



City of Independence

Regular Meeting Agenda

City Council

Tuesday, November 25, 2025 @ 6:30 PM
Civic Center - Council Chambers

(see agenda footer for meeting attendance information)

1. **Call to Order**
2. **Roll Call**
3. **Minutes**
 - 3.1. Regular Meeting 10/14/2025
 - 3.2. Work Session 10/28/2025
4. **Visitors/Public Comment**
5. **Reports/Presentations**
 - 5.1. Mayor
 - 5.2. Council Liaison Reports
 - 5.2.1. Library Board: Councilor Boisvert
 - 5.2.2. Museum Board: Councilor Morton
 - 5.2.3. Continuum of Care: Councilor Corr
 - 5.3. City Manager
 - 5.4. Presentation: Financial Technical Review (Irvine)
6. **Unfinished Business**
7. **New Business**
 - 7.1. Financial Recovery Report (Moody)
 - 7.2. Community Services & Parks Sustainability Ad Hoc Committee (West)
 - 7.3. Public Hearing: Revisions to Mobile Vending Standards (Evander)
 - 7.4. Council Bill 2025-08: An Ordinance Amending the Standards for Mobile Vending Units in the Independence Municipal Code and Development Code (Evander)
8. **Council Announcements**
9. **General Information**
 - 9.1. Management Team Notes
 - 9.1.1. 10/15/2025

9.1.2. 10/29/2025

9.1.3. 11/12/2025

9.2. Miscellaneous Correspondence. Any communications received after publication of the agenda packet, but before 3:00 pm the date of the meeting, will be provided to Council at the meeting and will become a part of the official record

9.3. Pending Agenda Calendar

9.3.1. 11/12/2025

10. Adjournment

Meeting Attendance Information:

The City Council will hold this meeting in-person in City Hall Council Chambers, via video conference (Zoom) or by phone. Meetings are also live-streamed on the City's YouTube channel at: <https://www.youtube.com/c/CityofIndependenceOR>.

- To attend in person, the City Hall address is 555 S. Main St.
- For Zoom login
visit: <https://us06web.zoom.us/j/81684673007?pwd=DavwRVFMaq6AqbTZ8k2VNunzVYV2ns.1>
- To participate in the meeting **by phone**, dial **US: +1-253-215-8782** and enter **Webinar ID: 816 8467 3007** and **Passcode: 650738**

Written comments are also welcome and may be delivered to City Hall or emailed to CouncilComments@ci.independence.or.us no later than 4:00 pm the day of the meeting.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 72 hours in advance of the meeting to Myra Russell, City Recorder, 503-838-1212/TTY: 800-735-2900.



City of Independence Minutes

City Council Meeting
Tuesday, October 14, 2025

1. **Call to Order-Immediately following the Urban Renewal Agency meeting.** Mayor Schwarzler called the meeting to order at 6:46 PM
2. **Roll Call.** Mayor Schwarzler present.

Present: Councilor Evan Sorce
Councilor Dawn Roden
Councilor Bill Boisvert
Councilor/Council President Kathy Martin-Willis
Councilor Shannon Corr

Absent: Councilor Marilyn Morton, Excused

City Staff Present: Kenna West, City Manager
Myra Russell, City Recorder
Amanda Christensen, HR Director
Shawn Irvine, Assistant City Manager
Juventino Banuelos, Police Chief
3. **Minutes.**
 - 3.1. **Regular Meeting 09/23/2025.**
Action:
Councilor Corr moved to approve minutes as submitted; Councilor/Council President Martin-Willis seconded. Discussion: None
Roll call vote. Motion 5-0-0
Ayes: Evan Sorce, Dawn Roden, Bill Boisvert, Kathy Martin-Willis, Shannon Corr
Nays: None
Abstentions: None
4. **Visitors/Public Comment.** 4.1 John McArdle, Independence Resident: Co-Chair of the Wall that Heals. Thanked staff, community volunteers and organizing committee for support before and during the event.
4.2. Catherine Underwood-Bush, Independence Resident: Looking to turn her property, Hedges House, into a small event venue. Asked the Council about changing from high density residential to commercial zoning, to be able to run a business. Staff will follow up.
4.3. Anne Scheck, Trammart News, Salem Resident: Spoke about an upcoming article she will write regarding the City Manager performance review.

5. Reports/Presentations.

5.1. Mayor.

- Attended the 100th annual LOC conference. Opportunity to network with peers and learn best practices as well as bring new ideas to help our community move forward.
- Met with partners at Polk County to keep in touch with our other community agencies
- Attended Ghost Walk. Great spooky event for our community.

5.2. Council Liaison Reports.

The mayor gave brief description of what role City Councilors play as liaisons to the various boards and commissions. Liaisons attend meetings, listen, bring back updates to share with their fellow council members, to keep the council informed about the work happening throughout the community. Liaison reports are meant to be informational in nature. By keeping these reports factual and neutral, they support the integrity of the process and show respect for the many amazing volunteers in our community who give their time and expertise to serve Independence.

5.2.1. MINET Board: Councilor Sorce.

- Aug 20 Board meeting. MINET is doing well. Expanding to Dallas, Fall City, Polk County. Potential of manager review for general manager.
- Aug 21 MINET Luau. Well-attended community event.

5.2.2. Parks Board: Councilor Roden.

- Park Board hasn't met since April, already gave a report on that meeting.
- Concerns about irrigation and trees at Sunset Park. Issues have been raised with city staff, but the PW Director is out on emergency medical leave and isn't able to respond.

5.2.3. Independence Days Commission: Councilor Boisvert.

- On Sept 25 the commission met about the future of Independence Days, which will be discussed with an item on the agenda.

5.3. City Manager.

- Introduced new Finance Director Amanda Carey.

5.4. Staff Report: Irvine-Grants Report.

- Discussed list of grants that are in progress and completed. Approximately \$17 million dollars in grants, if you add in low interest loans, almost \$24 million for city projects.
- Grants help to potentially bring down SDC charges and other benefits to the city's projects.
- Some highlights are STIF funding for the Trolley and a Special Public Works fund loan of \$7.1 million that will replace the line of credit that the city took out for design and engineering work for the surface water treatment plant. Line of credit was 6.75% interest, while the new SPWF loan is 2.9% interest, which will mean significant savings.
- Discussion by council about continuing to receive this report quarterly and what an asset Marshall the grant writer is to the process.

6. Unfinished Business. None.

7. New Business.

7.1. Independence Days Ad Hoc Board Recommendation (Irvine).

Irvine presented some background on the process with the Ad Hoc Board to find a new path going forward for the Independence Days event. The Ad Hoc board has met 5 times over the last couple of months, including talking with city staff that are involved in the event, to be able to better understand the event, how it's put on, and the different aspects that are important to make it a successful event. The board talked about what alternatives were available. The creation of a new 501C3 to take on event was the best option. Future profits may benefit city parks. The Ad Hoc board recommended moving forward with this option in association with a memorandum of understanding between the nonprofit and the city. Discussion by the council about who was working with the new nonprofit and who will help from the old commission during the transition period.

Action:

Councilor Roden moved that the Council accept the Independence Days Ad Hoc Commission's recommendation to transfer the Independence Days to a new community non-profit, and that the city use a Memorandum of Understanding to codify the details of the transfer; Councilor Corr seconded. Discussion: Council thanked volunteers for taking over event and suggestion to combine planning of events with Monmouth.

Roll call vote. Motion 5-0-0

Ayes: Evan Sorce, Dawn Roden, Bill Boisvert, Kathy Martin-Willis, Shannon Corr

Nays: None

Abstentions: None

7.2. Independence Days MOU (Irvine).

Irvine explained why a memorandum of understanding is necessary. The copy of the MOU in the packet is in draft form but will be finalized before the city manager signs it. Discussion of non-binding vs. binding. CM West had it reviewed and vetted by the City's contract attorney and the language is correct.

CM explained how the group was created to be separate from the city. While the city may still assist with some aspects of the event, the Friends group will be its own entity. Council asked for ethnicity to be added under the compliance and applicable law on non-discrimination.

Action:

Councilor/Council President Martin-Willis moved that the Council authorize the City Manager to sign a Memorandum of Understanding transferring the Independence Days event to a new community non-profit organization; Councilor Boisvert seconded. Discussion: None

Roll call vote. Motion 5-0-0

Ayes: Evan Sorce, Dawn Roden, Bill Boisvert, Kathy Martin-Willis, Shannon Corr

Nays: None

Abstentions: None

7.3. **Q4 Board/Committee/Commission Appointment (West).**

CM West presented staff report regarding board and commission appointments.

Mayor mentioned that the Library and Museum boards both had positions where the applicant was unopposed, so council appointed those first.

Action:

Councilor Corr moved to approve library and museum board members that were unopposed; Councilor/Council President Martin-Willis seconded.

Discussion: Council thanked applicants for volunteering.

Roll call vote. Motion 5-0-0

Ayes: Evan Sorce, Dawn Roden, Bill Boisvert, Kathy Martin-Willis, Shannon Corr

Nays: None

Abstentions: None

- Tristan Thomas appointed to the library board in position 3 with a term expiration date: June 30, 2029
- Victor Ochoa was appointed to the Museum Advisory Board in position 3 with a term expiration date: December 31, 2026

The MINET IGA provides that each city shall be entitled to one MINET director selected from “the general public using the city’s board and commission appointment process”. The general public position, held by Michael Hicks, ended on June 30, 2025. The term to be filled is July 1, 2025 through June 30, 2028. the four applicants include: Michael Hicks—applying for reappointment, David Gewirtz—new applicant, Bradley Karkanen—new applicant; Mike Rhodes—new applicant.

Discussion: Councilor Corr — top two are Michael Hicks and Bradley Karkanen. Continuity vs. local govt interaction. Councilor Roden wants someone new.

The top two are David Gewirtz and Mike Rhodes. Councilor Martin-Willis appreciates the job Michael Hicks has done and values his knowledge. Councilor Sorce asked about term limits. Staff were unaware of term limits.

Action:

Councilor Roden moved to appoint Mike Rhodes to the MINET Board. No second, motion fails.

Action:

Councilor/Council President Martin-Willis moved to reappoint Michael Hicks to the MINET board; Councilor Corr seconded. Discussion: Councilor Sorce asked if council could hold interviews in the future if there is more than one candidate for a position. Discussion of process.

Roll call vote. Motion 4-1-0

Ayes: Evan Sorce, Bill Boisvert, Kathy Martin-Willis, Shannon Corr

Nays: Dawn Roden

Abstentions: None

7.4. **2025 City Manager Review (Christensen).**

Mayor made comments before Amanda Christensen presented the staff review results regarding this review being in open council session instead of the more usual executive session. HR Director Christensen presented information from an anonymous city manager employee survey. The staff comments were highly positive and reflected CM West's strong leadership, communication skills and professionalism even under external pressures. The CM's compensation follows the City's 7-step structure, which allows for a 5% performance-based increase. Staff recommendation is that the council accept the employee survey and authorize a 5% base salary increase effective October 22, 2025. Questions for staff: Discussion of how the CM salary is dispersed across funds. 15% comes from the general fund, the rest comes from enterprise funds. Question about the 5 options for answer to the evaluation which were strongly agree, agree, neutral, disagree and strongly disagree.

- The mayor read a letter submitted by Councilor Morton as she was unable to attend the meeting. Letter was positive and in support of CM West highlighting her responsiveness to needs and law awareness.
- Councilor Corr read a prepared statement in support of CM West. She finds CM West to be exceptionally focused, ethical and dedicated.
- Councilor Martin-Willis spoke from the heart and expressed appreciation and support for CM West.
- Councilor Boisvert mentioned different leadership styles over his military career. From the start, CM West has been open and available to talk and answer questions.
- Councilor Roden doesn't feel that she gets the answers she's looking for and gives examples. The mayor asked her to bring it back to the subject at hand and tie her criticism to the city manager's work performance.
- Councilor Sorce appreciated hearing the voices of staff who mentioned CM encouraging staff empowerment, personal growth, trust and integrity. Also appreciates the willingness of CM to have a conversation.

The mayor turned it over to CM West. She read a prepared statement. She acknowledged the review process and was humbled by the staff response. She reflected on challenges and unnecessary distractions from a

small group that pulls energy, staff time and taxpayer dollars away from work in the community. She commended the city staff and highlighted significant achievements over her three-year tenure, including implementing new systems, securing over \$23 million in grants and low interest loans, and advancing various infrastructure and community projects. She closed with words of gratitude to each councilor, the mayor and the community. Despite distractions, CM West emphasized the city's progress and the dedication of its staff and volunteers, while expressing commitment to continuing their work for the community's benefit.

The mayor acknowledged that it takes an incredible amount of courage to go through a performance review in public, and recognized City Manager West for facing this with such grace and professionalism. She looks forward to closing out this chapter and moving on with the continued great work that council and staff do for the community.

Action:

Councilor Corr moved that the city council accept the 2025 City Manager employee survey report as presented and authorize a 5% performance-based salary increase for the City Manager, effective October 22, 2025;

Councilor/Council President Martin-Willis seconded. Discussion: None.

Roll call vote. Motion 4-1-0

Ayes: Evan Sorce, Bill Boisvert, Kathy Martin-Willis, Shannon Corr

Nays: Dawn Roden

Abstentions: None

8. Council Announcements.

- Councilor Corr urged Council and the public to acknowledge the integrity and professionalism of our city employees. They are invaluable partners who dedicate themselves to supporting our work and the community.
- Councilor Roden: Lebanon high school is trying to get a grant to fix their stadium. She hopes the city can promote this as they are the only school in Oregon up for this grant.
- Councilor Sorce: Homecoming weekend at WOU, support Western at home coming game and events. Soup and Pie event at the Monmouth Senior Center on October 23 from 11-1:30.

9. General Information. Items submitted here in the packet are for information only; no action was required by city council.

9.1. Management Team Notes.

9.1.1. 09-24-2025.

9.2. Miscellaneous Correspondence. Any communications received after publication of the agenda packet, but before 3:00 pm the date of the meeting, will be provided to Council at the meeting and will become a part of the official record.

9.2.1. Correspondence: Anne Scheck, Trammart News.

9.3. **Pending Agenda Calendar.**

9.3.1. **09/24/2025.**

10. **Adjournment.** Mayor Schwarzler adjourned the meeting at 8:07 pm.

MAYOR KATE SCHWARZLER

ATTEST:

Myra Russell, City Recorder

DRAFT



City of Independence Minutes

City Council Work Session
Tuesday, October 28, 2025

1. **Call to Order.** Mayor Schwarzler called the work session to order at 6:30 PM

2. **Roll Call.** Mayor Schwarzler present.

Present: Councilor Evan Sorce
Councilor Dawn Roden
Councilor Bill Boisvert
Councilor/Council President Kathy Martin-Willis
Councilor Marilyn Morton
Councilor Shannon Corr

Absent:

City Staff Present: Kenna West, City Manager
Myra Russell, City Recorder
Rob Moody, Finance Director
Chelsea Gardner, Accountant I
Amanda Carey, Finance Director
Juventino Banuelos, Police Chief

3. **Reports/Presentations.**

3.1. **Presentation of Draft Fee Study (Moody).**

Finance Director Moody presented a proposed fee schedule to the City Council, with Chelsea Gardner leading the research and calculations. The meeting focused on streamlining and standardizing the city's fee schedule. The finance team used cost recovery as a starting point and proposed increases based on comparables. Staff recommended simplifying the business licensing system by eliminating the multi-tier approach and replacing it with a single fee for all businesses operating within the city limits, including home-based businesses and short-term rentals. They also proposed treating marijuana-based businesses like any other businesses, and discussed the need to redefine the term "business" in the city code. Moody noted that there are currently 622 identified businesses in Independence. Staff explained that business licensing fees would be implemented for compliance, regulation, and revenue purposes, though concerns were raised about the lack of clear benefits to businesses. Questions were raised about penalties for unlicensed businesses and the need for clear benefits to justify new fees, potentially through services like newsletters and outreach. Council also discussed dog licensing fees, copies at the library and other administrative fees. Mayor Schwarzler and the Council members were encouraged to provide feedback through Kenna, who

would relay it to the finance team for potential adjustments before the final vote. A deadline of November 13th was set for staff to provide a revised fee schedule for review before the next council meeting on November 25th.

4. **Adjournment.** Mayor Schwarzler adjourned the meeting at 7:35 pm.

MAYOR KATE SCHWARZLER

ATTEST:

Myra Russell, City Recorder

TECHNICAL ASSISTANCE REPORT



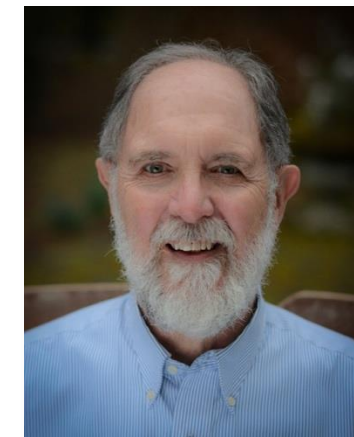
November 25, 2025



JENSEN STRATEGIES

WHO

- PFM and Jensen Strategies
- Jensen Strategies – Dave Waffle and Bill Peterson
- PFMGC
- PFM FA
- Not auditors or replicating the city's financial planning consultants



Dave Waffle



Bill Peterson

WHAT

- Distressed Cities and Persistent Poverty Technical Assistance program (HUD DCTA)
- Met the persistent poverty criteria
- Technical assessment – management level analysis
- Focused on finances and related policies and practices
- Capacity building

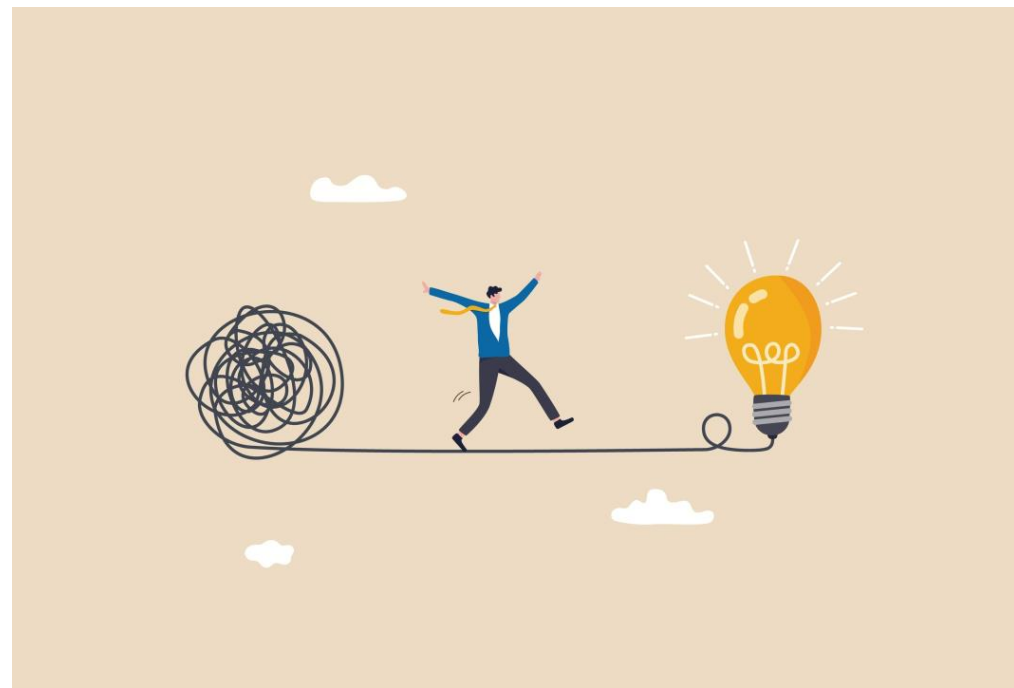
WHERE

- On-site meeting and tour + zoom meetings
- Document and shared data repository



WHY

- Initial technical assistance focused on urban renewal and city's general financial situation
- Structural deficit
- Problems with cash flow within urban renewal district impacting other funds



HOW

- Help city understand their situation
- Offer advice
- Keep current on City activities
- Independence Vision 2040 and City Council Goals
- Interim summary of observations - August
- Assessment report – November



SO WHAT

- Persistent Poverty criterion → Two-Edged Sword
- Multiple financial dilemmas
- Urban renewal
- Lack of development
- Infrastructure needs
- Four options – cut, raise \$\$, transfer services, sell assets

RECOMMENDATIONS

- Economic Opportunity Analysis
- Development fees
- Build operating reserves
- Additional fees and/or levy
- Communications
- Service delivery alternatives
- Finance Director transition

NEXT STEPS

- Debt analysis overview
- Multi-year financial projections – General Fund
- Succession planning and transition assistance for new Finance Director
- Continuing into spring

THANK YOU



Capacity Needs Assessment for the City of Independence, Oregon

U.S. Department of Housing and Urban Development
Distressed Cities and Persistent Poverty Technical Assistance Program

November 2025



Prepared by:

Dave Waffle, Partner-Consultant, Jensen Strategies LLC
Bill Peterson, Partner-Consultant, Jensen Strategies LLC
Danielle Scott Parker, Director, PFM Group Consulting LLC

PFM Group Consulting LLC

400 Lafayette St, Suite 304
New Orleans, LA 70130



Distressed Cities and Persistent Poverty Technical Assistance Program Independence, OR Assessment Report and Recommendation for Technical Assistance

November 2025

Introduction

The City of Independence, Oregon, qualified for assistance through the U.S. Housing and Urban Development's (HUD) Distressed Cities and Persistent Poverty Technical Assistance Program (DCTA) based on the "persistent poverty" criteria of the program. PFM Group Consulting LLC (PFMGC), contracted under DCTA, initially engaged through on-call technical assistance, prepared a concise analysis of the City's Urban Renewal Agency (URA) indebtedness, repayment practices, and interfund borrowing. Following recommendations from that report (May 2025), HUD approved a formalized technical assistance (TA) work program. Key tasks of the TA assignment include:

- Analyzing the City's General Fund (GF) and Urban Renewal Agency finances.
- Assessing the city's overall financial and operational standing.
- Providing a high-level evaluation of budgetary, financial, and economic conditions.
- Recommending next steps for continued technical assistance.

PFMGC engaged Jensen Strategies (JS) and PFM Financial Advisors LLC (PFMFA) as subcontractors to support the TA. JS with engagement from PFMGC and PFMFA conducted a comprehensive assessment to inform the needs, next steps, and milestones of the TA for financial management, succession planning for the Finance Director, staff training, and development of five-year financial projections.

Assessment Process

This assessment was conducted through an iterative process initially setting expectations as well as collecting and analyzing financial and policy documents. Subsequently, the JS team, along with representatives from HUD and PFM, conducted on-site meetings, toured the city, and interviewed key City staff to gain greater context and qualitative perspectives to further inform this assessment.

The project began with kick-off meetings and collection of financial and policy documents through a PFM SharePoint repository. The project team included representatives from PFM (Danielle Scott Parker and Duncan Brown), Jensen Strategies (Bill Peterson and Dave Waffle), and Independence city leadership (City Manager Kenna West, Assistant City Manager/Economic Development Director Shawn Irvine, and Finance Director Rob Moody).

On July 9–10, 2025, JS team leads, Bill Peterson and Dave Waffle, visited Independence for in-person interviews, site tours, and analysis. HUD's DCTA Director, Lea Anderson, joined the interviews, along with Duncan Brown of PFMFA. The interviews included City of Independence senior staff such as the Finance Director, the Assistant City Manager/Economic Development Director, the Police Chief, and the Public Works Director. The team concluded this information gathering task with a Zoom interview with City Manager Kenna West.

Key Findings

The section below outlines key findings from the assessment and from the project team's interactions and meetings with the City to date.

Community Strengths

Independence is a small but resilient city of 10,056 residents, strategically located in Oregon's Willamette Valley. The community benefits from:

- Strong heritage, founded in 1845, with a vibrant downtown and cultural identity.
- Proximity to Salem (state capital), Oregon State University, and Western Oregon University.
- A home-rule council-manager form of government that is following its financial audits and budgeting practices. The City Council consists of a mayor and six councilors, responsible for governance of the City.
- Strategic planning tools such as the Independence Vision 2040 plan, a three-year strategic plan, and a five-year Capital Improvement Program (CIP).
- An Urban Renewal District (URD) established in 2001, which has contributed to downtown revitalization, streetscape improvements, business incentives, and construction of the Civic Center.
- Masterplans updated for utilities and the transportation system.

Financial Challenges

The assessment identified four significant challenges. These are described in more detail in the following specific sections about each challenge.

