

M E M O R A N D U M

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TO: **MAYOR AND CITY COUNCIL**
FROM: **ERIC KING**
SUBJECT: **WEEKLY REPORT**
DATE: **OCTOBER 26, 2018**



CITY OF BEND

Upcoming City Council meetings and other events

- November 7, work session at 5:00 p.m., regular meeting at 7:00 p.m. at City Hall in the Council Chambers
- November 21, No Meeting
- December 5, work session at 5:00 p.m., regular meeting at 7:00 p.m. at City Hall in the Council Chambers
- December 19, work session at 5:00 p.m., regular meeting at 7:00 p.m. at City Hall in the Council Chambers

Community Development Department (CDD) Update

If you are at City Hall during CDD's Permit Center counter hours (9:00am-4:00pm) stop in and take a look at the digital sign behind the permit counter. Currently displayed is the CDD Metrics dashboard and the City Performance dashboard. If a customer has questions about the data, Colleen Miller or Jesse Thomas can be called up to the front counter to answer those questions.

Food Waste Curbside Collection

Bend Garbage & Recycling and Cascade Disposal are introducing a residential food waste pilot program and have sent out the following press release:

Bend Garbage & Recycling and Cascade Disposal expanding the type of foods they accept for curbside collection. Beginning November 5th, both companies will roll out a pilot program in certain areas of Bend to collect all food waste curbside from residents identified in the pilot program.

Designated yard debris customers within the city limits of Bend will be notified by Bend Garbage & Recycling and Cascade Disposal about the pilot program. Participating households can add all food scraps directly into their yard debris carts, along with their yard trimmings. The yard debris and food scraps will be processed into nutrient rich compost by Deschutes Recycling.

"Anyone with yard debris subscription service who lives in the pilot areas can participate," says Brad Bailey, President Bend Garbage & Recycling. "Under the pilot program, nearly every type of food scrap will be accepted, including meat, dairy, produce and bakery."

Customers participating in the pilot program will receive a two-gallon kitchen pail to store food scraps, which can then be emptied into yard debris carts for collection. There will be no changes to the customers' normal yard debris collection schedule. They will also

receive an outline of what materials can and can't be included.

Erwin Swetnam, Cascade Disposal District Manager says, "We've been accepting raw fruit and vegetable scraps in the yard debris program for several years. The pilot program will build on the success of our existing yard debris and vegetative waste program and now accept all food scraps." Swetnam adds, "We are excited to offer another opportunity for our customers to divert their waste and help reduce the greenhouse gas emissions from the landfill."

Materials that cannot go in the cart include plastics bags of any kind, produce stickers, plastic containers, packaging, compostable plastics, foodware, paper, metals, or garbage.

For more information about recycling in your area, visit bendgarbage.com or cascadedisposal.com.

BEDAB Update from Ben Hemson

Election Season Reminder

We're closing in on election day! Whether you're enjoying round the clock political ads or are ready for the season to wrap up, a quick reminder for those of you on a Council appointed committee (BEDAB) that you may not use your role to advocate for political candidates or initiatives.

I've attached the State of Oregon's Quick Reference Guide on the topic. The basic gist is that election advocacy is not allowed while performing committee business, such as attending a BEDAB meeting. You also cannot use your appointed role to show or state support for an issue or candidate. As a private citizen you are of course free to engage however you'd like.

The State guide goes into a little more detail on what constitutes prohibited vs. allowable activities. If you're unsure of something, please let me know and I can run down an answer for you.

Advocacy Subcommittee Meeting on Monday

The Advocacy Subcommittee will meet on Monday at noon in the Awbrey Butte Conference Room at City Hall. We'll have folks on hand to provide updates on a few topics that are either before Council or may be soon:

- The Septic to Sewer conversation
- A proposed plastic bag ban
- Childcare policies and opportunities

If you'd like to attend and aren't on the Advocacy mailing list, please shoot me a message.

November BEDAB Meeting

A reminder that BEDAB will not meet on the first Monday of November, we'll have a separate special meeting to discuss the Strategic Plan closer to the middle of the month. Expect a Doodle Poll early next week. The aim of that conversation will be identifying

metrics and initiatives that move the needle on the overarching strategic themes already identified by BEDAB:

- Ensuring adequate supply of land for employment and residential uses
- Increase business satisfaction for those doing business in Bend
- Develop and support a talented workforce

I'm working on bringing in a number of local business stakeholders as well to help provide additional perspective.

