

## AGENDA

**Board of Directors**  
Mid-Willamette Valley Council of Governments  
**Tuesday, March 15, 2022**  
**3:30 P.M. – 5:30 P.M.**  
**Hybrid Meeting – Zoom Webinar/In Person**  
MWVCOG Conference Room  
100 High Street SE, Suite 200, Salem OR 97301  
(Pre-register for webinar with this [LINK](#))

**CONTACT:** Scott Dadson, Executive Director; 503-540-1601  
**CHAIR:** Sal Peralta, McMinnville  
**VICE CHAIR:** Lisa Leno, Confederated Tribes of Grand Ronde

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- A. CALL TO ORDER** – *Sal Peralta, Chair*
- B. INTRODUCTIONS** – *Sal Peralta, Chair*
- C. PUBLIC COMMENT** (*This time is reserved for questions or comments from persons in the audience*)
- D. AUDIT REPORT** – *Grove Mueller Swank*
- E. CONSENT CALENDAR** (*All items on the Consent Calendar will be approved by one vote unless an item is withdrawn for discussion at the request of a Board member. Members may have an item withdrawn by notifying the Chair at the meeting. The item will be removed by the Chair for discussion and a separate motion will be required to take action on the item in question.*)
- 1. Minutes of December 14, 2021, meeting of the Board of Directors** **pg. 3-9**  
Requested Action: Approve minutes
  - 2. Financial Report** **pg. 10-14**  
Information only.
  - 3. Department Activity Reports** **pg. 15-26**  
Information only. Includes reports from the Community Development Department, Transportation Department, and Small Business Loan Program.
  - 4. Appointment of 2022 Budget Committee** **pg. 27**  
Requested Action: Appoint Budget Committee members for the 2022 budget process
  - 5. Adoption of 2022-23 Budget Schedule** **pg. 28**  
Requested Action: Adopt the meeting schedule for the 2022 budget process
  - 6. Resolution 2022-01 – Annual Salem/Keizer Area Transportation Planning Contracts** **pg. 29-32**  
Requested Action: Approve Resolution No. 2022-01 authorizing the Executive Director to sign Transportation Planning contracts as outlined in the Resolution
  - 7. Resolution 2022-02 – GIS Services Contracts** **pg. 33-37**  
Requested Action: Approve Resolution No. 2022-02 authorizing the Executive Director to sign GIS Services contracts as outlined in the Resolution

- 8. **Resolution 2022-03 – Community Development Contracts** pg. 38-50  
Requested Action: Approve Resolution No. 2022-03 authorizing the Executive Director to sign Community Development, Land Use Planning, Small Business Lending, and Housing Rehabilitation Services contracts as outlined in the Resolution
- 9. **Resolution 2022-04 – Member Services Contracts** pg. 51-55  
Requested Action: Approve Resolution No. 2022-04 authorizing the Executive Director to sign Member Services contracts as outlined in the Resolution
- 10. **Resolution 2022-07 – Records Retention Schedule** pg. 56-57  
Requested Action: Approve Resolution No. 2022-08 adopting the County and Special District Retention Schedule as established by the Oregon Secretary of State – Archives Division, as outlined in the Resolution

**E. ACTION ITEMS**

- 1. **Resolution 2022-05 – Approve Rates** pg. 58-64  
Requested Action: Approve Resolution No. 2022-05 setting the hourly rates for various services provided by MWVCOG on a contract basis, as outlined in the Resolution
- 2. **Resolution 2022-06 – Adopting Comprehensive Financial Management Policies** pg. 65-81  
Requested Action: Approve Resolution No. 2022-06 adopting Comprehensive Financial Management Policies

**F. EXECUTIVE DIRECTOR’S REPORT**

- 1. **Annual Meeting Review**

**G. BOARD DISCUSSION/ROUNDTABLE** *(This is an opportunity for Board members to introduce subjects not on the agenda and report on happenings in their respective jurisdictions.)*

**H. ADJOURNMENT**

**NEXT MEETING: June 15, 2022  
3:30 p.m.  
COG Offices/Zoom  
(Includes 2022 Budget Hearing)**

The Mid-Willamette Valley Council of Governments is pleased to comply with the Americans with Disabilities Act (ADA). If you need special accommodations to attend this meeting, please contact Denise VanDyke at (503) 588-6177 at least 48 hours prior to the meeting. Hearing impaired, please call Oregon Telecommunications Relay Service, 7-1-1. Thank you

**MINUTES OF DECEMBER 14, 2021**

**MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS  
BOARD OF DIRECTORS**

**VIA Zoom**

**MEMBERS PRESENT**

**CHAIR:** Councilor Sal Peralta, City of McMinnville  
**VICE CHAIR:** Lisa Leno, Tribal Council Member, Confederated Tribes of Grand Ronde  
Commissioner Danielle Bethell, Marion County  
Commissioner Casey Kulla, Yamhill County  
Mayor Brian Dalton, City of Dallas  
Mayor Cathy Clark, City of Keizer  
Councilor Roxanne Beltz, City of Monmouth  
Mayor Rick Rogers, City of Newberg  
Mayor Jim Kingsbury, Sublimity, representing Small Cities of Marion County  
Mayor John McArdle, Independence, representing Small Cities of Polk County  
Lisa Rogers, Board Member, Chehalem Park and Recreation District  
Jackie Franke, Member, Chemeketa Community College Board of Education  
Maria Hinojos Pressey, Member, Salem-Keizer School Dist. Board of Directors  
Ian Davidson, Salem-Keizer Transit District Board

**MEMBERS ABSENT**

Mayor Eric Swenson, City of Woodburn  
Mayor Linda Watkins, Carlton, representing Small Cities of Yamhill County  
Terry Hsu, Director, Marion Soil & Water Conservation District  
Frank W. Pender, Jr., Board Member, Willamette Education Service District (WESD)  
Commissioner Jeremy Gordon, Polk County  
Mayor Chuck Bennett, City of Salem

**OTHERS PRESENT**

Scott Dadson, Executive Director  
Renata Wakeley, Community Development Director  
Amber Mathiesen, Finance Director  
Mike Jaffe, Transportation Program Director  
Denise VanDyke, Admin. Specialist II  
Will Worthey, Interim City Manager, City of Newberg  
Sarah Allaben, University of Oregon RARE Participant  
Chief Mark Daniel, Interim City Manager, City of Mt. Angel  
Allan Pollock, General Manager, Cherriots

**CALL TO ORDER & INTRODUCTIONS**

Chair Councilor Sal Peralta called the meeting to order at 3:30 p.m. The presence of a quorum was noted. Roll call was taken.

## **PUBLIC COMMENT**

None.

## **CONSENT CALENDAR**

**MOTION:** By Mayor McArdle, **SECONDED** by Casey Kulla, to **APPROVE THE CONSENT CALENDAR, AS PRESENTED.**

1. Minutes of September 21, 2021, meeting of the Board of Directors
2. Approve MWVHA ORS190/MWVCOG Agreement Amendment #1
3. Adopt 2022 Meeting schedule
4. Adopt Fund Balance Target for FY 2022-23

**Discussion:** None. Motion carried.

**IN FAVOR:** Franke, Peralta, Leno, Dalton, Clark, R. Rogers, Davidson, L. Rogers, Beltz, Bethell, McArdle, Kulla and Kingsbury. **OPPOSED:** None. **ABSTAINED:** None.

## **INFORMATIONAL ITEMS**

### **1. Financial Report**

Ms. Mathiesen reported two updates: 1) Financial software transition: Continuing with process of transitioning to QuickBooks, the next segment will be payroll. The team is working with the budget was adopted in a prior year and reporting was developed in an older software, and the team is transitioning to the new system. Referenced attached budget report. 2) Audit progress: Staff is continuing to work on the financial audit and plans to file the audit documents by the December 31<sup>st</sup> deadline. Regarding finance portion of the report, Ms. Mathiesen referred to the annual letter showing that we are in compliance with Oregon Department of Transportation's independent external auditor. She opened for questions. No questions currently.

### **2. Department Activity Reports**

Ms. Wakeley provided updates on community and economic development reports. She referred to pages 19-21 of the meeting packet and highlighted items. We are providing staff support to Polk County on an economic development administration application for a childcare facility in Monmouth. It went to peer review for their staff; they have the entire packet. We are hopeful they will be receiving funding assistance for the entire region. Also, we moved forward with a contract with Link Oregon for broadband mapping and will make sure the work completed is aligned to make sure our completed work can be passed for ownership. Planning Services: Dundee and McMinnville asked for land use planning assistance in the interim as they work through staff transitions. The COG increased planner FTEs so we may provide support to them. Santiam Canyon: We are assisting Gates and Detroit to receive a letter of map amendments for flood plain elevations for incorrect data which we have been working with Departmental Land Conservation and Development (DLCD) and FEMA. This is to show the elevations data is incorrect, so the responsibilities of homeowners to initiate applications for amendments are removed. Ms. Wakeley introduced Sarah Allaben, whose assignment is COG's new RARE participant (Resource Assistance for Rural Environments) and assigned to the Santiam Canyon as the Wildfire Recovery Coordinator. Post 2020 wildfires, Pacific Power reached out to Marion County and COG to fund this AmeriCorps position and asked that COG host and serve as the supervisor. Sarah is present in this meeting. She began in September 2021. Ms. Allaben was welcomed by the Board.

Ms. Wakeley stated that the COG is working on accessing a new fund for a housing rehabilitation loan program, which is a Coronavirus relief fund (CDBG-CV-2) through Business Oregon. This

is for people who own structures, but not the land. This program will assist people with energy efficiency, and ADA and weatherization improvements. This is a grant program to the residents of manufactured home parks. The City of Silverton will be the lead.

Mr. Dadson gave an administrative update on the Business Lending Program. We are continuing to work to seek for a director, a Business Lending Program Manager/Senior Loan Officer position. We have a part-time person and two other COG's assisting. We are continuing to get \$1.3 million in CARES Act funding into the three-county region. Mr. Dadson referred to the packet containing the current financials of the lending board, the COG revolving lending board and the VDI loans. He noted that in the last 30 years, we lent over \$25 million in loans. We are working with the process with the VDI board toward hiring staff so we can do the lending in the community.

Mr. Jaffe addressed the Transportation and GIS updates. He referred to the update, and the draft facility plan for the OR 18 and OR 22W (Valley Junction) ODOT project. He discussed ODOT's Bicycle and Pedestrian Program, and the Active Transportation Needs Inventory (ATNI) being done statewide, regarding an inventory of all the bike lanes and sidewalks, and to determine the project with the highest priority. The ACT member is reviewing these and providing comments. Mr. Jaffe emphasized the Infrastructure and Jobs Act (IIJA) that will provide \$1.2 billion to Oregon, which is extra over what Oregon normally receives in a five-year period: \$1 billion for roads, and \$200 million for transit over the next five years. About \$400 million of the additional funds for roads is flexible funding. Referencing MPOs (Metropolitan Planning Organizations) and the Salem Keizer Area Transportation Study (SKATS), he has been working with issues about climate change and a proposal from ODOT as to how to spend funds. Climate change requirements will be met. The Coronavirus Response and Relief Supplemental Appropriations Act Funds was passed by the federal government about a year ago. SKATS received just over \$1.9 million. ODOT swapped these federal funds for state funds and provided the funds to the MWVCOG. A resolution was adopted as to how the funding will be allocated for cities and counties, and for COG for transportation work and administrative costs. He referenced additional details in the board packet. GIS staff began an update of the Salem-Keizer School District's Student Density Study. Our GIS staff has been busy with redistricting for local cities and doing its second mobile field data collection. We are helping the City of Silverton with their GIS needs. Our GIS staff have been very busy.

Mr. Dadson mentioned to the board that if anyone has further questions regarding the technical nature of the reports, please reach out to staff.

### 3. **Legislative Policy Update**

Chair Peralta reported that the subcommittee has been meeting every two weeks to move the needle for the COG, as far as legislative policy. Regional convenings began and was well-attended by members. Have hosted two convenings, homelessness in September and housing in November. He asked Mr. Dadson to talk about the conversation he had with Justin Martin in terms of what Mr. Dadson is seeing as far as the legislative agenda for the short session for the COG. Mr. Dadson referred to the link to the report, which is a summation of all the legislative activity. Three hot topics are:

1. Pushing the big projects in transportation.
2. Pushing for stronger voice with MWACT and ACTs in general, the area transportation groups. Transportation every day is getting heavier and thicker, so we want to make sure the actions of our MWACT, SKATS and area transportation needs are met.

3. Capacity building dollars that will help our memberships to handle development pressures, especially in smaller cities, with infrastructure needs.

Larger cities also need help. This was asked for in long session, but we are now pushing for direct money to COG so we can provide services and help meet their goals. Chair Peralta said we need to adopt updates to the legislative policy for 2022. Mr. Dadson outlined briefly the preview adopted in January 2021. He spoke regarding changes; please refer to page 35 of the meeting packet, which outlines guiding principles. Chair Peralta pointed out that members of the committee meet Wednesday mornings at 7:00am. He invited other board members to join; please let Mr. Dadson or Chair Peralta know. Mr. Davidson echoed some of Mr. Dadson's comments and said this is not a one and done procedure. He said we are continually looking at our legislative priorities. Current focus on transportation priorities, but other areas to be revisited as we go on. He is optimistic to see some of the successes because of the policy changes. Mayor Clark commented that this meeting is worth participating in. The flexibility, nimbleness, the exchange of ideas, and focusing on priorities and recognize the three-county region as the Mid-Willamette Valley. She appreciates the effort by the group and the leadership, and she said she this is an important part of the work we are doing for the region.

## **ACTION ITEMS**

### **1. Adopt Legislative Policy for 2022**

Mr. Dadson outlined the Policy briefly and spoke to the changes. The Policy was last adopted at the January 2021 meeting. Page 35 of the packet outlines the guiding principles. Chair Peralta pointed out the members of the Legislative Committee, which meets on Wednesday mornings at 7 a.m. via Zoom. He invited other Board members to join. Anyone interested should talk to Mr. Dadson or Chair Peralta. Mr. Davidson echoed some of Mr. Dadson's comments. This is not a one and done process. Currently, emphasis is on transportation, but other areas need to be revisited as we go on. He is optimistic to see changes resulting because of our Policy. Mayor Clark stated that it is worth participating. There is a nimbleness and exchange of ideas at the meetings. We are focusing on priorities with the intention of upping the recognition of the three county region, and this is an important part of the work we are doing for the region.

**MOTION** by Mayor Rogers, **SECONDED** by Mayor Clark, **TO APPROVE THE LEGISLATIVE POLICY FOR 2022.**

Discussion: None.

Motion carried.

**IN FAVOR:** Franke, Peralta, Leno, Dalton, Clark, R. Rogers, Davidson, L. Rogers, Beltz, Bethell, McArdle, Kulla, Hinojos Pressey, and Kingsbury. **OPPOSED:** None. **ABSTAINED:** None.

### **2. Adopt Member Dues/EDD Assessment FY 2022-23**

Mr. Dadson reviewed information in the packet and provided background. It is a tradition to adopt these fees in December. This helps us and our members to frame our budgets into the next year. The next action in March is about our rates for services. Regarding our fees in Economic Development District assessments, there will be no changes. Attached are charts specific to each jurisdiction, which list previous dues use. The total effect of the CPI-W increase is 3.3%, which is June's CPI-W for Seattle, and the full 3.3% is being proposed. Per Ms. Mathiesen, in prior years, we have added \$20,000 for reserve-building, which is not needed this year because we have met our reserve at this time, so it is not included in the formula.

**MOTION** by Ms. Franke, **SECONDED** by Commissioner Bethell, to **APPROVE THE MEMBER DUES/EDD ASSESSMENT FOR FY 2022-23**.

Discussion: None.

Motion carried.

**IN FAVOR:** Franke, Peralta, Leno, Dalton, Clark, R. Rogers, Davidson, L. Rogers, Beltz, Bethell, McArdle, Kulla, Hinojos Pressey, and Kingsbury. **OPPOSED:** None. **ABSTAINED:** None.

**3. Public Hearing on Supplemental Budget for 2021-2022**

**4:06 PM**

a. Supplemental Budget for Fiscal Year 201-2022

Chair Peralta closed the COG's regular meeting and opened a supplemental budget hearing for 2021-2022.

b. Supplemental Budget Message

Mr. Dadson provided background on the supplemental budget, which is to recognize additional funds. One amendment is for the MPO and SKATS, for \$1.9 million. The second is for a CDBG-CV-2, \$500,000 application for a funding grant through Business Oregon. Ms. Mathiesen explained details. Transportation and Community Development received dollars not anticipated at original budget details, page 48. Total increase of budget is \$2.4 million. May see additional adjustments before end of the fiscal year. Chair Peralta is grateful for the work done to bring in additional money for work and assistance in the region.

c. Public Testimony

None.

d. Discussion

Mayors Dalton and Kingsbury asked about the area covered by SKATS. Mr. Jaffe answered that the formula only applied to area covered by the MPO (Metropolitan Planning Organization): Salem, Keizer, and Turner. Marion County and Polk County only can spend in the MPO area. The Mid-Willamette Area Commission on Transportation (MWACT) passed the project list, it went through ODOT, and some money was distributed through the LOC and AOC agreement. Chair Peralta suggested that Mr. Jaffe talk with Mayors Dalton and Kingsbury regarding funding available for their cities. Mayor McArdle suggested sharing information with all non-SKATS jurisdictions. Ms. Franke said that based on a roundtable discussion yesterday with Secretary of Agriculture Tom Vilsack and Congressman Schrader, there is a tremendous amount of money coming available in the future. Mr. Dadson stated that the stronger the ACTs can be means being better able to bring money to the region. Transportation staff will put something together to share information.

e. Amendments

None.

f. Resolution 2021-12 Adopting Supplemental Budget and Summary of Proposed Supplemental Budget

Chair Peralta accepted a motion on Resolution 2021-12.

