AGENDA
Board of Directors
Mid-Willamette Valley Council of Governments
Tuesday, March 21, 2023
3:30 P.M. – 5:30 P.M.
Hybrid Meeting – In Person/Zoom Webinar
MWVCOG Conference Room
100 High Street SE, Suite 200, Salem OR 97301
(Zoom invitations will be sent by separate email) Join Zoom Meeting
https://us06web.zoom.us/j/86570466091?pwd=MWlNdzdVdDZLZzZkNnh1YStVMXZkdz09

CONTACT: Scott Dadson, Executive Director; 503-540-1601
CHAIR: Lisa Leno, Confederated Tribes of Grand Ronde
VICE CHAIR: Ian Davidson, Cherriots, Salem Keizer Transit District

A. CALL TO ORDER – *Lisa Leno, Chair*

B. INTRODUCTIONS – *Lisa Leno, Chair*

C. PRESENTATION- Chemeketa Community College: *Holly Nelson & Margarie Yaroslaski* intro to the new BAS Degree.

D. PUBLIC COMMENT *(This time is reserved for questions or comments from persons in the audience)*

E. CONSENT CALENDAR *(All items on the Consent Calendar will be approved by one vote unless an item is withdrawn for discussion at the request of a Board member. Members may have an item withdrawn by notifying the Chair at the meeting.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 13, 2022, meeting of the Board of Directors**
   Requested Action: Approve minutes

3. **Appointment of 2023 Budget Committee**
   Requested Action: Appoint Budget Committee members for the 2023 budget process

4. **Adoption of 2023-24 Budget Schedule**
   Requested Action: Adopt the meeting schedule for the 2023 budget process

5. **Resolution 2023-02-Annual Salem/Keizer Area Transportation Planning Contracts**
   Requested Action: Approve Resolution No. 2023-02 authorizing the Executive Director to sign Transportation Planning contracts as outlined in the Resolution.

6. **Resolution 2023-03 – GIS Services Contracts**
   Requested Action: Approve Resolution No. 2023-03 authorizing the Executive Director to sign GIS Services contracts as outlined in the Resolution.

7. **Resolution 2023-04 – Community Development Contracts**
   Requested Action: Approve Resolution No. 2023-04 authorizing the Executive Director to sign Community Development, Land Use Planning, Small Business Lending, and Housing Rehabilitation Services contracts as outlined in the Resolution.

8. **Resolution 2023-05 – Member Services Contracts**
   Requested Action: Approve Resolution No. 2023-05 authorizing the Executive Director to sign Member Services contracts as outlined in the Resolution.

F. FINANCIAL REPORT Information only.

G. DEPARTMENT ACTIVITY REPORTS

1. Information only. Includes reports from the Community Development Department, Transportation Department and Small Business Loan Program. New members and new MWVCOG staff will be introduced.

H. ACTION ITEMS

1. **Resolution 2023-01 – Establish Rates for Service**
   Requested Action: Approve Resolution No. 2023-01 establishing rates for fee-for-service programs FY 2023-24.

I. EXECUTIVE DIRECTOR'S REPORT

J. 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.

K. ADJOURNMENT

BUDGET COMMITTEE MEETING: June 7, 2023
12:00 p.m. COG Offices/Zoom

BOARD MEETING, PUBLIC HEARING ON FY 23-34 BUDGET AND ADOPTION OF BUDGET: June 20, 2023
3:30 p.m. COG Office/Zoom

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 Teresa Davis 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 13, 2022

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS
BOARD OF DIRECTORS

Hybrid meeting -
COG Conference Room/Zoom Webinar

MEMBERS PRESENT
CHAIR: Councilor Sal Peralta, City of McMinnville
VICE CHAIR: Lisa Leno, Tribal Council Member, Confederated Tribes of Grand Ronde
Ian Davidson, Salem-Keizer Transit District Board
Mayor Brian Dalton, City of Dallas
Mayor Cathy Clark, City of Keizer
Mayor John McArdle, Independence, representing Small Cities of Polk County
Mayor Linda Watkins, Carlton, representing Small Cities of Yamhill County
Maria Hinojos Pressey, Member, Salem-Keizer School District Board of Directors
Commissioner Danielle Bethell, Marion County
Commissioner Casey Kulla, Yamhill County
Mayor Rick Rogers, City of Newberg
Mayor Eric Swenson, City of Woodburn
Mayor Jim Kingsbury, representing Small Cities of Marion County
Lisa Rogers, Board Member, Chehalem Park and Recreation District
Councilor Roxanne Beltz, City of Monmouth
Commissioner Jeremy Gordon, Polk County
Betsy Earls, Member, Chemeketa Community College Board of Education
Frank W. Pender, Jr., Board Member, Willamette Education Service District (WESD)
Terry Hsu, Director, Marion Soil & Water Conservation District

MEMBERS ABSENT
Mayor Chuck Bennett, City of Salem

OTHERS PRESENT
Scott Dadson, Executive Director
McRae Carmichael, Community Development Director
Amber Mathiesen, Finance Director
Mike Jaffe, Transportation Director

CALL TO ORDER & INTRODUCTIONS
Chair Peralta called the meeting to order at 3:37 p.m. The presence of a quorum was noted. Attendance was noted.

Agenda items were taken out of order by consent of the Board.

EXECUTIVE DIRECTOR REPORT
Scott Dadson, Executive Director, presented an update on Annual Dinner planning, reporting that PGE will be sponsoring the event and the nomination period is currently open.

FINANCIAL REPORT
Amber Mathieson, Finance Director, presented the staff report. It was noted that the net income is a summation of percentages and has no real validity.

DEPARTMENT ACTIVITY REPORTS
McRae Carmichael, Community Development Director, reported that on grants received and grants in progress. She noted that there is an active recruitment for a project manager to oversee the contract with DEQ for a septic project.

Mr. Dadson reported on a request from SEDCOR related to a new program to assist with infrastructure upgrades. He reported that CoG would only administer the project funds.

Ms. Carmichael reported that CEDs are being updated for the next five-year period through the CDP, which should be completed by summer 2023.

Mike Jaffe, Transportation Director, shared the details of a project that will be under budget.

PUBLIC COMMENT
None.

