, reconstructing, operating, maintaining, inspecting, and repairing of city facilities, or (3) where the proposed use by the utility operator is inconsistent with the terms of any easement granted to the city.

~~“Public Works Director” means the Public Works Director for the City of Gladstone or any designee.~~

~~“Rights-of-way;” “rights of way,” “public right of way,” or “ROW” means and includes, but is not limited to,~~ the space in, upon, above, along, across, over or under the public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, public utility easements and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or other city property not generally open to the public for travel. This definition applies only to the extent of the city’s right, title, interest and authority to grant a license to occupy and use such areas for utility facilities.

~~“Right of way license,” “ROW license,” or “licensee” means the authorization granted by the city to a utility provider or utility operator pursuant to this chapter.~~

~~“State” means the State of Oregon.~~

~~“Structure” mean any facility a utility provider or utility operator places in the ROW, including but not limited to poles, vaults or manholes, hand holds, or junction boxes, conduit, direct bury cable, wires, pedestals, aerial cables or wires and transformers.~~

~~“Telecommunications Act” means the Communications Policy Act of 1934, as amended by subsequent enactments including the Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq.) and as hereafter amended.~~

“Utility facility” or “facility” means any physical component of a system, including but not limited to the poles, pipes, mains, conduits, ducts, cables, wires, transmitters, plant, equipment and other facilities, located within, under or above the rights-of-way, any portion of which is used or designed to be used to deliver, transmit or otherwise provide utility service.

“Utility operator” ~~or “operator”~~ means any person who owns, places, controls, operates or maintains a utility facility within the city.

“Utility provider” ~~or “provider”~~ means any person who provides utility service to customers within the city limits, whether or not any facilities in the ROW are owned by such provider.

“Utility service” means the provision, by means of utility facilities permanently located within, under or above the rights-of-way, whether or not such facilities are owned by the service provider, of electricity, natural gas, communications services, cable services, water, sewer, and/or storm sewer to or from customers within the city limits, or the transmission or provision of any of these services through the city whether or not customers within the city ~~are served by~~ receive those transmissions ~~or services~~.

“Work” means the construction, demolition, installation, replacement, repair, maintenance or relocation of any utility facility, including but not limited to any excavation and restoration required in association with such construction, demolition, installation, replacement, repair, maintenance or relocation.

12.24.0560 Business license Utility provider registration.

(1) ~~Business License Registration Required.~~ Every person that desires to provide utility services to customers within the city shall register with the city prior to providing any utility services to any customer in the city, ~~in compliance with GMC Chapter 5.04.~~ Every person providing utility services to customers within the city as of the effective date of this chapter shall ~~obtain a business license register~~ within 30 days of the effective date of this chapter. ~~Every person subject to this chapter shall renew and maintain a business license as required in GMC Chapter 5.04 Gladstone’s Municipal Code, heretofore or hereafter amended, at all times that the person provides utility services and/or operates a utility services, to customers within the city, or owns or controls a utility facility.~~

(2) Annual Registration. After registering with the City pursuant to subsection (1) of this section, the registrant shall, by December 31st of each year, file with the City a new registration form if it intends to provide utility service at any time in the following calendar year. Registrants that file

an initial registration pursuant to subsection (1) of this section on or after September 30th shall not be required to file an annual registration until December 31st of the following year.

(3) Registration Application. The registration shall be on a form provided by the City, and shall be accompanied by any additional documents required by the City to identify the registrant and its legal status, describe the type of utility services provided or to be provided by the registrant and list the facilities over which the utility services will be provided.

(4) Registration Fee. Each application for registration shall be accompanied by a nonrefundable registration fee in an amount to be determined by resolution of the city council sufficient to fully recover all of the City's costs of administering the registration program.

12.24.0670 Right-of-way license.

(1) License Required.

(a) Except those utility operators ~~and utility providers~~ with a valid franchise ~~or other valid agreement~~ from the city, every person that wishes to be a utility operator shall obtain a ROW license from the city prior to conducting any work in ~~or use of~~ the ROW.

(b) Every person that owns or controls ~~or uses~~ utility facilities in the rights-of-way as of the effective date of this chapter shall apply for a ROW license from the city within 30 days of the later of: (A) the effective date of this chapter, or (B) the expiration of a valid franchise agreement granted by the city, unless a new franchise agreement is granted by the city pursuant to subsection (65) of this section, ~~or (C) for a person that is not a utility operator, providing utility services within the city.~~

(c) The provisions of this section do not apply to any person subject to and in compliance with the cable television franchise requirement of GMC Chapter 5.16, except that subsection (112) of this section shall apply to the extent such person provides multiple services.

(2) License Application. The license application shall be on a form provided by the city, and shall be accompanied by any additional documents required by the application or the city, in the city's sole discretion, to identify the applicant, its legal status, including its authorization to do business in Oregon, a description of the utility facilities in the rights-of-way or to be installed in the rights-of-way, a description of type of utility service provided or to be provided by the applicant, if any, a description of the facilities over which the utility service will be provided, and other information reasonably necessary to determine the applicant's ability to comply with the terms of this chapter.

(3) License Application Fee. The application shall be accompanied by a nonrefundable application fee or deposit set by resolution of the City Council.

(4) Determination by City. The city shall issue, within a reasonable period of time, a written determination granting or denying the license in whole or in part. If the license is denied, the written determination shall include the reasons for denial. The license shall be evaluated based upon the provisions of this chapter, the continuing capacity of the rights-of-way to accommodate

the applicant's proposed utility facilities and the applicable federal, state and local laws, rules, regulations and policies.

~~(5) ROW Licensing Fee. If the city determines a license shall be issued, the applicant shall, within 30 days of notification, submit the license fee set by resolution of the City Council. Such ROW license fee shall only apply to those licenses issued, by the city, after January 12, 2019.~~

~~(65) Changes to Information Contained on the License Application. Within 30 days of a change to the information contained in the application, the licensee shall notify the city in writing of such change(s).~~

~~(76) Franchise Agreements. If the public interest warrants, as determined by the city in its sole discretion, the city and utility operator ~~or utility provider~~ may enter into a written franchise agreement that includes terms that clarify, enhance, expand, waive or vary the provisions of this chapter, consistent with applicable state and federal law. The franchise may conflict with the terms of this chapter with the review and approval of City Council. The franchisee shall be subject to the provisions of this chapter to the extent such provisions are not in conflict with the express provisions of any such franchise. In the event of a conflict between the express provisions of a franchise and this chapter, the franchise shall control.~~

~~(87) Rights Granted.~~

~~(a) The license granted hereunder shall authorize and permit the licensee, subject to the provisions of the city codes and other applicable provisions of state or federal law, in effect and as may be subsequently amended, to construct, place, maintain, upgrade, repair and operate utility facilities in the rights-of-way for the term of the license for the provision of utility service(s) authorized in the license. In the event the licensee offers different service(s) than those authorized in the license, the licensee shall inform the city of such changes no later than 30 days after the change.~~

~~(b) Any license granted pursuant to this chapter shall not convey equitable or legal title in the rights-of-way and may not be assigned or transferred except as permitted in subsection (123) of this section.~~

Neither the issuance of the license nor any provisions contained therein shall constitute a waiver or bar to the exercise of any governmental right or power, including, without limitation, the police power or regulatory power of the city, ~~in existence at the time the license is issued or thereafter obtained.~~

~~(98) Term. Subject to the termination provisions in subsection (145) of this section, the license granted pursuant to this chapter will be effective as of the date it is issued by the city ~~or the date services began, whichever comes first, and~~ will have a term ~~of ending~~ five calendar years ~~from beginning~~: (a) January 1st of the year in which the license took effect for licenses that took effect between January 1st and June 30th; or (b) January 1st of the year after the license took effect for licenses that become effective between July 1st and December 31st.~~

~~(109)~~ License Nonexclusive. No license granted pursuant to this section shall confer any exclusive right, privilege, license or franchise to occupy or use the rights-of-way for utility facilities, delivery of utility services or any other purpose. The city expressly reserves the right to grant licenses, franchises or other rights to other persons, as well as the city's right to use the rights-of-way, for similar or different purposes. The license is subject to all recorded deeds, easements, dedications, conditions, covenants, restrictions, encumbrances, and claims of title of record that may affect the rights-of-way. Nothing in the license shall be deemed to grant, convey, create, or vest in licensee a real property interest in land, including any fee, leasehold interest or easement.

~~(110)~~ Reservation of City Rights. Nothing in the license shall be construed to prevent the city from grading, paving, repairing and/or altering any rights-of-way, constructing, laying down, repairing, relocating or removing city facilities or establishing any other public work, utility or improvement of any kind, including repairs, replacement or removal of any city facilities. If any of licensee's utility facilities interfere with the construction, repair, replacement, alteration or removal of any rights-of-way, public work, city utility, city improvement or city facility, except those providing utility services in competition with a licensee, licensee's facilities shall be removed or relocated as provided in GMC Sections 12.24.090(3), (4) and (5), in a manner acceptable to the city and consistent with city standards, industry standard engineering and safety codes.

~~(112)~~ Multiple Services.

(a) A utility operator that provides or transmits or allows the provision or transmission of utility services and other services over its facilities is subject to the license and ROW use fee requirements of this chapter for the portion of the facilities and extent of utility services delivered over those facilities. Nothing in this subsection ~~(112)~~(a) requires a utility operator to pay the ROW use fee, if any, owed to the city by another person using the utility operator's facilities.

(b) A utility operator that provides or transmits more than one utility service to customers in the city ~~may is~~ not ~~be~~ required to obtain a separate license or franchise for each utility service, but is required to file separate remittance forms and submit any ROW ~~usage~~ fees due for each utility service provided.

~~(123)~~ Transfer or Assignment. To the extent permitted by applicable state and federal laws, the licensee shall obtain the written consent of the city prior to the transfer or assignment of the license. The license shall not be transferred or assigned unless:

(a) The proposed transferee or assignee is authorized under all applicable laws to own or operate the utility facilities ~~and/or provide the utility service authorized under the license~~; and

(b) The transfer or assignment is approved by all agencies or organizations required or authorized under federal and state laws to approve such transfer or assignment.

The ~~provider licensee~~ requesting the transfer or assignment must ~~cooperate with the city and~~ provide ~~requested~~ documentation, as the city deems necessary, in the city's sole discretion ~~and~~;

at no cost to the city, to ~~sufficiently understand-evaluate~~ the transferee's ability to ~~perform~~ undercomply with the provisions of the license.

If the city approves such transfer or assignment, the transferee or assignee shall become responsible for fulfilling all obligations under the license. A transfer or assignment of a license does not extend the term of the license.

(134) Renewal. At least 30 days, but no more than ~~1280~~ days, prior to the expiration of a license granted pursuant to this section, a licensee seeking renewal of its license shall submit a license application to the city, including all information required in subsection (2) of this section and the application fee required in subsection (3) of this section. The city shall review the application as required by subsection (4) of this section and grant or deny the license within 90 days of submission of the application. If the city determines that the licensee is in violation of the terms of this chapter at the time it submits its application, the city may require that the licensee cure the violation or submit a detailed plan to cure the violation within a reasonable period of time, as determined by the city, before the city will consider the application and/or grant the license. If the city requires the licensee to cure or submit a plan to cure a violation, the city will grant or deny the license application within 90 days of confirming that the violation has been cured or of accepting the licensee's plan to cure the violation.

(145) Termination.

(a) Revocation or Termination of a License. The City Council may terminate or revoke the license granted pursuant to this chapter for any of the following reasons:

(A) Violation of any of the provisions of this chapter;

(B) Violation of any provision of the license;

(C) Misrepresentation in a license application;

(D) Failure to pay taxes, compensation, fees or costs due the city after final determination by the city, of the taxes, compensation, fees or costs;

(E) Failure to restore the rights-of-way after construction-work as required by this chapter or other applicable state and local laws, ordinances, rules and regulations;

(F) Failure to comply with technical, safety and engineering standards related to work in the rights-of-way; or

(G) Failure to obtain or maintain any and all licenses, permits, certifications and other authorizations required by state or federal law for the placement, maintenance and/or operation of the utility facilities.

(b) Standards for Revocation or Termination. In determining whether termination, revocation or some other sanction is appropriate, the following factors shall be considered:

(A) The egregiousness of the misconduct;

(B) The harm that resulted;

(C) Whether the violation was intentional;

(D) The ~~ROW~~-licensee's history of compliance; and/or

(E) The ~~ROW~~-licensee's cooperation in discovering, admitting and/or curing the violation.

(c) Notice and Cure. The city shall give the ~~ROW~~-licensee written notice of any apparent violations before terminating a ~~ROW~~-license. The notice shall include a short and concise statement of the nature and general facts of the violation or noncompliance and provide a reasonable time (no less than 20 and no more than 40 days) for the licensee to demonstrate that the licensee has remained in compliance, that the licensee has cured or is in the process of curing any violation or noncompliance, or that it would be in the public interest to impose a penalty or sanction less than termination or revocation. If the licensee is in the process of curing a violation or noncompliance, the licensee must demonstrate that it acted promptly and continues to actively work on compliance. If the licensee does not respond or if the City Administrator or designee determines that the licensee's response is inadequate, the City Administrator or designee shall refer the matter to the City Council, which shall provide a duly noticed public hearing to determine whether the license shall be terminated or revoked and if any penalties or sanctions will be imposed.

(d) Termination by Licensee. If a licensee ceases to ~~use the ROW, be required to have a license as defined~~ under this chapter, the licensee may terminate its license ~~by giving the city, with a 30-days prior written notice to the city~~. Licensee may reapply for a ~~ROW~~-license at any time. No refunds or credits will be given for licenses terminated by the licensee or the city.

~~(A)~~ Within 45 days of surrendering a ~~ROW~~-license, the licensee shall file a final remittance form with the city stating "final remittance" and shall pay all ~~usage~~-fees due under this chapter through the date of termination. The licensee shall also remove its utility facilities from the rights-of-way as required by GMC Section 12.24.090(4).

12.24.0780 Construction and restoration.

(1) Construction Codes. Utility facilities shall be constructed, installed, operated, repaired and maintained in accordance with all applicable federal, state and local codes, rules and regulations, including but not limited to the National Electrical Code and the National Electrical Safety Code and the ~~Gladstone City Standards~~standards, in effect at the time of the work. When a utility operator, ~~utility provider or licensee~~, or any person acting on its behalf, does any work in or affecting the rights-of-way, the utility operator shall, at its own expense, promptly restore the rights-of-way as directed by the city consistent with applicable city codes, rules and regulations, in effect at the time of the work. A utility operator, ~~utility provider, licensee~~ or other person acting on its behalf, shall use suitable barricades, flags, flagging attendants, lights, flares and other measures as required for the safety of all members of the general public and to prevent injury or damage to any person(s), vehicle or property by reason of such work in or affecting the rights of way or property.

