



## AGENDA STAYTON CITY COUNCIL

**Monday, March 4, 2024**

Stayton Community Center  
400 W. Virginia Street  
Stayton, Oregon 97383

### HYBRID MEETING

The Stayton City Council will be holding a hybrid meeting utilizing Zoom video conferencing software. The meeting will be in-person but can also be live streamed on the City of Stayton's YouTube account. Please use the following option to view the meeting:

7:00 p.m. – City Council Regular Session – <https://youtube.com/live/SlrzRPKDPw8>

**Public Comment and Public Hearing Testimony:** Meetings allow for in-person, virtual, or written public comment. If a community member has a barrier which prevents them from participating via one of the methods below, they should contact City staff at [citygovernment@staytonoregon.gov](mailto:citygovernment@staytonoregon.gov) **no less than three hours prior to the meeting start time** to make arrangements to participate.

Comments and testimony are limited to three minutes. All parties interested in providing public comment or testifying as part of a public hearing shall participate using one of the following methods:

- **In-Person Comment:** Parties interested in providing in-person verbal public comment shall fill out a "Request for Recognition" form available at the meeting. Forms must be filled out and submitted to the Assistant City Manager or designee prior to the meeting start time.
- **Video or Audio Conference Call:** Parties interested in providing virtual public comment shall contact City staff at [citygovernment@staytonoregon.gov](mailto:citygovernment@staytonoregon.gov) **at least three hours prior to the meeting start time** with their request. Staff will collect their contact information and provide them with information on how to access the meeting to provide comments.
- **Written Comment:** Written comment submitted to [citygovernment@staytonoregon.gov](mailto:citygovernment@staytonoregon.gov) **at least three hours prior to the meeting start time** will be provided to the public body in advance of the meeting and added to the City Council's webpage where agenda packets are posted.

#### 1. CALL TO ORDER

7:00 PM

#### 2. FLAG SALUTE

#### 3. ANNOUNCEMENTS

- a. Additions to the agenda
- b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

**4. PUBLIC COMMENT****5. CONSENT AGENDA**

- a. February 20, 2024 City Council Regular Session Minutes
- b. Resolution No. 1094, Appointing Nicholas Raba to the Public Arts Commission

**6. PRESENTATIONS****7. PUBLIC HEARING****8. GENERAL BUSINESS**

- |  |                      |
|--|----------------------|
| <ol style="list-style-type: none"> <li><b>1. Resolution No. 1093, Judge Clark Contract Addendum</b> <ol style="list-style-type: none"> <li>a. Staff Report – James Brand</li> <li>b. Public Comment</li> <li>c. Council Discussion</li> <li>d. Council Decision</li> </ol> </li> </ol>                       | <b>ACTION</b>        |
| <ol style="list-style-type: none"> <li><b>2. Resolution No. 1095, Small Municipalities Advocacy Coalition Membership</b> <ol style="list-style-type: none"> <li>a. Staff Report – Julia Hajduk</li> <li>b. Public Comment</li> <li>c. Council Discussion</li> <li>d. Council Decision</li> </ol> </li> </ol> | <b>ACTION</b>        |
| <ol style="list-style-type: none"> <li><b>3. Review Status of Council Goals in Preparation for Budget</b> <ol style="list-style-type: none"> <li>a. Verbal Staff Report – Julia Hajduk</li> <li>b. Public Comment</li> <li>c. Council Discussion</li> </ol> </li> </ol>                                      | <b>INFORMATIONAL</b> |

**9. COMMUNICATION FROM CITY STAFF****10. COMMUNICATION FROM MAYOR AND COUNCIL****11. ADJOURN**

*The meeting location is accessible to people with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations, contact City Hall at (503) 769-3425.*