First, the City is facing multiple financial dilemmas with declining fund balances in the General Fund and an underperforming Urban Renewal Agency. Property taxes are the primary revenue source for the City but are constrained by Oregon's constitutional and statutory limits. In turn, revenues have not kept pace with growing service costs. Historically, the City addressed these financial challenges by transferring or borrowing money from various funds, including utility funds, to fill gaps in the General Fund and Urban Renewal Agency budgets. Both the current management team and the City Council have expressed their commitment to avoiding these types of practices going forward.

Second, the Urban Renewal Agency (URA) is experiencing a lack of development so the actual tax increment from new development above the frozen base level within the urban renewal district is primarily covering external debt obligations and making limited payments to the various municipal funds that provided it funding in previous years. Insights from City financial leaders indicate that the General Fund will need to continue to delay repayment of loans from the General Fund to the URA.

Third, there is a lack of development activity across the City which may be exacerbated by current tax and economic conditions, both locally and nationally. Planning Commission agendas show little development activity. System Development Charges, assessed on new developments to pay for capital investments, are substantially higher than neighboring communities. The Transient Lodging Tax is dependent mostly on a single hotel. There is also a lack of marketing of the community as a place to play, live and invest.

Fourth, the City's water and sewer systems are nearing capacity and will require major upgrades to meet both future growth and state regulatory requirements. While recent operational improvements have helped improve efficiency, substantial infrastructure investments will be necessary to achieve the goals outlined in city's master plans and enable growth in the city's assessed value.

General Fund

Qualifying for this technical assistance program as a community that meets the “persistent poverty” criteria is a double-edged sword. That status helps make the City eligible for some grants and other forms of assistance – the City has a good record over the last few years of receiving such assistance. The focus of the current administration on seeking grants and similar funding with dedicated personnel is a key factor in the ability to seek and achieve funding from a variety of sources. Meeting the criteria for “persistent poverty” also reflects a limited ability of residents to pay for essential services and supports the reluctance of some residents to support tax levies and fees to support their local government.

Independence has a fixed permanent property tax rate of \$4.59/\$1000 of assessed valuation (AV). The community’s AV is growing modestly (4%) annually over the past 10 years. Based on the current AV of \$687.9 million the City expects to receive about \$2.7 million in property taxes to support General Fund activities in FY2026.

Facing a trend of financial shortfalls, in 2024 the City Council chose to ask voters to approve a local option levy to support parks, library, and museum services. These are important services identified in the City’s Community Vision 2040 report and the Council’s goals. In November 2024 the levy failed by a substantial margin.

The City also instituted a fee on the monthly utility bill to support public safety services. The fee is designed to meet the needs of the Police Department for equipment, vehicles and officers. The City has devised a fee structure that began at \$20.00 per month, declined to \$17 per month and will stabilize after FY 2025-26 at \$10 per month. The greater fee permitted initial expansion and equipping of police and will generate \$816K in FY 2025-26. The monthly fee can be adjusted to match inflationary changes. The fee is intended as a supplement and not substitute for public safety services funding within the General Fund. While support for law enforcement and first responder programs is also an element of the City’s Community Vision 2040 report, public opinion is reportedly mixed about support for the fee. It is important to recognize that the mixed support for the public safety fee deals with the cost of the fee and the incidence of the cost, not necessarily the performance of the police or desirability of the service.

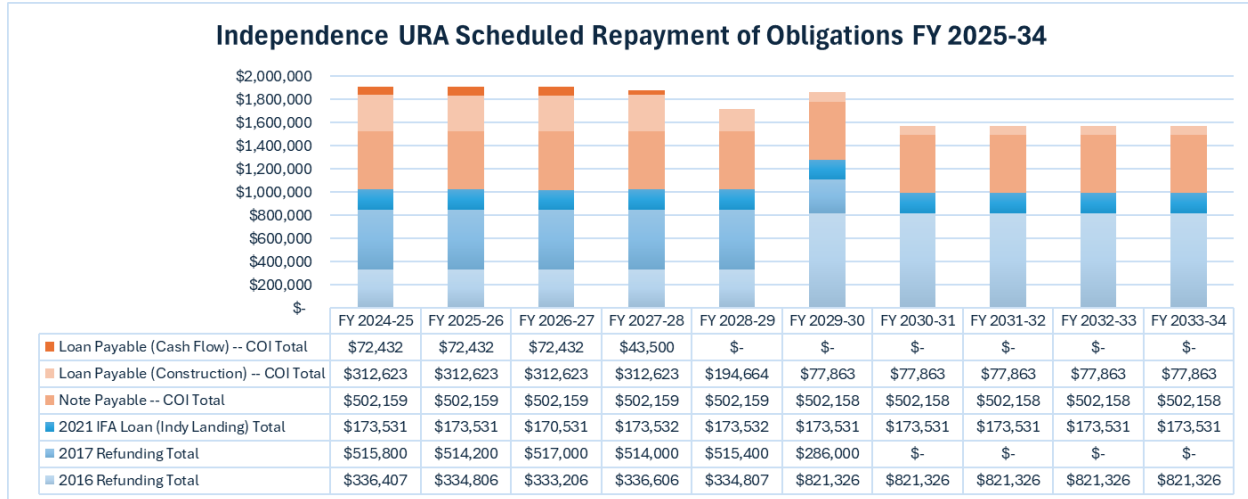
During the past year the City Council and staff studied options to overcome financial shortfalls including:

- Reducing service levels.
- Eliminating or transferring services to other entities.
- Developing alternate revenue streams (levies, fees, expanded franchise fees, new taxes).
- Selling property.

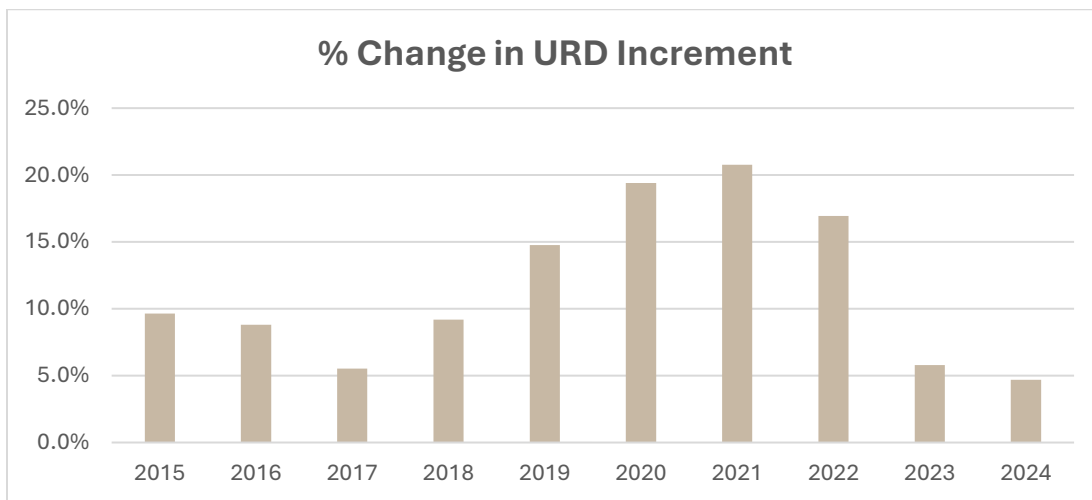
Urban Renewal Agency

The Urban Renewal Agency (URA) was established in 2001 and is considered a component unit of the City of Independence. The governing board is the City Council and the City Manager serves as its General Manager.

The URA has two funds: Projects Fund and Debt Service Fund. FY2026 debt service is \$1.61 million. This amount of indebtedness is substantial, with obligations to the City, the State, and Full Faith and Credit bonds for the Civic Center. Debt obligations consume most URA revenues for at least the next decade. The agency is meeting external debt requirements and is beginning repayments to the General Fund; these are not sufficient to address structural issues in the General Fund. This table, from the May 2025 report developed during the On-call TA, illustrates the debt obligations based on information available at that time. The City has since chosen to modify annual payments on the item called Notes Payable – COI Total for the period FY 25-27.



Tax increment revenues lag 2016 projections, although major developments (Independence Hotel, Independence Landing) boosted assessed value following occupancy. See chart below:



Future debt service can be compared to a set of simple projections as to how the AV of the District may grow in the coming years. The agency's assessed value (AV) can be expected to grow 3% annually. If there is modest construction within the urban renewal district (URD), then these projections may increase an average of 5% annually. Or the values may grow equivalent to the 11.6% annual growth rate of the past 10 years as shown in the table below.

It is important to note that a more precise projection of the rate of AV growth within the District has not been performed. Future financial stability depends on development of City-owned parcels, revitalization of unfinished downtown properties, and potential industrial redevelopment. However, timelines are uncertain and City marketing for economic development is limited. When the multi-year financial projections and debt analysis are completed, this chart may be revisited to identify how much the AV needs to grow within the URD.

Estimates of Future URA Assessed Valuation

Year	Actual Excess Value (TIF)	3% Annual Increase	5% Annual Increase	11.6% Annual Increase
2014	\$28,129,956			
2015	30,839,796			
2016	33,552,684			
2017	35,403,447			
2018	38,659,077			
2019	44,367,161			
2020	52,980,975			
2021	63,982,275			
2022	74,826,245			
2023	79,161,459			
2024	82,867,888	PROJECTED		
2025		\$85,353,925	\$87,011,282	\$92,480,563
2026		87,914,542	89,621,621	95,254,980
2027		90,551,979	92,310,269	98,112,629
2028		93,268,538	95,079,578	101,056,008
2029		96,066,594	97,931,965	104,087,688
2030		98,948,592	100,869,924	107,210,319
2031		101,917,050	103,896,022	110,426,629
2032		104,974,561	107,012,902	113,739,428
2033		108,123,798	110,233,289	117,151,610
2034		111,367,512	113,529,988	120,666,159

Lack of Development Activities

Overall development activity within the City has slowed in recent years, reflecting broader regional and national trends. Rising interest rates, higher construction costs, and ongoing economic uncertainty have dampened development across Oregon. Polk County, for example, has experienced a significant decline in the number of new building permits issued, illustrating that these challenges extend beyond Independence. Within the City itself, only one new subdivision was approved during the past year, though the Planning Commission continues to focus on updating development codes and implementing state housing requirements to prepare for future opportunities.

The City has made progress on long-range planning efforts that will help position Independence for growth once market conditions improve. The recently approved Central Talmadge Plan sets the stage for infrastructure improvements, commercial redevelopment, and a mix of housing types that can support a more balanced tax base. At the same time, it is important to recognize that commercial and industrial development contributes a greater margin of tax revenue to service costs than does residential growth, underscoring the importance of attracting employment-based projects that diversify the City's economy and strengthen fiscal stability.

Development-related fees in Independence are higher than in nearby communities. The fees are established through the masterplans and the required methodological evaluation of costs and reflect the City's significant need for infrastructure investment. The new regional water treatment plant and expanded sewer capacity are necessary to accommodate future growth and to ensure reliable service for existing residents. These investments will help the City meet state regulatory requirements and prevent capacity shortfalls projected within the next several years. Given these realities, the City's economic development strategy focuses on sustaining marketing and business recruitment efforts even amid fiscal constraints. How development fees are structured and allocated is an economic evaluation determining whether to allocate costs to future growth or assume costs in rate structures paid by all community residents.

The project team did not observe significant marketing efforts in Independence. The 2040 Community Vision calls for significant marketing efforts. While marketing of the community has been reduced in recent years, the city continues to highlight its assets through regional partnerships, downtown revitalization, and event promotion. Recognizing staffing reductions in the Economic Development Department due to budget constraints, the City has allocated up to \$60,000 to contract with an external economic development firm. This funding will help maintain business recruitment, marketing, and related activities that would otherwise be limited by the City's reduced internal capacity.

To provide this funding, the City repurposed the balance of its Economic Development Loan Fund, redirecting those resources to the General Fund to support essential community services while preserving a portion—approximately \$60,000—for targeted economic development work. Currently there are no funds allotted in the Urban Renewal Program for any incentives for development, infrastructure improvements, programs that might enhance economic activity or even administrative overhead expenses of the agency and the annual audit.

The city has applied for a state grant to complete an Economic Opportunity Analysis (EOA), which will guide long-term strategies for business and industrial growth. This analysis will help identify key sites for investment, coordinate with regional partners, and strengthen Independence's position for future state and federal funding. Expanding commercial and industrial development rather than relying only on housing growth is essential to increasing City ability to fund essential services. Business and industrial investments grow the tax base, create jobs, and help stabilize the City's finances for the long term while having a lower demand for public services. The Housing Needs Analysis (2023) demonstrated Independence has sufficient land within its UGB to meet its housing needs and the EOA will seek a similar determination for commercial and industrial demand over the next 20 years.

The City's most recent tourism marketing plan is from 2008. The Independence Hotel is the most significant source of Transient Lodging Tax (TLT) revenue. While Oregon Law restricts the TLT to promoting the city for all lodging taxes adopted or modified after the date of the statute, the Independence TLT predates this statutory restriction and is not restricted. While the TLT is not a huge revenue producer, It is an unrestricted asset that could be restructured to support the General Fund.

TLT receipts in the Tourism and Events Fund for the last seven (7) years are as follows:

● 2019-20	\$10,766
● 2020-21	\$156,193 (opening of Independence Hotel)
● 2021-22	\$204,848
● 2022-23	\$200,629
● 2023-24	\$178,786
● 2024-25	\$240,782
● 2025-26	\$200,000 (budgeted)

Water and Sewer Utilities

Major capital projects are needed for the City's water and sewer systems to meet future demand and comply with regulatory standards. A new regional water treatment facility, jointly developed with the City of Monmouth and Polk County, is underway, with intergovernmental agreements already in place. The total investment is estimated at approximately \$40 million. The City is also gradually upgrading its wastewater lagoons to improve solids handling and increase holding capacity. Independence is currently limited to seasonal discharges to Ash Creek and the Willamette River, which further constrains growth and system flexibility.

These projects, along with additional system improvements identified in the City's Capital Improvement Program (CIP), are essential for supporting economic development and accommodating new subdivisions. These systems' improvements will be paid for by a combination of System Development Charges, user rates, and grants and contributions from other entities. Without these investments, future growth would be severely limited.

System Development Charges (SDCs) in Independence are higher than neighboring cities, because the community has outgrown much of its existing infrastructure. The City's water and sewer systems must be expanded not only to meet growth projections but also to avoid capacity shortfalls that could result in water supply constraints as early as 2028. Balancing the portion of costs for new capacity between future growth and the user fees of existing users is a philosophical and political decision about who pays the cost of growth and how that is allocated.

Community Services

Parks, museum and library services are important features in both the 2040 Community Vision and recent 3-year goal document. They are identified as key elements making Independence an attractive community for visitors, current and new residents as well as offering amenities that businesses seek for their employees. The failure of the community services levy in November 2024 dealt a blow to those aspirations. In the short term, services were reduced in all three departments. The City is completing a new Parks Master Plan. Such a plan will undoubtedly reflect similar aspirations and describe additional park facilities in new subdivisions as well as improvements within the existing system. These new facilities will increase the need for maintenance services. As a result of the levy failure, the Independence Oregon Heritage Museum building is being marketed for sale.

Strategic and Policy Considerations

The failed community services levy demonstrated limited voter support for tax increases and highlighted the need for diversified revenue strategies. The City cannot "cut its way" out of structural financial issues. Four strategic approaches were identified through this assessment. These are common responses to such dilemmas by Oregon local governments. City staff and Council are studying these approaches and intend to continue that work. The PFM TA team are available to assist with these strategies as needed by city staff.

1. Cutting costs within mission-critical limits.
2. Reducing or transferring services to special districts or nonprofits.
3. Adding revenues through levies, fees, business license taxes, or selective sales taxes.
4. Reviewing and adjusting user fees to align with service costs.

Conclusion

Independence is a well-managed City with a strong community identity but faces significant financial challenges. The General Fund remains structurally imbalanced, the Urban Renewal Agency carries a substantial amount of debt, and critical utility upgrades are necessary to meet future demand. While the City has available land and policy tools to support growth, current marketing and economic development efforts are limited by staffing reductions and budget constraints.

Moving forward, success will depend on a comprehensive and balanced strategy that combines expenditure management, new revenue mechanisms, regional collaboration, and proactive economic development planning—supported by the City's continued commitment to innovation and community partnership.

Recommendations

The conclusion and recommendations of this assessment reflect the themes described in the previous pages. They are presented here in summary form to assist with discussion and consideration for city leadership in the coming months.

- **Prepare an Economic Opportunity Analysis (EOA)** and generate visibility of Independence's economic development potential and tools available. This will help the City grow its way out of the financial challenges it faces. The EOA can utilize some of the programs described in the Community Vision and the City's goals. Visibility can also be enhanced by working on the City's website to highlight the resources of its partner agencies, describe the development and redevelopment opportunities within the community, advantages for investing in Independence and display more current information about the community's workforce and related demographics.
- **Evaluate development fee structures** to determine how the relative fees in the region impact potential strategies to grow community valuation. Utilizing projection tools provided by this engagement, the City may evaluate the relative value of development and the contributions development makes to resolution of general funding issues, shaping the decisions of allocations of costs to growth. This effort would augment the work done with the city's utilities rate consultant in the establishment of system development costs by looking at the general government interests in addition to those of the individual services.
- **Build operating reserves** through strategic budgeting. The multi-year financial plan will provide the Project Team with the opportunity to evaluate the reserve levels appropriate for the various funds.
- **Consider additional fees and revisit the community services local option levy.** Mirror the simplicity of the public safety fee in terms of method of collection, rate and benefits to support a particular package of services that might be funded by additional fees.
- **Use the City's communication capacity** to explain the impact of the public safety fee and need to invest in water and sewer system capital investments. Independence uses several innovative communication tools like the "60 Second Council" and other You Tube videos quite effectively.
- **Continue consideration of service delivery alternatives** such as special districts in collaboration with neighboring jurisdictions. Successful collaboration is often gained by discovering the shared values between the residents and leadership of the partners. Independence has a talented and dedicated group of elected officials and professional leadership to accomplish this.
- **Allow the JS consultants to be helpful with the transition of the Finance Director position.** The Project Team has considerable experience with financial management policies, skills and systems.

On-Going Technical Assistance

Economically challenged cities often require additional resources to pursue a turnaround agenda, but financial support alone is rarely sufficient. In many cases, limited staffing and increasing service demands make it difficult for local governments to address long-term and emerging needs simultaneously. Like many communities facing similar fiscal pressures, the City of Independence must balance economic development, quality of life, infrastructure, and financial sustainability.

While the City has a solid understanding of its financial position, additional analytical tools and technical support will strengthen long-range planning and decision-making. To support this effort, PFM will partner with the City to refine financial forecasting models, evaluate opportunities to increase revenues and manage expenditures, assess debt, enhance economic competitiveness, and continue building the capacity of the finance team—particularly as the City transitions to a new Finance Director.

As the broad assessment phase of the process draws to a close, some of the specific technical assistance tasks are underway.

Five Year Financial Forecast

The multi-year financial plan (MYFP) will allow the City to have a deeper understanding of its current financial situation and will model possible scenarios for future financial initiatives. This element of the scope will be led by representatives from PFMGC. First, the MYFP will use historical data from FY2019 through FY2025, in addition to the FY2026 budget data, to provide an understanding of the current drivers of revenues and expenditures. With the understanding that this six-year period includes the COVID-19 pandemic and administrative changes within the City itself, having the historical data will allow for the calculation of a baseline projection. This is a five-year revenue and expenditure projection, which will include FY2027 through FY2031, that estimates what will occur if the status quo continues.

Once the baseline assessment is complete, the MYFP will provide different initiatives modeling potential scenarios that demonstrate the impact of alternative revenues and expenditures. The finalized model will also include a manual which, along with training sessions for City staff, will allow the City to use the model as an analytical tool on an ongoing basis and update inputs as necessary.

Debt Analysis

Members of the project team from PFMFA will also be preparing an overview and evaluation of the City's outstanding external debt. This will include two components:

- A summary of the City's outstanding debt (security, project, interest rates, redemption features, final maturities, etc.); its historical debt practices and outside consultants; key financial covenants; and any potential opportunities or risks relative to its specific debt profile; and
- A comparison of the City's outstanding debt relative to peer cities within Oregon, sharing similar socioeconomic characteristics, population sizes, and services provided.

This resource is intended to provide a primer of the City's current debt profile, that will serve as a reference point for city officials. It is also intended to provide key debt ratios in comparison to the City's peers, to provide a quantitative basis for discussions regarding the City's current debt burden and the impact of any new financing.

Finance Department Succession Planning

The Finance Department has four full-time employees (FTEs) with clearly defined responsibilities, supported by professional advisors and modern software. The City's current Finance Director is retiring at the end of calendar year 2025 and has secured the services of a new municipal finance professional for the Finance Director position. Succession planning for the transition from the current Finance Director to the new director is a critical priority to ensure stability. The project team members from Jensen Strategies will lead the TA in this area, working directly with the City's management and finance staff.

As part of the transition of Finance Directors there is a desire to update selected financial policies, identify staff development needs and look at the advantages of utilizing a biennial budget format for flexibility and longer-range projections. One area of focus is to attain a four-month GF reserve (~20% of total

expenditures) as Independence's reserves are closer to 5%. Building adequate reserves requires both expenditure control and revenue growth.

Next Steps

PFM will provide the technical assistance in accordance with the below timetable

	Deliverable	Task(s)	Timetable
Phase I	Five-Year Budget Model	Develop baseline revenue and expenditure forecast for FY 2027 – FY 2031	August 1 –November 15 2025
	Initiative and Scenario Development	Identify and cost out initiatives and scenarios to address shortfalls and invest in City priorities	October 15 – December 1 2025
	Model Training and Staff Coaching	Train staff on the model and provide ongoing coaching	November 15 – March 2026
Phase II	Technical Assistance to Finance Director	Update selected financial policies, identify staff development needs and look at the advantages of utilizing a biennial budget format. Build operating reserves through strategic budgeting. Review proposed changes in the fees and charges study. Provide analysis of any special district formation proposals selected by the city.	October 1 – March 2026
Phase III	On-Call TA	Provide ongoing coaching and support as needed	October 1 – March 2026



CITY OF INDEPENDENCE MEMORANDUM

TO: Mayor and City Council
FROM: Rob Moody, Finance Director Emeritus
MEETING DATE: November 25, 2025
SUBJECT: Report to the Community: Fiscal Recovery Plan

☐ Information Only

☒ Action Requested

Statement of Issue:

As the city prepares for the upcoming 2026-27 budget process there is much discussion around the fiscal health of the city's General Fund. The Finance Department prepared a report on the status, and steps to restore stability to the General Fund.

Background:

The General Fund reserves have been declining for many years as revenues in the fund have not kept pace with operating expenses. The city has budgeted a structural deficit each of the last three years. General Fund reserves are at a low point and without significant change will continue to decline to a projected deficit in the 2027-28 fiscal year. This path is not sustainable.

The city has taken several steps in recent years to reduce costs and increase revenue. In fiscal year 2023–24, staffing levels in the General Fund were reduced. In fiscal year 2024–25, the City implemented a Public Safety Fee and referred a local option levy to fund the Library, Museum, and Parks, which did not pass. Most recently, the city listed several properties for sale, allocated funds to jumpstart economic development, and reviewed its comprehensive fee schedule to better align fees with the actual cost of providing services.

Discussion:

The Budget Committee and City Council have discussed the General Fund situation many times. The fiscal year 2025-26 budget again presented a structural deficit with expenses more than revenues for the year, and a resulting reduction of fund balance reserves. Staff was asked to provide in writing a path forward to stabilizing the General Fund for the long run. This report is staff's response to that request.

Proposed Motion:

I move to accept staff's Report to the Community: Fiscal Recovery Plan and authorize the City Manager or her designee to distribute the report to the community.

Attachment: Report to the Community: Fiscal Recovery Plan

The background of the page features a blurred image of a building with a prominent steeple, likely a church or town hall, under a clear blue sky. In the foreground, there are vibrant purple and red petunias in full bloom, adding a touch of color and life to the scene.

REPORT TO THE COMMUNITY

FISCAL RECOVERY PLAN

City of Independence Finance Department

2025

Executive summary

The City of Independence is—and has been—facing a serious budget shortfall, similar to many other local governments in Oregon. Simply put, the cost of operating the City has been rising faster than the revenues available to fund essential services. As a result, our General Fund reserves are at their lowest point in years and continue to shrink.