(2) Construction Permits.

(a) No person shall perform any work ~~on utility facilities~~ within the rights-of-way without first obtaining all required permits, including but not limited to any wireless siting permits required in GMC Chapter 17.61. The city shall not issue a permit for ~~the construction, installation, maintenance or repair of utility facilities~~ work unless the utility operator of the facilities has applied for and received a valid license, ~~franchise agreement or other valid agreement (if applicable)~~, as required by this chapter or a valid franchise agreement, and all applicable fees have been paid. No permit is required for routine maintenance or repairs to customer service drops where such repairs or maintenance do not require cutting, digging, or breaking of, or damage to, the right-of-way and do not result in closing or blocking any portion of the travel lane for vehicular traffic, bicycle lanes or sidewalks.

(b) In the event of an emergency, a utility operator with a license pursuant to this chapter or a valid franchise agreement, or ~~its the utility operator's~~ contractor, may perform work on its utility facilities without first obtaining a permit from the city; provided, that, to the extent reasonably feasible, it attempts to notify the city prior to commencing the emergency work and in any event applies for a permit from the city as soon as reasonably practicable, but not more than 48 hours 5:00 p.m. PST of the next business day after commencing the emergency work. For purposes of this subsection (2), "emergency" means a circumstance in which immediate work or action is necessary to restore lost service or prevent immediate harm to persons or property.

(c) Applications for permits to perform work ~~on utility facilities~~ within the ~~ROW~~ rights-of-way shall be submitted upon forms to be provided by the city and shall be accompanied by drawings, plans and specifications in sufficient detail to demonstrate:

(A) That the utility facilities will be constructed in accordance with all applicable codes, rules and regulations, including city standards.

(B) The location and route of all utility facilities to be installed aboveground or on existing utility poles.

(C) The location and route of all utility facilities on or in the rights-of-way to be located under the surface of the ground, including the line and grade proposed for the burial at all points along the route that are within the rights-of-way. Applicant's existing utility facilities shall be differentiated on the plans from new construction. The city may require additional information necessary to demonstrate that the proposed location can accommodate the utility facilities, as determined by the city. A cross-section shall be provided showing the applicant's new and existing utility facilities in relation to the street, curb, sidewalk, or ~~ROW~~ rights-of-way.

(D) The construction methods to be employed for protection of existing structures, fixtures, and utility facilities within or adjacent to the rights-of-way, and description of any improvements that applicant proposes to temporarily or permanently remove or relocate and, if deemed necessary by the city, methods to be employed for protection of existing structures, fixtures, and utility facilities within or adjacent to the ~~ROW~~ rights-of-way.

(E) The applicant has an adequate traffic control plan that complies with subsection (2)(1) of this section.

(c) All permit applications shall be accompanied by the verification of a qualified and duly authorized representative of the applicant that the drawings, plans and specifications submitted with the application comply with applicable technical codes, rules and regulations. The city may, in its sole discretion, require the verification of a registered professional engineer ~~or other licensed profession,~~ at no cost to the city.

(d) All permit applications shall be accompanied by a written ~~construction work~~ schedule, which shall include an estimated start date and a deadline for completion of ~~construction work~~. The ~~construction work~~ schedule is subject to approval by the city.

(e) In addition to the requirements of this chapter, the applicant shall, at all times, comply with all other applicable city requirements.

(f) If satisfied that the applications, plans and documents submitted comply with all requirements of this chapter, the city shall issue a permit authorizing ~~the work in the rights-of-way construction of the utility facilities,~~ subject to such further conditions, restrictions or regulations affecting the time, place and manner of performing the work as the city may deem necessary or appropriate.

(g) Except in the case of an emergency, the permittee shall notify the city not less than two working days in advance of any ~~excavation or construction work~~ in the rights-of-way.

(h) All construction practices and activities shall be in accordance with the permit and approved final plans and specifications for the utility facilities ~~that have been "Approved for Construction" by the city.~~ The city and its representatives shall be provided access to the work site and such further information as they may require to ensure compliance with such requirements.

(i) All work which does not comply with the permit, the approved or corrected plans and specifications for the work, or the requirements of this chapter shall be removed or corrected at the sole cost and expense of the permittee. The city is authorized to stop work in order to ensure compliance with the provisions of this chapter. If the permittee fails to remove or correct work as required in this subsection, the city may remove or correct the work at the cost and expense of the permittee, after notice and opportunity to cure, using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations.

(j) The permittee shall be responsible for providing correct and complete information on the permit application and in any related information provided to the city. If the city believes the permittee misrepresented, misstated, or omitted any material fact(s) in or related to its permit application, the city may deny or revoke the permit. The city may at any time require the permit holder to take additional measures to protect the health, safety, and welfare of the public. The permit holder shall be responsible for and pay all costs and expenses for such measures.

(k) The permittee shall promptly complete all ~~construction work activities~~ so as to minimize disruption of the rights-of-way and other public and private property. All ~~construction work~~ within the rights-of-way, including restoration, must be completed within 60 days of the date of issuance of the construction permit unless an extension or an alternate schedule has been approved by the city.

(l) ~~Traffic Control Plan.~~ The permittee shall protect the work area with sufficient traffic controls reviewed and accepted by the city before work begins. The permittee shall at all times ensure the presence of such workers, tools and materials, flaggers, barricades, and other safety devices as may be necessary to properly protect bicyclists, pedestrians, construction personnel, and vehicular traffic upon the roadway, and to warn and safeguard the public against injury or damage resulting from the work.

(m) Any supervision or control exercised by the city shall not relieve the permittee or utility operator of any duty to the general public nor shall such supervision or control relieve the permittee or utility operator from any liability for loss, damage, or injury to persons or property.

(3) Performance Surety.

(a) The city may require a utility operator or permittee to provide a performance bond or other form of surety acceptable to the city equal to at least 125 percent of the estimated cost of the work within the rights-of-way ~~of the city~~, which bond shall be provided before ~~construction work~~ is commenced.

(b) If required, the performance bond or other form of surety acceptable to the city shall remain in force until 60 days after substantial completion of the work, as determined in writing by the city, including restoration of rights-of-way and other property affected by the ~~construction work~~.

(c) If required, the performance bond or other form of surety acceptable to the city shall guarantee, to the satisfaction of the city:

(A) Timely completion of the work;

(B) That the work is performed in compliance with applicable plans, permits, technical codes and standards;

(C) Proper location of the utility facilities as specified by the city;

(D) Restoration of the rights-of-way and other property affected by the work; and

(E) Timely payment and satisfaction of all claims, demands or liens for labor, material, or services provided in connection with the work.

(d) The release of the performance bond or other surety pursuant to subsection (3)(a) of this section does not relieve the utility operator from its obligation to restore rights-of-way or other property as required in subsection (5) of this section regardless of when the failure to restore rights-of-way or other property as required by this chapter occurs or is discovered.

(4) Injury to Persons or Property. A utility operator, or any person acting on its behalf, shall preserve and protect from injury or damage other utility operators' facilities in the rights-of-way, the public using the rights-of-way and any adjoining property, and take other necessary measures to protect life and property, including but not limited to buildings, walls, fences, trees or facilities that may be subject to damage from the permitted work. A utility operator shall be responsible for all injury to persons or damage to public or private property resulting from its failure to properly protect people and property and to carry out the work.

(5) Restoration.

(a) When a utility operator, or any person acting on its behalf, does any work in or affecting any rights-of-way, it shall, at its own expense, promptly restore such rights-of-way to the same or better condition as existed before the work was undertaken, in accordance with applicable federal, state and local laws, codes, ordinances, rules and regulations, in effect at the time of the work unless otherwise directed by the city.

(b) If weather or other conditions beyond the utility operator's control do not permit the complete restoration required by the city, the utility operator shall temporarily restore the affected area. Such temporary restoration shall be at the utility operator's sole cost and expense and the utility operator shall promptly undertake and complete the required permanent restoration when the weather or other conditions no longer prevent such permanent restoration. Any corresponding modification to the construction work schedule may be subject to approval by the city.

(c) If the utility operator fails to restore rights-of-way as required in this chapter, the city shall give the utility operator written notice and provide the utility operator a reasonable period of time which shall be not less than 10 days, unless an emergency or threat to public safety is deemed to exist, and shall not exceeding 30 days unless, or such additional time agreed to in writing by the city, to restore the rights-of-way. If, after said notice, the utility operator fails to restore the rights-of-way as required in this chapter, the city shall cause such restoration to be made at the cost and expense of the utility operator. If the city determines a threat to public safety exists, the city shall provide necessary temporary safeguards, at the utility operators' sole cost and expense, and, if such threat exists, the utility operator shall have 24 hours to commence restoration. If the utility operator does not commence work is not commenced in 24 hours, the city, at its sole option, may commence restoration at the utility operator's sole cost and expense.

(6) Inspection. Every utility operator's utility facilities shall be subject to the right of periodic inspection by the city to determine compliance with the provisions of this chapter and all other applicable state and city codes, ordinances, rules and regulations. Every utility operator shall cooperate with the city in permitting the inspection of utility facilities upon request of the city. The utility operator shall perform all testing, or permit the city to perform any testing at the utility operator's cost expense, required by the city to determine that the installation of the utility operator's facilities and the restoration of the ROW-rights-of-way comply with the terms of this chapter and applicable state and city codes, ordinances, rules and regulations.

(7) Coordination of Construction. All utility operators are required to make a good faith effort to both cooperate with and coordinate their construction work schedules with those of the city and other users of the rights-of-way.

(a) Prior to January 1st of each year, utility operators shall provide the city with a written schedule of known proposed construction work activities for that year in, around or that may affect the rights-of-way.

(b) Utility operators ~~may~~shall meet with the city annually, or as determined by the city, in its sole discretion, to schedule and coordinate ~~construction-work~~ in the rights-of-way.

(c) All ~~construction-work~~ locations, activities and schedules within the rights-of-way shall be coordinated as may be ordered by the city, to minimize public inconvenience, disruption, or damages.

(8) Contractors. A utility operator may authorize a qualified contractor to perform any of the work authorized or required in this chapter on the utility operator's behalf. Any contractor performing work on behalf of a utility operator shall be subject to applicable provisions of this chapter, except that a contractor that is not a utility operator shall not be required to obtain a license. In the event a utility operator authorizes a contractor to perform work on its behalf, the utility operator shall remain responsible and liable for compliance with the provisions of this chapter.

12.24.0890 Location of facilities.

(1) Location of Facilities. Unless otherwise agreed to in writing by the city:

~~(a) Utility facilities shall be installed underground in all areas of the city where there are no existing poles in the ROW, there is no space on existing poles in the ROW, or where the only poles in the ROW are used only for high voltage lines (as defined below). This requirement shall not apply to facilities used for transmission of electric energy at nominal voltages in excess of 35,000 volts or to antennas, pedestals, cabinets or other above-ground equipment of any utility operator for which the utility operator has written authorization to place above-ground.~~

~~(b) Whenever any existing electric utilities, cable facilities or communications facilities are located underground within the ROW-rights-of-way of the city, the utility operator with permission to occupy the same ROW-rights-of-way shall install all new facilities underground at no cost to the city. This requirement shall not apply to facilities used for transmission of electric energy at nominal voltages in excess of 35,000 volts ("high voltage lines") unless otherwise directed by the city, or to antennas, pedestals, cabinets or other above-ground equipment of any utility operator, subject to applicable City requirements, including but not limited GMC Chapter 17.61, and the City's written approval. The city reserves the right to require written approval of the location of any such above-ground equipment in the ROW-rights-of-way.~~

(2) Interference with the Rights-of-Way. No utility operator or other person may locate or maintain ~~its-any utility~~ facilities so as to unreasonably interfere with the use of the rights-of-way by the city, by the general public or by other persons authorized to use or be present in or upon the rights-of-way. Utility facilities shall not be located in ~~area-a manner that~~of restricted ~~the line of sight distance for vehicles or pedestrians~~ nor interfere with the proper function of traffic control signs, signals, lighting, or other devices that affect traffic operation. All use of the rights-of-way shall at all times be consistent with city codes, ordinances, rules and regulations ~~in-effect and as may be subsequently amended~~.

(3) Relocation of Utility Facilities.

(a) A utility operator shall, at no cost or expense to the city, temporarily or permanently remove, relocate, change or alter the position of any utility facility within the ~~ROW~~rights-of-way, including relocation of aerial facilities underground, when requested to do so in writing by the city. The requirement to relocate aerial facilities underground shall not apply to high voltage lines unless otherwise directed by the city.

~~(A) If relocation is required by the city, the city shall bear no responsibility or incur any costs, to provide or in any way secure alternate locations.~~

(b) Nothing herein shall be deemed to preclude the utility operator from requesting reimbursement or compensation from a third party, pursuant to applicable laws, regulations, tariffs or agreements; provided, that the utility operator shall timely comply with the requirements of this section regardless of whether or not it has requested or received such reimbursement or compensation.

(c) The city shall provide written notice of the time by which the utility operator must remove, relocate, change, alter or underground its facilities. If a utility operator fails to remove, relocate, change, alter or underground any utility facility as requested by the city and by the date reasonably established by the city, the utility operator shall pay all costs incurred by the city due to such failure, including but not limited to costs related to project delays, and the city may cause, using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations, the utility facility to be removed, relocated, changed, altered or undergrounded at the utility operator's sole cost and expense. ~~Upon~~ Within 30 days of receipt of a detailed invoice from the city, the utility operator shall reimburse the city the full invoiced amount for the costs the city incurred within 30 days.

~~(d) The city shall coordinate the schedule for relocation of utility facilities and based on such effort shall provide written notice of the time by which the utility operator must remove, relocate, change, alter or underground its facilities. If a utility operator fails to remove, relocate, change, alter or underground any utility facility as requested by the city by the date reasonably established by the city, the utility operator shall pay all costs incurred by the city due to such failure, including but not limited to costs related to project delays, and the city may cause, using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations, the utility facility to be removed, relocated, altered, or undergrounded at the utility operator's sole expense. Upon receipt of a detailed invoice from the city, the utility operator shall reimburse the city for the costs the city incurred within 30 days.~~

~~(de)~~ The city will cooperate with the utility operator in securing identifying alternate locations within the ~~ROW~~rights-of-way for its utility facilities. The city shall not bear ~~no any~~ responsibility ~~to obtain, incur any costs or otherwise~~ compensate, ~~or otherwise assist~~ the utility operator in relocation of its facilities, including instances in which the utility operator must relocate outside the rights-of-way to a location not in the control of the city.

(4) Removal of Unauthorized Facilities.

