

CITY of CASCADE LOCKS

AGENDA

CITY COUNCIL MEETING, Monday, July 10, 2017, 7:00 PM, CITY HALL

Purpose: The City Council meets on the 2nd and 4th Mondays of each month to conduct city business.

1. **Call to Order/Pledge of Allegiance/Roll Call.**
2. **Additions or amendments to the Agenda.** (The Mayor may add items to the agenda after it is printed and distributed only when required by business necessity and only after an explanation has been given. The addition of agenda items after the agenda has been printed is otherwise discouraged.)
3. **Adoption of Consent Agenda.** (Consent Agenda may be approved in its entirety in a single motion. Items are considered to be routine. Any Councilor may make a motion to remove any item from the Consent Agenda for individual discussion.)
 - a. **Approval of June 26, 2017 Minutes.**
 - b. **Ratification of the Bills in the Amount of \$ 158,822.25.**
4. **Public Hearing:**
5. **Action Items:**
 - a. **Appointment to Committees.**
 - b. **First Reading Ordinance No. 444 Providing for the Reduction, Control, and Prevention of Loud and Raucous Noise with the City of Cascade Locks.**
 - c. **Resolution No. 1379 Adopting Revised Alcohol/Drug Use, Abuse, and Testing Policy.**
6. **Appearance of Interested Citizens to Share a Variety of Perspectives on Issues Facing Our Community.** (Comments on matters not on the agenda or previously discussed.)
7. **Reports and Presentations.**
 - a. **City Committees.**
 - b. **Fiscal Policy Review Discussion.**
 - c. **Charter Review Discussion.**
 - d. **Municipal Court Discussion.**
 - e. **City Administrator Zimmerman Report.**
8. **Mayor and City Council Comments.**
9. **Other matters.**
10. **Executive Session if required.**
11. **Adjournment.**

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for person with disabilities, should be made at least 48 hours in advance of the meeting by contacting the City of Cascade Locks office at 541-374-8484.

1. **Call to Order/Pledge of Allegiance/Roll Call.** Mayor Cramblett called the meeting to order at 7:00 PM. CM's Fitzpatrick (via phone), Walker, Busdieker, Zerfing, and Mayor Cramblett were present. CM Groves was excused and CM Randall was absent. Also present were City Administrator Gordon Zimmerman, City Recorder Kathy Woosley, Finance Officer Marianne Bump, Ch2M Operation Supervisor Louie Hooks, Museum Board President Bill Hankel, Tourism Committee Chair Debbie Fine, and Camera Operator Betty Rush.
2. **Additions or amendments to the Agenda.** None.
3. **Adoption of Consent Agenda.**
 - a. **Approval of June 12, 2017 Minutes.**
 - b. **Ratification of the Bills in the Amount of \$ 55,760.02.**

Mayor Cramblett read the list of items on the Consent Agenda. **Motion:** CM Walker moved, seconded by CM Busdieker, to approve the Consent Agenda. The motion passed unanimously by CM's Fitzpatrick, Walker, Busdieker, Zerfing, and Mayor Cramblett.

CA Zimmerman explained the sound system for Channel 23 is problematic due to not having a broadcast system. He said the sound and video are on two different systems currently. He said the City is exploring alternatives and doing the best we can with what we have. He said one option would be to record and rebroadcast at a later time instead of trying to broadcast live. CM Zerfing said he didn't think it would be a problem to rebroadcast a day later.
4. **Public Hearing.** None.
5. **Action Items:**
 - a. **Appointment to Committees.** None.
 - b. **Approval of CH2M Contract Extension.** CA Zimmerman reported that this contract involves a 2.2% increase and is a three year extension. Louie said CH2M is currently working on an alarm systems communications problem and the parts have been ordered. **Motion:** CM Zerfing moved, seconded by CM Walker, to approve the 2.2% increase on contract costs and a three-year contract extension. The motion passed unanimously by CM's Fitzpatrick, Walker, Busdieker, Zerfing, and Mayor Cramblett.
 - c. **Approve Ordinance No. 443 Updating Cemetery Rules.** CA Zimmerman read the second reading of Ordinance No. 443 by title only. **Motion:** CM Busdieker moved, seconded by CM Walker, to approve Ordinance No. 443. The motion passed unanimously by CM's Fitzpatrick, Walker, Busdieker, Zerfing, and Mayor Cramblett.
 - d. **Approve Resolution No. 1378 Making a Year-End Adjustment.** **Motion:** CM Busdieker moved, seconded by CM Fitzpatrick, to approve Resolution No. 1378. The motion passed unanimously by CM's Fitzpatrick, Walker, Busdieker, Zerfing, and Mayor Cramblett. CM's Fitzpatrick and Busdieker thanked Staff.
 - e. **Approve CIS Insurance Renewal.** **Motion:** CM Walker moved, seconded by CM Zerfing, to approve the CIS insurance renewal with the added Excess Cyber Coverage for an increase of \$2,129. The motion passed unanimously by CM's Fitzpatrick, Walker, Busdieker, Zerfing, and Mayor Cramblett.
6. **Appearance of Interested Citizens to Share a Variety of Perspectives on Issues Facing Our Community.** None.
7. **Reports and Presentations.**
 - a. **City Committees.** None.

b. **Cascade Locks Historical Museum:** Museum President Bill Hankel gave Council a copy of their new brochure. He said the Museum is a community asset and can be made better. He described a list of artifacts found and getting them identified and logged into an electronic database. He reported on the housing of the Oregon Pony and possibly finding a better location for the Historical Museum. He said the current location isn't handicap accessible and can't be made handicap assessable due to the historic status of the building. Bill encouraged all to consider becoming a Museum Member.

Mayor Cramblett moved to agenda item d.

Tourism Chair Debbie Fine said the Tourism Committee developed the Strategic Plan which included a vision statement with short term and long term goals. Mayor Cramblett said he thought the Tourism Committee did a good job and put together a good plan. He suggested the Tourism Committee continue to set money aside as he thought a building was the way to go. CM Busdieker said she thought the Plan was a well thought out document with a lot of detail for upcoming plans. There was consensus of Council to move forward with the Tourism Strategic Plan.

c. **LOC Noise Ordinance Discussion.** CA Zimmerman said the LOC Model Noise Ordinance has a reasonable person standard which is easier to enforce. He said the City doesn't have a decibel meter and decibel noise level measures are too difficult to enforce. CM Busdieker said "reasonable" is not a real definition. She said that is too subjective. She said there should be a more defined rule. Mayor Cramblett said more and more people are coming to town with more outdoor activities and there will be more noise issues to deal with. CM Walker said the City already has established guidelines. CA Zimmerman asked Council to review the ordinance and he would have it on the next agenda.

d. **Tourism Strategic Plan Discussion (this was discussed earlier).**

e. **Drug Testing Policy.** CA Zimmerman said the State of Oregon has updated the drug testing policy and explained those changes. He explained the "Zero Tolerance" and the "No Impairment" policies and asked Council which policy they would like put in place. CA Zimmerman said the City is trying to work on the random testing process. Consensus of Council was to use the "No Impairment" policy.

f. **City Administrator Zimmerman Report.** CA Zimmerman reported that the water project should begin by the end of August and be substantially complete by mid-May 2018. He said the Tri-County Hazardous event was very successful due to the change in location. CA Zimmerman said the Tourism Committee had two excellent candidates for the contract support position. He said after interviewing the Committee selected Bernadette Murray-Macioce. Council approved the Tourism Committees' selection. CA Zimmerman reported that Fire Chief Jessica Bennett hired Rebecca Gehrman for the Paramedic position and Kelsi Bennett for the EMT position. CA Zimmerman said Option "F" is the option chosen for the Gorge Hubs Project based on the results from Council's suggestions. He said the Financial Policy and Charter Review would be on the next agenda for discussion.

8. **Mayor and City Council Comments.** CM Fitzpatrick thanked staff for the good work on the budget. CM's Walker and Zerfing commended staff for keeping the budget in line. CM Walker thanked FC Bennett and said she was doing an excellent job. CM Busdieker thanked staff for keeping the budget in parameters. She said she was glad to hear the Museum is moving forward. She encouraged all to be safe on the 4th. Mayor Cramblett said he attended the Pi-Ume-Sha dinner. He said it was a good evening with the history given of the 1855 Treaty. He also thanked staff.

CM Busdieker said she attended the parade on Saturday at Warm Springs and loved it and the regalia.

9. **Other matters.** None.

10. **Executive Session per ORS.192.660(2)(e) Negotiate Real Property Transactions and 192.660(2)(i) Performance Evaluation.** Mayor Cramblett recessed regular session and entered into executive session at 8:27 PM stating Council would not be returning to regular session with any decisions. CM's Fitzpatrick, Walker, Busdieker, Zerfing, and Mayor Cramblett were present. CM Randall entered at 8:45 PM.

11. **Adjournment. Motion:** CM Busdieker moved, seconded by CM Walker, to adjourn. The motion passed unanimously by CM's Randall, Fitzpatrick, Walker, Busdieker, Zerfing, and Mayor Cramblett.

Prepared by
Kathy Woosley, City Recorder

APPROVED:

Tom Cramblett, Mayor

BLANKET VOUCHER APPROVAL

PAGE NO.