CONSENT CALENDAR
MOTION by Mayor McArdle, **SECONDED** by Councilor Beltz, **TO APPROVE THE CONSENT CALENDAR, AS PRESENTED.**

1. *MINUTES OF SEPTEMBER 20, 2022 MEETING OF THE BOARD OF DIRECTORS*
2. *ADOPT 2023 MEETING SCHEDULE*
3. *ADOPT FUND BALANCE TARGET FOR FY 2022-23*
4. *RATIFY APPOINTMENT OF KENNA WEST TO VDI AND COG RLF LOAN BOARDS*

Discussion: None.
Motion carried.
IN FAVOR: Peralta, Leno, Dalton, Clark, Beltz, Bennett, Gordon, McArdle, Watkins, Earls, Hinojos Pressey, Davidson, Pender. **OPPOSED:** None. **ABSTAINED:** None.

ACTION ITEMS

ADOPT LEGISLATIVE POLICY FOR 2023
Mr. Dadson presented the staff report. He advised that the intention is to keep this document generic to allow the organization to pivot if needed based on legislative actions. There was some discussion regarding the top three priorities.
Mr. Dadson reported that the recent Legislative Coffee was well-attended and successful.

Discussion about pages 31-32 included a request for a list of Legislative Committee members. Staff advised that a typo on page 30 will be corrected in the final draft.

MOTION by Mayor Clark, **SECONDED** by Ian Davidson, **TO ADOPT THE LEGISLATIVE POLICY FOR 2023**
Motion carried.
IN FAVOR: Peralta, Leno, Dalton, Clark, Beltz, Bennett, Gordon, McArdle, Watkins, Earls, Hinojos Pressey, Davidson, Pender. **OPPOSED:** None. **ABSTAINED:** None.

MEMBER DUES/EDD ASSESSMENT FY 2023-24

Chair Peralta left the meeting at 4:30, Ian Davidson was appointed acting chair due to an internet connection issue with Ms. Leno.

Mr. Dadson discussed historical dues adjustments and calculations. He presented increase options at 5% or 8.6%. He reviewed the associated math with the Board. He advised that dues "are the backstop funds, and rates are where we don't want to fall behind."

Mayor Clark asked to hear from smaller jurisdictions where budgets are tighter. She emphasized that the Board needs to be aware of all member needs. In response, Mayor Watkins advised that Carlton would be in favor of the 5% option.

MOTION by Mayor McArdle, **SECONDED** by Mayor Clark, **TO APPROVE A 5% DUES ASSESSMENT FOR FY 2023-24.**

Motion carried.

IN FAVOR: Peralta, Leno, Dalton, Clark, Beltz, Bennett, Gordon, McArdle, Watkins, Earls, Hinojos Pressey, Davidson, Pender. **OPPOSED:** None. **ABSTAINED:** None.

PUBLIC HEARING ON SUPPLEMENTAL BUDGET FOR 2022-2023

Ian Davidson opened the public hearing at 4:31 p.m.

Ms. Mathieson provided background on what additional funds will be used for.

No public comment was received.

Ian Davidson closed the public hearing at 4:34 p.m.

MOTION by Commissioner Kulla, **SECONDED** by Mayor Clark, **TO APPROVE SUPPLEMENTAL BUDGET FOR 2022-2023.**

Motion carried.

IN FAVOR: Leno, Dalton, Clark, Beltz, Bennett, Gordon, McArdle, Watkins, Earls, Hinojos Pressey, Davidson, Pender. **OPPOSED:** None. **ABSTAINED:** None.

EXECUTIVE DIRECTOR'S EVALUATION & SALARY ADJUSTMENT

The Executive Director salary increase will be retroactive to his February anniversary. His next evaluation will be in December 2022.

MOTION by Mayor Dalton, **SECONDED** by Councilor Beltz, **TO APPROVE THE EXECUTIVE DIRECTOR'S EVALUATION AND SALARY ADJUSTMENT AS RECOMMENDED.**

Motion carried.

IN FAVOR: Leno, Dalton, Clark, Beltz, Bennett, Gordon, McArdle, Watkins, Earls, Hinojos Pressey, Davidson, Pender. **OPPOSED:** None. **ABSTAINED:** None.

BOARD DISCUSSION/ROUNDTABLE

Councilor Roxanne Beltz gave an update on the Fare Free initiative and the assistance from Cherriots with operators and maintenance. She also thanked Representative Paul Evans for his assistance.

Lisa Leno announced mini shelters coming to Grand Ronde, which will be able to shelter ten people.

Ian Davidson thanked Cherriots for offering around thirty thousand dollars in free student rides, including backup rides for kids that miss the school bus.

ADJOURNMENT

Hearing no further business, Ian Davidson adjourned the meeting at 4:49 p.m.

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Scott Dadson, Executive Director

Postscript: This document is a summary only. No recording of this meeting is available. Minutes prepared by R. Gangelhoff.

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

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

DATE: March 21, 2023

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

SUBJECT: APPOINTMENT OF FY 2023-24 BUDGET COMMITTEE

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
   Ian Davidson, Cherriots

   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 **Roxanne Beltz**, Monmouth City Councilor, 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 this will be her last year of her three year term .
- Heidi Bell has one year remaining on her three-year term. (She is completing the term begun by Frank Sheridan.)
- Derik Munns has two years remaining on three year term.

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

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

DATE: March 21, 2023

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

SUBJECT: PROPOSED FY 2023-24 BUDGET SCHEDULE

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 20st permits COG budget actions to follow those of most member governments.

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

March 21	COG Board of Directors establishes the Budget Committee: • Appoint three lay citizens representing the major services and programs of the COG • Appoint three COG Board members.
Present to May 20	Staff prepares revenue and expenditure estimates.
May 27	Budget to printing
May 27	Publish Notice of Budget Committee Meeting
June 7 12:00 p.m.	**Budget Committee meets, reviews and approves budget.**
June 3	Publish Notice of COG Board's Budget Hearing
June 20 3:30 p.m.	**Board of Directors' Budget Hearing and adoption of budget**
June 30	Submit documents to State Department of Revenue

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

TO: **Board of Directors** **DATE: March 3, 2023**
Mid-Willamette Valley Council of Governments

THRU: **Scott Dadson**
Executive Director

FROM: **Amber Mathiesen**
Finance Director

SUBJECT: Resolution No. 2023-01, Establishing Rates for Services for FY 2023-24

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 2023-24?

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.

As part of the budget setting process, the Board adopts a rate schedule annually that sets out the fees that the COG charges for services provided to member and non-member governments.

RECOMMENDATION
The Board adopt Resolution No. 2023-01 establishing rates for fee-for-service programs FY 2023-24.

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).

Any relevant historical context for the program or service and its associated rates;

Our costs for services are based upon the Seattle CPI-U of the previous December, which in this case is **6.3%.** Based upon this, a CPI adjustment of same for employees as well as an anticipated increase in benefit cost, we created a baseline for costs associated with Fees for Service. The Second part of our methodology was a review of the public and private market rates for similar services. This has been the historical context for review of service costs for our membership.

