



CITY COUNCIL

David Ripma, Mayor

Zach Andrews

Geoffrey Wunn

Jesse Davidson

Carol Allen

Glenn White

John Leamy

Agenda Tuesday, December 9, 2025

Regular Meeting | 7:00 PM

Troutdale Police Community Center - Kellogg Room
234 SW Kendall Ct, Troutdale, OR 97060

1. Pledge of Allegiance, Roll Call, Agenda Update

2. Public Comment:

Public Comment on non-agenda and consent agenda items is welcome at this time. Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council. The Council and Mayor should avoid immediate or protracted responses to citizen comments.

3. Consent Agenda:

3.1 Minutes: October 28, 2025 City Council Regular Meeting and November 18, 2025 City Council Regular Meeting.

3.2 Motion: A motion to approve the 2026 Council meeting schedule.

3.3 A Resolution Correcting The Documentation Of The Fiscal Year 2025-2026 General Fund Budget And Appropriations.

4. Presentation:

4.1 A legislative update from Representative Hudson.

5. Ordinances:

5.1 PUBLIC HEARING (Introduction) - An ordinance amending the Troutdale Municipal Code Title 3, Revenue and Finance, to update Transient Lodging Tax remittance on short-term rentals. - Marlee Boxler, Economic Development Coordinator, and Erika Palmer, Community Development Director

6. Staff Communications

7. Council Communications

8. Adjournment



David Ripma, Mayor
Dated: December 3, 2025

Meeting Participation

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on December 8th** to request Zoom meeting access credentials. You may also submit written public comments [via email](mailto:info@troutdaleoregon.gov) to info@troutdaleoregon.gov no later than **5:00pm on December 8th**. City Council Regular Meetings are broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our [Web Page www.troutdaleoregon.gov/meetings](http://www.troutdaleoregon.gov/meetings) or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.

MINUTES

Troutdale City Council – Regular Meeting
Troutdale Police Community Center – Kellogg Room
234 SW Kendall Court
Troutdale, OR 97060

Tuesday, October 28, 2025 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Ripma called the meeting to order at 7:00pm.

PRESENT: Mayor Ripma, Councilor Andrews, Councilor Allen, Councilor Wunn, Councilor White, Councilor Davidson and Councilor Leamy.

ABSENT: None.

STAFF: Mike Weston, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney; Erich Mueller, Finance Director; Erika Palmer, Community Development Director; Travis Hultin, Public Works Director (7:05) and Nik Ramstad, Associate Planner.

GUESTS: See Attached.

Mayor Ripma asked for agenda updates.

Mike Weston, City Manager, replied there are no updates.

2. PUBLIC COMMENT: Public comment on non-agenda and consent agenda items is welcome at this time.

Saul Pompeyo, Owner Ristorante Di Pompello, thanked the Council for deciding to review SDCs. He wants to know the reason he was overcharged on SDCs for 17 years. The sewer is charged based on the possible consumption. Charging by seats is right, more seats is more consumption. The code charges for the possible impact. The City charges for every seat and for some restaurants, that's okay but bigger restaurants use less water per seat. Smaller restaurants use more water per seat. You need to decrease factors for bigger restaurants.

3.1 PRESENTATION: A presentation from Deputy Jessie Volker on the annual Multnomah County Sheriff's Office toy drive.

Deputy Jessie Volker, Multnomah County Sheriff's Office, stated this is the 4th year of the toy drive for East County (handout attached as Exhibit A). She congratulated Troutdale for winning the wrapping paper drive last year. She stated they will be asking for gift bags and tissue paper rather than wrapping paper this year. The Fill The Cruiser for Troutdale is the Saturday after Thanksgiving, and the location will be Walmart for anyone that would like to volunteer. She stated that they served 1300 East County kids last year. It's a very positive influence on the community. They are looking to do bike drives for kids to teens bikes and planning to do some raffles so families can put their ticket into a drawing for whichever bike they'd be interested in.

Mayor Ripma asked for the date that volunteers are needed.

Deputy Volker stated it's November 29th from 9am to 3pm.

3.2 PRESENTATION: 2026 Mt. Hood Jazz Festival Sponsorship.

Dan Davey, Mt. Hood Jazz Festival Director, presented a PowerPoint (attached as Exhibit B).

Councilor White asked how much Gresham contributed.

Dan Davey stated that it changes each year. Nothing yet this year. He stated they usually get grants from them and 2 years ago it was around \$10,000. Last year it was around \$7,000 in grants.

Councilor Leamy asked the dates of the festival.

Dan Davey stated it will be April 22nd through the 26th.

Mike Weston asked if there had been any economic studies.

Dan Davey replied no, but they are having those conversations. It would be nice to know the ROI for cities on their sponsorship.

Councilor Allen asked what the volunteers would be doing.

Dan Davey stated that some are outward facing or there is a pre-festival planning and setting up, selling merch, ticket sales, helping students and also helping at community events. They also need drivers for the artists to and from the airport and to venues.

Mayor Ripma stated that one of the Council's concerns was that it was mostly a Gresham event. The Council did make a generous donation last year. He stated it's clear from the presentation that participation from Troutdale and the use of Troutdale businesses has increased. It's a very worthy effort and it helps a lot of kids.

Councilor Andrews stated that Marlee's last economic breakdown of what Troutdale experienced last year showed a bit of a bump during the Jazz Festival.

Erich Mueller, Finance Director, stated that there are typically questions from the Council regarding what has been donated in the past and budget questions so he's sharing some of the information upfront. In 2022 and 2023 the donation was \$5000, in 2024 it was \$6500 and in 2025 it was \$7500. He typically gets asked if the money is in the budget. There is money in the budget for community events and it's the same bucket that the First Fridays and city sponsored events are in, but specific events and dollar amounts are not specific as Council should make that decision. There is money in the budget but not specifically for Mt. Hood Jazz Festival or any other city sponsored event for that matter. He stated for the auditors he needs a motion in the minutes that Council approved or chose to donate/provide a sponsorship to Mt. Hood Jazz Festival for however many dollars and that's what he uses to support the audit trail.

Mayor Ripma opened public comment.

Paul Wilcox, Troutdale resident, read from a self-prepared statement (attached as Exhibit C).

Councilor Davidson stated that this provides a great opportunity for a lot of Troutdale citizens, Gresham citizens and a lot of young kids getting into music, which is a lifelong experience that they'll take with them well beyond the festival. He's concerned that if the City doesn't make another generous donation, Mt. Hood might find someone who does and then they start recommending their restaurants and services. He thinks this event is something that is worthy of the donation.

Councilor Wunn stated he feels like this is a good use of the budget to highlight Troutdale and support something that is educational, it's entertainment and brings attention to the City.

MOTION: Councilor Wunn made a motion to approve a \$7500.00 donation to the Mt. Hood Jazz Festival. Seconded by Councilor Allen.

Councilor White stated he likes how Gresham is handling it and doing it with a grant. He stated that Troutdale has a grant writer and maybe that should be pursued.

Mayor Ripma stated putting out a grant would take a lot of staff time to analyze and a lot of effort, he doesn't think there's anything wrong with donating to the festival rather than a grant. He stated he is in favor of a donation because it's such a worthy cause and does a lot for Troutdale.

Councilor Andrews stated he thinks that maybe the Council could approve a donation but do a lower amount.

Mayor Ripma stated that that could be handled by asking if the mover of the motion and seconder would accept the amendment by Councilor Andrews. Or Council could put it to a vote as an amendment to the motion.

Councilor Wunn stated he thinks \$1000.00 in the grand scheme of everything doesn't move the needle with him. This money is already set aside in the budget, and he is not willing to amend his motion.

**Councilor Andrews made a motion to amend the donation amount to \$5000.00 for Mt. Hood Jazz Festival.
Seconded by Councilor White.**

VOTE: Councilor Allen – No; Councilor Wunn – No; Mayor Ripma – No; Councilor White – Yes; Councilor Davidson – No; Councilor Leamy – No and Councilor Andrews – Yes.

Motion failed 2-5.

Mayor Ripma stated there will now be a vote on the original motion on the floor for a donation of \$7500.00.

VOTE: Councilor Allen – Yes; Councilor Wunn – Yes; Mayor Ripma – Yes; Councilor White – Yes; Councilor Davidson – Yes; Councilor Leamy – Yes and Councilor Andrews – No.

Motion passed 6-1.

4.1 PUBLIC HEARING / ORDINANCE (Introduction): An ordinance to adopt updated Town Center Overlay on the Comprehensive Plan and Zoning Maps and Comprehensive Plan text amendments.

Erika Palmer, Community Development Director, read the short title.

Mayor Ripma opened the public hearing at 8:00pm.

Erika Palmer gave a brief overview of the staff report and presented a PowerPoint (attached as Exhibit D).

Councilor White asked if Edgefield was made aware that this would reduce their density.

Erika Palmer stated that it shouldn't affect the density.

Mayor Ripma opened public comment at 8:14pm.

None.

Mayor Ripma closed public comment at 8:16pm.

Mayor Ripma closed the public hearing at 8:16pm.

Item continued to the 11/18/25 City Council meeting for the 2nd reading.

4.2 COUNCIL DELIBERATION & SECOND HEARING (Introduced 10/14/2025): An ordinance to adopt development code amendments to allow for the creation of historic district(s).

Mike Weston read the short title.

Nik Ramstad, Associate Planner, stated that there is no new information. The previous hearing concerns about property owner notification will be addressed by door-to-door notification, sending notices in the mail, website updates and everyone being informed.

Mayor Ripma opened public comment at 8:19pm.

Frank Stevens, Troutdale resident, gave a shout-out to the staff for all the work that they have done on this. This really reflects the values of Troutdale. He would definitely be in favor of this.

Paul Wilcox read a self-prepared statement (attached as Exhibit E).

Mayor Ripma closed public comment at 8:22pm.

MOTION: Councilor Wunn moved to adopt the ordinance to adopt development code amendments to allow for the creation of historic district(s). Seconded by Councilor White.

VOTE: Councilor Allen – Yes; Councilor Wunn – Yes; Mayor Ripma – Yes; Councilor White – Yes; Councilor Davidson – Yes; Councilor Leamy – Yes and Councilor Andrews – Yes.

Motion passed 7-0.

4.3 COUNCIL DELIBERATION & SECOND HEARING (Introduced 10/14/2025): An ordinance amending Chapters 12.01 and 12.05 of the Troutdale Municipal Code pertaining to Public Works code violations and public sidewalk maintenance.

Travis Hultin, Public Works Director, read the short title. He stated the only change was to add back in the 30-day extension that was requested at the last meeting.

TROUTDALE CITY COUNCIL MINUTES

5 of 10

October 28, 2025

Exhibit A – Toy Drive Handout

Exhibit B – Mt. Hood Jazz Festival Presentation

Exhibit C – Self prepared statement from Paul Wilcox on Item #3.2

Exhibit D – Erika Palmer's Presentation for Item #4.1

Exhibit E – Self prepared statement from Paul Wilcox on Item #4.2

Exhibit F – Self prepared statement from Paul Wilcox on Item #4.3

Councilor Wunn asked about the rules around horizontal cutting and when you can and can't do it.

Travis Hultin stated that if it resulted in the sidewalk being less than 2 inches thick, it wouldn't work.

Councilor Wunn asked if staff gives residents options after a complaint is given.

Travis Hultin stated that staff don't lay out specific options for each case, it's a case-by-case basis. In the standard letter it does call out alternative methods and says who to contact for additional information.

Councilor Wunn asked if the permit fees can be waived for the complaint driven sidewalk fixes if someone is going to fix it.

Travis Hultin replied yes, if the Council wanted to do something like that. There is a fee schedule update coming up so that would be the time to maybe work that in. There could be some caveats and exceptions. Usually when staff talked about waiving permit fees it was when someone voluntarily wants to fix their sidewalk.

Mike Weston asked how much staff time goes into going out, doing the permit, reviewing the design, onsite inspections and signing off on it.

Travis Hultin replied about \$125 worth. That fee was actually developed based on looking at average number of inspections on public works permits. That's an average fee. Some take a little more effort and some take less effort.

Councilor White asked if there will be leniency to the 30-day extension if people are trying to get it repaired.

Travis Hultin stated when there is good evidence that someone's working in good faith, the extension could be stretched but the City has been bitten by that.

Mayor Ripma stated he thinks this is a fair and equitable way to handle the problem.

Councilor Andrews asked how the repayment option would work. There had been mention of a provision to provide repayment options.

Travis Hultin stated that the original ordinance actually allows for a repayment option. The language basically says that the City will send someone a proposed assessment including terms of payment. That gives the administrative authority to set terms of the payment and that would need to be standardized.

Mayor Ripma opened public comment at 8:46pm.

Paul Wilcox read a self-prepared statement (attached as Exhibit F).

Frank Stevens stated he would like to reiterate how this policy connects with the tree code. A tree code is currently being worked on, so a lot of the questions being asked are actually a part of that discussion as well. He thinks this provides the option to homeowners to rectify some of the design flaws that have been historically in the City's design, especially in developments and that will be a part of the tree code discussions as well. It provides the opportunity for a homeowner to increase their value of their home but also to deal with past design issues as well. He has confidence in the staff that they will find a solution.

Mayor Ripma closed public comment at 8:50pm.

Councilor Allen stated that at the last meeting she brought up a few of the things Paul brought up in public comment. Her concern is if builders are busy and the homeowner is waiting and waiting for the builder, why should the homeowner be punished for waiting on a contractor? She stated that if the City planted trees, then why is the full burden on the homeowner and not the City too.

Mike Weston stated that there's also a long history on the benefits of street trees, benefits not only to the community but to the value of people's houses, the walkability in the neighborhood, and livability in the community. There are all these other aspects of street trees that come into play throughout the urban landscape. He stated that when his family was looking for a place to put roots down, they went to Seattle, and it had very little street coverage like landscape or trees. It's concrete everywhere and it was enough to drive them away. When you have that urban treescape and the greenspace within your neighborhood it improves the value of those homes and improves the attractiveness of that neighborhood, and you get a higher level of clientele to your community.

Travis Hultin stated that the City planted the trees in many cases in subdivisions but they're doing that on behalf of the developer as a practical matter of the order of subdivision development and homebuilding in the traditional way. It's really the developer who is responsible for the planting of the trees. They're required to plant trees for all the benefits Mike spoke of earlier.

Councilor Leamy stated that a lot of the trees that are causing problems now are not approved trees.

Councilor White stated he's reluctant to approve the ordinance until after the new street plan is finalized.

Travis Hultin stated that the aim of this ordinance is primarily to resolve difficulties with the court process, not street trees.

Mike Weston stated that this is to streamline the court process, reduce staff oversight and to get to an end solution. It gives an avenue to successfully navigate the process.

Sam Erskine, City Prosecutor, stated that there are currently 3 cases working their way through the municipal court right now under the current code structure. The current code structure, in his view, is much more punitive than it is for the revised code structure. The current structure is designed to summon a person into court and then if they're found to be in violation of the code, to have the judge impose financial penalties up to \$1000 per violation until the person complies and fixes their sidewalk. For non-responsive individuals, what happens is just a massive accrual of penalties which would ultimately be recorded as liens and doesn't achieve the primary objective which is to have the sidewalk fixed.

MOTION: Councilor Wunn moved to adopt the ordinance amending Chapters 12.01 and 12.05 of the Troutdale Municipal Code pertaining to Public Works code violations and public sidewalk maintenance. Seconded by Councilor Davidson.

VOTE: Councilor Allen – Yes; Councilor Wunn – Yes; Mayor Ripma – Yes; Councilor White – Yes; Councilor Davidson – Yes; Councilor Leamy – Yes and Councilor Andrews – Yes.

Motion passed 7-0.

5.1 UPDATE: An update on the Public Safety Services Delivery Working Group.

Mike Weston gave a brief update on the IGA update from the City of Gresham. There will be a meeting on November 6th with the Fire District Task Force at 3:30pm. Mayor Ripma and Councilor Wunn will be attending along with him. With the IGA what they have asked Gresham to consider is to go back and instead of a 10% increase in year one, they asked for a 7.3% increase in year one and follow forward for the next 5 years. They also asked for the off-ramp option and exit clause and a correction to it being 5 years, not 3 years. He is expecting a reply in the near future and plans to bring it to Council on November 18th after the task force meeting.

Councilor Andrews stated he listened in on the last meeting and there was mention of the \$8 million essential discrepancy with material and services. Councilor Wunn brought up that if staffing is the problem with increased calls as well, he doesn't know what the problem is when it comes to reducing top heavy costs. They have more guys in gear, and they run more staff on a much lower cost on the west side. There are a lot of questions that still need to be answered. Tanney made a good point of the \$1.5 million for a police start. Obviously, it's going to increase from there for Troutdale's own police force. If the City is really looking at what

they're charging and putting money into the general fund, there was talk of other things getting done. That would be another discussion topic he would like to get a little more information on. There's Imagination Station and a lot of lingering big-ticket items that the City would be able to hopefully tackle, that being the case, but that still leaves millions of dollars kind of on the table so to speak and might give some flexibility to talk some options to reduce the hit to the taxpayers in Troutdale.