## CALENDAR OF EVENTS

MARCH 2024					
Monday	March 4	City Council	7:00 p.m.	<a href="https://youtube.com/live/SlrzRPKDPw8">https://youtube.com/live/SlrzRPKDPw8</a>	
Tuesday	March 5	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices	
Monday	March 18	City Council	7:00 p.m.	<a href="https://youtube.com/live/7u1U0wpt_JU">https://youtube.com/live/7u1U0wpt_JU</a>	
Wednesday	March 20	Library Board	6:00 p.m.	Stayton Public Library	
Monday	March 25	Planning Commission	7:00 p.m.	Stayton Community Center	
APRIL 2024					
Monday	April 1	City Council	7:00 p.m.	<a href="https://youtube.com/live/oaTNEJWBvfs">https://youtube.com/live/oaTNEJWBvfs</a>	
Tuesday	April 2	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices	
Monday	April 15	City Council	7:00 p.m.	<a href="https://youtube.com/live/A_FXgnnKhlg">https://youtube.com/live/A_FXgnnKhlg</a>	
Wednesday	April 17	Library Board	6:00 p.m.	Stayton Public Library	
Monday	April 29	Planning Commission	7:00 p.m.	Stayton Community Center	
MAY 2024					
Monday	May 6	City Council	7:00 p.m.	<a href="https://youtube.com/live/Pi87xJhIfGE">https://youtube.com/live/Pi87xJhIfGE</a>	
Tuesday	May 7	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices	
Monday	May 13	Budget Committee	6:00 p.m.	<a href="https://youtube.com/live/WaaC5XqnNYU">https://youtube.com/live/WaaC5XqnNYU</a>	
Tuesday	May 14	Budget Committee	6:00 p.m.	<a href="https://youtube.com/live/D2qXMn2uS_E">https://youtube.com/live/D2qXMn2uS_E</a>	
Wednesday	May 15	Budget Committee	6:00 p.m.	<a href="https://youtube.com/live/YzpXF3YeNo0">https://youtube.com/live/YzpXF3YeNo0</a>	
Wednesday	May 15	Library Board	6:00 p.m.	Stayton Public Library	
Monday	May 20	City Council	7:00 p.m.	<a href="https://youtube.com/live/bhYOUjWYS58">https://youtube.com/live/bhYOUjWYS58</a>	
Monday	May 27	<b>CITY OFFICES CLOSED IN OBSERVANCE OF MEMORIAL DAY HOLIDAY</b>			
Tuesday	May 28	Planning Commission	7:00 p.m.	Stayton Community Center	
JUNE 2024					
Monday	June 3	City Council	7:00 p.m.	<a href="https://youtube.com/live/gAhI3Aa0qQk">https://youtube.com/live/gAhI3Aa0qQk</a>	
Tuesday	June 4	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices	
Monday	June 17	City Council	7:00 p.m.	<a href="https://youtube.com/live/CbxRQKofXts">https://youtube.com/live/CbxRQKofXts</a>	
Wednesday	June 19	Library Board	6:00 p.m.	Stayton Public Library	
Monday	June 24	Planning Commission	7:00 p.m.	Stayton Community Center	
JULY 2024					
Monday	July 1	City Council	7:00 p.m.	<a href="https://youtube.com/live/ObstG7px_s8">https://youtube.com/live/ObstG7px_s8</a>	
Tuesday	July 2	Parks and Recreation Board	6:00 p.m.	Public Works / Planning Offices	
Thursday	July 4	<b>CITY OFFICES CLOSED IN OBSERVANCE OF INDEPENDENCE DAY HOLIDAY</b>			
Monday	July 15	City Council	7:00 p.m.	<a href="https://youtube.com/live/Ho-DcNPeKFY">https://youtube.com/live/Ho-DcNPeKFY</a>	
Wednesday	July 17	Library Board	6:00 p.m.	Stayton Public Library	
Monday	July 29	Planning Commission	7:00 p.m.	Stayton Community Center	

**City of Stayton  
City Council Minutes  
February 20, 2024**

**LOCATION:** STAYTON COMMUNITY CENTER, 400 W. VIRGINIA, STAYTON  
**Time Start:** 7:00 P.M. **Time End:** 9:17 P.M.

**COUNCIL MEETING ATTENDANCE LOG**

COUNCIL	STAYTON STAFF
Mayor Brian Quigley	Julia Hajduk, City Manager
Councilor David Giglio	Alissa Angelo, Assistant City Manager
Councilor Ben McDonald	Lance Ludwick, Public Works Director
Councilor Jordan Ohrt	Gwen Johns, Police Chief
Councilor David Patty (excused)	Janna Moser, Library Director
Councilor Stephen Sims	James Brand, Finance Director
	Jennifer Siciliano, Community & Economic Development Director
	Melanie Raba, Office Specialist