The categories of our rates for services, follow our categories of expertise at this time:

1. Member Services
   a. Recruiting Services
   b. Legal Services
   c. Facilitation and Goal Setting Services
   d. Convening
   e. Administrative Support Services to include City Recorder, City Admin, Finance, and Budget
2. Community Development
   a. Land Use Planning Services
   b. Grant Writing Services
   c. Grant Administration Services
   d. Project Management Services
3. Transportation Planning
   a. SKATS Staff and Professional Support
   b. MWACT Staff and Professional Support
   c. Transportation Modeling
   d. Safe Routes to Schools
4. Economic Development Lending Services
   a. Revolving Loan Funds
   b. Banking Loan Services for VDI, which houses SBA, SBA 7a, ILP, IRP Loan Products
   c. Housing Rehabilitation Loan Services
   d. Capital Development Programs to include the Latino Business Alliance and Santiam Canyon Small Business Programs
5. Geographic Information Services and Data and Modeling Services
   a. GIS Mapping Service
   b. Data Mapping Services

c. Census Mapping Services
d. Data Center
e. IT Application for Public Services
f. Redistricting

Descriptions of Services Provided

Recruiting Services. The rates are well below that 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. The second is for hearings officer services. Both rates are at or below what cities have historically paid for these services.

The COG will be changing its delivery of services based upon the retirement of the COG's General Counsel and the development of a new delivery of legal services as provided by internal COG staff. These services will focus on General Counsel and referral services and hearing officers services.

Strategic Planning / Goal Setting. The COG provides goal setting and strategic planning sessions with internal staff as facilitators. This is meant to be a fixed rate cost at or below market rates.

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. 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.

Land Use Planning. The COG provides land use planning services on a contractual, hourly basis for over twenty (21) jurisdictions throughout the region. The current contracts are set to expire on June 30, 2023.

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).

A market rate analysis of other planning services consultants within the region shows that, at the recommended rates, the COG proposed FY23/24in the mid-range of other planning consultants within the region.

Program attributes that sets 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, including support from the Community Development Director, Housing Rehabilitation Specialist, Grant Administrator, Project Manager, and Small Business Loan Program staff; and
- Support from a total of seven (9) 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 rates will not achieve full cost recovery for this program area and may require additional funding to assist membership to include Administrative Fees in the Grants themselves or other sources such as EDA. Rates proposed are well within market rates for similar services.

Housing Rehabilitation. Community Development staff support the Valley Development Initiatives (VDI) housing rehabilitation program, manage the Marion County CDBG Housing Grant 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, Community and Project 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. It is anticipated that Staff will continue to support the MWVHousing Alliance and the North Santiam Sewer Authority as they develop into stand alone organizations.

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.

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 for the Region. 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.

Lending Services: 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 also receives a management contract with the Valley Development Initiative to manage their Programs which include SBA 504, 7a, ILP and IRP loan programs.

Legal Services

The Mid-Willamette Council of Government provides legal services and consulting to cities in Marion, Polk, and Yamhill counties as well as to the COG offices and board of directors. Our attorneys have also worked as civic leaders and managers and have experience addressing the challenges communities face when obtaining, using, monitoring, or assessing legal services in local government settings. Legal services are available to city councils, managers, department directors and other supervisors to support a wide variety of municipal related legal issues.

Among the roles the MWVCOG General Counsel can provide to a community are:
Flat Fee: Consultation and Navigation Services – Consultation with an attorney is the best means of preventing legal issues from arising. Whether the issue is the conduct of a public

meeting, the rights of individual citizens to access public records, employee issue, or the interpretation of a code or legal requirement, having familiar and reliable legal resources available to consult is crucial to the success of a local government recorder, administrator, and elected officials. COG attorneys are available to assist attorneys in assessing and thinking through legal issues in these types of matters. If more specialized or additional follow-up work is needed outside COG attorney area of practice, COG attorneys can assist the with finding appropriate counsel.

Hourly Fee:
Executive Contracts: Presently the MWVCOG provides services to advise city councils on the appropriate process to select and hire a city administrator. COG attorneys are available to assist with the preparation and negotiation of executive contracts for administrators and senior staff.

Code Drafting and Interpretation/Charter Review: COG attorneys are available to assist with drafting code amendments, interpreting local development codes and legal requirements, and drafting findings. COG attorneys can also assist with reviewing and drafting charter language.

Contracts and Agreements; COG attorneys are available to assist with negotiating, preparing, and ensuring compliance with a variety of agreements and contracts including; intergovernmental agreements, procurement contracts, and franchise agreements.

Hearings Officer – Communities have an opportunity to resolve code enforcement issues using hearings officer proceedings. Communities also have an opportunity to have local land use applications conducted by a hearings officer rather than by a locally appointed or elected body. The requirements resulting from Oregon's recent efforts to address middle housing deficiencies in communities has called for more streamlined procedures applying objective standards. In such cases, a hearings officer could more effective and consistent than a planning commission. Use of a hearings officer helps to eliminate appearance of political bias and can assure conduct of hearings emphasizing due process and fairness.

Mentor/Trainer – Mentoring and training packages to orient new city council members, mayors, planning commissioners, and key staff, including city managers new to Oregon, can be constructed or modified from materials used by the MWVCOG to conduct training in prior years on the topics of local governance 101, ethics, council-manager relations, employment agreements, system development charges, and other topics. Early education and training, as well as correction of misconceptions, can prepare a newly appointed or elected official to quickly be a fully functioning and effective member of an elected body operating within the confines of the laws that govern their role. The education and preparation can be accomplished during private conversations rather by "baptism by fire" in a public setting.

Legal Services Team

Bill Monahan, JD (Emeritus)

Bill Monahan has been a member of the Oregon State Bar for over thirty years. For more than 10 years, he served as a contract city attorney for numerous local governments in Oregon, most located in the Portland Metropolitan Area. He also managed the cities of Milwaukie and Tigard for a total of over 16 years and was a local government planner and community development director earlier in his career.

Laura Conroy, JD

Laura Conroy has been a member of the Oregon State Bar for over twenty years. She began her career in law and public service clerking for administrative law judges at the Oregon Public Utility Commission and for a small firm providing municipal court services to cities. After passing the bar she entered private practice providing real estate, land use, and small business advice to clients. She has also been an executive leader for nonprofits focused on affordable housing and small business development. Most recently, she served on the executive team as Director of Strategic Engagement for the Multnomah Education Service District.

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.