(a) Unless otherwise agreed to in writing by the city, within 30 days following written notice from the city, or such other time agreed to in writing by the city, a utility operator and any other person that owns, controls, or maintains any abandoned or unauthorized utility facility within the rights-of-way shall, at its own cost and expense, remove the facility and restore the rights-of-way as provided in GMC Section [12.24.080](#).

(b) A utility ~~system or~~ facility is unauthorized under any of the following circumstances:

(A) The utility facility, or any portion of the facility, is outside the scope of authority granted by the city under the license ~~or, franchise or other written agreement~~. This includes utility facilities that were never licensed or franchised and utility facilities that were once licensed or franchised but for which the license or franchise has expired or been terminated. This does not include any utility facility for which the city has provided written authorization for abandonment in place.

(B) The utility facility has been abandoned and the city has not provided written authorization for abandonment in place. A utility facility is abandoned if it is not in use and is not planned for further use. A utility facility will be presumed abandoned if it is not used for a period of 12 consecutive months. A utility operator may overcome this presumption by presenting plans for future use of the utility facility.

(C) The utility facility is improperly constructed or installed or is in a location not permitted by the construction permit, license, franchise or this chapter.

(D) The utility operator is in violation of a material provision of this chapter and fails to cure such violation within 30 days of the city sending written notice of such violation, unless the city extends such time period in writing.

(5) Removal by City.

(a) The city retains the right and privilege to cut or move any utility facilities located within the rights-of-way, without notice, as the city may determine to be necessary, appropriate or useful in response to a public health or safety emergency. The city will use qualified personnel or contractors consistent with applicable state and federal safety laws and regulations to the extent reasonably practicable without impeding the city's response to the emergency. The city will use best efforts to provide the utility operator with notice prior to cutting or moving utility facilities. If prior notice is not possible, the city will provide such notice as soon as reasonably practicable after resolution of the emergency.

(b) If the utility operator fails to remove any utility facility when required to do so under this chapter, the city may remove the utility facility using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations, and the utility operator shall be responsible for paying the full cost of the removal and any administrative costs incurred by the city in removing the utility facility and obtaining reimbursement. Within 30 days of ~~Upon~~ receipt of a detailed invoice from the city, the utility operator shall reimburse the city for the costs and expenses the city incurred ~~within 30 days~~. The obligation to remove and to reimburse

the city for any failure to remove utility facilities shall survive the termination of the license or franchise.

~~(e)~~(c) The city shall not be liable to any utility operator for any damage to utility facilities, or for any incidental or consequential losses resulting directly or indirectly therefrom, by the city or its contractor in removing, relocating, changing or altering the facilities pursuant to subsection (2), (3) or (4) of this section or undergrounding its facilities as required by subsection (1) of this section, or resulting from the utility operator's failure to remove, relocate, change, alter or underground its facilities as required by those subsections, unless such damage arises directly from the city's negligence or willful misconduct.

(6) Engineering Record Drawings. The utility operator shall provide the city with two complete sets of record drawings in a form acceptable to the city showing the location of all its utility facilities in the ROW-rights-of-way after initial construction if such plan changed during construction. The utility operator shall, at no cost to the city, provide updated complete sets of as built plans upon request of the city, but not more than once per year.

~~(7) Within 30 days of a written request from the city, or as otherwise agreed to in writing by the city, every utility operator shall make available for inspection by the city at reasonable times and intervals all maps, records, books, diagrams, plans and other documents, maintained by the utility operator with respect to its facilities within the rights-of-way. Access shall be provided within the city unless prior arrangement for access elsewhere has been made with the city. Utility operator, utility provider and ROW licensee shall provide, at no cost to the city, a comprehensive map showing the location of any facility in the city. Such map shall be provided in a format acceptable to the city, with accompanying data sufficient enough for the city to determine the exact location of facilities, currently in Shapefile or Geodatabase format. The city may not request such information more than once per year.~~

12.24.1020 Leased capacity.

A utility operator may rent, sell, lease or otherwise provide capacity or space on or in its utility facilities to others; provided, that, upon request, the utility operator provides the city with the name and business address of any lesseesuch person. A utility operator is not required to provide such information if disclosure is expressly prohibited by applicable law; provided, that the utility operator takes reasonable steps to ensure that its lesseessuch persons are in compliance with this chapter. A utility operator shall require that all leases have obtained proper authority, in the form of a permit, license or franchise from the city before leasing capacity on or in its facilities.

12.24.1040 Maintenance.

(1) Every utility operator shall install and maintain all utility facilities in a manner that complies with applicable federal, state and local laws, rules, regulations and policies. The utility operator shall, at its own cost and expense, repair and maintain utility facilities from time to time as may be necessary to accomplish this purpose.

(2) If, after written notice from the city of the need for repair or maintenance as required in subsection (1) of this section, a utility operator fails to repair and maintain utility facilities as

requested by the city and by the date reasonably established by the city, the city may perform such repair or maintenance using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations at the utility operator's sole cost and expense. ~~Upon~~ Within 30 days of receipt of a detailed invoice from the city, the utility operator shall reimburse the city the full invoiced amount for the costs the city incurred within 30 days.

12.24.1~~20~~ Vacation.

If the city vacates any ROW~~rights-of-way~~, or portion thereof, that a utility operator uses, the utility operator shall, at its own expense, remove its utility facilities from the ROW~~vacated rights-of-way~~ unless (i) the city reserves a public utility easement, which the city shall make a reasonable effort to do; ~~provided,~~ that there is no expense to the city, or (ii) the utility operator obtains an easement for its utility facilities. If the utility operator fails to remove its utility facilities within 30 days after a ROW~~right-of-way~~ is vacated, or as otherwise directed or agreed to in writing by the city, the city may remove the utility facilities using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations at the utility operator's sole cost and expense. ~~Upon~~ Within 30 days of receipt of an invoice from the city, the utility operator shall reimburse the city the full invoiced amount for the costs the city incurred within 30 days.

12.24.1~~230~~ Right-of-way use fee.

(1) Except as set forth in subsection (2) of this section, every person that owns utility facilities in the city and every person that uses utility facilities in the city to provide utility service, whether or not the person owns the utility facilities used to provide the utility services, shall pay the applicable ROW use fee(s) ~~for every utility service provided using the rights-of-way~~ in the amount determined by resolution of the City Council. A utility provider shall pay the applicable ROW use fee for every utility service provided in the city.

(2) A person that is a utility operator and a utility provider shall be subject to the ROW use fee(s) applicable to utility operators and, in addition, to the ROW use fee(s) applicable to utility providers; provided, however, that the person must pay only the greater of the two fees, or, if the two fees are the same, the utility operator ROW use fee. A utility operator whose only facilities in the ROW are facilities mounted on above-ground structures within the ROW, which structures are owned by another person, and with no facilities strung between such structures or otherwise within, under or above the ROW (other than equipment necessary to operate the mounted facilities that has been expressly approved by the city to be placed in the ROW), shall pay the attachment fee set by City Council resolution for each attachment, or such other fee set forth in the license granted by the city. Unless otherwise agreed to in writing by the city, the fee shall be paid quarterly, in arrears, within 45 days after the end of each calendar quarter and shall be accompanied by information sufficient to illustrate the calculation of the amount payable.

(3) No acceptance of any payment shall be construed as accord that the amount paid is in fact the correct amount, nor shall ~~such~~ acceptance of payment be construed as a release of any claim the city may have for further or additional sums payable.

(4) Right-of-way use fee payments required by this section shall be reduced by any franchise fee payments received by the city, but in no case will be less than \$0.00.

(5) Unless otherwise agreed to in writing by the city, the ROW use fee set forth in subsection (1) of this section shall be paid quarterly, in arrears, within 45 days after the end of each calendar quarter. Each payment shall be accompanied by an accounting of gross revenues, if applicable, and a calculation of the amount payable on ~~(a remittance form may be provided by the city). The A utility operator or utility provide shall provide, city may request, and will be provided~~ at no cost to the city, any additional reports or information ~~if the city~~ deems necessary, in its sole discretion, to ensure compliance ~~by the utility provider, utility operator or licensee with this section.~~ Such information may include, but is not limited to: chart of accounts, total revenues by categories and dates, list of products and services, narrative documenting calculation, details on number of customers within the city limits, or any other information needed for the city to ~~easily readily~~ verify compliance.

(6) The calculation of the ROW use fee required by this section shall be subject to all applicable limitations imposed by federal or state law in effect and as may be subsequently amended.

(7) The city reserves the right to enact other fees and taxes applicable to the utility providers ~~and,~~ utility operators ~~and licensee~~ subject to this chapter. Unless expressly permitted by the city in enacting such fee or tax, or required by applicable state or federal law, no utility operator ~~or utility provider~~ may deduct, offset or otherwise reduce or avoid the obligation to pay any lawfully enacted fees or taxes based on the payment of the ROW use fee or any other fees required by this chapter.

12.24.1305 Penalties and interest on right-of-way usage fee.

(1) ~~Prior to February 1, 2019,~~ ROW usage fees not received by the city on or before the due date are subject to ~~interest of nine percent per year.~~

~~(2) After February 1, 2019, the following penalties: will be imposed.~~

~~Penalties and interest imposed by this section are in addition to any penalties that may be assessed under other sections or chapters of the Gladstone Municipal Code.~~

(a) Any person who has not submitted the required remittance forms or remitted the correct fees when due as provided in GMC Section [12.24.130](#) shall pay a penalty listed below in addition to the amount due:

(A) First occurrence during any one calendar year: 10 percent of the amount owed, or \$25.00, whichever is greater.

(B) Second occurrence during any one calendar year: 15 percent of the amount owed, or \$50.00, whichever is greater.

(C) Third occurrence during any one calendar year: 20 percent of the amount owed, or \$75.00, whichever is greater.

(D) Fourth occurrence during any one calendar year: 25 percent of the amount owed, or \$100.00, whichever is greater.

(b) If the city determines that the nonpayment of any remittance due under this section is due to fraud or intent to evade the provisions hereof, an additional penalty of 25 percent of the amount owed, or \$500.00, whichever is greater, shall be added thereto in addition to other penalties stated in this section.

(c) In addition to the penalties imposed, any person who fails to remit any fee when due as provided in GMC Section [12.24.130](#) shall pay interest at the rate of 1.5 percent per month or fractions thereof, without proration for portions of a month, on the total amount due (including penalties), from the date on which the remittance first became delinquent, until received by the city.

(d) Every penalty imposed, and such interest as accrues under the provision of this section, shall be merged with, and become part of, the fee required to be paid.

(2) The City Administrator or designee, in their sole discretion, shall have the authority to reduce or waive the penalties and interest due under this section.

(3) Penalties and interest imposed pursuant to this section are in addition to any penalties that may be assessed under other sections or chapters of the Gladstone Municipal Code.

12.24.140 Audits.

(1) Within 30 days of a written request from the city, or as otherwise agreed to in writing by the city:

~~(a) Every licensee, utility operator and utility provider shall furnish the city, at no cost to the city, with information sufficient to demonstrate compliance with all the applicable requirements of this chapter and its franchise agreement, if any, including but not limited to payment of any applicable business license fee, ROW licensing fee, ROW use fee, attachment fee or franchise fees.~~

~~(b) Every utility operator, provider and licensee shall make available for inspection by the city at reasonable times and intervals all maps, records, books, diagrams, plans and other documents, maintained by the utility operator with respect to its facilities within the rights of way. Access shall be provided within the city unless prior arrangement for access elsewhere has been made with the city.~~

(2) If the city's audit of the books, records and other documents or information of the licensee utility operator or utility provider demonstrates that the licensee utility operator or utility provider has underpaid the ROW use fee, licensing fee, attachment fee or franchise fee or any other fee or payment by three percent or more in any one year, the licensee utility operator, or utility provider shall reimburse the city for the cost of the audit, in addition to any interest and penalties owed pursuant to GMC Section [12.24.130](#) or as specified in other agreements or franchises with the city.

(3) Any underpayment, including any interest, penalties or audit cost reimbursement, shall be paid within 30 days of the city's notice to the utility operator or utility ~~service~~-provider of such underpayment.

(4) The ~~licensee~~, utility provider or utility operator ~~is not required to~~shall maintain records subject to this subsection for ~~more~~not less than six years. ~~The city is not required to maintain records beyond the state retention schedules.~~

12.24.150 Insurance and indemnification.

(1) Insurance.

(a) All utility operators shall maintain in full force and effect the following liability insurance policies that protect the utility operator and the city, as well as the city's officers, agents, and employees:

(A) Comprehensive general liability insurance with limits not less than:

(i) Three million dollars for bodily injury or death to each person;

(ii) Three million dollars for property damage resulting from any one accident; and

(iii) Three million dollars for all other types of liability.

(B) Commercial automobile liability insurance for owned, non-owned and hired vehicles with a limit of \$1,000,000 for each person and \$3,000,000 for each accident.

(C) Worker's compensation within statutory limits and employer's liability with limits of not less than \$1,000,000.

(D) If not otherwise included in the policies required by subsection (1)(a)(A) of this section, maintain comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than \$3,000,000.

(E) Utility operator may utilize primary and umbrella liability insurance policies to satisfy the preceding insurance policy limit requirements.

(b) The limits of the insurance shall be subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon. The insurance shall be without prejudice to coverage otherwise existing and shall name, or the certificate of insurance shall name, with the exception of worker's compensation, as additional insureds the city and its officers, agents, and employees. The coverage must apply as to claims between insureds on the policy. The insurance shall not be canceled or materially altered without 30 days prior written notice first being given to the city, and the certificate of insurance shall include such an endorsement. If the insurance is canceled or materially altered, the utility operator shall obtain a replacement policy that complies with the terms of this section and provide the city with a replacement certificate of insurance. The utility operator shall maintain continuous uninterrupted coverage, in the terms and amounts required. The utility operator may self-insure, or keep in force a self-insured retention plus insurance, for any or all of the above coverage.

(c) The utility operator shall maintain on file with the city a certificate of insurance, or proof of self-insurance acceptable to the city, certifying the coverage required above.

(2) Financial Assurance. Unless otherwise agreed to in writing by the city, before a franchise granted or license issued pursuant to this chapter is effective, and as necessary thereafter, the utility operator shall provide a performance bond or other financial security or assurance, in a form acceptable to the city, as security for the full and complete performance of the franchise or license, if applicable, and compliance with the terms of this chapter, including any costs, expenses, damages or loss the city pays or incurs because of any failure attributable to the utility operator to comply with the codes, ordinances, rules, regulations or permits of the city. This obligation is in addition to the performance surety required by GMC Section [12.24.080](#)(3).

(3) Indemnification.

