



CITY OF PILOT ROCK

144 N Alder Pl PO Box 130 Pilot Rock, OR 97868

www.cityofpilotrock.org

CITY COUNCIL MEETING

February 1, 2022 6:00PM

Council Chambers

MISSION

To serve our citizens, operate in a fiscally conservative manner, provide quality basic services, and involve the community in the decision-making process. Be responsive, responsible and provide civic leadership.

AGENDA

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS

Public comments will be limited to 3 minutes as per ORS. #519, Sec. 8: B, D, E.
Must sign the Roster to speak.

E. PRESENTATIONS: NONE SCHEDULED

F. ACTION ITEMS:

1. Mayor Swearing In
2. Umatilla County Special Library District Agreement

G. INFORMATION ITEMS & REPORTS

1. Department Head Report

H. CONSENT CALENDAR

1. Approval of bills
2. Approval of the January 19, 2022, minutes

I. CITY COUNCIL COMMENTS

J. EXECUTIVE SESSION – NONE SCHEDULED

K. ADJOURNMENT

NEXT COUNCIL MEETING, February 15, 2022, at 6:00PM at 143 W. Main is accessible to the disabled.
Please contact the City Recorder at City Hall 541-443-2811 if you have questions.

City of Pilot Rock, Oregon

STAFF REPORT

Date: January 27, 2022

For Council Meeting of: February 1, 2022
Agenda Item No: F-2

To: Honorable Mayor and City Council
From: Pilot Rock Library

Issue: Approval of the Agreement for Library Services

SYNOPSIS: Council is asked to review and approve the new agreement for library services

This topic comes before Council for action

OPTIONS: The following options are available for City Council.

1. Approve the library agreement
2. Do not approve the agreement
3. Other action as directed by Council

STAFF RECOMMENDATION: Council by motion approve the new library agreement for continues services

RATIONALE: The library is a benefit for the community. The agreement will allow us to continue library services with Umatilla County.

BUDGET IMPLICATIONS: The library is funded by its own tax district and does not rely on city funds. The library receives approximately \$62,000 from the Umatilla County Special Library District.

BACKGROUND INFORMATION: The current agreement will expire June 30, 2022. The new agreement will take effect on 7/1/2022.

ATTACHMENTS: Library Agreement

AGREEMENT FOR LIBRARY SERVICES

Umatilla County Special Library District

This agreement ("Agreement") is entered into by and between the Umatilla County Special Library District ("District"), and the City of Pilot Rock ("City"), both municipal corporations and political subdivisions of the State of Oregon. This Agreement is entered into pursuant to Oregon Revised Statutes ("ORS") 190.010 and shall be effective upon signing by both parties hereto.

RECITALS

WHEREAS, the District was established by the voters of Umatilla County to provide Library Services as defined in ORS 357.400(3), within Umatilla County, Oregon; and

WHEREAS, for that purpose the District and the City desire to enter into an intergovernmental agreement to provide Library Services through the City Library; and

WHEREAS, the parties recognize that this Agreement is not exclusive and that the District has entered into or proposes to enter into similar agreements with other public entities to ensure consistent and cooperative provision of Library Services throughout Umatilla County.

AGREEMENT

In consideration of the mutual obligations stated herein, the parties agree as follows:

- 1. DEFINITIONS.** When used in this Agreement, unless the context indicates otherwise:
 - A. "City" means the City of Pilot Rock, in Umatilla County, Oregon.
 - B. "County" means Umatilla County, Oregon.
 - C. "District" means the Umatilla County Special Library District.
 - D. "Home Library" means the Library that uses the same ZIP code as a patron's residence.
 - E. "Library" means the City of Pilot Rock Public Library.
- 2. TERM.** This Agreement shall take effect July 1, 2022 and shall be of indefinite duration unless and until modified pursuant to Section 3 or terminated pursuant to Section 14 of this Agreement.

3. REVIEW AND RENEGOTIATION. The terms of this Agreement, including but not limited to terms and methods for Funding, are subject to review and renegotiation every three (3) years. Either party may submit a written request for review and renegotiation to the other party at least twelve (12) months prior to the end of the applicable three (3)-year period. Upon the other party's receipt of such request, the parties shall engage in good-faith negotiations regarding any modifications. If the parties cannot agree to the modified terms within six (6) months of the date on the written notice, either party may terminate the Agreement as provided in Section 14. Failure to provide timely notice under this paragraph shall be deemed consent to renew the Agreement according to its existing terms until the next review period.

4. DUTIES AND OBLIGATIONS OF THE PARTIES.

A. For the City. The City's obligations under this Agreement shall be as follows:

(1) Operations. In operating the Library, be responsible for the following:

- (a) Purchasing materials, supplies, equipment and services necessary for the setup and continued operation.
- (b) Preparing and approving an annual Library budget.
- (c) Entering into contracts with any person, firm or corporation, or any agency or government, as necessary, to acquire goods or services for the development of and the operation of the Library.
- (d) Contracting or providing for the use of space for its operations, staff, a supervisor, or auxiliary services, including but not limited to records, payroll, accounting, purchasing and data processing.
- (e) Reviewing staff contracts and job descriptions annually to maintain alignment with Priorities for Programs and Service Delivery and performing annual employee evaluations based on those job descriptions.
- (f) Determining the level of staffing required to provide Library Services according to all applicable standards and in compliance with this Agreement. Employing, supervising, and terminating a director and other Library employees.
- (g) Compensating the Head Librarian/Library Director or equivalent at not less than 150% of the State of Oregon minimum wage.
- (h) Taking any other action necessary and proper for the management of the Library and the performance of its functions.

(2) Standards. Complying with all applicable State of Oregon laws and

administrative rules relating to hours of operation, staffing levels, and collection size. To the extent feasible the Library will strive to meet Oregon Library Association Public Library Standards.