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 2023-01

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, 2023, and ending June 30, 2024, unless sooner amended:

Member Services

Recruitment Services:

Population	Fee
Up to 1,000	$7,739
1,001 to 5,000	$9,950
Over 5,000	$13,266
Non-member Gov't Entities	$19,899
Background Check Services	$553/background check

Legal Services

Consultation and Navigation Services	$1,000 per year*
(*includes up to 5 hours per month, unused hours do not roll forward)	
General Counsel Services	$188 per hour
Hearings Officer Services	$207 per hour

Strategic Planning / Goal Setting

Evening / Half Day	$1,658
One Day (8 Hours)	$3,317

Evening Plus Full Day (10 Hours)	$3,869
Miscellaneous Technical Services	
Executive Director	$187 per hour
Admin Support Coordinator	$97 per hour
Support Staff	$76 per hour
Finance Services	
Finance Director	$141 per hour
Fiscal Assistant	$90 per hour
Support Staff	$76 per hour
Human Resources Services	$97 per hour
Communications Services	$76 per hour

Community Development Services

Land Use Planning (small cities)*	
Senior Planner	$104 per hour
Associate Planner	$99 per hour
Support Staff	$76 per hour
Grants Administration*	
Grants Administration Specialist	$84 per hour
Non-profit / Government Rate	$95 per hour
For Profit Rate	$105 per hour
Support Staff	$76 per hour
Housing Rehab Services*	
Housing Rehab Specialist	$84 per hour
Project Manager	$97 per hour
Economic Development Services*	
Development Director	$141 per hour

*(Any contracts that exceed a l -year period shall be charged at the above rates plus 5%.)

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 Minimum Fee - $1500	1.5 % of Loan Amount,
3rd Party Costs	Direct Charge

Copy and Plot Charges

Black and White Copies	$ .25 per page
Color Copies	$ .75 per page
Oversized black and white or color copies	$1.25 per page

Regular Plots

A (8 1/2 x 11), B (11 x 17)	$ 3 Each
C (17x22), D (22x34)	$25Each
E (34x44)	$45 Each

For oversize plots, $45 plus $4.32 per additional square foot

Image Plots

A (8 1/2 x 11), B (11 x 17)	$ 6 Each
C (17x22), D (22x34)	$37 Each
E (34x44)	$67 Each

For oversize plots, $67 plus $6.48 per additional square foot

Affiliate and Business Partner Rates

	Individual / Non-Profit Affiliate	For-Profit Business Partner
Cost	$500	$500
Eligibility	Non-profit regional organizations and statewide intergovernmental associations that either have government representation on their boards	Any for-profit Business that does business with the public entities that make up membership in the COG.

	(i.e. SEDCOR, Travel Salem, LOC, AOC, OSBA) or that partner with the COG in the delivery of its programs and services (i.e. Boys and Girls Club) This category would also be available to individuals in organizations who work regularly with the COG (i.e. Regional Solutions Coordinator).	
Scope of Services	Affiliates would receive all COG publications, member pricing for training and events, and member rates for fee-for-service programs that were also offered to non-member entities (i.e. GIS, transportation modeling, etc.).	Business Partners would receive all COG publications, member pricing for training and events, and member rates for fee-for-service programs that were also offered to non-member entities (i.e. GIS, transportation modeling, etc.)

ADOPTED by the Board of Directors of the Mid-Willamette Valley Council of Governments at Salem, Oregon this 21st Day of March 2023.

ATTEST

Lisa Leno, Chair
COG Board of Directors

Scott Dadson
Executive Director

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

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

DATE: March 16, 2023

THRU: **Scott Dadson**
Executive Director

FROM: **Mike Jaffe**
Transportation Planning Director

SUBJECT: Resolution 2023-02: Annual Salem-Keizer Area Transportation Planning

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ISSUE
Does the Board wish to approve Resolution 2023-01 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 2023-24 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 2023-

24 Unified Planning Work Program is currently being reviewed and is scheduled for adoption by the SKATS Policy Committee in April 2023.

Approval of the recommended requested actions will secure the funding required for the activities outlined in the SKATS 2023-24 fiscal year Unified Planning Work Program.

The dollar amounts identified in this memorandum and in Resolution 2023-01 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 $753,410.21 of FHWA "PL" Metropolitan Planning funds provided by the federal government through the FAST Act, plus $86,231.17 ODOT matching funds.

    b. Authorize approximately $1,174,973.45 in federal Surface Transportation Block Grant Program funds, with $134,480.97 in required local matching funds.

    c. Authorize approximately $259,397.01 in FTA Section 5303 funds, with $29,689.15 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 2023-24 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 2023-24 Unified Planning Work Program for the Salem-Keizer Area Transportation Study (SKATS), as adopted by the SKATS Policy Committee.

Attachment: Resolution 2023-02

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 2023-02

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 2023-24 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 $259,397 federal share and $28,689 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 $753,410 of Metropolitan Planning funds provided by the federal government (with ODOT supplying $86,231 of matching funds) and estimated $1,174,973 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 2023-24 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 21st day of March 2023.

ATTEST

Lisa Leno, Chair
COG Board of Directors

Scott Dadson
Executive Director

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

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

DATE: March 17, 2022

THRU: **Scott Dadson**
Executive Director

FROM: **Mike Jaffe**
Transportation Planning Director

SUBJECT: Resolution 2022-03: Annual Geographic Information System (GIS) Contracts

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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 School Finder 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 2022-03
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 2023-03

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

Lisa Leno, 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 than 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

By:_____
Scott Dadson, Executive Director

XXX _____

By:_____

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

TO: **Board of Directors** **DATE: March 15, 2023**
Mid-Willamette Valley Council of Governments

THRU: **Scott Dadson**
Executive Director

FROM: **McRae Carmichael**
Community Development Director

SUBJECT: Resolution 2023-04: 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, 2023. 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 2023-05.

Attachment: Resolution 2023-04

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 2023-04

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 21st day of March, 2023.

ATTEST

Lisa Leno, Chair
COG Board of Directors

Scott Dadson
Executive Director

Exhibit A

CONTRACT

LAND USE PLANNING SERVICES

THIS AGREEMENT is made and entered into this 1st day of July, 2023 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

By:_____
Scott Dadson, Executive Director

CITY OF _____

By:_____

Exhibit B

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, 2023* and continue until *June 30, 2024* 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 60th 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: _____ Date: _____
Scott Dadson, Executive Director

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: _____

Exhibit C

AGREEMENT

between

VALLEY DEVELOPMENT INITIATIVES

and

MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

THIS AGREEMENT made and entered into this 1st day of July. 2023 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. <u>Scope of Work to be Performed by COG</u>

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, 2023, 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, 2023
October 1, 2023
January 1, 2024
April 1, 2024

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 s hall 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 disbursal 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 VD I 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

Derik Munns, President
VDI Board of Directors

MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS

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, 2024, 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

By:_____
Scott Dadson, Acting Executive Director

CITY OF _____

By:_____

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

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

DATE: March 17, 2023

FROM: **Scott Dadson**
Executive Director

SUBJECT: Resolution 2023-05: 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
Historically, the COG has provided a variety of services for our members, including recruitment services, charter reviews, professional staff evaluations, and other administrative and financial services. Starting in 2018, the COG began offering legal services to its member governments. The recommended Board action would give the Executive Director the authority to enter into agreements to continue these services, or to respond to new requests.