(a) Each utility operator shall defend, indemnify and hold the city and its officers, employees, agents and representatives harmless from and against any and all liability, causes of action, claims, damages, losses, judgments and other costs and expenses, including attorney fees and costs of suit or defense (at both the trial and appeal level, whether or not a trial or appeal ever takes place) that may be asserted by any person in any way arising out of, resulting from, during or in connection with, or alleged to arise out of or result from the ~~negligence~~, ~~carelessness~~, or wrongful acts, omissions, failure to act, or other misconduct of the utility operator or its affiliates, officers, employees, agents, contractors, subcontractors, or lessees in the work, construction, operation, maintenance, repair, or removal of its facilities, and in providing or offering utility services over the facilities, whether such acts or omissions are authorized, allowed, or prohibited by this chapter or by a franchise agreement. The acceptance of a license under GMC Section [12.24.070](#), or of a franchise granted by the city, shall constitute such an agreement by the applicant whether the same is expressed or not, unless expressly stated otherwise in the license or franchise. Upon notification of any such claim the city shall notify the utility operator and provide the utility operator with an opportunity to provide defense regarding any such claim.

(b) Every utility operator shall also indemnify the city for any damages, claims, additional costs or expenses assessed against or payable by the city arising out of or resulting, directly or indirectly, from the utility operator's failure to remove or relocate any of its facilities in the rights-of-way in a timely manner, unless the utility operator's failure arises directly from the city's negligence or willful misconduct.

12.24.160 Compliance.

Every ~~licensee~~, utility operator and utility provider shall comply with all applicable federal and state laws and regulations, including regulations of any administrative agency thereof, as well as all applicable ordinances, resolutions, rules and regulations of the city, heretofore or hereafter adopted or established ~~during the entire term of any license granted under this chapter~~.

12.24.170 Confidential/proprietary information.

If any person is required by this chapter to provide books, records, maps or information to the city that the person reasonably believes to be confidential or proprietary, and such books, records, maps or information are clearly marked as confidential at the time of disclosure to the city (“confidential information”), the city shall take reasonable steps to protect the confidential information to the extent permitted by Oregon Public Records Laws. In the event the city receives a public records request to inspect any confidential information and the city determines that it will be necessary to reveal the confidential information, to the extent reasonably possible the city will notify the person that submitted the confidential information of the records request prior to releasing the confidential information. The city shall not be required to incur any costs to protect any confidential information, other than the city’s routine internal procedures for complying with the Oregon Public Records Law.

12.24.180 Penalties.

(1) Any person found in violation of any of the provision of this chapter or the ~~ROW~~-license shall be subject to a penalty of not less than \$150.00, nor more than \$2,500 for each offense. A violation shall be deemed to exist separately for each and every day during which a violation exists.

(2) Nothing in this chapter shall be construed as limiting any judicial or other remedies the city may have at law or in equity, for enforcement of this chapter.

12.24.190 Severability and preemption.

(1) The provisions of this chapter shall be interpreted to be consistent with applicable federal and state law, and shall be interpreted, to the extent possible, to cover only matters not preempted by federal or state law.

(2) If any article, section, subsection, sentence, clause, phrase, term, provision, condition or portion of this chapter is for any reason declared or held to be invalid or unenforceable by any court of competent jurisdiction or superseded by state or federal legislation, rules, regulations or decision, the remainder of this chapter shall not be affected thereby but shall be deemed as a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof, and each remaining article, section, subsection, sentence, clause, phrase, term, provision, condition, ~~covenant~~ and portion of this chapter shall be valid and enforceable to the fullest extent permitted by law. In the event any provision is preempted by federal or state laws, rules or regulations, the provision shall be preempted only to the extent required by law and any portion not preempted shall survive. If any federal or state law resulting in preemption is later repealed, rescinded, amended or otherwise changed to end the preemption, such provision shall thereupon return to full force and effect and shall thereafter be binding without further action by the city.

12.24.200 Application to existing agreements.

To the extent that this chapter is not in conflict with and can be implemented consistent with existing franchise agreements, this chapter shall apply to all existing franchise agreements granted to utility operators by the city.

**ORDINANCE
1526**

**FINAL
VERSION**

ORDINANCE 1526

EXHIBIT "A"

12.24.010 **Purpose and intent.**

The purpose and intent of this chapter is to:

- (1) Permit and manage reasonable access to the rights-of-way of the city for utility purposes and conserve the limited physical capacity of those rights-of-way held in trust by the city consistent with applicable state and federal law;
- (2) Ensure that the city's current and ongoing costs of granting and regulating access to and the use of the rights-of-way are fully compensated by the persons seeking such access and causing such costs;
- (3) Secure fair and reasonable compensation to the city and its residents for permitting use of the rights-of-way by persons who generate revenue by placing, owning, using or operating facilities therein or charging residents for services delivered;
- (4) Ensure that all utility companies, persons and other entities owning or operating utility facilities and/or providing utility services within the city comply with the ordinances, rules and regulations of the city;
- (5) Ensure that the city can continue to fairly and responsibly protect the public health, safety and welfare of its residents;
- (6) Encourage the provision of advanced and competitive utility services on the widest possible basis to businesses and residents of the city; and
- (7) Comply with applicable provisions of state and federal law.

12.24.020 **Jurisdiction and management of the public rights-of-way.**

- (1) The city has jurisdiction and exercises regulatory management over all rights-of-way within the city under authority of the City Charter and Oregon law.
- (2) The city has jurisdiction and exercises regulatory management over each right-of-way whether the city has a fee, easement, or other legal interest in the right-of-way, and whether the legal interest in the right-of-way was obtained by grant, dedication, prescription, reservation, condemnation, annexation, foreclosure or other means.
- (3) The exercise of jurisdiction and regulatory management of a right-of-way by the city is not official acceptance of the right-of-way and does not obligate the city to maintain or repair any part of the right-of-way.
- (4) The provisions of this chapter are subject to and will be applied consistent with applicable state and federal laws, rules and regulations, and, to the extent possible, shall be interpreted to be consistent with such laws, rules and regulations.

12.24.030 Regulatory fees and compensation not a tax.

(1) The fees and costs provided for in this chapter, and any compensation charged and paid for use of the rights-of-way provided for in this chapter, are separate from, and in addition to, any and all other federal, state, local, and city charges, including but not limited to: any permit fee, or any other generally applicable fee, tax, or charge on business, occupations, property, or income as may be levied, imposed, or due from a utility operator, utility provider or licensee, its customers or subscribers, or on account of the lease, sale, delivery, or transmission of utility services.

(2) The city has determined that any fee or tax provided for by this chapter is not subject to the property tax limitations of Article XI, Sections 11 and 11b of the Oregon Constitution. These fees or taxes are not imposed on property or property owners.

(3) The fees and costs provided for in this chapter are subject to applicable federal and state laws.

12.24.040 Definitions.

For the purpose of this chapter the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The words “shall” and “will” are mandatory and “may” is permissive.

“Cable service” is to be defined consistent with federal law and means the one-way transmission to subscribers of: (1) video programming, or (2) other programming service; and subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service.

“City” means the City of Gladstone, an Oregon municipal corporation, and individuals authorized to act on the city’s behalf.

“City Council” means the elected governing body of the City of Gladstone, Oregon.

“City facilities” means structures or equipment located within the right-of-way or public easement that are owned, managed, maintained or operated by the City and used for governmental purposes, including, but not limited to, sanitary sewer, storm sewer or water infrastructure such as pipes, wires, conduit, valves, vaults and appurtenances.

“City standards” means the Gladstone Design and Construction Standards and any other applicable city construction, engineering and design standards and policies in effect at the time of any work.

“Communications services” means any service provided for the purpose of transmission of information including, but not limited to, voice, video, or data, without regard to the transmission protocol employed, whether or not the transmission medium is owned by the provider itself. “Communications service” includes all forms of telephone services and voice, video, data or information transport, but does not include: (1) cable service; (2) open video system service, as

defined in [47 C.F.R. 76](#); (3) public communications systems; (4) over-the-air radio or television broadcasting to the public-at-large from facilities licensed by the Federal Communications Commission or any successor thereto; and (5) direct-to-home satellite service within the meaning of Section 602 of the Telecommunications Act of 1996, [Pub. L. 104-104](#), 110 Stat. 56 (1996).

“Days” mean calendar days unless otherwise specified.

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“Gross revenue” means any and all amounts, of any kind, nature or form, without deduction for expense, less net uncollectables, derived directly or indirectly from the operation of utility facilities in the city and/or the provision of utility service in the city, subject to all applicable limitations in federal or state law.

“License” means the authorization granted by the city to a utility operator pursuant to this chapter.

“Licensee” means any person that has a valid license issued by the city pursuant to this chapter.

“Person” means and includes any individual, firm, sole proprietorship, corporation, company, partnership, co-partnership, joint-stock company, trust, limited liability company, association, municipality, special district, government entity or other organization, including any natural person or any other legal entity.

“Public communications system” means any system owned or operated by a government entity or entities for its exclusive use for internal communications or communications with other government entities, and includes services provided by the State of Oregon pursuant to [ORS 283.140](#). “Public communications system” does not include any system used for sale or resale, including trade, barter or other exchange of value, of communications services or capacity on the system, directly or indirectly, to any person.

“Public utility easement” means the space in, upon, above, along, across, over or under an easement for the constructing, reconstructing, operating, maintaining, inspecting, and repairing of utilities facilities. “Public utility easement” does not include an easement (1) that has been privately acquired by a utility operator, (2) solely for the constructing, reconstructing, operating, maintaining, inspecting, and repairing of city facilities, or (3) where the proposed use by the utility operator is inconsistent with the terms of any easement granted to the city.

“Rights-of-way” means the space in, upon, above, along, across, over or under the public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, public utility easements and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or other city property not generally open to the public for travel. This definition applies only to the extent of the city’s right, title, interest and authority to grant a license to occupy and use such areas for utility facilities.

“Utility facility” or “facility” means any physical component of a system, including but not limited to the poles, pipes, mains, conduits, ducts, cables, wires, transmitters, plant, equipment

and other facilities, located within, under or above the rights-of-way, any portion of which is used or designed to be used to deliver, transmit or otherwise provide utility service.

“Utility operator” means any person who owns, places, controls, operates or maintains a utility facility within the city.

“Utility provider” means any person who provides utility service to customers within the city limits, whether or not any facilities in the ROW are owned by such provider.

“Utility service” means the provision, by means of utility facilities permanently located within, under or above the rights-of-way, whether or not such facilities are owned by the service provider, of electricity, natural gas, communications services, cable services, water, sewer, and/or storm sewer to or from customers within the city limits, or the transmission or provision of any of these services through the city whether or not customers within the city receive those transmissions or services.

“Work” means the construction, demolition, installation, replacement, repair, maintenance or relocation of any utility facility, including but not limited to any excavation and restoration required in association with such construction, demolition, installation, replacement, repair, maintenance or relocation.

12.24.050 Utility provider registration.

(1) Registration Required. Every person that desires to provide utility services to customers within the city shall register with the city prior to providing any utility services to any customer in the city. Every person providing utility services to customers within the city as of the effective date of this chapter shall register within 30 days of the effective date of this chapter.

(2) Annual Registration. After registering with the City pursuant to subsection (1) of this section, the registrant shall, by December 31st of each year, file with the City a new registration form if it intends to provide utility service at any time in the following calendar year. Registrants that file an initial registration pursuant to subsection (1) of this section on or after September 30th shall not be required to file an annual registration until December 31st of the following year.

(3) Registration Application. The registration shall be on a form provided by the City, and shall be accompanied by any additional documents required by the City to identify the registrant and its legal status, describe the type of utility services provided or to be provided by the registrant and list the facilities over which the utility services will be provided.

(4) Registration Fee. Each application for registration shall be accompanied by a nonrefundable registration fee in an amount to be determined by resolution of the city council sufficient to fully recover all of the City’s costs of administering the registration program.

12.24.060 Right-of-way license.

(1) License Required.

(a) Except those utility operators with a valid franchise from the city, every person that wishes to be a utility operator shall obtain a license from the city prior to conducting any work in the ROW.

(b) Every person that owns or controls utility facilities in the rights-of-way as of the effective date of this chapter shall apply for a license from the city within 30 days of the later of: (A) the effective date of this chapter, or (B) the expiration of a valid franchise agreement granted by the city, unless a new franchise agreement is granted by the city pursuant to subsection (6) of this section.

(c) The provisions of this section do not apply to any person subject to and in compliance with the cable television franchise requirement of GMC Chapter [5.16](#), except that subsection (11) of this section shall apply to the extent such person provides multiple services.

(2) License Application. The license application shall be on a form provided by the city, and shall be accompanied by any additional documents required by the application or the city, in the city's sole discretion, to identify the applicant, its legal status, including its authorization to do business in Oregon, a description of the utility facilities in the rights-of-way or to be installed in the rights-of-way, a description of type of utility service provided or to be provided by the applicant, if any, and other information reasonably necessary to determine the applicant's ability to comply with the terms of this chapter.

(3) License Application Fee. The application shall be accompanied by a nonrefundable application fee or deposit set by resolution of the City Council.

(4) Determination by City. The city shall issue, within a reasonable period of time, a written determination granting or denying the license in whole or in part. If the license is denied, the written determination shall include the reasons for denial. The license shall be evaluated based upon the provisions of this chapter, the continuing capacity of the rights-of-way to accommodate the applicant's proposed utility facilities and the applicable federal, state and local laws, rules, regulations and policies.

(5) Changes to Information Contained on the License Application. Within 30 days of a change to the information contained in the application, the licensee shall notify the city in writing of such change(s).

(6) Franchise Agreements. If the public interest warrants, as determined by the city in its sole discretion, the city and utility operator may enter into a written franchise agreement that includes terms that clarify, enhance, expand, waive or vary the provisions of this chapter, consistent with applicable state and federal law. The franchise may conflict with the terms of this chapter with the review and approval of City Council. The franchisee shall be subject to the provisions of this chapter to the extent such provisions are not in conflict with the express provisions of any such franchise. In the event of a conflict between the express provisions of a franchise and this chapter, the franchise shall control.

(7) Rights Granted.

(a) The license granted hereunder shall authorize and permit the licensee, subject to the provisions of the city codes and other applicable provisions of state or federal law, in effect and as may be subsequently amended, to construct, place, maintain, upgrade, repair and operate utility facilities in the rights-of-way for the term of the license for the provision of utility service(s) authorized in the license. In the event the licensee offers different service(s) than those authorized in the license, the licensee shall inform the city of such changes no later than 30 days after the change.

(b) Any license granted pursuant to this chapter shall not convey equitable or legal title in the rights-of-way and may not be assigned or transferred except as permitted in subsection (12) of this section.

Neither the issuance of the license nor any provisions contained therein shall constitute a waiver or bar to the exercise of any governmental right or power, including, without limitation, the police power or regulatory power of the city.