- (3) Unplanned Changes in Staffing and Operations. Notifying the District's Board of Directors when changes are made in Library staffing or operations that affect or may affect the implementation of the current Annual Library Service Plan. The District reserves the right to withhold or modify funding for substantial deviations from the approved plan.
- (4) Library Closures. Notifying the District office of any unscheduled Library closures.
- (5) Interlibrary Loan. Participating in universal borrowing for all District residents.
- (6) Support for the District. Acknowledging the District's contributions on Library website, brochures, newsletters, etc. Providing other support and advocacy for the District upon request.
- (7) Annual Library Service Plan.
 - (a) On or before May 1 of the current fiscal year, prepare and submit to the District an Annual Library Service Plan ("ALSP") proposal for the next fiscal year. The ALSP shall be based on the then-current District guidelines for programs. Funding under this Agreement is expressly conditioned upon District approval of the ALSP.
 - (b) No later than October 31 of each year, present a written review of the prior fiscal year's ALSP to the District Board of Directors.
- (8) Annual Statistical Report. On or before November 10 of each fiscal year, furnish to the District a copy of the Library's annual statistical report that is sent to the State Library of Oregon.
- (9) Funding Conditions. Comply with all Funding Conditions described in Section 5 of this Agreement.
- (10) Financial Reporting.
 - (a) Account for all Library resources and expenditures through a separate freestanding fund or a readily identifiable department function within the City General Fund, consistent with accounting and budgeting requirements under Oregon law.
 - (b) Budget any unexpended Funding from the prior fiscal year budget as beginning cash balance in the following fiscal year's Library budget,

consistent with accounting and budgeting requirements under Oregon law.

- (c) On or before October 10 of each fiscal year, provide to the District a copy of the City's annual adopted Library budget, showing the planned use of Funding from the District. The budget shall be accompanied by a written summary of any anticipated changes in staffing or operations in the next fiscal year that may affect the apportionment of Funding.
- (d) On a monthly basis, provide a financial report for the Library to the Library Director and Library Board. The report shall include any anticipated changes in staffing or operations in the next fiscal quarter that may affect the apportionment of Funding.
- (e) Provide additional or supplemental information upon request.
- (f) On or before February 1 of each fiscal year, provide to the District a copy of an annual audit showing expenditures of Funding during the prior fiscal year.
- (g) Ensure that all gifts, grants, contributions or fees received by the City for library services from any source other than the District are accounted for in the Library budget and used solely for Library operations.
- (11) In-Service Training. Provide regular wages and benefits for employees participating in District-provided in-service trainings, including reimbursement for reasonable and customary mileage, meals, substitutes, etc. The Library must close for these trainings.

B. For the District. Subject to the availability of funds, the District's obligations under this Agreement shall be as follows:

- (1) Funding. Subject to the terms and conditions stated in Section 5 of this Agreement, on an annual basis provide to the City funding ("Funding") for Library Services according to the formula described in Appendix A, which is attached hereto and incorporated herein by this reference.
- (2) Annual Budget. As soon as available, provide a copy of the District's anticipated annual funding distribution amounts to the City for use in the budgeting process. The parties recognize that both parties' budgets must conform to Oregon budget laws.
- (3) Distribution of Funds. Promptly upon receipt of property tax revenues from the Umatilla County Treasurer, transfer to the City its proportionate share of the Funding as described in Appendix A.
- (4) District Director. Provide District Director services for the purposes of

providing advice, sharing information, serving as a resource, and assisting in solving problems. When appropriate the District Director shall act as a Communication Liaison for cooperative projects.

- (5) Technical Services Manager. Provide Technical Services, including cataloging assistance, resolving database issues, and one-on-one library site visits at least twice per year.
- (6) Early Literacy Program Manager. When appropriate and upon request, provide resources and services through the Early Literacy Program Manager.
- (7) In-Service Staff Training. Fund and present a minimum of two trainings per year for all library staff based on District and Library program priorities and needs. The Library will be closed for these trainings.
- (8) Resource Sharing. When, in the District's sole discretion, it is reasonable and cost-effective, the District shall provide the following shared resources:
 - (a) Courier Service. Contract courier services for delivery of books and other library materials from and to the participating libraries within the County.
 - (b) Library Automation System. Sage Library System membership levels for the libraries in the District. Libraries shall follow all Sage Library System policies and all District policies relating to the implementation of such policies.
 - (c) Public Resources. Additional resources that will be accessible through the Library to a resident with a local library card.
 - (d) Joint Purchasing Opportunities. When appropriate and upon agreement of all participating parties, pursue and coordinate joint purchasing opportunities.
 - (e) Professional Learning Opportunities. Share free resources for training elected officials and non-Library personnel.
- (9) District Annual Service Plan (ALSP). By May 1 of each year, provide a copy of the District's Annual Service Plan on the District website for public viewing. Provide hard copies of the Plan upon request. By October 31, provide an evaluation process of the previous fiscal year's ALSP.

5. FUNDING TERMS AND CONDITIONS.

- A. Use of Funds. The parties intend that Funding provided pursuant to paragraph 3.B(1) will be used solely to support operation of the Library and implementation of the Library's Annual Library Service Plan (ALSP). The Funds may not be used

for the purchase, rehabilitation, or maintenance of a building or grounds for the City library; for structural modification of an existing City library; or for maintenance or operation of the Library's physical plant.

- B. Annual Library Service Plan. Receipt of Funding is expressly conditioned upon the District's approval of the City's timely submitted Annual Library Service Plan ("ALSP") proposal pursuant to paragraph 4.A(7)(a) of this Agreement.
 - C. Budget Availability. The parties recognize that the District is a special taxing district which receives its funding through property tax receipts collected by Umatilla County. In the event the tax revenues are less or more than those in the budget adopted by the District for the applicable fiscal year, the allocations of funds to the City shall be proportionately reduced or increased by the same percentage as the reduced or increased level of tax revenues. For example, if the total annual revenues were reduced/increased by one (1%) percent, then the City's total receipts from the District would be reduced/increased by one (1%) percent.
 - D. Withholding Funding. If the City fails to comply with the terms of this Agreement, the District may withhold distributions of Funding to the City until all terms are met.
 - E. Changes to Funding Formula. The population element of the funding formula described in Appendix A is subject to change every three (3) years based on changes in ZIP Code information provided by Portland State University Population Research Center. Population changes could cause changes in the distribution percentages.
6. **PROHIBITION OF DISENFRANCHISEMENT**. A patron's residency outside of the City limits of their Home Library shall not be basis for excluding such patron from participation in public discussions regarding their Home Library.
7. **NO EMPLOYMENT RELATIONSHIP**. Any and all employees of the City, while engaged or performing any work or service required under this Agreement, shall be considered employees of the City and not employees of the Library District. Any claims that may arise under the Workers' Compensation Act on behalf of such employees while so engaged; any claim for or regarding compensation or benefits for such employees; and any and all claims made by third parties as a consequence of any act or omission on the part of the City or its employees shall be the sole obligation and responsibility of City.
8. **NOTICES**. Any notice required to be given under this Agreement shall be effective on the date of actual receipt or two (2) days after deposit as registered or certified mail, return receipt requested, postage prepaid and addressed to either party at the address stated below or such other addresses as either party may specify by written notice to the other party:

City of Pilot Rock
P.O. Box 130
Pilot Rock, OR 97868

Umatilla County Special Library District
PO Box 1689
Pendleton, OR 97801

9. SEVERABILITY. If any part, paragraph, section or provision of this Agreement is adjudged to be invalid by any court of competent jurisdiction, such adjudication shall not affect the validity of any remaining section, part or provision of this Agreement.