6.1 STAFF COMMUNICATIONS: Dissolution of Mt. Hood Cable Regulatory Commission (MHCRC).

Mike Weston stated that MHCRC voted to pursue dissolution here toward the end of the next fiscal year. They passed around a letter to see if Troutdale would be interested in pursuing that rather than a withdrawal. It allows for a planned dissolution of the organization and splitting up of the assets versus a withdrawal that would leave assets sitting there. They are the pass through agency to the providers. In Troutdale's case it would be MetroEast. Troutdale shares about \$120,000 on franchise fees that they get from the cable companies. Of that \$120,000, about \$76,000 goes into MetroEast and about \$28,000 goes into PEG funds and then Troutdale receives approximately \$22,000. With the dissolution of MHCRC the responsibility of those funds and how those funds are used would then fall on Troutdale's shoulders individually. Troutdale, Gresham, Multnomah County, Fairview, Wood Village and Portland would all have their own responsibility on doling out those funds for the authorized uses. It might take some additional oversight on Troutdale's end because there are stipulations on the franchise monies and how they can be spent.

Mayor Ripma stated that the letter in the packet states that Troutdale is communicating its interest in participating in a joint dissolution process rather than just withdrawing. He stated that he checked with Norm Thomas, Troutdale's long-term representative, and he thought this was the way to go.

Mike West provided the following staff communications:

- There will be a presentation tomorrow with Multnomah County Housing at Walt Morey Middle School at 6:30pm.
- There will be a meeting with the negotiation crew for the Confluence tomorrow
- The ribbon cutting tomorrow for the Sharon Nesbit Heritage Park will be at 1:30pm at the Overlook.

7. COUNCIL COMMUNICATIONS

Mayor Ripma stated that he won't be able to attend the ribbon cutting for the Sharon Nesbit Heritage Park, but he enlisted Councilor White to read a statement in his stead. He stated that Puerto Rico has been great, and the hurricane hasn't brought any rain at all.

Councilor White reminded everyone that there will be a lot of kids on the street Friday for Halloween.

TROUTDALE CITY COUNCIL MINUTES

9 of 10

October 28, 2025

Exhibit A – Toy Drive Handout

Exhibit B – Mt. Hood Jazz Festival Presentation

Exhibit C – Self prepared statement from Paul Wilcox on Item #3.2

Exhibit D – Erika Palmer's Presentation for Item #4.1

Exhibit E – Self prepared statement from Paul Wilcox on Item #4.2

Exhibit F – Self prepared statement from Paul Wilcox on Item #4.3

Councilor Davidson stated that he received an email from a Troutdale resident on Sturges Drive with multiple details/videos of speeding and traffic accidents. She wants to see speed humps put in.

Councilor Andrews gave a shout out to the recreation staff. The Little Trout play park has been really great for his family. It's at the Glenn Otto building every Tuesday. It's cool to get the kids playing together. He will be trick or treating at the businesses on Friday. He's looking forward to the ribbon cutting tomorrow.

8. ADJOURNMENT

MOTION: Councilor Wunn moved to adjourn. Seconded by Councilor Davidson. Motion passed unanimously.

Meeting adjourned at 9:30pm.

DRAFT

David Ripa, Mayor

Dated:

ATTEST:

Kenda Rimes, Deputy City Recorder

October 28, 2025 City Council Meeting - Zoom Guests

Name (original name)	Email	Join time	Leave time	Duration (minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	10/28/2025 18:41	10/28/2025 21:30	170
Speaker Table		10/28/2025 18:41	10/28/2025 21:30	170
David Ripma		10/28/2025 18:43	10/28/2025 21:30	168
Sarah Skroch	troutconf@troutdaleoregon.gov	10/28/2025 18:44	10/28/2025 21:30	166
Paul Wilcox		10/28/2025 18:51	10/28/2025 21:30	160
Erika Palmer (She/Her), City of Troutdale		10/28/2025 18:52	10/28/2025 20:46	115
glenn.white		10/28/2025 18:52	10/28/2025 21:30	158
Mike Weston		10/28/2025 18:53	10/28/2025 21:30	158
Dan Davey		10/28/2025 18:54	10/28/2025 19:59	65
Councilor Leamy		10/28/2025 18:54	10/28/2025 21:30	156
Geoffrey Wunn		10/28/2025 18:55	10/28/2025 21:23	149
Councilor Carol Allen		10/28/2025 18:55	10/28/2025 21:30	155
Frank Stevens		10/28/2025 18:59	10/28/2025 21:30	151
Councilor Zach Andrews		10/28/2025 18:59	10/28/2025 21:30	151
Councilor Jesse Davidson		10/28/2025 19:02	10/28/2025 21:30	148
Sam Erskine		10/28/2025 19:03	10/28/2025 21:05	123
Tiffany's iPhone		10/28/2025 19:11	10/28/2025 20:57	107
Tiffany's iPhone		10/28/2025 21:19	10/28/2025 21:30	11



Fill the Cruiser

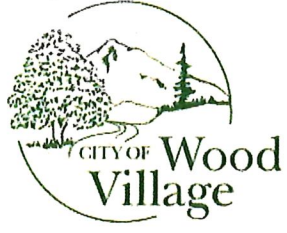
Toy Drive

Nov. 29 2025

SAVE THE DATE

**MCSO, Wood Village, Fairview,
Troutdale & Maywood Park
Holiday Toy Drive**

Donate new, unwrapped gifts for ages 0-18



November 1 - December 12

DONATE GIFT BAGS & TISSUE PAPER

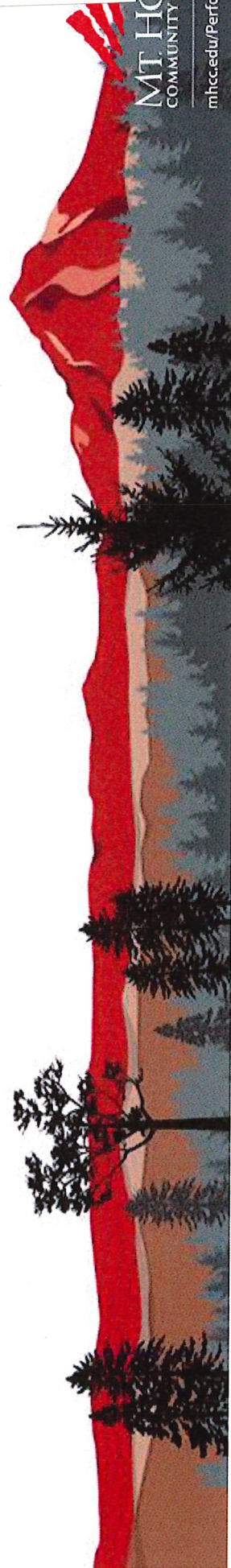


The city that collects the most gift bags and tissue paper for the MCSO Fill the Cruiser Toy Drive will win a pizza party!

Sponsored by Bellagio's Pizza



Mt. Hood
JAZZ
FESTIVAL





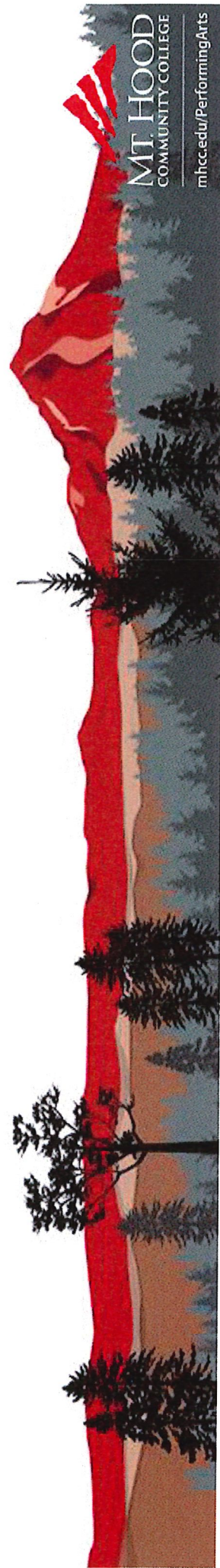
Dan Davey

Mt. Hood Jazz Festival Director
MHCC Director of Jazz Studies
Instructor of Music

Troutdale Resident

Daniel.Davey@mhcc.edu
503-491-707

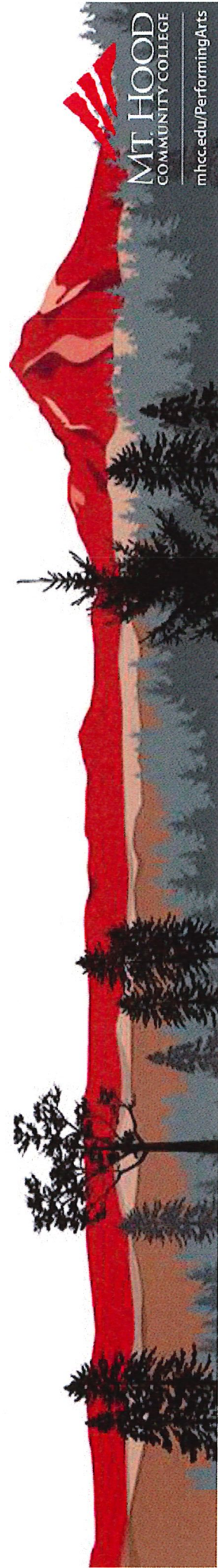
mhcc.edu/JazzFestival





MHJF History

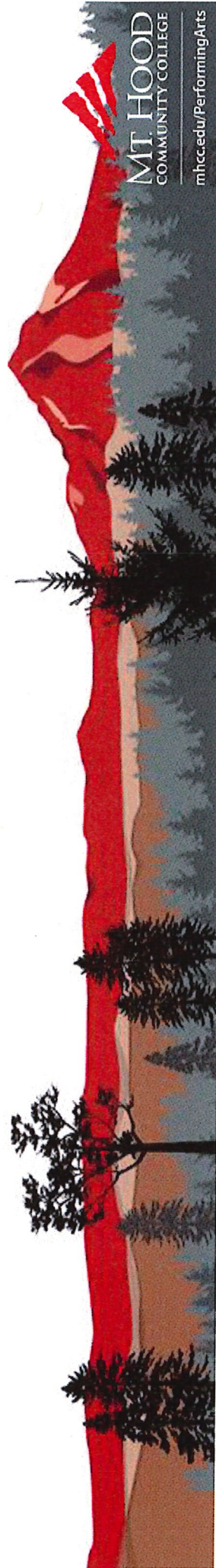
The Mt. Hood Jazz Festival began at Mt. Hood Community College in 1982 and was produced by the Gresham/Mt. Hood Jazz Association (GMHJA) which was a non-profit, public-benefit corporation whose goal was to "promote the appreciation of jazz as a unique American art form."





The New Format

- In 2019, the former Mt. Hood Jazz Association Board signed over the use of the festival name to the Music Program at MHCC.
- The return to the college births a new image and format for the festival and will secure the longevity of the festival's existence.
- Centered around education, students, and our community – providing access to education and world-class musicians, deepening cultural events in our community, and engaging our community with local commerce.
- Educates and inspires the jazz audience and musicians of today and tomorrow.
- With its return to MHCC, we have created a scaffolding effect for students attending the festival that allow them to see the road from MS to Professional.





Growth

The 2025 festival saw significant growth in size and participation!

- Grew from 3 to 5 days
- Expanded East County offerings in Troutdale and Gresham
- Expanded into Portland – partnership with The 1905 jazz club



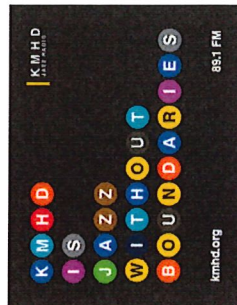
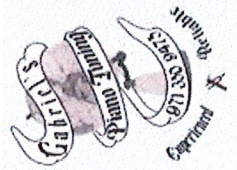


The 2025 Festival Highlights

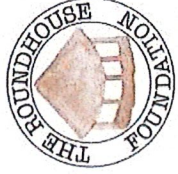




2025 Community Sponsors



Camille Bruya
photo & design



MT. HOOD
COMMUNITY COLLEGE
mhc.edu/PerformingArts



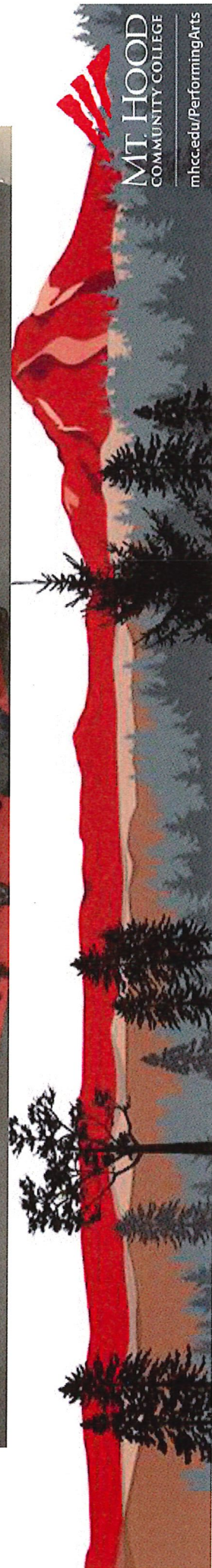
Additional Support

Jazz Society of Oregon Montavilla Jazz Festival The 1905
KBOO Community Radio PDX Jazz Festival Troutdale Barber Chicks
KMHD 89.1 Jazz Radio Safeway Troutdale Troutdale Station
Migration Brewing Spinellas Wally's Music





2025 Educational Stats

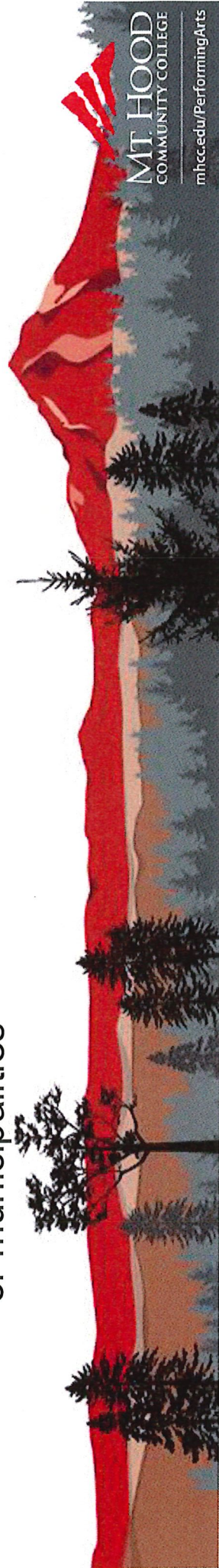


MT. HOOD
COMMUNITY COLLEGE
mhcc.edu/PerformingArts



2025 Education Stats

- 80 school ensembles – 15 middle school jazz bands, 48 high school big bands, 17 high school jazz combos
- 50 band directors plus several student teachers
- 12 free masterclasses
- Approximately 1350 students, and potentially as many family/friends in attendance at free events
- 24 professional concerts
- Estimated 3128 total attendance
- Connections/collaborations/sponsorships with 35 businesses or municipalities





The Festival and Troutdale

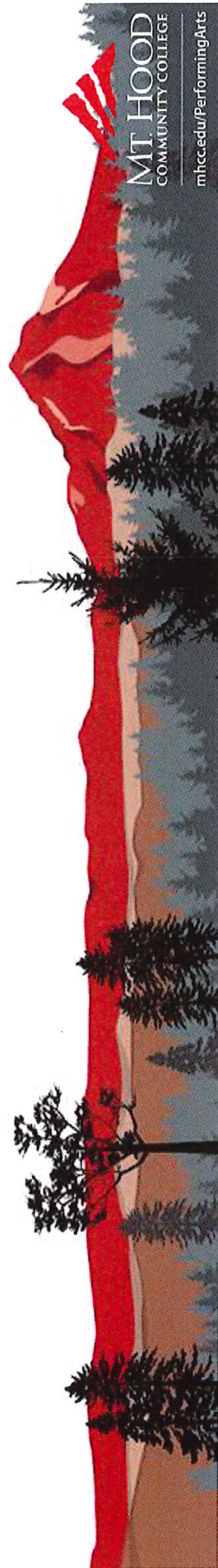
- 100% of festival catering from Troutdale:
 - Ristorante Di Pompello
 - Safeway
 - Burgerville
- Top recommended off-campus restaurant – Troutdale Station
- Festival Hotels:
 - Best Western Cascade Inn & Suites, Troutdale
 - Comfort Inn, Troutdale
 - Holiday Inn Express, Troutdale





The Festival and Troutdale

- Mt. Hood Community College employs 54 Troutdale residents and serves 867 students from Troutdale
- Each year, we have added an additional performance in Troutdale
 - 2024 – Troutdale Station
 - 2025 – Troutdale Station, Wayfinder
 - 2026 – Troutdale Station, Wayfinder, Via Tinto Wine Bar
- 2026 East County Community Performances (off-campus):
 - 4 in Gresham
 - 3 in Troutdale





Volunteer at the Festival

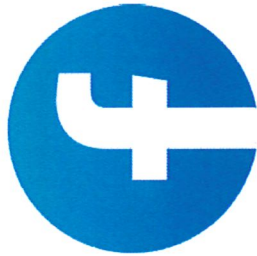
It takes many hands to make the festival a success!