AGENDA	ACTIONS
<b>REGULAR MEETING</b>	
<b>Announcements</b>	
a. Additions to the agenda	None.
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	None.
<b>Public Comment</b>	None.
<b>Consent Agenda</b>	Councilor Ohrt spoke about the availability of a student position on the Planning Commission.
a. February 5, 2024 City Council Work Session Minutes	Motion from Councilor McDonald, seconded by Councilor Sims to approve Consent Agenda as presented. <b>Motion passed 4-0.</b>
b. February 5, 2024 City Council Regular Session Minutes	
c. Resolution No. 1092, Appointing Nicholas Raba to the Parks and Recreation Board	
<b>Presentations</b>	
a. Introduction of new Officer – Edward Babcock	Chief Johns introduced Officer Babcock and Officer Leonard. Officer Babcock and Leonard both provided brief introductions.
b. Marion County Substance Use Prevention and Tobacco Prevention – Diana Dickey	Connor Foley and Diana Dickey presented on Substance and Tobacco Prevention.
c. Student Achievement Recognition – Julia Hajduk	Ms. Hajduk and Mayor Quigley presented Stayton and Regis High School students who received a 4.0 GPA with a certificate of recognition.
<b>Public Hearing</b>	None.

<p><b>General Business</b></p> <p><b>1. Update on Mill Creek Park Plan</b></p> <p>a. Introduction – Lance Ludwick</p> <p>b. Presentation</p> <p>c. Public Comment</p> <p>d. Council Discussion</p> <p><b>2. Resolution No. 1091 – Award of Contract – Wilco Road Industrial Area Stormwater Planning and Design</b></p> <p>a. Staff Report – Lance Ludwick</p> <p>b. Public Comment</p> <p>c. Council Discussion</p> <p>d. Council Decision</p> <p><b>3. Quarter 2 Finance Report</b></p> <p>a. Staff Report – James Brand</p> <p>b. Public Comment</p> <p>c. Council Discussion</p>	<p>Mr. Ludwick provided a brief introduction on the Mill Creek Park Plan Update.</p> <p>Kristi Hauswald and Heather Dee, AKS Engineering and Forestry, presented the updated Mill Creek Park Plan options.</p> <p><u>Brian Baker, North Santiam Youth Sports</u>, spoke on the need for more sports fields.</p> <p><u>Carmelle Bielenberg, Board President of the Santiam Teen Center</u> shared they are outgrowing the current facility. She also expressed concern regarding safety during construction.</p> <p><u>Steve Reid, Executive Director of the Santiam Teen Center</u> shared his concern for walking safety of park and Teen Center visitors.</p> <p>Staff briefly responded to public comments.</p> <p>Council discussion on the community garden, potential use of the regional detention facility space, and flexibility of plan once funding is received.</p> <p>Mr. Ludwick reviewed his staff report.</p> <p>None.</p> <p>Council questioned the bid amount and funding. Staff briefly responded.</p> <p>Motion from Councilor Gilio, seconded by Councilor Sims to approve Resolution No. 1091, awarding the Wilco Road Industrial Area Stormwater Planning and Design contract. <b>Motion passed 4:0.</b></p> <p>Mr. Brand reviewed the staff report.</p> <p>None.</p> <p>The council questioned the traffic citation write offs ordered by Governor Kotek. Mr. Brand responded.</p>
<p><b>Communications from City Staff</b></p>	<p>Ms. Hajduk discussed the City Prosecutor RFP update and</p>

	<p>her recent meeting with Mayor Quigley and the City Attorney.</p> <p>Chief Johns provided updates on Police business.</p>
<p><b>Communications from Mayor and Council</b></p>	<p>Update on the Neighborhood Improvement Grant and If I Were Mayor contest.</p> <p>Council requested information on policy to further prevent drug, tobacco, and alcohol use.</p> <p>Mayor Quigley spoke on a recent tour of the Norpac facility.</p>

APPROVED BY THE STAYTON CITY COUNCIL THIS 4<sup>TH</sup> DAY OF MARCH 2024, BY A \_\_\_\_ VOTE OF THE STAYTON CITY COUNCIL.