**MOTION** by Mayor Dalton, **SECONDED** by Ms. Franke, to **ADOPT A SUPPLEMENTAL BUDGET AND SUMMARY AS PROPOSED**.

Discussion: None.

Motion carried.

**IN FAVOR:** Franke, Peralta, Leno, Dalton, Clark, R. Rogers, Davidson, L. Rogers, Beltz, Bethell, McArdle, Kulla, Hinojos Pressey, and Kingsbury. **OPPOSED:** None. **ABSTAINED:** None.

Chair Peralta closed the public hearing on the supplemental budget and reopened the regular COG hearing at **4:17 p.m.**

#### **4. Election of Officers for 2022**

Chair Peralta has noted last few years benefit of extra training for vice chair before becoming chair. Chair Peralta went over the proposed slate, and praised Mr. Davidson who hosted the Housing convening. Ms. Franke pointed out Mayor Swenson is very involved in his community, a board member, a business owner twice over, and a college instructor and has asked to step off the Executive Committee. The Executive Committee proposes the following slate of officers for CY 2022:

- Chair: Councilor Sal Peralta, City of McMinnville
- Vice Chair: Lisa Leno, Confederated Tribes of Grand Ronde
- Immediate Past Chair: Jackie Franke, Chemeketa Community College
- Ian Davidson, Salem Area Mass Transit District (Cherriots)

**MOTION** by Mayor McArdle, **SECONDED** by Mayor Rogers, to **APPROVE THE ELECTION OF OFFICERS FOR 2022 AS PRESENTED.**

Discussion: None.

Motion carried.

**IN FAVOR:** Franke, Peralta, Leno, Dalton, Clark, R. Rogers, Davidson, L. Rogers, Beltz, Bethell, McArdle, Kulla, Hinojos Pressey, and Kingsbury. **OPPOSED:** None. **ABSTAINED:** None.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Dadson reported the annual dinner planning committee has met and he is reminding the board the three award nominations are open until open until January 7, 2022, for the three awards. It is posted on the COG webpage. He would like to make sure we get good nominations for the three awards. The dinner will be a virtual event and will to be held on February 16, 2022. The planning committee would like a live event in the summer for the social aspect. Mr. Dadson would like to make sure there is equal access to members for services and is needed for capacity-building in our region. He stated that we will be adding to grant writing and administering grants. We will be adding capacity to assist members.

Mayor Rogers inquired about how the COG is set, capacity-wise, for planning services. Mr. Dadson said there will be an addition for a minimum of one full-time employee (FTE), especially in administrative services. The first emphasis will be in planning services for planning, grant writing and administration.

#### **BOARD DISCUSSION/ROUNDTABLE**

Mayor Rogers introduced Will Worthey, Newberg Interim City Manager, attendee of this meeting. Mr. Worthey was with the library prior to this position.

Mr. Davidson wanted to preview that Cherriots is undertaking long-range transit planning in 2022. There will be engagement with different levels of government and the public with how to best serve these counties. He stated they are optimistically looking toward the future.

Vice Chair Leno reported that last month the Confederated Tribes of Grand Ronde (CTGR) held a dedication of the fire station and ambulance. She said the CTGR are helping West Valley Fire District (WVFD).

Councilor Beltz provided updates that Monmouth moved out of the old City Hall, which is to be torn down in the next month or two. The bond measure passed and construction will begin soon. The police chief is now appointed. Thirdly, they are getting Taco Bell!

Mayor Clark thanked all for support of the Mid-Willamette Valley Homeless Alliance. The vote earlier in the consent agenda is part of the ongoing work. The Homeless Alliance has brought so many organizations together to provide services to the homeless. Arches Inn provides shelter to Santiam Canyon families not housed yet. The Yaquina Hall Project has closed on the real estate, and this will be a rehabilitation site for medical drug addiction. The duration shelter is open until at least December 26, 2021. She said we are saving lives and making a difference.

Commissioner Bethell reported that Marion County secured funding for the opening of His Place in Woodburn in 2022, which is for dads who are now in the system because of drug and alcohol addiction. His Place balances Her Place (for moms) in Marion County. They will open a second Her Place in Marion County by early 2023. The team has been leading short-term housing recovery efforts in Santiam Canyon. COG support is great. 32 units should be in place for housing by early summer, which barely touches the need. 2022 will be a double-down on housing and homelessness across the board. The County will utilize COG services as we can and need.

Chair Peralta said this is the last meeting of the year. Thank you for all the work and service in the region, and for all the work addressing housing affordability, homelessness, and transportation in this group. It is a delight to be a part of this organization. Happy Holidays.

#### **ADJOURNMENT**

Hearing no further business, Chair Peralta adjourned the meeting at 4:37pm.

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Scott Dadson, Executive Director

*Meeting minutes transcribed from Zoom recording by Janet Toman, contractor with MWVCOG, on January 18, 2022.*



In the Federal Compliance Report, the auditors provided two (2) findings. The first is related to the maintenance of the General Ledger, and the other was related to the preparation of the Schedule of Federal Awards (SEFA). In both instances, the auditors reflect that there were some errors in the recording of entries, and journal entries were required to ensure the accuracy of reporting. Staff has responded to these concerns by preparing responses describing the corrective measures that will be taken to provide accuracy in future reports. These responses are included in the compliance report. It is important to note this audit was prepared from information still housed in the old accounting system.

Action has been taken to improve the financial reporting for COG. New accounting software has been purchased and staff has been working through that transition, as can be seen in the above section of this report. Staff has updated internal processes and internal controls along the way, and improved the written documentation of processes. Staff has also prepared Comprehensive Financial Management Policies, as well as a Pass-Through Funding Policy that will be described in another report.

# Mid-Willamette Valley Council of Governments

Budget vs. Actuals: FY 2021-22 Budget

July 2021 - February 2022

	ACTUAL	TOTAL	
		BUDGET	% OF BUDGET
<b>Income</b>			
4100 Federal	693,589.77		
4110 Direct Federal Funds	18,750.00	503,010.00	3.73 %
4120 Federal Pass Through Funds		1,776,830.00	
<b>Total 4100 Federal</b>	<b>712,339.77</b>	<b>2,279,840.00</b>	<b>31.25 %</b>
4200 State	2,049,724.50	270,575.00	757.54 %
4300 County	333,695.33	338,798.00	98.49 %
4400 Local	761,309.39	1,460,613.00	52.12 %
4410 Bank Interest	459.46	1,899.00	24.19 %
4420 Equipment Rent	895.77		
4430 Interest Earned	363.65		
4460 Loan Revenue	129,389.12	1,050.00	12,322.77 %
4440 Loan Administration		182,401.00	
4450 Loan Interest	74,729.31	10,661.00	700.96 %
4464 Loan Servicing	904.09		
4466 Principal	11,707.03	12,046.00	97.19 %
<b>Total 4460 Loan Revenue</b>	<b>216,729.55</b>	<b>206,158.00</b>	<b>105.13 %</b>
4470 Non - Member Services	1,581.00		
4480 Other Miscellaneous Revenue	3,514.31		
4490 Services	68,019.11		
4500 Transfers In		756,797.00	
4510 Uncategorized Income	50,000.00	233,874.00	21.38 %
4600 VDI Contract Revenue	117,591.08		
<b>Total Income</b>	<b>\$4,316,222.92</b>	<b>\$5,548,554.00</b>	<b>77.79 %</b>
<b>GROSS PROFIT</b>	<b>\$4,316,222.92</b>	<b>\$5,548,554.00</b>	<b>77.79 %</b>
<b>Expenses</b>			
5000 B - Materials and Services	37.64		
5200 Legal & Professional Services	644.09	35,280.00	1.83 %
5210 Legal Services	13,832.52	400.00	3,458.13 %
5220 Lobbyist	9,900.00	19,800.00	50.00 %
5230 Audit Services	8,548.50	30,000.00	28.50 %
5250 Loan Program Administration	15,474.84	1,041.00	1,486.54 %
5290 Other Professional Services	193,542.29	360,026.00	53.76 %
<b>Total 5200 Legal &amp; Professional Services</b>	<b>241,942.24</b>	<b>446,547.00</b>	<b>54.18 %</b>
5310 Bad Debts	80.43		
5320 Communication	7,640.40	15,934.00	47.95 %
5330 Computer Support, Supplies & Upgrades	59,849.93	45,926.00	130.32 %
5340 Dues & subscriptions	6,631.88	6,539.00	101.42 %
5350 Entertainment Meals	1,897.53	6,800.00	27.90 %
5370 Equipment Repair & Maintenance	3,328.40	1,538.00	216.41 %
5390 Insurance	18,864.66	12,330.00	153.00 %
5400 Legal Notices	993.55		

# Mid-Willamette Valley Council of Governments

Budget vs. Actuals: FY 2021-22 Budget

July 2021 - February 2022

	TOTAL		
	ACTUAL	BUDGET	% OF BUDGET
5410 Loans		455,000.00	
5420 Meals - Taxed	-12.49	1,050.00	-1.19 %
5430 Mileage	4,679.48	5,290.00	88.46 %
5440 Occupancy Expense	119,378.29	186,118.00	64.14 %
5450 Office Supplies	7,422.21	9,040.00	82.10 %
5460 Other Misc Expense	11,416.28	3,592.00	317.83 %
5470 Pass Through Payments	1,329,597.40	537,250.00	247.48 %
5480 Photocopying and Printing	16,782.79	6,566.00	255.60 %
5500 Postage	5,192.56	4,869.00	106.65 %
5510 Travel, Training and Meetings	3,579.50	42,497.00	8.42 %
5520 Vehicle Repair & Maintenance	1,635.26	15,554.00	10.51 %
Office Equipment Allocation		380.00	
Office Equipment Rent		13,885.00	
<b>Total 5000 B - Materials and Services</b>	<b>1,840,937.94</b>	<b>1,816,705.00</b>	<b>101.33 %</b>
5001 Payroll Expenses			
5120 Wages	1,377,440.49	1,732,054.00	79.53 %
5130 Fringe Benefits	326,401.28	749,830.00	43.53 %
5135 Payroll Indirect Allocation	27,946.47		
5140 Taxes	42,360.47		
5150 Leave	0.00		
5160 Company Contributions			
Health Insurance	49,709.61		
Retirement	26,955.68		
<b>Total 5160 Company Contributions</b>	<b>76,665.29</b>		
<b>Total 5001 Payroll Expenses</b>	<b>1,850,814.00</b>	<b>2,481,884.00</b>	<b>74.57 %</b>
5540 Indirect Cost	0.00	487,318.00	0.00 %
5600 Capital Outlay		25,500.00	
5700 D - Transfers Out		390,211.00	
5800 Reconciliation Discrepancies	-1,014.49		
5805 Reimbursements	146.04		
Other Miscellaneous Expense	1.79		
<b>Total Expenses</b>	<b>\$3,690,885.28</b>	<b>\$5,201,618.00</b>	<b>70.96 %</b>
NET OPERATING INCOME	<b>\$625,337.64</b>	<b>\$346,936.00</b>	<b>180.25 %</b>
Other Income			
Beginning Balance		3,099,068.00	
<b>Total Other Income</b>	<b>\$0.00</b>	<b>\$3,099,068.00</b>	<b>0.00%</b>
Other Expenses			
9010 Designated Reserves		2,083,935.00	
9020 Undesignated Reserves		881,825.00	
9500 Contingency		480,244.00	
<b>Total Other Expenses</b>	<b>\$0.00</b>	<b>\$3,446,004.00</b>	<b>0.00%</b>

# Mid-Willamette Valley Council of Governments

Budget vs. Actuals: FY 2021-22 Budget

July 2021 - February 2022

		TOTAL	
	ACTUAL	BUDGET	% OF BUDGET
NET OTHER INCOME	\$0.00	\$ -346,936.00	0.00%
NET INCOME	\$625,337.64	\$0.00	0.00%



## MEMORANDUM

Mid-Willamette Valley Council of Governments

**THRU:**       **Scott Dadson**  
                  Executive Director

**FROM:**       **Renata Wakeley**  
                  Community Development Director

**SUBJECT:**    Community Development Update

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The following summary highlights new and continuing Community Development activities completed by COG staff over the past four (4) months:

### Economic Development

The **Latino Business Alliance** (LBA), based upon recommendations by **SEDCOR**, has engaged with COG to discuss our potential housing and staffing of a newly awarded Technical Assistance grant from Business Oregon. The majority of grant funds will be allocated toward the **SBDC** and **SEDCOR** to assess, develop, and conduct linguistically and culturally appropriate Latinx/a/o business development training and technical assistance curriculum developed; but a small grant allocation is dedicated toward COG's small business lending program to assist the LBA in development of a Latinx/a/o microenterprise loan fund for area businesses that COG has also been asked to provide loan servicing for. The **Business Oregon** TA grant was matched with \$100,000 the LBA has already set aside to start the microenterprise loan program.

**Oregon Economic Development Districts**, in partnership with **Link Oregon** and **The Ford Family Foundation** (TFFF), are working to market and help with outreach to all populations within our region and service providers to ensure sufficient response rates on an upcoming statewide mapping initiative for accurate connectivity data. We will be looking to our members to assist with this effort, once initiated. Please see attached.

In partnership with the Mid-Valley **Regional Solutions Team** (RST), COG staff continues to track and "work" over 80 submitted projects through the **Economic Development Administration** (EDA) application process and RST staff to identify potential state and federal funding sources. RST and COG are coordinating informational sessions and webinars related to **American Rescue Plan Act** (ARPA) funding requirements and opportunities to leverage ARPA funds with other programs. COG staff assisted **SEDCOR**, **Willamette Workforce Partnership**, and **Chemeketa Community College** with a new Good Jobs Challenge EDA grant application to support the creation of a "Willamette Valley Agriculture Innovation Consortium" built upon existing relationships with our regional workforce board and training partners. COG staff will also provide support to **The Confederated Tribes of Grand Ronde** on an EDA

application for a Homeownership Development Complex proposed to create over 80 new residential lots for development by Tribal members.

COG continues to support **Marion County** and the **Santiam Canyon** communities with wildfire response and recovery, including supporting land use planning applications and code updates to respond to immediate fire recovery and rebuilding, and coordinating meetings and support related to **SEDCOR's Construction Alliance** project to build a new community center. Other milestones include:

- Award of a **DLCD Planning Assistance (PA)** grant for \$50,100 to hire a surveyor to complete a Letter of Map Amendment (LOMA) to correct the FEMA maps for any properties documented to not be within the floodway to further remove barriers to rebuilding/redevelopment. We are expecting final quotes and responses to the request for proposals in mid-March.
- The **Resource Assistance for Rural Environments (RARE)** participant to support community and economic development work in the **Santiam Canyon**, including but not limited to the Oregon Main Street program; assistance to COG staff on a code audit and update; support to the **North Santiam Sewer Authority (NSSA)**; and development of informational materials and technical assistance related to hazard mitigation, wildfire resiliency, and renewable energy resources. **Pacific Power** is funding the RARE participant.
- Award to the cities of **Detroit** and **Gates** of a **DLCD Technical Assistance (TA)** grant to conduct development code updates to incorporate recent visioning work and processes and offer sample model code development code ordinances for review by both communities. Staff kicked off the 18-month program work in February 2022.

COG has completed the first phase of the **North Santiam Sewer Authority (NSSA)** Master Facilities plan contract with Keller Associates, the project engineer. **Marion County** is currently drafting an IGA for Phase II work with the COG for continued project management and execution of the next phase of the engineering work. We expect this will be presented to the COG Board via supplemental budget at the next COG Board meeting in 2022 as the final contracts and financial amounts are still pending.

### Land Use Planning

Our planners continue to support communities through draft code amendments, zone and comprehensive plan map updates, and new overlay zones and design standards, in addition to a large number of new development and subdivision applications in the area. With the addition of the City of **Carlton**, COG currently provides contract planning services to 22 cities.

Over the past 6+ months, COG staff has provided interim planning services to the cities of **Dundee** and **McMinnville** as they worked through some staffing transitions. Newberg continues to recruit for a new planner to assist with the Dundee contractual work.

COG planners also assisted the following communities with submission of **Planning Assistance (PA)** funding applications to DLCD for continued long-range planning work, specifically directed at addressing needed housing in our region: **Aumsville, Carlton, Detroit, Falls City, Gates, and Mt. Angel.**

### Grant Administration

We continue to assist **Amity** with their water improvements project, the City of **Falls City** with a \$493,000 Community Development Block Grant (CDBG) to aid in final design engineering related to a future wastewater improvements project, the cities of **Jefferson** and **Independence** on Davis-Bacon and BOLI wage monitoring requirements related to a Oregon funded infrastructure projects, and the City of

**Willamina** on their successful Community Development Block Grant (CDBG) award for \$873,912 to relocate their water intake and two (2) new supplemental CDBG and SPWF fund applications to help reduce any loan costs to the city.