Although difficult decisions have already been made to buy us some time, additional tough choices are still needed. The City Council and Budget Committee will need to consider how to prioritize resources so that the City's limited funds support the most essential services. Some long-standing programs may have to be reduced or eliminated to balance the budget and stabilize the General Fund. Rather than addressing problems only as they arise, it will be important for city leaders to develop—and follow—a long-term financial strategy to resolve the underlying structural deficit and build a more secure financial foundation for the future.

This problem has been building since the late 1990s, when Oregon voters approved property tax limitations. These limitations cap growth in property tax revenues, while the cost of delivering services continues to rise at a faster rate. We are now at a point where we must decide which services to maintain based on the limited resources available. Many in our community are understandably asking why they are being asked to pay more while receiving fewer services.

This report explains where we stand today, what actions we are taking now, and what steps we need to take next to move toward a financially stable future.

Background

Our community is facing challenges that are common across Oregon. Nearly every city, county, and special district, no matter the size, is having a hard time providing the services people want or expect because costs keep rising faster than revenue. The days of cutting out the fluff from a city budget are long gone – those cuts have been made, and most cities are now to the point of further cutting services to the community, reducing operations, and limiting community access simply because the money is no longer there.

When budgets are tight, it makes sense to ask, “What can we afford?” We need to look at what services we offer now, how much they cost, and what we could cut with the least impact on the community. These questions seem simple, but they are often emotional and difficult to answer.

The City manages several different funds. Some of these are Enterprise Funds—such as Water, Sewer, and Stormwater—which are supported by user rates rather than property taxes. These funds are currently in a stronger financial position than the General Fund.

The City's General Fund, by contrast, is supported by multiple revenue sources the largest of which is property tax dollars—approximately \$2.7 million. For 2025–26, the General Fund budget

is approximately \$8 million. Below is a summary of the services the General Fund supports and the cost of each, as shown in the 2025–26 Adopted Budget:

- Public Safety/Police and Court - \$4.2 million
- Community Services (Library, Museum and Parks) - \$1.0 million
- Community Development/Planning - \$250,000
- Economic Development - \$100,000
- Building Inspection - \$250,000
- Support Services (administration, finance, human resources, IT) - \$1.0 million
- Debt Service (bond and loan payments) - \$450,000
- Contingency/reserve - \$750,000

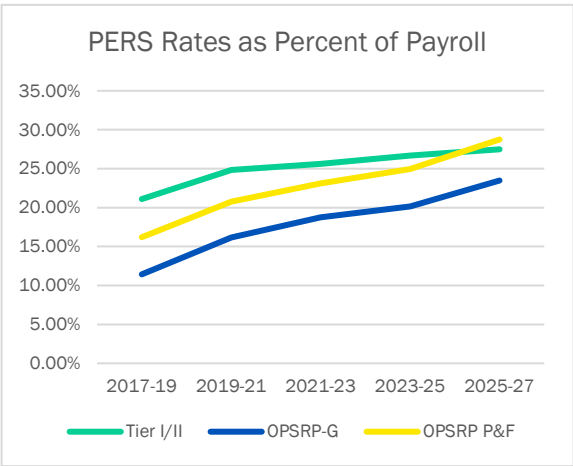
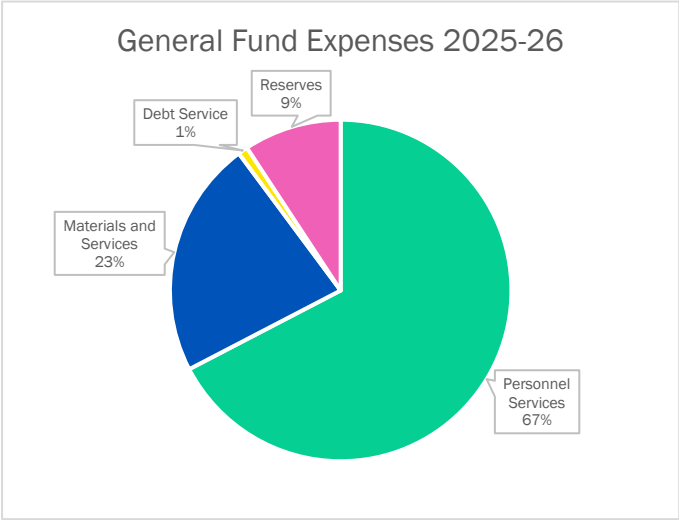
The General Fund gets its money from several sources, including property taxes, revenues collected by the State and passed through to the City, franchise fees from utilities doing business in Independence, the Public Safety Fee for the Police Department, and miscellaneous fees for services. For the 2025-26 fiscal year, we expect to receive \$7.5 million in revenue, about \$500,000 less than our planned spending. You might wonder how the city covers the difference. The answer is that we use reserves, which means spending some of the money we had on hand to start the year. When the City plans to spend more than it brings in, this is called a “structural deficit.” If we keep doing this year after year, as we have for many years, we will eventually use up all our reserves and have nothing left for emergencies. The City needs to keep about \$1.8 million in reserves to cover operations until property tax payments arrive in November.

As mentioned earlier, revenues are not keeping up with the rising costs of running the city. The General Fund’s revenues have grown by about 5% each year, but costs have increased by as much as 7-9% per year. While the city can influence some revenues, others are beyond our control. For example, under the Oregon Constitution, property tax growth is limited to 3% per year in assessed value, plus any new construction¹. The State of Oregon determines how much shared revenues are passed through to the city, and franchise fees are based on a percentage of revenues earned by utilities operating in Independence.

Changes at both the federal and state levels have an impact on the city. When federal income tax laws change, they influence Oregon’s income tax laws, the State’s General Fund, and funding available to local governments. Federal House Resolution 1 is expected to lower the State’s General Fund revenues by as much as \$888 million during the 2025-27 biennium. In addition, shared revenues from the State of Oregon, such as cigarette taxes, liquor taxes, and general shared funds, have also been declining over time.

¹ Property taxes are constitutionally limited in growth by Measures 5 and 50 dating back to the late 1990’s

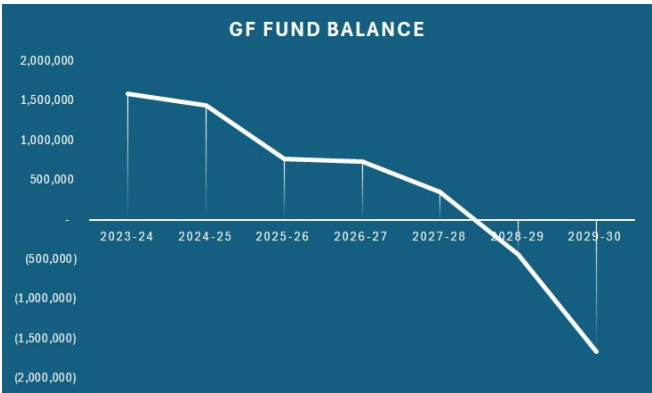
The cost of providing services is rising much faster than the 3% growth in property taxes, or 5% growth in General Fund revenue. These services include police protection, zoning and land use, maintenance of our parks, running the City’s Library and Museum, and support services, all funded by the City’s General Fund. The main reasons for higher costs are staff salaries and benefits, along with inflation affecting everything from books to police cars. Personnel services make up around 67% of the General Fund’s total expenses. Materials and services are the amounts the city pays for consultants, fuel, supplies, etc. and total 23% of the budget. These expenses are represented in the chart above.



Some costs are beyond the City’s control. The Oregon PERS Board sets PERS rates using actuarial and market data. By law, the city must pay employer premiums for retirement benefits, and these rates are updated every two years. The chart presents PERS rates the City of Independence paid over the last five biennia as a percentage of payroll. Tier I/II premiums cover long-term PERS members, while OPSRP rates apply to newer members. Police and fire personnel have higher premium rates than general employees. Costs such as these that are beyond the City’s control continue to strongly affect the availability of funds for

city operations and services.

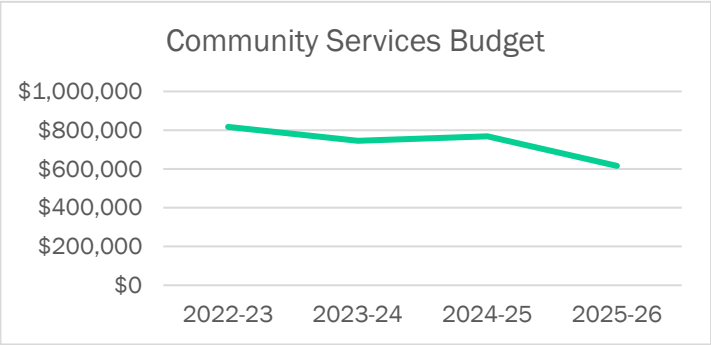
Relying on reserves to pay for daily operations cannot last. Eventually, those reserves will run out. Without enough money set aside in the General Fund, we have no safety net if an emergency or disaster happens. The chart on the right shows that, if we keep going as we are, the General Fund balance will fall below zero in the 2028-29 fiscal year. This is not an option for the City of Independence or any local government in Oregon. We need to make changes now. By doing so, we can keep the General Fund stable and continue to provide the services our community needs.



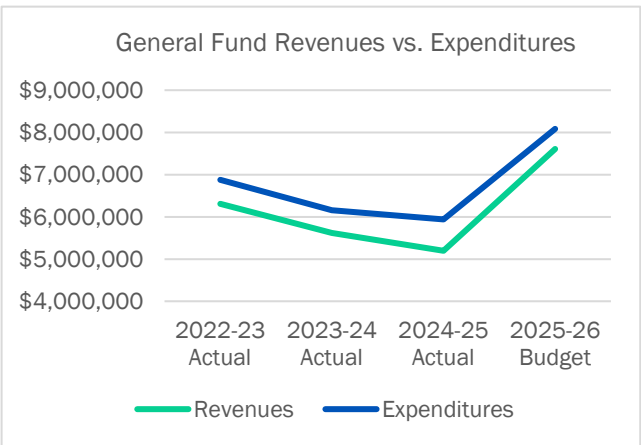
Where Are We Now?

The City of Independence needs to make an important decision. If we continue to spend more than we bring in, the outcome is clear, as shown in the chart above. We cannot allow the General Fund to go into deficit. As a community, we have a choice to make. The City Council will decide our direction, and City staff will carry it out.

Over the last two fiscal years, the city has taken measures to cut costs. We have scaled back operations at the Library and the Museum. We have cut staff and shortened the hours they are open to the public. These changes have a significant impact because both departments rely entirely on the General Fund for their budgets. The chart highlights about \$200,000 in budget cuts to the Library and Museum since the 2022-23 fiscal year.



Several other General Fund departments, such as Finance, Economic Development, and Building Inspection, have had staff and capacity reduced. City Hall is now closed on Fridays, but open longer Monday through Thursday so people can visit before or after work and during lunch. One person handles all planning and land use activities, including reviews and support for the City’s



Planning Commission. Attracting new businesses and industries to Independence is also managed by just one staff member and then only as a part of his overall responsibility.

Despite recent budget cuts, the City’s General Fund still faces higher costs than revenues, which reduces our reserves. The adjacent chart clearly shows that costs are greater than revenues. As we plan for the 2026-27 budget, the General Fund remains about \$1 million below its target reserve or contingency level.

What Are We Currently Doing?

In addition to the cost-cutting measures already taken, the City of Independence is working to fix the structural deficit and balance the General Fund budget. The City Council and Budget Committee meet regularly with staff to review policy direction and gather information. Their goal is to make decisions that will help keep the General Fund stable. Every day, the City Manager and staff work to control costs and run operations more efficiently.

A member of the City’s Budget Committee noted that the City cannot simply “cut our way out of this” when it comes to our General Fund challenges. This was an insightful and accurate observation. With a structural deficit like the one we are facing, the cost of operating will continue to rise while revenues continue to fall behind. There simply isn’t enough to cut to solve the problem. Rather, the member said, “we will need to grow our way out over time,” and stressed the

importance of investing in economic development to attract commercial and industrial businesses to Independence. These businesses are especially valuable because they are taxed at full value, unlike residential construction, and they also create jobs and boost the local economy. The Budget Committee set aside \$60,000 for the General Fund's Economic Development Department to contract additional help for these efforts. This is a long-term strategy, and part of a broader plan. The city is also focusing recruitment on businesses that match our available water and power resources.

With a change in management three years ago, new policies were put in place to provide for careful tracking of General Fund spending to see where the money goes and why. We use this information to assign costs to the operating funds that benefit from the services. Expenses like staff time, benefits, and software are charged directly to the funds that use them. This approach helps us clearly understand the cost of running programs in both the General Fund and Enterprise Funds, which is important for setting rates.

In the 2024–25 fiscal year, like any organization facing a structural deficit, the city made cuts and worked to increase revenue. As part of this effort, the city implemented a Public Safety Fee to help stabilize the Police Department and provide long-term funding for staff and equipment.

This fee is added in addition to existing General Fund revenues that already support the Police Department operations. The Police Department's annual budget exceeds \$4 million. Money to pay for the Police Department comes from \$2.7 million in property taxes, \$800,000 from the new Public Safety Fee, and an additional \$500,000 from other General Fund revenues

Staff recently finished reviewing all fees and charges in City departments. We aimed to set fees to at least cover the costs of providing each service. In many cases, we found that our current fees do not pay for the time, effort, and materials needed to provide the service. We also compared our fees to those in similar communities and found that ours are well below the median and average, especially for land use applications handled by our City Planner. Based on these findings, staff have recommended an updated fee schedule to the City Council for review and possible adoption. Although this is not a full solution, updating our fees is a key step in ensuring that our charges more accurately reflect the true cost of services.

In the 2025-26 budget, the City identified several properties that are now for sale. These include the current Museum building, some park properties, the sports field complex, and others. Selling these properties will bring in one-time funds to help rebuild General Fund reserves. Selling the Museum building will also allow the City to pay off its related loan, saving the General Fund over \$73,000 each year for the next three years.

The city recently received technical assistance through the Federal Department of Housing and Urban Development (HUD) to get help with our financial situation. A team of experienced consultants has finished a report that identifies effects on the General Fund and offers recommendations. They also created a financial forecasting model for the General Fund, which lets the City estimate future revenues and expenses using different assumptions and possible

scenarios. This tool will help us make better spending decisions and consider new revenue options in the future.

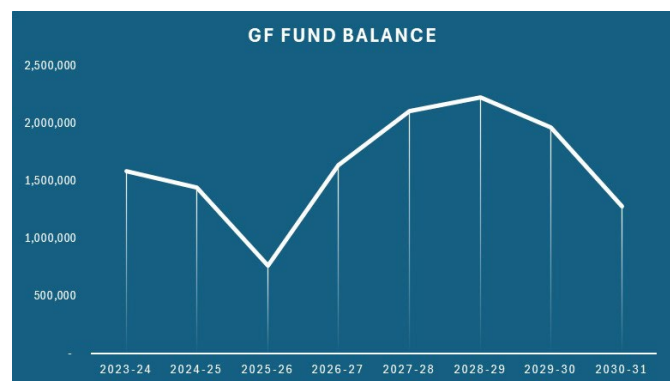
Finally, City staff are always looking for new grant opportunities and apply for them whenever possible. Most grants for operations are limited to specific projects, such as training or police enforcement. These grants can help fund projects and free up other General Fund resources. The HUD grant mentioned earlier is an example of funding that lets us explore solutions on a broader scale. Grants will continue to be an important part of our financial strategy in the future.

Path Forward

There is a path to financial recovery for the City's General Fund, but our resources are limited and cannot cover every request. The Council will need to make tough decisions, and it is unlikely that everyone will be fully satisfied with the outcome.

The City should use one-time resources and revenues to rebuild the General Fund reserves. These reserves are essential for maintaining operations until property tax revenues arrive each November and for responding to emergencies such as IT or facility equipment failures or other unexpected events. The funds available from the sale of the Museum building and park properties could be used to help restore these reserves. It would also be appropriate to close the Economic Development Loan Fund and the Tourism and Events Fund, transferring any remaining balances to the General Fund to further strengthen reserves. Lodging tax revenues could be recorded in the General Fund to help support operations. Once reserves are restored, the Council and Budget Committee can then focus on addressing the structural deficit during the annual budget process.

The city cannot fix the structural deficit with one-time revenue alone—we will need a sustained increase in ongoing revenue. Even with temporary boosts, revenues are expected to continue growing more slowly than costs. The chart illustrates that if properties are sold, revenues increase in 2026–27 and 2027–28. We expect revenue growth of about 5% while costs are assumed to rise by 7-8%. After the initial improvement, the fund balance gradually begins to shrink again over the next three years.



The city may consider a 5-year local option levy in 2026, either in May or November, to help fund Community Services including the library and museum, and parks. A levy of about \$1 for every \$1,000 assessed value would keep these services at current levels. If voters approve the levy, property taxes in the General Fund will go up starting in November 2027 and will increase by 3% each year. In the short term, the city could introduce a limited time fee to support Community Services until property tax funds become available.

Initially, the levy will raise General Fund revenues above total spending. However, as costs are rising faster than the levy's 3% growth, reserves will start to shrink again. To keep the fund sustainable, the levy needs to be combined with cost controls. If the levy does not pass, the city

may have to eliminate the Community Services Department and permanently close the library and museum.

As an alternative to a levy, the city could charge a monthly fee of \$11 in addition to the current Public Safety Fee that would increase with inflation. If the City chooses this option to support Community Services, the fee will need to grow by about 5.5% each year to cover the expected costs of operating at current service levels.

Starting in fiscal year 2026-27, the General Fund budget must balance annual expenses and revenues. Revenues for the General Fund are expected to rise by 5% compared to last year. Departments should keep their budget requests within a 5% increase from the previous year. Personnel service costs in the General Fund should also stay within a 5% increase. To manage these costs, departments can consider options like using vacancy savings, freezing or eliminating positions, sharing cost increases between the city and employees, and spreading personnel costs across different funds. These steps can affect operations and may mean reopening negotiations with bargaining units.

Changes in personnel practices and the effects on operations will affect the city's ability to hire and retain quality team members. Similarly, sharing increasing costs of health insurance directly affects overall employee compensation. Retirement premiums paid to Oregon PERS, which the city has no control over, go up every other year. To cover these increases, City leadership will need to reduce other costs. The city must balance these changes with the need to keep the General Fund strong for long-term operations.

The city may need to cut back operations or remove some programs within the General Fund. The Council and Budget Committee will have to decide what counts as "essential services" as they set budget priorities and decide how to use resources. Community members may consider library services essential when describing the quality of life in our community, along with the Museum. However, there are no legal requirements that the city provide these services. In some communities, libraries are run by Library Districts, and museums are managed by nonprofit organizations.

Conclusion

The City of Independence is facing tough financial choices. Right now, the General Fund spends more than it receives each year, which cannot continue. If nothing changes, the General Fund is expected to run out of money in fiscal year 2028-29.

To restore the General Fund, the city will need to sell some properties and reduce spending. The city will also ask the community to help pay for the services they value. If the community chooses not to support these services, some may be discontinued. The 2026-27 budget will require more cuts and changes to balance revenues with expenses without further reducing reserves.

The 2026-27 fiscal year is a chance for the city to change courses and bring stability back to the General Fund. It will be challenging, but there is a path forward.



CITY OF INDEPENDENCE MEMORANDUM

TO: Mayor and City Council
FROM: City Manager Kenna West
MEETING DATE: November 25, 2025
SUBJECT: Resolution #25-1642, Creation of an Ad Hoc
Community Services and Parks Sustainability
Committee

☐ Information Only

☒ Action Requested

Statement of the Issue

Due to the City's structural budget deficit and the resulting financial constraints, the long-term sustainability of Community Services and Parks is uncertain. Community members have expressed interest in forming a task force or committee to explore sustainability options for these services, including the Library, Heritage Museum, and Parks.

Background

The City has been facing a structural deficit for several years. This means that the cost of operating the City continues to increase at a faster rate than the revenues available to fund services. Although the City has reduced staffing, expenses, and hours of operation—and has implemented efficiencies wherever possible—a gap remains that will lead to ongoing budget shortfalls.

In 2024, the City referred a five-year operating levy to voters; the measure did not pass. Without additional revenue, core community services such as the Library, Heritage Museum, and Parks will become increasingly difficult to sustain. In response to the levy's failure, community members have expressed a desire to be more directly involved in identifying, evaluating, and implementing long-term funding and sustainability strategies. Forming an Ad Hoc Committee is the most effective avenue for this engagement.

Independence Municipal Code Chapter 2, Article III, Section 2-68 authorizes the City Council to establish temporary advisory bodies to consider matters of interest. When forming an Ad Hoc Committee, the Council must define the number of members, the scope of duties, and the duration of service.

Discussion

Given the significant public interest in sustaining these services, staff recommends the creation of a temporary committee to evaluate, recommend, and if necessary, implement options for the long-term viability of Community Services and Parks as follows:

Proposed Ad Hoc Board Structure:

- Name: Community Services and Parks Sustainability Committee
- Duration: 12 months from the date of appointment, with the option to extend once for an additional 6 months by motion and vote of the Council
- Membership: A minimum of five and a maximum of seven members which will be made up of interested community members that may include not only community members not already serving on City Boards/Committees/Commissions, but also members currently or previously having served on City Boards, Committees, or Commissions.
- Purpose: To review, recommend, and if necessary, assist in implementation of sustainability options for Community Services and Parks, including potential revenue strategies, operational models, and other revenue generating approaches that support long-term service delivery

Scope of Work:

The Committee will work with staff to research, identify, and evaluate options for sustaining Community Services—including the Library, Heritage Museum, and Parks—and will provide recommendations to the City Council on how the City could proceed.

If the Council approves any recommendations, the Committee may also be given the latitude to work with staff and/or the Council to support the implementation of those measures.

Appointment of Members

Under the City Charter and Municipal Code, the Mayor is responsible for appointing members to City boards, commissions, and committees, subject to Council confirmation. Mayor Schwarzler will present her recommended appointments for this Committee at the November 25, 2025 City Council meeting.

Recommended Motion

Staff recommends the following motion:

“I move that the Council adopt Resolution #25-1642 approving the formation of the Community Services and Parks Sustainability Committee as proposed and confirm the Mayor’s recommended appointments.”

Prepared by Kenna West, City Manager

**BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE,
COUNTY OF POLK, STATE OF OREGON**

A Resolution Authorizing the Formation of an Ad Hoc)
Committee and Approving Mayor Schwarzler's)
Recommended Appointments)

RESOLUTION NO. 25-1642

WHEREAS, the City of Independence has a structural deficit resulting in budget constraints which could affect the long-term sustainability of Community Services including the Library, Heritage Museum, and Parks; and

WHEREAS, the City placed a five-year operating levy on the ballot in 2024 which did not pass, resulting in further budget constraints; and

WHEREAS, in response to the levy's failure community members have expressed a desire to be more directly involved in identifying, evaluating, and implementing long-term funding and sustainability strategies for Community Services including the Library, Heritage Museum, and Parks; and

WHEREAS, Independence Municipal Code Chapter 2, Article III, Section 2-68 authorizes the City Council to establish temporary advisory bodies for the purpose of considering specific matters of interest to the City; and

WHEREAS, the Council finds that the formation of an Ad Hoc Committee relating to the sustainability of Community Services including the Library, Heritage, and Parks is in the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, OREGON AS FOLLOWS:

Section 1. Formation and Purpose of the Ad Hoc Board

There is hereby established a Community Services and Parks Sustainability Committee, which shall serve as a temporary Committee to the Council.

- **Purpose:** To review, recommend, and if necessary, assist in implementation of sustainability options for Community Services and Parks, including potential revenue strategies, operational models, and other revenue generating approaches that support long-term service delivery.
- **Duration:** The Board shall serve for 12 months from the date of appointment. The Council may extend the duration once for an additional 6 months by motion and vote.
- **Membership:** The Committee shall consist of a minimum of five and a maximum of seven members which will be made up of interested community members that may include not only community members not already serving on City Boards/Committees/Commissions, but also members currently or previously having served on City Boards, Committees, or Commissions.

Section 2. Scope of Work

The Committee will work with staff to research, identify, and evaluate options for sustaining Community Services—including the Library, Heritage Museum, and Parks—and will provide recommendations to the City Council on how the City could proceed.

If the Council approves any recommendations, the Committee may also be given the latitude to work with staff and/or the Council to support the implementation of those measures.

Section 3. Appointment of Members

Pursuant to the City Charter and Municipal Code, the Mayor has the authority to appoint members to boards and committees, subject to Council approval. The Council hereby confirms the Mayor's recommended appointments to the Community Services and Parks Sustainability Committee as she named them at the November 25, 2025 meeting and whose names can be found in the Minutes of the November 25, 2025 meeting.