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

By: \_\_\_\_\_  
 Brian Quigley, Mayor

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

Attest: \_\_\_\_\_  
 Julia Hajduk, City Manager



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO:** Mayor Brian Quigley and the Stayton City Council

**FROM:** Alissa Angelo, Assistant City Manager

**DATE:** March 4, 2024

**SUBJECT:** Public Arts Commission Appointment

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**ISSUE**

Shall the Council approve Resolution No. 1094, appointing Nicholas Raba to a three-year term on the Public Arts Commission?

**ENCLOSURE(S)**

- Public Arts Commission Appointment Application – Nicholas Raba
- Resolution No. 1094

**STAFF RECOMENDATION**

N/A

**BACKGROUND INFORMATION**

The Public Arts Commission is comprised of five community members. As of February 2024, the Commission has 3 vacancies. This Commission was created in 2021 and originally had five members appointed. However, no meetings have been held. Community and Economic Development Director, Jennifer Siciliano, has been reaching out to those originally appointed and found two of the five were still interested in serving on the Commission.

In February, City staff received an application requesting appointment to the Public Arts Commission from Nicholas Raba. The application was forwarded to the Community and Economic Development Director and Mayor Quigley, who both reviewed the application and recommended appointment to the Commission.

The appointment of Mr. Raba as the third member of the Commission will allow the group to begin meetings as they will now have a quorum.

**FISCAL IMPACT**

N/A

**MOTION(S)**

No motion necessary; consent agenda approval.



# CITY OF STAYTON

## APPLICATION FOR COMMISSION/COMMITTEE

**NAME OF COMMISSION/COMMITTEE:**

Arts Commission  
\_\_\_\_\_

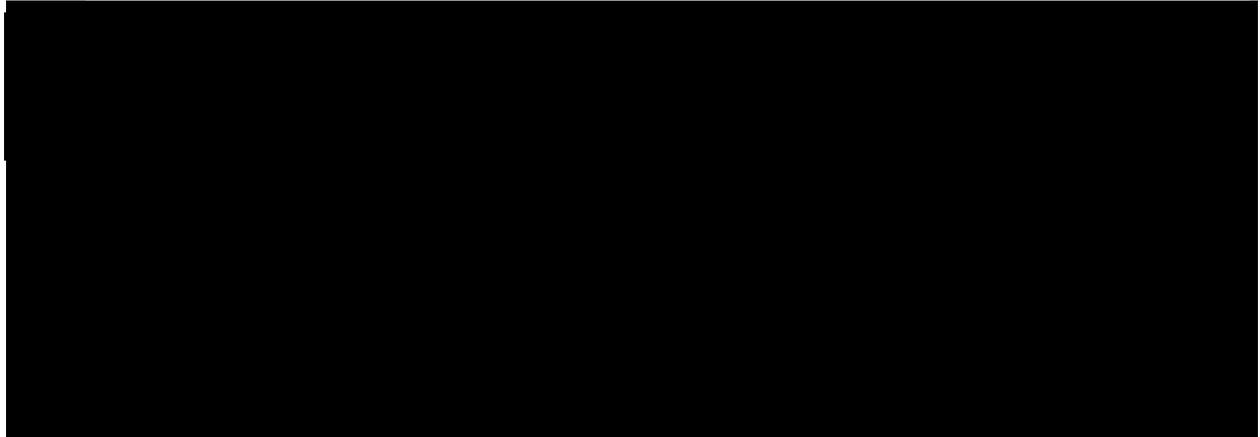
**PLEASE CHECK ONE:**

New Applicant  
 Application for reappointment

Years resided in Stayton: <sup>2</sup> \_\_\_\_\_

PLEASE PRINT

Nicholas Raba  
Name \_\_\_\_\_



1. Please give a brief description of the experience or training that qualifies you for membership on this commission/committee. (If you wish, you may attach a resume or other pertinent material.)  
Founding member of a large computer security organization. Helped structure, run, plan and execute for many years to build a sustainable group of volunteers. I enjoy artwork and watching what other cities have done to bring to the community.
2. Why do you want to become a member of the above-mentioned commission/committee and what specific contribution would you hope to make?  
Husband and father of 3 children I am passionate about art and the creativity, thought and beauty that can be achieved from it. I would love to help bring art to our community.