If you or anyone you know is interested in volunteering, please inquire at mthoodjazzfestival@mhcc.edu





Follow Us





Thank you!



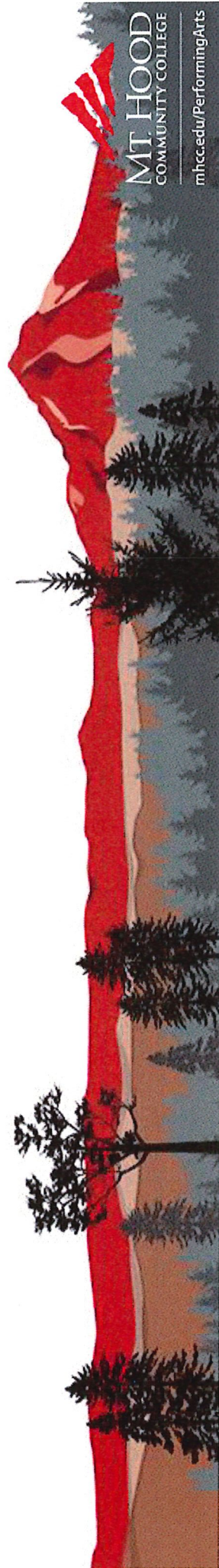


Become A Sponsor

As a sponsor of the Mt. Hood Jazz Festival, you will help provide students, educators, and community members with valuable exposure to an enhanced arts experience. Your support will connect your company with the network of Mt. Hood Community College's board, faculty, staff, students, and the surrounding community. By funding this educational event, you will contribute to enriching the arts culture and securing the future of music across all genres in East County and the Greater Portland Area.



Your sponsorship and advertisements will reach over 2,000 attendees and affiliates of the festival! The impact of your contributions will not only increase your business visibility but also create music education opportunities and inspire students, while benefiting the community as a whole.



Public comments, 10-28-25

Agenda item 3.2

Considering that the Public Safety utility fee was implemented due to the impacts to the General Fund of increased police and fire costs it is inappropriate to continue to make unnecessary donations to private event sponsors as a business-as-usual practice.

Submitted by:

Paul Wilcox

Troutdale

10-28-25

TOWN CENTER OVERLAY AMENDMENTS

Troutdale City Council
Public Hearing

1st Reading of Ordinance
October 28, 2025

Exhibit D

10/28/25 Council Mtg Item #4.1



Request

To hold a public hearing to review and take public testimony on an amendment that would update the Town Center Boundary on the city's land use maps (Zoning and Comprehensive Plan) and a Comprehensive Plan text amendment to Goal 2, Land Use Planning, to implement the 2020-2040 Town Center Plan.



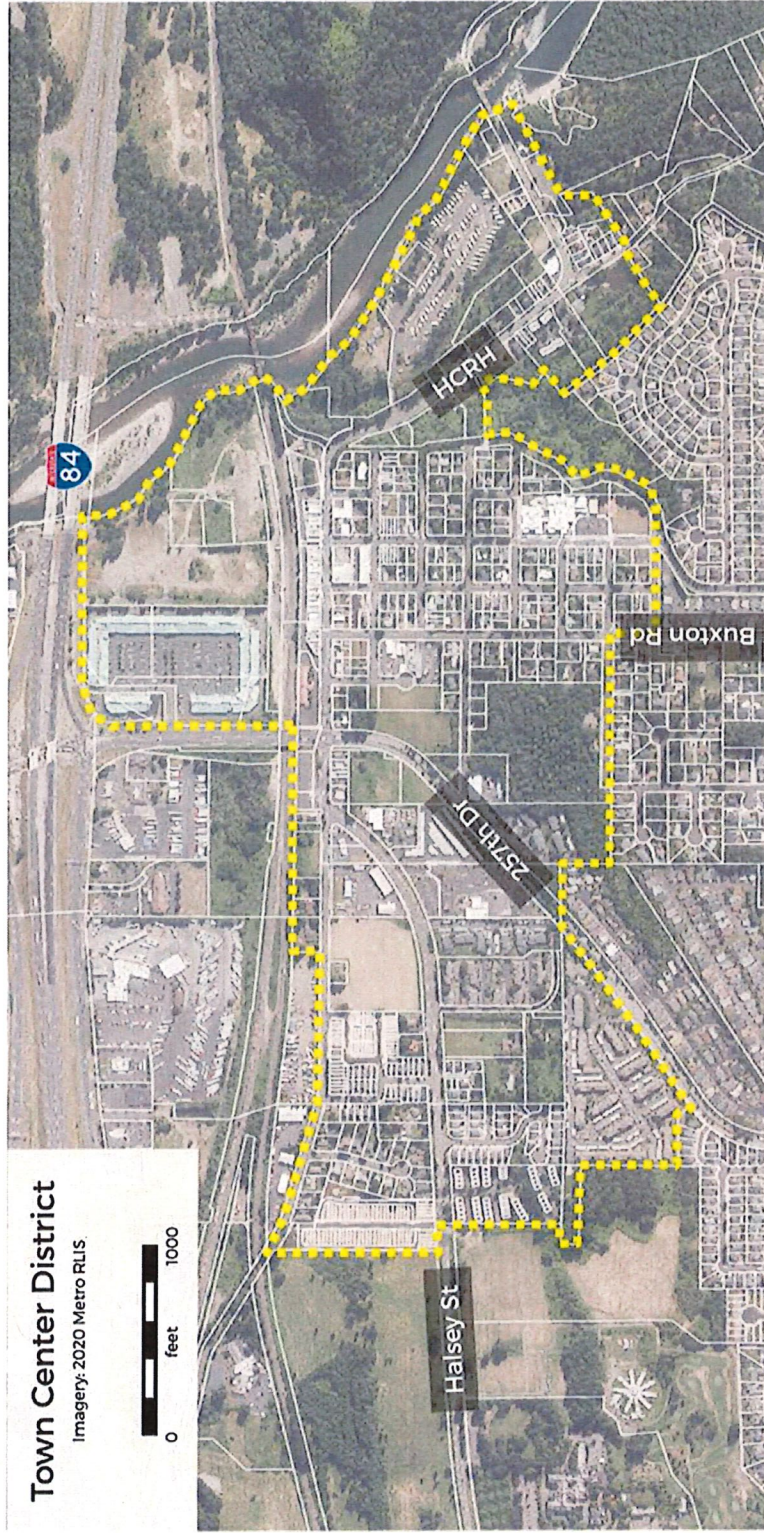
Why is the request being made?

Staff learned that the Town Center Overlay shown in the adopted 2020-2040 Town Center Plan (Res. 2531) did not go through the proper land use process to amend the City's Comprehensive Plan Map and Zoning Map. This amendment will make the adopted 2020-2040 Town Center Plan consistent with the Comprehensive Plan and Zoning Map.

In addition, the proposed amendments will revise text to Goal 2, Land Use within Troutdale's Comprehensive Plan document.

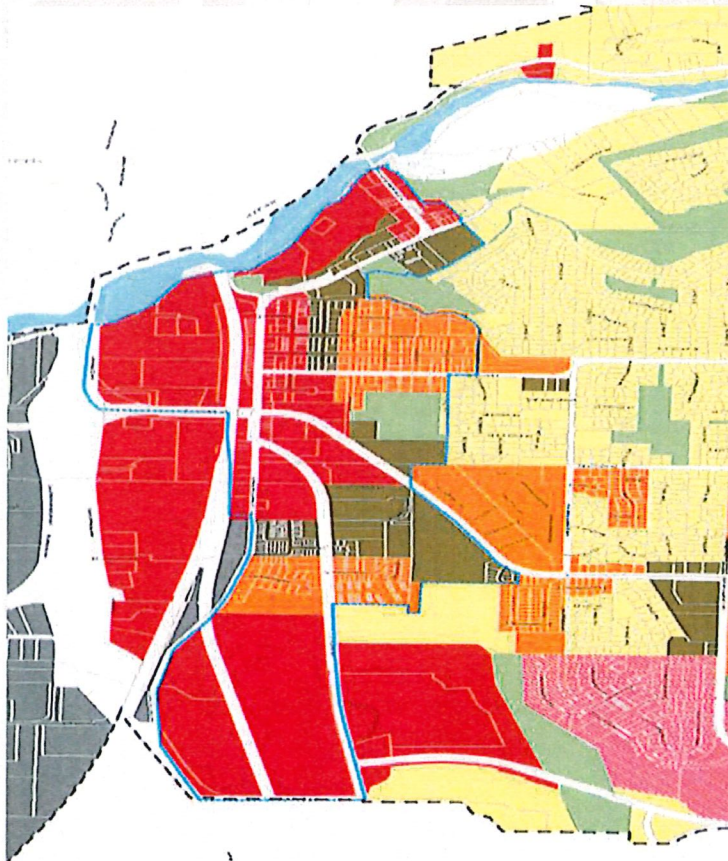


TC Overlay as shown in the adopted 2020-2040 Town Center Plan

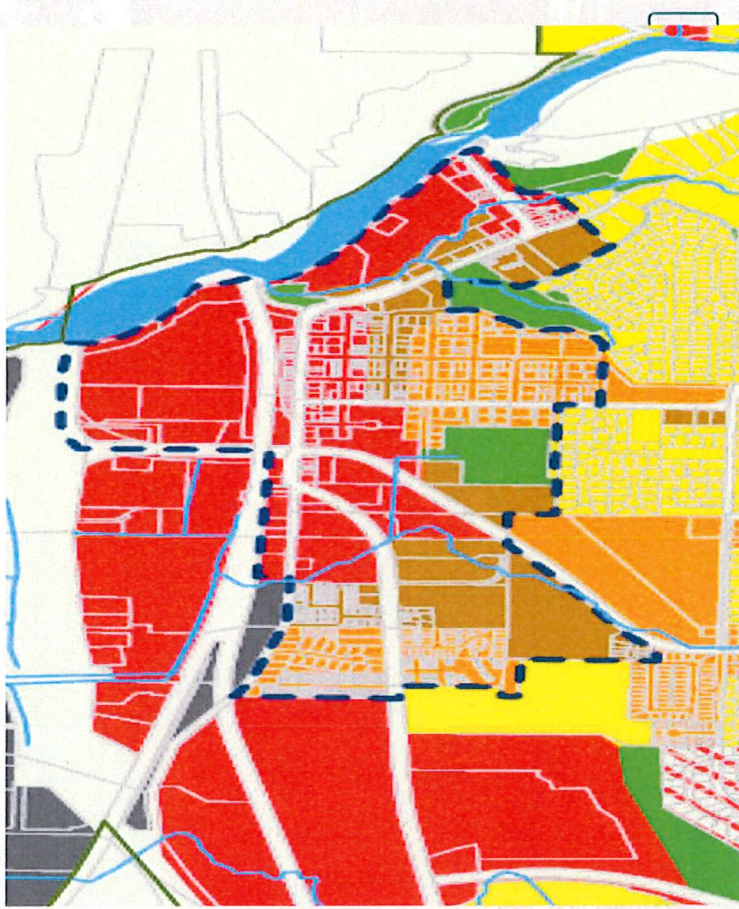


Comprehensive Plan Map

Current 2019 Comp. Plan Map

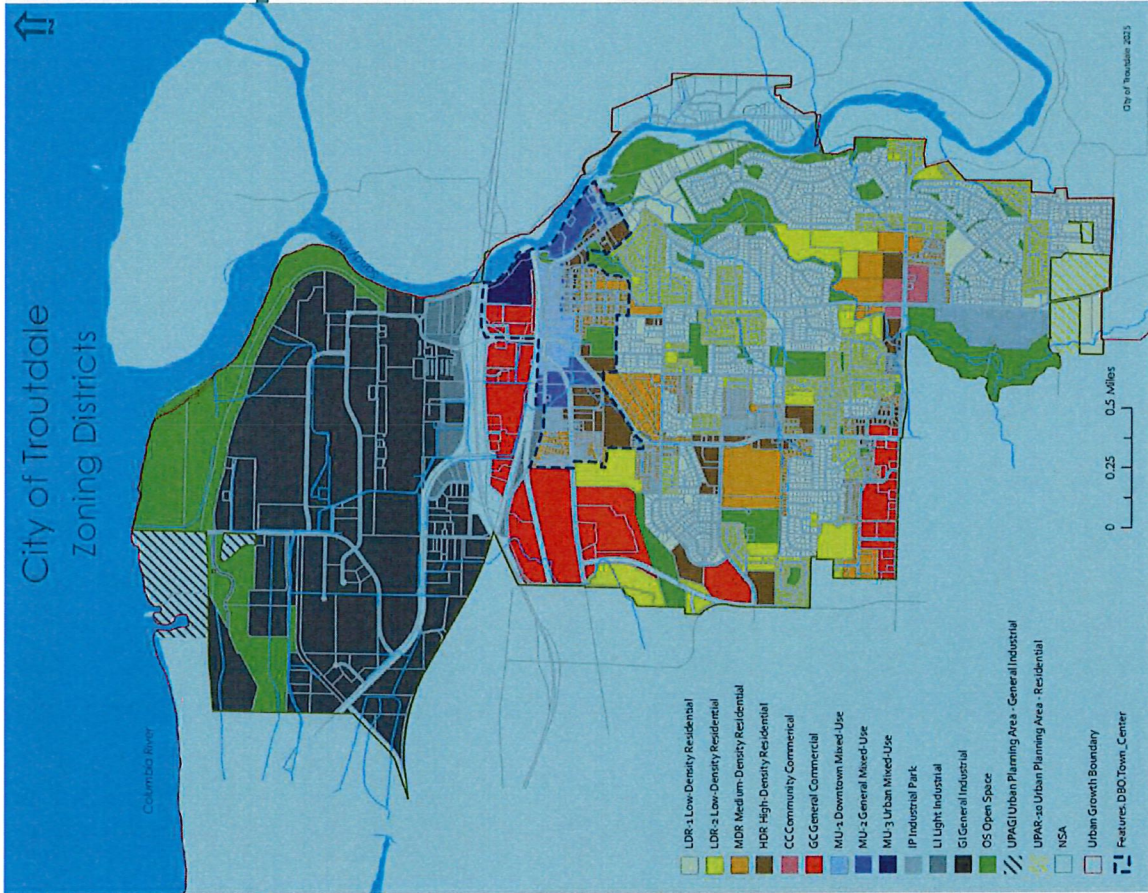


Proposed Comp Plan Map



Zoning Map

Proposed Zoning Map



Implications of approving request

- Consistency between the adopted 2020-2040 Town Center Plan, the Comprehensive Plan and Zoning Maps, and the updated Comprehensive plan text describing the 2020-2040 Town Center Plan and overlay – Good planning practice!
- The request does not change the underlying zoning designation, land uses, or parking. The three parcels proposed for removal from the TC Overlay will remain within the General Commercial zoning designation.
- All McMenamin-owned parcels will be outside of the TC Overlay, making them all consistent and having the same land use regulations.



Procedure [TDC 2.065]

Type IV Land Use Application

- Planning Commission on October 8, 2025, voted to recommend approval to the City Council on this issue.
- The City Council is the decision-making body
 - Council introduction to amendment package scheduled for October 28, 2025
 - Council adoption of the amendment package scheduled for November 18, 2025

Public Engagement/Notice

- Project webpage on city website
- Newspaper notice – Gresham Outlook
- Online notice – Gresham Outlook, city website
- Update at CAC mtg on September 3, 2025
- Measure 56 Notice to all affected properties
- DLCD & Metro notice – Metro acknowledged that the request meets the UGMFP requirements.



Proposed Findings of Fact

- TDC 6.100 Comprehensive Land Use Plan Text Amendment Criteria
- TDC 6.1400 Zoning Map Amendment
- TDC 6.200 Comprehensive Land Use Plan Map Amendment

All criteria have been found to be met by the Troutdale Planning Commission



Questions?

The second reading to consider and deliberate on the request is scheduled for November 18, 2025.



Public comments, 10-28-25

Agenda item 4.2

I listened to the comments and concerns presented at the first hearing. This ordinance simply provides the process for establishing a historic district.

There were references to Hungry Hill in particular in the findings (criterion D), which I regret approving in the Planning Commission. There are any number of areas in Troutdale where a historic district could be designated since the age threshold is so low, at 50 years.

There may be residents of a so-called historic district who may be concerned that being in same would apply restrictions on how they might be allowed to modify their properties. I realize that the ordinance states that there will be no such restrictions. Still, "historic" can have negative connotations, such as structures with lead pipes or asbestos insulation, and aging infrastructure in general.

Then, of course, there is the added expense to the city of the proposed sign-toppers for the Hungry Hill area.

Submitted by:

Paul Wilcox

Troutdale

10-28-25

Public comments, 10-28-25

Agenda item 4.3

First off, I think the city bears some responsibility for sidewalk damage caused by tree roots in particular. The city has in the past approved and planted street trees which have invasive surface root systems, and I don't believe root barriers have ever been or are currently required. Our HOA has replaced trees on entire streets due to root intrusion, but installed root barriers around the replacement trees, at an added cost.