COG staff will also assist the City of **Woodburn** on the environmental assessment for a recent CDBG award related to rebuilding of the AWARE food bank, supported by Marion/Polk Food Share, that was destroyed by arson in August 2021.

### **Housing Rehabilitation**

The City of **Silverton**, in partnership with the cities of **Hubbard** and **Stayton**, recently received their award announcement for \$450,000 in CDBG-CV-2 (Coronavirus funding) funding to assist with rehabilitation of eligible structures in manufactured home parks. COG staff assisted with the funding application and will provide grant administration, environmental, and program management assistance with this new funding award from Business Oregon.

COG staff is also assisting property owners with Valley Development Initiative (VDI) housing rehabilitation loans in **Aumsville** (1), **Aurora** (2), **Stayton** (1), **Turner** (1), unincorporated **Marion County** (1) and **Santiam Canyon** (1).

With approved flexibility for the use of our Santiam Canyon funds by the VDI Board, we have been able to assist two (2) eligible fire impacted, income-qualifying persons wishing to rebuild in the **Santiam Canyon**.

# SURVEY OF BROADBAND MAPPING IN THE U.S.

**41** States

have Broadband Offices.

Another **5** States have contracted or are working with a partner. All **50** States are talking about broadband.

The most well-connected states, in terms of access to high-speed internet and connectivity, are states with high levels of urban populations, typically in the Northeast as well as Florida and California. In general, States with more rural populations in the South, Midwest and West have less access to high-speed internet and less connectivity.

**22** States

are currently leading Speed Test surveys. Top tools used: Ookla, MLab, GeoPartners

**13** States

have publicly available maps of survey results. Top mapping tools used: GeoPartners or in-house/contracted GIS.

It is presumed that all states conducting speed test surveys are using results in mapping projects even if the maps are not made public.

At least another **5** States have conducted speed tests in the past or have regions doing it separately.

## OPPORTUNITY FOR OREGON Community Broadband Mapping Project

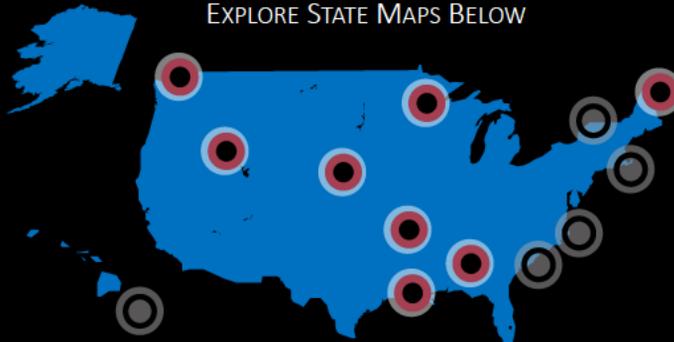
Oregon Economic Development Districts (OEDD) and Link Oregon have partnered with the goal to contract with GeoPartners LLC to start a statewide mapping initiative. The Community Broadband Mapping Project will allow Oregon to collect more accurate data on connectivity as well as better understand the location of existing infrastructure and identify gaps alongside overlays determining an area's eligibility for grant funding.

Community Broadband Mapping Project Estimated Cost: \$120,000

(Covers the cost of contract with GeoPartners and one contracted staff member to work with Link Oregon to manage the project)

Of the 13 States publishing speed test surveys currently, 8 States use GeoPartners for the mapping and broadband analysis. Explore State maps and broadband programs below.

EXPLORE STATE MAPS BELOW



OREGON ECONOMIC  
DEVELOPMENT  
DISTRICTS





## MEMORANDUM

**TO:** Board of Directors **DATE:** March 15, 2022

**THRU:** Scott Dadson  
Executive Director

**FROM:** Mike Jaffe  
Transportation Program Director

**SUBJECT:** Transportation and GIS Programs Update

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### Mid-Willamette Area Commission on Transportation (MWACT)

**January 6, 2022 MWACT meeting** - ODOT staff provided an overview to the members of the MWACT of the **process for setting and revising speed zones in Oregon** according to statutes, rules, and policies, as well as processes and timelines. The group was informed that speed limits for the different types of facilities for all jurisdictions in the state are set by Oregon Law. Speeds may be set in various ways including emergency and temporary speed zones. Emergency speed zones may be set as the result of natural or other disasters and remain in place up to 120 days. Temporary speed zones may be set for work zones or special events. Designation of some speed zones on local roads including gravel roads may be ceded to local jurisdictions and adopted by local ordinances. These roads are done individually and may not be on arterials.

MWACT members also received an **update on the Aurora-Donald Interchange project**. Overall cost of the project is anticipated to be \$84 million. Currently, approximately \$50 million is available in project funding. Due to the amount of funding available being insufficient to complete the full project, ODOT has decided to split the project into phases. Phase 1 consists of two parts: Phase 1a and Phase 1b. Phase 1a will be constructed in 2022 while Phase 1b is anticipated to be released for bid in 2022 or 2023. Unless sufficient funding becomes available, construction and completion Phase 2 of the project will be deferred until a funding stream is identified.

Updated information was also provided related to **the status of the Newberg-Dundee project**. Following a brief history of the project including the opening to traffic of Phase I in 2018, it was noted that in 2021, HB 2006 included \$32 million in funding toward the construction of Phase 2A. MWACT members were notified of a public virtual event scheduled for January 27, 2022. An opportunity to ask questions of the project team will be included in the virtual event. MWACT members were encouraged to attend the event.

**February 3, 2022 MWACT meeting** - Ken Woods, Jr. and Cathy Clark were re-elected as MWACT Chair and Vice Chair, respectively. The following members were selected to serve on the MWACT Steering Committee for 2022: Ken Woods, Cathy Clark, Della Seney, Michael Langley, Lyle Mordhorst, Ian Davidson, and Anna Henson. Cynthia Thompson was chosen as Ian Davidson's alternate.

Cooper Brown, ODOT Assistant Director for Operations, provided MWACT members an update related to the **Infrastructure Investment and Jobs Act (IIJA)**. From the formula allocation to states, Oregon expects to receive approximately \$1.2 billion over the next five (5) years from IIJA. Mr. Brown reported that if ODOT efforts to seek competitive grant funding from IIJA are successful and proportionate to other transportation funds Oregon receives, the state might see an addition \$1 billion or more of the \$100 billion in competitive grants that USDOT will award.

Mr. Brown said that the Oregon Transportation Commission (OTC) is currently discussing uses for the \$412 million of funds from IIJA that are considered flexible, i.e., the OTC could allocate to a variety of project categories such as Fix-It, Operations and Maintenance, bicycle and pedestrian projects, etc. ODOT staff have developed four scenarios that have differing allocations to these project categories. Mr. Cooper noted that infrastructure state-of-good-repair is projected to decline in the future due to the lack of sufficient funds to address declining pavement and bridge conditions. Mr. Brown encouraged MWACT members to continue to provide the OTC with feedback related to how these funds should be allocated. A major theme of the public comments received so far emphasized the importance of safety.

MWACT members discussed regional issues and priorities including social equity issues, the need for operations and maintenance funding, transit, and safety among other issues.

Also during the February MWACT meeting, MWACT members reviewed project applications for **the latest cycle of the Connect Oregon program**. Two applications were received for projects within the MWACT area:

- Rehab Oregon Independence Railroad Project
- Northwest Passage Willamette Valley Rail Trestle Improvement Project

### **Salem Keizer Area Transportation Study (SKATS)**

Cathy Clark and Lyle Mordhorst were re-elected as Chair and Vice Chair of the SKATS Policy Committee (PC), respectively, during the January 25, 2022 PC meeting.

SKATS' PC members reviewed and discussed information related to the federal **Infrastructure Investment and Jobs Act (IIJA)**. A letter was developed and submitted to the Oregon Transportation Commission (OTC) that included four recommendations and examples of SKATS' priority projects. In February, Policy Committee reviewed the draft funding scenarios developed by ODOT for \$412 million in flexible funds from the IIJA.

Proposed amendments to the adopted FY 2021-2026 Transportation Improvement Program (TIP) were reviewed by PC members. Referencing proposed **Resolution 22-01**-Cancellation of a Turner project due the city's inability to obtain construction funding for the project, Policy Committee members decided to defer<sup>1</sup> approval of the amendment for one month to allow the city to determine if there is a possibility of obtaining the funds needed to construct the project.

Following review and discussion, the SKATS Policy Committee adopted **Resolution 22-02** – Revising location information for the OR 22: Westbound Marion Street Bridge project.

Other work in January and February included:

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<sup>1</sup> Following confirmation from the city of Turner, the SKATS Policy Committee adopted Resolution 22-01 canceling the Turner project during their February 25, 2022 meeting.

- ***Draft 2022-2023 Unified Planning Work Program (UPWP)*** - The draft annual work program was provided to the SKATS’ committees for their review before it was sent to ODOT and USDOT staff. The Policy Committee is scheduled to adopt the final UPWP in April 2022.
- ***Metropolitan Transportation Plan (MTP)*** – The long-range plan for SKATS is required to be updated every four years. A timeline was provided for the development, review, and public engagement for this update, with adoption scheduled for May 2023.
- ***SKATS FY 2024-2029 Transportation Improvement Program (TIP)*** – The Technical Advisory Committee reviewed and gave preliminary rankings of the “pre-applications” of new project proposals. Full project applications were due by February 25, 2022, and the local jurisdictions submitted 17 applications that had a combined total of over \$50 million in requested federal funds. For this update of the TIP, SKATS is revising the project selection process to better align with the goals and objectives of the long-range plan and other criteria.
- ***SKATS 2021 Annual Listing of Federal Obligations Report*** – This report documenting the federal transportation funds that were obligated within the SKATS area in 2021. The report is posted on the MWVCOG website. It was noted that for federal fiscal year 2021, the SKATS Metropolitan Planning Organization (MPO) exceeded the MPO-obligation target (*123 percent of federal funds programmed were obligated.*).

#### **Safe Routes to School Program (MWVCOG and Salem-Keizer School District)**

The program is in the third year of its three-year grant from ODOT. Highlights for the January and February 2022 include:

- Pedestrian safety classes for elementary students at Harritt Elementary school and McKinley Elementary school;
- Preparation of bicycle safety at instruction at Grant Elementary School
- Organizing the SRTS Art Contest with the theme “Human Powered Transportation”
- More “Safe Walking Route” maps. We’ve completed maps for 17 elementary schools
- Assisted Salem and Keizer with their applications for SRTS funds through ODOT

#### **Census and Geographic Information Systems (GIS)**

The COG’s GIS staff completed **council ward redistricting** for the **city of Newberg**, and redistricting projects were started for the **Salem Area Mass Transit District** (Cherriots) and the **Silver Falls School District**. Three redistricting alternatives were developed for both districts. A web map application that includes a public comment feature was also developed for the Cherriots redistricting project, and GIS staff participated in a virtual public open house in mid-February. More information on the Cherriots board redistricting project can be seen here: <https://www.cherriots.org/subdistricts/> .

Staff completed the fourth quarter/year end building permit report for 2021. Building permits in the greater Salem-Keizer area are tracked and reported by census tract, school attendance area, and Transportation Analysis Zones and are used to estimate population growth due to new construction, among other things.

GIS staff provided assistance to the **city of Sheridan** with participation in the Census Bureau’s annual Boundary and Annexation Survey (BAS). The purpose of the BAS program is for cities counties, and tribal governments to update or correct their boundary to ensure that data from the decennial census, American Community Survey, and other surveys are tabulated correctly. Sheridan’s boundary was changed to include areas that were annexed into the city in 2021.

GIS staff continued to support the staff at **Marion Soil and Water Conservation District** with a new mobile application designed for land cover data collection in the field. Staff can collect data using preconfigured forms and capture location information in the field and then synchronize the data back in the office. They can then use the data for mapping and analysis.



## MEMORANDUM

**TO:** Board of Directors

**DATE:** March 15, 2022

**FROM:** Scott Dadson

**SUBJECT:** Dec 31, 2021, Quarterly Financials for Business Lending Program

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Please find attached to this cover memo, a modified balance sheet that shows our current cash on hand for the Business Lending Program, Current outstanding Loan Balances, and Fiscal year to date Receivables from Loans.

### **COG Revolving Loan Fund:**

As of December 31, 2021, there are 15 Loans Outstanding with a value of \$2,366,907. The yearly Revenue/Payments to the three RLF Loan Programs are \$228,996, which allows for up to 50% available for overhead/administrative cost in the estimated amount of \$114,000. Available for future lending is a defederalized amount of \$590,151 as of December 31, 2021. In addition to this amount, there is \$1.34 million of EDA Cares Act funding available for lending into 2022.

### **VDI Loans:**

The VDI Loan Pool has five (5) funds with a total amount of Funds Available for Lending purposes of \$1,582,174 as of December 31, 2021. There are currently 19 Loans outstanding with a value of \$1,458,776. The yearly Revenue/Payments to the five VDI Loan Programs is \$230,340. The VDI obligations to the COG for Personnel Lending and Support Services is \$154,000 of which there are two of the five SBA programs that are charged against. Both are underperforming Funds with current Revenues of \$133,380. The \$20,620 shortfall is made up by current revenues from two older USDA programs and the SBA ILP program.

### **Current Pipeline Loan Work:**

There are currently seven (7) potential loans in the pipeline as of February 3, 2022. Of these, there are three (3) SBA Loans and four (4) Cares Act RLF Loans for a total \$5,336,000 of which our loan participation would average 45% participation or \$2,401,200.

Funds availability for lending purposes consist of \$2,048,927 cash on hand and \$1,340,000 of CARES ACT funds, and the totals of both are as follows:

1. RLF	\$ 590,151
2. RLF/Cares	\$1,309,000
3. VDI	<u>\$1,458,776</u>
Total:	\$3,357,927 of which \$2,048,927 is cash on hand.

**Five-Year Historical Loan Activity**

We have included in this report, a five-year historical look at our loan portfolio. In total, since 1990, we have lent over \$25 million dollars with 189 Loans total. For the past five years, we have funded 21 loans for a total five-year total dollar loaned of \$3,193,000. We have had 10 loans re-paid for a total \$1,005,709. Of loans outstanding, we have received 21 loans paid off early for a total amount of \$2,266,944 of a total Loan Amount of \$3,292,074.

If you have any questions with regards to this report, please do not hesitate to call on me.

Attach.

COG and VDI Loan Programs														
At December 31, 2021														
Loan Program	COG				Valley Development Initiatives						Grand Totals	VDI	VDI LLC	
	Admin Costs	EDA CARES Revolving Loan Fund WF#6521	EDA Combined Revolving Loan Fund WF#2676	Marion County Revolving Loan Fund WF#2676	Loans Subtotal	SBA Community Advantage Fund CA	SBA Intermediate Lending Program ILP WF#9237	USDA Rural Business Enterprise Grant RBEG WF#2497	USDA Railroad Fund WF#1338	USDA Intermediary Relending Program - IRP WF#3015				Loans Subtotal
WF#1338														
Outstanding # Loans		3	10	2	15	1	4	2	2	10	19	34	133	1
Value of Outstanding Loans		621,542	1,576,079	169,286	2,366,907	235,673	601,154	186,119	499,690	695,449	2,218,084	4,584,991	2,282,939	454,600*
Committed Not Disbursed		400,000												
Cash in the Bank 12/31/2021		330,000	260,151		590,151		342,605	42,557	177,766	895,848	1,458,776	2,048,927	945,723	0
Available to Borrow for Lending		1,309,050												
Annual Re-Payments		28,896	179,940	20,160	228,996	37,308	40,812	9,300	46,848	96,072	230,340	459,336		0
Contribution to Loan Admin	216,000		62,000			53,250				100,750	154,000	216,000		
Annual Cost of Admin for Loan Program														
Loan Assistant	78,000													
Loan Officer	117,000													
Material and Services	21,000													
	216,000													
Difference	-													
* Loan from IRP Program- not included in IRP Loan total														

Project	Loan Pipeline			Loan Type	Partner	Possibility			
	Our share	Total Project	Purpose						
<b>SBA504</b>									
[REDACTED]	1,600,000	4,000,000	RE purchase	SBA 504	Bank of the Pacific	25%	25%	Sandra	Other possible 504s
[REDACTED]	2,200,000	11,000,000	RE purchase/improvements	SBA 504	Citizens Bank/ T Smith	10%	10%		
[REDACTED]	544,000	1,360,000	RE (\$1.3MM) & dental practice (\$60M) purchase	SBA 504	Bank of the Pacific/Lesa Goff	25%	25%	Sandra	may add \$ for improvements
	<u>4,344,000</u>					60%			
<b>Cares Act RLF</b>									
<b>Funds Avail/Beginning Balance 12/31/21</b>	1,309,050								
[REDACTED]	200,000	400,000	Roof, windows, general repair	Cares Act	Willamette Community Bank	50%	50%		
[REDACTED]	192,000	480,000	RE purchase [REDACTED]	Cares Act	Citizens Bank/ T Smith	10%	10%		
[REDACTED]	300,000	1,300,000	RE purchase	Cares Act	Citizens Bank/ T Smith	50%	50%	No SBA	
[REDACTED]	<u>300,000</u>	750,000	RE purchase/construction	Cares Act	Citizens Bank/ J Johnson	10%	10%		
Funds Avail/Est Balance to lend	992,000					120%	180%		
	<u>5,336,000</u>					48%	45%		
[REDACTED] (approved)	(400,000)	400,000	RE purchase	Cares Act	Citizens Bank/ T Smith	100%			waiting to close

Updated 2.3.22



## MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley Council of Governments

**DATE:** March 15, 2022

**FROM:** Executive Committee  
Mid-Willamette Valley Council of Governments

**SUBJECT:** APPOINTMENT OF FY 2022-23 BUDGET COMMITTEE

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### RECOMMENDATION

1. Recommend that the Board appoint a six-member Budget Committee consisting of three of the four members of the Executive Committee:

**Sal Peralta**, McMinnville City Councilor (served last year)

**Lisa Leno**, Tribal Councilwoman for the Confederated Tribes of Grand Ronde

**Cathy Clark**, Mayor of Keizer

And three lay citizens representing the major services and programs of the Council of Governments:

**Julie Warncke**, Transportation Planning Manager, City of Salem

**Heidi Bell**, City Manager, City of Sheridan

**Derik Munns**, President of the Revolving Loan Administration Board.

2. Recommend that the Board appoint **Ian Davidson**, Cherriots Board Member, as an alternate for any elected official not able to attend the Budget Committee meeting.
3. Recommend that the Board appoint **Ken Huffer**, Chief Administrative Officer, Yamhill County, as an alternate for any citizen member not able to attend.