RECOMMENDATION
Staff recommends the Board approve Resolution No 2023-05, 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 2023-01.

Attachment: Resolution 2023-05

BEFORE THE BOARD OF DIRECTORS
FOR THE MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS
In the matter for authorizing the execution of legal service recruitment services, charter reviews, professional staff evaluations, and other administrative and financial services to members contracts with member governments.

RESOLUTION 2023-05

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 utilize qualified COG staff and/or 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 — day of March 2023.

ATTEST

Lisa Leno, Chair
COG Board of Directors

Scott Dadson
Executive Director

CONTRACT

LOCAL GOVERNMENT ATTORNEY SERVICES

THIS AGREEMENT is made and entered into this_ day of_, 2023 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 active Oregon State Bar Association membership to provide general legal services to CITY. Services may include the following legal services:

   a. Provide legal advice on day to day questions as posed by designated CITY representatives on an as needed basis, but not as designated as that city's city attorney. 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 acting as that city's city attorney or providing advice on matters as bond counsel, related to 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 finalize agreements, and 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 if requested.

4. COG shall provide monthly billing statements identifying legal costs by project.

5. 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.

B. CITY Responsibilities

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

2. CITY agrees to pay for an annual flat fee for legal navigation and consultation services. Additionally, CITY agrees to pay for local government attorney services under paragraph A1 according to the rate resolution approved by the COG board.

3. CITY shall review, process, and pay COG's monthly invoices within 30 days of receipt. CITY shall provide the name, email, and phone number of the CITY's billing contact.

4. 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, 2024, 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, who is an employee or 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

By:_____
Scott Dadson, Executive Director

CITY OF _____

By:_____

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

TO: **Board of Directors** **DATE: March 17, 2023**
Mid-Willamette Valley Council of Governments

THRU: **Scott Dadson**
Executive Director

FROM: **Amber Mathiesen**
Finance Director

SUBJECT: Finance Report

Financial Software Transition Update
At the September 2021 Board meeting the COG Board requested an update on the transition of financial systems from GMS software to QuickBooks. The transition of data is complete, and we have been able to cancel our subscription to the old GMS software. Most recently finance staff have been developing internal reports to assist managers in in managing contract and project budgets.

QuickBooks software has now been in place long enough to contain over a year's worth of financial information. We have been using the system to assist with the audit process for FY 2021-22, which at the time of this report being written is still underway. We have had feedback from the auditors that they appreciate being able to log in and test transactions directly.

Revenue and Expense
COG's activities related to the budget are shown in Attachment A, an un-audited COG wide Budget versus actuals report through January 31, 2023. At the end of January 59% of the budget year has elapsed. Overall expenses are at approximately 49.77% of budget.

The revenue(income) section of the report demonstrates that COG has received 55.62%. The original budget was amended with Supplemental Budget #1 to recognize $2,150,000 in new revenues in December, and a second supplemental budget is anticipated in the before the end of the fiscal year to recognize all other new revenue. Not all funds received are spent in the fiscal year due to projects spanning fiscal years, so some revenue and expenses are carried over to the next fiscal year.

Budget

The budget calendar for presenting the FY 2023-24 budget is listed as a separate item on the agenda for adoption along with appointment of the budget committee.

Mid-Willamette Valley Council of Governments

Budget vs. Actuals: FY 2022-23 Budget by Class - FY23 P&L Classes

July 2022 - January 2023

	TOTAL		
	ACTUAL	BUDGET	% OF BUDGET
Income			
4100 Federal			
4110 Direct Federal Funds	71,318.71	2,321,124.38	3.07 %
4120 Federal Pass Through Funds	707,546.00	91,000.00	777.52 %
Total 4100 Federal	**778,864.71**	**2,412,124.38**	**32.29 %**
4200 State	0.00		
4201 State Pass Through Funds	57,534.00		
4202 State Direct	50,111.36	157,500.00	31.82 %
Total 4200 State	**107,645.36**	**157,500.00**	**68.35 %**
4300 County	112,208.50		
4400 Local	756,940.25	1,003,499.63	75.43 %
4410 Bank Interest	22,111.48		
4460 Loan Revenue	3,112.76		
4440 Loan Administration	150.00	5,833.31	2.57 %
4450 Loan Interest	70,311.71	65,782.50	106.89 %
4462 Loan Packaging		7,291.69	
4464 Loan Servicing	72,804.72	8,750.00	832.05 %
4466 Principal	522,735.14	74,767.63	699.15 %
Total 4460 Loan Revenue	**669,114.33**	**162,425.13**	**411.95 %**
4470 Non - Member Services	1,584.50	1,750.00	90.54 %
4480 Other Miscellaneous Revenue	16,703.11		
4490 Services	64,022.25		
4500 Transfers In		70,275.31	
4501 Transfers In - Indirect		577,067.82	
Total 4500 Transfers In		**647,343.13**	
4510 Uncategorized Income		26,240.06	
4600 VDI Contract Revenue	52,471.85	136,500.00	38.44 %
Discounts given	-52,369.01		
Total Income	**$2,529,297.33**	**$4,547,382.33**	**55.62 %**
GROSS PROFIT	**$2,529,297.33**	**$4,547,382.33**	**55.62 %**
Expenses			
5100 Payroll Expenses			
5101 Wages	1,151,645.06	1,339,560.25	85.97 %
5120 Taxes	101,947.56		
5130 Fringe Benefits	14,149.75	538,092.31	2.63 %
5135 Payroll Indirect Allocation		125,652.94	
5160 Company Contributions			
5161 Health Insurance	190,115.10		
5162 Retirement	104,597.09		
Total 5160 Company Contributions	**294,712.19**		
Taxes (deleted)	7,361.22		