Tools for Businesses Seeking Interns

I sit on the advisory committee for Youth Career Connect in Bend. A chamber hosted program that connects students from high school and college, plus recent graduates, with paid or unpaid internship opportunities at local businesses. Over the past year Chamber Internship Coordinator, David Haines, has done a great job of building out a diverse list of participating businesses. If you aren't participating but might have an interest, check out the Youth Career Connect page.

Attachments:

Council Schedule

Quick Reference Guide

Date	City Council / BURA Schedule	Agenda Material Due Dates (Legal/Finance) Final
November 7	<p>Work Session</p> <ul style="list-style-type: none"> • Schedule Requests <ul style="list-style-type: none"> ○ Separate check for Parks' SDCs (Councilor Campbell) ○ SDCs for transit (Councilor Campbell) ○ Bike lane ordinance fix (Councilor Campbell) ○ Childcare SDCs (Councilor Russell) ○ Parkway Access (Councilor Russell) ○ Census litigation (Councilor Boddie) • Community Survey 2018 • Financial Update (45 minutes) • Septic to Sewer <p>Regular Meeting</p> <ul style="list-style-type: none"> • Two five-year Enterprise Zone applications (Lonza and Five Talent) • SEI Phase I Extension Post Evaluation Report • Empire Corridor Improvements - Progressive Design Build contract amendment • Empire Corridor Improvements - Owners Rep/ Construction Mgmt. Contract • Plante Moran contract amendment • SEAPAC appointments • Residential Meter Box Upgrade – Phase 8 contract • The Pines Sewer Lift Station Asset Transfer Agreement • Septic to Sewer direction for 12/5 • Snow removal contracts • Insurance broker services for Human Resources • Police vehicles (?) <p>BURA</p> <ul style="list-style-type: none"> • Budget adjustment for BURA 	
November 21	No Meeting	
December 5	<p>Work Session</p> <ul style="list-style-type: none"> • Schedule Requests • Downtown Parking permit fees and zones • Citywide Parking Study, restaurant analysis results • Juniper Ridge Follow-up • Septic to Sewer 	

	<p>Regular Meeting</p> <ul style="list-style-type: none"> • Mid-Year Budget Adjustments • Investment policy updates • Fiscal Policies • Update to the FTE schedule • Intent to Reimburse Resolution • Update to the fees resolution • Plastic Bag Ordinance • Approval of a construction contract for the Murphy Corridor Improvements Project • Pacific Power Franchise Agreement • Phase 2 Ameresco contract • Septic to Sewer • Duplex/triplex public hearing • CDBG Annual Action Plan amendments • Change of Use for a CDBG property • NSP Funds • Follow-up on Galveston • Approval of a revised local agency agreement with ODOT • Parking district change first reading • Declaration of the vote • Contract Amendment for the Plant Interceptor (Insituform contract) for additional work to be performed for the North Inceptor project <p>BURA</p> <ul style="list-style-type: none"> • Committee appointments 	
December 19	<p>Executive Session</p> <ul style="list-style-type: none"> • CM Review <p>Work Session</p> <ul style="list-style-type: none"> • TID and Tumalo Creek Update <p>Regular Meeting</p> <ul style="list-style-type: none"> • Plastic Bag second reading • Neff & Purcell Design contract • Second reading Pacific Power Franchise Agreement • Second reading Duplex/triplex ordinance • North interceptor early work • BEDAB Strategic Plan • Parking district change second reading 	

Work Session future topics to be scheduled

- Quarterly Council- Board/Commission check-ins (2nd meeting January, April, July, October)
- Town Gown Committee Discussion (Jon)
- Opportunity Zones
- BURA scope of work for Feasibility Study (January)
- Airport Master Plan kick off (2019)
- Mural Sign Code (2019)
- Community Survey Results (January 2019)
- 2019 Legislative Priorities to the Council agenda schedule- TBD

Regular Agenda future topics to be scheduled

- Public hearing on vacation of Glenwood & Alden
- DEQ loan amendment(s)
- Gateway North Master Plan, Zone Change and TSP amendment PZ 16-0333
- Franchise agreement with a new telecommunications provider
- Approval of a CMGC exemption for the Solids Handling Improvement Project
- Drake lift Station design contract (January 16)
- Pump Station Decommissioning (January 16)
- EIPD Project Management Software (January 16)



ORS 260.432 Quick Reference— Restrictions on Political Campaigning for Public Employees rev 12/13

Generally, ORS 260.432 states that a public employee* may not, while on the job during working hours, promote or oppose election petitions, candidates, political committee or ballot measures. Additionally, no person (including elected officials) may require a public employee (at any time) to do so.