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DEPARTMENT: CITY OF CASCADE LOCKS
COVER SHEET AND SUMMARY

DATE:	DESCRIPTION:	AMOUNT:
6/23/2017	PR	\$ 52,451.41
6/30/2017	A/P	\$ 106,370.84

GRAND TOTAL \$ 158,822.25

APPROVAL:

Mayor

Report Criteria:
Report type: GL detail

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
8402	06/17	06/30/2017	6820	59598	Anderson Perry & Associates Inc.	208-03 General Engineering Assistance	0140262091	165.00
Total 8402:								
8403	06/17	06/30/2017	200	2872729474	AT&T MOBILITY	Electric Department Phone	5140562050	76.00
Total 8403:								
8404	06/17	06/30/2017	6899	82531129	Bound Tree Medical, LLC	Meds and supplies	0540562351	76.00
Total 8404:								
8405	06/17	06/30/2017	6900	V702027	BSK Associates	water testing	2140562150	41.97
Total 8405:								
8406	06/17	06/30/2017	670	307960003 6	CASCADE LOCKS LIGHT CO.	Hydrant Meter for Eagle Creek Job	5645163941	45.00
Total 8406:								
8407	06/17	06/30/2017	740	81271	CASELLE, INC.	Annual Contract Support & Maintenance	0140162082	114.54
Total 8407:								
8408	06/17	06/30/2017	790	313230273 6	CENTURYLINK	Fire Department Phones	0540562050	21,375.00
8408	06/17	06/30/2017	790	313401451 6	CENTURYLINK	Sewer Treatment plan	3140562050	142.17
8408	06/17	06/30/2017	790	313470082 6	CENTURYLINK	City Hall Phones	0140162050	119.44
8408	06/17	06/30/2017	790	313785538 6	CENTURYLINK	telemetry	2140562050	392.44
8408	06/17	06/30/2017	790	313785538 6	CENTURYLINK	telemetry	3140562050	130.70
8408	06/17	06/30/2017	790	313891134 6	CENTURYLINK	Emergency After Hours	5140562050	130.70
8408	06/17	06/30/2017	790	313891134 6	CENTURYLINK	Emergency After Hours	5140562050	61.56
8408	06/17	06/30/2017	790	314228414 6	CENTURYLINK	Lift Station	5140562050	15.40
8408	06/17	06/30/2017	790	320153997 6	CENTURYLINK	well house dialer	3140562050	103.31
Total 8408:								
8409	06/17	06/30/2017	820	65620	CH2M HILL ENGINEERS INC.	Engineering Services	3140562700	9.44
Total 8409:								
							1,105.16	
							7,622.42	

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
Total 8409:								
8410	06/17	06/30/2017	1020	061617	Columbia Gorge Community	CPR Cards	0540562020	7,622.42
Total 8410:								
8411	06/17	06/30/2017	1080	2017	COLUMBIA GORGE RACING ASSOCIA	2017 CGRA Grant	0940562114	60.00
Total 8411:								
8412	06/17	06/30/2017	1360	131305	DAVID R. CUNNINGHAM	City Network	0140162082	840.00
8412	06/17	06/30/2017	1360	131306	DAVID R. CUNNINGHAM	fire department work	0140162082	90.00
Total 8412:								
8413	06/17	06/30/2017	1480	WQ18WSC-0	DEPT. OF ENVIRONMENTAL QUALITY	2017-18 Program Support Fee	3140562860	990.00
Total 8413:								
8414	06/17	06/30/2017	1530	JUNE 2017	DISH NETWORK	Programming	4140562740	100.00
Total 8414:								
8415	06/17	06/30/2017	6795	0582572	Ferguson Enterprises Inc. #3011	Software Support 1year	2140562081	400.03
8415	06/17	06/30/2017	6795	0582572	Ferguson Enterprises Inc. #3011	Software Support 1year	5140562081	1,260.00
Total 8415:								
8416	06/17	06/30/2017	6854	JUNE 2017	Gordon Zimmerman	CA Expense	0140162084	2,500.00
Total 8416:								
8417	06/17	06/30/2017	7021	I-1536036	Gorge Networks	Internet Services	0140162082	217.21
Total 8417:								
8418	06/17	06/30/2017	2420	9101	HOOD RIVER CO. - FINANCE	June Deputy Service	0141962250	201.79
Total 8418:								
								8,626.17

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
8428	06/17	06/30/2017	5380	54817	SKAMANIA COUNTY PIONEER	RFP for Tourism Staff Position	0840562113	15.00
8428	06/17	06/30/2017	5380	55476	SKAMANIA COUNTY PIONEER	RFP for Tourism Staff Position	0840562113	15.00
Total 8428:								
8429	06/17	06/30/2017	6965	52	Sofia Urrutia-Lopez	Contract Support	0840562110	380.00
Total 8429:								
8430	06/17	06/30/2017	6969	1218-1012	TEGNA	Programming	4140562740	285.12
Total 8430:								
8431	06/17	06/30/2017	6834	062117	Thanh Huynh	Refund overpayment of record request	0130143292	10.86
Total 8431:								
8432	06/17	06/30/2017	6110	JUNE 2017	U.S. POSTAL SERVICE	UB Postage	0140162055	10.86
Total 8432:								
8433	06/17	06/30/2017	6937	333101129	US Bank Equipment Finance	Contract Payment	5140566001	1,206.42
8433	06/17	06/30/2017	6937	333101129	US Bank Equipment Finance	Contract Payment	5140566002	87.19
Total 8433:								
8434	06/17	06/30/2017	6280	210769112	VFIS	Accident & Sickness EMS	0540562060	1,283.61
Total 8434:								
8435	06/17	06/30/2017	4910	500304511 6	Megan Rood	Refund Deposit	5121130	1,642.00
Total 8435:								
6301701	06/17	06/30/2017	440	MAY17-PWR	BPA	May Power Bill	5140562820	222.85
6301701	06/17	06/30/2017	440	MAY17-PWR	BPA	May Power Bill	5140562820	36,737.00 M
Total 6301701:								
6301702	06/17	06/30/2017	440	MAY17-TRN	BPA	May Transmission Bill	5140562821	5,986.00 M
Total 6301702:								
Total 6301701:								
Total 6301702:								

Check Number	GL Period	Check Issue Date	Vendor Number	Invoice No.	Payee	Description	GL Account	Amount
6301702	06/17	06/30/2017	440	MAY-17-TRN	BPA	May Transmission Bill	514062821	982.00 M
Total 6301702:								
6301703	06/17	06/30/2017	6090	2974 6/17	U S BANK CC	ipad data plan	0540562050	7,007.00
6301703	06/17	06/30/2017	6090	2974 6/17	U S BANK CC	Tourism Domain Name	0840562071	14.99 M
Total 6301703:								
6301704	06/17	06/30/2017	6090	5243 6/17	U S BANK CC	city admin. expense		25.16
6301704	06/17	06/30/2017	6090	5243 6/17	U S BANK CC	OCCWA Conference	0140162020	16.80 M
6301704	06/17	06/30/2017	6090	5243 6/17	U S BANK CC	OMEU Meeting expense	0140162020	425.00 M
6301704	06/17	06/30/2017	6090	5243 6/17	U S BANK CC	city admin. expense	5140562020	7.29 M
Total 6301704:								
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	charge-ok'd by auditor	0121010	464.09
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	0140162010	293.00 M
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	0140162010	6.74 M
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	0140162010	29.97 M
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	0140462520	29.97 M
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	0140462520	15.69 M
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	0140462540	15.99 M
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	2140662870	3.49 M
6301705	06/17	06/30/2017	6090	4393 6/17	U S BANK CC	office supplies	5140562870	3.50 M
Total 6301705:								
Grand Totals:								398.35
								106,370.84

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
01-21010	283.00	33,935.21-	33,642.21-
01-301-43292	10.86	.00	10.86
01-401-62010	66.88	.00	66.88
01-401-62020	441.80	.00	441.80
01-401-62030	716.00	.00	716.00
01-401-62050	382.44	.00	382.44
01-401-62055	288.56	.00	288.56
01-401-62082	22,506.79	.00	22,506.79
01-401-62094	217.21	.00	217.21
01-401-62120	179.02	.00	179.02
01-402-62091	165.00	.00	165.00
01-404-62520	15.99	.00	15.99
01-404-62540	15.99	.00	15.99
01-419-62250	8,626.17	.00	8,626.17
05-21010	.00	1,901.13-	1,901.13-
05-405-62020	60.00	.00	60.00
05-405-62050	157.16	.00	157.16
05-405-62060	1,642.00	.00	1,642.00
05-405-62351	41.97	.00	41.97
08-21010	.00	6,389.17-	6,389.17-
08-405-62071	10.17	.00	10.17
08-405-62110	380.00	.00	380.00
08-405-62113	30.00	.00	30.00
08-405-62114	5,959.00	.00	5,959.00
21-21010	.00	1,838.63-	1,838.63-
21-405-62050	140.14	.00	140.14
21-405-62080	400.00	.00	400.00
21-405-62081	1,250.00	.00	1,250.00
21-405-62150	45.00	.00	45.00
21-405-62870	3.49	.00	3.49
31-21010	.00	8,580.87-	8,580.87-
31-405-62020	280.00	.00	280.00
31-405-62050	353.45	.00	353.45
31-405-62080	225.00	.00	225.00
31-405-62700	7,622.42	.00	7,622.42
31-405-62860	100.00	.00	100.00
41-21010	.00	695.15-	695.15-
41-405-62740	695.15	.00	695.15

GL Account	Debit	Credit	Proof
51-21010	.00	52,916.14-	52,916.14-
51-21130	464.78	.00	464.78
51-405-62020	22.28	.00	22.28
51-405-62050	137.56	.00	137.56
51-405-62081	1,250.00	.00	1,250.00
51-405-62820	36,737.00	.00	36,737.00
51-405-62821	6,025.00	.00	6,025.00
51-405-62870	3.50	.00	3.50
51-405-66001	1,206.42	.00	1,206.42
51-405-66002	87.19	.00	87.19
51-406-62050	15.40	.00	15.40
51-406-62820	5,985.00	.00	5,985.00
51-406-62821	982.00	.00	982.00
56-21010	.00	114.54-	114.54-
56-451-63941	114.54	.00	114.54
Grand Totals:	106,370.84	106,370.84-	.00

Report Criteria:
Report type: GL detail

CASCADE LOCKS STAFF REPORT

Date Prepared: July 3, 2017

For City Council Meeting on: July 10, 2017

TO: Honorable Mayor and City Council

PREPARED BY: Gordon Zimmerman, City Administrator

SUBJECT: First Reading Ordinance No. 444 Providing for the Reduction, Control, and Prevention of Loud and Raucous Noise with the City of Cascade Locks.