The compliance time limit could be problematic during the prime construction season when contractors might not be interested in a single panel replacement when they could be constructing ADA bulb-outs for Multnomah County. If it comes to the city selecting the contractor, how will the appearance of "favoritism" be avoided? Will the city provide a list of approved contractors? A homeowner might go out on their own and find a guy with a pickup and wheelbarrow and have a failed sidewalk a year later. Will the city assure the work is of an acceptable quality? There could be instances where there is disagreement whether the damage rises to the level of needing replacement or simply grinding or cutting. What if the sidewalk excavation causes utility damage or results in the death of the adjacent tree? Of course, there are also situations where the tree would need to be removed, at an added cost, and the homeowner might prefer to not have the tree replaced.

If the homeowner is unable to pay and the lien route is taken, what would the accruing interest rate be on the outstanding balance? It might be decades before the city recouped that initial cost.

Submitted by:

Paul Wilcox

Troutdale

10-28-25

DRAFT

MINUTES

Troutdale City Council – Regular Meeting
Troutdale Police Community Center – Kellogg Room
234 SW Kendall Court
Troutdale, OR 97060

Tuesday, November 18, 2025 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Ripma called the meeting to order at 6:59pm.

PRESENT: Mayor Ripma, Councilor Andrews, Councilor Allen, Councilor Wunn, Councilor White, Councilor Davidson and Councilor Leamy.

ABSENT: None.

STAFF: Mike Weston, City Manager; Kenda Rimes, Deputy City Recorder; Ed Trompke, City Attorney; Erich Mueller, Finance Director and Erika Palmer, Community Development Director.

GUESTS: See Attached.

Mayor Ripma asked for agenda updates.

Mike Weston, City Manager, replied there are two updates. The agenda was updated to include a proclamation for the 250th Anniversary of the United States Post Office and the other is he would like to combine agenda items #7 and #8 as a discussion.

2. PUBLIC COMMENT: Public comment on non-agenda and consent agenda items is welcome at this time.

Paul Wilcox, Troutdale resident, read a self-prepared statement (attached as Exhibit A).

Tracy Cleys, Troutdale resident, stated he lives on Jackson Park Road, and he has been a Troutdale resident for 35 years. He stated in the last week or so he has seen a lot more homeless people in Troutdale. He has seen them standing on the street corner with signs, panhandling, some sleeping in doorways and one plugged into the utility pole at Plaid Pantry with his boombox and his food was on the sidewalk. He wants to make sure that someone is looking into it. He works for the City of Portland, and he likes it when he comes to Troutdale because it is not the City of Portland. He does not want Troutdale to become the City of Portland.

3. CONSENT AGENDA:

TROUTDALE CITY COUNCIL MINUTES
November 18, 2025
Exhibit A – Self Prepared Statement by Paul Wilcox
Exhibit B – EMOPi PowerPoint Presentation

1 of 6

3.1 MINUTES: October 14, 2025 City Council Regular Meeting.

MOTION: Councilor White moved to approve the consent agenda. Seconded by Councilor Davidson.
Motion Passed 7-0.

4. PROCLAMATION: 250th Anniversary of the United States Post Office.

Mayor Ripma read the proclamation.

5. REPORT: An update from City of Gresham Youth Services Department's East Multnomah Outreach, Prevention and Intervention (EMOPI) services.

Marcell Frazier, Violence Prevention & Community Partnerships Coordinator, stated he will go over what EMOPI is about, their goals and approach, who they work with and will present a PowerPoint (attached as Exhibit B). EMOPI stands for the East Multnomah Outreach Prevention and Intervention program. It is a state program that was created in response to a 300% nationwide increase in gun violence that took place in the years from 2019 to 2022. EMOPI is evidence based in formed practices and looks to create access and opportunities for the youth and young people in the communities.

Emon Ghassemi, Youth Services & Recreation Supervisor / EMOPI Project Manager, stated they service Fairview, Wood Village, Troutdale, Gresham and unincorporated Multnomah County as well as Corbett. Regarding preventing and reducing violence, they focus on early intervention and identifying youth who show early warning signs like truancy, sudden behavior changes or any association with high-risk peers. Their partners build trust and relationships and provide support before these situations escalate. Regarding enhancing community safety, they strengthen their coordination between city departments, municipalities, law enforcement and everybody is aligned regarding prevention. Regarding supporting youth development, their program creates pathways for youth through mentorship, recreation, internships and leadership opportunities. They focus on giving youth belonging, structure and positive adult connections. Their goal is very simple, they help young people stay engaged, supported and on track for success.

Marcell Frazier stated that EMOPI's community partnerships are key to their gun violence reduction strategy known as Ceasefire. The National Institute of Criminal Justice Reform is their technical assistance provider for their strategy. The Multnomah County Sheriff's Office, Multnomah County District Attorney's Office, Multnomah County Juvenile Justice Division, Multnomah County Parole and Probation Office, Gresham Police, City of Gresham, Portland Police, City of Portland and Oregon Youth Authority are all partnered with EMOPI. Since the first Ceasefire meeting in March of 2025, they have referred 75 high risk individuals to their intensive case manager partners for services.

Emon Ghassemi stated that they are the only city in the northwest that has continually recognized youth here in East County on a monthly basis through the school year for the last year and a half. They also have out of state partnerships like national violence prevention organizations where they exchange ideas and best practices in community safety and youth engagement.

6. COUNCIL DELIBERATION & SECOND READING (Introduced 10/28/2025): An ordinance to adopt updated Town Center Overlay on the Comprehensive Plan and Zoning Maps and Comprehensive Plan text amendments.

Erika Palmer, Community Development Director, stated that she has not received any other public testimony since the last reading and she is open to questions tonight.

Mayor Ripma opened public comment at 7:25pm.

Paul Wilcox stated he supports the practice of continuing to invite public comments at both the first and second hearings.

Mayor Ripma closed the public comment at 7:26pm.

MOTION: Councilor Allen moved to adopt an ordinance to adopt updated Town Center Overlay on the Comprehensive Plan and Zoning Maps, and Comprehensive Plan text amendments. Seconded by Councilor Leamy.

VOTE: Councilor Wunn – Yes; Mayor Ripma – Yes; Councilor White – Yes and Councilor Davidson – Yes; Councilor Leamy – Yes; Councilor Andrews – Yes and Councilor Allen – Yes.

Motion passed 7-0.

7. RESOLUTION: A resolution approving a five-year extension of the Fire and Emergency Medical Services Intergovernmental Agreement with the City of Gresham.

8. UPDATE: An update from the Public Safety Services Delivery Working Group.

Agenda items 7.1 and 8.1 were a combined discussion.

Mike Weston stated the update is on the Fire Service Task Force and what they were able to accomplish at the November Fire Task Force meeting. The first thing they did was set up the ground rules for the task force then they did a division of expenses, should the task force take on any additional studies. One such study was to ask Tiberius Solutions, who has done all of the initial tax expenses for the 4 cities, to understand what the baseline is. In the meeting they talked about how they could determine what a fire district baseline would look like at the \$2.85 per \$1000 which would be District 10, the \$2.92 per \$1000 which is District 1, the \$3.73 per \$1000 which is currently estimated out of Gresham and then the \$4.69 per \$1000 which they consider their gold star option which is their fire enhancements which would include 2 additional fire stations. One of the stations would be in South Gresham area and the other on the north side near Wood Village. He stated they had a meeting today with Tiberius Solutions and the city managers to discuss that with them and get the scope of work started. Then Tiberius will present at the next fire task force meeting on December 10th at 5pm. Other elements discussed were how the options will be broken down and which option is the right option for the communities based on budget numbers the citizens are willing to spend for fire service. That

could modify the model, it could be just fire service, fire and EMS, a slimmed down version of one or the other or it could be the gold star standard. With the gold star standard, the objective is to get 8 and 1/3 fire stations, and \$35 to \$40 million is the range they're looking for to get the 8 and 1/3 stations that are needed in order to keep response times in the gold standard.

Mayor Ripma stated up until now, Troutdale, Wood Village and Fairview were seriously considering contracting for fire services with Clackamas Fire District 1. The mayors and city managers met and discussed and decided that Gresham is seriously considering the idea of joining or forming a fire district, which is probably the ultimate future provider of fire and emergency services in the area. With Gresham it would be a much better system than without them. Gresham responded by proposing this 5-year extension of the contract for fire and emergency services be with them. Both Wood Village and Fairview intend to adopt a resolution with the IGA extension. This would give Troutdale time to further consider a very complex fire funding situation. He encouraged the Council to approve the resolution to sign the IGA.

Councilor Wunn stated that this is a good move forward.

Erich Mueller, Finance Director, gave a brief overview of the staff report for agenda item #7.1.

Mayor Ripma opened public comment at 7:46pm.

Paul Wilcox stated on the staff report at the top of the page under committee/commission recommendation it states Public Safety Services Delivery Working Group recommends approval. He thinks he's watched every single one of their meetings and he has never heard them actually formally endorse or approve. He noticed another correction needed on Page 2, Section 3 of the actual resolution; the fourth line reads, empowered and directed to sign the first amendment to the IGA and it should read the second amendment to the IGA.

Mayor Ripma closed public comment at 7:49pm.

MOTION: Councilor Wunn moved to approve the resolution approving a five-year extension of the Fire and Emergency Medical Services Intergovernmental Agreement with the City of Gresham. Seconded by Councilor Davidson.

VOTE: Councilor Wunn – Yes; Mayor Ripma – Yes; Councilor White – Yes and Councilor Davidson – Yes; Councilor Leamy – Yes; Councilor Andrews – Yes and Councilor Allen – Yes.

Motion passed 7-0.

9. STAFF COMMUNICATIONS

Mike Weston provided the following staff communications:

- The City received a litigation claim on Midvale Road over the weekend.
- The Old City Hall building is trickling along. They have submitted their revised building permits, and they are in there working.

- Staff has had 2 meetings with the people from the Confluence and hopefully a third on the horizon.
- There was a bid opening on the WPCF office and expansion, and most bids came in below the engineer's estimate.
- The building at 921 Buxton is underway with FFA to do the sizing block elements and they will be getting with staff in the near future to figure out staff needs in the building. It's going to need new electrical, siding, windows and a number of other things.
- The Sandy River Delta and Thousand Acres cleanup is underway and a lot of the folks who were out there are displaced and making their way to and through town. He had a meeting this morning with MCSO and the HOPE Team, and they are trying to work with the homeless and get them into proper services. Most of Thousand Acres is empty now.

10. COUNCIL COMMUNICATIONS

Councilor Wunn stated that the public should keep voicing their concerns about the homeless population so the City can keep trying to get the problem under wraps. He wished everybody a happy Thanksgiving.

Mayor Ripma stated he also shares the concern of the homeless population. He stated that the City needs to get together with the sheriff's office. He wished everyone a wonderful Thanksgiving. He stated that the Troutdale Historical Society does an event every year at the Barn Exhibit Hall Museum where they will have Santa Claus and this year it is on Saturday, December 6th from 12 to 3.

Councilor White thanked the members of the PSWG. There were a lot of meetings and a lot of hard work. He stated he has noticed the homeless as well. The security guards show up late at night and they do a sweep of Glenn Otto Park. They're doing a good job.

Councilor Davidson wished everyone a Happy Thanksgiving.

Councilor Leamy wished everyone a Happy Thanksgiving.

Councilor Andrews stated that he's happy to see that the language in the red line copy of the IGA was changed to include some options for an exit clause so to speak. He asked if there are any city food drives going on.

Mike Weston stated that Troutdale City Hall has a barrel in the lobby for food donations.

Councilor Allen wished everyone a Happy Thanksgiving.

Erich Mueller wished everyone a Happy Thanksgiving and reminded Council that there will be a Budget Committee meeting in 2 weeks on December 2nd.

11. ADJOURNMENT

MOTION: Councilor Wunn moved to adjourn. Seconded by Councilor White. Motion passed unanimously.

Meeting adjourned at 8:03pm.

DRAFT

David Ripma, Mayor

Dated:

ATTEST:

Kenda Rimes, Deputy City Recorder

November 18, 2025 City Council Meeting - Zoom Guests

Name (original name)	Email	Join time	Leave time	Duration (minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	11/18/2025 18:56	11/18/2025 20:03	68
Councilor Leamy		11/18/2025 18:56	11/18/2025 20:03	68
Mayor Rlpma (Speaker Table)		11/18/2025 18:56	11/18/2025 20:03	68
Kenda Rimes		11/18/2025 18:56	11/18/2025 20:03	68
Speaker Table		11/18/2025 18:56	11/18/2025 20:03	68
Councilor Jesse Davidson		11/18/2025 18:56	11/18/2025 19:23	28
Carol Reynolds		11/18/2025 18:56	11/18/2025 20:03	68
Councilor Carol Allen		11/18/2025 18:56	11/18/2025 20:03	68
Paul Wilcox		11/18/2025 18:56	11/18/2025 20:03	68
Mike Weston (City of Troutdale)		11/18/2025 18:56	11/18/2025 20:03	68
Councilor Zach Andrews		11/18/2025 18:57	11/18/2025 20:03	67
Geoffrey Wunn		11/18/2025 18:57	11/18/2025 20:03	67
Councilor Jesse Davidson		11/18/2025 19:30	11/18/2025 20:03	33
Twilla Harrington		11/18/2025 19:33	11/18/2025 20:03	31

Exhibit A

11/18/25 Council Mtg. Item #2

Mayor and Councilors,

Since November is traditionally an election month, I'd like to request that Council consider holding a work session on how Council vacancies are filled. In both 2022 and 2024, November General Election results created a Council vacancy. In 2022 a non-resident was elected to Council, creating a vacancy due to their ineligibility to take office. In 2024 a mid-term Councilor was elected Mayor, creating a vacancy for their Council seat. In both cases, applications were solicited from both candidates and non-candidates alike. While there were candidate applicants, non-candidate applicants were selected by Council to fill both vacancies. The voters will have had non-elected Councilors from 2023 through 2026. In the case of an election-created vacancy, the voters have already expressed an order of preference who they want representing them. It's also worth noting that the City Charter does not allow for an appointed Mayor, but rather the vacancy must be filled by election. Of course, the Council President would serve as interim Mayor until an election and certification, resulting in a period of time when there would be a six-member Council.

As a side note, Troutdale hasn't had a citizen-driven Charter Review Committee since 1994, more than 30 years ago. Past due would be a gross understatement, and there have been very few amendments or updates to the 1994 Charter since then.

Last November, Gresham passed Measure 26-255 by 73%, eliminating the super-majority requirement for Charter Amendments, making it easier to pass future amendments. I expect that several recommendations from their Charter Review Committee will be on the ballot next year.

Submitted by:

Paul Wilcox

Troutdale

11-18-25

Exhibit B

11/18/25 Council Mtg. Item #5



November 18, 2025

Emon Ghassemi, Youth Services & Recreation Supervisor / EMOPI Project Manager
Marcell Frazier, Violence Prevention & Community Partnerships Coordinator