(8) Term. Subject to the termination provisions in subsection (14) of this section, the license granted pursuant to this chapter will be effective as of the date it is issued by the city will have a term ending five calendar years from: (a) January 1st of the year in which the license took effect for licenses that took effect between January 1st and June 30th; or (b) January 1st of the year after the license took effect for licenses that become effective between July 1st and December 31st.

(9) License Nonexclusive. No license granted pursuant to this section shall confer any exclusive right, privilege, license or franchise to occupy or use the rights-of-way for utility facilities, delivery of utility services or any other purpose. The city expressly reserves the right to grant licenses, franchises or other rights to other persons, as well as the city's right to use the rights-of-way, for similar or different purposes. The license is subject to all recorded deeds, easements, dedications, conditions, covenants, restrictions, encumbrances, and claims of title of record that may affect the rights-of-way. Nothing in the license shall be deemed to grant, convey, create, or vest in licensee a real property interest in land, including any fee, leasehold interest or easement.

(10) Reservation of City Rights. Nothing in the license shall be construed to prevent the city from grading, paving, repairing and/or altering any rights-of-way, constructing, laying down, repairing, relocating or removing city facilities or establishing any other public work, utility or improvement of any kind, including repairs, replacement or removal of any city facilities. If any of licensee's utility facilities interfere with the construction, repair, replacement, alteration or removal of any rights-of-way, public work, city utility, city improvement or city facility, except those providing utility services in competition with a licensee, licensee's facilities shall be removed or relocated as provided in GMC Sections [12.24.090\(3\)](#), (4) and (5), in a manner acceptable to the city and consistent with city standards, industry standard engineering and safety codes.

(11) Multiple Services.

(a) A utility operator that provides or transmits or allows the provision or transmission of utility services and other services over its facilities is subject to the license and ROW use fee requirements of this chapter for the portion of the facilities and extent of utility services delivered over those facilities. Nothing in this subsection (11)(a) requires a utility operator to pay the ROW use fee, if any, owed to the city by another person using the utility operator's facilities.

(b) A utility operator that provides or transmits more than one utility service to customers in the city is not required to obtain a separate license or franchise for each utility service, but is required to file separate remittance forms and submit any ROW use fees due for each utility service provided.

(12) Transfer or Assignment. To the extent permitted by applicable state and federal laws, the licensee shall obtain the written consent of the city prior to the transfer or assignment of the license. The license shall not be transferred or assigned unless:

(a) The proposed transferee or assignee is authorized under all applicable laws to own or operate the utility facilities; and

(b) The transfer or assignment is approved by all agencies or organizations required or authorized under federal and state laws to approve such transfer or assignment.

The licensee requesting the transfer or assignment must provide documentation, as the city deems necessary, in the city's sole discretion and at no cost to the city, to evaluate the transferee's ability to comply with the provisions of the license.

If the city approves such transfer or assignment, the transferee or assignee shall become responsible for fulfilling all obligations under the license. A transfer or assignment of a license does not extend the term of the license.

(13) Renewal. At least 30 days, but no more than 180 days, prior to the expiration of a license granted pursuant to this section, a licensee seeking renewal of its license shall submit a license application to the city, including all information required in subsection (2) of this section and the application fee required in subsection (3) of this section. The city shall review the application as required by subsection (4) of this section and grant or deny the license within 90 days of submission of the application. If the city determines that the licensee is in violation of the terms of this chapter at the time it submits its application, the city may require that the licensee cure the violation or submit a detailed plan to cure the violation within a reasonable period of time, as determined by the city, before the city will consider the application and/or grant the license. If the city requires the licensee to cure or submit a plan to cure a violation, the city will grant or deny the license application within 90 days of confirming that the violation has been cured or of accepting the licensee's plan to cure the violation.

(14) Termination.

(a) Revocation or Termination of a License. The City Council may terminate or revoke the license granted pursuant to this chapter for any of the following reasons:

(A) Violation of any of the provisions of this chapter;

- (B) Violation of any provision of the license;
- (C) Misrepresentation in a license application;
- (D) Failure to pay taxes, compensation, fees or costs due the city after final determination by the city, of the taxes, compensation, fees or costs;
- (E) Failure to restore the rights-of-way after work as required by this chapter or other applicable state and local laws, ordinances, rules and regulations;
- (F) Failure to comply with technical, safety and engineering standards related to work in the rights-of-way; or
- (G) Failure to obtain or maintain any and all licenses, permits, certifications and other authorizations required by state or federal law for the placement, maintenance and/or operation of the utility facilities.

(b) Standards for Revocation or Termination. In determining whether termination, revocation or some other sanction is appropriate, the following factors shall be considered:

- (A) The egregiousness of the misconduct;
- (B) The harm that resulted;
- (C) Whether the violation was intentional;
- (D) The licensee's history of compliance; and/or
- (E) The licensee's cooperation in discovering, admitting and/or curing the violation.

(c) Notice and Cure. The city shall give the licensee written notice of any apparent violations before terminating a license. The notice shall include a short and concise statement of the nature and general facts of the violation or noncompliance and provide a reasonable time (no less than 20 and no more than 40 days) for the licensee to demonstrate that the licensee has remained in compliance, that the licensee has cured or is in the process of curing any violation or noncompliance, or that it would be in the public interest to impose a penalty or sanction less than termination or revocation. If the licensee is in the process of curing a violation or noncompliance, the licensee must demonstrate that it acted promptly and continues to actively work on compliance. If the licensee does not respond or if the City Administrator or designee determines that the licensee's response is inadequate, the City Administrator or designee shall refer the matter to the City Council, which shall provide a duly noticed public hearing to determine whether the license shall be terminated or revoked and if any penalties or sanctions will be imposed.

(d) Termination by Licensee. If a licensee ceases to be required to have a license under this chapter, the licensee may terminate its license by giving the city 30 days prior written notice. Licensee may reapply for a license at any time. No refunds or credits will be given for licenses terminated by the licensee or the city. Within 45 days of surrendering a license, the licensee shall file a final remittance form with the city stating "final remittance" and shall pay all fees due

under this chapter through the date of termination. The licensee shall also remove its utility facilities from the rights-of-way as required by GMC Section 12.24.090(4).

12.24.070 Construction and restoration.

(1) Construction Codes. Utility facilities shall be constructed, installed, operated, repaired and maintained in accordance with all applicable federal, state and local codes, rules and regulations, including but not limited to the National Electrical Code and the National Electrical Safety Code and the city standards, in effect at the time of the work. When a utility operator, or any person acting on its behalf, does any work in or affecting the rights-of-way, the utility operator shall, at its own expense, promptly restore the rights-of-way as directed by the city consistent with applicable city codes, rules and regulations in effect at the time of the work. A utility operator, or other person acting on its behalf, shall use suitable barricades, flags, flagging attendants, lights, flares and other measures as required for the safety of all members of the general public and to prevent injury or damage to any person(s), vehicle or property by reason of such work in or affecting the rights of way or property.

(2) Construction Permits.

(a) No person shall perform any work within the rights-of-way without first obtaining all required permits, including but not limited to any wireless siting permits required in GMC Chapter 17.61. The city shall not issue a permit for work unless the utility operator of the facilities has applied for and received a valid license as required by this chapter or a valid franchise agreement, and all applicable fees have been paid. No permit is required for routine maintenance or repairs to customer service drops where such repairs or maintenance do not require cutting, digging, or breaking of, or damage to, the right-of-way and do not result in closing or blocking any portion of the travel lane for vehicular traffic, bicycle lanes or sidewalks.

(b) In the event of an emergency, a utility operator with a license pursuant to this chapter or a valid franchise agreement, or the utility operator's contractor, may perform work on its utility facilities without first obtaining a permit from the city; provided, that, to the extent reasonably feasible, it attempts to notify the city prior to commencing the emergency work and in any event applies for a permit from the city as soon as reasonably practicable, but not more than 48 hours after commencing the emergency work. For purposes of this subsection (2), "emergency" means a circumstance in which immediate work or action is necessary to restore lost service or prevent immediate harm to persons or property.

(c) Applications for permits to perform work within the rights-of-way shall be submitted upon forms to be provided by the city and shall be accompanied by drawings, plans and specifications in sufficient detail to demonstrate:

(A) That the utility facilities will be constructed in accordance with all applicable codes, rules and regulations, including city standards.

(B) The location and route of all utility facilities to be installed aboveground or on existing utility poles.

(C) The location and route of all utility facilities on or in the rights-of-way to be located under the surface of the ground, including the line and grade proposed for the burial at all points along the route that are within the rights-of-way. Applicant's existing utility facilities shall be differentiated on the plans from new construction. The city may require additional information necessary to demonstrate that the proposed location can accommodate the utility facilities, as determined by the city. A cross-section shall be provided showing the applicant's new and existing utility facilities in relation to the street, curb, sidewalk, or rights-of-way.

(D) The construction methods to be employed for protection of existing structures, fixtures, and utility facilities within or adjacent to the rights-of-way, and description of any improvements that applicant proposes to temporarily or permanently remove or relocate and, if deemed necessary by the city, methods to be employed for protection of existing structures, fixtures, and utility facilities within or adjacent to the rights-of-way.

(E) The applicant has an adequate traffic control plan that complies with subsection (2)(1) of this section.

(c) All permit applications shall be accompanied by the verification of a qualified and duly authorized representative of the applicant that the drawings, plans and specifications submitted with the application comply with applicable technical codes, rules and regulations. The city may, in its sole discretion, require the verification of a registered professional engineer at no cost to the city.

(d) All permit applications shall be accompanied by a written work schedule, which shall include an estimated start date and a deadline for completion of work. The work schedule is subject to approval by the city.

(e) In addition to the requirements of this chapter, the applicant shall, at all times, comply with all other applicable city requirements.

(f) If satisfied that the applications, plans and documents submitted comply with all requirements of this chapter, the city shall issue a permit authorizing the work in the rights-of-way, subject to such further conditions, restrictions or regulations affecting the time, place and manner of performing the work as the city may deem necessary or appropriate.

(g) Except in the case of an emergency, the permittee shall notify the city not less than two working days in advance of any work in the rights-of-way.

(h) All construction practices and activities shall be in accordance with the permit and approved final plans and specifications for the utility facilities. The city and its representatives shall be provided access to the work site and such further information as they may require to ensure compliance with such requirements.

(i) All work which does not comply with the permit, the approved or corrected plans and specifications for the work, or the requirements of this chapter shall be removed or corrected at the sole cost and expense of the permittee. The city is authorized to stop work in order to ensure compliance with the provisions of this chapter. If the permittee fails to remove or correct work as

required in this subsection, the city may remove or correct the work at the cost and expense of the permittee, after notice and opportunity to cure, using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations.

(j) The permittee shall be responsible for providing correct and complete information on the permit application and in any related information provided to the city. If the city believes the permittee misrepresented, misstated, or omitted any material fact(s) in or related to its permit application, the city may deny or revoke the permit. The city may at any time require the permit holder to take additional measures to protect the health, safety, and welfare of the public. The permit holder shall be responsible for and pay all costs and expenses for such measures.

(k) The permittee shall promptly complete all work so as to minimize disruption of the rights-of-way and other public and private property. All work within the rights-of-way, including restoration, must be completed within 60 days of the date of issuance of the construction permit unless an extension or an alternate schedule has been approved by the city.

(l) The permittee shall protect the work area with sufficient traffic controls reviewed and accepted by the city before work begins. The permittee shall at all times ensure the presence of such workers, tools and materials, flaggers, barricades, and other safety devices as may be necessary to properly protect bicyclists, pedestrians, construction personnel, and vehicular traffic upon the roadway, and to warn and safeguard the public against injury or damage resulting from the work.

(m) Any supervision or control exercised by the city shall not relieve the permittee or utility operator of any duty to the general public nor shall such supervision or control relieve the permittee or utility operator from any liability for loss, damage or injury to persons or property.

(3) Performance Surety.

(a) The city may require a utility operator or permittee to provide a performance bond or other form of surety acceptable to the city equal to at least 125 percent of the estimated cost of the work within the rights-of-way, which bond shall be provided before work is commenced.

(b) If required, the performance bond or other form of surety acceptable to the city shall remain in force until 60 days after substantial completion of the work, as determined in writing by the city, including restoration of rights-of-way and other property affected by the work.

(c) If required, the performance bond or other form of surety acceptable to the city shall guarantee, to the satisfaction of the city:

(A) Timely completion of the work;

(B) That the work is performed in compliance with applicable plans, permits, technical codes and standards;

(C) Proper location of the utility facilities as specified by the city;

(D) Restoration of the rights-of-way and other property affected by the work; and

(E) Timely payment and satisfaction of all claims, demands or liens for labor, material, or services provided in connection with the work.

(d) The release of the performance bond or other surety pursuant to subsection (3)(a) of this section does not relieve the utility operator from its obligation to restore rights-of-way or other property as required in subsection (5) of this section regardless of when the failure to restore rights-of-way or other property as required by this chapter occurs or is discovered.

(4) Injury to Persons or Property. A utility operator, or any person acting on its behalf, shall preserve and protect from injury or damage other utility operators' facilities in the rights-of-way, the public using the rights-of-way and any adjoining property, and take other necessary measures to protect life and property, including but not limited to buildings, walls, fences, trees or facilities that may be subject to damage from the permitted work. A utility operator shall be responsible for all injury to persons or damage to public or private property resulting from its failure to properly protect people and property and to carry out the work.

(5) Restoration.

(a) When a utility operator, or any person acting on its behalf, does any work in or affecting any rights-of-way, it shall, at its own expense, promptly restore such rights-of-way to the same or better condition as existed before the work was undertaken, in accordance with applicable federal, state and local laws, codes, ordinances, rules and regulations in effect at the time of the work unless otherwise directed by the city.

(b) If weather or other conditions beyond the utility operator's control do not permit the complete restoration required by the city, the utility operator shall temporarily restore the affected area. Such temporary restoration shall be at the utility operator's sole cost and expense and the utility operator shall promptly undertake and complete the required permanent restoration when the weather or other conditions no longer prevent such permanent restoration. Any corresponding modification to the work schedule may be subject to approval by the city.

(c) If the utility operator fails to restore rights-of-way as required in this chapter, the city shall give the utility operator written notice and provide the utility operator a reasonable period of time which shall be not less than 10 days, unless an emergency or threat to public safety is deemed to exist, and shall not exceed 30 days unless agreed to in writing by the city, to restore the rights-of-way. If, after said notice, the utility operator fails to restore the rights-of-way as required in this chapter, the city shall cause such restoration to be made at the cost and expense of the utility operator. If the city determines a threat to public safety exists, the city shall provide necessary temporary safeguards, at the utility operators' sole cost and expense, and the utility operator shall have 24 hours to commence restoration. If the utility operator does not commence work in 24 hours, the city, at its sole option, may commence restoration at the utility operator's sole cost and expense.