SYNOPSIS: At our last Council meeting, spurred by a request from a citizen, the Council considered the model noise ordinance from the League of Oregon Cities. Ordinance No. 444 is that "reasonable" standard ordinance for the Council's consideration.

One area the Council may want to review is Section "12. Blowers, and Similar Devices." As currently stated, this prevents people from mowing lawns after 7:00 p.m. It does limit this to "unreasonably loud" noises. Is a lawn mower reasonably loud?

This ordinance has been reviewed by the City Attorney.

CITY COUNCIL OPTIONS: Approve or reject the first reading of Ordinance No. 444 (read by title only.)

RECOMMENDED MOTION: "I move to approve the first reading of Ordinance No. 444 Providing for the Reduction, Control, and Prevention of Loud and Raucous Noise with the City of Cascade Locks."

ORDINANCE NO. 444

AN ORDINANCE PROVIDING FOR THE REDUCTION, CONTROL, AND PREVENTION OF LOUD AND RAUCOUS NOISE WITHIN THE CITY OF CASCADE LOCKS, OREGON, AND REPEALING ORDINANCE NO. 364.

WHEREAS, the City Council of Cascade Locks finds that loud and raucous noise degrades the environment of the City to a degree that it is harmful to the health, welfare, and safety of its inhabitants and visitors; interferes with the comfortable enjoyment of life and property; interferes with the wellbeing, tranquility, and privacy of the home; and both causes and aggravates health problems; and

WHEREAS, both the effective control and the elimination of loud and raucous noise are essential to the health and welfare of the City's inhabitants and visitors, and to the conduct of the normal pursuits of life, including recreation, work, and communication; and

WHEREAS, the use of sound amplification equipment creates loud and raucous noise that may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of inhabitants of, and visitors to, the City; and

WHEREAS, certain short-term easing of noise restrictions is essential to allow the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial vitality of the City; and

WHEREAS, the obligation to draft regulations that affect speech in a content-neutral fashion is of paramount importance to protect the freedom of expression guaranteed by Article I, section 8, of the Oregon Constitution and the First Amendment of the United States Constitution. This ordinance enacts narrowly drawn, content-neutral regulations that are to be interpreted as such so as not to infringe upon constitutionally protected rights;

NOW, THEREFORE, the City of Cascade Locks ordains as follows:

Section 1. Purpose. This ordinance is enacted to protect, preserve, and promote the health, safety, welfare, peace, and quiet of the citizens of Cascade Locks through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety; or causes public inconvenience, annoyance or alarm to reasonable persons of ordinary sensitivity.

Section 2. Scope. This Ordinance applies to the control of all sound originating within the jurisdictional limits of the City.

Section 3. Definitions.

1. **Emergency** means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.
2. **Emergency Work** means any work performed for the purpose of preventing or alleviating physical trauma or property damage, whether actually caused or threatened by an emergency, or work by private or public utilities when restoring utility service.
3. **City** means the City of Cascade Locks.
4. **City Administrator** means the City Administrator of City or the City Administrator's designee.
5. **Noise Sensitive Area** includes, but is not limited to, real property normally used for sleeping, or normally used as a school, church, hospital or public library.
6. **Person** means any individual, firm, association, partnership, joint venture, or corporation.
7. **Plainly audible** means any sound that can be detected by a reasonable person of ordinary sensitivities using his or her unaided hearing faculties.
8. **Public right-of-way** means any street, avenue, boulevard, highway, sidewalk, alley, or similar place normally accessible to the public which is owned or controlled by a government entity.
9. **Public space** means any real property or structures on real property, owned by a government entity and normally accessible to the public, including but not limited to parks and other recreational areas.
10. **Residential area** means any real property which contains a structure or building in which one or more persons reside, provided that the structure or building is properly zoned, or is legally nonconforming, for residential use in accordance with the terms and maps of the City's zoning ordinance.

Section 4. General Prohibition.

1. No person shall make, continue, or cause to be made or continued:
 - a. Any unreasonably loud or raucous noise; or
 - b. Any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within the jurisdictional limits of the City; or

- c. Any noise which is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons within the neighborhood from which said noises emanate, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.
2. Factors for determining whether a sound is unreasonably loud and raucous include, but are not limited to, the following:
 - a. The proximity of the sound to sleeping facilities, whether residential or commercial;
 - b. The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
 - c. The time of day or night the sound occurs;
 - d. The duration of the sound; and
 - e. Whether the sound is recurrent, intermittent, or constant.

Section 5. Noises Prohibited. The following acts are declared to be per se violations of this Ordinance. This enumeration does not constitute an exclusive list:

1. **Unreasonable Noises:** The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous or unusual noise, disturbance, commotion or vibration in any boarding facility, dwelling, place of business or other structure, or upon any public street, park, or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturb the peace and comfort of adjacent residences or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision.
2. **Vehicle Horns, Signaling Devices, and Similar Devices:** The sounding of any horn, signaling device, or other similar device, on any automobile, motorcycle, or other vehicle on any right-of-way or in any public space of the City, for more than ten consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning is exempt from this prohibition.
3. **Non-Emergency Signaling Devices:** Sounding or permitting sounding any amplified signal from any bell, chime, siren, whistle or similar device, intended primarily for non-

emergency purposes, from any place for more than ten consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious worship, ice cream trucks, seasonal contribution solicitors or by the City for traffic control purposes are exempt from the operation of this provision.

4. **Emergency Signaling Devices:** The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle, or similar emergency signaling device, except in an emergency or except as provided in subsections a. and b.
 - a. Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
 - b. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within fifteen minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this Ordinance.
5. **Radios, Televisions, Phonographs, Stereos, Musical Instruments and Similar Electronic Devices:** The use or operation of a radio, television, stereo, musical instrument, or similar electronic device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passers-by, or is plainly audible at a distance of 50 feet from any person in a commercial, industrial area, or public space; or unreasonably disturbs the peace, quiet, and comfort of neighbors in residential or noise sensitive areas, including multi-family or single-family dwellings.
6. **Loudspeakers, Amplifiers, Public Address Systems, and Similar Devices:** The unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system, or other device for producing or reproducing sound between the hours of 10:00 p.m. and 7:00 a.m. in the following areas:
 - a. Within or adjacent to residential or noise-sensitive areas;
 - b. Within public space if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is unreasonably loud and raucous.

This shall not apply to any public performance, gathering, or parade for which a permit has been obtained from the City.

7. **Yelling, Shouting, and Similar Activities:** Yelling, shouting, hooting, whistling, or singing in residential or noise sensitive areas or in public places, between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities. This section is to be applied only to those situations where the disturbance is not a result of the content of the communication but due to the volume, duration, location, timing or other factors not based on content.
8. **Animals and Birds:** Unreasonably loud and raucous noise emitted by an animal or bird for which a person is responsible. A person is responsible for an animal if the person owns, controls or otherwise cares for the animal or bird.
9. **Loading or Unloading Merchandise, Materials, Equipment:** The creation of unreasonably loud, raucous, and excessive noise in connection with the loading or unloading of any vehicle at a place of business or residence.
10. **Construction or Repair of Buildings, Excavation of Streets and Highways:** The construction, demolition, alteration or repair of any building or the excavation of streets and highways other than between the hours of 7:00 a.m. and 7:00 p.m., on weekdays. In cases of emergency, construction or repair noises are exempt from this provision. In non-emergency situations, the City Administrator may issue a permit, upon application, if the City Administrator determines that the public health and safety, as affected by loud and raucous noise caused by construction or repair of buildings or excavation of streets and highways between the hours of 7:00 p.m. and 7:00 a.m. will not be impaired, and if the City Administrator further determines that loss or inconvenience would otherwise result. The permit shall grant permission in non-emergency cases for a period of not more than three days. The permit may be renewed once for a period of three days or less.
11. **Noise Sensitive Areas - Schools, Courts, Churches, Hospitals, and Similar Institutions:** The creation of any unreasonably loud and raucous noise adjacent to any noise sensitive area while it is in use, which unreasonably interferes with the workings of the institution or which disturbs the persons in these institutions; provided that conspicuous signs delineating the boundaries of the noise sensitive area are displayed in the streets surrounding the noise sensitive area.
12. **Blowers, and Similar Devices:** In residential or noise sensitive areas, between the hours of 7:00 p.m. and 7:00 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, provided that the noise is unreasonably loud and

raucous and can be heard across the property line of the property from which it emanates.

13. **Commercial Establishments Adjacent to Residential Property:** Unreasonably loud and raucous noise from the premises of any commercial establishment, including any outdoor area which is part of or under the control of the establishment, between the hours of 10:00 p.m. and 7:00 a.m. which is plainly audible at a distance of five feet from any residential property.

Section 6. Exemptions. Sounds caused by the following are exempt from the prohibitions set out in Section 5 and are in addition to the exemptions specifically set forth in Section 5:

1. Motor vehicles on traffic ways of the City, provided that the prohibition of Section 5.2 continues to apply.
2. Repairs of utility structures which pose a clear and immediate danger to life, health, or significant loss of property.
3. Sirens, whistles, or bells lawfully used by emergency vehicles, or other alarm systems used in case of fire, collision, civil defense, police activity, or imminent danger, provided that the prohibition contained in Section 5.4 continues to apply.
4. The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work.
5. Repairs or excavations of bridges, streets or highways by or on behalf of the City, the State, or the federal government, between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and 7:00 p.m.
6. **Outdoor School and Playground Activities.** Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.
7. **Other Outdoor Events.** Outdoor gatherings, public dances, shows and sporting events, and other similar outdoor events, provided that a permit has been obtained from the appropriate permitting authority.