Mid-Willamette Valley Council of Governments

Budget vs. Actuals: FY 2022-23 Budget by Class - FY23 P&L Classes

July 2022 - January 2023

	TOTAL		
	ACTUAL	BUDGET	% OF BUDGET
Total 5130 Fringe Benefits	**316,223.16**	**663,745.25**	**47.64 %**
Total 5100 Payroll Expenses	**1,569,815.78**	**2,003,305.50**	**78.36 %**
5200 Materials and Services			
5201 Legal & Professional Services			
5210 Legal Services	11,517.50	21,700.07	53.08 %
5220 Lobbyist	13,200.00	11,550.00	114.29 %
5230 Audit Services	150.00	42,000.00	0.36 %
5240 Loan Packaging		641.69	
5250 Loan Program Administration		70,764.19	
5260 Loan Servicing		58,333.31	
5290 Other Professional Services	320,653.48	327,833.31	97.81 %
Total 5201 Legal & Professional Services	**345,520.98**	**532,822.57**	**64.85 %**
5320 Communication, Printing	14,285.09	9,974.93	143.21 %
5330 Computer Support, Supplies & Upgrades	67,365.22	26,483.24	254.37 %
5340 Dues & subscriptions	7,277.40	9,100.00	79.97 %
5350 Entertainment Meals	1,905.71	4,491.69	42.43 %
5360 Equipment Rent		22,750.00	
5370 Equipment Repair & Maintenance		175.00	
5390 Insurance	4,969.50	24,791.69	20.05 %
5400 Legal Notices (deleted)		3,383.38	
5410 Loans		942,358.06	
5440 Occupancy Expense	93,395.59	111,883.38	83.48 %
5450 Office Supplies	7,424.36	8,131.69	91.30 %
5460 Other Misc Expense	4,649.63	3,762.50	123.58 %
5470 Pass Through Payments	192,687.00	397,791.31	48.44 %
5480 Photocopying and Printing		9,654.26	
5490 Plot Charges		554.19	
5500 Postage		4,054.12	
5510 Travel, Training and Meetings	4,297.68	14,758.24	29.12 %
5520 Vehicle Repair & Maintenance	2,106.42	13,795.74	15.27 %
Recruitment		7,291.62	
Total 5200 Materials and Services	**745,884.58**	**2,148,007.61**	**34.72 %**
5540 Indirect Cost	0.00	435,784.37	0.00 %
5700 D - Transfers Out		65,745.75	
5805 Reimbursements	8,341.04		
5815 Uncategorized Expense		16,333.31	
Total Expenses	**$2,324,041.40**	**$4,669,176.54**	**49.77 %**
NET OPERATING INCOME	**$205,255.93**	**$ -121,794.21**	**-168.53 %**
Other Income			
Beginning Balance		1,115,527.49	
Total Other Income	**$0.00**	**$1,115,527.49**	**0.00%**

Mid-Willamette Valley Council of Governments

Budget vs. Actuals: FY 2022-23 Budget by Class - FY23 P&L Classes

July 2022 - January 2023

	TOTAL		
	ACTUAL	BUDGET	% OF BUDGET
Other Expenses			
5820 Reconciliation Discrepancies-1	25.00		
9010 Designated Reserves		86,956.94	
9020 Undesignated Reserves		25,802.56	
9500 Contingency		327,310.69	
Total Other Expenses	**$25.00**	**$440,070.19**	**0.01 %**
NET OTHER INCOME	**$ -25.00**	**$675,457.30**	**-0.00 %**
NET INCOME	**$205,230.93**	**$553,663.09**	**37.07 %**

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

TO: **Board of Directors** **DATE: March 16, 2023**

THRU: **Scott Dadson**
Executive Director

FROM: **McRae Carmichael**
Community and Economic Development Director

SUBJECT: **Planning, Loan Program and EDD Programs Update**

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

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.

COG currently provides contract planning services to 24 cities. Over the past 6+ months, COG staff has provided interim planning services to the cities of Monmouth, Dundee, McMinnville and will be beginning planning services for Newberg in the coming weeks. COG planners will also be assisting 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: Carlton, Detroit, Falls City, Hubbard 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) for 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.

Economic Development

We executed our contract for the Santiam Canyon Fire Recovery Septic Replacement Grant we received from DEQ in January of 2023. We have been working with Marion County to develop a joint application since Marion County also has funds allocated to assist property owners impacted by the fire. We launched our grant application on February 14, 2023 and already have **85 applicants** to the estimated 600 damaged or destroyed septic tanks in the Canyon. We are excited at how well this program has been received and partnerships with the Long Term Recovery Group are helping tremendously with our outreach to the community.

We have been successful in using our funds from the **Business Oregon** and the **Ford Family Foundation** for Grant Prospecting and writing. We hired additional staff in April 2022 and have successfully applied for several CDBG grants. We are also have over **15 contracts** with members to provide grant writing and administration services to assist in finding funding sources for our communities.

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.

COG staff are currently working with the University of Oregon staff to complete our **2023-2028 Comprehensive Economic Development Strategy (CEDS) Update**. This document is used to guide applications for federal and state funding sources in a Regional Partnership view.

COG staff continues to track and "work" over 80 submitted projects through the Economic Development Administration (EDA) application process and 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:

- We completed over **90 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. This was funded by a DLCD Planning Assistance (PA) grant and has been beneficial to property owners impacted by the 2020 wildfires.

- We are nearing completion of our full code audits and code adoptions for Detroit and Gates of a DLCD Technical Assistance (TA) grant. Staff kicked off the 18-month program work in February 2022.

- COG has begun project management services to the NSSA board for the second phase of sewer project. This involves the Mill City/Gates sewer upgrade and the initial assessment of the Detroit/Idhana testing sites. Our multi-year work on this project with Keller Associates has allowed us to provide continuity and stability to the Canyon Communities involved in this complex project.

Housing Rehabilitation

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 have successfully administered this will provide grant administration from Business Oregon. COG staff is also assisting property owners with Valley Development Initiative (VDI) housing rehabilitation loans in Aumsville, Aurora, Silverton, Stayton , Turner , unincorporated Marion County and Santiam Canyon.

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

MEMORANDUM

TO: **Board of Directors** **DATE: March 16, 2023**

THRU: **Scott Dadson**
Executive Director

FROM: **Mike Jaffe**
Transportation Program Director

SUBJECT: **Transportation and GIS Programs Update**

Mid-Willamette Area Commission on Transportation (MWACT)

February 2, 2023 MWACT Meeting – MWACT was informed of the new representatives added to the committee: Yamhill County Commissioner Kit Johnston; Marion County Commissioner Kevin Cameron; Yamhill Mayor Yvette Potter, representing the 99W/18/47 Transportation Corridor; and Woodburn Mayor Frank Lonergan, representing the I-5 Corridor. The vacancy for the Highways 99E/213 Corridor will be filled at the next meeting with Silverton City Councilor April Newton.