Contents

1 About EMOPI

2 Goals & Approach

3 Who we work with

4 Questions

About EMOPI

**Evidence-Informed
Practices**

**Access and
Opportunities**



EMOPI Service Area



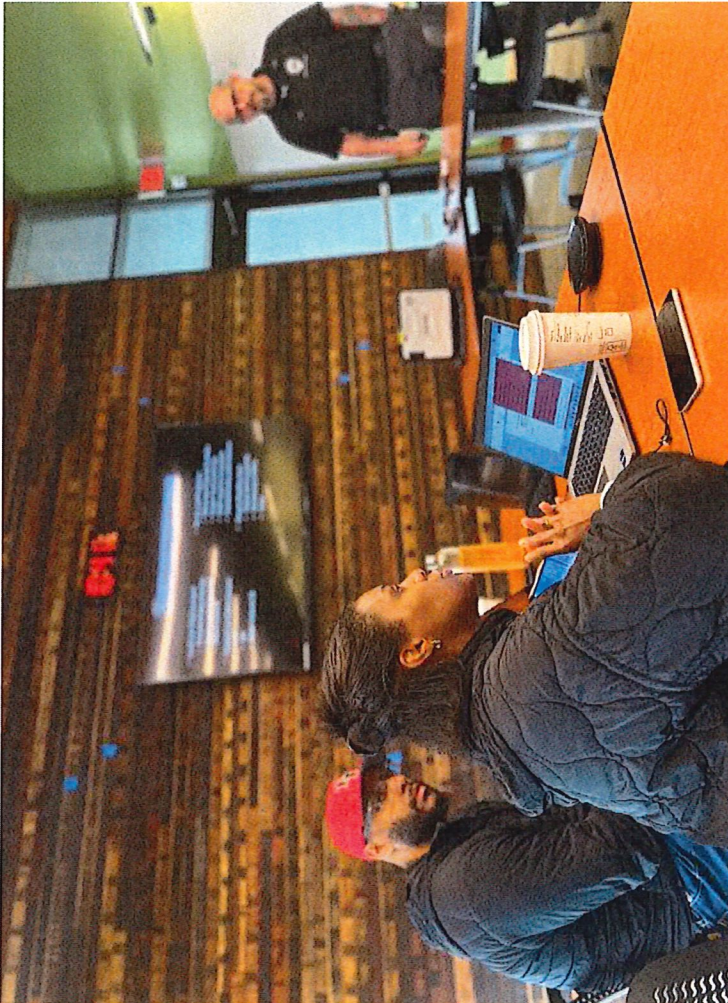
B

Goals & Approach

**Prevent and
Reduce Violence**

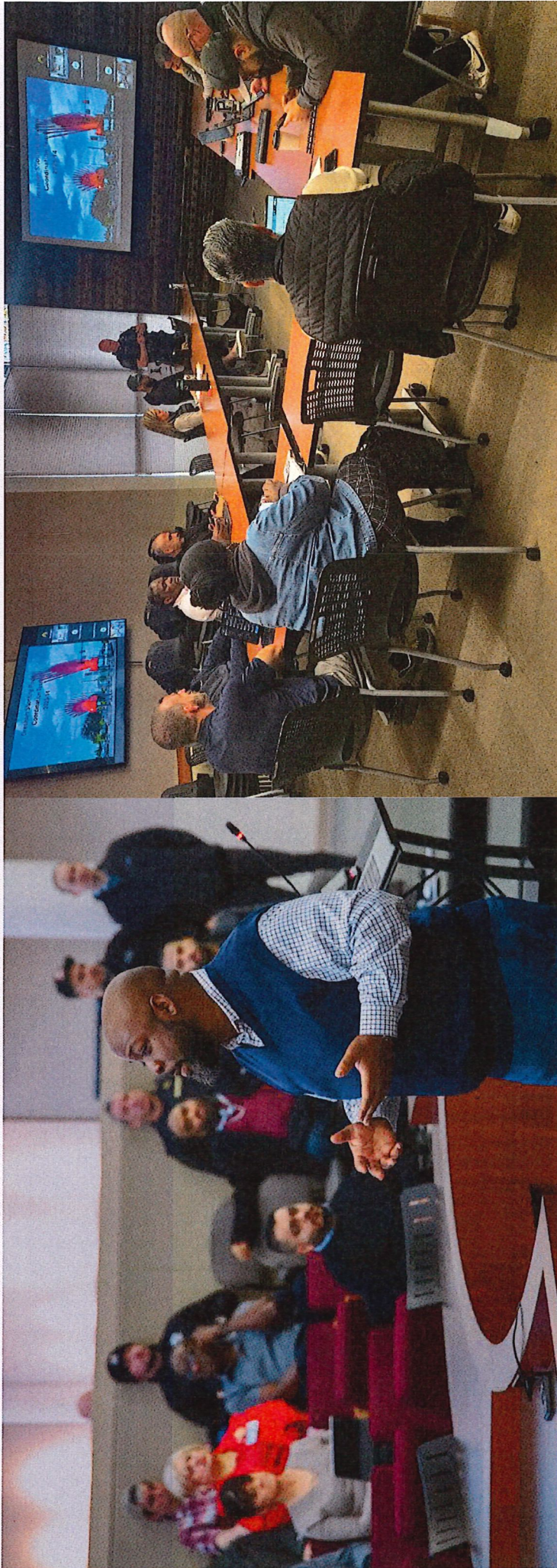
**Enhance
Community Safety**

**Support Youth
Development**



Who We Work With

Who We Work With



Since March 6, 2025, we have received 75 referrals for high-risk individuals





Who We Work With





What We've Done





Looking Ahead



Thank You

Mayor David Ripma

Councilor Carol Allen

Councilor Jesse Davidson

Councilor John Leamy

Councilor Glenn White

Councilor Geoffrey Wunn

Councilor Zach Andrews

**2026 CITY COUNCIL
REGULAR MEETINGS
and
URBAN RENEWAL AGENCY MEETINGS**

January 2026	February 2026	March 2026
CC Jan. 13 – 7:00pm	CC Feb. 10 – 7:00pm	CC Mar. 10 – 7:00pm
CC Jan. 27 – 7:00pm	CC Feb. 24 – 7:00pm	<i>CC Mar. 24 (if needed)</i>
URA Jan. 20 – 7:00pm	<i>URA Feb. 17 (if needed)</i>	<i>URA Mar. 17 (if needed)</i>
April 2026	May 2026	June 2026
CC Apr. 14 – 7:00pm	CC May 12 – 7:00pm	CC Jun. 9 – 7:00pm
<i>CC Apr. 28 (if needed)</i>	CC May 26 – 7:00pm	CC Jun. 23 – 7:00pm
<i>URA Apr. 21 (if needed)</i>	<i>URA May 20 (if needed)</i>	URA Jun. 16 – 7:00pm
BC Apr. 20 & 22 – 6:00pm <i>BC Apr. 28 (if needed)</i>		
July 2026	August 2026	September 2026
CC Jul. 14 – 7:00pm	<i>CC Aug. 11 (if needed)</i>	CC Sept. 8 – 7:00pm
<i>CC Jul. 28 (if needed)</i>	CC Aug. 25 – 7:00pm	CC Sept. 22 – 7:00pm
<i>URA July 21 (if needed)</i>	<i>URA Aug. 18 (if needed)</i>	<i>URA Sept. 15 (if needed)</i>
October 2026	November 2026	December 2026
CC Oct. 13 – 7:00pm	CC Nov. 10 – 7:00pm	CC Dec. 8 – 7:00pm
CC Oct. 27 – 7:00pm	<i>CC Nov. 24 (cancelled)</i>	<i>CC Dec. 22 (if needed)</i>
<i>URA Oct. 20 (if needed)</i>	<i>URA Nov. 17 (if needed)</i>	<i>URA Dec. 15 (if needed)</i>
		BC WS Dec. 1 – 6:00pm

<p>CC = City Council URA = Urban Renewal BC = Budget Committee</p>
--



STAFF REPORT

Subject:	A Resolution Correcting The Documentation Of The Fiscal Year 2025-2026 General Fund Budget And Appropriations.
Meeting Date:	December 9, 2025
Department/Affiliation:	Finance
Meeting Type:	City Council - Regular Meeting
Presenter:	Erich Mueller, Finance Director
Public Hearing:	No
Action Required:	Resolution (Consent)
Committee/Commission	N/A
Recommendation:	
Staff Recommendation:	Approval to provide corrected documentation

Exhibits:

- A. Resolution Correcting Budget Documentation

Subject Relates to:

Council Goals	Legislative	Land Use / Development	x	Other (describe below)
				<i>Maintain compliance with Oregon Local Budget Law</i>

Discussion Points:

- Just a “paperwork” fix, **NO** change in the Budget.
- The budget adoption Resolution No. 2654 contained a drafting error.
- Correction of documentation to ensure compliance the Local Budget Law ORS 294, and audit review.

Background:

Oregon Revised Statutes (ORS), Chapter and Sections 294.305 to 294.565, known as the Local Budget Law governs the City’s budget process.

The Budget Committee approved budget on April 21, 2025, which was published in the Local Budget Law form LB-1 required format providing the public notice of the budget hearing of the City Council.

Following the public hearing on June 10, 2025, the Council adopted the budget.

Current Status:

The Finance Director erred in the drafting of the budget adoption resolution. Somewhere in the “cut and paste” process from Excel to Word, one line of the detail table was overwritten in the General Fund. The adopted budget Resolution No. 2654 is correct in total appropriations, it is just missing one detail line item which is corrected with the proposed resolution.

Summary:

The resolution simply corrects the paperwork to properly reflect the budget approved by the Budget Committee and adopted by the Council. There is **no** change in the budget.

Pros & Cons:

1. Approve the proposed documentation correction budget resolution properly reflecting approved and adopted budget providing appropriation authority for FY 2025-2026 in compliance with ORS 294 Local Budget Law.
2. Do not approve the proposed documentation correction budget resolution, placing the City out of compliance with ORS 294 Local Budget Law and ensuring audit findings.

Oversight:

<i>Budget Impact:</i>	Yes, current year	Yes, future year	x	N/A
Describe:				
<i>Community Involvement Process:</i>		Yes	x	N/A
Describe:				

Approval by City Attorney: No

Approved By the City Manager:

Mike Weston, City Manager 12/02/2025

RESOLUTION NO.

A RESOLUTION CORRECTING THE DOCUMENTATION OF THE FISCAL YEAR 2025-2026 GENERAL FUND BUDGET AND APPROPRIATIONS.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That a budget for Fiscal Year 2025-2026 was prepared to commence the July 1, 2025 to ensure compliance with the Local Budget Law, Oregon Revised Statutes (ORS), Chapter and Sections 294.305 to 294.565.
2. That the budget as approved by the City of Troutdale Budget Committee on April 21, 2025 was properly published in the Local Budget Law form LB-1 required format and timeframe, pursuant to ORS 294.438.
3. That on June 10, 2025 the City Council approved Resolution No. 2654 adopting the budget and making appropriations for Fiscal Year 2025-2026 which contained a drafting error omission within the General Fund organizational unit listing.
4. That it is necessary to pass a resolution to properly document the organizational unit budget and appropriations as already approved by the Budget Committee and adopted by the City Council, pursuant to ORS 294.456(3)(a)(A) for Fiscal Year 2022-2023 to provide for ongoing City operations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. That the City-wide Fiscal Year 2025-2026 budgeted and appropriated sums, as adopted via Resolution No. 2654 remain unchanged in total, with total requirements of \$81,181,033 including unappropriated fund balances of \$13,495,869 and appropriated sums of \$67,685,164.

Section 2. The organizational unit level appropriation amounts for the General Fund are restated as follows to correct a drafting error omission in Resolution No. 2654 and the General Fund total budget and appropriations amounts remain unchanged.

GENERAL FUND

Legislative	\$	35,149
Judicial		208,458
Legal		256,289

General Government	439,536
Administration	1,306,450
Community Services	321,981
Information Services	449,232
Finance	939,995
Police Operations	6,696,682
Public Safety Bldg Operations	144,786
Solid Waste/Recycling	80,085
Fire Protection Services	3,230,030
Planning	859,477
Tourism & Economic Development	785,074
Parks & Greenways	1,876,853
Facilities	931,042
Transfers to Other Funds	897,368
Contingency	3,000,000
	<hr/>
Total General Fund Appropriations	22,458,486
Unappropriated Fund Balance	3,534,500
	<hr/>
Total General Fund Requirements	<u>\$ 25,992,986</u>

Section 3. The Finance Director and Budget Officer is authorized and directed to take all steps necessary to carry out the intent of this resolution and to implement all such actions necessary to ensure compliance with the Local Budget Law, Oregon Revised Statutes, Chapter and Sections 294.305 to 294.565.

Section 4. Upon adoption, this Resolution shall be effective as of June 30, 2025.

YEAS:
NAYS:
ABSTAINED:

David Ripma, Mayor

Date

Sarah Skroch, City Recorder

Adopted:

Kotek's transportation funding package clears Oregon House, moves to Senate

Oregon Public Broadcasting | By [Dirk VanderHart](#)

Published September 2, 2025 at 6:43 AM PDT

Gov. Tina Kotek's proposal to raise billions for road maintenance and public transit in the coming decade advanced by the barest of margins Monday. The tax bill needed help from a moderate Republican to make it over the finish line.

Gov. Tina Kotek's proposal to raise billions for road maintenance and public transit in the coming decade advanced by the barest of margins Monday.

The Oregon House passed House Bill 3991 by a vote of 36-12, the minimum number of yes votes required to approve the suite of tax increases the governor has put forward.

The vote means that a special session Kotek called in order to avert laying off hundreds of state employees is a step closer to completion, after initially being [plagued by delay and gridlock](#). That movement wouldn't have been possible Monday without Republican help.

State Rep. Cyrus Javadi, R-Tillamook, crossed the aisle to vote with Democrats on the package, rescuing the bill from what would have been an ignominious defeat. Javadi, a moderate maverick who sided with Democrats on a number of contentious issues during the regular session this year, acknowledged he might be torpedoing his political career.

"I've received a lot of phone calls — sometimes at 10 o'clock at night — from people I have never met in my life asking me to vote no and threatening me that I will lose my job," said Javadi, who argued new revenue was necessary to ensure state roads are passable. "To them I say: I think my job's worth the handful of jobs it's going to save in Astoria if it comes to that. Or the hundreds more it's going to save across the state."

HB 3991 now moves to the Senate, where margins may be similarly tight.

Oregon Democrats possess the three-fifths majorities in each chamber necessary to pass tax increases. But the party hasn't moved in lockstep on the notion of ratcheting up fuel taxes, vehicle registration fees and employee payroll taxes as Kotek has proposed.

In the House on Monday, Democratic Rep. Annessa Hartman of Gladstone refused to support the bill, saying residents of her suburban Portland district oppose higher taxes and don't trust the Oregon Department of Transportation, the agency the bill is seeking to bail out.

“They’re fed up [that] the first answer to our problems is always increasing costs for working families,” Hartman said. “They’re fed up with poor project management and they’re frustrated with the lack of oversight and accountability.”

That sentiment was in line with the public stance of most Republicans, who have torn into Kotek and Democratic leaders for opting to hike taxes on residents. The GOP has argued the state should instead pull money from public transit, climate initiatives, bicycle and pedestrian projects and more to avert layoffs.

The party even brought a visual aid to drive home the point: a massive stack of pages that Republicans said amounted to all the written testimony against the bill dwarfed a smaller pile of supportive comments.

“If this Legislature can’t even acknowledge overwhelming public opposition, is it any wonder Oregonians feel unheard and underrepresented?” said state Rep. Ed Diehl, R-Scio.

Others commented on the irony of Democrats pushing to double a payroll tax paid by Oregon workers on Labor Day. Under the [latest version of the bill](#), the existing 0.1% tax would be doubled to 0.2% for two years.

“I can’t even believe we’re doing it,” said House Minority Leader Christine Drazan, R-Canby. “I cannot believe that today we are coming into the chamber to double the payroll tax on Oregon workers.”

But Democrats countered that the new taxes, while perhaps unpopular, were a necessary step in order to avoid a future in which roads aren’t reliably plowed, potholes fester, and major rockslides and other emergencies aren’t addressed in remote parts of the state.

Oregon Department of Transportation

In this February 2022 photo provided by the Oregon Department of Transportation, workers scale cliffsides near Oregon Highway 224 while installing wire mesh to prevent rockslides.

Without at least \$290 million in new funding, ODOT says it will lay off around 10% of its workers and close maintenance stations around the state.

“Right now ODOT has a sucking chest wound,” said state Rep. Paul Evans, D-Monmouth. “We can all sit around and watch the patient die, debating life choices. But the fact of the matter is weather’s coming and our counties and our cities and our state need folks out there on the roads to make sure people can get from here to there.”

Kotek’s funding bill is a far cry from the more ambitious funding package Democrats [attempted to pass](#) earlier this year. But the bill contains some big revenue

drivers. Following concessions made to Republicans on Sunday, it's expected to raise about \$4.3 billion in its first decade.

Among its provisions, HB 3991 would:

- Raise the state's 40-cent-per-gallon gas tax to 46 cents beginning in January. That change is expected to raise around \$90 million per year.
- Hike vehicle title and registration fees Oregon motorists pay. Registration fees would increase by \$42 and titling fees by \$139. Electric vehicles, which do not pay gas taxes, would be required to pay an additional \$30 on top of existing fees.
- Double the payroll tax that currently takes 0.1% out of workers' paychecks to support public transit. The increase was initially expected to be ongoing, but Democrats agreed to limit it to two years under pressure from Republicans.
- Require drivers of electric vehicles and hybrids to enroll in the state's OReGo program, which [charges drivers for miles driven](#). Such a shift is considered necessary for funding road projects as EVs continue to gain popularity and gas tax revenue is expected to decline.
- Require more frequent auditing of the Oregon Department of Transportation so lawmakers have better insight into the progress and cost of major road projects. Those accountability measures are a response to backlash over huge cost increases of ODOT projects.
- Eliminate existing statutory language requiring tolling for some highway projects. That language has caused heartburn for some lawmakers, even though Kotek [paused tolling plans](#) last year.

Oregon Legislature adjourns 2025 session as Democrats' transportation plans stumble

By [Dirk VanderHart](#) (OPB), [Lauren Dake](#) (OPB) and [Bryce Dole](#) (OPB)
June 27, 2025 11:17 p.m.

The more than five-month session ends with last minute failure on one of the Democrats' top priorities.

Kristyna Wentz-Graff / OPB

In the end, Oregon lawmakers *did* grapple with the biggest questions before them this year. All it took was six months of grinding work weeks.

The 2025 legislative session ended Friday evening at 11:15 p.m. after a marathon day packed with more drama and uncertainty than any session in recent memory.

With the final gavels, lawmakers bid farewell to a session that included some notable accomplishments — and one dizzying failure.

They found some money to address the growing threat of wildfire, though not the robust funding many hoped for. And they made contentious, long-sought changes for how the state interacts with mental illness.

But after waiting until the very end of session to roll out a massive road funding plan, Democrats suffered a stinging defeat.

Scrambling to sell major new taxes to skeptical lawmakers in just a few weeks, legislative leaders came up short in the session's final days. That leaves major questions about how to pay for the state's crumbling roads to another day.

"We came close, but as we all know democracy is messy," House Speaker Julie Fahey, D-Eugene, said shortly before adjournment. "Sometimes the timing doesn't line up with the urgency of the need."