Section 7. Enforcement. The following individuals shall enforce this Ordinance: The City Administrator or his designee will have primary responsibility for the enforcement of the noise regulations contained in this Ordinance. Nothing in this Ordinance shall prevent the City

Administrator or his designee from obtaining voluntary compliance by way of warning, notice or education.

Section 8. Penalties.

1. A person who violates a provision of this Ordinance is guilty of an infraction which is punishable by a fine not to exceed \$500.00.
2. Each occurrence of a violation, or, in the case of continuous violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.

Section 10. Severability Clause. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section or part, of this Ordinance shall not affect the validity of the remaining parts to this Ordinance.

Section 11. Savings Clause. A prosecution which is pending on the effective date of this Ordinance and which arose from a violation of an ordinance repealed by this Ordinance, or a prosecution which is started within one year after the effective date of this Ordinance arising from a violation of an ordinance repealed by this Ordinance, shall be tried and determined exactly as if the Ordinance had not been repealed.

Section 12. Repeal of Prior Ordinances. City of Cascade Locks Ordinance No. 364 is hereby repealed.

Section 13. Effective Date. This ordinance shall take effect on the 30th day following its enactment.

ADOPTED by the City Council this _____ day of _____, 2017.

APPROVED by the Mayor this _____ day of _____, 2017.

Tom Cramblett, Mayor

ATTEST:

Kathy Woosley, City Recorder

CASCADE LOCKS STAFF REPORT

Date Prepared: July 3, 2017

For City Council Meeting on: July 10, 2017

TO: Honorable Mayor and City Council

PREPARED BY: Gordon Zimmerman, City Administrator

SUBJECT: Resolution No. 1379 Adopting Revised Alcohol/Drug Use, Abuse, and Testing Policy.

SYNOPSIS: Since the Oregon State Legislature has recently amended some drug use laws and employee issues, our City County Insurance Service recommended updating our drug use policy. These issues revolve around drug testing and on the job performance. The resolution as adopted uses the "no impairment on the job" standard for the City's drug policy.

A "Consent to Search" form has also been recommended by the CIS Pre-Loss Legal Team lead attorney Tamara Jones.

The City Staff is still working on the random drug test policy which must also be changed.

CITY COUNCIL OPTIONS: Approve, Modify, or Reject Res. No. 1379.

RECOMMENDED MOTION: "I move to approve Resolution No. 1379 adopting the Alcohol/Drug Use, Abuse, and Testing Policy."

RESOLUTION No. 1379

A RESOLUTION ADOPTING THE ALCOHOL/DRUG USE, ABUSE, AND TESTING POLICY

WHEREAS, during the last legislative session, the Oregon Legislature updated the law affecting the testing of drug levels in employees; and

WHEREAS, the City of Cascade Locks is concerned about safety in the workplace; and

WHEREAS, employees who misuse of abuse drugs or alcohol could be a danger to themselves and to others;

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON, RESOLVES THAT THE ATTACHED ALCOHOL/DRUG USE, ABUSE, AND TESTING POLICY BE ADOPTED FOR INCLUSION INTO THE CITY'S PERSONNEL HANDBOOK FOR ALL EMPLOYEES;

Section 1. Alcohol/Drug Use, Abuse, and Testing Policy: The attached policy is adopted for inclusion in the 2016 Personnel Handbook and replacement of the previous Drug-Free Workplace Policy.

Section 2. Consent Form. The employee Voluntary Consent to Search Form is also adopted.

Adopted by the City Council this 10th day of July, 2017.

Approved by the Mayor this 10th day of July 2017.

Tom Cramblett, Mayor

ATTEST:

Kathy Woosley, City Recorder

Alcohol/Drug Use, Abuse and Testing Policy

The City of Cascade Locks works to maintain a safe and efficient work environment. Employees who misuse controlled substances, prescription or illegal drugs, or alcoholic beverages pose a risk both to themselves and to everyone who comes into contact with or depends upon them and risks damage to the City of Cascade Locks' reputation.

The City of Cascade Locks expects employees to report to work in a condition that is conducive to performing their duties in a safe, effective and efficient manner. An employee's on-the-job involvement with drugs and alcohol can have a significant impact on the workplace and can present a substantial risk to the employee who is using alcohol and drugs, to coworkers and others.

This policy applies to all employees (except where it is inconsistent with applicable law and/or collective bargaining agreement principles). This policy revises and supersedes all previous drug and alcohol testing policies and practices.

Prohibited Conduct

The following conduct is strictly prohibited and will result in disciplinary action up to and including termination:

- a. Possession, sale and/or use of drugs, or being under the influence of drugs, while on duty, on City work time, while in City-provided clothes, while on City business, or while operating a City of Cascade Locks vehicle (or while operating a personal vehicle in connection with the performance of the City of Cascade Locks business);
- b. Failure to notify the City of Cascade Locks of an arrest or conviction under any criminal drug or alcohol statute within five days of the arrest or conviction; or
- c. Possession, and/or consumption of alcoholic beverages or being under the influence of alcohol during work hours, while in City-provided clothes or on City premises, while operating a City vehicle (or while operating a personal vehicle in connection with the performance of City business), or while performing job functions.

As used in this policy, "drug" includes, but is not limited to, any controlled substance listed in Schedules I through V of the Federal Controlled Substance Act, including marijuana that is otherwise lawful to use under Oregon, Washington or any other state's law.

Discipline and Consequences of Prohibited Conduct

An employee who tests positive for drugs or alcohol in accordance with this policy will be subject to either termination or a last-chance agreement.

A last-chance agreement is an agreement whereby an employee who would otherwise be terminated is provided an opportunity to address their substance abuse issue and/or performance or safety issues. The Last Chance Agreement will inform the employee of the problems noted with their performance and to specify the performance required for the employee to achieve in order to continue to be employed by the City of Cascade Locks. Violation of the provisions of a Last Chance Agreement shall result in immediate termination of the employee, notwithstanding the provisions of any other personnel rule.

Prescription Medication and Medical Marijuana

An employee who uses prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or that may affect the safety or well-being of others, must notify the City Administrator of such use immediately before starting or resuming work. This includes, without limitation, medical marijuana. Employees who use medical marijuana in connection with a disability should discuss with their Supervisor other means of accommodating the disability in the workplace, as the City will not agree to allow an employee to use medical marijuana as an accommodation. (See "Disability Accommodation Policy," Employee Handbook page 18.)

Testing

The City of Cascade Locks reserves the right to:

- a. subject applicants who are given a conditional offer of employment in a safety-sensitive position to a drug and/or alcohol test;
- b. test employees reasonably suspected of using drugs or alcohol in violation of this policy;
- c. discipline or discharge employees who test positive or otherwise violate this policy;
and
- d. test employees when they:
 1. cause or contribute to accidents that seriously damage a City of Cascade Locks vehicle, machinery, equipment or property; or
 2. result in an injury to themselves or another employee requiring offsite medical attention; and
 3. when the City of Cascade Locks has a reasonable basis to believe that the accident or injury may have been caused by drug or alcohol use.

The phrase "reasonable suspicion" (or in any variation) used in this policy means an articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is more likely than not under the influence of controlled substances or alcohol, or has used drugs or alcohol in violation of this policy. Circumstances which can constitute a basis for determining "reasonable cause" may include, but are not limited to:

- a pattern of abnormal or erratic behavior;
- information provided by a reliable and credible source;
- a work-related accident;
- direct observation of drug or alcohol use;
- presence of the physical symptoms of drug or alcohol use (*i.e.*, glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
- unexplained significant deterioration in individual job performance;
- unexplained or suspicious absenteeism or tardiness;
- employee admissions regarding drug or alcohol use; and
- unexplained absences from normal work areas where there is reason to suspect drug or alcohol related activity.

Supervisors should detail in writing the specific facts, symptoms or observations that form the basis for their determination that reasonable cause exists to warrant alcohol or controlled substance testing of an employee or a search. This documentation shall be forwarded to the City Administrator. Whenever possible, supervisors should locate a second employee or witness to corroborate his/her "reasonable cause" findings.

An employee whose initial laboratory screening test for controlled substances yields a positive result shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee for use in the initial screening test. If the second test confirms the initial positive test result, the employee shall be notified of the results in writing by the City Administrator. The letter of notification shall state the particular substance identified by the laboratory tests. The employee may request a third test of the sample within 24 hours of receiving the letter of notification, but such testing will be paid for by the employee.

Search of Property

When reasonable cause exists to believe an employee possesses alcohol or a controlled substance on City of Cascade Locks property, or has otherwise violated provisions of this rule regarding possession, sale or use of controlled substances or alcohol, the City of Cascade Locks may search the employee's possessions located on City property, including but not limited to, clothes, locker, lunchbox, toolbox, and desk. Employees should have no expectation of privacy in any items they bring on to City property, or in property, equipment or supplies provided by the City to the employee.

Employee Refusal to Test/Search

An employee who refuses to consent to a test or a search when there is reasonable cause to suspect that the employee has violated this policy is subject to disciplinary action up to and including termination. The reasons for the refusal shall be considered in determining the appropriate disciplinary action.

An employee who refuses to cooperate with any and all tests required by this policy is also subject to discipline, up to and including termination. This includes, but is not limited to, tampering with, or attempting to tamper with, a specimen sample, using chemicals or other ingredients to mask or otherwise cover up the presence of metabolites, drugs or alcohol in a specimen, or providing a blood or urine specimen that was produced by anyone or anything other than the employee being tested.

Crimes Involving Drugs and/or Alcohol

Employees shall report:

- any criminal arrest or conviction for drug- or alcohol-related activity within five days of the arrest or conviction;
- entry into a drug court or diversion program; or
- loss or limitation of driving privileges when the employee's job is identified as requiring a valid driver's license (regular or CDL).

Failure to report as required will result in disciplinary action up to and including termination.

Drug and Alcohol Treatment

The City of Cascade Locks recognizes that alcohol and drug use may be a sign of chemical dependency and that employees with alcohol and drug problems can be successfully treated. The City of Cascade Locks is willing to help such employees obtain appropriate treatment.