### BACKGROUND

To conform to Oregon Budget Law (ORS 294) the Board must establish a representative committee of members of the Board plus an equal number of lay citizens representing interests in the major programs of the Council of Governments. Since 1988, the Board has appointed a six-member Budget Committee.

- Julie Warncke has one year remaining on her three-year term.
- Heidi Bell has two years remaining on her three-year term. (She is completing the term begun by Frank Sheridan.)
- Derik Munns will be starting a three-year term.



## MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley Council of Governments

**DATE:** March 15, 2022

**FROM:** Executive Committee  
Mid-Willamette Valley Council of Governments

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### **RECOMMENDATION**

Recommend that the Board Adopt the proposed schedule. This schedule meets the requirements of Oregon law. The adoption of the COG budget on June 21<sup>st</sup> permits COG budget actions to follow those of most member governments.

### **2022-23 BUDGET SCHEDULE Mid-Willamette Valley Council of Governments**

March 15	COG Board of Directors establishes the Budget Committee: <ul style="list-style-type: none"><li>• Appoint three lay citizens representing the major services and programs of the COG</li><li>• Appoint three COG Board members.</li></ul>
Present to May 20	Staff prepares revenue and expenditure estimates.
May 27	Budget to printing
May 27	Publish Notice of Budget Committee Meeting
<b>June 7 3:00 p.m.</b>	<b>Budget Committee meets, reviews and approves budget.</b>
June 3	Publish Notice of COG Board's Budget Hearing
<b>June 21 3:30 p.m.</b>	<b>Board of Directors' Budget Hearing and adoption of budget</b>
June 30	Submit documents to State Department of Revenue



## MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley  
Council of Governments

**DATE:** March 15, 2022

**THRU:** Scott Dadson  
Executive Director

Transportation Planning Director

**SUBJECT:** Resolution 2022-01: Annual Salem-Keizer Area Transportation Planning

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### ISSUE

Does the Board wish to approve Resolution 2022-01 to authorize the Executive Director to apply for funds, enter into contracts and intergovernmental agreements (IGAs), and comply with other required federal filings with the Oregon Department of Transportation or the U.S. Department of Transportation to implement the 2022-23 Unified Planning Work Program for the Salem-Keizer Area Transportation Study (SKATS); and to authorized the Executive Director to enter into contracts and IGAs for other transportation-related activities in the MWVCOG area?

### BACKGROUND

A Cooperative Agreement executed in 1987 and amended in 2003 by the members of SKATS (Marion and Polk Counties; the cities of Salem, Keizer, and Turner; the Salem Area Mass Transit District; the Salem-Keizer School District; and the Oregon Department of Transportation) states, "The Council of Governments shall retain the sole responsibility for acceptance of all contracts, grants and gifts for transportation planning in the Salem area, and all fiscal and financial responsibility therefore."

The SKATS Policy Committee is comprised of seven elected officials from the Salem-Keizer area and one ODOT representative. Every year, the Policy Committee adopts a Unified Planning Work Program, as required by federal law. There are times when it is to our advantage to enter into agreements with other agencies to share or access data in order to accomplish the work tasks identified in the UPWP. There are other times when the federal regulations require that we develop agreements with ODOT, the Transit District, or others regarding protocols or data assumptions. Most of the time these agreements have no financial payments associated with them, but some do (and must be consistent with the approved COG Budget).

The transportation planning and coordination activities of the Salem-Keizer Area Transportation Study (SKATS) are described, along with the funding sources for those activities, in the Unified Planning Work Program, which is developed annually by SKATS in conjunction with ODOT and U.S. DOT. The 2021-22 Unified Planning Work Program is currently being reviewed and is scheduled for adoption by the SKATS Policy Committee on April 26, 2022.

Approval of the recommended requested actions will secure the funding required for the activities outlined in the SKATS 2022-23 fiscal year Unified Planning Work Program.

The dollar amounts identified in this memorandum and in Resolution 2022-01 are estimates and may be modified as part of the final signed agreements.

#### RECOMMENDATION

That the following actions be taken to implement funding agreements with the Oregon Department of Transportation:

1. Authorize the Acting Executive Director or Executive Director to enter into the following agreements with the Oregon Department of Transportation (ODOT) that provide federal and state funds to partially finance the SKATS Unified Planning Work Program:
  - a. Authorize approximately \$550,387 of FHWA “PL” Metropolitan Planning funds provided by the federal government through the FAST Act, plus \$62,944 ODOT matching funds;
  - b. Authorize approximately \$813,296 in federal Surface Transportation Block Grant Program funds, with \$93,085 in required local matching funds.
  - c. Authorize approximately \$168,264 in FTA Section 5303 funds, with \$19,259 in required local matching funds supplied by the Salem Area Mass Transit District.
2. Authorize the Executive Director to execute a contract with the Salem Area Mass Transit District conveying approximately \$133,735 of federal and local match funds to conduct the Transit Planning within the SKATS transportation planning area.
3. Authorize the Executive Director to pursue other sources of funding as may be requested by the SKATS Policy Committee during the 2022-23 fiscal year.
4. Authorize the Executive Director to enter into contracts and Intergovernmental Agreements (IGA) with the Oregon Department of Transportation (ODOT) and other public agencies as necessary to accomplish the work tasks identified in the 2022-23 Unified Planning Work Program for the Salem-Keizer Area Transportation Study (SKATS), as adopted by the SKATS Policy Committee.

**Attachment:** Resolution 2022-01

BEFORE THE BOARD OF DIRECTORS  
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

In the matter for authorizing the filing of all applications with the Department of Transportation, United States of America, for planning grants under the Urban Mass Transportation Act of 1964, as amended; and

In the matter for authorizing the execution of applicable transportation program contracts with ODOT and member governments, as requested.

**RESOLUTION 2022-01**

**WHEREAS**, the Cooperative Agreement executed in 1987 and amended in 2003 by the governmental members of SKATS (Marion and Polk Counties; the cities of Salem, Keizer, and Turner; the Salem Area Mass Transit District; the Salem-Keizer School District; and the Oregon Department of Transportation) states, “The Council of Governments shall retain the sole responsibility for acceptance of all contracts, grants and gifts for transportation planning in the Salem area, and all fiscal and financial responsibility therefore”; and

**WHEREAS**, grant funds from the Federal Highway Administration (FHWA) Federal Transit Administration (FTA) are required to support the activities in the FY 2022-23 SKATS Unified Planning Work Program; and

**WHEREAS**, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

**WHEREAS**, all contracts for financial assistance will impose certain obligations upon the applicant, including the provision by it of the project(s)’ local share costs:

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:**

1. That the Acting Executive Director or Executive Director is authorized to execute and file an application on behalf of the Mid-Willamette Valley Council of Governments with the Oregon Department of Transportation for a Federal Transit Administration Section 5303 grant comprised of an estimated \$168,264 federal share and \$19,259 local share.
2. That the Acting Executive Director or Executive Director is authorized to execute and file an application on behalf of the Mid-Willamette Valley Council of Governments with the Oregon Department of Transportation for an estimated \$550,387 of Metropolitan Planning funds provided by the federal government (with ODOT supplying \$62,944 of matching funds) and estimated \$813,296 in federal Surface Transportation Block Grant Program funds.
3. That the Acting Executive Director or Executive Director is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of the proposed project.
4. That the Transportation Planning Director is designated to furnish such additional information as the U.S. Department of Transportation may require in connection with all applications.
5. That the Acting Executive Director or Executive Director is authorized to set forth and execute minority business enterprise (disadvantaged business enterprise and women’s business enterprise) policies and procedures in connection with the procurement needs of all projects.

6. That the Executive Director is authorized to apply for any other source of funding, including ODOT grants, that may become available during FY 2022-23 to support activities requested by the SKATS Policy Committee.

**ADOPTED** by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 15th day of March 2022.

ATTEST

\_\_\_\_\_  
Sal Peralta, Chair  
COG Board of Directors

\_\_\_\_\_  
Scott Dadson  
Executive Director



## MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley Council of Governments

**DATE:** March 15, 2022

**THRU:** Scott Dadson  
Executive Director

**FROM:** Mike Jaffe  
Transportation Planning Director

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### ISSUE

Shall the COG Board authorize the Executive Director to enter into contracts with the interested parties/members listed below to aid in various geographic information system (GIS) work throughout the region:

1. Contract with Yamhill County to maintain and update the county's online GIS web application and provide data updates to the applications, as well as other GIS services to Yamhill County and Yamhill County's Public Works Department.
2. Contract with the Salem-Keizer School district to maintain and update district attendance boundaries; provide annual export of street data and building permit datasets; maintenance of the SchoolFinder website; geocoding student addresses as requested by the District; provide semi-annual summary of building permits and new subdivision lots; semi-annual subscription service to the Street Description File. The contract includes both fixed priced and hourly services.
4. Contracts with cities, other local governments, special districts, and other members of the COG that express an interest in COG services throughout the year for mapping and other GIS assistance and applications, including assistance with Census program participation (e.g., Boundary and Annexation Survey).
5. Contracts with non-member local governments, non-profit agencies, or state agencies for GIS services provided by the MWVCOG.
6. Contracts with private for-profit entities that express an interest in COG services throughout the year for mapping and other GIS assistance

### BACKGROUND

The projects listed above are either continuations of contracts begun in previous years or are routine activities undertaken in previous years by MWVCOG and do not represent any change in normal policy or practice.

The recommended Board action would give the Executive Director the authority to enter into agreements and contracts with the member and non-members when they have made their decisions.

RECOMMENDATION

Staff recommends the Board authorize the Executive Director to execute the above summarized Geographic Information System service contract renewals with Yamhill County, the Salem-Keizer School District and other continuing or new GIS contracts that may occur during the year as appropriate.

Applicable hourly rates to be identified via separate memorandum and MWVCOG Board resolution.

**Attachments:** Resolution 2022-02  
Example GIS contract with a member city

BEFORE THE BOARD OF DIRECTORS  
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS  
In the matter for authorizing the execution of applicable Geographic Information System (GIS) program contracts with ODOT, member governments, and non-member and private parties.

**RESOLUTION 2022-02**

**WHEREAS**, the Mid-Willamette Valley Council of Governments, an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has the authority to enter into intergovernmental agreements for the delivery of services to its member governments pursuant to both ORS 190.020 and the agreement establishing the COG;

**WHEREAS**, member local governments, agencies, and districts that express an interest in COG GIS services on a contractual basis throughout the year may execute hourly services contract or fixed-fee contracts;

**WHEREAS**, non-profit and for-profit entities that express an interest in COG GIS services on a contractual basis throughout the year may execute hourly services contract or fixed-fee contracts;

**WHEREAS**, all contracts for assistance may impose certain obligations upon the member governments, including adopted hourly rates or fixed fee service contracts;

**WHEREAS**, the Board of Directors for the COG must authorize fixed fee-for-service contracts where the COG is the service provider:

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:**

1. That the Executive Director is authorized to execute contracts for hourly services and/or fixed-fee services to COG members, non-COG member jurisdictions and agencies (including state agencies), non-profit entities, and for-profit entities for GIS and GIS-related services, which may also include Census-related services in a form that substantially conforms to the attached agreement for GIS Services.
2. Fees for such services will be established by a separate Resolution of the Board.

**ADOPTED** by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 15th day of March 2022.

ATTEST

\_\_\_\_\_  
Sal Peralta, Chair  
COG Board of Directors

\_\_\_\_\_  
Scott Dadson  
Executive Director

**CONTRACT**

**GIS SERVICES**

THIS AGREEMENT is made and entered into this 1st day of July 202X by and between \_\_\_\_\_, OREGON, a \_\_\_\_\_ ("XXX"), and the MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS ("COG"), a voluntary intergovernmental association created by charter and Agreement pursuant to ORS Chapter 190 of which XXX is a member.

**WITNESSETH:**

IN CONSIDERATION of the mutual premises and stipulations set out below, the XXX and COG do hereby agree as follows:

A. COG Responsibilities

1. COG shall provide an experienced GIS Analyst to assist the XXX providing GIS services and maintaining GIS data.
  - a. GIS staff will perform GIS-related tasks as requested by XXX staff, including:
    - i. Provide mapping and analysis services to XXX staff as requested, and
    - ii. Provide data to outside parties as requested on approval of XXX staff.
2. COG shall provide monthly billing statements.

B. XXX Responsibilities

1. XXX agrees to engage COG as a provider of GIS services.
2. XXX agrees to pay for GIS services under paragraph A.1. at a rate of \$\_\_ per hour for a GIS Analyst and \$\_\_.00 per hour for staff support assistance, plus mileage at the IRS mileage rate for travel related to providing said services.
3. XXX shall review, process, and pay COG's monthly invoices within 30 days of receipt.
4. XXX shall designate a key contact person through which all requests for services will come and with whom the activities of COG's GIS Analyst will be coordinated.

C. Termination and Amendment

1. This Agreement shall be terminated on June 30, 202X unless otherwise agreed to by COG and XXX by amendment to this Agreement.
2. This Agreement may be terminated for convenience by either party upon written notice of 30 calendar days.
3. This Agreement may be amended only by written agreement executed between the parties.

E. Independent Contract

1. The XXX has engaged COG as an independent contractor for the accomplishment of a particular service. Neither party, nor the officers and employees of either party shall be deemed the agents or employees of the other party for any purpose.

F. Limited Warranty

1. In no event shall COG be liable for indirect or consequential damages of any nature. In no event, regardless of theory of recovery, shall COG be liable for any damages in excess of the amounts actually paid by XXX to COG under Paragraph B. hereof.

G. Remedies

1. Should any dispute arise between the parties of this Agreement concerning their respective obligations of either or the terms hereof, it is agreed that such dispute will be submitted to a mediator prior to any litigation and the parties hereby expressly agree that no claim or dispute arising under the terms of this Agreement shall be resolved other than first through mediation and only in the event said mediation efforts fail, through litigation. Any litigation arising under or as a result of this Agreement shall be tried to the court without a jury. Each party agrees to be responsible for payment of its own professional fees, including attorneys' fees in both mediation and litigation. The parties shall exercise good faith efforts to select a mediator who shall be compensated equally by both parties.
- 2.

IN WITNESS WHEREOF, COG and the XXX have, by approval of their respective governing bodies, caused this Agreement to be executed as of the day and year aforesaid.

**MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS**

**XXX** \_\_\_\_\_

By: \_\_\_\_\_  
Scott Dadson, Executive Director

By: \_\_\_\_\_



## MEMORANDUM

**TO:** **Board of Directors**  
Mid-Willamette Valley Council of Governments

**DATE:** **March 15, 2022**

**THRU:** **Scott Dadson**  
Executive Director

**FROM:** **Renata Wakeley**  
Community Development Director

**SUBJECT:** Resolution 2022-03: Annual Community and Economic Development Program Contract Renewals

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### ISSUE

Shall the COG Board authorize the Executive Director to enter into contracts with the interested parties/members listed below to aid in various community and economic development work throughout the region:

1. Land use planning services for local governments that express an interest in COG land use planning services on a contractual basis throughout the year. Currently, COG has existing agreements with 22 jurisdictions for hourly services that are set to expire on June 30, 2022. Other contract work may include current planning, special planning projects and long-range planning work, such as updating comprehensive plans.
2. The cities of Newberg, Independence, Yamhill County, and other local governments that request assistance with their small business loan funds.
3. Valley Development Initiatives (VDI) for administrative and staff support for SBA, SBA 7a, and other Rural Community Business Loan Programs; for Administrative Support for Housing Rehabilitation Loan Program; and for Loan Servicing and Closing Operations with Lane COG, CCD of Coos Bay, Oregon Cascades West COG and others for Operational and Loan Servicing Support.
4. Renewal of contracts for hourly services related to the housing rehabilitation program for the cities of Jefferson, Keizer, Mt. Angel, Silverton, and Woodburn who maintain their own funds and desire COG assistance with program administration.
5. Cities and other local governments that express an interest in COG services throughout the year for application assistance, administration of public infrastructure grants and loans, and/or income surveys or other tasks needed to ensure continued eligibility for various state and federal funding programs.
6. Various economic development services, including contracts for urban renewal planning, and other economic development efforts as requested by member local governments to enhance the region.