ADOPTED by the City Council:
SIGNED by the Mayor:

KATE SCHWARZLER, MAYOR

ATTEST:

Myra Russell, City Recorder



INDEPENDENCE

Oregon's Story Begins Here

PUBLIC HEARING REVISIONS TO MOBILE VENDING STANDARDS (FILE NO. LA | 2025-05) STAFF REPORT

MEETING DATE:	November 25, 2025
FILE NUMBER:	LA 2025-05
RE:	REVISIONS TO MOBILE VENDING STANDARDS
CRITERIA:	Oregon State Planning Goals Independence Comprehensive Plan Independence Development Code (IDC) -Subchapter 10: General Provisions -Subchapter 11: Administrative Provisions
CONTENTS:	I. Summary II. What is the Problem? III. What is the Proposal? IV. What We have Heard V. Staff Findings – Oregon State Planning and Independence Comprehensive Plan Goals VI. Staff Findings – Independence Development Code
ATTACHMENTS:	A. IDC Subchapter 84: Mobile Vending Locations (5 pages) B. IMC Chapter 8: Article 11. Mobile Vending Devices (10 pages) C. Comment from Chase, August 27, 2025 (2 pages)

I. SUMMARY

At the meeting of November 25, 2025, the Independence City Council will hold a public hearing on revisions to the Independence mobile vending standards.¹

II. WHAT IS THE PROBLEM?

In recent years, Independence has seen more mobile vendors and food trucks. To operate, each vendor must apply for a permit and work with a property owner to make necessary improvements—like installing pipes to connect to the wastewater treatment system. This process is complicated and puts all the responsibility on the vendor, even though they will only be located on a site temporarily. It also leaves out the property owner, who is directly affected and will benefit from the setup.

¹ This report uses the term mobile vending devices to refer to food trucks as well as other portable devices that may be used to sell merchandise.

The problem is more obvious when multiple vendors use the same site. Under the current code, each vendor applies for a separate permit, and the city does not consider the property as a whole. Issues like wastewater, trash collection, and parking, which are better handled together at the site level, are reviewed separately for each vendor.

This current vendor-focused, piecemeal approach does not create mobile vending/food truck locations that function well as a whole.

III. WHAT IS THE PROPOSAL?

Rather than permitting each vendor separately, the proposed approach would permit the site first, working with the property owner to install needed improvements like water and wastewater. Once the site was ready, vendors could then apply for a simpler permit to operate at the location, making it easier for food trucks to set up and leave without repeating the whole process.²

The changes would:

- Involve property owners from the start.
- Better plan and build sites for multiple vendors.
- Make it easier for vendors to operate from approved locations.

In addition to these changes, the revisions would enhance the existing mobile vending standards (based on lessons learned over several years of permitting mobile vending devices) and:

- Establish two separate types of locations that are available for mobile vending units – mobile vending pads and mobile vending pods – to better reflect the types of locations where mobile vending occurs (see definitions in IDC 84.030).
- Define the improvements, such as restroom facilities, and wastewater and water connections, that are necessary to accommodate mobile vending at specific locations (see draft standards in IDC 84.040).
- Establish improved standards for lighting, signage and spacing (see provisions IDC 84.040(I), (J) and (K)).

The proposed approach would engage the property owner to install necessary site improvements, encourage the more comprehensive development of mobile vending sites and ensure that the standards reflect the learning that the City has gained from permitting mobile vending/food truck uses.

IV. WHAT WE HAVE HEARD

To provide notice of the proposed change, the City sent direct mailings to each of the properties that have mobile vending units/food trucks and posted details about the change online.³ Additionally, staff included information about the public hearings in the City of Independence newsletter and on the City's Facebook page.

To date, the City has received one comment about the proposal (see Attachment C). This comment raised concerns about the impact of food trucks on brick-and-mortar restaurants and suggested a limitation on the number of food trucks that are allowed in Independence. The Planning Commission considered this comment and weighed a potential limitation on the number of units downtown. The language considered by the Commission read:

Limitations on the Number of Licenses Issued for Mobile Food Units in Downtown Overlay Zone. The City shall issue no more than 8 licenses for mobile food units to be located within the Downtown Overlay Zone

² Please see IDC Subchapter 84 (Attachment A) to see the standards for locations, and IMC Chapter 8 (Attachment B) for the standards for individual mobile vending devices

³ The City of Independence did not send notice to individual mobile vendors that are currently in operation in the City, as the requirements to continue their operation would remain the same under these code changes. Requirements that apply to current mobile vending operations include the need to annually renew their approval.

Following significant discussion about the language, the Commission felt that they were not suited to set a limit on the number of mobile vendors and recommended that the City Council weigh the item. The existing draft does not contain any limitation on the number of units, but staff could easily reinsert the suggested language.

The comment also raised concerns about the impacts of food trucks on available parking and the appearance of downtown. These comments are addressed in part below.

V. STAFF FINDINGS - OREGON STATE PLANNING AND INDEPENDENCE COMPREHENSIVE PLAN GOALS

Updates to the Independence Development Code are required to meet the Oregon State Planning Goals. Among these goals include provisions related to Citizen Involvement (Goal 1), Land Use Planning (Goal 2), Economic Development (Goal 9), Transportation (Goal 12), and Urbanization (Goal 14). Combined these goals seek to “accommodate urban population and urban employment inside urban growth boundaries” and “ensure efficient use of land” (see Goal 14), while assuring that citizens are involved in the planning process and considerations related to future transportation and economic development are made.

The Oregon State Planning Goals are implemented in part in Independence through the goals, policies and standards of the Independence Comprehensive Plan and the Independence Development Code.

The proposed mobile vending standards have been drafted based on this planning framework. Key findings related to the proposed changes are addressed below:

Goal 1. Citizen Participation. Goal 1 of the Oregon State Planning Goals looks “to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.” This goal is implemented by the Citizen Involvement Element of the Comprehensive Plan, as well as Subchapter 11 of the Independence Development Code.

To provide notice of the proposed changes, the City posted notice on its website, in its bi-weekly newsletter, on its Facebook page, and posted/mailed notice to:

- Every property that has a mobile vending use.
- The State Department of Land Conservation and Development “PAPA” website.
- The Polk County Itemizer-Observer.

The proposed changes were also discussed by the Independence Planning Commission in a work session on July 7, 2025, and heard at public hearings before the Independence Planning Commission on September 8 and October 6 (both of which were streamed live and posted to YouTube). The Independence City Council will additionally hold a public hearing on the proposal on November 25th.

Given the number of hearings and methods of notice provided, individuals have had and will have several opportunities to learn about the proposed code change and to be involved in the process. This goal will be achieved.

Goal 2. Land Use Planning. Goal 2 of the Oregon Planning Goals looks “to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.” This goal is implemented by the Land Use Element of the Independence Comprehensive Plan, which seeks “to encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs,” as well as the Independence Development Code.

The draft mobile vending standards support this framework by seeking to modify the standards for mobile vending devices to best suit the character of Independence.

The amendments look to:

- Better engage with landowners as they develop mobile vending pads and pods.

- Encourage better designed locations for mobile vendors/food trucks in Independence.
- Streamline the mobile vendor/food truck review process for food truck operators that look to operate on an approved site.

The amendments also address problems that have arisen under the current code over the past few years. This goal has been met.

Goal 9: Economic Development. Goal 9 of the Oregon State Planning Goals looks “to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.” This goal is implemented in part by the City of Independence Comprehensive Plan Economic Development Element and its vision “to provide for and maintain a viable and diverse economy while preserving the present sense of community and high level of environmental quality.”

The draft mobile vending standards support these goals. Current rules make it possible for people to start a small business on a trial basis, before investing in a permanent location. The proposed revisions take this encouragement of small business one step further by encouraging improved design for food truck areas—such as requiring mobile vending pods to connect to city water and sewer—and simplifying the permit process for new vendors (once a mobile vending location has been established).

As noted in the public comment received for this proposal (see Attachment C), food truck operations often operate with lower overhead than brick-and-mortar restaurants and compete with the businesses. However, the best way to address this concern is complicated. Some food trucks, especially those offering unique food options, don’t directly compete with existing businesses — they provide something new. Similarly, while food trucks may have a smaller overhead, they also lack many of the benefits associated with a permanent restaurant, such as the ability to host events, offer indoor seating, and serve alcohol. These advantages at least in part help explain the higher costs associated with a fixed restaurant. The City Council should weigh these items, among others, in evaluating how best to regulate the number of mobile vendors/food trucks in Independence.

Goal 11: Public Facilities. Goal 11 of the Oregon State Planning Goals looks “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” This goal is implemented in part by the Independence Comprehensive Plan Public Facilities Element and its related capital facilities plans (including the Wastewater System Plan and Water Master Plan).

The proposed changes to the mobile vending standards support Oregon State Planning Goal 11 and adopted city facility goals and plans. The standards clarify how water and wastewater treatment may be provided for mobile vending operations including:

- Requiring a connection to the public water/sewer system when more than one mobile vending device is located on a site.
- Allowing a self-contained water and wastewater system when a site allows a single mobile vendor (see IDC 84.040(D)).

Additionally, the standards clarify the expectations for a bathroom, requiring:

- Permanent restroom facilities for employees when multiple vendors are located on a site.
- A permanent restroom for employees within 300 feet of the activity when a single mobile vending device is sought (see IDC 84.040(L)).

Goal 12: Transportation. Goal 12 of the Oregon State Planning Goals seeks “to provide and encourage a safe, convenient and economic transportation system.” No increase in the number of mobile vending units that are allowed in the community (and hence no increase in the anticipated amount of traffic) will occur because of the proposed changes to the standards.

Goal 14: Urbanization. Goal 14 of the Oregon State Planning Goals looks “to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban

growth boundaries, to ensure efficient use of land, and to provide for livable communities.” This goal is implemented through the Intergovernmental Agreement between Polk County and the City of Independence Regarding the Urban Growth Boundary, the Urbanization Element of the Independence Comprehensive Plan, and the Independence Development Code.

The proposed amendments to the mobile vending standards help achieve these goals. The city currently allows mobile vendors/food trucks, and the amendments would:

- Continue to offer the opportunity to start a small business, while simplifying the opportunity for an entrepreneur to locate on an approved site.
- Promote the efficient use of land, better using vacant or underutilized parcels.
- Encourage a high degree of livability, offering of a variety of mobile vending/food options at well-designed sites.

All told, the changes to the mobile vending standards help to promote the overall livability of Independence. Mobile vending locations are often sited in areas that are not otherwise used for either activity or economic benefit, and the units promote added vitality. Additionally, successful food truck businesses regularly move into brick-and-mortar buildings – helping to further enhance community quality of life. While mobile vendors/food trucks offer competition to existing businesses, the activation of underutilized spaces and creation of more business options generally encourages community livability.

Given these items, Goal 14 will be achieved.

Based on these considerations, the proposed changes effectively balance considerations about land use, economic development, public facilities, and transportation. While the City Council may elect to make further revisions to the code, the proposed code change generally achieves the Oregon State Planning Goals.

VII. STAFF FINDINGS – INDEPENDENCE DEVELOPMENT CODE

Beyond the Oregon State Planning and Independence Comprehensive Plan goals, the proposed changes are required to conform with the standards of the Independence Development Code.

Subchapter 10: General Provisions

...

10.040 Amendment of Development Code

Any amendment of the text of this development code shall be accomplished by ordinance of the City Council. Proposals for such amendments shall be submitted to the Planning Commission for public hearing. The Planning Commission shall submit to the City Council its written recommendation regarding the proposed amendment. Such recommendation shall be submitted to the City Council within 30 days of the Planning Commission's action on the proposed amendment. Notice shall also be provided to state land use agencies in accordance with statutory requirements. This is a Type IV action – See 11.002 (D).

Staff Response: The Independence Planning Commission held a public hearing on the changes on September 8 and October 6. Following the hearing, the Commission discussed whether they wanted to make any changes and offered a recommendation to the Independence City Council.

The City Council will consider the proposed changes at a public hearing on November 25. At the meeting, the Council will be given a draft of an ordinance to potentially adopt the changes. Given this process, this standard will be met.

...

Subchapter 11: Administrative Provisions

11.002 Application Types and Review Procedures

All development permits and land use actions are processed under the City's administrative procedures. There are four types of actions, each with its own procedures.

...

D. Type IV Action

A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. Private parties may request a Type IV action; however, it must be initiated by the Planning Commission, or City Council. The City Council makes the final, local decision. Sections 11.025 and 11.030 list the notice and hearing requirements.

1. Amendments and Revisions of the Comprehensive Plan
2. City Plan Document Adoption, e.g. Water System Plan
3. Zoning Code Amendments

Staff Response: Staff has reviewed the amendment as a Type IV – Legislative Review, which was originally initiated by staff and the Independence Planning Commission. This standard has been met.

11.015 General Provisions

In order to provide for citizen review of the planning process and the orderly keeping of records of actions relating to this Ordinance, the City shall ensure that the following measures are maintained and available for public review.

...

Staff Response: Staff has taken appropriate steps to ensure compliance with the standards in Independence Development Code Section 11.015, including publishing a notice of the changes in the Polk County Itemizer-Observer, writing a staff report for the revisions, and keeping a file for the proposal. This standard has been achieved.

11.025 Notice of Public Hearings

...

B. Legislative Hearings (Type IV). Notice of Public Hearing by the Planning Commission or City Council relating to any legislative action shall be published in a newspaper of general circulation a minimum of 10 days prior to the date of the hearing. Notice shall be provided to the Department of Land Conservation and Development in conformance with DLCD rules prior to the first evidentiary hearing by the City for any legislative action.

Staff Response: Staff sent notice of the changes to the Oregon Department of Land Conservation and Development on July 14, 2025, and included information about the changes on the City of Independence Planning Department website. Staff additionally published a notice of the public hearings in the Polk County Itemizer-Observer on August 20 and November 12, 2025. This standard has been met.

SUBCHAPTER 84: MOBILE VENDING LOCATIONS

Please Note: This new subchapter would regulate the approval of locations for mobile vending devices. Many of the standards previously existed in IMC Section 8. The related standards for mobile vending devices would remain in IMC Section 8.

84.010 Purpose.

The purpose of this subchapter is to regulate the locations of mobile vending devices and mobile food units.

84.020 Applicability.

This subchapter does not apply to:

- A. Lemonade stands and other similar limited sales by minors.
- B. Garage sales.
- C. Car wash fundraisers.
- D. Vendors at farmers' or flea markets while working under the event organizer's city-granted authorization.
- E. Mobile vendors conducting business at a community event or on a temporary street closure while working under the event organizer's city granted authorization.
- F. The sale of raw agricultural products or commodities marketed for human consumption, where the vendor does not prepare, process or convert the item, for no more than seven days within a 30-day period.

84.030 Definitions.

The following words, terms and phrases, when used in this subchapter, shall have the meanings ascribed to them in this subchapter, except where the context clearly indicates a different meaning:

“Conduct business” means carrying, conveying, transporting, selling or offering for sale food or beverage of any type or fresh cut flowers, balloons, souvenirs, other non-food merchandise for immediate delivery, or service either from a mobile vending device or as a pedestrian.

“Mobile food unit” is any moveable motor vehicle, trailer or wagon that is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curb or walk-up service.

“Mobile vending device” includes devices used to conduct business, such as pushcarts as defined in this section, motorized vehicles, trailers, recreational vehicles, or any device in, upon or by which any person or property is or may be transported, moved or drawn or any structure or enclosure, which because of its size, construction or use of materials is not regulated by the Uniform Building Code. Mobile vending devices include mobile food units, as well as mobile devices that sell items other than food.

“Mobile vending location” is a location approved by the City to conduct mobile vending. A mobile vending location may be either a mobile vending pad or a mobile vending pod.

“Mobile vending pad” means a location that allows one mobile vendor and their associated amenities.

“Mobile vending pod” means a location that allows two or more mobile vendors and their associated amenities under common management on one property.

“Mobile vendor” is any person(s), entity(ies) or other parties that conduct business either from a mobile vending device, pushcart, table, tent or other temporary device.

“Pushcart” means a wheeled, non-motorized vehicle of such size and weight that it may be easily moved by no more than two people.

“Sidewalk” means that portion of the street between the curblines or the lateral lines of a roadway and the adjacent property line intended for the use of pedestrians.

84.040 Standards

Mobile vending locations shall be processed using the Site Design Review requirements in Subchapter 80. The following standards shall be used by the City Manager or designee to process the permits:

- A. Allowed zones. Mobile vending locations are allowed in all zones except the Low Density Residential (RS), Medium Density Residential (RM), High Density Residential (RH), and Mixed Density Residential (MX) zones.
- B. General location requirements. Mobile vending locations are only allowed in paved parking lots or other hard surface areas.
- C. Use of public right-of-way or city property:
 - 1. Mobile vending pads are not allowed within a public right-of-way or on other city property, unless:
 - a. The applicant demonstrates that the use will not have a negative impact to pedestrian or vehicular travel and
 - b. The city agrees to the use of the location prior to the submittal of the application.
 - 2. Mobile vending pods are not allowed within a public right-of-way or on city-owned property, unless the city initiates the application.
- D. Clear travel ways. Mobile vending locations, including all vehicles, devices and items associated with the operation, shall not obstruct travel lanes, driveways, drive aisles of any off-street parking area, or pedestrian pathways. The City Manager may consider adopted, non-discretionary city standards, including but not limited to the standards set forth in the Independence Development Code and the City Public Works Standards to ensure this standard is met.
- E. Sufficient parking. Mobile vending locations shall only be allowed in areas that have adequate parking for the use and any other activities on the site. The number of spaces needed for mobile vending locations shall be determined using the Table in Section 73.010, and be calculated based on the amount of seating area that is available for restaurant uses and the amount of display area that is available for retail

- and service uses. If the location fails to maintain adequate parking at any point during the life of the use, the city may revoke the permit pursuant to Section 84.040(O).
- F. Disposal of waste. Locations approved for mobile vending shall maintain clean environs, pick up any litter that is deposited by any person on the subject property and dispose of the waste generated by mobile vending activities.
- G. Utilities.
1. Mobile Vending Pads. A mobile vending pad that is intended to accommodate a mobile food unit may connect to City services or utilize self-contained water and graywater tanks. When an applicant seeks to rely on a tank to store graywater, the mobile vendor that utilizes the site shall ensure that the unit is regularly pumped.
 2. Mobile Vending Pods.
 - a. Water and Sewer Service. Connection to the City water and sewer systems are required for all mobile vendor pods. Applicable City Public Works Design Standards and/or the Oregon Plumbing Specialty Code standards shall be met.
 - b. Stormwater. Stormwater treatment, when required, shall be consistent with the Independence Public Design Standards.
- H. System development charges. Applicable System Development Charges shall be paid prior to the issuance of any development permits in accordance with the Independence Municipal Code, Chapter 34, Article VII, Utility System Development Charges.
- I. Lighting. Site lighting proposed for a mobile vending location shall be shielded and directed downward and shall not spill onto adjacent properties.
- J. Signage.
1. Mobile Vending Pads. Signs for a mobile vending pad shall be limited to what may be displayed on the mobile vending unit and a sign that meets the standards for sandwich board or temporary signs in Independence Development Code Section 58.040(N). No feather flags or other signs prohibited in IDC 58.150 are allowed.
 2. Mobile Vending Pods. Signs for a mobile vending pod (and any other use on a subject site) shall meet the size standard in Subchapter 58.190(A). Individual mobile vending devices may be allowed to have additional signage on the mobile vending device and to have a sandwich board or temporary sign so long as the sign is located entirely on the site associated with the mobile vending pod. No feather flags or other signs prohibited in IDC 58.150 are allowed.
- K. Drive through not allowed. No location proposed for mobile vending shall operate as a drive-through facility, as defined in the Independence Development Code, Subchapter 13.
- L. Spacing requirements. All mobile vending units shall meet the setbacks for the underlying zone and allow five feet of separation between each unit. Potentially flammable and/or explosive items shall additionally meet the setbacks required in the Oregon Fire Code.

M. Restroom Facilities.

1. A mobile vending pad shall be located within a 300-foot walking distance of an available permanent restroom for employees during all anticipated hours of operation. For any property that is not under the control of the applicant, a signed agreement that allows the use of the restroom shall be provided as part of the application.

2. A mobile vending pod shall have a permanent restroom that is available for employees during all anticipated hours of operation. The restroom shall be located on the same site as the mobile vending pod and be within 300 feet of every mobile vending space.

N. Conditions of Approval. A mobile vending location shall comply with applicable conditions of approval for previous land use decisions for the subject property.

O. Violation. The property owner and any representative of the property owner shall be jointly and severally responsible for any violation of this Subchapter or other applicable Subchapters of the Independence Development Code. Any such violation may result in the immediate revocation of a mobile vending location approval granted under this Subchapter and/or any mobile vending device license issued under Independence Municipal Code Chapter 8, Article XI and may result in the denial of any future mobile vending license for the site upon which the violation occurred.

84.050 Application

A. No person may establish a new location for mobile vending without first submitting an application and obtaining a permit under this Subchapter 84 from the City Manager or his or her designee.

B. Each application shall be accompanied by a nonrefundable fee, as established by Council resolution.

C. Applications shall be made in a form approved by the City Manager.

D. The application shall include, but not be limited to, the following information:

1. The name and address of the property owner. For the purposes of this code, the property owner will be considered the applicant for the project.

2. A site plan that shows the following information:

a. The anticipated types of mobile vending devices that will occupy the location.

b. The proposed location of the mobile vending devices, and the distance to the property lines and nearby sidewalks, driveways or structures.

b. The location of the hard-surface area where mobile vending devices will be located.

c. The location of any power service to a mobile vending space.

d. The location of proposed garbage and recycling receptacles, restrooms, chairs, tables and other site features.

e. The location of the public water, sanitary sewer and storm drainage lines (if applicable). If the applicant proposes a mobile vending pad, served with self-

contained water and/or graywater tanks, the applicant should specify the plan anticipated for the disposal of wastewater and gray water.

- f. The location of any proposed lighting.
 - g. A traffic plan, showing the in/out flow of cars; and the parking for customers and employees.
- E. Mobile vending devices may operate on city-owned property subject to a site-specific lease or license, with the city approving the use and location, which is conspicuously displayed on-site.

84.060 Form and conditions of permit

- A. The City Manager shall grant a Site Design Review permit for a mobile vending location if the City Manager or designee finds that the mobile vending location meets the standards set in Sections 84.040 (Standards) and 84.050 (Application), can comply with all applicable City Code provisions, and will not detract from the health, safety, and general welfare of the city.
- B. Site Design Review approvals issued under this subchapter shall be in a form prescribed by the City Manager and contain the following conditions:
- 1. The approved mobile vending location shall be valid only when used in conformance with the Site Design Review approval.
 - 2. The Site Design Review approval shall be subject to the conditions and restrictions of this subchapter.
- C. Under an approved permit, no mobile vending location shall:
- 1. Operate in a manner which creates a danger to persons or property.
 - 2. Deliberately hinder or impede pedestrian or vehicular traffic.
 - 3. Obstruct the clear vision of the driver of any vehicle.
 - 4. Operate in a manner which will hinder emergency or utility services.
 - 5. Operate in violation of any of the city's land use regulations or municipal codes.

MOBILE VENDING DEVICES

Please Note: These standards would regulate mobile vending devices that are proposed for approved locations. Approved mobile vending locations would be established per the related requirements in the proposed Subchapter 84.

Sec. 8-416. Purpose.

~~The purpose of this section is to regulate mobile vending, mobile vending devices and mobile food units. The purpose of this subchapter is to regulate the operation of mobile vending devices and mobile food units at approved mobile vending locations.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-417. Applicability.

This section shall not apply to:

- (a) Lemonade stands and other similar limited sales by minors.
- (b) Garage sales.
- (c) Car wash fundraisers.
- (d) Vendors at farmers' or flea markets while working under the event organizer's city-granted authorization.
- (e) Mobile vendors conducting business at a community event or on a temporary street closure while working under the event organizer's city granted authorization.
- (f) The sale of raw agricultural products or commodities marketed for human consumption~~consumables~~, where the vendor does not prepare, process or convert the item, for no more than seven days within a 30-day period.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-418. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Conduct business means carrying, conveying, transporting, selling or offering for sale food or beverage of any type or fresh cut flowers, balloons, souvenirs, other non-food merchandise for immediate delivery, or service either from a mobile vending device or as a pedestrian.