An employee who believes that he or she has a problem involving the use of alcohol or drugs should ask a supervisor or the City Administrator for assistance.

The City of Cascade Locks will work with an employee to identify all benefits and benefit programs that may be available to help deal with the problem. Attendance at any rehabilitation or treatment program will be a shared financial responsibility of the employee and City of Cascade Locks to the extent its existing benefits package covers some or all of the program costs.

Although the City of Cascade Locks recognizes that alcohol and drug abuse can be successfully treated and is willing to work with employees who may suffer from such problems, it is the

employee's responsibility to seek assistance *before* drug or alcohol problems lead to disciplinary action. Once a violation of City policy is discovered, the employee's willingness to seek City of Cascade Locks or outside assistance will not "excuse" the violation and generally will have no bearing on the determination of appropriate disciplinary action.

Confidentiality

All information from an employee's drug and alcohol evaluation is confidential and only those with a need to know are to be informed of test results. Disclosure of such information to any other person, or agency is prohibited unless written authorization is obtained from the employee.

Date Adopted by the City Council: _____

Replaces Drug-Free Workplace Policy in the Employee Handbook pages 20 to 23, adopted January 25, 2016.



City of Cascade Locks
PO Box 308 140 SW WaNaPa St.
Cascade Locks, OR 97014

(541) 374-8484

Fax: (541) 374-8752 TTY: 711

Consent to Search

I, _____, voluntarily consent to my Employer's search of:

I understand that this search, which will be conducted on _____ [date], is being conducted pursuant to my Employer's Policy entitled, "Alcohol/Drug Use, Abuse and Testing Policy," which provides for searches of personal possessions I bring on to my Employer's property, as well as all equipment, tools or other supplies provided by my Employer, when my Employer has reasonable suspicion that a violation of the policy has occurred.

I agree that I was informed by my Employer in the policy named above that employees "should have no expectation of privacy in any items they bring on to City property, or in property, equipment or supplies provided by the City to the employee."

I understand that if I refuse to consent to the search described above I will be subject to disciplinary action, which could include termination of employment. I also understand and acknowledge that any illegal drugs or drug paraphernalia found in or on my Employer's premises or property may be released to law enforcement.

Signature of Employee

Printed Name of Employee

Date: _____

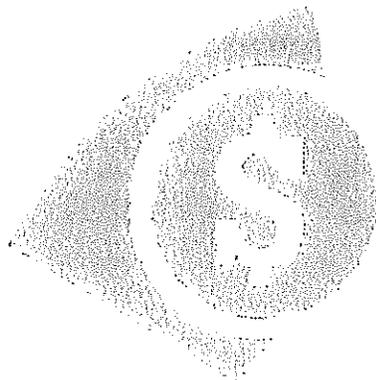
CITY OF CASCADE LOCKS

ADOPTED FINANCIAL MANAGEMENT POLICIES

FEBRUARY 2016

ADOPTED BY CITY COUNCIL

FEBRUARY 22, 2016



City of Cascade Locks Financial Management Policies

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City of Cascade Locks Financial Management Policies

City of Cascade Locks Financial Management Policies

Section 1. Purpose

These Financial Management Policies and procedures have been adopted by the City Council to assist, help and guide City Staff, Council and Boards and committees to operate and make decision in the best possible fiscal manner for the City. The Financial Management Policies enhance the City's goal to operate the City in the best possible manner while being prudent and careful with the City's money. The City exists to serve the citizens while carefully managing the limited resources of the city. This policy is to be followed by the City Council, City Staff and all boards and commissions.

Section 2. Fund Balance Policies:

A. Purpose: The purpose of the Fund Balance Policy is to outline the procedure for categorizing the different components of ending fund balance in conformity with GASB Statement No. 54, Fund Balance Reporting and "Governmental Fund Type Definitions". In summary, the categories for fund balance consider "the extent to which the government is bound to honor constraints on the specific purposes for which amounts in the fund can be spent."

B. Fund Balance Definitions: Accountants use the term "Fund Balance" to describe the reporting unit (i.e. business, proprietary fund, fiduciary fund) reports all related assets and all described as a measure of net worth. Because governmental funds report only a subset of related assets (i.e. financial assets) and liabilities (i.e. those normally expected to be liquidated with current financial resource, the difference between the two is more of a measure of liquidity than of net worth. Accountants underscore this distinction by using the term "Fund Balance" in government funds, rather than the term "net assets" employed elsewhere. As an approximate measure of liquidity, fund balance is similar to the working capital of a private-sector business.

C. Fund Balance Categories: The components of fund balance will be categorized into one of the five following categories:

1. Non-Spendable Fund Balance: (inherently non-spendable) - A portion of net resources that cannot be spent because of their form and/or cannot be spent because they must be maintained intact.

Examples include:

- a. Pre-paid items
- b. Inventories of supplies
- c. Long-term portion of loans receivable
- d. Financial assets held for resale, such as foreclosed properties
- e. Principal of an endowment
- f. Capital of a revolving loan fund

City of Cascade Locks Financial Management Policies

2. **Restricted Fund Balance:** (externally enforceable limitations on use) – Limitations imposed by creditors, grantors, contributors, or laws and regulations of other governments. Limitations may also be imposed by law through constitutional provisions or enabling legislation. Examples include:
 - a. Specific purpose grants
 - b. State Gas Tax funds
 - c. Restriction from other governments through laws and regulations
 - d. Creditors through debt covenants
 - e. Contributors for specific purposes
 - f. Public, Educational and Governmental fees
3. **Committed Fund Balance:** This is a self-imposed limitation set in place prior to the end of the period by highest level of decision making, the City Council. Limitations are imposed by the City Council and are formalized through adoption of a formal Resolution. A Resolution to rescind, modify or change a fund balance policy must also be made by City Council by formal Resolution.
4. **Assigned Fund Balance:** (limitation resulting from intended use) – The City Council has delegated decision making authority to the City Administrator/Budget Officer for “assigning” this category of fund balances. Less formality is necessary in the case of assigned fund balance. Examples include:
 - a. City Administrator/Budget Officer assigns the amount used to reflect the appropriation of a portion of existing fund balance to eliminate a projected deficit in the subsequent year’s budget. This is done annually in the budget process for all departments, services and programs.
 - b. City Administrator/Budget Officer is responsible for insuring that sufficient year ending fund balance, along with other cash carry forward, is adequate to fund operations until tax revenue is available in November each year.
 - c. The City will consider all amounts as budgeted to be designated as “assigned”, unless amounts are otherwise committed in the form of resolution or restricted if it meets the limitations discussed above. Any balances that are budgeted as unappropriated will be considered by the City to be “unassigned”.
5. **Unassigned Fund Balance:** (residual net resources) – For the General Fund this classification represents fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the General Fund. The General Fund should be the only fund that reports a positive unassigned fund balance amount. Total fund balance in the General Fund in excess of other categories (surplus). In funds other than the General Fund, if expenditures incurred for specific purposes exceed the amounts restricted, committed, or assigned to those purposes, it may be necessary to report a negative unassigned fund balance (deficit).

D. Fund Balance Implementation: The City Administrator and each Department Head is responsible for maintaining an appropriate fund balance. Financial reviews will be done quarterly or more frequently as needed by the City Administrator or Finance Officer to ensure full compliance.

E. Order of Spending Resources: When both restricted and unrestricted resources are available for use, it is the City’s policy to use restricted resources first, and the unrestricted resources (committed, assigned and unassigned) as they are needed. When unrestricted resources are available for use, it is the City’s policy to use committed resources first, then assigned, and then unassigned as they are needed.

City of Cascade Locks Financial Management Policies

Section 3. Annual Budget Policies:

- A. Budget Priorities:** Annually in January of each year, the City Council will meet with staff, Boards and Commissions and others to identify needs, issues and concerns then set budget priorities, establishing the annual budget priorities. The annual budget shall be built around the City Council established budget priorities.
- B. Budget Preparation:** The City Administrator/Budget Officer will prepare and present a balanced, proposed annual operating budget with the participation of all departments and in accordance with Oregon Local Budget Law. The proposed budget is built around established priorities and services required to achieve council priorities. In addition to the financial elements of the budget, a full program description will be included that identifies the purpose, services to be provided, departmental organization, objectives to be achieved and how each service and department will be evaluated.
- C. Approval and Adoption of Budget:** The City Council and Budget Committee will develop, adopt and amend the operating budget in accordance with Oregon Local Budget Law. The role of the Budget Committee is to develop a budget to recommend to City Council for adoption.
- D. Enterprise Funds:** The City will budget water, sewer, and electric funds as enterprise funds with no General Fund subsidies. Enterprise fund department/service will be assessed a pro-rata share of administrative costs as determined through the budget process and approved by City Council. Annually and through the budget process, City Council will review the actual costs of providing each of the enterprise fund services and ensure that fees and charges for these services are proper, appropriate and sufficient to manage emergencies, plan for the future and enhance the services as may be required.
- E. Capital Outlay:** Only costs related to projects or purchases that result in Capital Assets will be budgeted as Capital Outlay. See Section 6.A. "Capital Asset Policy".
- 1. Capital Outlay Costs:** Budgets for Capital Outlay projects include all costs for design and engineering, land or right-of-way acquisitions, appraisals, construction and construction management, furnishings, legal and administrative costs, and interest incurred during the construction phase, net of interest earned on the invested proceeds over the same period, for business-type activities only.
- F. Contingency:** Contingency amounts are budgeted to meet emergency conditions or situations that were unknown at the time the budget was prepared or infrequent or unanticipated expenses. The City Council must authorize the transfer of funds from Contingency to the appropriate expenditure line item within that fund/department by resolution before those funds can be used.
- 1. General Fund Contingency:** A Contingency of at least 10% of the operating budget, excluding Special Payments, Interfund Transfers and Unappropriated Ending Balance, may be budgeted each year in the General Fund. Contingency shall be kept in order to meet unanticipated increases in costs or unexpected, non-recurring expenditures during each fiscal year.
 - 2. Enterprise Fund Contingency:** The City will strive to maintain at least a 1% to 5% contingency of operating budget in each of the Enterprise Funds.