- 3. Please list the community concerns related to this commission/committee that you would like to see addressed if you are appointed.

Would like to be part of the solutions that the community is hoping to achieve.

- 4. Briefly describe your present or past involvement in relevant community groups. (Having no previous involvement will not disqualify you for appointment.)

Although my ability includes stick figures I enjoy drawing with my kids, have helped out at art shows and maintain a circle of artist friends. In my day to day I help come up with ideas for ads and merchandise that the artists create.

- 5. Are you currently serving on any Advisory Boards, Commissions or Committees? If so, which ones?

N/a

- 6. How did you learn about this vacancy?

Our Website     Word of mouth     Other

- 7. Are you employed by, have any business, contractual arrangements or family connections with programs having contractual agreements with the City that might be within the purview of the committee on which you are seeking appointment?

Spouse: Melanie Raba

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Signature of Applicant  Date 2.16.2024

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**PLEASE RETURN TO:** City of Stayton  
362 N. Third Avenue  
Stayton, OR 97383

*It is the policy of the City to comply with all federal and state statutes on equal employment opportunity. This policy shall be applied without regard to any individual employee or job applicant's sex, race, color, religion, national origin, ancestry, age, marital status, political affiliation, genetic information, veteran status or any other legally protected status per state and federal law.*



**RESOLUTION NO. 1094  
APPOINTING NICHOLAS RABA TO THE PUBLIC ARTS COMMISSION**

**WHEREAS**, the Public Arts Commission is comprised of five community members;

**WHEREAS**, as of February 2024 the Public Arts Commission has three vacancies;

**WHEREAS**, community member Nicholas Raba submitted an application seeking appointment to the Public Arts Commission;

**WHEREAS**, the application for appointment was forwarded to the Community and Economic Development Director and Mayor Quigley who reviewed the application and recommended an appointment to the Public Arts Commission; and

**WHEREAS**, Council has reviewed the application and concurs with the recommended appointment.

**NOW THEREFORE, BE IT RESOLVED THAT:**

1. The Council accepts Mayor Quigley’s appointment of Nicholas Raba to a three-year term on the Public Arts Commission.

This Resolution shall become effective upon its adoption by the Stayton City Council.

**ADOPTED BY THE STAYTON CITY COUNCIL THIS 4<sup>TH</sup> DAY OF MARCH 2024.**

CITY OF STAYTON

Signed: \_\_\_\_\_, 2024

By: \_\_\_\_\_  
Mayor Brian Quigley, Mayor

Signed: \_\_\_\_\_, 2024

ATTEST: \_\_\_\_\_  
Julia Hajduk, City Manager



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO:** Mayor Brian Quigley and the Stayton City Council  
**FROM:** James Brand, City Finance Director  
**DATE:** March 4, 2024  
**SUBJECT:** Resolution No. 1093, Municipal Judge Contract Addendum

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**BACKGROUND INFORMATION**

The City has contracted with Judge Clark since July 2014. Since then, his monthly fee has increased only one time (February 2018). Judge Clark has requested a fee increase from \$2000 per month to \$2200 per month. City staff have worked well with Judge Clark and we think this increase is reasonable.

On a side note, City staff are working toward a proposal to expand the use of the court starting July 2024. This would bring more cases and thus increase the workload of the Judge. All the corresponding costs associated with the increased caseload will be highlighted for the budget committee during the development of the FY25 budget. This may include an additional increase in pay for the Judge.

**FISCAL IMPACT**

The impact for the remainder of the current fiscal year is \$800. The impact for a full year would be \$2,400.

**SUMMARY**

The City recommends a contract addendum be approved to increase the monthly payment for Judge Clark from \$2,000 per month to \$2,200 per month effective March 2024.

**OPTIONS AND MOTIONS**

The City Council is presented with the following options.

**1. Approve Resolution No. 1093**

Move to approve Resolution No. 1093 as presented.

**2. Do not approve Resolution No. 1093**

If the Council does not support signing of the contract addendum, Council would not approve the resolution and would provide staff direction on what changes are requested.