Mobile food unit is any moveable motor vehicle, trailer or wagon that is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curb or walk-up service.

Mobile vending device includes devices used to conduct business, such as pushcarts as defined in this section, motorized vehicles, trailers, recreational vehicles, or any device in, upon or by which any person or property is or may be transported, moved or drawn or any structure or enclosure, which because of its size, construction or use of materials is not regulated by the Uniform Building Code.

Mobile vendor is any person(s), entity(ies) or other parties that conduct business either from a mobile vending device, pushcart, table, tent or other temporary device.

Pushcart means a wheeled, non-motorized vehicle of such size and weight that it may be easily moved by no more than two people.

Sidewalk means that portion of the street between the curblines or the lateral lines of a roadway and the adjacent property line intended for the use of pedestrians.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-419. Standards. Mobile Vending License for Approved Mobile Vending Locations

~~(a) The following standards shall be used by the City Manager, per section 8-422, to process mobile vendor permits:~~

~~(a) — Allowed zones. Mobile vendors may operate in all zones except the RS, RM, RH, and MX zones.~~

~~(b) — General location requirements. Mobile vendors may only operate in paved parking lots or other hard surface areas.~~

~~(c) — Use of public right-of-way. Mobile vendors may not operate or locate within a public right-of-way, unless the applicant demonstrates that the use will not have an impact to pedestrian or vehicular travel and the city approves such use by permit.~~

~~(d) — Use of city property. Mobile vendors may operate on city-owned property, if the location is approved as part of the permit.~~

~~(e) — Clear travel ways. Mobile vendors, including all vehicles, devices and items associated with the operation, shall not obstruct pedestrian pathways, driveways or drive aisles of any off-street parking area and shall not be located anywhere except the specific location designated in an approved permit. The City Manager may consider adopted, non-discretionary city standards, including but not limited to city vision clearance standards set in Independence Development Code Section 75.050 and City Public Works Standards, to determine appropriate locations.~~

~~(f) — Sufficient parking. Mobile vendors shall only be allowed in locations that have adequate parking to accommodate the use, and any existing uses on the site. Mobile vendors permitted under this article must maintain adequate parking (per Independence Development Code Subchapter 73) at their locations at all times. A determination of the needed spaces shall be based on the amount of seating area that is available for restaurant uses, and the amount of display area that is available for retail and service uses, plus one parking space. If a mobile vendor fails to maintain adequate parking, the city may revoke his or her mobile vending permit pursuant to section 8-423.~~

~~(g) — Disposal of waste. Mobile vendors shall account for the waste generated by the proposed use, including solid waste and wastewater. Receipts proving continued wastewater and solid waste disposal service may be requested by the city at any time during the permit term.~~

~~(h) — Clean environs. Mobile vendors shall pick up any paper, cardboard, wood, or plastic containers, wrappers, or any litter which is deposited by any person within 20 feet of the mobile vendor when conducting business.~~

~~(i) — Site-obscuring materials. All mobile food units or mobile vending devices parked in an approved location for more than seven days shall provide sight-obscuring materials for all conduit, tanks and storage areas visible to the public and skirting along the perimeter of the mobile food unit or vending device. Sight-obscuring materials include screening, fencing or temporary landscaping and must comply with all applicable city ordinances and codes.~~

~~(j) —Transportable. Mobile vending devices and mobile food units shall remain movable at all times and maintain vehicle licensing for travel upon the road if applicable.~~

~~(k) —Signage. Signs for a mobile vendor, other than on the mobile vending device itself, shall meet the standards for sandwich board or temporary signs set in Independence Development Code Section 58.040(N).~~

~~(l) —Drive through not allowed. A mobile vendor shall not operate as a drive through facility, as defined in the Independence Development Code.~~

~~(m) —Consistent with health standards. All mobile food units shall conform to all applicable State and County health codes.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Applicants for a mobile vending license shall apply on the forms prescribed by the City of Independence and meet the standards listed below.

(b) A mobile vending license is valid for one year from issuance, at which time the City will reinspect the mobile vending device. The City may extend the permit annually so long as the mobile vending device continues to operate in accordance with the original permit and the standards in this Section.

Sec. 8-420. Application.

~~(a) (a) —No person may conduct any mobile vending business (including the operation of a mobile food unit) in the city without first submitting an application and obtaining a permit from the City Manager or his or her designee.~~

~~(b) —Each application shall be accompanied by a nonrefundable fee, as established by Council resolution.~~

~~(c) —Applications shall be made in a form approved by the City Manager. A separate application shall be required for each mobile vending business.~~

~~(d) —The application shall include, but not be limited to, the following information:~~

~~(1) —The name and address of applicant.~~

~~(2) —A description of the type of merchandise to be sold.~~

~~(3) — A valid copy of all necessary permits required by state or local health authorities.~~

~~(4) — A site plan that shows the following information:~~

~~a. — The proposed location of the mobile vendor, and the distance to nearby sidewalks, driveways or structures.~~

~~b. — The location of the hard-surface area where a mobile vending device will be located.~~

~~c. — The location of any power service to the unit.~~

~~d. — The location of proposed garbage receptacles, chairs or other temporary furniture.~~

~~e. — The location of any utilities that will serve the unit.~~

~~f. — A traffic plan, showing the in/out flow of cars; and the parking for customers and employees.~~

~~(5) — A project narrative that includes:~~

~~a. — The means used to conduct the business including, but not limited to, a photo and description of any mobile vending device or mobile food unit to be used for the transport or display of merchandise.~~

~~b. — The proposed hours of operation for the use.~~

~~c. — An explanation of how employees will use the restroom during the hours of operation and proximity of the restrooms to the location of the mobile vending unit.~~

~~d. — A disposal plan or contract for wastewater and gray water.~~

~~(6) — Written consent from the property owners where the use will be located, if not the applicant. Mobile vending devices may operate on city-owned property provided that the city grant the vendor a site-specific permit, which shall be conspicuously displayed on-site.~~

~~(7) — If the mobile vendor will be located on city property or right-of-way, a signed statement that the permittee shall hold harmless the city, its officers and employees, and shall indemnify the city, its officers, agents and employees for any claims for damage to property or injury to persons occasioned by any activity carried on under~~

~~the terms of the permit. Permittee shall furnish and maintain public liability, food products liability and property damage insurance to protect the permittee and the city from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connections with it. The insurance shall provide coverage of not less than \$1,000,000.00 for bodily injury for each person, \$2,000,000.00 for each occurrence and not less than \$500,000.00 for property damage per occurrence. The insurance shall be without prejudice to coverage otherwise existing therein, and shall name as additional insureds the city, its officers, agents and employees, and shall further provide that the policy shall not terminate or be canceled prior to the completion of the mobile vending activity without 30 days written notice to the City Manager.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

To apply for a mobile vending license, the applicant shall submit:

1. A description of the type of merchandise to be sold.
2. A project narrative that includes:
 - a. The means used to conduct the business, including but not limited to a photo and description of any mobile vending device to be used for the transport and/or display of merchandise.
 - b. The proposed hours of operation of the use.
 - c. Any flammable materials proposed for the activity, and the location the materials are proposed to be stored.
 - d. The disposal plan or contract for wastewater and gray water.
 - e. If applicable, the specifications for any generator or any other mechanical device proposed to be used.
 - f. If applicable, details associated with any lighting proposed for the activity.
 - g. Identification of the proposed device site which has received City approval as a mobile vending location.
3. Written consent from the property owners of the proposed device site, if the applicant is not the property owner.

(b) Prior to operation of the use, the applicant additionally shall submit a valid copy of all necessary permits required by state or local health authorities.

Sec. 8-421. Form and conditions of permit. Standards applicable to Mobile Vending Devices

(a) — ~~The City Manager shall grant a mobile vendor permit if:~~

(1) — ~~The City Manager or his/her designee finds that the mobile vendor meets the standards set in 8-420 and will not detract from the health, safety, general welfare of the city.~~

(2) — ~~The Fire Marshall certifies that a cooking or heating apparatus is in conformance with the provisions of the Oregon Fire Code and that all other health and life safety requirements have been satisfied.~~

(b) — ~~Permits issued under this section shall be in a form prescribed by the City Manager and contain the following conditions:~~

(1) — ~~Each permit shall be issued for a one-year period.~~

(2) — ~~The permit issued shall be personal only and shall not be transferable in any manner.~~

(3) — ~~The permit shall be valid only when used at the location designated on the permit.~~

(4) — ~~The permit shall be subject to the conditions and restrictions of this article.~~

(5) — ~~The permit as it applies to a given location may be suspended by the City Manager for a period up to ten days when Council actions allowing a community event shall so provide.~~

(c) — ~~Under an approved permit, no mobile vendor shall:~~

(1) — ~~Operate in a manner which creates a danger to persons or property.~~

(2) — ~~Deliberately hinder or impede pedestrian traffic.~~

(3) — ~~Obstruct the clear vision of the driver of any vehicle approaching or entering an intersection.~~

(4) — ~~Operate in a manner which will hinder emergency or utility services.~~

(5) — ~~Operate in violation of any of the city's land use regulations or municipal codes.~~

~~(d) — All mobile vendors that obtain an approved mobile vending permit shall conspicuously display the permit or any written approvals relating to mobile vending under this article during all times that a vendor's mobile vending unit or device occupies the location designated on his or her permit.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

(a) The following standards apply to mobile vending devices that seek to locate in approved mobile vending locations.

1. Consistency with Standards for an Approved Mobile Vending Location. All mobile vending units shall conform to the approval for the mobile vending location where the activity is proposed.
2. Transportable. All mobile vending devices shall remain movable at all times and, if applicable, maintain vehicle licensing for travel upon the road.
3. Minimization of Off-Site Impacts.
 - A. All mobile vending devices and associated mechanical equipment (including any generators) shall generate less than 75 decibels of sound during operation.
 - B. All mobile vending devices shall direct all exterior lighting down and shall not allow the spill of light onto adjacent properties.
4. Site-obscuring materials. Mobile vending devices proposed to be parked in an approved location for more than seven days shall provide sight-obscuring materials for all conduit, tanks and storage areas visible to the public. Sight-obscuring materials include screening, fencing or temporary landscaping and shall comply with all applicable city ordinances and codes.
5. Insurance. If a mobile vendor will be located on city property or right-of-way, the applicant shall provide a signed statement that the applicant shall hold harmless the city, its officers and employees, and shall indemnify the city, its officers, agents and employees for any claims for damage to property or injury to persons occasioned by any activity carried on under the terms of the permit. The applicant shall furnish and maintain public liability, food products liability and property damage insurance to protect the permittee and the city from all claims for damage to property or bodily injury, including death, which may arise

from operations under the permit or in connections with it. The insurance shall provide coverage of not less than \$1,000,000.00 for bodily injury for each person, \$2,000,000.00 for each occurrence and not less than \$500,000.00 for property damage per occurrence. The insurance shall be without prejudice to coverage otherwise existing therein, and shall name as additional insureds the city, its officers, agents and employees, and shall further provide that the policy shall not terminate or be canceled prior to the completion of the mobile vending activity without 30 days written notice to the City Manager.

(b) The following additional standards apply to mobile food units:

1. Consistent with health standards. All mobile food units shall conform to all applicable State and County health codes.
2. Consistent with Oregon Fire Code. All mobile food units shall be certified by the Fire Marshall to ensure that the cooking or heating apparatus is in conformance with the provisions of the Oregon Fire Code and that all other health and life safety requirements have been satisfied.

Sec. 8-422. Denial or revocation of permit.

(a) The City Manager or their designee may deny, revoke or suspend the permit of any person to conduct a mobile vending business if the City Manager finds it is found:

- ~~(1.)~~ That the person has violated any of the standards or provisions set in this article.
- ~~(2.)~~ Any necessary health or other permit has been suspended, revoked or canceled.
- ~~(3.)~~ The permittee does not have a currently effective insurance policy in the minimum amount provided in section 8-421(~~75~~).
- ~~(4.)~~ Criminal conduct in relation to the service provided has been determined.

(b) Upon denial or revocation, the City Manager or their designee shall give notice of the action to the permit holder in writing stating the action taken and the reasons for it. The action shall be effective upon giving the notice to the permittee. Any revocation may be appealed to the City Council by filing a written notice of appeal within ten days.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-423. Violation.

A mobile vendor that violates this article, or the placement of a mobile vending device on any street, sidewalk, or private property in violation of the provisions of this article is declared to be a public nuisance. The offense is an Independence Municipal Code Class A violation, per section 1-22. The City Manager or their designee may, after following the nuisance procedures in article II of chapter 14, cause the removal of any vendor, cart or device found on a street, sidewalk or private property in violation of this article and may store the cart or device until the owner redeems it by paying the removal and storage charges established by the Manager or designee. Remedial actions taken by the city are in addition to, not in lieu of any other remedies available to the city.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-424. Appeal.

Any decision of the City Manager made under this article may be appealed to the City Council upon filing a written appeal with the City Recorder. The appeal must specify the grounds where the Manager or designee failed to follow the terms of this article. The appeal must be filed within 30 days of the decision on the permit. The appeal must be filed by a resident of the city or by the applicant. The appeal may be accompanied by any other information the appellant deems appropriate. The Council shall make a decision on the appeal by reviewing the record of the Manager's decision and the appeal. The Council decision shall be provided to the applicant within seven days from the date of the decision.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-425. Prohibited solicitation.

It is unlawful for any person to solicit or demand any pecuniary benefit from any vendor in return for the vendor locating a mobile device on any public street or sidewalk in front of a particular business.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

~~**Secs. 8-426–8-440. Reserved.**~~

Fred Evander

From: Myra Russell
Sent: Wednesday, August 27, 2025 12:37 PM
To: Golden Hop Saloon
Cc: Fred Evander
Subject: RE: Mobile Food Vendors Ordinance

Thank you for sending this. I never saw it as it was sent to Shawn. Would you like this included in the public testimony for the planning commission meeting?

Thank you!

Myra Russell
City Recorder/Executive Assistant to the City Manager

Office 503.837.1174 | Fax 503.606.3282

www.ci.independence.or.us



From: Golden Hop Saloon <thegoldenhopsaloon@gmail.com>
Sent: Wednesday, August 27, 2025 11:37 AM
To: Myra Russell <mrussell@ci.independence.or.us>
Subject: Fwd: Mobile Food Vendors Ordinance

Hi Myra,

This is the original email we sent to Shawn over a year ago regarding our concern for mobile food vendors. Since then, the Mexican restaurant noted in the email, and a subsequent restaurant under new ownership in the same location, have both closed, creating a vacant building on Main St... while the food truck in question remains open.

I understand that the Planning Commission has thrown out the verbiage in the proposed ordinance updates to include a cap on the amount in the city, which is disheartening. My concern remains about there being no limit on the amount of food trucks permitted in the City, as the more you allow in, the more your brick and mortar businesses will suffer.

Thank you,
Heather Chase

----- Forwarded message -----

From: **Golden Hop Saloon** <thegoldenhopsaloon@gmail.com>

Date: Fri, Apr 12, 2024 at 3:53 PM
Subject: Mobile Food Vendors Ordinance
To: <sirvine@ci.independence.or.us>

Hi Shawn,

This is Heather with the Golden Hop Saloon. I spoke with Karin Johnson yesterday and she recommended I reach out to you with my question/suggestion in regard to the City's Ordinance for mobile food vendors (food trucks).

Recently, a new Mexican restaurant opened in an existing building right downtown. It took them months and (I can only assume) thousands, if not tens of thousands of dollars, to remodel the space and prepare it for opening. But within only a couple weeks of opening, a new food truck serving very similar fare unexpectedly showed up less than a block away in the 7 Star parking lot. Now this new brick-and-mortar restaurant is unexpectedly competing for the same customers desiring Mexican food with a food truck with much less overhead cost.

As a fellow downtown restaurant owner, who has also invested a substantial amount of money improving the building and infrastructure for our business, It is disheartening to see more and more food trucks show up unregulated. They have little to no overhead because they have no investment in the community. They do not contribute to any downtown improvement or infrastructure. Most do not have their own utility accounts or connections. Most do not employ anyone other than the owner(s). All of these factors provide an unfair advantage compared to a permanent restaurant.

Having an unregulated amount of mobile food vendors in a town of only 10,000 people, could be disastrous to downtown brick and mortar businesses if the competition is growing faster than the population. If the worst should happen, a mobile food vendor can just pack up and roll to the next community. But a restaurant that goes out of business leaves an empty and expensive store front.

Aside from the concern from a business perspective, these food trucks are also taking valuable downtown parking spaces, not to mention cluttering the downtown with unattractive picnic tables and pop up sun/rain tents.

As it stands now, the ordinance allows an unlimited number of trucks as long as they meet the few requirements outlined in the ordinance. As an owner of a brick-and-mortar restaurant, this gives me pause. A solution that I would propose would be the city modify the ordinance to enact a cap on the number of mobile food vendor licenses allowed (outside of special events - Independence Days, Hop and Heritage, etc.). If all the licenses are taken, a new mobile food vendor wouldn't be able to move in until an existing one moves out.

I'd love to hear your thoughts or ideas on other ways to level the playing field.

Thank you for your time,
Heather Chase
Golden Hop Saloon



CITY OF INDEPENDENCE MEMORANDUM

TO: Mayor and City Council
FROM: Planning Manager Fred Evander
MEETING DATE: November 25, 2025
SUBJECT: Council Bill #2025-08, Amending the Standards
for Mobile Vending Units in the Independence
Municipal Code and Development Code

☐ Information Only

☒ Action Requested

Statement of Issue: Consider proposed amendments to the Independence Municipal Code and Development Code to revise the Independence mobile vending standards.

Background / Discussion:

What is the Problem? In recent years, Independence has seen more mobile vendors and food trucks. To operate, each vendor must apply for a permit and work with a property owner to construct the necessary improvements—such as installing pipes to connect to the wastewater treatment system. This process is overly complex and places the full responsibility on the vendor, despite their temporary presence on the site. It also excludes the property owner, who is directly affected by—and ultimately benefits from—the vendor’s operations.

This current vendor-focused, piecemeal approach does not create mobile vending/food truck locations that function well as a whole.

What is the Proposal? The proposed approach permits a mobile vendor, working directly with the property owner to install necessary improvements such as water and wastewater connections. Once a site is prepared, vendors could then apply for a simplified permit to operate at the location, making it easier for food trucks to set up and leave without repeating the full process each time.

The changes would:

- Involve property owners from the outset.
- Support better planning and development of sites designed for multiple vendors.
- Make it easier for vendors to operate from approved, pre-prepared locations.

Overall, this approach supports more comprehensive development of mobile vending sites and ensures that the requirements are informed by the City’s experience over several years of permitting mobile vending and food truck operations.

A public hearing is scheduled as part of the City Council meeting on November 25, 2025. Following the hearing, the Council may take action on Council Bill #2025-08.

Fiscal Impact: None.

Options:

- A. Make a motion to approve CB #2025-08 as submitted.
- B. Make a motion to approve CB #2025-08 with amendments.
- C. Take no action.

Recommendation/Suggested Motion:

Staff recommends approval of Option A.

1st MOTION: "I move to read the proposed Ordinance, Council Bill #2025-08 in full as the text is contained in the Council packet, for the first time."

Should the motion pass unanimously, a second motion would be in order:

2nd MOTION: "I move to read the proposed Ordinance, Council Bill #2025-08 for the second time by title only."

Should the motion pass, a third motion would be in order:

3rd MOTION: "I move to adopt the proposed Ordinance, Council Bill #2025-08."

Attachments:

- A. Council Bill #2025-08, with Exhibits.

Reviewed and revised by: Kenna West, City Manager

**BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE
IN THE COUNTY OF POLK, STATE OF OREGON**

An Ordinance Amending the Standards for Mobile)	
Vending Units in the Independence Municipal)	
Code and Development Code)	Council Bill #2025-08

ORDINANCE NO. 1628

WHEREAS, the City of Independence requires a mobile vending permit for any food truck or mobile vending device that locates in the City; and

WHEREAS, the current standards for mobile vending permits apply to each vendor individually and do not effectively include property owners in the process or consider sites as a whole; and

WHEREAS, the City of Independence desires to improve the existing requirements to promote the more holistic development of mobile vending sites and better reflect the learning that the City has gained from permitting mobile vending/food truck uses over the past several years; and

WHEREAS, the Independence Planning Commission ("Commission") studied the possibility of changing the mobile vending standards in the Independence Municipal Code and Development Code at their meeting on July 7, 2025, and agreed to consider the proposal further as part of a formal code amendment process; and

WHEREAS, the City of Independence set a date for a public hearing on September 8, and posted notice of the proposed change and hearing on the Department of Land Conservation and Development website on July 14, 2025, and in the Polk County Itemizer-Observer on August 20, 2025; and

WHEREAS, the Independence Planning Commission conducted a properly noticed public hearing to consider the changes at their meeting on September 8 and continued the hearing on October 6, at which time interested parties and the general public had an opportunity to be heard; and

WHEREAS, after the hearing on October 6, the Commission recommended that the City Council amend the standards for mobile vending in the Independence Municipal Code and Development Code; and

WHEREAS, the Independence City Council conducted a properly noticed public hearing about the proposed changes at their meeting on November 25, 2025, during which time the Council reviewed the record and recommendations of the Planning Commission and heard from interested parties, and the general public about the proposal; and

WHEREAS, the Council finds that the proposed amendments comply with applicable provisions of the Statewide Planning Goals, the City of Independence Comprehensive Plan, and the Independence Development Code, as shown in the findings contained in the Staff Report, attached as Exhibit A.

NOW, THEREFORE, THE CITY OF INDEPENDENCE DOES ORDAIN AS FOLLOWS:

Section 1. Independence Development Code, Subchapter 84, Mobile Vending Locations, is hereby added to the Independence Development Code as provided in Exhibit B.

Section 2. Independence Municipal Code, Chapter 8, Article XI, Mobile Vending Locations, is hereby amended and restated in its entirety as provided in Exhibit C.

Section 3. Findings. The City of Independence hereby adopts the above recitals and findings contained within the Staff Report, attached hereto as Exhibit A and incorporated herein by this reference, in support of the proposed amendments.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days after final passage and its signature by the Mayor.

First Reading to the Council this ____ day of _____, 2025.

Second Reading to the Council this ____ day of _____, 2025.

Adopted this day of ____ day of _____, 2025.

Signed by the Mayor this ____ day of _____, 2025.

KATE SCHWARZLER, MAYOR

ATTEST:

Myra Russell, City Recorder



INDEPENDENCE

Oregon's Story Begins Here

PUBLIC HEARING REVISIONS TO MOBILE VENDING STANDARDS (FILE NO. LA | 2025-05) STAFF REPORT

MEETING DATE:	November 25, 2025
FILE NUMBER:	LA 2025-05
RE:	REVISIONS TO MOBILE VENDING STANDARDS
CRITERIA:	Oregon State Planning Goals Independence Comprehensive Plan Independence Development Code (IDC) -Subchapter 10: General Provisions -Subchapter 11: Administrative Provisions
CONTENTS:	I. Summary II. What is the Problem? III. What is the Proposal? IV. What We have Heard V. Staff Findings – Oregon State Planning and Independence Comprehensive Plan Goals VI. Staff Findings – Independence Development Code
ATTACHMENTS:	A. IDC Subchapter 84: Mobile Vending Locations (5 pages) B. IMC Chapter 8: Article 11. Mobile Vending Devices (10 pages) C. Comment from Chase, August 27, 2025 (2 pages)

I. SUMMARY

At the meeting of November 25, 2025, the Independence City Council will hold a public hearing on revisions to the Independence mobile vending standards.¹

II. WHAT IS THE PROBLEM?

In recent years, Independence has seen more mobile vendors and food trucks. To operate, each vendor must apply for a permit and work with a property owner to make necessary improvements—like installing pipes to connect to the wastewater treatment system. This process is complicated and puts all the responsibility on the vendor, even though they will only be located on a site temporarily. It also leaves out the property owner, who is directly affected and will benefit from the setup.

¹ This report uses the term mobile vending devices to refer to food trucks as well as other portable devices that may be used to sell merchandise.

The problem is more obvious when multiple vendors use the same site. Under the current code, each vendor applies for a separate permit, and the city does not consider the property as a whole. Issues like wastewater, trash collection, and parking, which are better handled together at the site level, are reviewed separately for each vendor.

This current vendor-focused, piecemeal approach does not create mobile vending/food truck locations that function well as a whole.