City of Cascade Locks Financial Management Policies

- G. Unappropriated Ending Balance:** The City will strive to maintain an Unappropriated Ending Fund Balance equal to four months of net operating expenses in all department or service funds.
- H. Electric Department Emergency Fund:** It is the goal of the City to maintain at least \$1 million dollars in reserve in the Electric Fund to deal with unanticipated emergencies and system failures. It is recognized that this policy element may take 4-6 years to attain.
- I. Budget Review System:** The City will employ a budget review system in order to regularly monitor revenues and expenditures with the opportunity for budget adjustments as needed. Council, Committees and Department Heads will receive monthly and quarterly financial reports. At least quarterly, the City Council will receive a complete and thorough briefing of budget status. This report will be accompanied by a staff report informing Council of the level of completion of approved objectives. Monthly reports will include expenditure detail related to recommendations made by boards and committees.

Section 4. Revenue Policies:

- A. Diverse and Stable Revenues:** The City will pursue a diversified and stable revenue stream in order to avoid over-reliance on, and short term fluctuations in, one source of funds. A stable revenue source(s) is necessary for the community to grow and prosper.
- B. Windfalls and One Time Revenue:** The City will not use windfalls or one-time revenue sources to fund ongoing activities and mainstream services; one-time revenues will be used only for one-time expenditures.
- C. Fees and Charges for Service:** Fees and charges for service are assessed to specific users where the user pays all or a portion of the costs to provide the service.
 - 1. Cost Recovery:** When establishing charges and fees, the City will consider the full cost of providing the service, along with any circumstances and issues that may be factors that do not allow for full recovery of the costs of providing the service.
 - 2. Annual Review:** The City Council will review charges and fees annually in conjunction with budget in order to allow for regular, incremental rate increases to offset the effects of inflation and additional costs. Any fee, rate or charge increase will comply with City Council policy in making any such changes.
- D. Utility Fees (Water, Sewer, Electric):**
 - 1. Basis of User Charges:** User charges for each of the City utilities will be based on the cost of providing the services (i.e. set to fully support the total direct, indirect, and capital costs) and are established so that the operating revenues of each utility are at least equal to its operating expenditures, reserves, debt coverage and annual debt service obligations, and planned replacement of the utility's facilities.
 - 2. Periodic Review:** The City Council will review the user charges for each of the City utilities annually in conjunction with the budget process in order to allow for regular, incremental rate increases to offset the effects of inflation and additional costs.

City of Cascade Locks Financial Management Policies

- 3. Internal Payments (Franchise Fees based on use of City right of way by the effected utility):** Franchise fees are established by City Council by separate resolution based on a percentage of sales of Water, Sewer, and Electric. This will be budgeted and paid monthly from those funds to the General Fund.

Section 5. Employee Expenditure Policies:

- A. General Provisions Related to Public Contracting:** The City Council, acting as the Contract Review Board, adopts rules of procedure for public contracting for the City of Cascade Locks through adoption of a separate resolution. The Model Rules adopted by the Attorney General do not apply to the City of Cascade Locks except where they have been incorporated into the City's Contract Review Board Rules.
- B. Purchasing Authority Levels and Required Documentation:** Purchasing authority levels and the required documentation for each are listed below. Purchasing procedures are contained in this Purchasing Policy. It is the policy of the City that the purchasing policies be strictly carried out.
- 1. In all cases a purchase order is required for all expenditures except formal contracts approved by City Council and routine purchases (i.e. office supplies, restroom supplies, utility bills, etc.).**

<u>Expenditure Level</u>	<u>Authorized Position</u>
a. 0 to \$ 500 per occurrence	Finance Officer, City Recorder
b. 0 to \$1,000 per occurrence	Public Works, City Light Department, EMS Department
c. 0 to \$2,500 per occurrence	City Administrator

Any expenditure in excess of \$2,500 must be presented to City Council for authorization.

Section 6. Capital Asset and Improvement Policies:

A. Capital Asset Policy:

1. Definition of Capital Asset:

- a. Capital Assets include property, plant, equipment, and infrastructure assets.
- b. A Capital Asset must meet the following criteria
 - Be an item of system of components that cost more than \$3,000 and
 - Have a life of more than one year, or
 - Add value to or materially extend the life of an existing Capital Asset
- c. Costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

City of Cascade Locks Financial Management Policies

2. Capital Asset Accounting Policy:

- a. Assets are recorded at actual cost or historical cost or estimated historical cost when actual cost is not available.
- b. Donated capital assets are recorded at estimated fair market value at the date of donation.
- c. Major outlays for capital assets and improvements are capitalized as the projects are constructed, and include all costs of the project.
 - all design and engineering costs
 - land or right-of-way acquisitions
 - appraisals
 - construction and construction management
 - furnishings
 - legal and administrative costs
 - interest incurred during the construction phase, net of interest earned on the invested proceeds over the same period, for business-type activities only.
- d. Property, plant and equipment of the City is depreciated using the straight line method over the following estimated useful lives
 - Buildings and Improvements – 20-50 years
 - Public Domain Infrastructure – 30-100 years
 - System Infrastructure – 20-50 years
 - Vehicles – 10-20 years
 - Office and Other Equipment – 5-10 years
- e. Land is not depreciated
- f. No depreciation on capital assets is recorded in the year of acquisitions and a full year of depreciation is recorded in the year of disposition.

B. Intangible Capital Assets Policy (GASB 51):

1. Definition of Intangible Capital Asset:

- a. Intangible assets include easements, water rights, patents and internally generated computer software, etc.
- b. An Intangible Capital Asset must meet the following criteria:
 - Have an individual cost more than \$5,000 and
 - Have a life of more than five years, or
 - Add value to or materially extend the life or significantly increase the capacity of an existing Intangible Capital Asset.
- c. Costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

2. Intangible Capital Asset Accounting Policy:

- a. Assets are recorded at actual cost or historical cost or estimated historical cost when actual cost is not available.
- b. Contributed intangible assets are recorded at estimated fair market value at the time received.

City of Cascade Locks Financial Management Policies

- c. Intangible assets are amortized using the straight line method over the estimated useful life of the asset.
- d. Intangible assets with indefinite lives are no amortized.
- e. No amortization of intangible capital assets is recorded in the year of acquisition and a full year of amortization is recorded in the year of disposition.

C. Capital Improvement Policy:

1. **Five –Year Capital Improvement Plans:** The City will maintain its commitment to its five-year Capital Improvement Plans for the City, including the Street, Water, Wastewater, and Storm Water systems.
2. **Funding Methods:** The City will actively pursue the least costly funding methods for its Capital projects, including grants, private sector funding, contributions and low-cost State and Federal loans whenever possible.
3. **Debt Financing:** The City will only pursue debt financing in order to finance capital improvement projects, and only when other funding possibilities have been exhausted or are inadequate to finance the projects.
 - a. The City will only utilize debt financing which does not extend past the expected useful life of the project.
 - b. Capital projects will only utilize debt financing if market conditions present favorable interest rates for the City.
 - c. Capital projects will only utilize debt financing if the issuance of that debt will not adversely affect the City’s credit and bond ratings.

Section 7. Land Acquisition Policies:

- A. **Purchase of Land:** The City will pursue the purchase of land in order to serve the anticipated future needs of the community.
- B. **Approval of Land Acquisitions:** The City Council will approve all land acquisitions entered into by the City, excluding easements, dedications and liens.
- C. **Proposal Requirements:** Any land acquisition proposal submitted to the City Council will be accompanied by City staff review and recommendations.

Section 8. Banking/Deposits Policies:

- A. **Collateralization:** The City will participate in the State Treasurer’s Public Funds Collateralization Program (PFCP). The City will ensure that all bank deposits with banks that are not participants in the PFCP are entirely insured or adequately collateralized in accordance with Oregon Revised Statute 295.

Section 9. Investment Policies:

- A. **Investment Objectives:** The City will seek to attain a market rate-of-return throughout all fiscal cycles, while avoiding imprudent credit and speculative risk, and maintaining liquidity sufficient to meet operating needs.

City of Cascade Locks Financial Management Policies

B. Investment Restrictions: The City will manage its investment program in accordance with the Oregon Revised Statute 294, and does not further restrict investment choices.

Section 10. Debt Policies:

- A. Statutory Debt Limits:** The City will comply with all statutory debt limitations imposed by the Oregon Revised Statutes.
- B. Purpose of Debt:** The City will only incur long-term debt in order to finance capital improvement projects, and only when those projects are too large to be financed from current available resources.
- C. Maintain Bond Rating:** The City will avoid financial activities that will have an adverse effect on its outstanding bond rating.

Section 11. Risk Management Policies:

- A. Risk management Program:** The City will implement and maintain a Risk Management program designed to decrease exposure to risk. At a minimum, the program will include:
 - 1. Annual Insurance Evaluation:** An annual examination of the City's insurance program to evaluate how much risk the City should assume.
 - 2. Internal Controls:** Internal Control procedures shall be set by Administrative Policy.
 - 3. Safe Workplace Action Plan:** A safety program that emphasizes reducing risks through training and safe work habits.

Section 12. Accounting and Financial Reporting Policies:

- A. Accounting:** The City will maintain a system of financial management and accounting that ensures transactions are appropriately recorded, risk of fraud or financial loss is identified, and internal controls are developed and maintained to manage the risk.
 - 1. Internal Controls:** The City will maintain policies and process that are designed to provide reasonable assurance that the City is achieving the following objectives:
 - a. Effective and efficient operations.
 - b. Reliable and accurate financial information.
 - c. Compliance with applicable laws and regulations.
 - d. Safeguarding assets against unauthorized acquisition, use or disposition.
 - 2. Annual Audit:** The City shall hire an independent auditor to perform an annual audit of the financial statements, including tests of the internal controls.
- B. Financial Reporting:**
 - 1. Internal Reporting:**
 - a. The City Administrator and City Council will receive monthly financial reports sufficient to ascertain the City's financial status.