**RESOLUTION NO. 1093  
MUNICIPAL JUDGE CONTRACT ADDENDUM**

**WHEREAS**, Stayton contracts with Judge Clark to preside over its municipal court proceedings;

**WHEREAS**, Judge Clark’s contract rate has not increased since February 2018;

**WHEREAS**, Stayton desires to retain the services of Judge Clark as Municipal Court Judge; and

**WHEREAS**, the existing contract is adequate except for an updated pay rate.

**NOW THEREFORE, THE CITY OF STAYTON RESOLVES:**

**SECTION 1.** The City offers a contract addendum to Judge Jonathan Clark to retain his services. The monthly rate for services rendered to assist the City in the operation of the Municipal Court will increase from \$2,000 to \$2,200 effective March 2024.

This Resolution shall become effective upon its adoption by the Stayton City Council.

**ADOPTED BY THE STAYTON CITY COUNCIL THIS 4TH DAY OF MARCH 2024.**

CITY OF STAYTON

Signed: \_\_\_\_\_, 2024

BY: \_\_\_\_\_  
Brian Quigley, Mayor

Signed: \_\_\_\_\_, 2024

ATTEST: \_\_\_\_\_  
Julia Hajduk, City Manager



**CITY OF STAYTON**  
**M E M O R A N D U M**

**TO: Mayor Brian Quigley and the Stayton City Council**  
**FROM: Julia Hajduk, City Manager**  
**DATE: March 4, 2024**  
**SUBJECT: Small Municipalities Advocacy Coalition (SMAC) Membership**

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**ISSUE**

Shall the Council approve Resolution No. 1095, indicating support for joining the Small Municipalities Advocacy Coalition (SMAC) and entering into a Professional Services Agreement?

**ENCLOSURE(S)**

- Professional Services Agreement with Tate Public Affairs
- Resolution No. 1095

**STAFF RECOMENDATION**

N/A

**BACKGROUND INFORMATION**

Sean Tate came to a recent Council meeting and shared information about a new coalition of small cities and invited the City to join the coalition. The purpose of the group is to “work together to create a voice for rural issues & values” and “synergize policies and advocacy positions that get results for rural Oregon”. This is a relatively new coalition and, according to the website, there are six cities that have joined (Harrisburg, Monroe, Brownsville, Halsey, Scio, and Sodaville). The cost to join the coalition and pay for training, research, bill tracking and lobbying efforts is \$5,400.

**FISCAL IMPACT**

If Council approves the resolution, staff will include the \$5,400 membership charge in the FY 2024-25 budget.

**MOTION(S)**

- 1) Move to approve Resolution No. 1095, indicating support for joining the Small Municipalities Advocacy Coalition (SMAC) and entering into a Professional Services Agreement.
- 2) Or discuss and take no action and/or provide direction to staff for further action.



**The City of Stayton  
and  
Tate Public Affairs**

**PROFESSIONAL SERVICES AGREEMENT RELATING TO SMAC-OREGON CONSULTING**

This Consulting Agreement (the "Agreement") between **the City of Stayton** (known as the "City" or "Client") and **Tate Public Affairs** ("Consultant"), hereinafter the "Parties", is entered into **as of March 1, 2024**.

- I. Services** Consultant will provide public affairs consulting services (the "Services") to the Client per the attached SMAC-Oregon Scope of Work (addendum A).
- II. Term** **March 1, 2024**, through **February 28, 2025**, and renewable.
- III. Compensation** Client agrees to pay Consultant for consulting services provided with the rate/frequency indicated below.

Annual fee of **\$5400.00**

Client agrees to pay Consultant for ongoing professional services at the direction of the Client. Material changes or additions to the Scope of Work during the term of the agreement may require a change to the monthly fee. Any changes to the Scope of Work must be agreed to in writing and signed by both parties.

The Client will reimburse the Consultant for direct reasonable expenses requested by The Client and incurred in the performance of services as necessitated by the scope of work. Reimbursement amounts will be calculated separately and in addition to the monthly fee.

*\*\*Usual and customary expenses including mileage, materials, meals, and entertainment with Client approval.*

**IV. Consultant** Consultant is and shall be considered a private independent contractor.

**V. Confidentiality**

- a. Confidential/Proprietary Information** In the course of performing Services, the Consultant will be exposed to confidential and proprietary information of the Client.