(6) Inspection. Every utility operator's utility facilities shall be subject to the right of periodic inspection by the city to determine compliance with the provisions of this chapter and all other applicable state and city codes, ordinances, rules and regulations. Every utility operator shall

cooperate with the city in permitting the inspection of utility facilities upon request of the city. The utility operator shall perform all testing, or permit the city to perform any testing at the utility operator's cost, required by the city to determine that the installation of the utility operator's facilities and the restoration of the rights-of-way comply with the terms of this chapter and applicable state and city codes, ordinances, rules and regulations.

(7) Coordination of Construction. All utility operators are required to make a good faith effort to both cooperate with and coordinate their work schedules with those of the city and other users of the rights-of-way.

(a) Prior to January 1st of each year, utility operators shall provide the city with a written schedule of known proposed work activities for that year in, around or that may affect the rights-of-way.

(b) Utility operators shall meet with the city annually, or as determined by the city, in its sole discretion, to schedule and coordinate work in the rights-of-way.

(c) All work locations, activities and schedules within the rights-of-way shall be coordinated as may be ordered by the city, to minimize public inconvenience, disruption, or damages.

(8) Contractors. A utility operator may authorize a qualified contractor to perform any of the work authorized or required in this chapter on the utility operator's behalf. Any contractor performing work on behalf of a utility operator shall be subject to applicable provisions of this chapter, except that a contractor that is not a utility operator shall not be required to obtain a license. In the event a utility operator authorizes a contractor to perform work on its behalf, the utility operator shall remain responsible and liable for compliance with the provisions of this chapter.

12.24.080 Location of facilities.

(1) Location of Facilities. Unless otherwise agreed to in writing by the city:

(a) Whenever any existing electric utilities, cable facilities or communications facilities are located underground within the rights-of-way of the city, the utility operator with permission to occupy the same rights-of-way shall install all new facilities underground at no cost to the city. This requirement shall not apply to facilities used for transmission of electric energy at nominal voltages in excess of 35,000 volts ("high voltage lines") unless otherwise directed by the city, or to antennas, pedestals, cabinets or other above-ground equipment of any utility operator, subject to applicable City requirements, including but not limited to GMC Chapter 17.61, and the City's written approval. The city reserves the right to require written approval of the location of any such above-ground equipment in the rights-of-way.

(2) Interference with the Rights-of-Way. No utility operator or other person may locate or maintain any utility facilities so as to unreasonably interfere with the use of the rights-of-way by the city, by the general public or by other persons authorized to use or be present in or upon the rights-of-way. Utility facilities shall not be located in a manner that restricts the line of sight for vehicles or pedestrians nor interferes with the proper function of traffic control signs, signals,

lighting, or other devices that affect traffic operation. All use of the rights-of-way shall at all times be consistent with city codes, ordinances, rules and regulations.

(3) Relocation of Utility Facilities.

(a) A utility operator shall, at no cost or expense to the city, temporarily or permanently remove, relocate, change or alter the position of any utility facility within the rights-of-way, including relocation of aerial facilities underground, when requested to do so in writing by the city. The requirement to relocate aerial facilities underground shall not apply to high voltage lines unless otherwise directed by the city.

(b) Nothing herein shall be deemed to preclude the utility operator from requesting reimbursement or compensation from a third party, pursuant to applicable laws, regulations, tariffs or agreements; provided, that the utility operator shall timely comply with the requirements of this section regardless of whether or not it has requested or received such reimbursement or compensation.

(c) The city shall provide written notice of the time by which the utility operator must remove, relocate, change, alter or underground its facilities. If a utility operator fails to remove, relocate, change, alter or underground any utility facility as requested by the city and by the date reasonably established by the city, the utility operator shall pay all costs incurred by the city due to such failure, including but not limited to costs related to project delays, and the city may cause, using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations, the utility facility to be removed, relocated, changed, altered or undergrounded at the utility operator's sole cost and expense. Within 30 days of receipt of a detailed invoice from the city, the utility operator shall reimburse the city the full invoiced amount.

(d) The city will cooperate with the utility operator in identifying alternate locations within the rights-of-way for its utility facilities. The city shall not bear any responsibility, incur any costs or otherwise compensate the utility operator in relocation of its facilities, including instances in which the utility operator must relocate outside the rights-of-way.

(4) Removal of Unauthorized Facilities.

(a) Unless otherwise agreed to in writing by the city, within 30 days following written notice from the city, or such other time agreed to in writing by the city, a utility operator and any other person that owns, controls, or maintains any abandoned or unauthorized utility facility within the rights-of-way shall, at its own cost and expense, remove the facility and restore the rights-of-way as provided in GMC Section [12.24.080](#).

(b) A utility facility is unauthorized under any of the following circumstances:

(A) The utility facility, or any portion of the facility, is outside the scope of authority granted by the city under the license or franchise. This includes utility facilities that were never licensed or franchised and utility facilities that were once licensed or franchised but for which the license or franchise has expired or been terminated. This does not include

any utility facility for which the city has provided written authorization for abandonment in place.

(B) The utility facility has been abandoned and the city has not provided written authorization for abandonment in place. A utility facility is abandoned if it is not in use and is not planned for further use. A utility facility will be presumed abandoned if it is not used for a period of 12 consecutive months. A utility operator may overcome this presumption by presenting plans for future use of the utility facility.

(C) The utility facility is improperly constructed or installed or is in a location not permitted by the construction permit, license, franchise or this chapter.

(D) The utility operator is in violation of a material provision of this chapter and fails to cure such violation within 30 days of the city sending written notice of such violation, unless the city extends such time period in writing.

(5) Removal by City.

(a) The city retains the right and privilege to cut or move any utility facilities located within the rights-of-way, without notice, as the city may determine to be necessary, appropriate or useful in response to a public health or safety emergency. The city will use qualified personnel or contractors consistent with applicable state and federal safety laws and regulations to the extent reasonably practicable without impeding the city's response to the emergency. The city will use best efforts to provide the utility operator with notice prior to cutting or moving utility facilities. If prior notice is not possible, the city will provide such notice as soon as reasonably practicable after resolution of the emergency.

(b) If the utility operator fails to remove any utility facility when required to do so under this chapter, the city may remove the utility facility using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations, and the utility operator shall be responsible for paying the full cost of the removal and any administrative costs incurred by the city in removing the utility facility and obtaining reimbursement. Within 30 days of receipt of a detailed invoice from the city, the utility operator shall reimburse the city for the costs and expenses the city incurred. The obligation to remove and to reimburse the city for any failure to remove utility facilities shall survive the termination of the license or franchise.

(c) The city shall not be liable to any utility operator for any damage to utility facilities, or for any incidental or consequential losses resulting directly or indirectly therefrom, by the city or its contractor in removing, relocating, changing or altering the facilities pursuant to subsection (2), (3) or (4) of this section or undergrounding its facilities as required by subsection (1) of this section, or resulting from the utility operator's failure to remove, relocate, change, alter or underground its facilities as required by those subsections, unless such damage arises directly from the city's negligence or willful misconduct.

(6) Engineering Record Drawings. The utility operator shall provide the city with two complete sets of record drawings in a form acceptable to the city showing the location of all its utility facilities in the rights-of-way after initial construction if such plan changed during construction.

The utility operator shall, at no cost to the city, provide updated complete sets of as built plans upon request of the city, but not more than once per year.

(7) Within 30 days of a written request from the city, or as otherwise agreed to in writing by the city, every utility operator shall make available for inspection by the city at reasonable times and intervals all maps, records, books, diagrams, plans and other documents, maintained by the utility operator with respect to its facilities within the rights-of-way. Access shall be provided within the city unless prior arrangement for access elsewhere has been made with the city.**12.24.090 Leased capacity.**

A utility operator may rent, sell, lease or otherwise provide capacity or space on or in its utility facilities to others; provided, that, upon request, the utility operator provides the city with the name and business address of any such person. A utility operator is not required to provide such information if disclosure is expressly prohibited by applicable law; provided, that the utility operator takes reasonable steps to ensure that such persons are in compliance with this chapter.

12.24.100 Maintenance.

(1) Every utility operator shall install and maintain all utility facilities in a manner that complies with applicable federal, state and local laws, rules, regulations and policies. The utility operator shall, at its own cost and expense, repair and maintain utility facilities from time to time as may be necessary to accomplish this purpose.

(2) If, after written notice from the city of the need for repair or maintenance as required in subsection (1) of this section, a utility operator fails to repair and maintain utility facilities as requested by the city and by the date reasonably established by the city, the city may perform such repair or maintenance using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations at the utility operator's sole cost and expense. Within 30 days of receipt of a detailed invoice from the city, the utility operator shall reimburse the city the full invoiced amount.

12.24.110 Vacation.

If the city vacates any rights-of-way, or portion thereof, that a utility operator uses, the utility operator shall, at its own expense, remove its utility facilities from the vacated rights-of-way unless (i) the city reserves a public utility easement, which the city shall make a reasonable effort to do provided that there is no expense to the city, or (ii) the utility operator obtains an easement for its utility facilities. If the utility operator fails to remove its utility facilities within 30 days after a right-of-way is vacated, or as otherwise directed or agreed to in writing by the city, the city may remove the utility facilities using qualified personnel or contractors consistent with applicable state and federal safety laws and regulations at the utility operator's sole cost and expense. Within 30 days of receipt of an invoice from the city, the utility operator shall reimburse the city the full invoiced amount.

12.24.120 Right-of-way use fee.

(1) Except as set forth in subsection (2) of this section, every person that owns utility facilities in the city and every person that uses utility facilities in the city to provide utility service, whether or not the person owns the utility facilities used to provide the utility services, shall pay the applicable ROW use fee(s) in the amount determined by resolution of the City Council. A utility provider shall pay the applicable ROW use fee for every utility service provided in the city.

(2) A person that is a utility operator and a utility provider shall be subject to the ROW use fee(s) applicable to utility operators and, in addition, to the ROW use fee(s) applicable to utility providers; provided, however, that the person must pay only the greater of the two fees, or, if the two fees are the same, the utility operator ROW use fee.

(3) No acceptance of any payment shall be construed as accord that the amount paid is in fact the correct amount, nor shall acceptance of payment be construed as a release of any claim the city may have for further or additional sums payable.

(4) Right-of-way use fee payments required by this section shall be reduced by any franchise fee payments received by the city, but in no case will be less than \$0.00.

(5) Unless otherwise agreed to in writing by the city, the ROW use fee set forth in subsection (1) of this section shall be paid quarterly, in arrears, within 45 days after the end of each calendar quarter. Each payment shall be accompanied by an accounting of gross revenues, if applicable, and a calculation of the amount payable on a remittance form provided by the city. A utility operator or utility provide shall provide, at no cost to the city, any additional reports or information the city deems necessary, in its sole discretion, to ensure compliance with this section. Such information may include, but is not limited to: chart of accounts, total revenues by categories and dates, list of products and services, narrative documenting calculation, details on number of customers within the city limits, or any other information needed for the city to readily verify compliance.

(6) The calculation of the ROW use fee required by this section shall be subject to all applicable limitations imposed by federal or state law in effect and as may be subsequently amended.

(7) The city reserves the right to enact other fees and taxes applicable to the utility providers and utility operators subject to this chapter. Unless expressly permitted by the city in enacting such fee or tax, or required by applicable state or federal law, no utility operator or utility provider may deduct, offset or otherwise reduce or avoid the obligation to pay any lawfully enacted fees or taxes based on the payment of the ROW use fee or any other fees required by this chapter.

12.24.130 Penalties and interest on right-of-way usage fee.

(1) ROW usage fees not received by the city on or before the due date are subject to the following penalties:

(a) Any person who has not submitted the required remittance forms or remitted the correct fees when due as provided in GMC Section [12.24.130](#) shall pay a penalty listed below in addition to the amount due:

(A) First occurrence during any one calendar year: 10 percent of the amount owed, or \$25.00, whichever is greater.

(B) Second occurrence during any one calendar year: 15 percent of the amount owed, or \$50.00, whichever is greater.

(C) Third occurrence during any one calendar year: 20 percent of the amount owed, or \$75.00, whichever is greater.

(D) Fourth occurrence during any one calendar year: 25 percent of the amount owed, or \$100.00, whichever is greater.

(b) If the city determines that the nonpayment of any remittance due under this section is due to fraud or intent to evade the provisions hereof, an additional penalty of 25 percent of the amount owed, or \$500.00, whichever is greater, shall be added thereto in addition to other penalties stated in this section.

(c) In addition to the penalties imposed, any person who fails to remit any fee when due as provided in GMC Section [12.24.130](#) shall pay interest at the rate of 1.5 percent per month or fractions thereof, without proration for portions of a month, on the total amount due (including penalties), from the date on which the remittance first became delinquent, until received by the city.

(d) Every penalty imposed, and such interest as accrues under the provision of this section, shall be merged with, and become part of, the fee required to be paid.

(2) The City Administrator or designee, in their sole discretion, shall have the authority to reduce or waive the penalties and interest due under this section.

(3) Penalties and interest imposed pursuant to this section are in addition to any penalties that may be assessed under other sections or chapters of the Gladstone Municipal Code.

12.24.140 Audits.

(1) Within 30 days of a written request from the city, or as otherwise agreed to in writing by the city, every utility operator and utility provider shall furnish the city, at no cost to the city, with information sufficient to demonstrate compliance with all applicable requirements of this chapter and its franchise agreement, if any, including but not limited to payment of any applicable fees.

(2) If the city's audit of the books, records and other documents or information of the utility operator or utility provider demonstrates that the utility operator or utility provider has underpaid the ROW use fee or any other fee or payment by three percent or more in any one year, the utility operator, or utility provider shall reimburse the city for the cost of the audit, in addition to any interest and penalties owed pursuant to GMC Section [12.24.130](#).

(3) Any underpayment, including any interest, penalties or audit cost reimbursement, shall be paid within 30 days of the city's notice to the utility operator or utility provider of such underpayment.

(4) The utility provider or utility operator shall maintain records subject to this subsection for not less than six years.

12.24.150 Insurance and indemnification.

(1) Insurance.

(a) All utility operators shall maintain in full force and effect the following liability insurance policies that protect the utility operator and the city, as well as the city's officers, agents, and employees:

(A) Comprehensive general liability insurance with limits not less than:

(i) Three million dollars for bodily injury or death to each person;

(ii) Three million dollars for property damage resulting from any one accident; and

(iii) Three million dollars for all other types of liability.

(B) Commercial automobile liability insurance for owned, non-owned and hired vehicles with a limit of \$1,000,000 for each person and \$3,000,000 for each accident.