III. WHAT IS THE PROPOSAL?

Rather than permitting each vendor separately, the proposed approach would permit the site first, working with the property owner to install needed improvements like water and wastewater. Once the site was ready, vendors could then apply for a simpler permit to operate at the location, making it easier for food trucks to set up and leave without repeating the whole process.²

The changes would:

- Involve property owners from the start.
- Better plan and build sites for multiple vendors.
- Make it easier for vendors to operate from approved locations.

In addition to these changes, the revisions would enhance the existing mobile vending standards (based on lessons learned over several years of permitting mobile vending devices) and:

- Establish two separate types of locations that are available for mobile vending units – mobile vending pads and mobile vending pods – to better reflect the types of locations where mobile vending occurs (see definitions in IDC 84.030).
- Define the improvements, such as restroom facilities, and wastewater and water connections, that are necessary to accommodate mobile vending at specific locations (see draft standards in IDC 84.040).
- Establish improved standards for lighting, signage and spacing (see provisions IDC 84.040(I), (J) and (K)).

The proposed approach would engage the property owner to install necessary site improvements, encourage the more comprehensive development of mobile vending sites and ensure that the standards reflect the learning that the City has gained from permitting mobile vending/food truck uses.

IV. WHAT WE HAVE HEARD

To provide notice of the proposed change, the City sent direct mailings to each of the properties that have mobile vending units/food trucks and posted details about the change online.³ Additionally, staff included information about the public hearings in the City of Independence newsletter and on the City's Facebook page.

To date, the City has received one comment about the proposal (see Attachment C). This comment raised concerns about the impact of food trucks on brick-and-mortar restaurants and suggested a limitation on the number of food trucks that are allowed in Independence. The Planning Commission considered this comment and weighed a potential limitation on the number of units downtown. The language considered by the Commission read:

Limitations on the Number of Licenses Issued for Mobile Food Units in Downtown Overlay Zone. The City shall issue no more than 8 licenses for mobile food units to be located within the Downtown Overlay Zone

² Please see IDC Subchapter 84 (Attachment A) to see the standards for locations, and IMC Chapter 8 (Attachment B) for the standards for individual mobile vending devices

³ The City of Independence did not send notice to individual mobile vendors that are currently in operation in the City, as the requirements to continue their operation would remain the same under these code changes. Requirements that apply to current mobile vending operations include the need to annually renew their approval.

Following significant discussion about the language, the Commission felt that they were not suited to set a limit on the number of mobile vendors and recommended that the City Council weigh the item. The existing draft does not contain any limitation on the number of units, but staff could easily reinsert the suggested language.

The comment also raised concerns about the impacts of food trucks on available parking and the appearance of downtown. These comments are addressed in part below.

V. STAFF FINDINGS - OREGON STATE PLANNING AND INDEPENDENCE COMPREHENSIVE PLAN GOALS

Updates to the Independence Development Code are required to meet the Oregon State Planning Goals. Among these goals include provisions related to Citizen Involvement (Goal 1), Land Use Planning (Goal 2), Economic Development (Goal 9), Transportation (Goal 12), and Urbanization (Goal 14). Combined these goals seek to “accommodate urban population and urban employment inside urban growth boundaries” and “ensure efficient use of land” (see Goal 14), while assuring that citizens are involved in the planning process and considerations related to future transportation and economic development are made.

The Oregon State Planning Goals are implemented in part in Independence through the goals, policies and standards of the Independence Comprehensive Plan and the Independence Development Code.

The proposed mobile vending standards have been drafted based on this planning framework. Key findings related to the proposed changes are addressed below:

Goal 1. Citizen Participation. Goal 1 of the Oregon State Planning Goals looks “to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.” This goal is implemented by the Citizen Involvement Element of the Comprehensive Plan, as well as Subchapter 11 of the Independence Development Code.

To provide notice of the proposed changes, the City posted notice on its website, in its bi-weekly newsletter, on its Facebook page, and posted/mailed notice to:

- Every property that has a mobile vending use.
- The State Department of Land Conservation and Development “PAPA” website.
- The Polk County Itemizer-Observer.

The proposed changes were also discussed by the Independence Planning Commission in a work session on July 7, 2025, and heard at public hearings before the Independence Planning Commission on September 8 and October 6 (both of which were streamed live and posted to YouTube). The Independence City Council will additionally hold a public hearing on the proposal on November 25th.

Given the number of hearings and methods of notice provided, individuals have had and will have several opportunities to learn about the proposed code change and to be involved in the process. This goal will be achieved.

Goal 2. Land Use Planning. Goal 2 of the Oregon Planning Goals looks “to establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.” This goal is implemented by the Land Use Element of the Independence Comprehensive Plan, which seeks “to encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs,” as well as the Independence Development Code.

The draft mobile vending standards support this framework by seeking to modify the standards for mobile vending devices to best suit the character of Independence.

The amendments look to:

- Better engage with landowners as they develop mobile vending pads and pods.

- Encourage better designed locations for mobile vendors/food trucks in Independence.
- Streamline the mobile vendor/food truck review process for food truck operators that look to operate on an approved site.

The amendments also address problems that have arisen under the current code over the past few years. This goal has been met.

Goal 9: Economic Development. Goal 9 of the Oregon State Planning Goals looks “to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.” This goal is implemented in part by the City of Independence Comprehensive Plan Economic Development Element and its vision “to provide for and maintain a viable and diverse economy while preserving the present sense of community and high level of environmental quality.”

The draft mobile vending standards support these goals. Current rules make it possible for people to start a small business on a trial basis, before investing in a permanent location. The proposed revisions take this encouragement of small business one step further by encouraging improved design for food truck areas—such as requiring mobile vending pods to connect to city water and sewer—and simplifying the permit process for new vendors (once a mobile vending location has been established).

As noted in the public comment received for this proposal (see Attachment C), food truck operations often operate with lower overhead than brick-and-mortar restaurants and compete with the businesses. However, the best way to address this concern is complicated. Some food trucks, especially those offering unique food options, don’t directly compete with existing businesses — they provide something new. Similarly, while food trucks may have a smaller overhead, they also lack many of the benefits associated with a permanent restaurant, such as the ability to host events, offer indoor seating, and serve alcohol. These advantages at least in part help explain the higher costs associated with a fixed restaurant. The City Council should weigh these items, among others, in evaluating how best to regulate the number of mobile vendors/food trucks in Independence.

Goal 11: Public Facilities. Goal 11 of the Oregon State Planning Goals looks “to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.” This goal is implemented in part by the Independence Comprehensive Plan Public Facilities Element and its related capital facilities plans (including the Wastewater System Plan and Water Master Plan).

The proposed changes to the mobile vending standards support Oregon State Planning Goal 11 and adopted city facility goals and plans. The standards clarify how water and wastewater treatment may be provided for mobile vending operations including:

- Requiring a connection to the public water/sewer system when more than one mobile vending device is located on a site.
- Allowing a self-contained water and wastewater system when a site allows a single mobile vendor (see IDC 84.040(D)).

Additionally, the standards clarify the expectations for a bathroom, requiring:

- Permanent restroom facilities for employees when multiple vendors are located on a site.
- A permanent restroom for employees within 300 feet of the activity when a single mobile vending device is sought (see IDC 84.040(L)).

Goal 12: Transportation. Goal 12 of the Oregon State Planning Goals seeks “to provide and encourage a safe, convenient and economic transportation system.” No increase in the number of mobile vending units that are allowed in the community (and hence no increase in the anticipated amount of traffic) will occur because of the proposed changes to the standards.

Goal 14: Urbanization. Goal 14 of the Oregon State Planning Goals looks “to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban

growth boundaries, to ensure efficient use of land, and to provide for livable communities.” This goal is implemented through the Intergovernmental Agreement between Polk County and the City of Independence Regarding the Urban Growth Boundary, the Urbanization Element of the Independence Comprehensive Plan, and the Independence Development Code.

The proposed amendments to the mobile vending standards help achieve these goals. The city currently allows mobile vendors/food trucks, and the amendments would:

- Continue to offer the opportunity to start a small business, while simplifying the opportunity for an entrepreneur to locate on an approved site.
- Promote the efficient use of land, better using vacant or underutilized parcels.
- Encourage a high degree of livability, offering of a variety of mobile vending/food options at well-designed sites.

All told, the changes to the mobile vending standards help to promote the overall livability of Independence. Mobile vending locations are often sited in areas that are not otherwise used for either activity or economic benefit, and the units promote added vitality. Additionally, successful food truck businesses regularly move into brick-and-mortar buildings – helping to further enhance community quality of life. While mobile vendors/food trucks offer competition to existing businesses, the activation of underutilized spaces and creation of more business options generally encourages community livability.

Given these items, Goal 14 will be achieved.

Based on these considerations, the proposed changes effectively balance considerations about land use, economic development, public facilities, and transportation. While the City Council may elect to make further revisions to the code, the proposed code change generally achieves the Oregon State Planning Goals.

VII. STAFF FINDINGS – INDEPENDENCE DEVELOPMENT CODE

Beyond the Oregon State Planning and Independence Comprehensive Plan goals, the proposed changes are required to conform with the standards of the Independence Development Code.

Subchapter 10: General Provisions

...

10.040 Amendment of Development Code

Any amendment of the text of this development code shall be accomplished by ordinance of the City Council. Proposals for such amendments shall be submitted to the Planning Commission for public hearing. The Planning Commission shall submit to the City Council its written recommendation regarding the proposed amendment. Such recommendation shall be submitted to the City Council within 30 days of the Planning Commission's action on the proposed amendment. Notice shall also be provided to state land use agencies in accordance with statutory requirements. This is a Type IV action – See 11.002 (D).

Staff Response: The Independence Planning Commission held a public hearing on the changes on September 8 and October 6. Following the hearing, the Commission discussed whether they wanted to make any changes and offered a recommendation to the Independence City Council.

The City Council will consider the proposed changes at a public hearing on November 25. At the meeting, the Council will be given a draft of an ordinance to potentially adopt the changes. Given this process, this standard will be met.

...

Subchapter 11: Administrative Provisions

11.002 Application Types and Review Procedures

All development permits and land use actions are processed under the City's administrative procedures. There are four types of actions, each with its own procedures.

...

D. Type IV Action

A Type IV action is a legislative review in which the City considers and enacts or amends laws and policies. Private parties may request a Type IV action; however, it must be initiated by the Planning Commission, or City Council. The City Council makes the final, local decision. Sections 11.025 and 11.030 list the notice and hearing requirements.

1. Amendments and Revisions of the Comprehensive Plan
2. City Plan Document Adoption, e.g. Water System Plan
3. Zoning Code Amendments

Staff Response: Staff has reviewed the amendment as a Type IV – Legislative Review, which was originally initiated by staff and the Independence Planning Commission. This standard has been met.

11.015 General Provisions

In order to provide for citizen review of the planning process and the orderly keeping of records of actions relating to this Ordinance, the City shall ensure that the following measures are maintained and available for public review.

...

Staff Response: Staff has taken appropriate steps to ensure compliance with the standards in Independence Development Code Section 11.015, including publishing a notice of the changes in the Polk County Itemizer-Observer, writing a staff report for the revisions, and keeping a file for the proposal. This standard has been achieved.

11.025 Notice of Public Hearings

...

B. Legislative Hearings (Type IV). Notice of Public Hearing by the Planning Commission or City Council relating to any legislative action shall be published in a newspaper of general circulation a minimum of 10 days prior to the date of the hearing. Notice shall be provided to the Department of Land Conservation and Development in conformance with DLCD rules prior to the first evidentiary hearing by the City for any legislative action.

Staff Response: Staff sent notice of the changes to the Oregon Department of Land Conservation and Development on July 14, 2025, and included information about the changes on the City of Independence Planning Department website. Staff additionally published a notice of the public hearings in the Polk County Itemizer-Observer on August 20 and November 12, 2025. This standard has been met.

SUBCHAPTER 84: MOBILE VENDING LOCATIONS

Please Note: This new subchapter would regulate the approval of locations for mobile vending devices. Many of the standards previously existed in IMC Section 8. The related standards for mobile vending devices would remain in IMC Section 8.

84.010 Purpose.

The purpose of this subchapter is to regulate the locations of mobile vending devices and mobile food units.

84.020 Applicability.

This subchapter does not apply to:

- A. Lemonade stands and other similar limited sales by minors.
- B. Garage sales.
- C. Car wash fundraisers.
- D. Vendors at farmers' or flea markets while working under the event organizer's city-granted authorization.
- E. Mobile vendors conducting business at a community event or on a temporary street closure while working under the event organizer's city granted authorization.
- F. The sale of raw agricultural products or commodities marketed for human consumption, where the vendor does not prepare, process or convert the item, for no more than seven days within a 30-day period.

84.030 Definitions.

The following words, terms and phrases, when used in this subchapter, shall have the meanings ascribed to them in this subchapter, except where the context clearly indicates a different meaning:

“Conduct business” means carrying, conveying, transporting, selling or offering for sale food or beverage of any type or fresh cut flowers, balloons, souvenirs, other non-food merchandise for immediate delivery, or service either from a mobile vending device or as a pedestrian.

“Mobile food unit” is any moveable motor vehicle, trailer or wagon that is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curb or walk-up service.

“Mobile vending device” includes devices used to conduct business, such as pushcarts as defined in this section, motorized vehicles, trailers, recreational vehicles, or any device in, upon or by which any person or property is or may be transported, moved or drawn or any structure or enclosure, which because of its size, construction or use of materials is not regulated by the Uniform Building Code. Mobile vending devices include mobile food units, as well as mobile devices that sell items other than food.

“Mobile vending location” is a location approved by the City to conduct mobile vending. A mobile vending location may be either a mobile vending pad or a mobile vending pod.

“Mobile vending pad” means a location that allows one mobile vendor and their associated amenities.

“Mobile vending pod” means a location that allows two or more mobile vendors and their associated amenities under common management on one property.

“Mobile vendor” is any person(s), entity(ies) or other parties that conduct business either from a mobile vending device, pushcart, table, tent or other temporary device.

“Pushcart” means a wheeled, non-motorized vehicle of such size and weight that it may be easily moved by no more than two people.

“Sidewalk” means that portion of the street between the curblines or the lateral lines of a roadway and the adjacent property line intended for the use of pedestrians.

84.040 Standards

Mobile vending locations shall be processed using the Site Design Review requirements in Subchapter 80. The following standards shall be used by the City Manager or designee to process the permits:

- A. Allowed zones. Mobile vending locations are allowed in all zones except the Low Density Residential (RS), Medium Density Residential (RM), High Density Residential (RH), and Mixed Density Residential (MX) zones.
- B. General location requirements. Mobile vending locations are only allowed in paved parking lots or other hard surface areas.
- C. Use of public right-of-way or city property:
 - 1. Mobile vending pads are not allowed within a public right-of-way or on other city property, unless:
 - a. The applicant demonstrates that the use will not have a negative impact to pedestrian or vehicular travel and
 - b. The city agrees to the use of the location prior to the submittal of the application.
 - 2. Mobile vending pods are not allowed within a public right-of-way or on city-owned property, unless the city initiates the application.
- D. Clear travel ways. Mobile vending locations, including all vehicles, devices and items associated with the operation, shall not obstruct travel lanes, driveways, drive aisles of any off-street parking area, or pedestrian pathways. The City Manager may consider adopted, non-discretionary city standards, including but not limited to the standards set forth in the Independence Development Code and the City Public Works Standards to ensure this standard is met.
- E. Sufficient parking. Mobile vending locations shall only be allowed in areas that have adequate parking for the use and any other activities on the site. The number of spaces needed for mobile vending locations shall be determined using the Table in Section 73.010, and be calculated based on the amount of seating area that is available for restaurant uses and the amount of display area that is available for retail

- and service uses. If the location fails to maintain adequate parking at any point during the life of the use, the city may revoke the permit pursuant to Section 84.040(O).
- F. Disposal of waste. Locations approved for mobile vending shall maintain clean environs, pick up any litter that is deposited by any person on the subject property and dispose of the waste generated by mobile vending activities.
- G. Utilities.
1. Mobile Vending Pads. A mobile vending pad that is intended to accommodate a mobile food unit may connect to City services or utilize self-contained water and graywater tanks. When an applicant seeks to rely on a tank to store graywater, the mobile vendor that utilizes the site shall ensure that the unit is regularly pumped.
 2. Mobile Vending Pods.
 - a. Water and Sewer Service. Connection to the City water and sewer systems are required for all mobile vendor pods. Applicable City Public Works Design Standards and/or the Oregon Plumbing Specialty Code standards shall be met.
 - b. Stormwater. Stormwater treatment, when required, shall be consistent with the Independence Public Design Standards.
- H. System development charges. Applicable System Development Charges shall be paid prior to the issuance of any development permits in accordance with the Independence Municipal Code, Chapter 34, Article VII, Utility System Development Charges.
- I. Lighting. Site lighting proposed for a mobile vending location shall be shielded and directed downward and shall not spill onto adjacent properties.
- J. Signage.
1. Mobile Vending Pads. Signs for a mobile vending pad shall be limited to what may be displayed on the mobile vending unit and a sign that meets the standards for sandwich board or temporary signs in Independence Development Code Section 58.040(N). No feather flags or other signs prohibited in IDC 58.150 are allowed.
 2. Mobile Vending Pods. Signs for a mobile vending pod (and any other use on a subject site) shall meet the size standard in Subchapter 58.190(A). Individual mobile vending devices may be allowed to have additional signage on the mobile vending device and to have a sandwich board or temporary sign so long as the sign is located entirely on the site associated with the mobile vending pod. No feather flags or other signs prohibited in IDC 58.150 are allowed.
- K. Drive through not allowed. No location proposed for mobile vending shall operate as a drive-through facility, as defined in the Independence Development Code, Subchapter 13.
- L. Spacing requirements. All mobile vending units shall meet the setbacks for the underlying zone and allow five feet of separation between each unit. Potentially flammable and/or explosive items shall additionally meet the setbacks required in the Oregon Fire Code.

M. Restroom Facilities.

1. A mobile vending pad shall be located within a 300-foot walking distance of an available permanent restroom for employees during all anticipated hours of operation. For any property that is not under the control of the applicant, a signed agreement that allows the use of the restroom shall be provided as part of the application.

2. A mobile vending pod shall have a permanent restroom that is available for employees during all anticipated hours of operation. The restroom shall be located on the same site as the mobile vending pod and be within 300 feet of every mobile vending space.

N. Conditions of Approval. A mobile vending location shall comply with applicable conditions of approval for previous land use decisions for the subject property.

O. Violation. The property owner and any representative of the property owner shall be jointly and severally responsible for any violation of this Subchapter or other applicable Subchapters of the Independence Development Code. Any such violation may result in the immediate revocation of a mobile vending location approval granted under this Subchapter and/or any mobile vending device license issued under Independence Municipal Code Chapter 8, Article XI and may result in the denial of any future mobile vending license for the site upon which the violation occurred.

84.050 Application

A. No person may establish a new location for mobile vending without first submitting an application and obtaining a permit under this Subchapter 84 from the City Manager or his or her designee.

B. Each application shall be accompanied by a nonrefundable fee, as established by Council resolution.

C. Applications shall be made in a form approved by the City Manager.

D. The application shall include, but not be limited to, the following information:

1. The name and address of the property owner. For the purposes of this code, the property owner will be considered the applicant for the project.

2. A site plan that shows the following information:

a. The anticipated types of mobile vending devices that will occupy the location.

b. The proposed location of the mobile vending devices, and the distance to the property lines and nearby sidewalks, driveways or structures.

b. The location of the hard-surface area where mobile vending devices will be located.

c. The location of any power service to a mobile vending space.

d. The location of proposed garbage and recycling receptacles, restrooms, chairs, tables and other site features.

e. The location of the public water, sanitary sewer and storm drainage lines (if applicable). If the applicant proposes a mobile vending pad, served with self-

contained water and/or graywater tanks, the applicant should specify the plan anticipated for the disposal of wastewater and gray water.

- f. The location of any proposed lighting.
 - g. A traffic plan, showing the in/out flow of cars; and the parking for customers and employees.
- E. Mobile vending devices may operate on city-owned property subject to a site-specific lease or license, with the city approving the use and location, which is conspicuously displayed on-site.

84.060 Form and conditions of permit

- A. The City Manager shall grant a Site Design Review permit for a mobile vending location if the City Manager or designee finds that the mobile vending location meets the standards set in Sections 84.040 (Standards) and 84.050 (Application), can comply with all applicable City Code provisions, and will not detract from the health, safety, and general welfare of the city.
- B. Site Design Review approvals issued under this subchapter shall be in a form prescribed by the City Manager and contain the following conditions:
 - 1. The approved mobile vending location shall be valid only when used in conformance with the Site Design Review approval.
 - 2. The Site Design Review approval shall be subject to the conditions and restrictions of this subchapter.
- C. Under an approved permit, no mobile vending location shall:
 - 1. Operate in a manner which creates a danger to persons or property.
 - 2. Deliberately hinder or impede pedestrian or vehicular traffic.
 - 3. Obstruct the clear vision of the driver of any vehicle.
 - 4. Operate in a manner which will hinder emergency or utility services.
 - 5. Operate in violation of any of the city's land use regulations or municipal codes.

MOBILE VENDING DEVICES

Please Note: These standards would regulate mobile vending devices that are proposed for approved locations. Approved mobile vending locations would be established per the related requirements in the proposed Subchapter 84.

Sec. 8-416. Purpose.

~~The purpose of this section is to regulate mobile vending, mobile vending devices and mobile food units. The purpose of this subchapter is to regulate the operation of mobile vending devices and mobile food units at approved mobile vending locations.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-417. Applicability.

This section shall not apply to:

- (a) Lemonade stands and other similar limited sales by minors.
- (b) Garage sales.
- (c) Car wash fundraisers.
- (d) Vendors at farmers' or flea markets while working under the event organizer's city-granted authorization.
- (e) Mobile vendors conducting business at a community event or on a temporary street closure while working under the event organizer's city granted authorization.
- (f) The sale of raw agricultural products or commodities marketed for human consumption~~consumables~~, where the vendor does not prepare, process or convert the item, for no more than seven days within a 30-day period.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-418. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Conduct business means carrying, conveying, transporting, selling or offering for sale food or beverage of any type or fresh cut flowers, balloons, souvenirs, other non-food merchandise for immediate delivery, or service either from a mobile vending device or as a pedestrian.

Mobile food unit is any moveable motor vehicle, trailer or wagon that is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curb or walk-up service.

Mobile vending device includes devices used to conduct business, such as pushcarts as defined in this section, motorized vehicles, trailers, recreational vehicles, or any device in, upon or by which any person or property is or may be transported, moved or drawn or any structure or enclosure, which because of its size, construction or use of materials is not regulated by the Uniform Building Code.

Mobile vendor is any person(s), entity(ies) or other parties that conduct business either from a mobile vending device, pushcart, table, tent or other temporary device.

Pushcart means a wheeled, non-motorized vehicle of such size and weight that it may be easily moved by no more than two people.

Sidewalk means that portion of the street between the curblines or the lateral lines of a roadway and the adjacent property line intended for the use of pedestrians.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-419. Standards. Mobile Vending License for Approved Mobile Vending Locations

~~(a) The following standards shall be used by the City Manager, per section 8-422, to process mobile vendor permits:~~

~~(a) — Allowed zones. Mobile vendors may operate in all zones except the RS, RM, RH, and MX zones.~~

~~(b) — General location requirements. Mobile vendors may only operate in paved parking lots or other hard surface areas.~~

~~(c) — Use of public right-of-way. Mobile vendors may not operate or locate within a public right-of-way, unless the applicant demonstrates that the use will not have an impact to pedestrian or vehicular travel and the city approves such use by permit.~~

~~(d) — Use of city property. Mobile vendors may operate on city-owned property, if the location is approved as part of the permit.~~

~~(e) — Clear travel ways. Mobile vendors, including all vehicles, devices and items associated with the operation, shall not obstruct pedestrian pathways, driveways or drive aisles of any off-street parking area and shall not be located anywhere except the specific location designated in an approved permit. The City Manager may consider adopted, non-discretionary city standards, including but not limited to city vision clearance standards set in Independence Development Code Section 75.050 and City Public Works Standards, to determine appropriate locations.~~

~~(f) — Sufficient parking. Mobile vendors shall only be allowed in locations that have adequate parking to accommodate the use, and any existing uses on the site. Mobile vendors permitted under this article must maintain adequate parking (per Independence Development Code Subchapter 73) at their locations at all times. A determination of the needed spaces shall be based on the amount of seating area that is available for restaurant uses, and the amount of display area that is available for retail and service uses, plus one parking space. If a mobile vendor fails to maintain adequate parking, the city may revoke his or her mobile vending permit pursuant to section 8-423.~~

~~(g) — Disposal of waste. Mobile vendors shall account for the waste generated by the proposed use, including solid waste and wastewater. Receipts proving continued wastewater and solid waste disposal service may be requested by the city at any time during the permit term.~~

~~(h) — Clean environs. Mobile vendors shall pick up any paper, cardboard, wood, or plastic containers, wrappers, or any litter which is deposited by any person within 20 feet of the mobile vendor when conducting business.~~

~~(i) — Site-obscuring materials. All mobile food units or mobile vending devices parked in an approved location for more than seven days shall provide sight-obscuring materials for all conduit, tanks and storage areas visible to the public and skirting along the perimeter of the mobile food unit or vending device. Sight-obscuring materials include screening, fencing or temporary landscaping and must comply with all applicable city ordinances and codes.~~

~~(j) —Transportable. Mobile vending devices and mobile food units shall remain movable at all times and maintain vehicle licensing for travel upon the road if applicable.~~

~~(k) —Signage. Signs for a mobile vendor, other than on the mobile vending device itself, shall meet the standards for sandwich board or temporary signs set in Independence Development Code Section 58.040(N).~~

~~(l) —Drive through not allowed. A mobile vendor shall not operate as a drive through facility, as defined in the Independence Development Code.~~

~~(m) —Consistent with health standards. All mobile food units shall conform to all applicable State and County health codes.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Applicants for a mobile vending license shall apply on the forms prescribed by the City of Independence and meet the standards listed below.