City of Cascade Locks Financial Management Policies

- b. Committees, Boards and Department Supervisors will receive monthly financial reports and department reports pertaining to their department(s) to ascertain the financial status of said department(s).

2. External Reporting:

- a. The City will have available the annual independent audit results, in accordance with generally accepted accounting principles (GAAP) when the document is completed.

Section 13. City Committees, Boards and Task Forces Expenditure Policies:

City Committees, Boards, and Task Forces do not have authority to make or authorize any expenditure or obligate the City for the payment of any bill or service. These groups are established by the City Council and can only make recommendations to the City in carrying out their assigned responsibilities. The City Council is the final decision maker for all matters affecting City government in Cascade Locks.

A. Budgeting: City Council appointed Committees, Boards may be asked to assist in developing the annual budget for that portion of the budget that most directly affects the Committee or Board. As an example, the Tourism Committee may be asked to assist in developing the budget for the City and may be requested to participate in making the budget presentation to the Budget Committee and City Council.

1. **Budget:** In the budget development process, advisory groups are required to work within the framework of the City's budget format and provide as much specific detail as is possible. Including purpose, services, specific expenditures, objectives and measures of success.

B. Expenditures: In recommending expenditures, the Committees and Boards shall:

1. Prior to any meeting where expenditure recommendations may be made, check with the Finance Officer to ensure the availability of funds and to double check the specific recommended expenditure fits within the Budget outline.
2. Get from the Finance Officer the latest monthly expenditure report. Be sure that the balance in the fund or is sufficiently identified.
3. At the meeting, discuss the proposed spending recommendation then take a formal vote to authorize the recommendation.
4. If the recommendation is denied, indicate this in the Committee minutes.
5. If the recommendation is approved, fill out the Purchase Order form completely with vendor name, address and phone number, description of the expense, account number to be charged to and the vote tally (yes or no) and have the Chair of the group sign the request.
6. Immediately after the meeting, provide the Finance Officer with a copy of all recommended purchase order actions.

City of Cascade Locks Financial Management Policies

- C. Payment:** Purchase recommendations by Committees or Boards will be processed with the same policy as required by City Departments. Expense recommendations by Committees or Boards will be reported monthly to City Council by the Finance Officer.
1. The Finance Officer will see that the amount is encumbered in the accounting system. Once the invoice is received the PO will be matched to the invoice and given to Account Payable for payment to be made at the next bill payment schedule.
- D. Monthly Reporting:** The Finance Officer will provide to each Committee or Board member a monthly report documenting all revenues, expenditures and balances to date.
- E. Billing:** All Committees, Boards, Commissions and Task Forces will ensure that all bills, invoices or other expenditure requests come to the City in care of the Finance Officer.
- D. Quarterly Reports:** Each quarter either the City Administrator or Finance Officer will report to the Committees, Boards, Commission or Task Force and review budget expenditures to date.

Section 14. Purchasing Policy for Operating Expenses:

- A.** Expenditures between \$750-\$2,000 require three telephone bids, expenditures above \$2,000 require three written bids. Sole source purchasing process may be used if approved by the City Administrator. The City will give preference to businesses with the City.
- B. Priority Purchasing Locally:** It is the policy of the City to make purchases locally, within the community from local businesses as much as possible to support local businesses and the local economy.

Section 15. Grant Policy:

- A.** Grants under \$10,000 will be administered by the City. Grants over \$10,000 will be contracted out to MCEDD to be administered. The administrative fee will be paid from the grant proceeds.

Section 16. Annual Review:

- A.** Annually in January the City Council shall review this policy and make new provisions or alterations as City Council determines necessary.

CITY OF CASCADE LOCKS
City Charter
1995

TO PROVIDE FOR THE GOVERNMENT OF THE CITY OF CASCADE LOCKS, HOOD RIVER COUNTY, OREGON; AND TO REPEAL ALL CHARTER PROVISIONS OF THE CITY ENACTED PRIOR TO THE TIME THAT THIS CHARTER TAKES EFFECT.

Be it enacted by the people of the City of Cascade Locks, Oregon:

CHAPTER I

NAME AND BOUNDARIES

Section 1. TITLE OF THE CHARTER. This Charter may be referred to as the **City of Cascade Locks Charter of 1995.**

Section 2. NAME OF THE CITY. The City of Cascade Locks, Oregon, continues under this Charter to be a municipal corporation under the name of City of Cascade Locks.

Section 3. BOUNDARIES. The City shall include all territory encompassed by its boundaries as they now exist and as they are hereafter modified by the electorate of the City or by the Council. An accurate, up-to-date description of the boundaries shall be maintained at City Hall.

CHAPTER II

POWERS

Section 4. POWERS OF THE CITY. The City has all powers that the constitutions, statutes, and the common law of the United States and of this state now or hereafter expressly or impliedly grant or allow the City, as fully as though this charter specifically enumerated each of those powers.

Section 5. CONSTRUCTION OF CHARTER. In this charter, no statement of a power is exclusive or restricts authority that the City would have if the power were not specified. The charter shall be liberally construed. All powers are continuing unless a specific grant of power clearly indicates the contrary.

Section 6. WHERE POWERS VESTED. Except as this charter provides otherwise, all powers of the City shall be vested in the Council.

CHAPTER III
FORM OF GOVERNMENT

Section 7. COUNCIL. The Council consists of a mayor and six (6) councilors, elected from the City at large. Any vacancy on the Council shall not divest the Council of its powers.

Section 8. COUNCILORS. The councilors in office or elected at the time this charter becomes effective shall continue in office until the end of their term. At each biennial general election thereafter, three shall be elected, each for a four year term.

Section 9. MAYOR. The mayor in office or elected at the time this charter becomes effective shall continue in office until the end of the mayor's term. At each biennial general election thereafter, a mayor shall be elected for a term of two years.

Section 10. OFFICIALS. Other officials of the City shall be appointed and removed by the Mayor, with the majority vote of the Council. The Council may designate any official to supervise any other appointed official, except a municipal judge in the exercise of judicial functions.

Section 11. COMPENSATION OF COUNCIL AND OFFICIALS. The compensation for each official shall be set by the Council. Members of the Council shall not receive compensation unless five lay members of the Budget Committee approve, by vote, such compensation.

Section 12. QUALIFICATIONS OF THE COUNCIL.

- (1) To be eligible to serve on the Council, a person must:
 - (A) Have residency within the City for a continuous period of 12 months immediately preceding election or appointment; and
 - (B) Be registered to vote within the City for 12 continuous months immediately preceding election or appointment; and
 - (C) Continue residency within the City during any term of office; and
 - (D) Not be an employee of the City unless the employee's position is substantially volunteer in nature.
- (2) No person shall be a candidate in a single election for more than one elective City office.
- (3) No councilor shall serve in more than one public elective office.

**CHAPTER IV
COUNCIL**

Section 13. MEETINGS. The Council shall prescribe rules to govern its meetings and proceedings. The Council shall hold a regular Council meeting monthly in the City at a time and at a place designated by the Council and may meet at other times as provided for by the Council.

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

Section 15. RECORD OF PROCEEDINGS. A record of Council proceedings shall be kept. The results of all votes and the vote of each member of the Council by name shall be recorded.

Section 16. PROCEEDINGS TO BE PUBLIC. No action by the Council shall have legal effect unless the motion for the action and the vote by which it is disposed of take place at proceedings open to the public.

Section 17. MAYOR'S FUNCTIONS AT COUNCIL MEETINGS. The mayor shall preside over deliberations of the Council, preserve order, enforce Council rules and determine the order of business under the rules.

Section 18. COUNCIL PRESIDENT. At its first meeting after this charter takes effect and at its first meeting in each odd numbered year, the Council shall elect a president from its membership. If the mayor is unable to function as mayor or is absent from a Council meeting, the president shall function as mayor. The president shall sign all approved documents and ordinances passed by the Council if the mayor fails to do so within a reasonable time. In the absence of both mayor and president, a mayor pro tem shall be elected from the councilors present. The president and mayor pro tem shall have a vote on all questions.

Section 19. VOTE REQUIRED. Except as this charter provides otherwise, express concurrence of a majority (four members) of the Council is necessary to decide affirmatively any question before the Council.

**CHAPTER V
POWERS AND DUTIES OF CITY OFFICIALS**

Section 20. MAYOR. The mayor shall appoint the committees provided by the rules of the Council. Other officials of the City shall be appointed and removed by the Mayor, with the majority vote of the Council. The mayor shall sign all approved documents and records of proceedings of the Council. The mayor shall have no veto power and shall sign all ordinances passed by the Council as this Charter prescribes.

Section 21. CITY ADMINISTRATOR. There shall be a City Administrator who shall be appointed by and serve at the will of the City Council. The City Administrator shall be responsible to the City Council for the proper administration of all affairs of the City of Cascade Locks and for carrying out the policies established by the City Council.

Section 22. MUNICIPAL JUDGE. The municipal judge shall be the judicial officer of the City. The municipal judge shall hold within the City a court known as the Municipal Court for the City of Cascade Locks, Hood River County, Oregon. The court shall be open for the transaction of judicial business at times specified by the Council. All area within the City shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original and exclusive jurisdiction of all offenses defined and made punishable by ordinances of the City and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by ordinances of the City. The municipal judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the City, to commit any such person to jail or admit him to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before the judge, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances of this Charter, all proceedings in the municipal court for the violation of a City ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts.

Section 23. CITY RECORDER. The recorder shall serve as the City election official, shall maintain the records of the City and a record of Council proceedings. The City Administrator shall designate another City employee to serve in the absence of the City Recorder.