10. GOVERNING LAW. This Agreement shall be construed and regulated by the laws of the State of Oregon. Venue for any dispute hereunder shall lie in Umatilla County, Oregon.

11. DISPUTE RESOLUTION.

A. Negotiation. Prior to any mediation or arbitration of any dispute arising under this agreement, the parties agree to submit each such dispute to mediation and to attempt to settle such dispute in good faith.

B. Mediation. If the dispute cannot be resolved by good-faith negotiations, a mediator will be selected by and paid equally by the parties. If the matter is not settled after one mediation session, then the arbitration provisions of this agreement shall apply.

C. Arbitration. If any dispute arises between the parties which is not settled by mediation, such dispute shall be resolved by binding arbitration. Either party may request arbitration in writing to the other party. The parties shall mutually select a single arbitrator. If the parties cannot agree on an arbitrator, the presiding judge of the Umatilla County Circuit Court will choose an arbitrator. The arbitration shall take place in Umatilla County, Oregon, and shall be conducted according to the rules of the Arbitration Service of Portland, Oregon. Costs of the arbitration shall be shared equally by the parties, but each party shall pay its own attorney fees incurred in connection with the arbitration.

12. INDEMNITY. The City shall defend, indemnify and hold the District harmless from any claims, damages, suits or actions arising out of or in connection with the provision of Library Services provided pursuant to this Agreement.

13. AMENDMENT. This Agreement may be modified only by mutual written consent of the parties hereto.

14. TERMINATION. Either party may terminate this Agreement without cause by giving written notice to the other party not less than six (6) months prior to the end of the then-current fiscal year. Such termination shall become effective at midnight of the last calendar day of the fiscal year in which such notice is given.

IT IS HEREBY AGREED:

**UMATILLA COUNTY SPECIAL
LIBRARY DISTRICT**



Board President



Board Secretary

December 17, 2021
Date

CITY OF PILOT ROCK

City Manager/Mayor

ATTEST: _____
City Manager/City Recorder

_____, 20____
Date

ATTACHMENTS:

Appendix A: Explanation of Distribution of Funds to Member and Partner Libraries

Appendix B: Oregon Public Libraries Definition & Link to Oregon Library Association
Public Library Standards

Appendix C: UCSLD Organizational Governance Outline

Appendix A: Explanation of Distribution of Funds to Member and Partner Libraries

The Umatilla County Special Library District (UCSLD) was created on November 4, 1986, by voters from all of Umatilla County except for incorporated Hermiston. The order creating the District reads, "The purpose of the Umatilla County Special Library District shall be to provide library and information services to persons within the district." Further, the UCSLD "shall be a municipal corporation and shall have perpetual succession, and shall, in its own name, exercise and carry out the powers and objects provided for by Oregon Statutes governing library districts."

Through agreements between the District and the established public libraries in Umatilla County, the UCSLD ensures the provision of public library service to all residents within its boundaries. The public libraries within the District boundaries are defined as "member libraries." At the start of the District the City of Hermiston chose not to be part of the District, but instead later signed an agreement with the District to provide access to library services for the rural or unincorporated Hermiston population. Therefore, Hermiston Public Library is considered a "partner library."

The funding model which distributes tax revenue to District libraries provides that 80 percent of UCSLD tax revenues would go to the District member libraries and partner library. The remaining 20 percent of revenues remain with the District, and are used for operations and administration, and services provided to member libraries, including but not limited to cataloging services, courier delivery service, membership in the Integrated Library System (ILS) [now SAGE], and resources for all residents such as Library2Go (Libraries of Eastern Oregon pricing) and early childhood literacy outreach services.

In the Fall of 2019 the UCSLD Board of Directors conducted a review of the tax distribution process, culminating in a decision in 2021 to update the distribution formula consistent with ORS 357.405, which defines "public library," and the rules for implementation found in OAR 543-010-0036. Each library's service population is now determined by population within their zip code area in Umatilla County.

The formula consists of two funding components: (1) Base threshold criteria, and (2) population. The elements of the base threshold criteria are: Personnel, collections, and operations and maintenance (O&M). These elements are adjusted by population size category. The population component is determined by the census zip code area numbers.

Every three (3) years, the Board of Directors will review the threshold criteria and update as needed and will review and update the formula to reflect the current population numbers.

The distribution percentages are determined through the following process:

Population for each zip code in UCSLD boundaries is provided to the District by the Portland State University Population Research Center. The zip code population for each member library and partner library is as follows:

Zip Code	City	2020 Census Population - City	2020 Census Population - Zip Code Area	Population of UCSLD Zip Code Areas	Zip Code area number as a percentage of the whole zip code population	Remainder of difference between County Population and zip code populations with % change applied	Final Population Figures to Use
97810	Adams	389	887	887	1.46%	888	888
97813	Athena	1,209	1,386	1,386	2.29%	1,388	1,388
97826	Echo	632	1,061	1,061	1.75%	1,063	1,063
97835	Helix	194	373	373	0.62%	374	374
97838	Hermiston	19,354	28,348	8,994	14.83%	9,007	9,007
97862	Milton-Freewater	7,151	11,512	11,512	18.99%	11,529	11,529
97801	Pendleton	17,107	21,882	22,052	36.37%	22,084	22,084
97859	Meacham	170	170	0	0.00%	0	0
97868	Pilot Rock	1,328	1,756	1,756	2.90%	1,759	1,759
97875	Stanfield	2,144	2,875	2,875	4.74%	2,879	2,879
97880	Ukiah	159	224	224	0.37%	224	224
97882	Umatilla	7,363	8,271	8,271	13.64%	8,283	8,283
97886	Weston	706	1,241	1,241	2.05%	1,243	1,243
		57,906	79,986	60,632	100.00%	60,721	60,721
PSU	Umatilla County	80,075	80,075				
Hermiston Rural		8,994					
Unassigned		89					

The formula for determining the distribution to each library is below:

		2020 Population	Pop Size Category	Base/Threshold Criteria Elements					BASE Amount	REMAINDER Amount	TOTAL ESTIMATED DISTRIBUTION	Multiplier for Remainder Funds	
	FY 22-23 80% Anticipated Distribution			Personnel FTE*	\$	Staff Funding	Collections	O&M	Total			Zip Code population	% of the total for each zip code area
Adams		888	1	0.5	\$47,840	\$23,820	\$2,000	\$2,592	\$28,512	\$12,186	\$40,698	888	1.46%
Athena		1,388	1	0.8	\$47,840	\$38,272	\$2,500	\$4,077	\$44,849	\$19,041	\$63,890	1,388	2.29%
Echo		1,063	1	0.8	\$47,840	\$38,272	\$2,500	\$4,077	\$44,849	\$14,576	\$59,425	1,063	1.75%
Helix		374	1	0.5	\$47,840	\$23,820	\$2,000	\$2,592	\$28,512	\$5,124	\$33,636	374	0.62%
Hermiston (rural)		9,007		0.0	\$47,840	\$0	\$0	\$0	\$0	\$123,560	\$123,560	9,007	14.83%
Milton-Freewater		11,529	2	2.9	\$47,840	\$137,325	\$11,529	\$14,885	\$183,739	\$158,152	\$321,891	11,529	18.99%
Pendleton		22,084	2	4.3	\$47,840	\$204,653	\$22,084	\$22,674	\$249,411	\$302,951	\$552,362	22,084	36.37%
Pilot Rock		1,759	1	0.8	\$47,840	\$38,272	\$2,500	\$4,077	\$44,849	\$24,124	\$68,973	1,759	2.90%
Stanfield		2,879	2	1.2	\$47,840	\$55,097	\$2,879	\$5,798	\$63,774	\$39,497	\$103,270	2,879	4.74%
Ukiah		224	1	0.5	\$47,840	\$23,820	\$2,000	\$2,592	\$28,512	\$3,077	\$31,589	224	0.37%
Umatilla		8,283	2	2.4	\$47,840	\$116,622	\$8,283	\$12,490	\$137,395	\$113,627	\$251,022	8,283	13.64%
Weston		1,243	1	0.8	\$47,840	\$38,272	\$2,500	\$4,077	\$44,849	\$17,049	\$61,898	1,243	2.05%
	\$1,712,216	60,721	1<2000; 2 >2000	Base: on Pop Size Cat: 1=0.5 pop<1000, 0.8 pop=1000; 2=pop/2000x 0.8 <5000 and for >5000=2/15,00 0*(pop- 5000)/1.2	1 file @ 23.00/Hr	1- pop<1000=\$2000; pop>1000=2500; 2= 2500 or pop*1 whichever is greater	10% of Staff+Coll	\$879,251	\$832,965	\$1,712,216	60,721	100.00%	
		Hermiston shows Unincorporate d only		Calculated, not rounded		Calculated, not rounded			51.35%	Used remaining funds after the base amount is distributed. Used a % derived from each libraries' % of whole zip code population.			

For the next three years, FY 2022-23, FY 2023-24 and FY 2024-25, the distribution multipliers (a fraction of the 80% calculated) for the member libraries, the partner library and the District

are as follows:

Adams	0.0190152
Athena	0.0298514
Echo	0.0277653
Helix	0.0157159
Hermiston (Rural)	0.0577310
Milton-Freewater	0.1503975
Pendleton	0.2580806
Pilot Rock	0.0322264
Stanfield	0.0482511
Ukiah	0.0147595
Umatilla	0.1172854
Weston	0.0289207
District	0.2000000
	100.00%

The Board will review and update the population numbers and funding elements during the last year of the Agreements.

Appendix B: Oregon Public Libraries Definition & Link to Oregon Library Association Public Library Standards

From: <https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=278527>

Oregon State Library
Chapter 543
Division 10
ADMINISTRATION

543-010-0036

Official Recognition of Public Libraries

(1) The State Library Board will officially recognize those public libraries that become legally established under one of the methods described in ORS 357.216-286 or 357.400-621 and have met all minimum conditions.

(2) Libraries, that have a service population of over 2000, shall meet the following minimum conditions:

- (a) Have at least half (50%) of its operational financial support from public funds.
- (b) Be open to the public a minimum of 20 hours per week.
- (c) Provide a collection comprising books, media, or electronic resources.
- (d) Offer free public access computers with Internet access.
- (e) Offer free public wireless Internet access (wi-fi).
- (f) Provide a website that enables local library users to access State Library of Oregon resources and services available to all Oregon residents.
- (g) Dedicate at least 0.50 full-time equivalent (FTE) paid staff time exclusively to library functions.
- (h) Have basic policies in place and accessible online for collection management, circulation, and patron confidentiality that incorporate relevant American Library Association (ALA) professional ethical codes, rules, and guidelines.
- (i) Provide basic services for reference and youth services.
- (j) Complete the annual statistical report as required under ORS 357.520 and OAR 543-010-0035.

(3) Libraries, that have a service population of 2000 or less, shall meet the following minimum conditions:

- (a) Have at least one fourth (25%) of its operational financial support from public funds.
- (b) Be open to the public a minimum of 10 hours per week.
- (c) Provide a collection comprising books, media, or electronic resources.
- (d) Offer at least one free public access computer with internet access.
- (e) Offer free public wireless internet access (wi-fi).
- (f) Provide a website that enables local library users to access State Library of Oregon resources and services available to all Oregon residents.
- (g) Dedicate at least 0.25 full-time equivalent (FTE) paid staff time exclusively to library functions.

- (h) Have basic policies in place and accessible online for collection management, circulation, and patron confidentiality that incorporate relevant American Library Association (ALA) professional ethical codes, rules, and guidelines.
- (i) Provide basic services for reference and youth services.
- (j) Complete the annual statistical report as required under ORS 357.520 and OAR 543-010-0035.

(4) Official recognition as a public library will qualify the library to be eligible for state aid and grants from the State Library as authorized in statutes. A library must receive official recognition by June 30 to be eligible for grant funding in the next state fiscal year beginning July 1.

(5) Official recognition will continue unless the library no longer meets the statutory requirements of a public library.

(a) Library responses to the Public Library Annual Statistical Survey will be used to determine compliance with minimum conditions outlined in sections (2) and (3).

(b) An officially recognized public library that fails to meet the minimum conditions as outlined in section (2) or (3) will have two (2) years to achieve compliance, during which time the library maintains eligibility for state aid and grants.

(c) Proceedings for termination of official recognition for a library that fails to meet minimum conditions after two (2) years will be scheduled for consideration by the Board, which will then make a determination.

(d) The State Library will provide an annual report to the Board on the status of public library compliance with minimum conditions.

(6) Notwithstanding section (5), if an officially recognized public library fails to meet the minimum conditions outlined in section (2) or (3) by June 30, 2021, the public library will have one year to meet the minimum conditions before section (5)(b) shall apply to the public library.