*A “public employee” includes public officials who are not elected, whether they are paid or unpaid (including appointed boards and commissions).

As used in this Quick Reference

We use the phrase “advocate(s) a political position” to mean—

promote or oppose an initiative, referendum or recall petition, candidate, political committee or ballot measure.

The term “impartial” means equitable, fair, unbiased and dispassionate.

See the Secretary of State’s detailed manual on ORS 260.432 for specific factors to assist in ensuring impartiality in communications about ballot measures. It is posted on the website under Election Laws, Rules and Publications, Manuals and Tutorials.

For more detailed information about ORS 260.432 and information about other election laws, contact:

Elections Division	phone	503-986-1518
Secretary of State	fax	503-373-7414
255 Capitol St NE, Suite	tty	1-800-735-2900
Salem, OR 97310	web	www.oregonvotes.gov

Prohibited Activities

A public employee, while on the job during work hours may not:

- prepare or distribute written material, post website information, transmit emails or make a presentation that advocates a political position
- collect funds, prepare filing forms or correspondence on behalf of candidates or political committees
- produce or distribute a news release or letter announcing an elected official’s candidacy for re-election (except for an elections official doing so as an official duty) or presenting an elected official’s political position
- make outgoing calls to schedule or organize campaign events or other political activity on behalf of an elected official or political committee (however, a scheduler may, as part of official duties, take incoming calls about the official’s availability and add an event to the schedule)
- grant unequal access to public facilities to candidates or political committees
- direct other public employees to participate in political activities, when in the role of a supervisor
- draft, type, format or edit a governing body’s resolution that advocates a political position (except to conform the resolution to a standard format)
- prepare or give recommendations to the governing body urging which way to vote on such a resolution
- sign such a resolution, except if the signature is only ministerial and clearly included to attest the board took the vote
- announce the governing body’s position on such a resolution to the media
- include the governing body’s position or vote on such a resolution in a jurisdiction’s newsletter or other publication

A public employee who provides voter registration assistance under the federal National Voter Registration Act (NVRA) must not, when performing voter registration services, influence a client’s political choices. This means no display of political preferences, including a restriction that no political buttons may be worn. ORS 247.208(3)

Allowable Activities

A public employee, while on the job during working hours may:

- prepare and distribute impartial written material or make an impartial presentation that discusses election subjects (using the guidelines provided in the Secretary of State's detailed manual on ORS 260.432.)

The Secretary of State's Elections Division is also available for an advisory review of draft material about ballot measures produced by government agencies.

- perform standard job duties, such as taking minutes at a public meeting, maintaining public records, opening mail, inserting a proposed resolution into a board agenda packet, etc.
- impartially advise employees about possible effects of a measure, but not threaten them with financial loss to vote a particular way
- address election-related issues while on the job, in a factual and impartial manner, if such activity is legitimately within scope of employee's normal duties
- as staff of an elected official, handle incoming calls about the official's availability for political events
- prepare neutral, factual information for a governing body to use in determining what position to take on an issue (planning stage of a governing body's proposed issue before certified as a measure to a ballot is not subject to ORS 260.432)
- in a clerical manner, incorporate amendments into a finalized version of a governing body's resolution on an issue respond to public records request for information, even if the material advocates a political position
- wear political buttons subject to applicable employer policies unless the public employee is providing voter registration services under NVRA, where additional restrictions apply - see note on previous page about ORS 247.208(3)

A public employee, on their own, off duty time, may send letters to the editor that advocate a political position and may participate in any other lawful political activity.

It is advised that a salaried public employee keep records when appropriate in order to verify any such political activity that occurs while off duty.

Prohibited and Allowable Activities for Elected Officials*

*includes a person appointed to fill a vacancy in an elective public office

Elected officials may:

- advocate a political position at any time. Elected officials are not considered a "public employee" for purposes of ORS 260.432. ORS 260.432(4)(a).
- vote with the other elected officials of a governing body (such as a school board, city council or county commission) to support or oppose a measure, and publicly discuss such a vote—but must not use the public employee staff time to assist in this, except for ministerial functions
- perform campaign activity at any time, however must take caution not to involve any public employee's work time to do so

Elected officials may not:

- in the role of a supervisor, request a public employee—whether the public employee is on or off duty—to perform any political activity
A request made by a person in a position of supervisor or superior is viewed as a command for purposes of this election law.
- have an opinion piece or letter advocating a political position published in a jurisdiction's newsletter or other publication produced or distributed by public employees