(C) Worker's compensation within statutory limits and employer's liability with limits of not less than \$1,000,000.

(D) If not otherwise included in the policies required by subsection (1)(a)(A) of this section, maintain comprehensive form premises-operations, explosions and collapse hazard, underground hazard and products completed hazard with limits of not less than \$3,000,000.

(E) Utility operator may utilize primary and umbrella liability insurance policies to satisfy the preceding insurance policy limit requirements.

(b) The limits of the insurance shall be subject to statutory changes as to maximum limits of liability imposed on municipalities of the State of Oregon. The insurance shall be without prejudice to coverage otherwise existing and shall name, or the certificate of insurance shall name, with the exception of worker's compensation, as additional insureds the city and its officers, agents, and employees. The coverage must apply as to claims between insureds on the policy. The insurance shall not be canceled or materially altered without 30 days prior written notice first being given to the city, and the certificate of insurance shall include such an endorsement. If the insurance is canceled or materially altered, the utility operator shall obtain a replacement policy that complies with the terms of this section and provide the city with a replacement certificate of insurance. The utility operator shall maintain continuous uninterrupted coverage, in the terms and amounts required. The utility operator may self-insure, or keep in force a self-insured retention plus insurance, for any or all of the above coverage.

(c) The utility operator shall maintain on file with the city a certificate of insurance, or proof of self-insurance acceptable to the city, certifying the coverage required above.

(2) Financial Assurance. Unless otherwise agreed to in writing by the city, before a franchise granted or license issued pursuant to this chapter is effective, and as necessary thereafter, the utility operator shall provide a performance bond or other financial security or assurance, in a form acceptable to the city, as security for the full and complete performance of the franchise or license, if applicable, and compliance with the terms of this chapter, including any costs, expenses, damages or loss the city pays or incurs because of any failure attributable to the utility operator to comply with the codes, ordinances, rules, regulations or permits of the city. This obligation is in addition to the performance surety required by GMC Section [12.24.080](#)(3).

(3) Indemnification.

(a) Each utility operator shall defend, indemnify and hold the city and its officers, employees, agents and representatives harmless from and against any and all liability, causes of action, claims, damages, losses, judgments and other costs and expenses, including attorney fees and costs of suit or defense (at both the trial and appeal level, whether or not a trial or appeal ever takes place) that may be asserted by any person in any way arising out of, resulting from, during or in connection with, or alleged to arise out of or result from the negligence, carelessness, wrongful acts, omissions, failure to act, or other misconduct of the utility operator or its affiliates, officers, employees, agents, contractors, subcontractors, or lessees in the work, construction, operation, maintenance, repair, or removal of its facilities, and in providing or offering utility services over the facilities, whether such acts or omissions are authorized, allowed, or prohibited by this chapter or by a franchise agreement. The acceptance of a license under GMC Section [12.24.070](#), or of a franchise granted by the city, shall constitute such an agreement by the applicant whether the same is expressed or not, unless expressly stated otherwise in the license or franchise. Upon notification of any such claim the city shall notify the utility operator and provide the utility operator with an opportunity to provide defense regarding any such claim.

(b) Every utility operator shall also indemnify the city for any damages, claims, additional costs or expenses assessed against or payable by the city arising out of or resulting, directly or indirectly, from the utility operator's failure to remove or relocate any of its facilities in the rights-of-way in a timely manner, unless the utility operator's failure arises directly from the city's negligence or willful misconduct.

12.24.160 Compliance.

Every utility operator and utility provider shall comply with all applicable federal and state laws and regulations, including regulations of any administrative agency thereof, as well as all applicable ordinances, resolutions, rules and regulations of the city, heretofore or hereafter adopted or established.

12.24.170 Confidential/proprietary information.

If any person is required by this chapter to provide books, records, maps or information to the city that the person reasonably believes to be confidential or proprietary, and such books, records, maps or information are clearly marked as confidential at the time of disclosure to the city (“confidential information”), the city shall take reasonable steps to protect the confidential information to the extent permitted by Oregon Public Records Laws. In the event the city receives a public records request to inspect any confidential information and the city determines that it will be necessary to reveal the confidential information, to the extent reasonably possible the city will notify the person that submitted the confidential information of the records request prior to releasing the confidential information. The city shall not be required to incur any costs to protect any confidential information, other than the city’s routine internal procedures for complying with the Oregon Public Records Law.

12.24.180 Penalties.

- (1) Any person found in violation of any of the provision of this chapter or the license shall be subject to a penalty of not less than \$150.00, nor more than \$2,500 for each offense. A violation shall be deemed to exist separately for each and every day during which a violation exists.
- (2) Nothing in this chapter shall be construed as limiting any judicial or other remedies the city may have at law or in equity, for enforcement of this chapter.

12.24.190 Severability and preemption.

- (1) The provisions of this chapter shall be interpreted to be consistent with applicable federal and state law, and shall be interpreted, to the extent possible, to cover only matters not preempted by federal or state law.
- (2) If any article, section, subsection, sentence, clause, phrase, term, provision, condition or portion of this chapter is for any reason declared or held to be invalid or unenforceable by any court of competent jurisdiction or superseded by state or federal legislation, rules, regulations or decision, the remainder of this chapter shall not be affected thereby but shall be deemed as a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof, and each remaining article, section, subsection, sentence, clause, phrase, term, provision, condition and portion of this chapter shall be valid and enforceable to the fullest extent permitted by law. In the event any provision is preempted by federal or state laws, rules or regulations, the provision shall be preempted only to the extent required by law and any portion not preempted shall survive. If any federal or state law resulting in preemption is later repealed, rescinded, amended or otherwise changed to end the preemption, such provision shall thereupon return to full force and effect and shall thereafter be binding without further action by the city.

12.24.200 Application to existing agreements.

To the extent that this chapter is not in conflict with and can be implemented consistent with existing franchise agreements, this chapter shall apply to all existing franchise agreements granted to utility operators by the city.

City of Gladstone
Staff Report

Report Date : October 3, 2023
Meeting Date: October 10, 2023
To : City Council
From : Cathy Brucker, Finance Consultant,
Nancy Werner, Attorney

Agenda Item

Approval of Resolution No. 1228, a Resolution repealing Resolution No. 1220 and adopting a revised Master Fee Schedule (attached) effective November 1, 2023.

History/Background

The City of Gladstone Master Fee Schedule is historically updated when rates are added, revised or deleted to reflect the current rates, and provide the public with accurate and timely information.

With the recommended amendments to GMC Chapter 12.24, the following changes would be made to the **Right of Way Charges**:

- Eliminate the existing *ROW License Fee* - \$50.00
- Retain the *ROW License Application Fee* - \$150.00 (an increased rate)
- Add the new *Annual Registration Application Fee* - \$100.00

Proposal

Staff requests revising the Master Fee Schedule to reflect the updated and new rates listed above, along with deletion of the obsolete rate associated with the Right of Way Fees section, to become effective November 1, 2023.

Options

- Council could choose not to approve any or all of the updates to the Master Fee Schedule, should GMC Chapter 12.24 amendments not be accepted and approved.
- Council could choose to adopt all of the updates to the Master Fee Schedule to comply with the approved GMC Chapter 12.24 amendments.

Recommended Staff Action

Staff recommends City Council approve Resolution No. 1228 adopting the amended Master Fee Schedule with the following motion:

“I make a motion to approve Resolution No. 1228, repealing Resolution No. 1220 and adopting a new Master Fee Schedule”.

Cathy Brucker 10/4/23 Jacque Betz 10/4/23
Department Head Signature Date City Administrator Signature Date

**RESOLUTION NO. 1228
CITY OF GLADSTONE, OREGON**

A Resolution Adopting a Revised Master Fee Schedule

WHEREAS, The Gladstone City Council is authorized by the Gladstone Municipal Code to adopt certain fees; and

WHEREAS, The City Council desires to adopt an updated Master Fee Schedule reflecting periodic updates; and

WHEREAS, Certain updates to Ordinance No. 1526 would facilitate the administration and provide updated and uniform requirements for all utilities using City rights of way; and

WHEREAS, Ordinance No. 1526 also clarifies the fee structures for owners and non-owners of utilities within the City rights of way, along with licensing and registration requirements, as reflected in the updated Master Fee Schedule;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Gladstone, a municipal corporation of the State of Oregon, the following:

The City of Gladstone repeals the Master Fee Schedule adopted under Resolution 1220 and replaces it by adopting the Revised Master Fee Schedule, as set forth in the attached Exhibit A. Changes/additions are noted in **highlight** and deletions are noted in ~~striketrough~~.

This Resolution is effective October 10, 2023.

This Resolution adopted by the Gladstone City Council and approved by the Mayor this 10th day of October, 2023.

ATTEST:

Michael Milch, Mayor

Hayley Kratz, Acting City Recorder

	A	B	C
1	Resolution 1228 - Exhibit "A"		
2	City of Gladstone Master Fee Schedule Effective November 1, 2023		
3			
4	ADMINISTRATION		
5	Adopted Budget	\$45.00	
6	Blasting Permit Fee	\$5,000.00	
7	Blasting Permit Inspections each (after first two inspections)	\$2,000.00	
8	Business License Base Fee	\$100.00	
9	Business License Commencing July-December	\$50.00	
10	Business License fee per employee over 3 FTE's	\$5.00	
11	Business License for Rental Property in Gladstone - base fee plus tiered approach below	\$100.00	
12	1 rental unit	\$25.00	
13	2 - 5 rental units	\$50.00	
14	6 - 12 rental units	\$75.00	
15	13+ rental units	\$100.00	
16	Business License Past Due Fee per month	\$10.00	
17	Home Occupation - Initial Application Fee	\$50.00	
18	Declaration of Candidacy Filing Fee	\$50.00	
19	Electronic Copy of a Recorded Meeting	\$20.00	
20	Liquor License Review		
21	Original Application	\$100.00	
22	Change in ownership, location, or privilege	\$75.00	
23	Renewal or temporary application	\$35.00	
24	Lien Search	\$30.00	
25	Notary Fee (Non-Resident)	\$10.00	
26	Notary Fee (Resident)	\$5.00	
27	NSF Check Charge	\$35.00	
28	Parking Permits	\$25.00	
29	Penalty for work commencing before application approval	Investigation fee equal to permit fee	
30	Photocopies B&W up to 8 x 14	\$0.25	
31	Postage and Handling Flat Fee + actual cost of postage	\$1.00	
32	Public Records Administrative Research per hour (quarter hour increment charge)	Based on hourly rate	

	A	B	C
33	Public Records Clerical Research per hour (quarter hour increment charge)	Based on hourly rate	
34	Public Records Legal Research per hour (quarter hour increment charge)	Based on hourly rate	
35	Public Records Request Deposit (large) toward hourly rate	\$100.00	
36	Public Records Request Deposit (small) toward hourly rate	\$25.00	
37	Returned Check Charge/processing	\$35.00	
38	Road Re-naming	\$150.00	
39	Special Event Application (plus actual staff costs for employees specifically needed to work the event and barricade fees if needed)	\$100.00	
40			
41			
42	PARKS AND RECREATION		
43	Meldrum Bar Parking Fee:		
44	Non-Resident	\$3.00/day	
45	Non-Resident	\$40.00/year	
46	Non-Resident Visiting Sports Teams	Free (in designated area)	
47	Resident	Free (limit two per household)	
48	Card Replacement fee	\$5.00 per card	
49			
50	GLADSTONE USER GROUP FEES FOR RESERVED PLAY		
51			
52	Baseball/Softball User Groups:		
53	Gladstone Junior Baseball Association	\$20.00 per registered player/year	
54	Gladstone Girls Softball Association	\$20.00 per registered player/year	
55	Soccer User Group:		
56	Gladstone Youth Soccer Association (2 rosters a year for per player charge)	\$15.00 per registered player/year	
57	Tournament Fees: Baseball/Softball Soccer:		
58	Meldrum Bar Park Fields - all fields/3-day cap	\$500.00	
59	Dierickx Fields - all fields/3-day cap	\$200.00	
60	Banners: Sponsor banners allowed during tournament play only. Banners must be removed at the end of play		
61			
62	Pickleball User Group:		
63	Gladstone Pickleball Club (2 rosters a year for per player charge)	\$15.00 per registered player/year	
64	Tournament Fees: Pickleball/Tennis		
65	Max Patterson Courts - All Courts all day/3-day cap	\$200.00	

	A	B	C
66	Banners: Sponsor banners allowed during tournament play only. Banners must be removed at the end of play		
67			
68			
69	<u>NON-GLADSTONE USER GROUP FEES FOR RESERVED PLAY</u>		
70	Baseball/Softball Ballfields Use (per field/per hour)		
71	Resident Team*	\$10.00 per hour/per field	
72	Non-Resident Team	\$15.00 per hour/per field	
73	Soccer Field (per field/per hour) Does not include goals		
74	Resident Team*	\$5.00/per hour/per field	
75	Non-Resident Team	\$10.00 per hour/per field	
76	Tournament Fees: Baseball/Softball/Soccer		
77	Meldrum Bar Park Fields - all fields/per day	\$500.00	
78	Dierickx Fields - all fields/per day	\$200.00	
79	Pickleball/Tennis Courts (per court/per hour)		
80	Resident**	\$5.00/hour	
81	Non-Resident	\$10.00/hour	
82	*Resident team must consist of 85% Gladstone residents		
83	**Resident must show identification		
84			
85	PLANNING AND BUILDING		
86			
87	Addressing (New or Change of Address/Unit/Suite)	\$66.00 + \$7.00 per lot/unit/suite	
88	Adjustment	\$560.00	
89	Annexation		
90	*Non-Election	Cost of staff and consulting services (\$3,000.00 deposit)	
91	*Election	Cost of staff and consulting services (\$3,000.00 deposit)	
92	Appeal	\$250.00	
93	Application or Appeal Withdrawn - no public notice sent, staff report issued or decision issued	Retain 25% of application fee or minimum of \$250; whichever is more	