7. A grant agreement with the federal Economic Development Administration anticipated for \$75,000 to the COG to carry out the economic development district program. This grant provides federal funds of \$75,000 to be matched with \$75,000 in non-federal resources, such as dues, to support regional development activities such as identifying and prioritizing potential EDA public works investments in the region, the costs of preparing grant and loan applications for public infrastructure and other activities included in the economic development district work plan. The grant has been awarded annually since 1985.
8. Contract with Marion County for Phase II and III project management and execution of a contract with the selected project engineer for next phases of the North Santiam Sewer Authority (NSSA) work to include design and engineering Master Plans and Wastewater Treatment Plans associated with the North Santiam Joint Sewer project, as requested by Marion County and the NSSA, and pending funding allocations from Marion County and/or the NSSA.
9. Contracts with member governments, not-for-profits, and/or other federal and state agencies associated with COVID-19 response; wildfire response; and/or American Rescue Plan Act (ARPA) funds as opportunities arise and as requested by members to support community and economic response and recovery.

#### BACKGROUND

The projects listed above are either continuations of contracts begun in previous years or are routine activities, such as providing grant administration or planning support to a member government and do not represent any change in normal policy or practice.

The recommended Board action would give the Executive Director the authority to enter into agreements with the members when they have made their decisions.

#### RECOMMENDATION

Staff recommends the Board authorize the Executive Director to execute the above summarized Community and Economic Development service contract renewals.

Applicable hourly rates to be identified via separate memorandum via Resolution 2022-05.

**Attachment:** Resolution 2022-03

BEFORE THE BOARD OF DIRECTORS  
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

In the matter for authorizing the execution of applicable community and economic development program contracts with member governments, as requested.

**RESOLUTION 2022-03**

**WHEREAS**, the federal Economic Development Administration provides up to \$75,000 for the COG to carry out the economic development district program requirements and requires federal funds be matched with \$75,000 in non-federal resources, such as dues and assessments, to support regional development activities such as identifying and prioritizing potential EDA public works investments in the region, the costs of preparing grant and loan applications for public infrastructure and other activities included in the economic development district work plan;

**WHEREAS**, the Mid-Willamette Valley Council of Governments, an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has the authority to enter into intergovernmental agreements for the delivery of services to its member governments pursuant to both ORS 190.020 and the agreement establishing the COG;

**WHEREAS**, local governments that express an interest in COG land use planning services on a contractual basis throughout the year may execute hourly services contract, set to expire on June 30, 2023, and/or for other planning contract work for special planning projects and other long-range planning work;

**WHEREAS**, member governments request assistance with the administration of small business loan funds and Valley Development Initiatives (VDI) staff support toward the rural community business loan program and for the housing rehabilitation loan program;

**WHEREAS**, all contracts for assistance may impose certain obligations upon the member governments, including adopted hourly rates or fixed fee service contracts; and

**WHEREAS**, the Board of Directors for the COG must authorize fixed fee-for-service contracts where the COG is the service provider:

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:**

1. That the Executive Director or Acting Executive Director is authorized to execute a grant agreement with the federal Economic Development Administration anticipated for \$75,000 to the COG to carry out the economic development district program, matched with \$75,000 in non-federal resources to support regional development activities such as identifying and prioritizing potential EDA public works investments in the region, the costs of preparing grant and loan applications for public infrastructure and other activities included in the economic development district work plan.
2. That the Executive Director is authorized to execute agreements for land use planning services with local governments that express an interest in COG land use planning services that substantially conform to the attached form of the agreement in Exhibit A.
3. That the Executive Director is authorized to execute contracts with the cities of Newberg, Independence, Yamhill County, and other local governments that request assistance with their small business loan funds in a form that substantially conforms to the attached form of agreement in Exhibit B.

4. That the Executive Director is authorized to execute an agreement with Valley Development Initiatives (VDI) for staff support to the rural community business loan program and for the housing rehabilitation loan program (Exhibit C).
5. That the Executive Director is authorized to execute renewal of contracts for hourly services related to the housing rehabilitation program for the cities of Jefferson, Mt. Angel, Scotts Mill, Silverton, and Woodburn who maintain their own funds and desire COG assistance with program administration (Exhibit D).
6. That the Executive Director is authorized to execute contracts with member governments for application assistance, grant and loan administration contracts, and/or income surveys or other tasks needed to ensure continued eligibility for various state and federal funding programs.
7. That the Executive Director is authorized to execute economic development services contracts, including contracts for urban renewal planning, and other economic development efforts as requested by member local governments to enhance the region.
8. That the Executive Director is authorized to execute contracts with member governments, not-for-profits, and/or other federal and state agencies associated with COVID-19 response and wildfire response, as opportunities arise and as requested by members to support community and economic response and recovery.
9. Fees for such services will be established by a separate Resolution of the Board.

**ADOPTED** by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 15<sup>th</sup> day of March, 2022.

ATTEST

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Sal Peralta, Chair  
COG Board of Directors

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Scott Dadson  
Executive Director

**CONTRACT**

**LAND USE PLANNING SERVICES**

THIS AGREEMENT is made and entered into this 1st day of July, 2022 by and between the CITY OF \_\_\_\_\_, OREGON, a municipal corporation ("CITY"), and the MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS ("COG"), a voluntary intergovernmental association created by charter and Agreement pursuant to ORS Chapter 190 of which CITY is a member.

**WITNESSETH:**

IN CONSIDERATION of the mutual premises and stipulations set out below, the CITY and COG do hereby agree as follows:

A. **COG Responsibilities**

1. COG shall provide an experienced land use planner to assist the CITY in processing land use actions, zone code revisions and other related activities which may be requested by the CITY.
2. COG shall provide to CITY mapping, graphics and document production services related to work requested by CITY under paragraph A.1.
3. COG shall provide to City legal services as requested by City related to work under paragraph A.1.
4. COG shall provide monthly billing statements.

B. **CITY Responsibilities**

1. CITY agrees to engage COG as a provider of land use planning consulting services.
2. CITY agrees to pay for land use planning services under paragraph A.1. at a rate of \$\_\_\_\_\_ per hour for a land use planner, \$\_\_\_\_\_ per hour for a GIS mapping analyst, \$\_\_ per hour for legal services, and \$\_\_\_ per hour for staff support assistance, plus mileage at the IRS mileage rate for travel related to providing said services.
3. CITY agrees to pay the actual cost of mapping, graphics and document production provided under paragraph A.2.
4. CITY shall review, process and pay COG's monthly invoices within 30 days of receipt.
5. CITY shall designate a key contact person through which all requests for services will come and with whom the activities of COG's land use planner will be coordinated.

C. **COG Services Provided Without Additional Compensation**

1. COG shall provide advice and assistance to CITY with grant and loan applications for financing of public improvements at no additional charge except in those instances when such work may be eligible for compensation from the granting agency.

2. COG shall prepare documentation and applications for funding for additional planning projects on behalf of CITY.
3. COG shall refer CITY to other available resources that may be available to address needs of CITY upon request.

D. Termination and Amendment

1. This Agreement shall be terminated on June 30, 2023, unless otherwise agreed to by COG and CITY by amendment to this Agreement.
2. This Agreement may be terminated for convenience by either party upon written notice of 30 calendar days.
3. This Agreement may be amended only by written agreement executed between the parties.

E. Independent Contract

1. The CITY has engaged COG as an independent contractor for the accomplishment of a particular service. Neither party, nor the officers and employees of either party shall be deemed the agents or employees of the other party for any purpose.

F. Limited Warranty

1. Unless requested by the City that the COG provide legal services, CITY agrees to seek and rely exclusively on the advice of its own legal counsel as to the legal sufficiency of the land use planning process and its products. The parties expressly recognize that the review process involves political and legal judgment entirely within the control and authority of the CITY. COG's only obligation is to provide advice from the perspective of land use planning principles, and not legal or political counsel.
2. In no event shall COG be liable for indirect or consequential damages of any nature. In no event, regardless of theory of recovery, shall COG be liable for any damages in excess of the amounts actually paid by CITY to COG under Paragraph B. hereof.
3. CITY agrees to provide a representative to present the CITY's viewpoint at public hearings regarding a dispute between the CITY and the County or another city. COG will provide support and information as appropriate (including research and staff reports) to aid the CITY in making its arguments.

IN WITNESS WHEREOF, COG and the CITY have, by approval of their respective governing bodies, caused this Agreement to be executed as of the day and year aforesaid.

**MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS**

**CITY OF \_\_\_\_\_**

By: \_\_\_\_\_  
Scott Dadson, Executive Director

By: \_\_\_\_\_

**AGREEMENT**

**Between**

**MID WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS**

**and**

**CITY OF NEWBERG**

**RECITALS:**

1. The **Mid-Willamette Valley Council of Governments (COG)** and the **City of \_\_\_\_\_, Oregon**, a municipal corporation, (**CITY**) have long had interests in common; and
2. The **CITY** is a member of the **COG**; and
3. The **CITY** desires assistance with various aspects of the operation of its business development loan fund and the **COG** provides such services for its member governments; and
4. The **CITY** has authority to enter into intergovernmental agreements for cooperation between units of local government in accordance with Oregon Revised Statutes Chapter 190.

In consideration of the mutual benefits and obligations set out herein, the parties agree as follows:

**1. DESCRIPTION OF WORK TO BE PERFORMED BY COG**

The **COG** shall provide the following services for the **CITY'S** Economic Development Revolving Loan Program:

- A. Loan Packaging
- B. Loan Closing
- C. Loan Servicing
- D. Reporting
- E. Special Technical Assistance and Loan Collection work, including training of **CITY** staff as required

**2. COMPENSATION**

- A. For services described under 1.A and 1.B above, the **COG** will be compensated on a fee basis at the rate of 1.5% of the loan amount for any complete loan package prepared by **COG** staff and submitted to the **CITY** for final disposition. The fee shall be due at the time the loan is closed. The minimum fee for such loans shall be \$\_\_. The **CITY** shall reserve the right to provide all of the loan packaging services based on the City Manager's evaluation of staff capabilities and the needs of the **CITY**. The **CITY** shall provide **COG** with notice that the **CITY** intends to provide loan-packaging services.

B. For all activities described in 1.C, 1.D, above (Loan Servicing and Reporting), the COG will be compensated at a flat monthly rate of \$ \_\_\_\_\_. These services include monitoring and verifying the provisions of all loan agreements, maintaining current documentation of insurance and tax payments, collecting and reviewing financial statements from each borrower on at least an annual basis and preparing an annual loan activity from report to the CITY.

C. Services described under 1.E above, (Special Technical Assistance and Loan Collections Assistance Activities) will be provided as requested by the COG will be compensated at the Loan Officer hourly rate of \$ \_\_\_\_\_ and the Loan Documentation Specialist hourly rate of \$ \_\_\_\_\_. This rate includes salary and all overhead costs, including travel.

**3. TRAVEL**

COG shall bear the cost of staff travel and incidental expenses and these costs are included as part of the fees stipulated in this Agreement.

**4. TERMS AND TERMINATION**

This Agreement shall be effective on *July 1, 2022* and continue until *June 30, 2023* or until such time as either party provides sixty (60) days written notice of its intent to terminate the Agreement, and then the Agreement shall terminate on the 60<sup>th</sup> day following said notice.

**5. AMENDMENTS**

This Agreement may be amended by mutual agreement of CITY and COG. Any amendments shall be in writing and signed by duly authorized representatives of both parties.

**IN WITNESS WHEREOF**, the above parties have caused this Agreement to be signed in their respective names by their duly authorized representatives.

**MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS**

By: \_\_\_\_\_  
Scott Dadson, Executive Director

Date: \_\_\_\_\_

**CITY OF \_\_\_\_\_**

**Signed by the City manager pursuant to their authority as the administrator of the Economic Development Revolving Loan Fund.**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**AGREEMENT**  
**between**  
**VALLEY DEVELOPMENT INITIATIVES**  
**and**  
**MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS**

**THIS AGREEMENT** made and entered into this 1st day of July, 2022 by and between Valley Development Initiatives, an Oregon non-profit corporation (hereinafter "VDI") and the Mid-Willamette Valley Council of Governments, a voluntary intergovernmental association created by Agreement pursuant to ORS Chapter 190 (hereinafter "COG").

**WITNESSETH:**

**THAT** VDI desires to engage COG to render certain professional services hereinafter described that are related to the operation of a rural community loan program. The loans are made to eligible applicants in rural communities of Marion, Polk, Yamhill, and Clackamas Counties derived from funds provided to VDI as a loan through the Intermediary Relending Program of the Rural Development, an agency of the U.S. Department of Agriculture.

**NOW, THEREFORE,** the parties hereto do mutually agree as follows:

**1. Scope of Work to be Performed by COG**

- A. Publicize the objectives and availability of the Intermediary Relending Program loans in eligible communities of the region, including special outreach efforts for minority and female-owned small businesses.
- B. Counsel loan applicants and help them prepare documentation needed for complete applications.
- C. Prepare a credit analysis of each loan application and make a recommendation to the Board of Directors.
- D. Prepare any additional documentation that may be required by the U.S. Department of Agriculture (hereinafter "USDA") after a proposal is approved by VDI.
- E. Prepare an environmental analysis of each loan application as may be required by the USDA.
- F. Prepare closing documents and manage the loan closing process in a timely manner and in compliance with all appropriate regulations.
- G. Monitor repayments of loans, perform servicing and accounting functions, and provide counseling to borrowers with repayment difficulties.

- H. Perform loan collections and, with the advice of legal counsel when appropriate, initiate asset liquidation actions.
- I. Prepare monthly financial reports and other program performance reports as may be requested by VDI or the USDA. Prepare an annual budget for VDI in accordance with state and federal laws and regulations.
- J. Provide all necessary staff support to the Board of VDI such as making arrangements for meetings, preparing agendas, preparing correspondence for Board signature, preparing minutes of meetings for appropriate Board approval and implementing Board decisions and actions.

**2. Compensation**

- A. For the Fiscal Year beginning July 1, 2022, the COG shall be due a fixed fee of \$\_\_\_\_ for the work described in this Agreement payable in quarterly installments of \$\_\_\_\_\_ as follows:

July 1, 2022  
October 1, 2022  
January 1, 2023  
April 1, 2023

- B. In addition, the COG shall be due a loan-servicing fee of 0.25%, up to an annual maximum of \$\_\_\_\_\_, of the outstanding loan VDI balances, assessed quarterly on the above dates.
- C. The fee paid to the COG shall be proposed to the VDI Board of Directors on an annual basis. After the COG and the VDI Board of Directors agree to such compensation, its terms shall be submitted to the appropriate staff of the USDA for their approval. Under no circumstances shall such fees be paid from the USDA loans principal.
- D. In the event of unusual or protracted transactions such as major collection actions, the COG may be eligible for additional compensation. The COG shall present such additional compensation to the VDI Board of Directors and to the USDA on a case-by-case basis for review and approval prior to disbursement of any additional funds.

**3. Miscellaneous Understandings**

- A. COG is engaged as an independent contractor and shall be solely responsible for payment of contributions and benefits under FICA, Workers Compensation, and benefits programs such as may be offered by COG or required by law. COG shall likewise be solely responsible for the collection, accounting and payment of personal income taxes, property taxes and excise taxes, as may be applicable.
- B. VDI shall not have the right to control or interfere with the manner or method of COG's accomplishment of its services specified in this Agreement.
- C. COG and VDI agree that no person shall, on the grounds of race, color, creed, national origin, sex, handicap, or age, suffer discrimination in the performance of this Agreement.

- D. COG agrees to indemnify VDI from each and every claim which the COG would be legally liable to pay if: a) a claim asserting the same loss or injury were made directly against the COG, whether or not such a direct claim is actually made; and b) the loss or injury sustained by the claimant resulted from the acts, errors or omissions of the COG or those for whose actions the COG is legally responsible. "Indemnify", as used herein, means to indemnify, defend and *save* harmless. Notwithstanding the foregoing, COG shall have no such obligation to indemnify VDI with respect to any claim which arises from or in connection with VDI's use of COG's work product contrary to COG's express instruction or for other than its intended purpose, if such misuse is a substantial factor in causing the asserted loss or injury.

**4. Termination**

- A. This Agreement may be terminated by mutual consent of the parties. The USDA, however, must approve any subsequent agreement for services.
- B. The terms and conditions of the administrative fee shall be reconsidered on an annual basis and approved by the USDA.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands the day and year first above written.

**VALLEY DEVELOPMENT INITIATIVES**

**MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS**

---

Derik Munns, President  
VDI Board of Directors

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Scott Dadson, Executive Director

Exhibit D

**CONTRACT**

**HOUSING REHABILITATION SERVICES**

THIS AGREEMENT, made and entered into, by and between the Mid-Willamette Valley Council of Governments, a voluntary intergovernmental association created by Charter and Agreement pursuant to ORS Chapter 190 (hereinafter "COG") and the City of \_\_\_\_\_, and Oregon municipality (hereinafter "City").

WITNESSETH:

IN CONSIDERATION of the mutual premises and stipulations set out below, the CITY and COG do hereby agree as follows:

A. COG Responsibilities

1. COG shall provide an experienced housing rehabilitation specialist to assist the CITY in the operation and management of a program of awarding and managing loans to eligible homeowners for the purpose of rehabilitating their homes.
2. Duties of the COG Housing Rehabilitation Specialist shall include the following: review program documents and rules and make recommendations to CITY regarding desirable administrative changes; research and document eligibility of grantees; prepare contracts with contractors and prepare loan documents with homeowners as provided in CITY rules; inspect houses and prepare work specifications and preliminary cost estimates in accordance with applicable standards and codes; assist homeowners with the selection of contractors; monitor the performance of contractors; review and recommend approval of contractor payment requests; help arbitrate disputes between homeowners and contractors if they should occur; create and maintain files for each case; assist CITY with documents needed for a future OCDBG housing grant application; and other program related assistance as may be requested by CITY.
3. COG shall provide monthly billing statements that clearly identify activities and hours charged.