Arla Miller, ODOT Region 2A Regional Transit Coordinator, announced that there are three applications for STIF/IC[1] Funds that are from within the MWACT Area. The three proposed projects are:

- √ The city of Monmouth requests funding for a Monmouth-Independence Trolley - The purpose of this project is to provide reliable connections to shopping areas, the downtown areas for both Monmouth and Independence and the college along with connections to regional transit service.
- √ The Salem Area Mass Transit District is seeking funding for appropriately sized vehicles to service four local routes. The buses would initially serve as neighborhood circulators with the option of for micro transit in the future.
- √ Yamhill County Transit is seeking funding for replacement buses. Maintaining reliable buses is an ongoing issue for Yamhill County Transit. It is an important factor in providing transportation options to the community especially to vulnerable populations.

[1] STIF/IC Funds – Statewide Transportation Improvement Funds/Intercity Discretionary Funds.

The total amount of funding requested for the three projects is $3.1 million. A total of $28.5 million is available statewide. Ms. Miller encouraged MWACT members to provide comments to the ODOT project selection committee and the Public Transportation Advisory Committee.

Ms. Miller announced that ODOT is accepting applications for ODOT Innovative Mobility Program Micro-grants. Successful applications will receive up to $5,000; examples of eligible projects are electric scooter shares, carpools and vanpools, bike locks and helmets, training and information among other innovative services that make it easier to walk, bike, roll, share rides, or take transit.

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 24, 2023 PC meeting.

Staff are completing work on the 20-year draft SKATS Metropolitan Transportation Plan (MTP) and the draft FY 2024-2029 SKATS Transportation Improvement Program (TIP), which contains funding allocations for projects within the SKATS area. Both draft plans are being finalized to be released for public review and comment, most likely in early spring 2023. Adoption by the SKATS Policy Committee is scheduled for late May 2023.

Underfunded projects have become an ongoing issue due to the rapid escalation in the cost of construction materials, from increased fuel costs and inflation. Completion of projects is a high priority to the SKATS Policy Committee. Due to the significant number of projects that could experience funding shortfalls, it was determined not to fund new projects in the draft FY 2024-2029 TIP at this time. The SKATS Policy Committee unanimously adopted the following policy motion at their January meeting:

> *"Make completing projects in the TIP a priority over adding new projects to the TIP. Commit to adding funds to projects as they are requested and delaying projects and/or project phases if additional funds are needed as long as project sponsors have shown they have considered reasonable cost-reduction options and a commitment to timely project delivery before requesting additional funding."*

Related to this policy, the Policy Committee approved additional federal transportation funds allocated to SKATS for completing two Marion County projects that were underfunded due to cost escalations:

- Hollywood Dr: Silverton Rd to Greenfield Ln – Amount requested: **$817,843** federal funds.
- Lancaster Dr: Center St to Monroe Ave - Amount requested: **$650,741** federal funds.

Additional work in January, February and March 2023 included:

- ***Draft 2023-2024 Unified Planning Work Program (UPWP)*** - The SKATS' committees reviewed the draft annual work program and provided feedback. Following review by federal and state agencies, the SKATS Policy Committee is likely to adopt the final UPWP in April 2023.

- ***SKATS 2022 Annual Listing of Federal Obligations Report*** – This report documenting the federal transportation funds that were obligated within the SKATS area in 2022 was posted to the MWVCOG website. The report also contains a listing of projects that were completed during the year. Before and after illustrations/photos were included along with project descriptions and an overview of the benefits of the completed projects. It was noted that in 2022, *114 percent of federal funds programmed were actually obligated,* which was well over the target of a 55 percent obligation rate for the year. As a result of the success in obligating federal funds, **the MPO received $1,620,304 in extra federal redistribution funds** which will be applied to projects that are experiencing funding shortfalls.

- ***SKATS Metropolitan Transportation Safety Action Plan (TSAP)*** – this is a new plan that is being developed by SKATS, to develop policies and actions to address safety concerns related to driving, walking, biking, and rolling in the Salem-Keizer area. The MTSAP will study the crash data, their causes, and examine locations that have the highest number of crashes. The MPO is involving experts in traffic engineering, enforcement, and planning to develop recommendations of solutions to reduce crashes. A virtual (online) open house is open from March 13th to April 3rd for the public to give their input on general safety concerns about the transportation system and use an online map to indicate roads they feel are a safety concern. A combination of 30,000 postcards to residents, newspaper ads and stories, and social media is being use to promote the online survey. Four focus groups of residents to discuss these safety concerns are scheduled in the second half of March.

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

Salem-Keizer Public Schools announced the adoption of pedestrian safety curriculum in PE classes starting school 2023-2024.

Activities this quarter included teaching pedestrian safety at Richmond, Englewood, Grant, and Washington Elementary Schools. Work on the development of walking maps for elementary schools within the Salem-Keizer Public School system with MWVCOG GIS staff continued.

The first Winter Walk + Roll to School event with Washington Elementary School occurred on February 8th, 2023. Salem Mayor Chris Hoy, Salem City Council member Jose Gonzalez, and Salem City Manager Keith Stahley attended the event. The event was successful, and families have asked to continue more walking buses to school.

In front of Washington Elementary School

The walk to school.

Census and Geographic Information Systems (GIS)

In January 2023, the Environmental Justice Analyses for both the draft FY 2024-2029 Transportation Improvement Program (TIP) and draft 20-year, long-range Metropolitan Transportation Plan (MTP) updates were completed.

GIS staff members completed the 2022 year-end building permit report and the semi-annual street file update. The address geocoding project for Chemeketa Community College was also completed.

Aurora's Transportation Systems Plan (TSP) map was updated as was the city of Sheridan's zoning map. Updates were made to the Salem-Keizer School District online web application. Turner's street system map and web map applications were update.

Materials were submitted to the Census Bureau for the city of Sheridan's Boundary and Annexation Survey (BAS).

Online maps for both the SKATS draft F"Y 2024-2029 TIP and draft 2023-2050 MTP were created. These maps will be used as part of the public outreach for both plans that will begin in March 2023. The public can make their comments via the online maps.

MID-WILLAMETTE VALLEY
COUNCIL OF GOVERNMENTS

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Date: March 17, 2023

To: Board of Directors

From: Scott Dadson, Executive Director

Subject: December 31, 2022 Quarterly Financials for Business Lending Program

Please find attached to this cover memo, the unaudited financials for the RLF and VDI Loans, for December 31, 2022. These reports show current cash on hand for the Business Lending Program, Current outstanding Loan Balances, and Fiscal year to date Receivables from Loans. I apologized for the lateness in getting you this report.