	A	B	C
94	Application or Appeal Withdrawn - public notice sent	Retain 50% of application fee or minimum of \$500; whichever is more	
95	Application Withdrawn - staff report issued or decision issued	No Refund	
96	Application Withdrawn - Hearings Officer Review Fee	Refund if the hearing has not occurred	
	Building Permit Review by Planner - Multi-family, Commercial, 3-4 plex, internal conversion, cottage cluster, industrial, institutional, retail, office, duplex, non-residential, etc: New structure, addition, demolition, accessory structure, porch, modification, fence, retaining wall, development.	.1% of Building Permit Value Minimum = \$89.00 Maximum = \$4,043.00	
97	Building Permit Review by Planner - Residential Single-Household and ADU's: New Addition, Demolition, Accessory Structure, Porch, Modification, Fence, Retaining Wall, Development, etc.	\$89.00	
98	Comprehensive Plan Amendment	\$12,410.00	
100	Conditional Use	\$3,905.00	
101	Design Review	.384% of construction cost, but no less than \$1,340 & no more than \$36,835	
102	Interpretation - Comprehensive Plan or Zoning and Development Ordinance	\$1,300.00	
103	Land Use Permit - Type I, Not otherwise listed	\$1,065.00	
104	Lot Line Adjustment	\$1,354.00	
105	Mailing Labels	\$25.00	
106	Marijuana Land Use Application - Type I	\$1,000.00	
107	Marijuana Land Use Application - Type II	\$1,505.00	
108	Modification of Condition of Approval	\$1,065.00	
109	Mobile Home Park Conversion	\$2,600.00	
110	Nonconforming Use - Alteration or Verification	\$1,405.00	
111	Open Space Review	\$1,065.00	
112	Open Space Review - Conflict Resolution	\$1,065.00	
113	Partition	\$2,705.00	
114	Planned Unit Development (PUD) - see Subdivision		
115	Planning Staff Review = First 15 minutes - no charge; billed in 0.5 hour increments	\$150.00/hour	
116	Plat Vacation	\$845.00	

	A	B	C
150	Second False Alarm (within permit year)	\$50.00	
151	Third False Alarm (within permit year)	\$100.00	
152	Fourth and Each Subsequent Alarm (within permit year)	\$150.00	
153	Failure to obtain Alarm Permit	\$90.00	
154	Animal Permit Application (per year)	\$25.00	
155	Block Party	\$35.00	
156	Body Worn Camera Footage (NEW)	\$25.00 initial fee	
157	Redaction & Processing	\$48.00-\$58.00/hr	
158	Redaction Review	\$37.00/hr	
159	CD's including photos/videos	\$25.00	
160	Local History Printout (per record)	\$10.00	
161	Noise variance	\$75.00	
162	Nuisance Property Abatement	Actual Cost	
163	Police Report - No Charge for Victims	\$0.00	
164	Police Report (first 2 pages)	\$15.00	
165	Police Report (page 3 and over) each page	\$1.00	
166	Temporary/Portable Storage Container	\$50.00	
167	Vehicle Impound (during regular business hours)	\$100.00	
168			
169	PUBLIC WORKS		
170	Technical Plan Review-Development Engineering Fee		
171	Plan Review & Inspection (up to two plan submittals)	5% (2.5% for plan review & 2.5% for inspection)	
172	Plan Review (three or more plan submittals, in addition to 2.5% fee)	3% of construction cost/per review 3+	
173	Barricade Delivery and Pickup Fee	\$50.00	
174		\$100.00	
175	Erosion Control Violation	\$300.00	
176	Hydrant Hook-Up Permit Fee (plus water usagae cost)	\$50.00	
177	Registration Fee	\$50.00	
178	Street Opening Inspection Fee	\$85.00	
179	Street Opening Permit Fee	\$150.00	

	A	B	C
180	Street Opening Permit Fee - One Time Extension (90 day period)	\$100.00	
181	Street Opening Re-Inspection Fee (if necessary)	\$85.00	
182	System Development Charges (SDC's)		
183	* Transportation	\$4,440 per (EDU)	
184	* Water:	3/4" meter - \$9,402	
185		1" meter - \$15,581	
186		1 1/2" meter - \$31,309	
187		2" meter - \$50,113	
188		3" meter - \$100,320	
189		4" meter - \$156,735	
190		6" meter - \$313,376	
191	* Sewer Collection (City System)	\$6,755 per (EDU) equivalent dwelling unit	
192	* Sewer Treatment provided by others (pass-through) to Oak Lodge Water Services or Tri-City (WES) based on the individual district rates that the property is served by.		
193	* Parks	\$9,388 per (RPE) residential population equivalent	
194	* Stormwater	\$3,616 per (EDU) equivalent dwelling unit	
195			
196			
197	SENIOR CENTER COMMUNITY CENTER		
198	Building Rental (per hour) Group 1: City of Gladstone Residents, private parties, individuals, groups, and non-profits. (2 hour minimum rental)	Planton Room-\$60.00 Bloye Hall-\$70.00	
199		Library-\$30.00	
200	Building Rental (per hour)Group 2: Commercial, for-profit professional groups. (2 hour minimum rental)	Planton Room-\$75.00 Bloye Hall-\$90.00 Library \$40.00	
201	Kitchen Fee	\$60.00	
202	Cleaning Fee	\$60.00	
203	Deposit - Refundable; due at time of scheduling	\$200.00	

	A	B	C
204	Meal under 60 years	\$5.00	
205	Meal (suggested donation) over 60 years	\$3.00	
206	Fax (per page - staff only)	\$1.00	
207	Photocopy (per page)	\$0.25	
208	Van Donation (suggested donation) each way	\$1.00	
209	Friday Excursions (\$7-\$25)	varies	
210	Billiards Room (suggested donation of per game played)	\$0.25	
211	Notary Fee- Clackamas County resident age 60 or older	Free	
212	Notary Fee- Gladstone Resident	\$5.00	
213	Notary Fee- Non Resident- Clackamas County	\$10.00	
214			
215	UTILITY BILLING RATES & UTILITY RIGHT OF WAY RATES		
216			
217	RIGHT-OF-WAY (ROW) RATES**		
218	Franchise Administrative Review	\$5,000.00	
219	ROW License Application Fee (Excluding Small Cell Wireless Facilities *****)	\$50.00	\$150.00
220	ROW Registration Application Fee (Non-owner/Utility Provider only)		\$100.00
221	ROW License Fee (five-year term), (Excluding Small Cell Wireless Facilities)	\$250.00	eliminate
222	ROW Use Fee: (Excluding Small Cell Wireless Facilities)	5% of gross revenues** or Minimum	
	Utility Operator (Wireline Facilities)		
223		5% of Gross Revenues or, if no revenue earned in the City, Linear Foot Fee	
	Utility Operator (Wireless Facilities)	Small Wireless Facility: \$270 per attachment	
		Non-Small Wireless Facility: \$5,150 per attachment	
224		5% of Gross Revenues	
225	Utility Provider		
226	Minimum Annual Right-of-Way Use Fee ***		
227	TOTAL LINEAR FEET OF UTILITY FACILITIES IN RIGHT-OF-WAY		
228	Up to 5,000	\$6,150.00	
229	5,001 to 10,000	\$9,225.00	

	A	B	C
230	10,001 to 20,000	\$12,299.00	
231	More than 20,000	\$18,448.00	
232	ROW Attachment Fee (Excluding Small Cell Wireless Facilities)	\$5,150	
233			
234	ROW Application fee for Small Cell Wireless Facilities (1-5 sites)	\$500.00	
235	Each additional Site	\$100.00	
236			
237	Small Cell Wireless Facility Attachment Fee	\$270.00	
238			
239	SEWER RATES		
240	Sewer Inspection Fee, except mobile homes, motor homes and travel trailers	\$100.00	
241	Sewer Inspection Fee for mobile homes, motor homes, and travel trailers	\$50.00	
242	Oak Lodge Water Services Sewer Charge (Pass-through)****	\$72.38 per month per EDU*	
243	Water Environment Services (WES) Sewer Treatment Charge (Pass-through)****	\$29.30- per month per EDU*	
244	City of Gladstone Sanitary Sewer Collection Charge	\$34.89 per month per EDU*	
245	Low Income Rate Reduction - adjusted annually based on HUD Very Low Income Limits for Portland-Vancouver-Hillsboro, OR-WA MSA	(50%) reduction of base rates listed above	
246	STORMWATER RATES		
247	Residential Stormwater Fee per EDU* each month (Class 001 accounts)	\$14.28	
248	Low Income Rate Reduction - adjusted annually based on HUD Very Low Income Limits for Portland-Vancouver-Hillsboro, OR-WA MSA	(50%) reduction of base rates listed above	
249	Non-Single Family Residential Stormwater Fee (Per 3,000 square feet of impervious area each month)		
250	(Class 002 and 003 accounts)	\$14.28	
251	(Impervious area is calculated based on the city's GIS system data)		
252			
253	WATER RATES (monthly)		
254		Base Meter Charge	
255	Meter Size	(no water included)	
256	3/4"	\$31.21	
257	1.0"	\$49.65	
258	1.5"	\$77.45	
259	2.0"	\$138.50	

	A	B	C
260	3.0"	\$172.53	
261	4.0"	\$206.58	
262	6.0"	\$229.57	
263	8.0"	\$286.98	
	Low Income Rate Reduction - adjusted annually based on HUD Very Low Income Limits for Portland-Vancouver-Hillsboro, OR-WA MSA	(50%) reduction of base rates listed above	
264	Water Rate Unit Cost Per Hundred Cubic Feet Of Water (CCF) 748 gallons		
265	Block Rate 1	Usage Bracket Rate 1 - 6 Units \$1.76/unit	
266	Block Rate 2	7 - 10 Units \$2.78/unit	
267	Block Rate 3	11 Units and Up \$3.79/unit	
268	Water rates for properties outside the city limits	Add 33% to above rates	
269			
270			
271	WATER UTILITY CHARGES		
272	Low Income Rate Violation Fee	As set forth in ORS 164.125	
273	Disconnect/Reconnect Charge (if greater than 30 Days for Water & Sewer base charges)	\$25.00 each time	
274	Mailed Late Notice/Shut Off Notification	\$7.00	
275	Shut Off Door Hanger (2nd Late Fee)	\$25.00	
276	Shut Off Water	\$25.00	
277	Turn On Water (during business hours)	\$25.00	
278	Turn On Water (after business hours)	\$175.00	
279	Water Meter Tampering Charge	\$250.00	
280			
281	WATER RESOURCE APPLICATIONS:		
282	Construction Management Plan	\$730.00	
283	Floodplain Development Permit - Type I	\$785.00	
284	Habitat Conservation Area -Development Permit-Pursuant to Subsection 17.25.100 of GMC	\$1,685.00	
285	Habitat Conservation Area - Map Verification	\$950.00	
286	Stream Conservation Area Permit	\$960.00	
287	Water Quality Resource Area District - Boundary Verification	\$785.00	

	A	B	C
288	Water Quality Resource Area District - Development Permit	\$1,685.00	
289	Willamette River Greenway Permit	\$1,470.00	
290			
292	* Equivalent Dwelling Unit (EDU)		
293	** Gross revenues shall have the meaning as defined in Chapter 12.24. Terms shall have the meaning set forth in GMC Chapter 12.24 except that "Small Wireless Facility" shall have the meaning set forth in 47 C.F.R. 1.6002, but shall not include fiber, coaxial cable, or other wireline facilities or equipment located within the right-of-way other than external cables and wires for auxiliary support equipment approved pursuant to GMC Chapter 17.61.		
294	*** Small Cell Wireless Facilities are defined as including an antenna of no more than three cubic feet and equipment totaling no more than 28 cubic feet, placed on a structure that is either no more than 50 feet in height, no more than 10 percent taller than adjacent structure, or no more than 10 percent taller than the structure's preexisting height after the new antenna is placed.		
296	**** This rate shall increase 3% annually on January 1st of each year beginning in January, 2017.		
298	***** These rates are set by Oak Lodge Water Service and Water Environment Services (WES). Any updates to these rates will be brought forward for City Council approval.		

City of Gladstone
Staff Report

Report Date : October 3, 2023
Meeting Date: October 10, 2023
To : City Council
From : Cathy Brucker, Finance Consultant,
Nancy Werner, Attorney

Agenda Item

Approval of Resolution No. 1229, a Resolution adopting the allocation of Right of Way (ROW) Fees collected, previously known as Franchise Fees, to General Fund Administration.

History/Background

In April, 2019 the City Council adopted Resolution 1158 that allocated all ROW Fees across a combination of General Fund Administration, Water, Sewer and Storm Fees, along with the Street Fund. **These allocations will remain intact.**

However, with the updated GMC Chapter 12.24, some existing Franchise Revenues, may move to the ROW Ordinance at the time of agreement expiration. These may include the agreements covering Portland General Electric, Comcast-Cable Services and Northwest Natural Gas Company. This Resolution will allow those revenues to remain dedicated as a General Fund Administration resource.

Proposal

Staff requests approval of Resolution No. 1229 to ensure current Franchise Fee Revenues will remain designated to the General Fund Administration, should they transition to GMC Chapter 12.24.

Options

- Council could choose not to approve Resolution No. 1229. This would result in individual Franchise Fee negotiations in the future, at a much higher legal cost than transitioning to application per GMC Chapter 12.24.
- Council could choose to approve Resolution No. 1229 to allow transition of expiring agreements to GMC Chapter 12.24, while ensuring General Fund resources remain at the level anticipated in the 2023-2025 Biennium Budget.

Recommended Staff Action

Staff recommends City Council approve Resolution No. 1229 with the following motion:

"I make a motion to approve Resolution No. 1229 formalizing the revenue collected for Right of Way Fees, in conjunction with Resolution No. 1158, previously adopted in April, 2019."


Department Head Signature Date

 10/4/23
City Administrator Signature Date

RESOLUTION NO. 1229
CITY OF GLADSTONE, OREGON

*A Resolution Formalizing the Allocation of Revenue Collected for the
Implementation of Right-of-Way Ordinance No. 1465.*

WHEREAS, the City approved Right-of-Way (ROW) Ordinance No. 1465 in May 2016, to provide uniform requirements for all utilities using City rights of way, including a ROW Use Fee; and,

WHEREAS, in April 2019, the City Council adopted Resolution 1158, allocating revenue from the ROW Use Fee across all infrastructure within the City rights of way; and

WHEREAS, currently, Portland General Electric (“PGE”), Comcast-Cable Services (“C-CS”) and NW Natural Gas Company (“NWN”) have franchise agreements with the City and pay a franchise fee that is not subject to the allocation in Resolution 1158; and

WHEREAS, the City anticipates that PGE, C-CS and NWN may transition to the ROW Use Fee as their franchise agreements expire; and

WHEREAS, the City desires to retain the current allocation of ROW Use Fees and franchise fees if PGE, C-CS and NWN begin to pay a ROW Use Fee.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Gladstone, a municipal corporation of the State of Oregon, the following:

The City of Gladstone establishes the following allocation of the distribution of ROW Use Fees from the ROW Ordinance No. 1465, other than any ROW Use fees from Portland General Electric, Comcast-Cable Service and NW Natural Gas Company, which shall be allocated to General Fund Administration:

2% into General Fund Administration
20% into each fund for Water, Sewer, and Stormwater
38% into Street Fund

This Resolution adopted by the Gladstone City Council and approved by the Mayor this 10th day of October, 2023.

ATTEST:

Michael Milch, Mayor

Hayley Kratz, Acting City Recorder