(7) The Board will terminate a public library's official recognition immediately after a local government withdraws support following the requirements of ORS 357.621. The State Library will notify the local government that official recognition is being terminated.

(8) Any affected agency may appeal the termination of official recognition to the Board. The appeal must be in writing and must contain a detailed statement specifying the reason the appellant agency believes the action was improper.

(9) The written appeal must be filed no later than 15 business days after the notice of termination of official recognition is received. Once an appeal is received, it will be scheduled for consideration by the Board, which will then make a determination.

(10) To be reinstated, a library must request reinstatement of official recognition from the Board. The request must include signed documentation attesting that the library has met all minimum conditions. The request will then be scheduled for consideration by the Board, which will make a determination. The State Library will notify the local

government if official recognition is being reinstated. A library may appeal a denial of reinstatement as described in this rule.

Statutory/Other Authority: ORS 357.026(1)

Statutes/Other Implemented: ORS 357.216-286, 357.400 - 357.621 & HB2243 A (2019)

History:

OSL 1-2021, temporary amend filed 06/23/2021, effective 06/23/2021 through 12/19/2021

OSL 2-2019, amend filed 10/21/2019, effective 01/01/2020

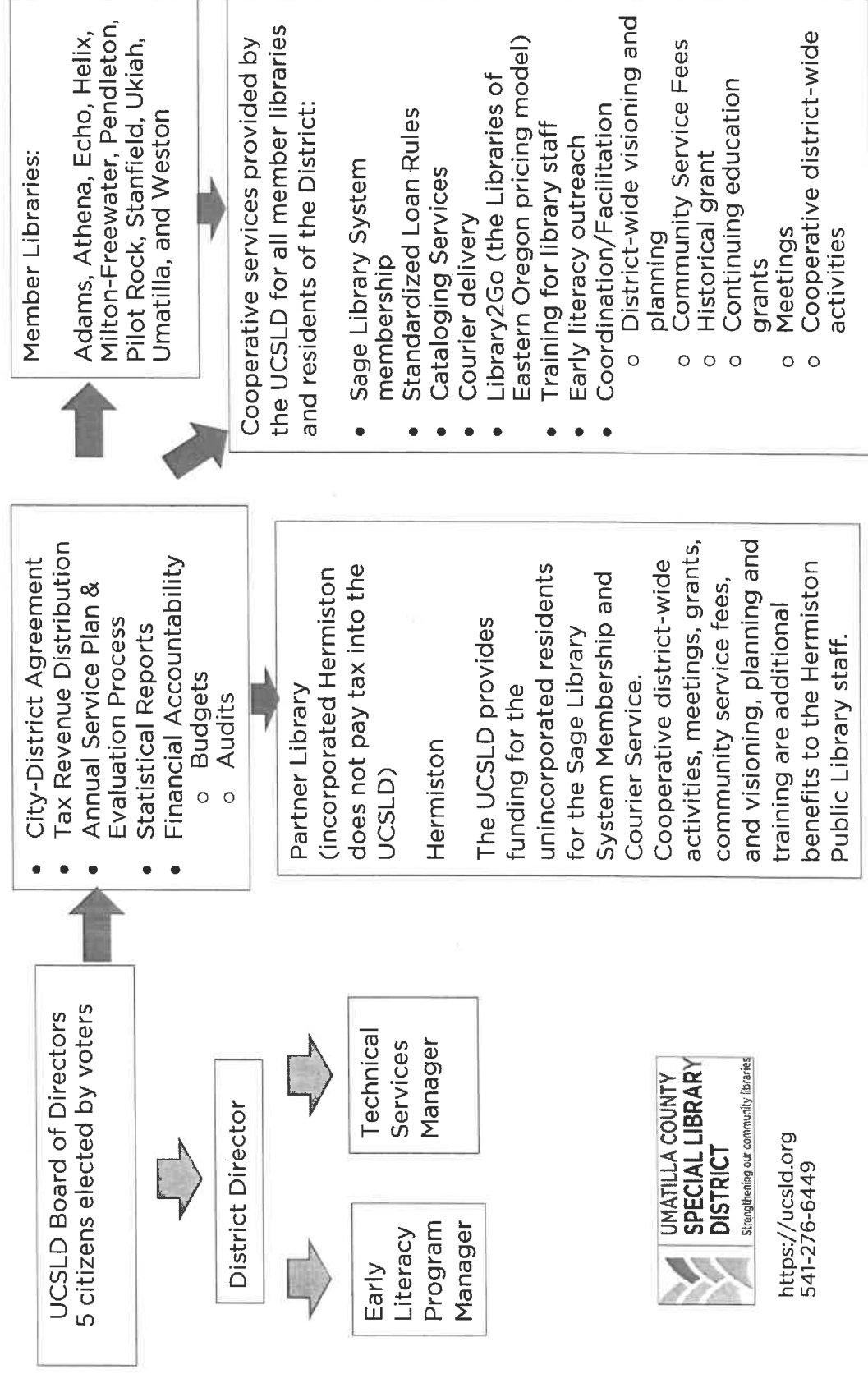
OSL 1-2000, f. & cert. ef. 4-13-00

Oregon Library Association Standards

See: <https://www.olaweb.org/assets/PLD/PLDStandards/PLD-Standards-091718.pdf>

Appendix C: Umatilla County Special Library District (UCSLD) Organizational Governance Structure

The UCSLD was established to provide library services district-wide. Currently, this is accomplished through inter-governmental agreements with 11 member libraries: 10 cities and one school district, and the one partner library's city, to provide library service to everyone within the UCSLD boundaries.