CHAPTER VI ELECTIONS

Section 24. CONDUCT OF ELECTIONS. The election laws of the State of Oregon shall apply to elections held under this Charter except as this charter or an ordinance of the City prescribes otherwise.

Section 25. TIE VOTES. In the event of a tie vote for candidates for the Council, the successful member of the Council shall be determined by a public drawing of lots in a manner prescribed by the Council prior to the first day of the calendar year immediately following the election at which the tie vote occurred.

Section 26. COMMENCEMENT OF TERMS OF OFFICE. The term of office of a person elected at a regular City election shall commence the first day of the year immediately following the election.

Section 27. OATH OF OFFICE. Before beginning duties for a term of office, each member of the Council shall take an oath or affirm support of this charter, the ordinances of the City of Cascade Locks, the constitution and laws of the United States and State of Oregon, and faithful performance of the duties of a member of the Council.

Section 28. NOMINATIONS. A person qualified to serve on the Council may submit a petition to the City Recorder for nomination specifying the position sought. Each petition of nomination shall include the signature and residence address of the prospective nominee. The petition for nomination shall be signed by at least 20 electors who reside within the City or, in the alternative, a petition may be filed without signatures of electors by the payment of a \$20.00 filing fee. The signatures to a nomination petition shall have an affidavit of the circulator of the petition attached indicating the number of signers to the petition and stating that each signature on the petition was made in the presence of the circulator of the petition. Each petition for nomination shall include each signer's residence by street address. If a nomination petition is deficient, the recorder shall return it to the prospective nominee and shall advise in writing of the deficiency within three working days of the date the nomination petition is filed. The deficient petition may be amended and refiled or a new petition for the same candidate may be filed. Nomination petitions shall be filed with the City Recorder as provided by ordinance or if not so provided, as required by state law. The City Recorder shall furnish the County Clerk with a certified statement of the City offices and candidates for City offices in a timely manner as required by state law.

CHAPTER VII VACANCIES IN OFFICE

Section 29. OCCURRENCE OF VACANCIES. The office of a member of the Council becomes vacant:

- (1) Upon the member's:
 - (A) Death;
 - (B) Adjudicated incompetence;
 - (C) Recall from office;
 - (D) Ceasing residency in the City; or
 - (E) Resignation from the Council.

- (2) Upon declaration by the Council of the vacancy in the case of:
 - (A) Failure, following election or appointment to the Council, to qualify for the Council within ten days from the date the term is to begin.
 - (B) Absence from all regular Council meetings within a 60 day period, without the consent of the Council; or

(C) Conviction of any felony or a crime relating to performance of Council duties.

Section 30. FILLING OF VACANCIES. Council vacancies shall be filled by a majority of the remaining members of the Council. The appointee's term of office shall begin immediately and shall continue until the next general election and the term for that position shall be the unexpired portion of the remaining term.

CHAPTER VIII ORDINANCES

Section 31. ENACTING CLAUSE. The enacting clause of all ordinances hereafter enacted shall be, "The City of Cascade Locks ordains as follows:"

Section 32. METHODS OF ADOPTION.

- (1) An ordinance shall be fully and distinctly read in open Council meeting on two different meetings before being adopted by the Council; and
- (2) An ordinance may be adopted at a single meeting by unanimous vote of the entire Council, if:
 - (A) Two readings, by title only or in full, shall occur, and
 - (B) Any section of a proposed ordinance containing substantive change shall be read in full prior to consideration.
- (3) A reading of an ordinance may be by title only if:
 - (A) No member of the Council present at the meeting requests that that ordinance be read in full, and
 - (B) At least one week before the reading:
 - (1) A copy of the ordinance is provided to each member of the Council, and
 - (2) Copies of the ordinance are available for public inspection in the office of the City Recorder, and
 - (3) Notice of the availability and the title page of the ordinance is posted at the City Hall.
- (4) After January 1, 2008, any such ordinance, or resolution or order approved by a majority of the Council that creates or increases any tax, charge or fee, the ordinance shall not be effective unless ratified by a majority vote of the City's qualified electors voting in an election where at least 50 percent of the registered voters cast a ballot, or the election is a general election in an even numbered year.

[Section 4 is added as an amendment to the Charter per November 4, 2008 General Election]

CHAPTER IX
PUBLIC IMPROVEMENTS

Section 35. CONDEMNATION. Any necessity of taking property for the City by condemnation shall be determined by the Council and declared by a resolution of the Council describing the property and stating the uses to which it shall be devoted. Except as provided in this section, any private real property condemned by the City may not be conveyed to another private party without offering the original owner, or the heirs of the original owner the right to repurchase the property for no more than the original condemnation value, adjusted for inflation of no more than 3% per year, or the real market value, whichever is less.

A. When private real property is condemned by the City because:

- 1) It constitutes a danger to the health or safety of the community; or
- 2) Because of dilapidated structures or insufficient water or sanitary facilities; or
- 3) Any combination of these factors apply, then the repurchase price established in this section shall also include the actual cost of correcting the deficiencies listed in this section.

[Section 35 is amended per November 4, 2008 General Election]

Section 36. IMPROVEMENTS. The procedure for making, altering, vacating, or abandoning a public improvement shall be governed by ordinance or to the extent not so governed, by state law. Action on any proposed public improvement, except a sidewalk or an improvement unanimously declared by the Council to be needed immediately due to an emergency, shall be suspended for six months upon filing of remonstrances by owners of two-thirds of the property to be specially assessed for the improvements. "Owner" in this section refers to the record holder of legal title. However, as to land being purchased under a recorded land sale contract, the purchaser shall be considered the owner.

Section 37. SPECIAL ASSESSMENTS. The procedure for fixing, levying, and collecting special assessments against real property for public improvements or other public services shall be governed by ordinance.

Section 38. PUBLIC CONTRACTS AND CONTRACTS FOR PUBLIC IMPROVEMENTS. Public contracts and contracts for public improvements shall conform to the requirements of state law.

CHAPTER X

MISCELLANEOUS PROVISIONS

Section 39. LIENS AGAINST REAL PROPERTY FOR UNPAID UTILITY CHARGES. Ordinances may provide that unpaid City utility charges may become a lien against real property and may further provide for foreclosure of such liens.

Section 40. DEBT LIMIT. The City's indebtedness may not exceed the limit imposed by state law. Any City official or employee who creates or officially approves indebtedness in excess of the limitation is jointly and severally liable for the excess. A charter amendment is not required to authorize City indebtedness.

Section 41. CONTINUATION OF ORDINANCES. All ordinances in force when this charter becomes effective shall remain in effect until modified or repealed.

Section 42. REPEAL. All charter provisions adopted before this charter takes effect are hereby repealed.

Section 43. TIME OF EFFECT OF CHARTER. This charter shall take effect on the 4th day of November, 2008.

**CITY OF CASCADE LOCKS
PERSONNEL PERFORMANCE EVALUATION**

NAME: Gordon Zimmerman	DEPARTMENT: Administration
JOB TITLE: City Administrator	Evaluation Period: 2017
LAST EVALUATION DATE: June 2016	NAME OF EVALUATOR: City Council
MONTHS IN THIS POSITION: 54	MONTHS SUPERVISED THIS EMP:
REASON FOR EVALUATION: ROUTINE <u> X </u> 6 MONTH TRIAL REVIEW <u> </u>	
SPECIAL SCHEDULED: _____, BY REQUEST OF: _____, OTHER _____.	

Performance Scoring Scale:

(1-2) Unsatisfactory; (3-4) Needs Improvement; (5-6) Satisfactory; (7-8) Above Standard; (9-10) Superior; (N/O) No Opinion or No Opportunity to Observe. Circle Appropriate Number

Total Score	8-19	20-35	36-51	52-67	68-80
Performance	Unsatisfactory	Needs Improvement	Satisfactory	Above Standard	Superior

I: Performance:

A. Quality of Work – Consider standard of workmanship, accuracy, neatness, skill, Thoroughness, economy of material, organization of job.

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

Comments: _____

B. Adaptability – Consider ability to meet a changing conditions and situations, ease with Which the employee learns new duties and assignments.

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

Comments: _____

C. Judgment – Consider ability to evaluate relative merit of ideas or facts and arrive at sound conclusions, ability to decide correct course of action when some choices can be made.

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

Comments: _____

D. Job Knowledge and Skill – Consider understanding of job procedures and methods, ability to acquire necessary skills, expertness in doing assigned tasks and utilization of background for job.

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

Comments: _____

E. Attitude – Consider Cooperation with supervisors and co-workers; receptiveness to suggestions and constructive criticism; attitude toward City; enthusiasm in attempts to improve performance.

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

Comments: _____

F. Team Effort – Leadership – Consider ability to inspire teamwork, enthusiasm to work towards a common objective desire to assume responsibility, ability to originate or develop ideas and get things started.

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

Comments: _____

G. Interaction with Public – Consider the ability to determine appropriate courses of action and to communicate it to the public; ability to respond appropriately to public concerns/inquiries; ability to represent the City in a positive manner.

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

Comments: _____

H. Safety - Does the employee work in a safe, risk adverse manner? Yes _____ No _____
 If No, what corrections are needed?

1	2	3	4	5	6	7	8	9	10	(N/O)
Unsatisfactory		Needs Improvement		Satisfactory		Above Standard		Superior		No Opinion

I. Job Description - Did you review and update employee's job description as part of this review? Yes _____ No _____ Were there any changes? Yes _____ No _____
 If there are changes please submit the changes to HR.

Total Score: _____ **Average Rating** _____

II: Overall Evaluation Comments

A. Specific accomplishments for the past year:

B. Improvement Areas:

C. Goals and Objective for the next year:

III. Acknowledgement:

a. Employee Comments: _____

b. Supervisors Comments:

Employee Signature (Does not necessarily indicate concurrence)

Title

Date

Evaluated By

Title

Date

Approved

Title

Date