Sen. Bruce Starr, R-Dundee, said he was not happy with how the session ended. Starr, who was involved in transportation talks throughout much of the session, said the parties must come together. "We are where we are. There's work left to do."

Starr said he was committed to a collaborative and bipartisan process. "A partisan solution is no solution at all."

The bill's failure was an exclamation point in a session sometimes criticized as [rudderless and lacking leadership by lawmakers and lobbyists alike](#). But it wasn't the only notable issue to languish until the session's final days.

Lawmakers were still working out answers to a striking number of [high-profile questions](#) down to the last minute.

There were also other failures: a promise to hold state agencies more accountable didn't gain enough traction and an [effort to rein in the number of bills that lawmakers can introduce stalled](#). A bill to ban cellphones in schools statewide also died.

Despite its hiccups, the session played out with little of the drama that has typified the Capitol in many recent years. Republicans occasionally used delayed tactics to make a point, but never walked away.

Here's a look at what lawmakers were up to for the past six months.

Transportation

Perhaps the most important bill lawmakers considered this year also brought the most drama.

Roadways in the state are languishing without enough money to pay for upkeep, major highway projects sit unfinished, and the gas taxes that constitute a major source of road money go less far than they used to.

All of that was well known when a bipartisan group of lawmakers toured the state in 2024 to hear Oregonians' wish lists for road funding. Yet in a move that bewildered members of both parties, top Democrats didn't introduce their road-funding bill, [House Bill 2025](#), until June 9, less than three weeks before mandatory adjournment.

The lack of adequate time to massage the bill proved fatal.

Republicans who had been engaged early in the session swiftly turned against the proposal. And when Democratic holdouts emerged, leaders were forced to rejigger HB 2025 again and again — [jettisoning one lawmaker](#) from a crucial committee when he wouldn't sign on.

When it finally became clear the bill could not clear one or both chambers, Democrats were forced to scramble.

A last-minute attempt to pass a funding package that would have raised the existing gas tax by 3 cents dominated the session's final day. Gov. Tina Kotek, absent from the transportation debate for much of session, warned lawmakers that she planned to layoff hundreds of transportation workers without new money.

But after hours of haggling in closed-door meetings the proposal fizzled.

The collapse after more than a year of work leaves big questions about how the state will fund road priorities for another session.

Wildfire funding

With wildfires already burning across the state, figuring out how to pay to fight them and prevent them was arguably one of the [most pressing to-dos for lawmakers this legislative session](#).

Lawmakers hoped to take action to fund wildfire costs, like that of the Rowena Fire. They failed to pass a major funding package, but did find some permanent money through a new tax.

In December, lawmakers were [forced to hold a special session](#) to find money to pay \$218 million in fire costs from 2024.

“Next year, we’re probably going to need some additional help for the fire season that’s coming up,” state Sen. Bill Hansell, R-Athena, said at the time. “If we don’t pay our bills now why would anyone want to come and help us and be part of what we need next year?”

Lawmakers evoked images of smoky skies and kids stuck inside during recess as they approved a measure earlier this week they hope will help the state prevent future wildfires.

The measure, [House Bill 3940](#), would tax oral nicotine products and tap the interest on Oregon’s rainy day savings account and put the money toward wildfire mitigation. Most lawmakers agreed the bill wasn’t enough.

[“This isn’t going to fix everything](#), but it gets us part of the way there through some very simple, reliable streams of revenue,” said Sen. Anthony Broadman, D-Bend, adding, “Wildfire is a statewide threat to our health, to our economy, to our way of life.”

Although the measure is not expected to raise as much money as the state will likely need, supporters noted it’s the first time the state will have a permanent source of funding specifically for wildfire mitigation and prevention efforts.

Starting in January 2026, there would be a 65-cent tax on oral nicotine packages, such as ZYN pouches. The tax would be higher on packages with more than 20 pouches. The combined \$43 million or so would come from the nicotine tax and by redirecting a portion of that interest generated from the state’s rainy day fund.

Sen. Fred Girod, R-Lyons, whose home burned down during the [2020 wildfires](#) that ravaged the state, said he would support the bill but believed a lot more could have been done. For example, Girod said, the state could use part of the money raised from lottery ticket sales.

“I think everyone here knows I really want to increase the amount of spending we have available for us for fire suppression,” Girod said. “We set a base level for about \$300 million and this bill doesn’t come close. It’s a small step.”

Back in May, Kotek floated the idea of diverting a slice of the personal income tax kicker to fund wildfires. Sen. Jeff Golden, D-Ashland, took that issue a bit further, noting the kicker could be diverted only from higher-income Oregonians. [Those ideas went nowhere.](#)

Public defense

This legislative session, as state lawmakers worked to put a bandage on the [hemorrhaging public defense crisis](#), the problems deepened.

For several years now, Oregon has been violating people’s constitutional rights to counsel. But recently, the number of people without counsel reached [an all-time high](#).

Legislators from both parties feel optimistic their recent actions will help stem the crisis.

There were two big undertakings this session when it came to public defense; passing a \$707 million budget that represents a 14.8% budget increase from the previous biennium. That bill also funds a total of 180 positions. The money will help realize a plan put in place in June by the interim director of the Oregon Public Defense Commission. It will allow some lawmakers to take on more cases and earn more money for doing so.

The budget bill, [House Bill 5031](#), also carves out more than \$2 million to pay attorneys in the counties facing the largest crisis — Coos, Douglas, Jackson, Marion, Multnomah and Washington — to take on more cases. Money for training and recruiting at certain law schools and to allow some law students to start taking on misdemeanor cases is also included.

The other significant measure, [House Bill 2614](#), will slightly reorganize the structure of the public defense commission. The commission was recently moved from the judicial branch to the executive. The measure allows the governor to appoint the executive director in [consultation with the commission](#) and allow the governor to remove the commissioner for cause during their term. Lawmakers want the Oregon Public Defense Commission to report back to state lawmakers in 2026 on their progress implementing the new plans. They left the door open to spend millions more on addressing the issue.

Housing

Since Oregon’s housing crisis worsened in the COVID-19 pandemic’s wake, state lawmakers have passed a number of bills with billions of dollars toward housing and homelessness. Still, [housing remains a top problem](#) statewide, with rising homelessness, thousands facing eviction and stagnant housing production.

This year, Kotek requested more money to stave off the homelessness crisis and build housing faster, but a lower-than-expected revenue forecast made it harder for lawmakers to fulfill her vision.

[Lawmakers passed a budget bill](#) that allocates more than \$2.6 billion for the state Housing and Community Services Department. That's a more than \$1 billion cut compared to the current budget.

While the bill continues to funnel nearly \$205 million toward homeless shelters throughout the state, lawmakers scaled back funding for eviction prevention — like rental assistance and legal aid — cutting more than \$100 million from such programs. Advocates fear that will leave [many Oregonians struggling](#) with the high cost of living without a way to stay off the streets.

One of the governor's priority housing bills this session was to make it easier to build more duplexes, triplexes, quadplexes, cottage clusters and townhomes built throughout the state. One of her priority bills, [House Bill 2138](#), passed both chambers and should make it easier to build more dense housing or what's known as "middle housing."

Meanwhile, a bipartisan group of lawmakers passed a bill that aims to cut red tape to speed up housing production at a time when local governments are issuing fewer and fewer housing permits. Senate Bill 974 seeks to hasten the building timeline for single-family detached homes and middle housing developments inside the urban growth boundary.

To speed up the home building process on raw land from more than two years to less than one, the bill cuts regulations in the review process for home design, planning and engineering. Kotek has signed the bill into law.

And while a growing number of elderly Oregonians face homelessness, lawmakers passed a bill that aims to speed up housing development for older adults and people with disabilities.

House Bill 3589, which passed through both chambers on a nearly unanimous vote, creates a state program that aims to allocate \$24 million toward building these homes, including studio and one-bedroom units. The funds would come from the State Senior Property Tax Deferral Fund, a program that allows seniors to defer paying their property taxes until someone sells a property or moves out.

Lawmakers also passed a bill with \$3 million that would go toward upgrading homes with ramps, grab bars, or other improvements to make homes more accessible for seniors and people with disabilities. Rep. Pam Marsh, who is the chair of the House Committee on Housing and Homelessness, says the bills are needed to support seniors who now make up about one-fifth of the state's unhoused population.

"This is a quiet crisis that's growing fast," Marsh, D-Ashland, the bill's sponsor, said in a statement. "We have more older adults on fixed incomes, more people aging without family nearby, and too few housing options that truly meet their needs."

Guns

Oregon continues to outpace other West Coast states on a grim metric: fatal shootings. The rate of gun deaths statewide in 2023 was 7% higher than the national average, 22% higher than Washington and 74% higher than California.

While Democrats traded away one proposal to bolster firearm regulations statewide, [one major gun bill](#) crossed the finish line.

Lawmakers passed Senate Bill 243, which bans rapid-fire devices, such as bump stocks, that essentially turn semi-automatic weapons into machine guns.

The bill also gives local governments — cities, counties, school districts — new authority to pass policies prohibiting people from carrying guns into buildings where public meetings occur, even if they have a concealed handgun license.

And it sets the implementation date for Measure 114. The law, which voters passed in 2022, bans the purchase of magazines with more than 10 rounds of ammunition. It also requires Oregonians to obtain a permit and pass a criminal background check before buying a gun. The bill sparked a heated gun control debate in both chambers.

“gun violence harms our communities daily, and that is not a status quo we accept,” Rep. Jason Kropf, D-Bend, said in a statement.

At the same time, Democrats appear to have dropped House Bill 3076, which sought to fill gaps in firearm regulations by creating a state licensing program for gun dealers within the Oregon Department of Justice. Kropf declined to explain why the bill died, but said he planned to bring it back in the future.

Mental health

For years, [debates have raged](#) in the Capitol over whether Oregon makes it too difficult to force mental health treatment on people with severe mental illness.

Mental health experts, law enforcement groups and others have urged lawmakers to clarify state statutes to make it easier for judges to send patients into forced care, a step known as civil commitment. People with mental illness and their advocates have fought such changes.

Lawmakers acted this year. In a sweeping omnibus bill, House Bill 2005, the Legislature approved changes that lowered the state’s standard for forcing people into treatment.

But the bill did far more. As the state faces federal contempt findings over its inability to accept criminal defendants with mental illness into the Oregon State Hospital, HB 2005 set limits for how long defendants could be held for treatment before release.

Paired with \$65 million approved by lawmakers for residential treatment centers, the bill also reduces cities’ ability to block such facilities because of zoning laws.

Human services

The governor threw her weight behind a controversial bill that would have allowed the state to send children in foster care to facilities in other states and changed the definitions around restraints and seclusions. The bill failed.

The measure, House Bill 3835, was politically divisive regardless of political affiliations. While the [Democratic governor](#) supported the bill, both Democratic chairs in the House and Senate Human Services committees opposed the measure. Proponents were hoping the measure would help create more desperately-needed housing for children with complex behavioral health needs. [Opponents](#) worried it would [result in more kids being harmed](#).

The governor ended up vetoing another bill related to child welfare issues. The bill would have, in part, ensured siblings placed in different foster care placements were able to visit one another, barring a court order prohibiting them from doing so. In her veto, Kotek said she was vetoing the measure, in part, because she felt unclear why “this level of prescriptiveness” was needed in statute, according to her veto memo. She also said it added to the regulatory framework that exemplified fragmented policymaking. Her priority bill, which died, she noted in the veto memo, would have been a more systemic approach.

[In a rare legislative move](#), the state Senate voted to override the governor’s veto and re-passed the bill. But ultimately, it didn’t make it through the House to become law.

Education

Most legislative sessions are partly dominated by a heated debate surrounding how much money public K-12 schools should receive. This one was no different.

But the tone was arguably more pressing, after a global pandemic and unprecedented teacher strike in Portland, coupled with low test scores and graduation rates and high chronic absenteeism that exceeds the national average.

Kotek, along with House and Senate leadership, successfully pushed for [Senate Bill 141](#) this session, which aims to create [a new accountability system for Oregon schools](#).

But for the third year, advocates couldn’t [convince state lawmakers](#) to pump more funding into aid that helps students pay for housing, food, textbooks and other college-related costs. The Student Basic Needs and Workforce Stabilization Act — [HB 3182](#) and [HB 3183](#) — asked lawmakers to set aside \$18.5 million to support students. Preschool for All came under fire and a push to eliminate Oregon’s special education funding cap stalled in committee.

Labor issues

Public-sector labor unions allied with majority Democrats came to the session in January with a slate of ambitious requests.

None got more attention than Senate Bill 916. The bill makes Oregon the first state in the nation to [grant unemployment benefits](#) to striking workers in both the public and private sectors.

Three other states with similar policies, New York, New Jersey and Washington, do not recognize a right to strike for public-sector employees.

SB 916 was loathed by school districts, local governments and business interests. And it wasn't a slam dunk with Democrats — after failing initially on the Senate floor, it was scaled back to only provide 10 weeks of benefits.

Lawmakers also passed a bill that aims to combat wage theft among construction workers. Senate Bill 426 allows workers to sue property owners and contractors for unpaid work — not just the subcontractor who pays them directly.

Proponents say the bill will curb a rising number of complaints from workers — many of whom are immigrants — claiming they were stiffed out of their pay. Critics say it will slow construction and increase the cost of business, worsening Oregon's housing crisis.

Other union ideas didn't materialize.

[Senate Bill 1138](#) would have created a board to set standards around pay and staffing levels for caretakers who look after developmentally disabled people and the elderly. After intense pushback on the measure, it died.

Melissa Unger, executive director of SEIU Local 503, said the issue will still need to be addressed.

“At the end of the day, whatever is happening in this country, people are getting older,” said Unger, who leads the state's largest unions. She added that conversations over how to lift standards for caregivers so that “employees have what they need to live vibrant lives and employers have what they need to succeed” will be ongoing.

Another [contentious](#) proposal to create a board to set workforce standards for farmworkers also failed to move. As passed by lawmakers, the bill instead mandated a study on the issue.

Budget

After years of relative plenty, lawmakers' spending ambitions took a hit in May. In his final forecast before the Legislature set a two-year budget, Oregon Chief Economist Carl Riccadonna predicted the state would have [half a billion dollars less](#) than formerly expected.

The forecast wasn't bad enough to warrant major cuts to services. But it immediately doomed some bills, and forced dramatic reductions in others. Kotek came away with less money for her

priority issues of housing and behavioral health than hoped, though lawmakers still agreed to [fund K-12 education](#) at record levels.

While lawmakers passed a balanced budget as required, few expect that to be the end of the story. Major cuts to federal funding that could emerge in the budget bill being pushed by congressional Republicans could force lawmakers back into session to figure out how to grapple with less money than expected.

Dead bills

While they passed hundreds of bills into law, legislators left many more proposals on the table this session. Some notable examples:

- **TIME CHANGES:** Lawmakers declined to take a step toward eliminating twice-yearly time changes that have been a perennial topic of interest in Salem in recent years. This [year's proposal](#), Senate Bill 1038, would have allowed Oregon to remain on either standard or daylight saving time year-round — if California and Washington agreed to one of those options first. It passed the Senate but died in the House.
- **JOURNALISM:** A bill that would have required big tech companies to compensate Oregon newsrooms for the local journalism on their platforms [did not pass the Senate](#). The bill's chief proponent, Sen. Khanh Pham, D-Portland, said she plans to bring it back in future sessions.
- **NATIONAL GUARD:** A measure to clarify the limits on when and how the Oregon National Guard units can be deployed for service passed the House but failed in the Senate. [House Bill 3954](#) would have ensured that if mobilization, for example, compromised the guard's ability to respond to a disaster in Oregon, such as wildfires or earthquakes, that deployment would not be permitted.
- **CELLPHONE BAN:** A bill that would have barred students throughout Oregon from using cell phones during school hours failed to advance, after [running into objections](#) in the Senate. Kotek has said she will consider an executive order on the matter.
- **BILL LIMITS:** Seeking to rein in the record number of bills flooding the Legislature, lawmakers introduced legislation limiting how many bills they can introduce each session. The bill died in a legislative committee.

Other bills that passed

- **UTILITY RATES:** Curbing fast-rising utility rates was a key focus of this year's session. Lawmakers [passed House Bill 3179](#), requiring more transparency from utilities over rate increases and ensuring price increases can't occur in the winter. They also passed a bill, [House Bill 3546](#), that looks to ensure residential ratepayers don't see price increases because of power use by massive data centers used by tech companies.
- **INHALANT ABUSE:** Lawmakers passed two bills that aim to curb the abuse of commercially available inhalants. One prohibits the sale of aerosol dusters to people under the age of 18 and introduces harsher warning labels and purchase limits. Another

would require businesses that sell [nitrous oxide](#) canisters to verify that a buyer is over the age of 18. Both have been signed by Kotek.