MAJOR ROLES AND RESPONSIBILITIES:

Library District Board of Directors

- Operates according to the governing ORS statutes
- Oversees distribution of approved tax-payer funds that ensure the provision of public library services in the Umatilla County Special Library District
- Sets the District budget each year
- Oversees Agreements with cities and school district
- Sets District policies
- Develops and implements District strategic plans
- Hires District Director and staff

Library Boards

- Serves as library policy advisors
- Supports and advocates for libraries and UCSLD
- Carries out duties as stated in Oregon State law/City ordinance and School District policy regarding library boards
- Monitors compliance with the requirements of the UCSLD Agreement

District Director

- Provides expertise, leadership and coordination
- Advises District Board regarding policy, resource allocation and strategic planning
- Prepares and manages District budget
- Administers District operations
- Monitors and evaluates District activities
- Supervises and evaluates District staff
- Serves as District Board Secretary

Local Library Director

- Provides expertise, leadership and coordination
- Advises library board regarding policy, resource allocation and strategic planning
- Prepares and manages library budget
- Administers local library operations
- Monitors and evaluates library performance
- Hires and supervises library staff
- Oversees coordination with local library support groups
- Ensures compliance with the requirements of the UCSLD Agreement
- Collaborates with the UCSLD to provide the best public library service to the residents of the District
- Supports and advocates for libraries and the UCSLD

Cities/School District

- Adopts local library policies
- Hires local library director
- Prepares/adopts annual public library budget in coordination with the library director
- Fiscally supports local public library
- Provides and maintains the public library building
- Oversees compliance with the requirements of the UCSLD Agreement
- Supports and advocates for libraries and UCSLD

CITY OF PILOT ROCK

Department Head Report

January 27, 2022

For Council Meeting on February 1, 2022
Agenda Item # G-1

To: Honorable Mayor and Council
From: Department Heads
Issue: Department Head Report

City Hall:

1. Completed payroll
2. Processed employee W-2's
3. Completed & submitted year end federal report to IRS
4. Completed & submitted year end state payroll report to Dept of Revenue
5. Completed & submitted state transit tax year end report
6. Prepared council packets
7. Completed January 19 council meeting minutes
8. Routine updates on website
9. To date 4 applications received for Administrative Assistant position.
10. Scheduled interviews for February 4, 2022
11. Coordinating celebration of life memorial
12. Submitted land lease for solar project to City Attorney
13. Received final documents from Auditor for review

Police Department:

1. Report of a bullet hole in a shed.
2. Received a report of a tire being slashed with a suspect mentioned.
3. Assisted UCSO on a civil issue and the service of a warrant.
4. Provided help to a citizen who needed shelter, due to the cold weather.
5. Mediated a dispute between parties regarding a business deal.
6. Officer took care of a telephonic harassment complaint.
7. Assisted ODOT with a traffic hazard.
8. Financial assistance was provided to a citizen who needed propane.
9. A background request was done for the FBI on a case that originated from 1971.
10. A radio ad was done for ODOT on the dangers of driving while impaired.
11. A local resident was arrested on a Grant County warrant and lodged in jail.
12. Chief reviewed and sent out an updated policy manual for 2022.
13. Did a welfare check on a possible endangered female.
14. Report of illegal fireworks on SW 10th St.
15. A man wanted his ex-girlfriend trespassed from his residence.
16. Officer assisted DHS with a child abuse case.
17. A local resident was arrested on a warrant.
18. Two high school students were cited for possessing a vape pen.
19. Officer assisted the fire department with a structure fire.
20. Report of a cat being shot with a BB.
21. Investigated a verbal domestic.
22. Responded to a fight at a downtown business.
23. Report of a disturbance between a couple downtown, no arrests were made.
24. Assisted Pendleton PD with a stolen vehicle case.
25. Report of a theft at a downtown business.

26. Report of a car being stolen by the victim's adult son.
27. Chief attended an executive leadership training seminar in Seaside.
28. Received a report of a mother who was using marijuana during her pregnancy.
29. A five-year-old girl was found walking in the lane of travel on Hwy. 395. The girl was picked up by a local resident and transported to the police department. Her caretaker was cited for Child Neglect II.
30. Investigated a domestic where a female was arrested for DV Assault IV – Felony. A five-year-old child was a witness to the incident.
31. Responded to a disturbance where one of the parties was escorted off the property.
32. Received a report of power tools stolen from a garage. The incident was not reported for over a week.
33. A six-year-old girl got off at the wrong bus stop. She was reunited with her family.
34. Report of a disturbance with a possible firearm involved.
35. Assisted the Oregon Health Authority with information on a 2020 suicide.
36. Assisted Pendleton PD with a driving complaint.
37. Reviewed a Will where somebody was claiming ownership of some of the deceased's property.
38. Investigated damage to one of the football stadium lights.
39. An officer attended municipal court for security.
40. Took a report of two landowners arguing over an easement.
41. Assisted a medical provider in Arizona with an emergency contact.
42. Received a report of a motor vehicle crash on the NE side of town.
43. Report of shots being fired in a residential area. An investigation determined it was illegal fireworks instead of gunshots.
44. Assisted the principal at the high school with a fight during lunch hour.
45. Received a report of a driver failing to stop for the flashing red stop lights on a school bus.
46. Report of a young male wanting to commit suicide.
47. Officer assisted a mental health worker in contacting an adult threatening suicide.
48. Did 39 house checks for people who were out of town.

Public Works

1. Continued monitoring of sewer project
2. Winter equipment maintenance
3. Snow removal
4. New water services have been installed for 1 residential property
5. Sewer main plugged on SE 4th

CITY OF PILOT ROCK

Council Meeting
January 19, 2022, 6:00 PM

A. Called to Order

Having a quorum, the Regular Council meeting was called to order by **Acting Mayor Raymond Doherty** at 6:00 PM. Council members present were **Councilor Derek Turner, Councilor Tegan Kaneaster, Councilor Randy Gawith, and Councilor Kody Johnson. Councilor Paula Evoniuk attended via phone conferencing.** Department Heads present were **Chief William Caldera, City Recorder Teri Bacus and Public Works Director Steve Draper. Citizens present were Ray Bacus and guests present were Judy Vicek and Scott Marshall was present via phone conferencing.**

B. INVOCATION

Chief William Caldera gave the invocation

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS.

E. PRESENTATIONS

F. ACTION ITEMS

F-1 Appoint Mayor – City Recorder presents the City Charter and sites chapter VII section 31, titled Vacancies and it states that “the mayor or council office becomes vacant: (a) Upon the incumbent’s (1) Death. Due to the passing of Mayor Virginia Carnes on January 8, 2022, the mayor seat is open. Chapter VII section 32 titled Filling Vacancies states: A mayor or council vacancy will be filled by appointment by a majority of the remaining council members. Councilor Gawith states that he volunteers for the position of mayor. **Councilor Turner made a motion to appoint Councilor Gawith mayor and Councilor Kaneaster seconded. Councilor Johnson voted yes, and Councilor Evoniuk voted yes. Motion carried: 4 Yes – 0 No** City Recorder will swear in Councilor Gawith at the next meeting.