B. CITY Responsibilities

1. CITY agrees to compensate COG for the services of the Housing Rehabilitation Specialist at the all-inclusive (including travel costs) hourly rate of \$\_\_\_ and the services of loan service support staff at the all-inclusive hourly rate of \$\_\_\_\_\_, plus mileage, at the IRS mileage rate, for travel related to providing said services.
2. CITY shall designate a key contact person on the CITY staff through which communications with CITY may be coordinated.

C. Effective Date, Termination and Amendment

1. This Agreement shall become effective on the date that this Agreement has been signed by both parties. Unless terminated or extended, this Agreement shall expire when the City accepts COG's completed performance or on June 30, 2023, whichever date occurs first.
2. This Agreement may be terminated for convenience by either party upon written notice of 30 calendar days.
3. This Agreement may be amended only by written agreement executed between the parties.

D. Independent Contractor

1. The CITY has engaged the COG as an independent contractor for the accomplishment of a particular service. Neither party, nor the officers and employees of either party shall be deemed the agents or employees of the other party for any purpose.

E. Limited Warranty

1. CITY agrees to seek and rely exclusively on the advice of its own legal counsel as to the legal sufficiency of the housing program documents and contracts.
2. In no event shall COG be liable for indirect or consequential damages of any nature. In no event, regardless of theory of recovery, shall COG be liable for any damages in excess of the amounts actually paid by CITY to COG under Paragraph B. hereof.

IN WITNESS WHEREOF, COG and the CITY have, by approval of their respective governing bodies, caused this Agreement to be executed as of the day and year aforesaid.

**MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS**

**CITY OF \_\_\_\_\_**

By: \_\_\_\_\_  
Scott Dadson, Acting Executive Director

By: \_\_\_\_\_



MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley Council of Governments

**DATE:** March 15, 2022

**FROM:** Scott Dadson  
Executive Director

**SUBJECT:** Resolution 2022-04: Annual Member Services Contracts

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ISSUE

Shall the Mid-Willamette Valley Council of Governments (COG) Board of Directors authorize the Executive Director to enter into contracts with member governments to provide legal counsel services and other services as requested?

BACKGROUND

RECOMMENDATION

Staff recommends the Board approve Resolution No 2022-04, authorizing the Executive Director to enter into contracts with member governments to provide administrative, financial, and/or legal counsel services.

Applicable hourly rates for this service will be established via separate memorandum on Resolution 2022-05.

*Attachment: Resolution 2022-04*

BEFORE THE BOARD OF DIRECTORS  
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS  
In the matter for authorizing the execution of legal service contracts with member governments.

**RESOLUTION 2022-04**

**WHEREAS**, the Mid-Willamette Valley Council of Governments, an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has the authority to enter into intergovernmental agreements for the delivery of services to its member governments pursuant to both ORS 190.020 and the agreement establishing the COG;

**WHEREAS**, the COG presently offers legal services to member entities under contracts consisting in one-year terms; and

**WHEREAS**, the Board of Directors for the COG must authorize fixed fee-for-service contracts where the COG is the service provider:

**NOW, THEREFORE, BE IT RESOLVED** BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:

1. That the Executive Director is authorized to execute with any member government an agreement for legal services that substantially conforms to the attached form of agreement.
2. That the Executive Director is authorized to execute with any member government an agreement to provide other services to include recruitment services, charter reviews, professional staff evaluations, and other administrative and financial services to members.
3. That the Executive Director is authorized to execute an agreement with a contractor to serve as legal counsel to the MWVCOG and to provide legal counsel services to members.
4. Fees for such services will be established by a separate Resolution of the Board.

**ADOPTED** by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 15<sup>th</sup> day of March 2022.

ATTEST

\_\_\_\_\_  
Sal Peralta, Chair  
COG Board of Directors

\_\_\_\_\_  
Scott Dadson  
Executive Director

**CONTRACT**

**LOCAL GOVERNMENT ATTORNEY SERVICES**

THIS AGREEMENT is made and entered into this \_\_\_ day of \_\_\_, 2022 by and between the CITY OF \_\_\_\_\_, OREGON, a municipal corporation ("CITY"), and the MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS ("COG"), a voluntary intergovernmental association created by charter and Agreement pursuant to ORS Chapter 190 of which CITY is a member.

**WITNESSETH:**

IN CONSIDERATION of the mutual premises and stipulations set out below, the CITY and COG do hereby agree as follows:

A. COG Responsibilities

1. COG shall provide an experienced local government attorney, with current standard Oregon State Bar Association Professional Liability Fund coverage, to provide general legal services to CITY. Services may include the following legal services:
  - a. Act as CITY attorney providing legal advice on day to day questions as posed by designated CITY representatives. Services may be initiated or assigned by email contact with the attorney or as through formal action at a CITY meeting.
  - b. Review and drafting of contracts, intergovernmental agreements, and other documents and legal instruments as requested by CITY.
  - c. Drafting or resolutions, ordinances, and updates of municipal code sections as requested by CITY.
  - d. Attendance at CITY meetings as requested by CITY and coordinated with the designated attorney.
  - e. Attendance at meetings requiring legal representation either accompanying one or more CITY representatives or as the designated CITY legal representative
  - f. Training of CITY personnel, elected, and appointed officials on legal issues.
  - g. Other legal services as requested by CITY, but not including bond counsel, personnel and labor negotiations, city prosecutor, or other specialized attorney services beyond agreed upon general legal representation.
2. COG shall provide CITY with written legal opinions, draft and final agreements, draft resolutions and ordinances addressing CITY needs.
3. COG shall maintain a list of active projects that the local government attorney is undertaking for CITY. The active project list shall be provided on a monthly basis to CITY.
4. COG shall provide monthly billing statements identifying legal costs by project.

B. CITY Responsibilities

1. CITY agrees to engage COG as a provider of local government legal services.

2. CITY agrees to pay for local government attorney services under paragraph A.1. at a rate of \$ \_\_\_ per hour for a local government, plus mileage at the IRS mileage rate for travel related to providing said services.
3. CITY agrees to pay the actual cost of online legal research performed on behalf of CITY, with prior CITY approval.
4. CITY shall review, process, and pay COG's monthly invoices within 30 days of receipt.
5. CITY shall designate a key contact person through which all requests for services will come and with whom the activities of COG's local government attorney will be coordinated.

C. Work Product

1. Any work product created by the local government attorney pursuant to tasks performed on behalf of CITY shall constitute CITY work product.
2. COG will provide CITY with copies of all work products in electronic form. Printed copies of work product shall be provided upon written request.

D. Termination and Amendment

1. This Agreement shall be terminated on June 30, 2023, unless otherwise agreed to by COG and CITY by amendment to this Agreement.
2. This Agreement may be terminated for convenience by either party upon written notice of 30 calendar days.
3. This Agreement may be amended only by written agreement executed between the parties.

E. Non-Exclusive Representation

1. COG will provide local government attorney services as requested by CITY.
2. The parties agree that local government attorney services provided by COG shall be non-exclusive as CITY reserves the right to employ attorney staff or contract for legal services.
3. CITY shall be responsible for determining which legal tasks it assigns to the COG and to any other individual or firm.
4. If CITY has a staff attorney or contract attorney firm serving as the designated City Attorney, COG local government attorney assigned to perform CITY work will report to the CITY key contact person.

F. Independent Contract

The CITY has engaged COG as an independent contractor for the accomplishment of a particular service. Neither party, nor the officers and employees of either party, shall be deemed the agents or employees of the other party for any purpose.

G. Limited Warranty

1. COG's only obligation is to provide an experienced local government attorney, under contract with COG, to provide legal counsel on CITY requested projects.
2. In no event shall COG be liable for indirect or consequential damages of any nature. In no event, regardless of theory of recovery, shall COG be liable for any damages in excess of the amounts actually paid by CITY to COG under Paragraph B. hereof.

H. Conflicts

Should a conflict arise regarding billing or quality of service, the parties shall meet to attempt to resolve the issue within thirty (30) days of issue identification. Each party shall designate a representative authorized to negotiate a solution to the conflict. If the conflict cannot be resolved by the parties, the parties will submit the issue for mediation.

IN WITNESS WHEREOF, COG and the CITY have, by approval of their respective governing bodies, caused this Agreement to be executed as of the day and year aforesaid.

**MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS**

**CITY OF \_\_\_\_\_**

By: \_\_\_\_\_  
Scott Dadson, Executive Director

By: \_\_\_\_\_



## MEMORANDUM

**TO:** **Board of Directors**  
Mid-Willamette Valley Council of Governments

**DATE:** March 15, 2022

**THRU:** **Scott Dadson**  
Executive Director

**FROM:** **Amber Mathiesen**  
Finance Director

**SUBJECT:** Resolution No. 2022-07, Adopting Records Retention Schedule

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### ISSUE

Should the Mid-Willamette Valley Council of Governments (COG) Board of Directors adopt the use of the general Records Retention Schedule for Special Districts of Oregon (OAR Chapter 166, Division 150)?

### BACKGROUND

As the result of recent research, it has been established that Councils of Governments fall under the definition of Special District for the purposes of the records retention schedules created and maintained by the Oregon Secretary of State – Archives Division. In the interest of efficiency, and to ensure that we remain in compliance with the relevant Oregon Administrative Rules (OAR), staff recommend the adoption of the Records Retention Schedule for Special Districts of Oregon (OAR Chapter 166, Division 150).

### DISCUSSION

As a public entity, the Council of Governments is required to make public records available upon request, and the process and fees associated with this task are laid out in the Public Records Policy. Appendix A of the Policy is the records retention schedule. At the current time, while the current schedule was in line with schedules established by the Archives Division, it draws from multiple schedules that have since been updated. By adopting the specific retention schedule for Special Districts, staff time needed to update the retention schedule would be eliminated and there would be no potential confusion by staff or persons outside the organization as to which schedule should be used.

### RECOMMENDATION

Staff recommend the adoption of the Records Retention Schedule for Special Districts of Oregon (OAR Chapter 166, Division 150).

BEFORE THE BOARD OF DIRECTORS  
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS  
In the matter of Establishing and Authorizing the Use of the General Records Retention Schedule  
(Records Retention Schedule) for the Special Districts of Oregon (OAR Chapter 166, Division 150)

**RESOLUTION 2022-07**

**WHEREAS**, the Mid-Willamette Valley Council of Governments (MWVCOG) desires to implement the use of the Records Retention Schedule as a means of systematic control of the creation, acquisition, processing, use, protection, storage and final disposition of all public records; and

**WHEREAS** the Oregon State Archivist has statutory responsibility and authority to authorize destruction of public records per ORS 192.105 and the Records Retention Schedule published by Oregon Administrative Rules Chapter 166, Division 150, is the mechanism by which that authority is given to special districts; and

**WHEREAS**, The Record Retention Schedule (the Schedule) authorizes the destruction of certain records, it does not require destruction, but allows the District to retain documents for a longer period of time if desired by the District; and

**WHEREAS**, no original records will be removed or destroyed until the required retention is met and a request for destruction has been approved by the Records Custodian and Records Officer or until the original record has been digitally saved in compliance with OAR 166-017- 0080.

**NOW, THEREFORE, THE MWVCOG BOARD OF DIRECTORS RESOLVES AS FOLLOWS:**

1. The Board establishes and authorizes the use of the State Archivist's General Records Retention Schedule for the Special Districts of Oregon, for determining the length of time records created by the MWVCOG are to be retained.
2. No records will be removed or destroyed until they have reached the end of their specific retention period and a request for destruction has been approved by the Records Custodian and Records Officer.

Adopted, signed and approved this 15<sup>th</sup> day of March 2022.

[Sal Peralta signature block]

ATTESTED

[Scott Dadson signature block]



## MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley Council of Governments

**DATE:** March 15, 2022

**THRU:** Scott Dadson  
Executive Director

**FROM:** Amber Mathiesen  
Finance Director

**SUBJECT:** Resolution No. 2022-05, Establishing Rates for Services for FY 2022-23

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### ISSUE

Should the Mid-Willamette Valley Council of Governments (COG) Board of Directors adopt the attached resolution establishing rates for fee-for-service programs FY 2022-23?

### BACKGROUND

The COG, as an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has the authority to enter into intergovernmental agreements for the delivery of services to its member governments. The COG presently offers a host of fee-for-service programs on a contractual basis with its member governments, including but not limited to: land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services.

### RECOMMENDATION

The Board adopt Resolution No. 2022-05 establishing rates for fee-for-service programs FY 2022-23.

### DISCUSSION

The following discussion summarizes the analysis that staff used to arrive at the rates on the attached resolution to include:

- Any relevant historical context for the program or service and its associated rates;
- The assumptions and methodology staff used to arrive at the recommended rate;
- Where applicable, how the recommended rate compares with private sector rates for similar work; and
- Whether the proposed rate will generate revenue in excess of expenses, only recover costs, or result in a program loss (and if so, why that is advisable).

## **Member Services Rates**

Recruiting Services. The rates set forth in the attached resolution are based on an analysis that averages the number of hours spent on this service over a five-year period and tiered by entity size. The rates are well below those which recruiters charge (which based on recent recruitments in the area are \$20,000 - \$30,000 per recruitment). However, the services conducted by recruiters is markedly different, in that recruiters offer a guarantee and will also actively recruit candidates (whereas the COG's service approximates the role of an internal Human Resources staff - a passive recruitment model). The anticipated net effect of the attached rates is to be both revenue and cost neutral based on a five-year average.

Legal Services. The COG began providing legal services in 2018. The attached resolution contains two rates for attorney services. The first is for general counsel services at a rate of \$177 per hour. The second is for hearings officer services, which is at a rate of \$195 per hour. Both rates are at or below what cities have historically paid for these services.

The COG's cost for providing this service is expected to be \$99 per hour starting July 1, 2022. On a strictly per-hour basis, this model results in a net revenue of \$78 per hour for attorney services, and \$35 per hour for hearings officer services. That net revenue goes to pay for the cost of legal services provided to the COG on internal matters. The anticipated net effect of the attached rates is to be revenue and cost neutral, with some potential for a net gain (depending on the degree to which the attorney is used for internal matters).

Strategic Planning / Goal Setting. The COG provides goal setting and strategic planning sessions through a contractor. The attached rates reflect the cost of the contractor. The net effect is to be both revenue and cost neutral.

Miscellaneous Services. The COG will occasionally provide additional member services on a fee for service basis. For example, members will contract with the COG to facilitate amendments to the city Charter, facilitate resolution of conflicts, or perform other studies within the skills and abilities of the Executive Director. The anticipated hourly cost for the Executive Director (including wages and benefits) is \$153.55. The anticipated hourly cost for administrative support is \$72.31. Staff recommends a rate of \$187 per hour for the Executive Director and \$71 per hour for the Administrative Support, which is the rate that most facilitators charge for similar services. Because the demand for this type of work is intermittent, it is difficult to accurately predict the revenue impact of this rate, but any revenue would be minimal.

## **Community Development Rates**

Land Use Planning. The COG provides land use planning services on a contractual, hourly basis for over twenty (20) jurisdictions throughout the region. The current contracts are set to expire on June 30, 2022.

Contract work includes current planning, special planning projects and long-range planning work, such as updating comprehensive plans, buildable land inventories and UGB expansions, code updates, mapping, etc. and this work is often shared between the local jurisdiction and private sector (if we are not successful in securing grant sources).

The staff recommended rates are intended to recover costs, however, some rates have historically been lower than cost recover. In these cases, we are raising these rates incrementally to improve recovery over time.

A market rate analysis of other planning services consultants within the region shows that, at the recommended rates, the COG proposed FY22/23 is in the mid-range of other planning consultants within the region.

Program attributes that set the COG apart, in addition to our hourly services contracts, are:

- Direct representation of our local jurisdictions with an assigned planner they can become familiar with and develop firm relationships and understandings;
- Support from the Community Development program as a whole, including support from the Community Development Director, Housing Rehabilitation Specialist, Grant Administrator, and Small Business Loan Program staff; and
- Support from a total of seven (7) Community Development staff rather than a single land use planner providing office hours that can often serve as a siloed resource.

Grants Administration. COG staff also contract with cities and other local governments throughout the year for funding application assistance, administration of public infrastructure grants and loans, and/or income surveys or other tasks needed to ensure continued eligibility for various state and federal funding programs. The recommended rate will achieve full cost recovery for this program area and is well within market rates for similar services.

Housing Rehabilitation. Community Development staff support the Valley Development Initiatives (VDI) housing rehabilitation program and contracted hourly services to support housing rehabilitation program contracts for the cities of Jefferson, Mt. Angel, Scotts Mills, Silverton, and Woodburn who maintain their own housing funds and desire COG assistance with program administration. The recommended rate will achieve full cost recovery for this program area.

Other Economic Development Services. Community Development staff will occasionally provide other economic development services, such as urban renewal planning and other economic development efforts as requested by member local governments to enhance the region. The recommended rates for these services will achieve full cost recovery for those activities.