- **STADIUM MONEY:** Lawmakers passed a bill to help Portland in its push for a Major League Baseball team. Senate Bill 110 authorizes [\\$800 million in bonds](#) to help fund the construction of a professional baseball stadium on Portland's South Waterfront. The MLB has not granted Portland a team and the potential bonds would be paid off by income tax revenue generated by the baseball club's roster and staff. Kotek signed the bill.
- **CORPORATE MEDICINE:** Senate Bill 951 [looked to close loopholes](#) in Oregon law that proponents say allows corporations to assume operating control of medical practices.
- **CREMATORY TEMPERATURES:** In a bill that attracted widespread support, the Legislature limited crematory temperatures at 1,600 degrees Fahrenheit, down from a mandatory 1,800 degrees. The bill is designed to save energy, and brings Oregon in line with other states.
- **MARRIAGE AGE:** Oregon will no longer allow minors to marry, even with a parent or guardian's permission. [Senate Bill 548](#) changes the legal marriage age from 17 to 18, in line with a step other states are taking.
- **SENATE:** Lawmakers passed a bill that would require Oregon's governor to appoint a temporary replacement if a U.S. Senator [retires or dies](#). Kotek signed it.

Natalie Pate contributed to this report.



STAFF REPORT

Subject:	PUBLIC HEARING (Introduction) - An ordinance amending the Troutdale Municipal Code Title 3, Revenue and Finance, to update Transient Lodging Tax remittance on short-term rentals. <i>- Marlee Boxler, Economic Development Coordinator, and Erika Palmer, Community Development Director</i>
Meeting Date:	December 9, 2025
Department/Affiliation:	Economic Development
Meeting Type:	City Council - Regular Meeting
Presenter:	Marlee Boxler, Economic Development Coordinator
Public Hearing:	Yes
Action Required:	Ordinance - Introduction
Committee/Commission Recommendation:	N/A
Staff Recommendation:	Hold the first hearing on the ordinance amending Troutdale Municipal Code, Title 3, Revenue and Finance, to increase short term rental compliance with registration and transient lodging tax remittance.

Exhibits:

- A. Chapter 3.08 - TRANSIENT LODGINGS TAX redline
- B. Ordinance Title 3, Revenue and Finance
- C. Attachment A to the Ordinance - Chapter 3.08 TRANSIENT LODGINGS TAX clean

Subject Relates to:

Council Goals	Legislative	Land Use / Development	x	Other (describe below)
---------------	-------------	------------------------	---	------------------------

Supporting the city's economic development goals through ensuring equitable tax compliance between hotels and short-term rentals, supporting fairness among the industry.

Discussion Points

Code Update Objectives – The proposed update to Chapter 3.08 will:

- Clarify definitions to include Short Term Rentals (STRs) and online lodging intermediaries
- Require STR registration and reporting
- Authorize platforms to collect and remit the tax on operators' behalf
- Strengthen compliance and enforcement provisions

Purpose of Transient Lodging Tax (TLT)

Troutdale's TLT, established in 1972, provides a stable source of non-resident revenue that

supports general city services and tourism promotion. The current 6.95% rate includes 6% to the General Fund and 0.95% for tourism-related uses.

Growth of Short-Term Rentals

The rise of STR platforms such as Airbnb and VRBO has significantly changed Troutdale's lodging market. These rentals are covered under the City's broad "hotel" definition, but are not consistently collecting or remitting the City's TLT.

Revenue Impact

STR revenue grew from \$395,000 in 2021 to \$1.3 million in 2024, now representing about 10% of the local lodging market. The City has missed an estimated \$326,000 in TLT revenue since 2021 due to non-collection.

Equity and Compliance

Traditional hotels are fully compliant with TLT requirements, but most STR operators are not, creating inequity in tax collection and lost revenue that could support public services and tourism efforts.

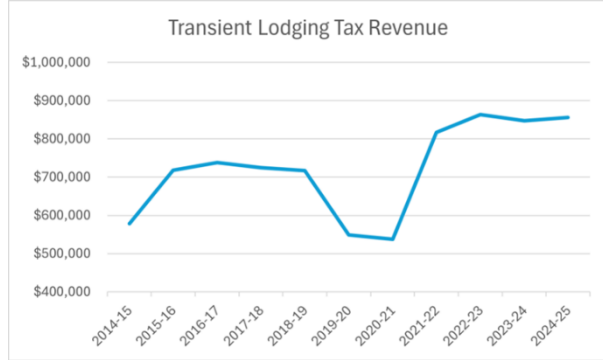
Background

A TLT is a tax imposed on the occupants of transient lodging within a municipality, commonly used to reinvest funds into the local tourism industry and government services, such as fire, police, streets, and sewers, that benefit both residents and tourists. In 1972, the City of Troutdale imposed its first TLT of 5% (Ordinance No. 179). This tax was raised to 6% in 1978 (Ordinance No. 274) and 6.95% in 1999, with a stipulation that the .95% increase be dedicated to the Troutdale Chamber of Commerce (Ordinance No. 670) and the remaining 6% continue to go towards the general fund budget. In 2019, the City Council amended Ch. 3.08 Transient Lodgings Tax of the Municipal Code to further clarify that the .95% dedication is for tourism promotion, paying for tourism-related facilities, and/or to be able to finance or refinance debt for tourism-related facilities (Ordinance No. 853). This change also clarified that the City Council shall determine, by resolution, what organization this portion of the tax will be distributed to and auditing requirements for any third-party organizations that are responsible for managing these tourism promotion dollars. In 2020, the city designated the use of the 0.95% of the TLT for the promotion of tourism in Troutdale to the brand-new Tourism and Economic Development Division budget unit of the City General Fund (Resolution No. 2493) beginning July 1, 2020.

The city collects TLT from transients on the occupancy of any hotel for less than 30 days within the city's limits. A hotel is defined as, "any structure, or any portion of any structure which is occupied, intended or designed for occupancy as a dwelling, lodging, or sleeping area, regardless of whether it is used temporarily or permanently, and includes any hotel, inn, tourist home or house, motel, studio hotel, lodging-house, rooming-house, executive apartment, public or private dormitory, fraternity, sorority, public or private club, space in a recreational vehicle park, house, condominium, cabin, apartment unit, or similar structure or space or portion thereof" (TMC 3.08.010.E). The current hotels collecting and remitting the tax within the city

include Comfort Inn, Holiday Inn Express, McMenamins Edgefield, Motel 6, and Sandy River RV Resort. A few online hotel hosting platforms, such as Booking.com and Expedia, also remit the tax; however, most online short-term rental hosting platforms do not.

Fig. 1 & 2 Transient Lodging Tax Revenue from Fiscal Year 2014-15 to 2024-25



Fiscal Year	Hotel Receipts	TLT 6%	TLT 0.95%	Total Tax
2014-15	8,312,604	498,756	78,970	577,726
2015-16	10,335,885	620,153	98,191	718,344
2016-17	10,621,324	637,279	100,903	738,182
2017-18	10,430,403	625,823	99,089	724,913
2018-19	10,309,683	617,966	98,557	716,523
2019-20	7,893,439	473,607	74,988	548,594
2020-21	7,735,784	464,156	73,482	537,637
2021-22	11,755,655	709,124	107,894	817,018
2022-23	12,418,763	745,124	117,980	863,104
2023-24	12,187,986	731,279	115,786	847,065
2024-25	12,309,367	738,562	116,939	855,501
Grand Total	114,310,906	6,861,829	1,082,779	7,944,608

Source: City of Troutdale Finance Department

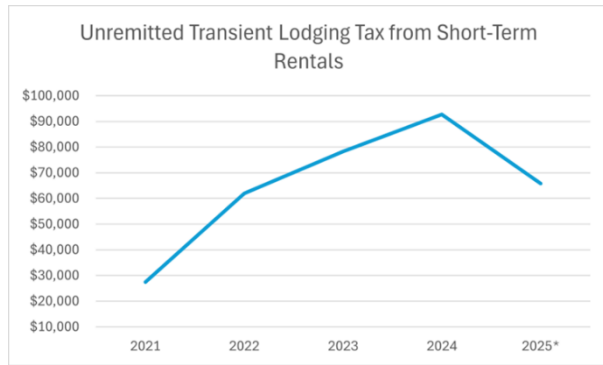
In recent years the city has seen a rise in lodging called “short-term rentals” as third-party online hosting platforms, such as VRBO and AirBNB, have grown in popularity and use. A short-term rental (STR) is defined as "a house, duplex, multi-plex, apartment, condominium, houseboat, trailer, or other residential dwelling unit where a person rents a guest bedroom or the entire residential dwelling unit for transient lodging occupancy." While the exact term “short-term rental” is not used in our municipal code, our definition of hotel does cover this type of lodging, thus requiring the TLT to be collected in remitted.

Short-term rental hosting platforms pose a challenge to local governments, because the

operators are often unaware of local regulations and rely on the hosting platform to collect payment, including taxes, on their behalf. It is common for hosting platforms to collect payment directly from guests to distribute to the operator of the STR, but unless a municipality’s code language specifically authorizes and requires them to do so, they do not collect the required taxes. While it is the operator’s responsibility to ensure they follow all local, state, and federal laws, most are not in compliance with Troutdale’s TLT requirements because the short-term rental hosting platforms do not collect Troutdale’s 6.95% local lodging tax, only the 5.5% Multnomah County tax and the 1.5% State of Oregon tax. Additionally, the city does not have a registration process or requirement for short-term rentals, resulting in the inability to work directly with the operators to ensure payment of the required TLT. Regardless, this would be difficult to do given payments made through the platforms do not include the tax, meaning that operators would have to pay it through profits instead.

In 2021, short-term rental lodgings in Troutdale had \$395,203 in revenue, but in 2024 the market grew nearly \$1 million to \$1,334,321 in revenue. When combining this amount with the revenue from the remitting hotels, short-term rentals comprise 10% of the hotel and lodging market. By not collecting the TLT on STRs, the city has missed an additional \$326,320 in tax revenue since 2021. To ensure that this tax is properly collected and remitted to the city moving forward, we must update Ch. 3.08 of the Municipal Code by improving our definitions, requiring registration, and authorizing third-parties to collect the tax on the operator’s behalf.

Fig. 3 & 4 Unremitted Transient Lodging Tax Revenue from Short-Term Rentals from 2021 to 2025



Year	STR Receipts	TLT 6%	TLT 0.95%	Total Tax
2021	395,203	23,712	3,754	27,467
2022	892,089	53,525	8,475	62,000
2023	1,126,100	67,566	10,698	78,264
2024	1,334,321	80,059	12,676	92,735
2025*	947,545	56,853	9,002	65,854
Grand Total	4,695,258	281,715	44,605	326,320

Source: AirDNA

* 2025 data is through August

Summary

The proposed municipal code changes will not add a new tax or raise the current tax, but clarify the language around how the city will collect the tax. These changes continue to maintain the city’s grandfathered status regarding how the tax revenue is used.

Pros & Cons

Pros

- Transient Lodging Taxes are not a tax on businesses or residents and are one of the few ways for municipalities to collect revenue from non-resident travelers who utilize city services.
 - Updating the code language will ensure equitable tax compliance between hotels and short-term rentals, supporting fairness among the industry.
 - Code modifications will not jeopardize the existing grandfathered status of the city’s transient lodging tax but will recover an estimated \$75,000 - \$100,000 annually in new revenue for the general fund and tourism promotion.
- Cons:**
- Implementation may require additional initial administrative staff time to assist short-term rental operators with registration requirements and third-party online hosting platforms with tax remittance processes.
 - Cooperation may require negotiation or delayed rollout.

Oversight:

<i>Budget Impact:</i>	x	Yes, current year	Yes, future year	N/A
-----------------------	---	-------------------	------------------	-----

Describe: The city will see an increase in TLT revenue with 6% going towards the general fund budget, and .95% is designated to use for tourism promotion.

<i>Community Involvement Process:</i>	x	Yes	N/A
---------------------------------------	---	-----	-----

Describe: Staff anticipates reaching out to operators to answer any questions they may have about the TLT process and to let them know that Explore Troutdale can highlight their lodging facility online and link to where to book accommodations.

Approval by City Attorney: No

Approved By the City Manager:

Mike Weston, City Manager 12/04/2025

Chapter 3.08 TRANSIENT LODGINGS TAX*

Sections:

3.08.010 Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter:

- A. "Accrual accounting" means the ~~operator~~transient lodging tax collector enters the rent due from an occupant a transient on the records when the rent is earned, whether or not it is paid.
 - B. "Cash accounting" means the ~~operator~~transient lodging tax collector does not enter the rent due from an occupant a transient on the records until rent is paid;
 - C. "Council" means the city council;
 - ~~D. "Executive apartment" means a dwelling unit in an apartment complex that is typically rented to corporate executives, company employees or guests for thirty days or less.~~
 - ~~E. "Hotel" means any structure, or any portion of any structure which is occupied, intended or designed for temporary use for dwelling, lodging or sleeping purposes, regardless of whether it is used temporarily or permanently, and includes any hotel, inn, tourist home or house, motel, studio hotel, lodginghouse, roominghouse, executive apartment, public or private dormitory, fraternity, sorority, public or private club, space in a recreational vehicle park, or similar structure or space or portions thereof so occupied.~~
 - ~~FD. "Occupancy" means the right to the use or possession, or the right to the use or possession of any hotel for lodging or sleeping purposes, space in transient lodging for dwelling, lodging, or sleeping purposes for fewer than 30 consecutive daysless, counting portions of calendar days as full days than 30 days.~~
 - ~~G. "Operator" means the person who is proprietor of the hotel in any capacity. Where the operator performs the functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as the principal. Compliance with the provisions of this chapter by either the principal or the managing agent shall be considered to be compliance by both.~~
 - ~~E. "Occupant" means any individual who exercises occupancy or is entitled to occupancy in transient lodging for a period of fewer than 30 consecutive calendar days or less, counting portions of calendar days as full days.~~
 - ~~HF. "Person" means any individual, firm, partnership, joint venture, limited liability company, limited liability partnership, host, tenant-in common, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination ~~acting as a unit.~~~~
 - ~~IG. "Rent" means the consideration charged, whether or not received by the operator, paid or payable by an occupant for the occupancy of space in a hotel transient lodging; valued in money, goods, labor, credits, property or other consideration. valued in money, without any deduction. If a separate fee is charged for services, goods or commodities and the fee is optional, that fee is not included in rent.~~
- "Retail" means rental to an intended occupant, whether or not arranged by an agent or other person, including an employer.

-
- J. ~~"Rent package plan" means the consideration charged for both food and rent where a single rate is made for the total of both. The amount applicable to rent for determination of transient room tax under this chapter shall be the same charge made for rent when not a part of a package plan.~~
- H. "Short-Term Rental" means a house, duplex, multi-plex, apartment, condominium, houseboat, trailer or other residential dwelling unit where a person rents a guest bedroom or the entire residential dwelling unit for transient lodging occupancy. Short-term rentals are transient lodging facilities.
- I. "Short-Term Rental Hosting Platform" means a business or other person that facilitates the retail sale of transient lodging by connecting occupants with transient lodging providers, either online or in any other manner. Short-term rental hosting platforms are transient lodging intermediaries.
- KJ. "Tax" or "TLT" means either the tax payable by the occupant ~~transient~~ or the aggregate amount of taxes due from ~~an operator~~ a transient lodging tax collector during the period for which the ~~transient~~ transient lodging tax collector is required to report the collections.
- KL. "Tax administrator" means the ~~finance director of the city.~~ Finance Director of the City of Troutdale, or its designee, which may include the Oregon Department of Revenue pursuant to ORS 305.620.
- M. ~~"Transient" means any individual who exercises occupancy or is entitled to occupancy in a hotel.~~
- L. "Tourism Promotion" means any of the following activities:
1. Advertising, publicizing, or distributing information for the purpose of attracting and welcoming tourists;
 2. Conducting strategic planning and research necessary to stimulate future tourism development;
 3. Operating tourism promotion agencies and visitor information centers; and
 4. Marketing special events and festivals designed to attract tourists.
- M. "Tourism-Related Facility" means:
1. A conference center, convention center, or visitor information center; and
 2. Other improved real property that has a useful life of 10 or more years and has a substantial purpose of supporting tourism or accommodating tourist activities.
- N. "Transient Lodging" or "Transient Lodging Facilities" means:
1. Hotel, motel, and inn dwelling units that are used for temporary overnight human occupancy;
 2. Spaces used for overnight parking of recreational vehicles or placement of tents during periods of human occupancy; or
 3. Houses, cabins, condominiums, apartment units or other dwelling units, or portions of any of these dwelling units that are used for temporary human occupancy.
- O. "Transient Lodging Intermediary" means a person other than a transient lodging provider that facilitates the retail sale of transient lodging and:
1. Charges for occupancy of that transient lodging;
 2. Collects the considerations charged for occupancy of the transient lodging; or
 3. Receives a fee or commission and requires the transient lodging provider to use a specified third-party entity to collect the consideration charged for occupancy of the transient lodging.
- P. "Transient Lodging Provider" means a person that furnishes transient lodging.
- Q. "Transient Lodging Tax Collector" means a transient lodging provider or transient lodging intermediary.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.020-015 Tax imposed.