Confidential information shall mean any data or information that is competitively sensitive material and generally not known to the public, including but not limited to, information relating to development and plans, marketing strategies, finance, operations, systems, concepts, documentation, reports, data, specifications, software including source and object code, flowcharts, databases, inventions, knowhow, trade secrets, customer lists, customer relationships, customer profiles, supplier lists, supplier relationships, supplier profiles, pricing, sales and financial estimates, business plans and internal performance results relating to the past, present or future business activities, technical information, designs, processes, procedures, formulas or improvements, which Client considers confidential and proprietary. Consultant acknowledges and agrees that the Confidential Information is valuable property of Client and is worthy of protection.

- b. **Confidentiality Obligations** Except as otherwise expressly permitted in this Agreement, consultant shall not disclose or use in any manner, directly or indirectly, and Confidential Information either during the term of this agreement or at any time thereafter, except as required in the performance of Services or with Client's prior written authorization.
- c. **Rights in Confidential Information** All Confidential Information disclosed to Consultant by Client is and shall remain the sole and exclusive property of Client, and is disclosed or permitted to be acquired by Consultant solely in reliance of Consultant agreement to maintain the Confidential Information in confidence and not to use or disclose the Confidential Information to any other person. Except as expressly provided herein, this Agreement does not confer any right, license, ownership, or other interest in or title to the Confidential Information to Consultant.

**VI. Creative Work** Creative work means any artistic, electronic, sound, image, design, layout, copywriting, produced or designed collateral materials or other creative work product that Consultant creates, develops, or has created or developed by a third party, and which was created in connection with performance of SMAC-Oregon services. Consultant retains ownership and copyright interest in the Creative Work.

**VII. Agreement Termination** Unless agreed to by all parties in writing, this agreement shall auto-renew at expiration of the initial agreement for a term of equal length.

**Early Termination** Early termination of this agreement is allowed regardless of cause and requires a minimum of 30 days' notice be provided to the other party, in writing, (Client or Consultant) by the party terminating the agreement. Notices of termination should be delivered as per General Terms VIII(d).

**VIII. General Terms**

- a. **Assignment** The interests of Consultant are personal to Consultant and cannot be assigned transferred or sold without the prior written consent of Client.
- b. **Entire Agreement** This agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, and supersedes all prior negotiations, understandings, and agreements between the Parties.
- c. **Amendments** No supplement, modification, or amendment of this agreement will be binding unless executed and agreed to in writing by both Parties.
- d. **Notices** Any notice or other communication that would be considered beyond the scope of normal execution of the Agreement, and given or made to either party under this agreement, shall be in writing and delivered by hand, sent by overnight courier service or sent by certified or registered mail, return receipt requested, to the address contained within this agreement or to another address that either party may subsequently designate by notice, or by electronic means by email or fax machine, and shall be deemed given on the date of delivery.
- e. **Waiver** Neither party shall be deemed to have waived any provision of this agreement or the exercise of any rights held under this agreement unless such a waiver is made expressly and in writing. Waiver by either party of a breach or violation of any provision of this agreement shall not constitute a waiver of any subsequent or other breach or violation.
- f. **Further Assurances** At the request of one party, the other party shall execute and deliver such other documents and take such other actions as may be reasonably necessary to affect the terms of this agreement.
- g. **Severability** If any provision of this agreement is held to be invalid, illegal, or unenforceable in whole or in part, the remaining provisions shall not be affected and shall continue to be valid, legal, and enforceable as though the invalid, illegal or unenforceable parts had not been included in this agreement.
- h. **Termination** The termination of this agreement, regardless of how it occurs, shall not relieve a party of obligations accrued before the termination.
- i. **Survival** All provisions of this agreement that would reasonably be expected to survive the termination of the agreement will do so.
- j. **Remedies** The Parties will have all remedies available to them at law or in equity. All available remedies are cumulative and may be exercised singularly or concurrently.
- k. **Indemnity** Client and its agents/representatives shall hold harmless and indemnify Tate Public Affairs and its owners/Agents for outcomes related to organizational

development, publicity, advocacy, and public affairs engagement activities including but not limited to lobbying and policymaker/agency communications and strategy.