### **Geographic Information Services (GIS) / Transportation Modeling Services Rates**

GIS. The COG provides various technical GIS services to member governments to include:

- Updates of zoning and comprehensive plan maps as well as other maps needed for local land use planning services;
- Requested services of a local government, such as address mapping, or assistance with Census program participation (e.g. Boundary and Annexation Survey)
- Support to Yamhill County to maintain and update the county's online GIS web application;
- Services for the Salem-Keizer School District to maintain and update data layers, update and create maps of school boundaries, and maintain the district's online GIS web application (the Salem-Keizer School Finder), and other services requested by the district; and
- Mailing list GIS services for ODOT Region 2.

The \$103/hour member rate is the needed to cover COG's labor rate for a GIS analyst, plus indirect and material costs. The higher rates to be charged for non-members and non-profits (\$120/hour) and for

private sector (\$151/hour) are not expected to generate much revenue as outside demand for these services is rare.

Modeling Services. On an infrequent basis (from two to four times per year), the COG transportation section will get requests for modeling forecasts from private sector companies (or their consultants) for projects associated with a private-sector land use development application. COG only provides this service only for the geographic area inside the SKATS MPO area. The proposed Transportation Modeling services hour charges of \$130/hour is higher than the “break-even” costs of \$119.89/hour for a Senior Planner-Modeling and \$102.35/hour for an Associate Planner. In a typical year, the total amount of hours charge is less than 20 hours. Requests from our local governments within SKATS and ODOT for modeling forecasts and related outputs is not charged to those jurisdictions or ODOT since they provide local or state funds for matching the federal funds provided to the COG for SKATS.

### **Loan Program Service Rates**

The loan program bills the individual loan programs for the time spent to market, underwrite, funding and servicing the loans. The recommended staff rates are expected to achieve full cost recovery when loans are funded. However, because many prospective lending opportunities are not pursued by the business borrowers and their participating lenders, for a variety of reasons beyond the control of the loan program staff, the time spent working on these prospective projects is not billable, so the time and costs are not recovered in instances when a loan does not fund. The costs of those activities are then borne by the carryover in program income from year to year, which derives from other program revenues.

The loan program budget is the aggregate revenues of each revenue source. For example, the SBA 504 program and the Oregon Business Development Fund generates income in excess of costs; the COG revolving loan fund and VDI loan programs fund most, to all of the revenues to cover expenses and the contract lending services provided two cities and one county is subsidized by the other COG lending activities.

The COG’s rates are well below market rates and that of other public sector lenders. A true private sector comparison is problematic because a lender would be reluctant to accept the liability risk and increased insurance costs inherent with a contract for lending services that are not core to the lenders activities. However, for comparisons purposes assume the COG’s rate for loan officer and program manager to be doubled to match private sector salaries (loan officer and team leader) and add a factor of plus 30% for indirect costs; the loan servicing rates would be increased by an indirect increase of 30%. Public sector comparisons are limited to other Councils of Governments in the State, which either are understaffed, do not have the software capacity, and are unable to provide lending services outside of their area of operations. Typically, these public entities have higher staff rates because of their individual burden rates/indirect costs in comparison to MWVCOG, as per our prior affiliation with jointly operated (three COGs) Certified Development Company.

BEFORE THE BOARD OF DIRECTORS  
 FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS  
 In the matter of establishing rates for services provided member and other entities on a fee-for-service basis.

**RESOLUTION 2022-05**

**WHEREAS**, the Mid-Willamette Valley Council of Governments (COG) is an intergovernmental entity established by agreement among the participating jurisdictions pursuant to their home rule authority and ORS 190.019.

**WHEREAS**, the agreement establishing the COG and ORS 190.020 allows the COG to enter into intergovernmental agreements for the delivery of services to its member governments

**WHEREAS**, the COG presently offers a host of fee-for-service programs on a contractual basis with its member governments to include land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services; and

**WHEREAS**, the Board of Directors for the COG desires to set rates for such services that are affordable for members and recover the COG’s costs of providing such services,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:**

That the following rates shall take effect for the COG’s fee-for-service program beginning July 1, 2022, and ending June 30, 2023, unless sooner amended:

Member Services

Recruitment Services:

<u>Population</u>	<u>Fee</u>
Up to 1,000	\$7,280
1,001 to 5,000	\$9,360
Over 5,000	\$12,480
Non-member Gov’t Entities	\$18,720
Background Check Services	\$520/background check

Legal Services

General Counsel Services	\$177 per hour
Hearings Officer Services	\$195 per hour

Strategic Planning / Goal Setting

Evening / Half Day	\$1,560
One Day (8 Hours)	\$3,120
Evening Plus Full Day (10 Hours)	\$3,640

Miscellaneous Technical Services

Executive Director	\$187 per hour
Support Staff	\$71 per hour

Finance Services	
Finance Director	\$123 per hour
Fiscal Assistant	\$90 per hour

Community Development Services

Land Use Planning (small cities)*	
Senior Planner	\$96 per hour
Associate Planner	\$94 per hour
GIS Analyst	\$103 per hour
Support Staff	\$71 per hour

Grants Administration*	
Grants Administration Specialist	\$82 per hour
Non-profit / Government Rate	\$90 per hour
For Profit Rate	\$96 per hour
Support Staff	\$71 per hour

Housing Rehab Services*	
Grants Administration Specialist	\$82 per hour

Economic Development Services*	
Development Director	\$135 per hour
Senior Planner	\$96 per hour
Associate Planner	\$94 per hour
GIS Analyst	\$103 per hour
Support Staff	\$71 per hour

GIS/Data Services

Transportation Services	
Transportation Director	\$151 per hour

GIS Services	
Member Rate	\$103 per hour
Non-profit / Government Rate	\$120 per hour
For Profit Rate	\$151 per hour

Modeling Services	
Member Rate	\$130 per hour
Non-profit / Government Rate	\$146 per hour
For Profit Rate	\$168 per hour

Loan Program Services

SBA Loans / Administration of Revolving Loan Programs	
Program Manager	\$148 per hour
Loan Officer	\$109 per hour
Servicing Specialist	\$90 per hour

Loan Underwriting, packaging  
and Closing Services 1.5 % of Loan Amount,  
Minimum Fee - \$1500

3<sup>rd</sup> Party Costs Direct Charge

Copy and Plot Charges

Black and White Copies \$ .25 per page  
Color Copies \$ .75 per page  
(sizes to 8 1/2 x 14, single or double-sided)  
Oversized color copies \$1.00 per page  
(size 11x17, single sided only)  
Oversized color copies, double sided \$1.25 per page  
(size 11x17)

Regular Plots

A (8 1/2 x 11) \$ 2 Each  
B (11 x 17) \$ 3 Each  
C (17x22) \$24 Each  
D (22x34) \$25 Each  
E (34x44) \$45 Each  
For oversize plots, \$45 plus \$4.32 per additional square foot

Image Plots

A (8 1/2 x 11) \$ 4 Each  
B (11 x 17) \$ 6 Each  
C (17x22) \$36 Each  
D (22x34) \$37 Each  
E (34x44) \$67 Each  
For oversize plots, \$67 plus \$6.48 per additional square foot

**ADOPTED** by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem,  
Oregon this 15<sup>th</sup> Day of March 2022.

ATTEST

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Sal Peralta, Chair  
COG Board of Directors

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Scott Dadson  
Executive Director



## MEMORANDUM

**TO:** Board of Directors  
Mid-Willamette Valley Council of Governments

**DATE:** March 15, 2022

**THRU:** Scott Dadson  
Executive Director

**FROM:** Amber Mathiesen  
Finance Director

**SUBJECT:** Resolution No. 2022-06, Adopting Comprehensive Financial Management Policies

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### ISSUE

Should the Mid-Willamette Valley Council of Governments (COG) Board of Directors adopt Comprehensive Financial Management Policies?

### BACKGROUND

The COG, as an intergovernmental entity formed by agreement pursuant to ORS Chapter 190, has the authority to enter into intergovernmental agreements for the delivery of services to its member governments. The COG presently offers a host of fee-for-service programs on a contractual basis with its member governments, including but not limited to: land use planning, housing rehabilitation loan administration, revolving loan program administration, legal services, executive recruiting, and other technical services. The COG also serves as a pass-through entity for grants and other funding sources.

As part of developing sound financial management practices for delivering services, and managing public funds governments should formally adopt financial policies. Steps to consider when making effective financial policies include (1) scope, (2) development, (3) design, (4) presentation, and (5) review.

### RECOMMENDATION

The Board adopt Resolution No. 2022-06 establishing Comprehensive Financial Management Policies.

### DISCUSSION

Financial policies are central to a strategic, long-term approach to financial management. Some of the most powerful arguments in favor of adopting formal, written financial policies include their ability to help governments:

1. Institutionalize good financial management practices. Formal policies usually outlive their creators, and, thus, promote stability and continuity. They also prevent the need to re-invent responses to recurring issues.
2. Clarify and crystallize strategic intent for financial management. Financial policies define a shared understanding of how the organization will develop its financial practices and manage its resources to provide the best value to the membership.

3. Define boundaries. Financial policies define limits on the actions staff may take. The policy framework provides the boundaries within which staff can innovate in order to realize the organization's strategic intent.
4. Promote long-term and strategic thinking. The strategic intent articulated by many financial policies necessarily demands a long-term perspective from the organization.
5. Manage risks to financial condition. A key component of governance accountability is not to incur excessive risk in the pursuit of public goals. Financial policies identify important risks to financial condition.
6. Comply with established public management best practices. The Government Finance Officers Association (GFOA), through its officially adopted Best Practices endorsement of National Advisory Council on State and Local Budgeting (NACSLB) budget practices and the GFOA Distinguished Budget Presentation Award Program, has recognized financial policies as an essential part of public financial management.

These policies are subject to change to comply with changes in reporting requirements.

BEFORE THE BOARD OF DIRECTORS  
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS  
In the matter of establishing Comprehensive Financial Management Policies.

**RESOLUTION 2022-06**

**WHEREAS**, the Mid-Willamette Valley Council of Governments (COG) has a responsibility to ensure it handles public funds appropriately; and

**WHEREAS**, written, adopted financial policies and internal controls have many benefits in assisting Board with the financial management of the COG; and

**WHEREAS**, the auditing firm for the COG has recommended that Board adopt financial and internal control policies that promote sound financial management practices designed to meet Board's goals and objectives; and

**WHEREAS**, staff has prepared a Comprehensive Financial Management Policies document that outlines procedures, safeguards, and internal controls for public fund management; and

WHEREAS, the Comprehensive Financial Management Policies document, is attached hereto as Exhibit A,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS:**

That the Comprehensive Financial Management Policies document, attached hereto as Exhibit A, is hereby **ADOPTED** by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 15<sup>th</sup> Day of March 2022.

ATTEST

\_\_\_\_\_  
Sal Peralta, Chair  
COG Board of Directors

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Executive Director



Comprehensive Financial Management Policies

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## Table of Contents

### Section Description Page

I.	Purpose .....	3
II.	Objectives .....	4
III.	Management of Fiscal Policy .....	4
IV.	Accounting, Auditing and Financial Reporting Policy .....	5
V.	Revenue Policy .....	6
VI.	Expenditure Policy .....	6
VII.	Capital Improvement Policy .....	7
VIII.	Operating Budget Policy .....	8
IX.	Long Range Financial Policy .....	9
X.	Debt Management Policy .....	9
XI.	Reserve and Contingency Policy .....	9
XII.	Investments .....	10
XIII.	Fixed Asset Capitalization Policy .....	10

## **I. PURPOSE**

These Comprehensive Financial Management Policies are the tools used to ensure that the Mid-Willamette Valley Council of Governments is financially able to meet its current and future service needs. The policies contained herein set a basis for both the financial planning, reporting and internal financial management of the COG.

Municipal resources must be wisely used to ensure adequate funding for the services, operations, and public facilities, necessary to meet immediate and long-term needs of the COG. These policies safeguard the fiscal stability required to achieve the Board's objectives and ensure the long-term financial health of the COG.

These policies are adopted by Board of Directors as the basic framework for overall financial management of the COG, to guide day-to-day and long-range fiscal planning and decision making, and to achieve the following general financial goals.

1. Provide an adequate financial base to sustain a sufficient level of municipal services to maintain support the COG membership.
2. Deliver cost effective and efficient services to members.
3. Provide and maintain essential services, public facilities, and capital equipment.
4. Provide the financial stability needed to navigate through economic downturns, adjust to changes in the service requirements of the region and respond to other changes as they affect the members.
5. Protect and enhance the COG's credit rating so as to obtain the lowest cost of borrowing and also to assure the financial community that the COG is well managed and financially sound.
6. Adhere to the highest standards of financial management and reporting practices as set by the Government Finance Officers Association, the Governmental Accounting Standards Board and other professional standards.
7. Fully comply with finance related legal mandates, laws and regulations including Oregon Revised Statutes and Oregon Budget Law.

To achieve these goals, fiscal policies generally cover areas of revenue management, operating and capital budgeting, financial planning and forecasting, investment and asset management, debt management, accounting and financial reporting, reserves and internal controls. These policies shall be reviewed every year as part of the annual budget preparation process.

## **II. OBJECTIVES**

1. To guide the Board of Directors and management policy decisions that have significant fiscal impact.
2. To employ balanced revenue policies that provides adequate funding for services and service levels.

3. To maintain appropriate financial capacity for present and future needs.
4. To maintain sufficient reserves to maintain service levels during periods of economic downturn.
5. To promote sound financial management by providing accurate and timely information on the COG's financial condition.
6. To ensure the legal use of financial resources through an effective system of internal controls.
7. To protect the COG's credit rating and provide for adequate resources to meet the provisions of the COG's debt obligations on all municipal debt.
8. To promote cooperation and coordination with other governments and the private sector in financing and delivery of services.

### **III. MANAGEMENT OF FISCAL POLICY**

The Executive Director is responsible for overseeing the management of the COG's fiscal policies and monitor compliance. If the Executive Director discovers a material variation from policy, the Executive Director shall report it in writing to the Board in a timely manner. The report will explain the impact of the material variation on the COG's operations, service levels and/or finances and substantive impact of all recommendations to changes in fiscal policy.

As a part of the COG's annual budget document, the Executive Director's budget message will identify (a) all major changes in policy since the previous budget year and (b) any material variations from policy in the ensuing year's budget. Fiscal policies and changes in policies will be approved by the Board, and adopted by resolution.

### **IV. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING POLICY**

The COG will maintain accounting practices in accordance with state and federal law and regulations, and financial reporting that conforms to Generally Accepted Accounting Principles (GAAP). Provide for, prepare and present regular reports that analyze and evaluate the City's financial performance and economic condition.

1. Accounting Practices and Principles  
The COG will maintain accounting practices in accordance with state and federal law and regulations, and annual financial reporting that conforms to GAAP as set forth by the Governmental Accounting Standards Board (GASB), the authoritative standard setting body for units of local government. The COG's monthly financial reports will be reported on the budgetary basis. At year-end, the general ledger and financials will be adjusted to GAAP, and the annual financial reports and continuing disclosure statements will meet these standards.
2. A system of internal controls and procedures will be maintained to provide reasonable assurance of the safeguarding of assets and proper recording of financial transactions and compliance with applicable laws and regulations. When staffing limitations require it, staff duties will be assigned to maximize a system of financial checks and balances.

3. Annual Audit
  - a. Pursuant to state law, the COG will have an annual financial and compliance audit, and prepare financial statements based on the audited financial information. The audit will be performed by a certified public accounting (CPA) firm, licensed to practice as Municipal Auditors in the State of Oregon. The annual financial report, including the auditor's opinion and specific reports as required by Oregon state regulations, will be filed no later than six (6) months following the end of the fiscal year and will be presented to the Board in that same time frame. The audit firm will also provide a Single Audit of Federal and State grants, when necessary. The Executive Director will be responsible for establishing a process to ensure timely resolution of audit recommendations, if any.
4. Financial and Management Reporting
  - a. Quarterly financial reports will be provided to the Board, the Executive Director and department heads. These reports will include department revenues and expenditures actual to date with comparison to the budget. These reports will be distributed within 45 working days of the end of each quarter.
  - b. A goal of the COG is to eventually prepare a comprehensive annual financial report subjected to independent audit and prepared in a format that conforms to the standards of the Government Finance Officers Association *Certificate of Achievement for Excellence in Financial Reporting*. The report shall be shared with the Executive Director, Board, Budget Committee and the Secretary of State. In accordance with state law the report shall be distributed no later than December 31st of the following fiscal year.

## V. REVENUE POLICY

1. The COG will estimate its annual revenues by an objective, analytical process. Because most revenues are sensitive to conditions outside the COG's control, estimates will be conservative.
2. The COG should take advantage of every revenue generating opportunity authorized by Oregon Revised Statutes and the Oregon Constitution.
3. The COG shall pursue an aggressive policy of collecting delinquent accounts, including the use of collection agencies as authorized by the Board.
4. Charges for providing services will be sufficient to finance all operating, capital outlay and debt service expenses including operating contingency and reserve requirements. User fees and charges will be set at a level sufficient to recover the full cost of service whenever practical to minimize subsidization by the general membership. Rates will be adjusted as needed to account for major changes in consumption, capital improvements and cost increases. The COG will systematically review user fees and charges to consider the effects of additional service costs and inflation.
5. The COG will maintain a current schedule of fees which will be reviewed annually and adopted by resolution.