Appoint Council President - City Recorder explains that the City Charter Chapter III, section 9 states: At its first meeting each year, the council must elect a president from its membership. **Councilor Evoniuk made a motion to appoint Councilor Doherty as Council President and Councilor Gawith seconded. Councilor Turner voted yes, Councilor Kaneaster voted yes, and Councilor Johnson voted yes. Motion carried: 5 Yes – 0 No**

F-2 Pilot Rock School District Variance – City Recorder presented a variance request from the Pilot Rock School District. The variance is for a setback at the Pilot Rock High school and the required rear setback is 15 feet. The request is for a 3-foot setback. Scott Marshall, AIA from Straightline Architecture represented the school district and was present via phone conferencing. City Recorder explains that the rear setback to the property boundary line will not affect any other properties. Public Works Director Steve Draper explains that

CITY OF PILOT ROCK

beyond the property line is a 60-foot-wide unused street followed by a bluff. Chapter 18.110.020 Public hearings (2) (a) states “Notice of a public hearing shall be mailed to all owners of property within 250 feet of the property. No notifications letters were sent because there are no homes within 250 feet. Public notices were placed in the following locations: Post Office, City Hall, Council Chambers, Shell mini mart and the Pilot Rock market. Newspaper ad was placed in the Eastern Oregonian. The variance is requested as part of a large renovation. The alignment of the new addition to the existing shop accommodates both shops being adjacent to one another. The existing site topography necessitates the proposed position of the shop addition as shown on a provided map. The high school curriculum and staffing for vocational training classes can be more effectively taught if both metal and wood shops are adjacent to one another. **Councilor Turner made a motion to approve the variance and Councilor Johnson seconded. Councilor Kaneaster voted yes, Councilor Evoniuk voted yes, and Councilor Gawith voted yes. Motion carried: 5 Yes – 0 No**

F-3 Community Development Block Grant Public Hearing – Judy Vicek from the Greater Eastern Oregon Development Corporation has been administering the Community Development Block Grant for the City of Pilot Rock. She explained that the City of Pilot Rock joined the consortium along with the City of Pendleton, Adams, and the unincorporated areas of Umatilla County for a \$400,000 grant to be used for Housing Rehabilitation. The funds were used for low to moderate income households to rehab homes with health and safety issues. Most of the homeowners were elderly and single mothers. She is present to complete the final close out of the program and to read the public notice for recording into the minutes. The grant assisted 14 homes and 31 people. Judy Vicek reads the following public notice:

The City of Pilot Rock is completing a housing rehabilitation project funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the project is in Cities of Pendleton, Pilot Rock, Adams, and the Unincorporated Areas of Umatilla County. It is estimated that the project has benefited at least 31 persons of whom 100% are low or moderate income. A public hearing will be held by the Pilot Rock City Council at 6pm on January 19, 2022, at the City Council Chambers, 143 W. Main St, Pilot Rock, Oregon, 97868. The meeting will be held in person with phone conferencing available at 774-267-2541. We also have a listen only number at 844-890-7777. The location of the hearing is accessible to the disabled. Please contact the Pilot Rock City Recorder at least 48 hours prior to the meeting if you need any special accommodations to attend or participate in the hearing. The purpose of the hearing is for the City Council to obtain citizens views about the project and to take comments about the local government’s performance. Written comments are also welcome and must be submitted to the City Recorder by January 18, 2022, at City Hall 144 N Alder Place, Pilot Rock, OR 97868. Both oral and written comments will be reviewed by the Pilot Rock City Council. More information about the Oregon Community Development Block Grant program and the project is available for public review at Pilot Rock City Hall Mon – Fri 8am to 5pm.

No comments were made from the public.

F-4 City Owned Industrial Land Tentative Partition Plan Public Hearing – City Recorder presented a partition tentative plan of parcel 2 of map 1S32B. The city has been working with Sunthurst Energy, LLC since late 2014 to construct a solar farm that converts sunlight into energy that is then routed to the power grid. City Council approved a partition of 40.21 acres in 2015. Sunthurst Energy, LLC has been paying the city diligence

CITY OF PILOT ROCK

rent on the property. The project requires construction of solar panels which was divided into two projects called Pilot Rock 1 and Pilot Rock 2. The funding of the project is outsourced and requires a further partition to divide the two projects. Parcel 1 will be 20.41 acres and parcel 2 will be 19.80 acres. City Recorder also explains that the project would be very beneficial to the city as an additional revenue source. She also explains that the parcel was approved as a Rural Renewable Energy Development Zone (RREDZ) which provides a tax abatement and waives the minimum number of employees. **Councilor Turner made a motion to approve the tentative partition plan and Councilor Kaneaster seconded. Councilor Johnson voted yes, Councilor Gawith voted yes, and Councilor Evoniuk voted yes. 5 Yes – 0 No**

F-5 Address Change Resolution No. 680 – City Council is asked to approve a request for an address change on SW Delwood Ave. The home is physically not on SW Delwood Ave but is located on SW 4th Place. The homeowners are concerned that emergency services will not be able to locate the property. Addresses are assigned based on the street that the front door is facing. A map was provided to show the actual location of the home. There is also no street sign identifying SW 4th Place and if resolution no. 680 is approved, Public Works Department will order street sign and place it in the proper location. **Councilor Turner made a motion to approve resolution no. 680 and Councilor Kaneaster seconded. Councilor Johnson voted yes, Councilor Gawith voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No**

F-6 Appoint Budget Officer – Council is asked to appoint by motion a Budget Officer to prepare the proposed budget for the coming fiscal year. The Oregon Department of Revenue Local Budgeting Manual Chapter 3 states: Each local government must have a budget officer, either appointed by the governing body or designated by the local government charter. **Councilor Gawith made a motion to appoint City Recorder Teri Bacus as the FY2023 Budget Officer and Councilor Turner seconded. Councilor Johnson voted yes, Councilor Kaneaster voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No**

F-7 Planning Commission - Council is asked to review information to determine if the Planning Commission should be restarted. At the November 2, 2021, City Council meeting, Citizen Jackie Carey proposed to restart the Planning Commission and Council agreed to advertise to decide if there was enough interest from the community. City Recorder placed advertisements in the November 12, 2021, and December 17, 2021, newsletters. It was also advertised on the website. City Recorder received replies from 6 citizens. She further explains the number of permits that were reviewed by Council for the past 4 years. During the period of January 2018 to the end of December 2021, there were a total of 17 land use requests reviewed by City Council. She also provides a copy of Resolution no. 599 which went into effect January 3, 2017, and it suspended the Planning Commission. Public Works Steve Draper states that he believes that the Planning Commission will be unsustainable due to lack of volunteers. He also suggests that we could have short training sessions from local experts on land use and zoning requirements. Councilor Turner states that the 6 citizens that submitted their names are currently not present. If they were interested in restarting the Planning Commission, they would be at this Council meeting. Councilor Doherty states that when the city did have a Planning Commission, sometimes a review would take 2 or 3 meetings and many times, not enough members would attend. Therefore, the Planning Commission was suspended. **Councilor Turner made a motion that we do not have a Planning Commission and Councilor**

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Gawith seconded. Councilor Johnson voted yes, Councilor Kaneaster voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No

G-1 Department Head Report – Chief Caldera states that an additional Department Head report will be provided at the next council meeting. He also states that he has 4 applications for the open police officer position and the interview process will take place in February 2022. He also provides an update on other cities that have open police officer positions and their lack of applications. A history of the Pilot Rock Police Department was discussed.