- l. Indemnification and Hold Harmless.** To the fullest extent of the law, Independent Contractor shall defend, indemnify and hold harmless the CITY, its officials, employees, servants, and agents from and against all claims, demands, and judgments (including attorney fees), made or recovered against them including but not limited to damages to real or tangible personal property or for bodily injury or death to any person, arising out of, or in any manner connected with the performance of this Agreement by Independent Contractor, its officers, employees, and agents.
  
- m. Insurance.** The Independent Contractor shall maintain in force for the duration of this agreement a Commercial General Liability insurance policy written on an occurrence basis with limits not less than \$1,000,000 per occurrence and \$1,000,000 in the aggregate. The City of Stayton, its officials, employees, servants and agents will be named as an additional insured with respect to work or services performed under this agreement. This will apply to both work in progress and completed operations. This insurance shall be primary and shall be paid and applied first in its entirety prior to any application of insurance the CITY may carry on its own. Contractor shall provide and maintain workers' compensation coverage as required by applicable workers' compensation laws.
  
- n. Governing Law** Oregon Law shall be the governing law.
  
- o. Signatures** This agreement can be signed in counterparts. A fax transmission or electronic delivery of a PDF signature page will be considered an original signature page. At the request of one party, the other party will confirm a fax or email transmitted signature page by delivering an original signature page to the requesting part

**IN WITNESS WHEREOF, this agreement has been executed and delivered as of the dates indicated below.**

\_\_\_\_\_ Date \_\_\_\_\_  
**For the City of Stayton**

\_\_\_\_\_ Date \_\_\_\_\_

**Sean L. Tate**  
**Tate Public Affairs**  
**Executive Director, SMAC-Oregon**

## Scope of Proposed Work

### 1. Coalition Leadership Training

- Why This is Important
- Policymaker Engagement
- Legislative Policy Committees
- Tools and Information
- Developing Common Ground and Strategies

### 2. Council Training & Support

- Importance of Policy Committees
- Seats at Tables
- Policymaker Engagement
- Tools and information

### 3. Strategic Alignment Support

- **Develop principles/rules to guide engagement:**
  - Policy and budget priorities
  - Vision/Mission
  - When, Why, How and Who
- **Leveraging Staff and Council**
  - Help Pay Attention
  - Existing Relationships
  - Measures for Protecting the Brand
- **Establish procedures for consensus-building/direction.**

### 4. Legislative Session Support

- Work with Cities pre-session to identify core issues and likely policy efforts.
- Track legislation; provide weekly reports on activity and engagement opportunities.
- Assistance with strategic analysis of legislation
- Strategic support including written and oral testimony development.

### 5. Additional Services & Information

- Registered as Clients of Tate Public Affairs
- Visiting/observing Councils; availability for questions/presentations
- Available for consultation as needed.



**RESOLUTION NO. 1095  
INDICATING SUPPORT FOR JOINING THE SMALL MUNICIPALITIES ADVOCACY  
COALITION (SMAC) AND ENTERING INTO A PROFESSIONAL SERVICES  
AGREEMENT**

**WHEREAS**, a new coalition of small cities, the Small Municipalities Advocacy Coalition (SMAC) has been formed and the City has been invited to join; and

**WHEREAS**, the purpose of the group is to “work together to create a voice for rural issues & values” and “synergize policies and advocacy positions that get results for rural Oregon”; and

**WHEREAS**, while the City is a member of other advocacy organizations such as the League of Oregon Cities and the Council of Governments, the Council finds that there could be a benefit on being part of a coalition of rural cities to focus and strengthen our shared voices.

**NOW THEREFORE, THE CITY OF STAYTON RESOLVES:**

**SECTION 1.** The City of Stayton is interested in joining the coalition and directs the City Manager to include the membership charge of \$5,400 in the FY 2024-25 budget and to enter into a professional services agreement with Tate Public Affairs.

This Resolution shall become effective upon its adoption by the Stayton City Council.

**ADOPTED BY THE STAYTON CITY COUNCIL THIS 4<sup>TH</sup> DAY OF MARCH 2024.**

CITY OF STAYTON

Signed: \_\_\_\_\_, 2024

BY: \_\_\_\_\_  
Brian Quigley, Mayor

Signed: \_\_\_\_\_, 2024

ATTEST: \_\_\_\_\_  
Julia Hajduk, City Manager