## **VI. EXPENDITURE POLICY**

Expenditures will be controlled through appropriate internal controls, procedures, and regular monitoring of monthly budget reports. Management must ensure expenditures comply with the legally adopted budget. Each department head will be responsible for the administration of their department program budget. This includes accomplishing the goals and objectives incorporated into the budget and monitoring each department program budget for compliance with spending limitations.

1. The Board of Directors will approve the budget by fund at the category or program level. Expenditures anticipated to be in excess of these levels require approval of a Board resolution (i.e. supplemental budget process).
2. The COG will follow the employee compensation practices that are consistent with the COG's adopted Personnel Handbook and approved collective bargaining agreements, if any.
3. The operation of COG departments or divisions must have adequate funds to procure needed supplies to provide service.
4. The COG will maintain a purchasing ordinance for public procurements and improvements and set expenditure authorization levels for staff.
5. All expenditure invoices must be reviewed and approved by the executive Director, and/or the appropriate department head before being paid. Two signatures or electronic approvals are required on COG checks.
6. The COG will make every effort to control expenditures to ensure COG services and programs provided to its members are cost effective and efficient.
7. Items costing \$5,000 or more, per item, will be budgeted and accounted as capital outlay and shall be tracked in the COG's fixed assets records. Significant repair or maintenance that extends the useful life of existing assets will be included here provided the dollar threshold is met. The \$5,000 limit will apply to individual items unless a group of items are intended to function together as a unified system.
8. Pass-Through Funds are subject to the Pass-Through Funding Policy.

## **VII. CAPITAL IMPROVEMENT POLICY**

The COG will prepare a three-year Capital Purchase Plan (CPP) encompassing all COG capital equipment annually with the budget. The CPP will be composed of purchases identified in the COG's adopted master plans. The three-year CPP will be incorporated into the COG's budget and long-range financial planning processes.

1. The COG will maintain its physical assets at a level adequate to protect the COG's capital investment and to minimize future operating maintenance and replacement costs. The COG recognizes that deferred maintenance increases future capital costs, thus placing a burden on the membership. Therefore, the budget will provide for adequate maintenance and the orderly replacement of capital equipment from current revenues when possible.
2. The COG will determine the least costly funding method for its capital assets and will obtain grants, contributions and low-cost state or federal loans whenever possible.
3. The COG will establish capital equipment reserves to provide for funding of vehicles and equipment. The COG will also establish major repairs and replacement reserves to provide for funding of major repairs and replacements.

4. The COG may utilize “pay-as-you-go” funding for capita purchases when current revenues and adequate fund balances are available or when acquiring debt would adversely affect the COG’s credit rating or put the COG in violation of its debt limitation provision in the ORS 190 agreement.
5. The COG will consider the use of debt financing for capital projects under the following circumstances:
  - a. When the purchase’s useful life will exceed the terms of the financing.
  - b. When resources are deemed sufficient and reliable to service the debt.
  - c. When market conditions present favorable interest rates for COG financing.
  - d. When the acquisition of debt will not adversely affect the COG’s credit rating, coverage ratios or violate the ORS 190 agreement.
6. Special funds dedicated for capital purchases will be segregated in the accounting system and used only for the intended capital purposes.

## **VIII. OPERATING BUDGET POLICY**

The COG will prepare an annual budget with the participation of all departments. All budgetary procedures will conform to existing state and local regulations. Oregon Budget Law requires each local government to prepare a balanced budget and Oregon Administrative Rules state: 1) the budget must be constructed in such a manner that the total resources in a fund equal the total of expenditures and requirements for that fund and 2) the total of all resources of the must equal the total of all expenditures and all requirements.

1. A Budget Committee will be appointed in conformance with state statutes. The Budget Committee’s chief purpose is to review the Executive Director’s proposed budget and recommend a budget and tax levy for the Board to adopt.
2. The budget will support COG Board goals and priorities and the long-range needs of the membership.
3. The COG budget process will incorporate the proposed Capital Purchase Plan for the upcoming fiscal year.
4. Multi-year projections will be prepared in conjunction with the proposed budget to determine if adjustments in expenditures or revenues are needed.
5. The COG will manage each fund as an independent entity in accordance with applicable statutes and with generally accepted accounting principles.
6. The COG will allocate direct and administrative costs to each fund based upon the cost of providing these services.
7. The COG will take immediate corrective action if at any time during the fiscal year financial monitoring indicates that an operating fund’s anticipated expenditures are expected to exceed its anticipated revenues.
8. The use of fund balance, which is a one-time revenue source, may be used to fund an annual operating deficit only with approval of a plan to replenish the fund balance if it is brought down below policy level. (See Reserve Policy)
9. The COG will work towards the goal of preparing a budget document which complies with the standards necessary to obtain the *Award for Distinguished Budget Presentation* from the Government Finance Officers Association (GFOA). The COG will submit its budget for award consideration annually.

## **IX. LONG-RANGE FINANCIAL PLANNING POLICY**

The COG will prepare a long-term financial plan to promote responsible planning for the use of its resources. The long-term financial plan will project revenues, expenditures and reserve balances for the next five years. The analysis will incorporate the COG's approved Capital Purchase Plan.

Long term projections of revenues and expenditures will be realistic, conservative, and based on best practices established by the Government Finance Officers Association.

## **X. DEBT MANAGEMENT POLICY**

1. Capital purchases financed through the acquisition of debt, will be financed for a period not to exceed the useful life of the purchase.
2. The COG will use the most prudent methods of acquiring capital outlay items, including the use of lease-purchase agreements.
3. The COG will not use long-term debt to fund current operations, to balance the budget or to fund purchases projects that can be funded from current resources.
4. The COG will comply with all statutory debt limitations imposed by the Oregon Revised Statutes and the ORS 190 agreement.
5. The COG will obtain and maintain a good credit rating.

## **XI. RESERVE AND CONTINGENCY POLICY**

Reserves and contingencies are an important indicator of the COG's financial position and its ability to withstand adverse events. Maintaining reserves and contingencies are a prudent management practice. The following are examples of their use:

**Operating Contingency** – A budgetary account used to appropriate resources that can be used to address events or services needs that were unanticipated during budget development.

**Capital Asset Reserve** – A reserve established to accumulate resources that will be used to replace capital assets and to provide for major customer service enhancements, where procurement will be budgeted in a future year. The COG will maintain capital reserves sufficient to replace assets at the end of their useful lives.

**Debt Service Reserve** – A reserve established as a requirement of in a debt instrument.

The COG will maintain sufficient contingency and reserves in each fund to be able to:

1. Mitigate short-term volatility in revenue.
2. Absorb unanticipated operating needs that arise during the fiscal year but were not anticipated during the budget process.
3. Sustain COG services in the event of an emergency.
4. Meet operating cash flow requirements before the collection of property taxes, grant proceeds and other operating revenues.
5. Meet major facility and equipment repair and maintain needs.

6. Meet future capital purchase needs to minimize future debt obligations and burden on future citizens.

The COG will maintain a contingency of no less than three months of total operating expenses for the General Fund, and no less than two months of total operating expenses for other operational activities. The COG will also establish capital asset reserves to provide for the replacement of certain fixed assets as determined by the Board.

If reserves, and contingencies decrease to levels below the levels established by this policy, the COG will develop a plan to restore reserves and contingencies to the required levels.

## **XII. INVESTMENTS**

All COG funds shall be invested to provide safety of principal and a sufficient level to meet cash flow needs. One hundred percent of all idle cash will be continuously invested in the Local Government Investment Pool maintained by the State Treasurer.

## **XIII. FIXED ASSET CAPITALIZATION POLICY**

The purpose of this policy is to establish standard procedures for capitalizing fixed assets to facilitate the identification, reporting, and safeguarding of COG assets in compliance with generally accepted financial reporting requirements.

### **Asset Value**

Capital assets are valued at their historical cost. In the absence of historical cost information, the asset's estimated historical cost will be assigned and used. Contributed capital is reported at fair market value or cost on the date the asset is contributed.

The historical cost of a capital asset includes the following:

- Cost of the asset
- Ancillary charges necessary to place the asset in its intended location (i.e. freight charges)
- Ancillary charges necessary to place the asset in its intended condition for use (i.e. installation and site preparation charges)
- Capitalized interest
- Any subsequent improvements that meet the qualifications listed below.

### **Capitalization Threshold**

The COG will capitalize all individual assets with a threshold of \$500 and has an estimated useful life of 3 years or more.

### **Grouped or Networked Assets**

Individual assets that cost less than the capitalization threshold, but that operates as part of a network system will be capitalized in the aggregate, using the group method if the estimated average useful life of the individual asset is 3 years or more. A network is determined to be where individual components may be below the capitalization threshold but are interdependent and the overriding value to the COG is on the

entire network and not the individual assets. Examples include: computers, software licenses, new office furniture, etc.

### **Depreciation Method**

Capitalized assets are depreciated using the straight-line method in the Annual Financial Report. The COG maintains a depreciation schedule for the General Fund and all proprietary funds.

### **Estimated Useful Lives**

The following guidelines are used in setting estimated useful lives for asset reporting:

Buildings & Improvements	25 – 40 years
Land Improvements	10 – 20 years
Machinery and Equipment	3 – 10 years
Vehicles	5 – 10 years
Utility Systems	25 – 40 years
Infrastructure	20 – 40 years

### **Improvements vs. Maintenance Costs**

With respect to asset improvements, costs at or over the capitalization threshold will be capitalized if:

- The estimated life of the asset is extended by more than 25%, or
- The cost results in an increase in the capacity of the asset, or
- The efficiency of the asset is increased by more than 10%, or
- Significantly changes the character of the asset.

Improvements that do not meet these criteria would be expensed as repair and maintenance.

### **Assets Below Capitalization Policy**

The COG will report assets which do not meet the capitalization threshold on an inventory list to maintain adequate control and safeguard COG property. Periodic audits will be performed to verify that items listed on the inventory report are still located on COG property for COG's personnel use. Example: tools, small equipment, office equipment, etc. An annual inventory will be completed each year.

### **Supplemental Financial Policies**

Appendix A: Pass-Through Funding Policy

## **Pass-through Funding Policy**

### **Overview**

Managing federal pass-through grants can be an excellent way for a regional government to facilitate more funding for their region. The federal government allows grant recipients to act as pass-through entities to provide funding to other recipients. The pass-through entity receives federal funds which it “passes on” or “passes through it” to other recipients. These government programs require extensive record-keeping and data reporting, as well as enhanced security.

The Mid-Willamette Valley Council of Governments was formed as an ORS 190 Entity for the purpose of leveraging regional opportunities, and to provide service to our member governments. One of the services we provide is to serve as a pass through agency for Federal Grants. The purpose of a pass-through grant is to carry out the work of a large federal program on smaller, local levels. Our members rely on the expertise of MWVCOG to distribute funds to the right sub-recipients and to monitor the activities and spending of the grant funds.

The purpose of a Pass-through Funding Policy is to ensure the MWVCOG is meeting key compliance requirements. Such as:

- Having specific federal authorization prior to entering into any subaward under the award.
- Requiring subawardee compliance with 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- Requiring progress and financial reporting. Reporting subawards (over \$30,000) as required by the Federal Funding Accountability and Transparency Act (FFATA).
- Collection of performance data from the subawardee Monitoring subawardees: take the appropriate actions to get the subrecipient back on track if problems arise.

### **Definitions:**

Pass Through Entity - A non-federal entity that provides a subaward to a subrecipient to carry out part of a Federal program (Title 2 CFR 200.74).

Subrecipient - A non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program (Title 2 CFR 200.93).

### **Roles and Responsibilities**

As a pass-through entity, MWVCOG’s role is to determine which local offices and organizations should receive federal assistance. These sub-recipients should work toward accomplishing the mission and goals of the larger governmental organizations allocating the funds. The federal office granting the funding may provide you with a list of standards or requirements that sub-recipients must fulfill to receive a pass-through grant.

Once pass-through grant is awarded, it’s important to understand that both MWVCOG and the sub-recipient need to adhere to the policies set by the government office funding the grant.

### **Pass Through Entity Requirements:**

- Evaluate the risk posed by applicants before they receive an award.
- Consider such elements as:

- Applicant's eligibility or the quality of its application;
- Financial stability and quality of management system;
- History of performance; and ○ Audit findings.
- Identify total funding amount to be provided to subrecipients
- Ensure payment to subrecipient is processed timely.
- Ensure subrecipients audits are complete, issue a management decision on audit findings within 6 months after receipt of the subrecipient's audit report, and ensure that subrecipients take the proper and timely actions on audit findings
- Closeout the subaward when all applicable administrative actions and all grant related work have been completed
- Require the subrecipient to submit all financial, performance, and other reports to the pass-through entity within a specified time after the end date of the subaward's period of performance.
- Closeouts should be completed in time to meet the federal agency's closeout timeline.

Please refer to the Pass-through Entity's Responsibilities Checklist.

**Subrecipient Files & Documentation:**

- Subrecipient Grant File: signed agreement, contract, MoU, correspondence between subrecipient and pass-through entity, signed award document, Progress Reports, Financial Reports.
- Pre-Award documentation: announcement, decision-making supporting documentation
- Financial documentation: including but not limited to: proof of payments, invoices, receipts, etc.
- Federal Funding Accountability and Transparency Act (FFATA) reports
  - For any subgrants issued awards in excess of \$100,000, please ensure you have subrecipient's Lobbying Certification which can be found here:  
<https://www.gsa.gov/forms-library/disclosure-lobbying-activities>

This policy is subject to change to comply with reporting requirements.

Pass-through Entity's Responsibilities Checklist

Section	Uniform Requirements – 2 CFR Part 200	Completed (Y/N)
<b>Subrecipient and Contractor Determination</b>		
200.330	A determination has been made as to whether the entity receiving federal funds is a subrecipient or a contractor based on the definitions outlined in the Uniform Requirements.	
200.331 (a)	The subrecipient has been informed of the subaward and their requirements to comply with the provisions outlined in the Uniform Requirements.	
<b>Required Subaward Identification Information</b>		
200.331 (a)(1)	Subrecipient name (must match registered name in DUNS)	
	Subrecipient's DUNS number	
	Federal Award Identification Number (FAIN)	
	Federal Award Date	
	Subaward period of performance start and end date	
	Amount of federal funds obligated by this action	
	Total amount of federal funds obligated to the subrecipient	
	Total amount of federal award	
	Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA)	
	Name of federal awarding agency, pass-through entity, and contact information for awarding official	
	CFDA number and name	
	Whether or not the award is R&D	
	Indirect cost rate for the federal award	
<b>Requirements for Pass-through Entities</b>		
200.331 (a)(2)	The subaward includes all requirements imposed by the pass-through entity to ensure the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award.	
200.331 (a)(3)	Any additional requirements imposed by the pass-through entity in order to meet its responsibilities with the Federal awarding agency to include identifying any required financial and performance reports.	
200.331 (a)(4)	A current approved indirect cost rate between the subrecipient and the federal government. If no rate exists, either a rate negotiated between the pass-through entity and the subrecipient or a de minimis rate of 10%.	
200.331 (a)(5)	The subaward includes a requirement that the subrecipient allows the pass-through entity and auditor's access to their records and financial statements.	
200.331 (a)(6)	The subaward includes the appropriate terms and conditions regarding the closeout of the award.	
200.331 (b)	Assess the subrecipient's risk of non-compliance with federal statutes, regulations, and terms and conditions of the subaward ( <i>see Subrecipient Monitoring Risk Factors Checklist</i> ).	

Section	Uniform Requirements – 2 CFR Part 200	Completed (Y/N)
200.331 (c)	Consider imposing specific subaward conditions on a subrecipient, if appropriate as described in § 200.207 ( <i>Specific Conditions</i> ).	
<b>Subrecipient Monitoring Requirements</b>		
200.331 (d)	Activities of the subrecipient are monitored as necessary to ensure the subaward is used for authorized purposes; is in compliance with Federal statutes, regulations and the terms and conditions of the subaward and performance goals are met.	
Section	Uniform Requirements – 2 CFR Part 200	Completed (Y/N)
200.331 (d)(1) (2)&(3)	Monitoring of subrecipients must include: <ul style="list-style-type: none"> <li>• Reviewing financial and programmatic reports,</li> <li>• Follow-up process to ensure subrecipient takes timely and appropriate action on all deficiencies detected through audits, on- site reviews, and other methods, and</li> <li>• Issue a management decision for all audit findings pertaining to the award.</li> </ul>	
<b>Subrecipient Monitoring Tools</b>		
200.331 (e)	Based on the results of the risk assessment performed, consider other monitoring tools to ensure proper accountability and compliance with program requirements.	
200.331 (e)(1)	Provide subrecipients with training and technical assistance on program related matters.	
200.331 (e)(2)	Perform on-site reviews of the subrecipient’s program operations.	
200.331 (e)(3)	Arrange for agreed upon procedures engagement as described in § 200.425 ( <i>Audit Services</i> ).	
<b>Additional Monitoring Requirements</b>		
200.331 (f)	Verify that every subrecipient is audited as required by Subpart F when it is expected that Federal funds expended during the fiscal year either equaled or exceeded the \$750,000 threshold set forth in § 200.501 ( <i>Audit Requirements</i> ).	
200.331 (g)	Make necessary adjustments to the pass-through entity’s records based on the results of a subrecipient’s audit, on-site review, or other monitoring efforts.	
200.331 (h)	Consider taking enforcement action against non-compliance subrecipients as described in § 200.338 ( <i>Remedies for Non-compliance</i> ).	