City Recorder asks if Council would like to advertise the open Council seat and for how long? Council agreed for the City Recorder to advertise the open seat and set a deadline for applications on February 9, 2022. The applications will be reviewed at the February 15, 2022, City Council meeting. She also informs the Council that the Administrative Assistance/Court Clerk has submitted her retirement date and the position is currently being advertised. Interviews will be held in February 2022 for a start date of March 1, 2022.

Councilor Doherty asked for an update on the old lagoon. Public Works Steve Draper explains that they are in process of drying out and then they will be decommissioned. Drying out should be complete in spring. The new lagoon seeding process was discussed and this is the last item remaining to close the project out.

City Hall:

1. Completed payroll
2. Completed & submitted workers' compensation quarterly payroll report for SAIF
3. Completed & submitted federal payroll quarterly report to IRS
4. Completed & submitted state payroll quarterly report to Dept of Revenue
5. Completed & submitted state transit tax quarterly report
6. Newspaper ads submitted & published for variance & partition requests
7. Prepared council packets
8. Continued support to auditors
9. Processed two development permits
10. Routine updates on website
11. Completed verification of employment for former employee
12. Processed W-2's and will be distributed with paystubs at Jan payroll
13. Placed advertisements on website, Eastern Oregonian and Worksource Oregon for open positions, Police Officer and Administrative Assistant.
14. Ordered new card reader to replace outdated old card reader
15. Received new card reader and installed
16. Processed extension for Community Development Block Grant to Jan 31, 2022
17. Auditors submitted extension request due to COVID to State Auditing Division and was approved
18. Completed required report to Oregon State Treasury Debt Mgmt Division for Lagoon project
19. Routine updates on Website
20. Posted public notices for Community Development Block Grant for public hearing.
21. Ordered new computer due to part time clerk's computer no longer compatible with software

CITY OF PILOT ROCK

22. All city fire extinguishers were inspected
23. Completed required month end journal entries.
24. Coordinating celebration of life memorial

Police Department:

1. Report of missing/stolen drugs from an elderly man.
2. Report of a suspicious person in a neighborhood.
3. Received a report of a possible trespass.
4. Responded to a domestic disturbance where the male was found to be intoxicated.
5. Dispatched to a suspicious male wandering around a business.
6. A seventeen-year-old juvenile was cited at the high school for possessing a vape pen.
7. Officer spoke to sixth grade students about bullying.
8. Investigated a report of a suicidal male.
9. Investigated a residential burglary where the suspect was identified.
10. Assisted Stanfield PD with a theft investigation.
11. Report of an elderly male who was driving on the wrong side of the road for several blocks. The driver was located, and it was determined that he was having medical issues.
12. A mother requested to have her son trespassed from her house.
13. Investigated a stolen vehicle case, the vehicle was located and returned to its rightful owner.
14. Assisted a local agency with recovering some stolen property.
15. Officer assisted an elderly woman with her malfunctioning alarm system.
16. A male was trespassed from all school properties at the request of high school administration.
17. Officer did a winter safety presentation to students at the high school.
18. A welfare check was done on an elderly gentleman who was experiencing health problems.
19. Officer assisted a confused elderly female.
20. Report of a verbal disturbance between two parties.
21. Officer investigated a code violation which involved several abandoned cars.
22. Officer assisted a probationer on transferring his probation from Idaho to Oregon.
23. Received a report of someone opening a gate and letting dogs run loose.
24. Several drugs were confiscated from a residence.
25. Received a driving complaint on four high school students.
26. Provided information to an owner of a parked vehicle that had been hit by another car.
27. Assisted the fire department by doing two background checks on potential volunteer firefighters.
28. The department took part in Christmas with a Cop at Wal-Mart.
29. Provided an escort and traffic control duties for the annual Christmas parade.
30. Delivered Christmas packages to families in the area for the high school.
31. Report of a woman causing a disturbance at a downtown business.
32. Report of a suspicious male hanging out in a residential area.
33. Report of a disturbance between a male and female over a cell phone.
34. Officer did a welfare check on a female juvenile at the request of the Oregon Child Abuse Hotline.
35. Received a report of several gunshots going off. It was determined that the sound was from aerial fireworks.
36. Arrested a transient who was occupying a vacant house on several warrants.
37. Investigated the theft of a dirt bike taken from someone's carport. The bike was recovered the next day.
38. Assisted Adult Protective Services with a concern over an elderly male with dementia.

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39. Assisted the FBI with a background check.
40. Assisted DHS – Child Welfare by checking on a four-year-old.
41. A total of 33 house checks were completed for individuals who were out of town.
42. Investigated death threats between three parties.
43. A local resident was arrested on several warrants.
44. Assisted the fire department on a possible structure fire.
45. Officer checked on the welfare of two children whose parents had separated.

Public Works

1. Continued monitoring of sewer project
2. Winter equipment maintenance
3. Dump truck repairs are completed
4. Snow removal
5. Wastewater Biological Oxygen Demand and Total Suspended Solids completed
6. Nitrate sampling on water systems completed
7. New water services have been installed for one commercial and 2 residential properties

H. CONSENT CALENDAR

Councilor Turner made a motion to approve the consent calendar and Councilor Johnson seconded. Councilor Kaneaster voted yes, Councilor Gawith voted yes, and Councilor Evoniuk voted yes. Motion carried: 5 Yes – 0 No

Bills \$20,882.51

I. COUNCIL COMMENTS

K. EXECUTIVE SESSION – NONE

L. ADJOURNMENT

Councilor Turner made a motion to adjourn, and Councilor Kaneaster seconded. Councilor Evoniuk voted yes, Councilor Gawith voted yes, and Councilor Johnson voted yes. Motion carried: 5 Yes – 0 No

Acting Mayor Raymond Doherty adjourned the meeting at 7:06 pm.

APPROVED _____
Randy Gawith, Mayor

ATTEST _____
Teri Bacus, City Recorder

January 19, 2022

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