COG Revolving Loan Fund:

As of December 2022, there are 16 Loans Outstanding with a value of $2,475,762, a decrease of total outstanding loan value by $464,084. During this period, a loan to Wizard Properties was paid off, lowering total number of RLF Loans from 17 to 16 loans. The yearly Revenue/Payments to the three RLF Loan Programs are estimated at $227,506 which allows for up to 50% available for administrative cost in the estimated amount of $113,753. The EDA Cares Act funding available for lending has been lent as of its end date of July 30, 2022 and has netted 5 loans with an outstanding loan value of $1,255,730.44 and has resulted in an increase of lendable funds by $331,098 as of 12.31.22. Available for future lending is an amount of $1,565,210 as of 12.31.22. This has improved our overall loan value, which, as it is paid back, increases our loanable dollars for the program.

VDI Loans:

The VDI Loan Pool has five (5) funds with a total amount of Funds Available for Lending purposes of $1,679,815 as of 12.31.2022. The SBA ILP Programs loan target amount has decreased with a loan to Pacific NW Hydro to comply with lending requirements in the Agreement by and with SBA. The Loan amount of $106,250 will work to lower our exposed outstanding lending liability under terms with the agreement on receiving these funds and stuff is working towards lending out more from this fund. We anticipate a non-compliance note in our Audit regarding same. As you may recall in the FY 20-21 Audit

and prior Fiscal Reporting during the current FY Past, FY 21-22, A pre-payment of a Loan was repaid in the last month of the 20-21 Fiscal Year[1].

There are currently 16 Loans outstanding with a value of $1,841,189. The yearly Revenue/Payments to the five VDI Loan Programs is $212,064. 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 $125,488. The $28,512 shortfall is made up by current revenues to include 13,620 /year revenue from six (6) SBA 504 Loans and principal as well as interest from two older USDA programs and the SBA ILP program. Loan personnel are working to increase the amount of SBA Loan activity in order to increase the year over year cash flow thus decreasing the need to use loan repayment proceeds in order to balance the transfer cost noted above.

Current Pipeline Loan Work:

Lending staff is currently working on loan documentation and closing:

- Pacific Northwest Hydro, LLC - VDI Equipment term loan for $106,250. Expected closing date 12/1/2022. - **50% funded in December 2022, with the remainder funded in Feb. 2023.**
- Ochoa' Queseria LLC – SBA 540 to close by 1/1/2023. **– Closed in December 2022**

Other opportunities in the discussion/application phase include:

- Flipside LLC $1,561,875 SBA 504 – **Loan amount now $1,574,550 – waiting commitment from Citizens Bank; if approved, COG expected loan closing 12/2023.**
- Turley Excavation LLC - $300,000 RLF RE term loan - **$180,000 approved, loan documents are in process, closing 3/2023.**
- Valerie Boen (LLC TDB) - $1,000,000 SBA 504 - **Borrower decided not to proceed with the building purchase.**

Other items in the pipeline include:

Work also continues two micro lending programs that we are assisting with as part of our Economic Development work. One is with the Latino Business Alliance and the other is with Marion County in the Santiam Canyon Recovery area.

We are also preparing presentations to member communities on the CPACE program, in which we would act as administrators during the application and closing process.

Funds for current lending purposes:

1.	RLF	$	1,565,210
2.	VDI	$	1,679,815
	Total:	$	3,245,025 cash on hand for lending purposes

[1] Section 5 B of the Loan Agreement states: "...Borrower will relend the funds in the ILP Re lending Fund so that the total principal balance of loans outstanding to Eligible Small Businesses does not fall below 75% of the outstanding principal balance of the Note at any time while the Loan is outstanding."
The outstanding principal balance as of June 30, 2021, was $738,029 of which $553,522 should have been lent, however due the payoff the outstanding loan balance fell to $548,257, which is 1% below the requirement of the SBA ILP's Lending Requirement.

Housing Rehab Fund Loan Activity

We have 140 outstanding loans, valued at $2,116,779. We nave $805,931, a decrease of $165,488, of cash on hand for Housing Rehab Lending program dollars. The decrease in available funds are a result of loans made during the quarter, an increase of five loans.

The Colton Property

The Colton Property sale is reflected in this quarter's financials. The property sale closed in October of 2022. Proceeds are recorded at $416,240.72 in these quarterly financials. Total USDE IRP Funds (defederalized) used for Colton were $536,842. Of these expenses:

Original Capital(by Deed of trust)	$454,600
Exp to include taxes, ins., cost to sell	$ 82,242
Total	$536,842
Sale Proceeds	$416,240
Total Loss	($120,601)

In prior reporting period (06.30.22), we noted that there had been a decrease in funds available due to "expenses in the Colton Property as we prepare to sell it and some journal entries that we are chasing to reconcile the balances."

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, 2022

Loan Program	COG							SBA	SBA	USDA	USDA	USDA	Loans		VDI
	Admin Costs	EDA CARES Revolving Loan Fund WF#6521	EDA Combined Revolving Loan Fund WF#2676	Newberg Revolving Loan Fund LGIP #4185	Marion County Revolving Loan Fund LGIP#4185	EDA Combined Revolving Loan Fund LGIP #4185	Loans Subtotal	Community Advantage Fund CA CB #0812	Intermediate Lending Program ILP WF#9237	Rural Business Enterprise Grant RBEG WF#2497	Railroad Fund WF#1338	Intermediary Relending Program - IRP WF#3015	Subtotal	Grand Total COG & VDI	Housing Rehab Fund
Outstanding # Loans *		5	9		2		**16**	1	4	2	2	7	**16**	32	140
Value of Outstanding Loans *		1,255,730.44	1,061,945.24		158,085.94		**2,475,762**	218,174.56	472,913.67	177,520.67	481,474.97	491,105.39	**1,841,189**	4,316,951	2,116,779
Committed Not Disbursed		-	-	-	-	-	-								
Cash in the Bank 12/31/2022 **		331,098	878,901	100,896	61,605	192,710	**1,565,210**	19,482	471,165	67,453	199,980	921,735	**1,679,815**	3,245,025	805,931
Available to Borrow for Lending							-							-	
Annual Re-Payments*		68,528.10	149,136.00		9,842		**227,506**	39,276.84	42,498.12	18,642.24	45,438.39	66,208.39	**212,064**	439,570	
							-								
Contribution to Loan Admin	216,000		62,000					53,250				100,750	**154,000**	216,000	