(b) A mobile vending license is valid for one year from issuance, at which time the City will reinspect the mobile vending device. The City may extend the permit annually so long as the mobile vending device continues to operate in accordance with the original permit and the standards in this Section.

Sec. 8-420. Application.

~~(a) (a) —No person may conduct any mobile vending business (including the operation of a mobile food unit) in the city without first submitting an application and obtaining a permit from the City Manager or his or her designee.~~

~~(b) —Each application shall be accompanied by a nonrefundable fee, as established by Council resolution.~~

~~(c) —Applications shall be made in a form approved by the City Manager. A separate application shall be required for each mobile vending business.~~

~~(d) —The application shall include, but not be limited to, the following information:~~

~~(1) —The name and address of applicant.~~

~~(2) —A description of the type of merchandise to be sold.~~

~~(3) — A valid copy of all necessary permits required by state or local health authorities.~~

~~(4) — A site plan that shows the following information:~~

~~a. — The proposed location of the mobile vendor, and the distance to nearby sidewalks, driveways or structures.~~

~~b. — The location of the hard-surface area where a mobile vending device will be located.~~

~~c. — The location of any power service to the unit.~~

~~d. — The location of proposed garbage receptacles, chairs or other temporary furniture.~~

~~e. — The location of any utilities that will serve the unit.~~

~~f. — A traffic plan, showing the in/out flow of cars; and the parking for customers and employees.~~

~~(5) — A project narrative that includes:~~

~~a. — The means used to conduct the business including, but not limited to, a photo and description of any mobile vending device or mobile food unit to be used for the transport or display of merchandise.~~

~~b. — The proposed hours of operation for the use.~~

~~c. — An explanation of how employees will use the restroom during the hours of operation and proximity of the restrooms to the location of the mobile vending unit.~~

~~d. — A disposal plan or contract for wastewater and gray water.~~

~~(6) — Written consent from the property owners where the use will be located, if not the applicant. Mobile vending devices may operate on city-owned property provided that the city grant the vendor a site-specific permit, which shall be conspicuously displayed on-site.~~

~~(7) — If the mobile vendor will be located on city property or right-of-way, a signed statement that the permittee shall hold harmless the city, its officers and employees, and shall indemnify the city, its officers, agents and employees for any claims for damage to property or injury to persons occasioned by any activity carried on under~~

~~the terms of the permit. Permittee shall furnish and maintain public liability, food products liability and property damage insurance to protect the permittee and the city from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connections with it. The insurance shall provide coverage of not less than \$1,000,000.00 for bodily injury for each person, \$2,000,000.00 for each occurrence and not less than \$500,000.00 for property damage per occurrence. The insurance shall be without prejudice to coverage otherwise existing therein, and shall name as additional insureds the city, its officers, agents and employees, and shall further provide that the policy shall not terminate or be canceled prior to the completion of the mobile vending activity without 30 days written notice to the City Manager.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

To apply for a mobile vending license, the applicant shall submit:

1. A description of the type of merchandise to be sold.
2. A project narrative that includes:
 - a. The means used to conduct the business, including but not limited to a photo and description of any mobile vending device to be used for the transport and/or display of merchandise.
 - b. The proposed hours of operation of the use.
 - c. Any flammable materials proposed for the activity, and the location the materials are proposed to be stored.
 - d. The disposal plan or contract for wastewater and gray water.
 - e. If applicable, the specifications for any generator or any other mechanical device proposed to be used.
 - f. If applicable, details associated with any lighting proposed for the activity.
 - g. Identification of the proposed device site which has received City approval as a mobile vending location.
3. Written consent from the property owners of the proposed device site, if the applicant is not the property owner.

(b) Prior to operation of the use, the applicant additionally shall submit a valid copy of all necessary permits required by state or local health authorities.

Sec. 8-421. Form and conditions of permit. Standards applicable to Mobile Vending Devices

(a) — ~~The City Manager shall grant a mobile vendor permit if:~~

(1) — ~~The City Manager or his/her designee finds that the mobile vendor meets the standards set in 8-420 and will not detract from the health, safety, general welfare of the city.~~

(2) — ~~The Fire Marshall certifies that a cooking or heating apparatus is in conformance with the provisions of the Oregon Fire Code and that all other health and life safety requirements have been satisfied.~~

(b) — ~~Permits issued under this section shall be in a form prescribed by the City Manager and contain the following conditions:~~

(1) — ~~Each permit shall be issued for a one-year period.~~

(2) — ~~The permit issued shall be personal only and shall not be transferable in any manner.~~

(3) — ~~The permit shall be valid only when used at the location designated on the permit.~~

(4) — ~~The permit shall be subject to the conditions and restrictions of this article.~~

(5) — ~~The permit as it applies to a given location may be suspended by the City Manager for a period up to ten days when Council actions allowing a community event shall so provide.~~

(c) — ~~Under an approved permit, no mobile vendor shall:~~

(1) — ~~Operate in a manner which creates a danger to persons or property.~~

(2) — ~~Deliberately hinder or impede pedestrian traffic.~~

(3) — ~~Obstruct the clear vision of the driver of any vehicle approaching or entering an intersection.~~

(4) — ~~Operate in a manner which will hinder emergency or utility services.~~

(5) — ~~Operate in violation of any of the city's land use regulations or municipal codes.~~

~~(d) — All mobile vendors that obtain an approved mobile vending permit shall conspicuously display the permit or any written approvals relating to mobile vending under this article during all times that a vendor's mobile vending unit or device occupies the location designated on his or her permit.~~

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

(a) The following standards apply to mobile vending devices that seek to locate in approved mobile vending locations.

1. Consistency with Standards for an Approved Mobile Vending Location. All mobile vending units shall conform to the approval for the mobile vending location where the activity is proposed.
2. Transportable. All mobile vending devices shall remain movable at all times and, if applicable, maintain vehicle licensing for travel upon the road.
3. Minimization of Off-Site Impacts.
 - A. All mobile vending devices and associated mechanical equipment (including any generators) shall generate less than 75 decibels of sound during operation.
 - B. All mobile vending devices shall direct all exterior lighting down and shall not allow the spill of light onto adjacent properties.
4. Site-obscuring materials. Mobile vending devices proposed to be parked in an approved location for more than seven days shall provide sight-obscuring materials for all conduit, tanks and storage areas visible to the public. Sight-obscuring materials include screening, fencing or temporary landscaping and shall comply with all applicable city ordinances and codes.
5. Insurance. If a mobile vendor will be located on city property or right-of-way, the applicant shall provide a signed statement that the applicant shall hold harmless the city, its officers and employees, and shall indemnify the city, its officers, agents and employees for any claims for damage to property or injury to persons occasioned by any activity carried on under the terms of the permit. The applicant shall furnish and maintain public liability, food products liability and property damage insurance to protect the permittee and the city from all claims for damage to property or bodily injury, including death, which may arise

from operations under the permit or in connections with it. The insurance shall provide coverage of not less than \$1,000,000.00 for bodily injury for each person, \$2,000,000.00 for each occurrence and not less than \$500,000.00 for property damage per occurrence. The insurance shall be without prejudice to coverage otherwise existing therein, and shall name as additional insureds the city, its officers, agents and employees, and shall further provide that the policy shall not terminate or be canceled prior to the completion of the mobile vending activity without 30 days written notice to the City Manager.

(b) The following additional standards apply to mobile food units:

1. Consistent with health standards. All mobile food units shall conform to all applicable State and County health codes.
2. Consistent with Oregon Fire Code. All mobile food units shall be certified by the Fire Marshall to ensure that the cooking or heating apparatus is in conformance with the provisions of the Oregon Fire Code and that all other health and life safety requirements have been satisfied.

Sec. 8-422. Denial or revocation of permit.

(a) The City Manager or their designee may deny, revoke or suspend the permit of any person to conduct a mobile vending business if the City Manager finds it is found:

- ~~(1.)~~ That the person has violated any of the standards or provisions set in this article.
- ~~(2.)~~ Any necessary health or other permit has been suspended, revoked or canceled.
- ~~(3.)~~ The permittee does not have a currently effective insurance policy in the minimum amount provided in section 8-421(~~75~~).
- ~~(4.)~~ Criminal conduct in relation to the service provided has been determined.

(b) Upon denial or revocation, the City Manager or their designee shall give notice of the action to the permit holder in writing stating the action taken and the reasons for it. The action shall be effective upon giving the notice to the permittee. Any revocation may be appealed to the City Council by filing a written notice of appeal within ten days.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-423. Violation.

A mobile vendor that violates this article, or the placement of a mobile vending device on any street, sidewalk, or private property in violation of the provisions of this article is declared to be a public nuisance. The offense is an Independence Municipal Code Class A violation, per section 1-22. The City Manager or their designee may, after following the nuisance procedures in article II of chapter 14, cause the removal of any vendor, cart or device found on a street, sidewalk or private property in violation of this article and may store the cart or device until the owner redeems it by paying the removal and storage charges established by the Manager or designee. Remedial actions taken by the city are in addition to, not in lieu of any other remedies available to the city.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-424. Appeal.

Any decision of the City Manager made under this article may be appealed to the City Council upon filing a written appeal with the City Recorder. The appeal must specify the grounds where the Manager or designee failed to follow the terms of this article. The appeal must be filed within 30 days of the decision on the permit. The appeal must be filed by a resident of the city or by the applicant. The appeal may be accompanied by any other information the appellant deems appropriate. The Council shall make a decision on the appeal by reviewing the record of the Manager's decision and the appeal. The Council decision shall be provided to the applicant within seven days from the date of the decision.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

Sec. 8-425. Prohibited solicitation.

It is unlawful for any person to solicit or demand any pecuniary benefit from any vendor in return for the vendor locating a mobile device on any public street or sidewalk in front of a particular business.

~~(Ord. No. 1571, § 1(Exh. A), 8-13-2019)~~

~~**Secs. 8-426—8-440. Reserved.**~~

Fred Evander

From: Myra Russell
Sent: Wednesday, August 27, 2025 12:37 PM
To: Golden Hop Saloon
Cc: Fred Evander
Subject: RE: Mobile Food Vendors Ordinance

Thank you for sending this. I never saw it as it was sent to Shawn. Would you like this included in the public testimony for the planning commission meeting?

Thank you!

Myra Russell
City Recorder/Executive Assistant to the City Manager

Office 503.837.1174 | Fax 503.606.3282
www.ci.independence.or.us



From: Golden Hop Saloon <thegoldenhopsaloon@gmail.com>
Sent: Wednesday, August 27, 2025 11:37 AM
To: Myra Russell <mrussell@ci.independence.or.us>
Subject: Fwd: Mobile Food Vendors Ordinance

Hi Myra,

This is the original email we sent to Shawn over a year ago regarding our concern for mobile food vendors. Since then, the Mexican restaurant noted in the email, and a subsequent restaurant under new ownership in the same location, have both closed, creating a vacant building on Main St... while the food truck in question remains open.

I understand that the Planning Commission has thrown out the verbiage in the proposed ordinance updates to include a cap on the amount in the city, which is disheartening. My concern remains about there being no limit on the amount of food trucks permitted in the City, as the more you allow in, the more your brick and mortar businesses will suffer.

Thank you,
Heather Chase

----- Forwarded message -----

From: **Golden Hop Saloon** <thegoldenhopsaloon@gmail.com>

Date: Fri, Apr 12, 2024 at 3:53 PM
Subject: Mobile Food Vendors Ordinance
To: <sirvine@ci.independence.or.us>

Hi Shawn,

This is Heather with the Golden Hop Saloon. I spoke with Karin Johnson yesterday and she recommended I reach out to you with my question/suggestion in regard to the City's Ordinance for mobile food vendors (food trucks).

Recently, a new Mexican restaurant opened in an existing building right downtown. It took them months and (I can only assume) thousands, if not tens of thousands of dollars, to remodel the space and prepare it for opening. But within only a couple weeks of opening, a new food truck serving very similar fare unexpectedly showed up less than a block away in the 7 Star parking lot. Now this new brick-and-mortar restaurant is unexpectedly competing for the same customers desiring Mexican food with a food truck with much less overhead cost.

As a fellow downtown restaurant owner, who has also invested a substantial amount of money improving the building and infrastructure for our business, It is disheartening to see more and more food trucks show up unregulated. They have little to no overhead because they have no investment in the community. They do not contribute to any downtown improvement or infrastructure. Most do not have their own utility accounts or connections. Most do not employ anyone other than the owner(s). All of these factors provide an unfair advantage compared to a permanent restaurant.

Having an unregulated amount of mobile food vendors in a town of only 10,000 people, could be disastrous to downtown brick and mortar businesses if the competition is growing faster than the population. If the worst should happen, a mobile food vendor can just pack up and roll to the next community. But a restaurant that goes out of business leaves an empty and expensive store front.

Aside from the concern from a business perspective, these food trucks are also taking valuable downtown parking spaces, not to mention cluttering the downtown with unattractive picnic tables and pop up sun/rain tents.

As it stands now, the ordinance allows an unlimited number of trucks as long as they meet the few requirements outlined in the ordinance. As an owner of a brick-and-mortar restaurant, this gives me pause. A solution that I would propose would be the city modify the ordinance to enact a cap on the number of mobile food vendor licenses allowed (outside of special events - Independence Days, Hop and Heritage, etc.). If all the licenses are taken, a new mobile food vendor wouldn't be able to move in until an existing one moves out.

I'd love to hear your thoughts or ideas on other ways to level the playing field.

Thank you for your time,
Heather Chase
Golden Hop Saloon

SUBCHAPTER 84: MOBILE VENDING LOCATIONS**84.010 Purpose.**

The purpose of this subchapter is to regulate the locations of mobile vending devices and mobile food units.

84.020 Applicability.

This subchapter does not apply to:

- A. Lemonade stands and other similar limited sales by minors.
- B. Garage sales.
- C. Car wash fundraisers.
- D. Vendors at farmers' or flea markets while working under the event organizer's city-granted authorization.
- E. Mobile vendors conducting business at a community event or on a temporary street closure while working under the event organizer's city granted authorization.
- F. The sale of raw agricultural products or commodities marketed for human consumption, where the vendor does not prepare, process or convert the item, for no more than seven days within a 30-day period.

84.030 Definitions.

The following words, terms and phrases, when used in this subchapter, shall have the meanings ascribed to them in this subchapter, except where the context clearly indicates a different meaning:

“Conduct business” means carrying, conveying, transporting, selling or offering for sale food or beverage of any type or fresh cut flowers, balloons, souvenirs, other non-food merchandise for immediate delivery, or service either from a mobile vending device or as a pedestrian.

“Mobile food unit” is any moveable motor vehicle, trailer or wagon that is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curb or walk-up service.

“Mobile vending device” includes devices used to conduct business, such as pushcarts as defined in this section, motorized vehicles, trailers, recreational vehicles, or any device in, upon or by which any person or property is or may be transported, moved or drawn or any structure or enclosure, which because of its size, construction or use of materials is not regulated by the Uniform Building Code. Mobile vending devices include mobile food units, as well as mobile devices that sell items other than food.

“Mobile vending location” is a location approved by the City to conduct mobile vending. A mobile vending location may be either a mobile vending pad or a mobile vending pod.

“Mobile vending pad” means a location that allows one mobile vendor and their associated amenities.

“Mobile vending pod” means a location that allows two or more mobile vendors and their associated amenities under common management on one property.

“Mobile vendor” is any person(s), entity(ies) or other parties that conduct business either from a mobile vending device, pushcart, table, tent or other temporary device.

“Pushcart” means a wheeled, non-motorized vehicle of such size and weight that it may be easily moved by no more than two people.

“Sidewalk” means that portion of the street between the curblines or the lateral lines of a roadway and the adjacent property line intended for the use of pedestrians.

84.040 Standards

Mobile vending locations shall be processed using the Site Design Review requirements in Subchapter 80. The following standards shall be used by the City Manager or designee to process the permits:

- A. Allowed zones. Mobile vending locations are allowed in all zones except the Low Density Residential (RS), Medium Density Residential (RM), High Density Residential (RH), and Mixed Density Residential (MX) zones.
- B. General location requirements. Mobile vending locations are only allowed in paved parking lots or other hard surface areas.
- C. Use of public right-of-way or city property:
 - 1. Mobile vending pads are not allowed within a public right-of-way or on other city property, unless:
 - a. The applicant demonstrates that the use will not have a negative impact to pedestrian or vehicular travel and
 - b. The city agrees to the use of the location prior to the submittal of the application.
 - 2. Mobile vending pods are not allowed within a public right-of-way or on city-owned property, unless the city initiates the application.
- D. Clear travel ways. Mobile vending locations, including all vehicles, devices and items associated with the operation, shall not obstruct travel lanes, driveways, drive aisles of any off-street parking area, or pedestrian pathways. The City Manager may consider adopted, non-discretionary city standards, including but not limited to the standards set forth in the Independence Development Code and the City Public Works Standards to ensure this standard is met.
- E. Sufficient parking. Mobile vending locations shall only be allowed in areas that have adequate parking for the use and any other activities on the site. The number of spaces needed for mobile vending locations shall be determined using the Table in Section 73.010, and be calculated based on the amount of seating area that is available for restaurant uses and the amount of display area that is available for retail

- and service uses. If the location fails to maintain adequate parking at any point during the life of the use, the city may revoke the permit pursuant to Section 84.040(O).
- F. Disposal of waste. Locations approved for mobile vending shall maintain clean environs, pick up any litter that is deposited by any person on the subject property and dispose of the waste generated by mobile vending activities.
- G. Utilities.
1. Mobile Vending Pads. A mobile vending pad that is intended to accommodate a mobile food unit may connect to City services or utilize self-contained water and graywater tanks. When an applicant seeks to rely on a tank to store graywater, the mobile vendor that utilizes the site shall ensure that the unit is regularly pumped.
 2. Mobile Vending Pods.
 - a. Water and Sewer Service. Connection to the City water and sewer systems are required for all mobile vendor pods. Applicable City Public Works Design Standards and/or the Oregon Plumbing Specialty Code standards shall be met.
 - b. Stormwater. Stormwater treatment, when required, shall be consistent with the Independence Public Design Standards.
- H. System development charges. Applicable System Development Charges shall be paid prior to the issuance of any development permits in accordance with the Independence Municipal Code, Chapter 34, Article VII, Utility System Development Charges.
- I. Lighting. Site lighting proposed for a mobile vending location shall be shielded and directed downward and shall not spill onto adjacent properties.
- J. Signage.
1. Mobile Vending Pads. Signs for a mobile vending pad shall be limited to what may be displayed on the mobile vending unit and a sign that meets the standards for sandwich board or temporary signs in Independence Development Code Section 58.040(N). No feather flags or other signs prohibited in IDC 58.150 are allowed.
 2. Mobile Vending Pods. Signs for a mobile vending pod (and any other use on a subject site) shall meet the size standard in Subchapter 58.190(A). Individual mobile vending devices may be allowed to have additional signage on the mobile vending device and to have a sandwich board or temporary sign so long as the sign is located entirely on the site associated with the mobile vending pod. No feather flags or other signs prohibited in IDC 58.150 are allowed.
- K. Drive through not allowed. No location proposed for mobile vending shall operate as a drive-through facility, as defined in the Independence Development Code, Subchapter 13.
- L. Spacing requirements. All mobile vending units shall meet the setbacks for the underlying zone and allow five feet of separation between each unit. Potentially flammable and/or explosive items shall additionally meet the setbacks required in the Oregon Fire Code.

M. Restroom Facilities.

1. A mobile vending pad shall be located within a 300-foot walking distance of an available permanent restroom for employees during all anticipated hours of operation. For any property that is not under the control of the applicant, a signed agreement that allows the use of the restroom shall be provided as part of the application.

2. A mobile vending pod shall have a permanent restroom that is available for employees during all anticipated hours of operation. The restroom shall be located on the same site as the mobile vending pod and be within 300 feet of every mobile vending space.

N. Conditions of Approval. A mobile vending location shall comply with applicable conditions of approval for previous land use decisions for the subject property.

O. Violation. The property owner and any representative of the property owner shall be jointly and severally responsible for any violation of this Subchapter or other applicable Subchapters of the Independence Development Code. Any such violation may result in the immediate revocation of a mobile vending location approval granted under this Subchapter and/or any mobile vending device license issued under Independence Municipal Code Chapter 8, Article XI and may result in the denial of any future mobile vending license for the site upon which the violation occurred.

84.050 Application

A. No person may establish a new location for mobile vending without first submitting an application and obtaining a permit under this Subchapter 84 from the City Manager or his or her designee.

B. Each application shall be accompanied by a nonrefundable fee, as established by Council resolution.

C. Applications shall be made in a form approved by the City Manager.

D. The application shall include, but not be limited to, the following information:

1. The name and address of the property owner. For the purposes of this code, the property owner will be considered the applicant for the project.

2. A site plan that shows the following information:

a. The anticipated types of mobile vending devices that will occupy the location.

b. The proposed location of the mobile vending devices, and the distance to the property lines and nearby sidewalks, driveways or structures.

b. The location of the hard-surface area where mobile vending devices will be located.

c. The location of any power service to a mobile vending space.

d. The location of proposed garbage and recycling receptacles, restrooms, chairs, tables and other site features.

e. The location of the public water, sanitary sewer and storm drainage lines (if applicable). If the applicant proposes a mobile vending pad, served with self-

contained water and/or graywater tanks, the applicant should specify the plan anticipated for the disposal of wastewater and gray water.

- f. The location of any proposed lighting.
 - g. A traffic plan, showing the in/out flow of cars; and the parking for customers and employees.
- E. Mobile vending devices may operate on city-owned property subject to a site-specific lease or license, with the city approving the use and location, which is conspicuously displayed on-site.

84.060 Form and conditions of permit

- A. The City Manager shall grant a Site Design Review permit for a mobile vending location if the City Manager or designee finds that the mobile vending location meets the standards set in Sections 84.040 (Standards) and 84.050 (Application), can comply with all applicable City Code provisions, and will not detract from the health, safety, and general welfare of the city.
- B. Site Design Review approvals issued under this subchapter shall be in a form prescribed by the City Manager and contain the following conditions:
 - 1. The approved mobile vending location shall be valid only when used in conformance with the Site Design Review approval.
 - 2. The Site Design Review approval shall be subject to the conditions and restrictions of this subchapter.
- C. Under an approved permit, no mobile vending location shall:
 - 1. Operate in a manner which creates a danger to persons or property.
 - 2. Deliberately hinder or impede pedestrian or vehicular traffic.
 - 3. Obstruct the clear vision of the driver of any vehicle.
 - 4. Operate in a manner which will hinder emergency or utility services.
 - 5. Operate in violation of any of the city's land use regulations or municipal codes.

ARTICLE XI: MOBILE VENDING DEVICES**Sec. 8-416. Purpose.**

The purpose of this subchapter is to regulate the operation of mobile vending devices and mobile food units at approved mobile vending locations.

Sec. 8-417. Applicability.

This section shall not apply to:

- (a) Lemonade stands and other similar limited sales by minors.
- (b) Garage sales.
- (c) Car wash fundraisers.
- (d) Vendors at farmers' or flea markets while working under the event organizer's city-granted authorization.
- (e) Mobile vendors conducting business at a community event or on a temporary street closure while working under the event organizer's city granted authorization.
- (f) The sale of raw agricultural products or commodities marketed for human consumption, where the vendor does not prepare, process or convert the item, for no more than seven days within a 30-day period.

Sec. 8-418. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Conduct business means carrying, conveying, transporting, selling or offering for sale food or beverage of any type or fresh cut flowers, balloons, souvenirs, other non-food merchandise for immediate delivery, or service either from a mobile vending device or as a pedestrian.

Mobile food unit is any moveable motor vehicle, trailer or wagon that is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curbside or walk-up service.

Mobile vending device includes devices used to conduct business, such as pushcarts as defined in this section, motorized vehicles, trailers, recreational vehicles, or any device in, upon or by which any person or property is or may be transported, moved or drawn or any structure or enclosure, which because of its size, construction or use of materials is not regulated by the Uniform Building Code.

Mobile vendor is any person(s), entity(ies) or other parties that conduct business either from a mobile vending device, pushcart, table, tent or other temporary device.

Pushcart means a wheeled, non-motorized vehicle of such size and weight that it may be easily moved by no more than two people.

Sidewalk means that portion of the street between the curblines or the lateral lines of a roadway and the adjacent property line intended for the use of pedestrians.

Sec. 8-419. Mobile Vending License for Approved Mobile Vending Locations

- (a) Applicants for a mobile vending license shall apply on the forms prescribed by the City of Independence and meet the standards listed below.
- (b) A mobile vending license is valid for one year from issuance, at which time the City will reinspect the mobile vending device. The City may extend the permit annually so long as the mobile vending device continues to operate in accordance with the original permit and the standards in this Section.

Sec. 8-420. Application.

- (a) To apply for a mobile vending license, the applicant shall submit:
 - 1. A description of the type of merchandise to be sold.
 - 2. A project narrative that includes:
 - a. The means used to conduct the business, including but not limited to a photo and description of any mobile vending device to be used for the transport and/or display of merchandise.
 - b. The proposed hours of operation of the use.
 - c. Any flammable materials proposed for the activity, and the location the materials are proposed to be stored.
 - d. The disposal plan or contract for wastewater and gray water.
 - e. If applicable, the specifications for any generator or any other mechanical device proposed to be used.

- f. If applicable, details associated with any lighting proposed for the activity.
 - g. Identification of the proposed device site which has received City approval as a mobile vending location.
 - 3. Written consent from the property owners of the proposed device site, if the applicant is not the property owner.
- (b) Prior to operation of the use, the applicant additionally shall submit a valid copy of all necessary permits required by state or local health authorities.

Sec. 8-421. Standards applicable to Mobile Vending Devices

- (a) The following standards apply to mobile vending devices that seek to locate in approved mobile vending locations.
- 1. Consistency with Standards for an Approved Mobile Vending Location. All mobile vending units shall conform to the approval for the mobile vending location where the activity is proposed.
 - 2. Transportable. All mobile vending devices shall remain movable at all times and, if applicable, maintain vehicle licensing for travel upon the road.
 - 3. Minimization of Off-Site Impacts.
 - A. All mobile vending devices and associated mechanical equipment (including any generators) shall generate less than 75 decibels of sound during operation.
 - B. All mobile vending devices shall direct all exterior lighting down and shall not allow the spill of light onto adjacent properties.
 - 4. Site-obscuring materials. Mobile vending devices proposed to be parked in an approved location for more than seven days shall provide sight-obscuring materials for all conduit, tanks and storage areas visible to the public. Sight-obscuring materials include screening, fencing or temporary landscaping and shall comply with all applicable city ordinances and codes.
 - 5. Insurance. If a mobile vendor will be located on city property or right-of-way, the applicant shall provide a signed statement that the applicant shall hold harmless the city, its officers and employees, and shall indemnify the city, its officers, agents and employees for any claims for

damage to property or injury to persons occasioned by any activity carried on under the terms of the permit. The applicant shall furnish and maintain public liability, food products liability and property damage insurance to protect the permittee and the city from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connections with it. The insurance shall provide coverage of not less than \$1,000,000.00 for bodily injury for each person, \$2,000,000.00 for each occurrence and not less than \$500,000.00 for property damage per occurrence. The insurance shall be without prejudice to coverage otherwise existing therein, and shall name as additional insureds the city, its officers, agents and employees, and shall further provide that the policy shall not terminate or be canceled prior to the completion of the mobile vending activity without 30 days written notice to the City Manager.

(b) The following additional standards apply to mobile food units:

1. Consistent with health standards. All mobile food units shall conform to all applicable State and County health codes.
2. Consistent with Oregon Fire Code. All mobile food units shall be certified by the Fire Marshall to ensure that the cooking or heating apparatus is in conformance with the provisions of the Oregon Fire Code and that all other health and life safety requirements have been satisfied.

Sec. 8-422. Denial or revocation of permit.

(a) The City Manager or their designee may deny, revoke or suspend the permit of any person to conduct a mobile vending business if it is found:

1. That the person has violated any of the standards or provisions set in this article.
2. Any necessary health or other permit has been suspended, revoked or canceled.
3. The permittee does not have a currently effective insurance policy in the minimum amount provided in section 8-421(5).
4. Criminal conduct in relation to the service provided has been determined.

(b) Upon denial or revocation, the City Manager or their designee shall give notice of the action to the permit holder in writing stating the action taken and the reasons for it. The action shall be effective upon giving the notice to the permittee. Any revocation may be appealed to the City Council by filing a written notice of appeal within ten days.

Sec. 8-423. Violation.

A mobile vendor that violates this article, or the placement of a mobile vending device on any street, sidewalk, or private property in violation of the provisions of this article is declared to be a public nuisance. The offense is an Independence Municipal Code Class A violation, per section 1-22. The City Manager or their designee may, after following the nuisance procedures in article II of chapter 14, cause the removal of any vendor, cart or device found on a street, sidewalk or private property in violation of this article and may store the cart or device until the owner redeems it by paying the removal and storage charges established by the Manager or designee. Remedial actions taken by the city are in addition to, not in lieu of any other remedies available to the city.

Sec. 8-424. Appeal.

Any decision made under this article may be appealed to the City Council upon filing a written appeal with the City Recorder. The appeal must specify the grounds where the Manager or designee failed to follow the terms of this article. The appeal must be filed within 30 days of the decision on the permit. The appeal must be filed by a resident of the city or by the applicant. The appeal may be accompanied by any other information the appellant deems appropriate. The Council shall make a decision on the appeal by reviewing the record of the decision and the appeal. The Council decision shall be provided to the applicant within seven days from the date of the decision.

Sec. 8-425. Prohibited solicitation.

It is unlawful for any person to solicit or demand any pecuniary benefit from any vendor in return for the vendor locating a mobile device on any public street or sidewalk in front of a particular business.

Management Team Notes
Wednesday, October 15, 2025

Present: Fred, Patrick, Tino, Jason, Rob, Shawn, Amanda Christensen, Amanda Carey, Kenna

- Pending agenda review.

Tino:

- Hiring
 - 1 applicant didn't make it through process
 - 1 applicant to psych exam
- Officers attended school lunch week at schools
- CIS Assessment scheduled for 10/28/25

Fred:

- Historic Preservation Commission – Preparing for Historic Preservation Commission meeting on October 20th. The meeting will include additional training about the Independence Historic District.
- Planning Commission – Preparing for a Planning Commission meeting on November 3. The meeting will include a Public Hearing on code amendments related to Single Room Occupancies (to address recent changes to state law), and potentially a discussion of concepts for the infill code.
- Infill Housing Project – Continuing outreach for the Infill Housing Project. Preparing frameworks to think about options for code revisions.
- Other Work – Conducting annual inspections of food trucks.
- Reviewing various developments and addressing day-to-day planning concerns.
- May be out of the office on and off due to family health issues.

Amanda HR:

- Recently attended the NWWLA Academy — super insightful and full of ideas I can use when working with staff.
- Currently focused on recruiting for the Public Works Director position.
- Also playing catch-up after being out for training.

Patrick:

- The annual report to the State Library has been finalized and submitted.
- We've had great participation at programming lately, especially at our Coding Club, Storytimes, and even at Soil 101 put on by the Polk Master Gardeners
- Patrick has been working on creating the Rural Library focused training for the Centers for Independent Living project he has been invited to be involved with.
- CCRLS is working on updating all the patron and staff computers to run Windows 11.

Rob:

- Completion of audit,
- Working on the revised fee schedule,
- Working on establishing and implementing a grants management system for the City,
- Reworking and implementing an AP workflow process using Caselle, and
- Revamping and implementing the business licensing process through Caselle.

We likely will not accomplish all of these priorities prior to the end of the calendar year, but will finish some and have a strong start to the rest.

Shawn:

- Working on leadership program details - it's Saturday 10/25. Still room for more participants if you know anyone.
- Wrapping things up with Downtown Manager - last day is tomorrow.
- Lot of detail work to get Chestnut Street Bridge design started - funded by federal grants so many hoops to jump through
- Probably going to take another look at MIRL - There's a lot of interest but nobody can quite decide if it's worth it.
- Council ok'd the transition of Indy Days to a new non-profit org
- Attended Oregon Main Street Conference in Albany. Interesting sessions, met a developer who says he can do affordable market rate townhomes
- Submitted DLDC grant for Economic Opportunity Analysis and Local Wetland Inventory

Gerald:

Project Updates

- **2018-03 Polk Well #4:** Testing completed. Project close out scheduled for later this month.
- **2022-03 Polk Co Hoffman-Gun Club Rd SRTS:** Waiting on results from County.
- **2022-09 WWTP Upgrade:** Final plans to city for review on 10/23/25.
- **2022-12 OR 51–5th St SRTS Crossing:** Waiting for adjustment of scope and IGA modification.
- **2022-17 9th St PS Ph 2-3:** Design on same schedule as WWTP upgrade.
- **2023-04 Surface Water Treatment Plant:** Tree removal completed. Consultants met on 10/3/25 to select boring locations.
- **2023-06 Stormwater Master Plan Update:** Master plan work underway.
- **2023-09 Road Annexation-Juris Transfer:** Transfer resolution by Council for Hoffman pending Polk County completing of storm work for SRTS project.
- **2023-11 Parks Master Plan Update:** Presentation of projects and master plan status to Parks Board scheduled for 11/20/25.
- **2023-12 Chestnut St Bridge:** Waiting for IGA between ODOT, Marion County, and city.
- **2023-13 Corvallis Rd Waterline:** EPA reviewing plans and specifications. Consultant working on 100% plans. Bidding later this year.
- **2024-01 ODOT ADA Upgrades:** ODOT updated construction to fall of 2026.
- **2024-04 Polk-Main Intersection Improvement:** Design underway. Coordinating design with ODOT staff.
- **2024-08 Polk WTP Pump Upgrade:** Design underway.
- **2024-09 Sludge Survey:** Report submitted to DEQ in compliance with permit. Project completed.
- **2024-10 Water Loss Survey:** Water loss survey work underway.
- **2025-04 Stormwater SDC and Rate Study** – Project is scheduled to begin in early 2026.
- **2025-05 Parks SDC Study** – Project is scheduled to begin in early 2026.
- **2025-06 Temperature TMDL** – Work to begin at the end of 2025.

Administrative Updates

- Staff working on multiple development applications, design, and construction reviews. The following is a status update on larger projects still underway.
 - 2021-02 SW Crossing: Construction underway.
 - 2021-05 Station 203: Waiting on plan submission.
 - 2022-18 478 S Main Mixed-Use: Construction completed. Project closed.

- 2024-03 Ella Curran Food: Construction underway.
- 2024-06 601 Stryker Rd Industrial: Construction underway.
- 2024-11 OAWU Expansion: Construction underway.

Management Team Notes
Wednesday, October 29, 2025

Present: Amanda Carey, Amy, Emmanuel, Jason, Myra, Patrick, Rob, Shawn, Tino, Kenna

- Pending agenda review.

Amanda HR:

- At a conference for recruitment purposes.

Amy:

- Visitor Reflection: Lauren Morgan Miner, who visited the museum with her family in September, wrote a deeply touching Substack article about their experience in Independence and the impact of the museum's work. It's a wonderful reflection on the importance of what we do. <https://laurenmorganminer.substack.com/p/independence-what-my-family-brought>
- Downtown Trick-or-Treat Event: We'll be participating in the downtown Trick-or-Treat event this week! Stop by the museum between 3 and 5.
- New Visiting Exhibits: The National Library of Medicine's traveling exhibit, Renaissance Science, Magic, and Medicine, is now on display in the conference room through November 29. Starting November 5th, a visiting exhibit from Oregon Historical Society will be on display at the Chamber of Commerce Visitors Center called Clink! Hosted by the Heritage Museum.
- Upcoming Speaker Series: Please help spread the word about our first Speaker Series event on November 13, 6pm, at Valkyrie Wine Tavern.
- Quarterly Newsletter: Final edits are underway for our new quarterly newsletter, which will be distributed next week.

Emmanuel:

- Financial recovery strategy messaging
- Working on next curator's corner
- Trademarking city logo , stay tuned
- Tree voucher program, amazing results
- IPD trick or treat video
- WTP communications
- Tour of Polk fire station
- City of Silverton loves our comms strategy
- Working on SNAP benefits comms

Fred:

- At a conference

Gerald:

- At a conference

Jason:

- Working through Windows 11 update issues.
- Second week of November will be Monmouth IT transition focused.
- Preparing to migrate to our ERP (Enterprise Resource Planning) software to cloud based.

Myra:

- Attended OACA conference in Hood River Sunday-Tuesday this week. Lots of good sessions with law enforcement, judges and court staff bringing information from all over the state that we can use in our court.

- Potentially out of the office Thursday November 6 through Tuesday November 11. Trying to take a break before the holiday craziness!

Patrick:

- Patrick has been subpoenaed for trial this Friday, 10/31, regarding the property destruction of the Story Walk this summer.
- Miss Jo celebrates 20 YEARS at the library on Friday.
- Excited about the prospect of a new ALL AGES coding platform potentially coming to the library as early as the beginning of the calendar year. The platform will be funded by Indy Idea Hub.

Rob:

- We are currently working on completing the fee study with any feedback from the Council and a strategy for addressing the General Fund financial challenges as a basis for budgeting and a potential levy run.
- We received a lot of positive feedback from the leadership academy for the Finance Department's presentations on property taxes and the budget process.

Shawn:

- Leadership program went well. 15 participants. Big thank you to the department heads who took time on Saturday to walk people through their areas of expertise - lots of positive comments.
- I spoke to a statewide gathering of Oregon Employment Department staff about how I use their data for community and economic development purposes.
- Also spoke at RDI's Rural Visibility program, highlighting rural economic development and ways to enhance rural economies.
- Talking with IDA about taking on some tasks that our prior Downtown Manager handled.
- Finalizing agreement with SEDCOR for industrial recruitment services.
- Cyclocross in two weeks. Will require occasional closures of river trail - there will be trail Marshals to help people use the trail safely.
- Signs are up on all the properties; realtors are also doing direct outreach.

Tino:

- Staffing/Hiring - 1 applicant awaiting medical. Starting over on process for our last position.
- Completed our CIS Law Enforcement Assessment - results in a few months.
- Will have a booth downtown for Halloween, staffed by Cadets.
- I will be out next week for Small Agency Conference. Available by phone/email, but Lt. Gilbert will be left in charge.

Management Team Notes
Wednesday, November 12, 2025

Present: Amanda Carey, Amanda Christensen, Amy, Fred, Gerald, Jason, Myra, Patrick, Rob, Shawn, Tino, Kenna

- Pending agenda review.

Amanda HR:

- Working on personnel transitions and coordinating recruitment for the Police and Finance Departments.

Amy:

- The new monthly speaker series kicks off November 13 at Valkyrie Wine Tavern, with the next session scheduled for December 11.
- The museum's new traveling display cases have been constructed. Design work is underway and installation will be after the first of the year—one at the library and another at Central High School.
- The Heritage Museum Society held a productive meeting last week and outlined several upcoming fundraisers.
- The museum newsletter is set to debut this week.

Fred:

- Historic Preservation Commission – Preparing for Historic Preservation Commission meeting on November 17th. The meeting will include additional training about the Independence Historic District, especially historic storefront design.
- Planning Commission – Preparing for a Planning Commission meeting on December 1. The meeting will include a discussion about a potential code change to allow more use of properties along Monmouth Street for commercial purposes.
- Infill Housing Project – Continuing the More Housing, Same Great Neighborhood project. Expecting to get a draft of potential code changes soon. Plan to have a Joint City Council/Planning Commission work session on January 27.
- Administrative Code Rewrite - Was awarded the grant to help rewrite the administrative chapter of the Independence Development Code to address recent changes to state legislation related to limited land use decisions and expedited land divisions. A consultant was selected, and a draft contract will be drafted within the next month or so. Project should kickoff in early 2026.
- Other Work – Conducting annual inspections of food trucks and marijuana businesses
- Reviewing various developments and addressing day-to-day planning concerns.

Gerald:

Project Updates

- **2018-03 Polk Well #4:** Contractor working on telemetry issues. Project punch list issued to contractor. Project close out pending.
- **2022-03 Polk Co Hoffman-Gun Club Rd SRTS:** Waiting on results from County.
- **2022-09 WWTP Upgrade:** Waiting for federal approvals to proceed to bidding.
- **2022-12 OR 51–5th St SRTS Crossing:** Waiting for adjustment of scope and IGA modification.
- **2022-17 9th St PS Ph 2-3:** Waiting for federal approvals to proceed to bidding.
- **2023-04 Surface Water Treatment Plant:** Consultants working on test well installation.
- **2023-06 Stormwater Master Plan Update:** Master plan work underway.
- **2023-09 Road Annexation-Juris Transfer:** Transfer resolution by Council for Hoffman pending

Polk County completing of storm work for SRTS project.

- **2023-11 Parks Master Plan Update:** Presentation of projects and master plan status to Parks Board scheduled for 11/20/25.
- **2023-12 Chestnut St Bridge:** Waiting for IGA between ODOT, Marion County, and city.
- **2023-13 Corvallis Rd Waterline:** Waiting for federal approvals to proceed to bidding.
- **2024-01 ODOT ADA Upgrades:** ODOT updated construction to fall of 2026.
- **2024-04 Polk-Main Intersection Improvement:** Design underway. Coordinating design with ODOT staff.
- **2024-08 Polk WTP Pump Upgrade:** Design underway.
- **2024-10 Water Loss Survey:** Water loss survey work underway.
- **2025-04 Stormwater SDC and Rate Study** – Project is scheduled to begin in early 2026.
- **2025-05 Parks SDC Study** – Project is scheduled to begin in early 2026.
- **2025-06 Temperature TMDL** – Work to begin at the end of 2025.

Administrative Updates

- Staff working on multiple development applications, design, and construction reviews. The following is a status update on larger projects still underway.
 - 2021-02 SW Crossing: Construction underway.
 - 2024-03 Ella Curran Food: Construction underway.
 - 2024-06 601 Stryker Rd Industrial: Construction underway.
 - 2024-11 OAWU Expansion: Construction underway.

Jason:

- Working on Monmouth IT Transition and technology partnerships.
- Appointed to the League or Oregon Cities Policy Committee on Telecommunications, Cybersecurity, and AI.

Myra:

- Catching up after being off for a few days.
- Covering payroll this month, made management team aware of tight timeline to process.

Patrick:

- Patrick represented the library in a court case regarding property destruction of the Story Walk over the summer. A restitution plan will be provided to the library once it's finalized.
- The Youth Coding League has been really well attended over the past month and a half. We average 14-16 kids each week. We will be continuing in the spring but will be reassessing the day of the week we run the program to see if there's something that will increase attendance even further.
- We have a meeting set up this week with representatives from CSC to see about expanding Makerspace programming to either bring the library to them or bring them to the library. More information as it's figured out.
- We've been working on ironing out all the hiccups with our staff computers now that they've been updated to Windows 11.
- Upcoming Library programs:
 - Youth Coding League - every Wednesday at 4pm through November
 - Teen & Adult Create a Holiday Banner - 11/13 @ 4pm
 - Mystery Book Club - 11/18 @ 4pm
 - Drop in Legos - 11/25 - 2-5pm
 - Storytimes - every Wednesday at 10:30 am

Shawn:

- Cyclocross event went really well. Lots of positive feedback from riders who haven't been here before - one said she's coming back this weekend for her anniversary. The event also donated over 300 lbs. of food to the food bank.
- Getting interest from affordable housing providers about MIRL - state is making changes to the program. May have to take another look.
- General coordination and info transfer with new community org doing Indy days, sorting out startup loan.
- Working on RFP for Urban Renewal properties

Tino:

- New lateral hire, Bella Federico, starts on Monday November 17.
- CIS Assessment left us with a list of items to do, most of which have already been completed thanks to Lt. Gilbert.
- Sgt. Fleming and his detective team located and arrested a suspect on a case from 1997.

NOV 11, 2025 - 6:30 PM	NOV 25 2025 - 6:30 PM
Agenda items due: Noon, » Veterans Day-No Meeting » » » » » » » Liaison Reports: Library Board, Museum Board » and Continuum of Care » Minutes/Misc Corresp/Notes/PAC	Agenda items due: Noon, 11/18/2025 » P: Financial Technical review report (presentation) » » NB: Financial Recovery plan (Moody) » NB: Public Hearing: Mobile vending (Evander) » NB: Council Bill: Mobile Vending (Evander) » NB: SDC Revision (Fisher) » » » Liaison Reports: Library Board, Museum Board » and Continuum of Care »
+ Urban Renewal Agency Meeting, if needed	+ Urban Renewal Agency Meeting, if needed
DEC 9, 2025 - 6:30 PM	DEC 23, 2025 - 6:30 PM
Agenda items due: Noon, 12/03/2025 » P: MINET (PJ Armsrong presentation) » NB: Public Hearing: Annexation surface water treatment plant pr » NB: Council Bill: WTP Property annexation (Evander) » NB: Public Hearing: Ordinances associated with new Fee Code » NB: Council Bill: Ordinances associated with new Fees (Moody) » NB: Q1 Financials 2025 (Moody) » NB: Budget Amendment (Carey) » NB: Banking Resolution (Carey) » Liaison Reports: Traffic Safety, Historic Preservation, » and Planning Commission » Minutes/Misc Corresp/Notes/PAC	Agenda items due: Noon, 12-17-2025 » Possibly no meeting/work session » » » » » » » » » »
+ Urban Renewal Agency Meeting, NEEDED	+ Urban Renewal Agency Meeting, if needed
JAN 13 - 6:30 PM	JAN 27, 2026 - 6:30 PM
Agenda items due: Noon, 01/07/2026 » Election of Council President » P: Trolley Presentation » NB: Audit Presentation (Carey/Auditors) » NB: Appoint Budget Officer, Adopt Budget Calendar (Carey) » NB: Q1 Board Appointments (West) » NB: Resolution: pub records request update (West) » NB: Public Hearing: Single Room Occupancy (Evander) » NB: Council Bill: Single Room Occupancy (Evander) » NB: Fee Schedule Update (Moody) » Liaison Reports: MINET, Parks Board, » and Independence Days Commission » Minutes/Misc Corresp/Notes/PAC	Agenda items due: Noon, 01/21/2026 » » Joint WS with Planning Infill Standards » NFee Schedule Update (Moody) » » » » » » » »
+ Urban Renewal Agency Meeting, if needed	+ Urban Renewal Agency Meeting, if needed

Future Items:

Grants reports Jan/Feb & July/Aug
 Franchise Agreements (updates ongoing)
 Resolution: Purchasing Authority (West)
 Work Session-Dusk to Dawn
 Work Session-Council Procedure-Council Bills, Public Hearing (West)
 Council Liaison appointments: Every 2 years on election year
 Liquor License Annual Renewals at FEB 2026 Meeting

Future Council Work Sessions:

Future PW Agenda Items:

Code and Utility Billing

City Council Liaisons:

Historic Preservation Commission: Councilor Morton
 Planning Commission: Councilor Martin-Willis
 Independence Days Commission: Councilor Boisvert
 Library Board: Councilor Boisvert
 Museum Advisory Board: Councilor Morton
 Parks Board: Councilor Roden
 MINET: Councilor Sorce
 Traffic Safety Commission: Councilor Roden
 Continuum of Care: Councilor Corr