- A. For the privilege of occupancy in any hotel Transient Lodging Facility in the city, each transient occupant shall pay a tax in the amount of six and ninety-five one hundredths percent of the rent charged by the ~~operator~~ transient lodging tax collector. The tax constitutes a debt owed by the transient occupant to the city, which is extinguished only by payment by the ~~operator~~ transient lodging tax collector to the city. The transient occupant shall pay the tax to the ~~operator of the hotel~~ transient lodging tax collector at the time the rent is paid, ~~unless an exemption applies.~~
- B. ~~If payment is by credit card or other electronic transfer, for the purposes of this section, payment is made at the time credit card or other account information is utilized by the provided to the~~ transient lodging tax collector to receive payment, not when the transient lodging tax collector ultimately receives credit for the transaction.
- C. ~~The operator~~ transient lodging tax collector shall enter the tax on its records when rent is collected if the ~~operator~~ transient lodging tax collector keeps its records on the cash accounting basis and when earned if the ~~operator~~ transient lodging tax collector keeps its records on the accrual accounting basis. If rent is paid in installments, a proportionate share of the tax shall be paid by the transient occupant to the ~~operator~~ transient lodging tax collector with each installment. ~~In all cases, the rent paid or charged for occupancy shall exclude the sale of any goods, services and commodities.~~
- D. Bills, receipts, records, or invoices provided to occupants shall list the TLT separately and must accurately state the amount of tax. All amounts listed as TLT on invoices, bills, or receipts must be reported as TLT and, after collection, must be turned over to the city.
- E. No transient lodging tax collector shall advertise that the tax or any part of the tax will be assumed or absorbed by the transient lodging tax collector, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this chapter.
- ~~E.B. The city shall dedicate ninety-five one hundredths of one percent of the taxable rent to tourism promotion, paying for tourism related facilities, or to being able to finance or refinance debt for tourism related facilities. The city council, by resolution, shall determine the distribution of the ninety-five one hundredths of one percent of the tax beginning on July 1, 2019.~~
- C. ~~Should funds under Section B. be paid to the West Columbia Gorge Chamber of Commerce, or any other third party provider, the provider shall submit annually without cost to the city: (1) a financial statement using a comprehensive method of accounting; and (2) a review of tourism and business related activities. Such submissions shall be presented at a regular meeting of the city council no later than March 1 following the calendar year for which the reviews are required. The city council can accept, reject or require remedial action after such review by majority vote of the city council. The West Columbia Gorge Chamber of Commerce, and any other recipient of funds hereunder (other than a city department) shall make all of its books, records and accounts, which in any manner relate to the expenditure of transient lodging tax moneys available to the city for examination or audit upon reasonable notice and upon request of the city council.~~

(Ord. 772 § 1, 2006; Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

(Ord. No. 853, 5-28-2019)

3.08.020 Liability for Tax.

- A. Transient lodging providers who receive any portion of the rent for transient lodging and transient lodging intermediaries that provide booking services are both transient lodging tax collectors and are jointly and severally liable for the tax.
- B. While holding the tax payment in trust for the city, a transient lodging tax collector may commingle the tax proceeds with the transient lodging tax collector's funds, but the transient lodging tax collector is not the owner of tax proceeds.
- C. Transient lodging tax collectors may choose to file returns and remit payment based on amounts accrued but not yet collected. The transient lodging tax collector is liable for any TLT that should have been collected from the occupant, except in cases of nonpayment of rent by the occupant.

3.08.030-025 Exemptions from chapter provisions.

No tax imposed under this chapter shall be imposed upon:

- A. Any occupancy whose rent is of a value less than two dollars per day;
- B. Any person who rents a private home, vacation cabin or like facility from any owner who rents such facilities incidental to their own use thereof;
- AC. Any federal, state, or local government employee who presents an exemption certificate and rents a room for official government business;
- BD. Any person who rents space for a permanently occupied manufactured or mobile home that:
 - 1. Is located on property in accordance with the standards in the Troutdale Development Code;
 - 2. Is in a manufactured home subdivision or a manufactured home park as described in the Troutdale Development Code; and
 - 3. Is subject to both personal and property taxes that are paid by separate individuals, or is only subject to property tax that is paid by the owner of the manufactured home and that is based on the value of the real property and manufactured home.
- CE. A dwelling unit that is leased or otherwise occupied by the same person for a consecutive period of ~~more than 30 days or more~~ during the year. The requirements of this subsection are satisfied even if the physical dwelling unit changes during the consecutive period, if:
 - 1. All dwelling units occupied are within the same facility; and
 - 2. The person paying consideration for the transient lodging is the same person throughout the consecutive period.Any person who rents a hotel for more than thirty days;
- F. A dwelling unit in a hospital, health care facility, long-term care facility or any other residential facility that is licensed, registered or certified by the Oregon Department of Human Services or the Oregon Health Authority;
- G. A dwelling unit in a facility providing treatment for drug or alcohol abuse or providing mental health treatment;
- H. A dwelling unit, the consideration for which is funded through a contract with a government agency and the purpose of which is to provide emergency or temporary shelter;
- I. A dwelling unit at a nonprofit youth or church camp, nonprofit conference center or other nonprofit facility; or

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.030 Registration of Transient Lodging Tax Collector.

- A. Every person engaging or about to engage in business as a transient lodging tax collector shall obtain a City of Troutdale business license prior to commencing business per Chapter 5 of the Troutdale Municipal Code. The transient lodging tax collector shall not rent any lodging facilities prior to obtaining the business license.
- B. The business license shall require the transient lodging tax collector to any information as the tax administrator may require to implement this Chapter. Transient lodging tax collectors who own or operate multiple transient lodging facilities in the city shall provide the address of each lodging facility.
- C. If the rent transaction is facilitated online, the business license number must be included in the description of the listing. A business license issued to a lodging facility shall be displayed in a conspicuous place on the business premises at all times during the license's effective period, available for inspection by any interested person.
- D. Business licenses shall be non-assignable and non-transferable. If a lodging facility is sold or transferred or when a lodging facility ceases to operate at the location specified on the business license, the transient lodging tax collector must notify the city of such sale, transfer, or closure.
- E. Upon request of the city, transient lodging tax collectors must provide all physical addresses of transient lodging facilities within the city limits and the related contact information, including the name and mailing address, of the general manager, agent, owner, host or other responsible person for the location.

3.08.035 Short-Term Rental Hosing Platforms.

- A. A hosting platform for short-term rentals may collect a fee for booking services in connection with short-term rentals only when those short-term rentals are lawfully registered as transient lodging tax collectors with the city and possess a certificate of authority at the time the short-term rental is occupied.
- B. Short-term rental hosting platforms are transient lodging intermediaries and transient lodging tax collectors. Hosting platforms that facilitate short-term rentals within the city shall:
 - 1. Register as a transient lodging tax collector pursuant to Section 3.08.035;
 - 2. Collect and remit transient lodging tax for all transactions facilitated through their platform for transient lodging within the city;
 - 3. Provide to the city, upon request, all physical addresses of transient lodging facilities within the city limits and the related contact information.
- C. Hosting platforms and transient lodging providers are jointly and severally liable for tax collection and remittance as provided in Section 3.08.025.

3.08.040 ~~Tax collected by operator~~—Collection and Enforcement. Enforcement.

- A. Every ~~operator~~transient lodging tax collector renting rooms or space for lodging or sleeping purposes in the city, the occupancy of which is not exempted under the terms of this chapter, shall collect ~~the~~a tax from the occupant. The tax collected or accrued by the ~~operator~~transient lodging tax collector constitutes a debt owing by the ~~operator~~transient lodging tax collector to the city.
- B. All transient lodging tax collectors shall collect the tax at the same time as the rent is collected. The amount of tax shall be separately stated upon the transient lodging tax collector's records, and any receipt rendered. No transient lodging tax collector shall advertise that the tax or any part of the tax will be assumed or absorbed by the transient lodging tax collector, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this chapter.
- ~~C. In all cases of credit or deferred payment of rent, the payment of tax to the operator may be deferred until the rent is paid, and the operator~~transient lodging tax collector shall not be liable for the tax until credits are paid or deferred payments are made. Adjustments may be made for uncollectibles.
- C. The tax administrator shall enforce provisions of this chapter and shall have the power to adopt rules and regulations not inconsistent with this chapter as may be necessary to aid in the enforcement.
- D. For rent collected on portions of a dollar, fractions of a penny of tax shall not be remitted.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

~~3.08.050 Operator~~—Duties and responsibilities.

~~Each operator shall collect the tax imposed by this chapter at the same time as the rent is collected from every transient. The amount of tax shall be separately stated upon the operator's records, and any receipt rendered by the operator. No operator of a hotel shall advertise that the tax or any part of the tax will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this chapter.~~

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.07045 Payment—Returns—Due date. Payment, returns, and due date.

- A. ~~The tax imposed by this chapter shall be paid by the transient to the operator at the time rent is paid. All amounts of such taxes~~tax collected by any ~~operator~~transient lodging tax collector ~~is~~are due and payable to the tax administrator on a quarterly basis on the fifteenth day of the following month for the preceding three months, ~~and Taxes~~ are delinquent on the last day of the month in which they are due.
- B. The tax administrator has authority to classify and/or district the ~~operator~~transient lodging tax collectors for determination of applicable tax periods, and shall notify each ~~operator~~transient lodging tax collector of the due and delinquent dates for the ~~operator~~transient lodging tax collector's returns. The initial return under this chapter may be for less than the three months preceding the due date; thereafter, returns shall be made for the applicable quarterly period.
- ~~BC.~~ On or before the fifteenth day of the month following each quarter of collection, a return for the preceding quarter's tax collections shall be filed with the tax administrator. The return shall be filed in such form as the tax administrator may prescribe by every ~~operator~~transient lodging tax collector liable for payment of tax.
- ~~CD.~~ Returns shall show the amount of tax collected or otherwise due for the related period. The tax administrator may require returns to show the total rentals upon which tax was collected or otherwise due,

gross receipts of ~~operator~~transient lodging tax collector for such period and an explanation in detail of any discrepancy between such amounts, and the amount of rents exempt, if any.

- ~~DE.~~ The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the tax administrator, either by personal delivery, ~~or by mail,~~ or online. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.
- ~~EF.~~ ~~For good cause, the tax administrator may extend for not to exceed one month the time for making any return or payment of tax. The tax administrator may offer an extension of 30 calendar days to submit the return and/or payment of tax.~~ No further extension shall be granted, except by the city council. Any ~~operator~~transient lodging tax collector to whom an extension is granted shall pay interest at the rate of one percent per month ~~of~~ the amount of tax due without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this chapter.
- ~~FG.~~ ~~The tax administrator, if deemed necessary in order to insure payment or facilitate collection by the city of the amount of taxes in any individual case, may require returns and payment of the amount of taxes for other than quarterly periods. The tax administrator, on an individual case, may require returns and/or payment of the tax on a monthly basis in order to ensure payment and facilitate tax collection by the city.~~

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.050080 Delinquent returns—Penalties and interest. Delinquent returns, penalties, interest, and fraud.

- A. Original Delinquency. Any ~~operator~~transient lodging tax collector who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this chapter prior to the delinquency shall pay a penalty of ten percent of the amount of the tax due in addition to the amount of the tax.
- B. Continued Delinquency. Any ~~operator~~transient lodging tax collector who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first become delinquent shall pay a second delinquency penalty of fifteen percent of the amount of the tax due plus the amount of the tax and the ten percent penalty first imposed.
- C. Extension Delinquency. Any transient lodging tax collector who has been granted an extension of time for remittance of tax due, and who failed to pay the tax and interest due by the end of the extension granted shall pay a penalty of fifteen percent of the amount of the tax due plus the amount of the tax and the interest imposed during the extension.
- D. In addition to the penalties imposed, any transient lodging tax collector who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent per month (or fraction thereof) on the amount of the tax due from the date on which the remittance first became delinquent until paid. No proration shall be made for portions of months.
- E. If the tax administrator determines that the nonpayment of any remittance due under this chapter is due to fraud or intent to evade the provisions thereof, a penalty of twenty-five percent of the amount of the tax due in addition to the amount of tax.
- F. Every penalty imposed and such interest as accrues of this chapter shall be merged with and become a part of the tax required to be paid by this chapter.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.090 Fraud.

If the tax administrator determines that the nonpayment of any remittance due under this chapter is due to fraud or intent to evade the provisions thereof, a penalty of twenty-five percent of the amount of the tax shall be added thereto in addition to the penalties stated in Section 3.08.080 of this chapter.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.100 Failure to report.

In addition to the penalties imposed, any operator transient lodging tax collector who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent per month or fraction thereof without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.110 Penalties merged with tax.

Every penalty imposed and such interest as accrues under the provisions of this section and Sections 3.08.080, 3.08.090, 3.08.100 and 3.08.120 of this chapter shall be merged with and become a part of the tax required to be paid by this chapter.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.120 Petition for waiver.

Any operator transient lodging tax collector who fails to remit the tax levied in this chapter within the time stated in this chapter shall pay the penalties stated in this chapter; provided, however, the operator transient lodging tax collector may petition the city council for waiver and refund of the penalty or any portion thereof and the city council may, if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.130-055 Deficiency determinations—Notification procedures.

If the tax administrator determines that the returns are incorrect, the tax administrator may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns, or upon the basis of any information within the tax administrator's possession or that may come into the tax administrator's possession. One or more deficiency determinations may be made of the amount due for one, or more than one, period, and the amount so determined shall be due and payable immediately upon service of notice as provided in this chapter after which the amount determined is delinquent. Penalties on deficiencies shall be applied as set forth in Sections 3.08.080 through 3.08.120 of this chapter.

- A. In making a determination the tax administrator may offset overpayments, if any, which may have been previously made for a period or periods, against any underpayment for a subsequent period or periods, or against penalties and interest on the underpayments. The interest on underpayments shall be computed in the manner set forth in Sections 3.08.080 through 3.08.120 of this chapter.

-
- B. The tax administrator shall give to the ~~operator~~transient lodging tax collector or occupant a written notice of determination. The notice may be served personally or by mail. If by mail, the notice shall be addressed to the ~~operator~~transient lodging tax collector at the address as it appears on the records of the tax administrator. In case of service by mail or any notice required by this chapter, the service is complete at the time of deposit in the United States Post Office.
 - C. Except in the case of fraud or intent to evade this chapter or authorized rules and regulations, every deficiency determination shall be made and notice thereof mailed within three years after the last day of the month following the close of the quarterly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later.
 - D. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the tax administrator has given notice thereof; provided, however, the ~~operator~~transient lodging tax collector may petition redemption and refund if the petition is filed before the determination becomes final as provided in this chapter.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.140-060 Failure to collect tax.

If any ~~operator~~transient lodging tax collector fails or refuses to collect the tax or to make within the time provided in this chapter any report and remittance of the tax or any portion thereof required by this chapter, or makes a fraudulent return or otherwise willfully attempts to evade this chapter, the tax administrator shall proceed in such manner as deemed best to obtain facts and information on which to base an estimate of the tax due. As soon as the tax administrator has determined the tax due that is imposed by this chapter from any ~~operator~~transient lodging tax collector who has failed or refused to collect the same and to report and remit the tax, the tax administrator shall proceed to determine and assess against such ~~operator~~transient lodging tax collector the tax, interest and penalties provided for by this chapter. In case such determination is made, the tax administrator shall give a notice in the manner aforesaid of the amount so assessed. Such determination and notice shall be made and mailed within three years after discovery by the tax administrator of any fraud, intent to evade or failure or refusal to collect the tax, or failure to file return. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the administrator has given notice thereof; provided, however, the ~~operator~~transient lodging tax collector may petition for redemption and refund if the petition is filed before the determination becomes final as provided in this chapter.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.150-065 ~~Operator~~Transient lodging tax collector delay.

If the tax administrator believes that the collection of any tax or any amount of tax required to be collected and paid to the city will be jeopardized by delay, or if any determination will be jeopardized by delay, the tax administrator shall thereupon make a determination of the tax or amount of tax required to be collected, noting the fact upon the determination. The amount so determined as provided in this chapter shall be immediately due and payable, and the ~~operator~~transient lodging tax collector shall immediately pay such determination to the tax administrator after service of notice thereof; provided, however, the ~~operator~~transient lodging tax collector may petition, after payment has been made, for redemption and refund of such determination, if the petition is filed within ten days from the date of service of notice by the tax administrator.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.160-070 Petition for redetermination and refund.

- A. Any person against whom a determination is made under Sections 3.08.130, 3.08.140 and 3.08.150 of this chapter, or any person directly interested may petition for a redetermination and redemption and refund within the time required in Sections 3.08.130, 3.08.140 and 3.08.150 of this chapter. If a petition for redetermination and refund is not filed within the time required in Sections 3.08.130, 3.08.140 and 3.08.150 of this chapter, the determination becomes final at the expiration of the allowable time.
- B. If a petition for redetermination and refund is filed within the allowable period, the tax administrator shall reconsider the determination, and, if the person has so requested in the petition, shall grant the person an oral hearing and shall give ten days' notice of the time and place of the hearing. The tax administrator may continue the hearing from time to time as may be necessary.
- C. The tax administrator may decrease or increase the amount of the determination as a result of the hearing and if an increase is determined such increase shall be payable immediately after the hearing.
- D. The order or decision of the tax administrator upon a petition for redetermination of redemption and refund becomes final ~~fifteen~~ days after service upon the petitioner of notice thereof, unless appeal of such order or decision is filed with the municipal court as provided in TDC 3.08. ~~city council~~ within ~~ten~~fifteen days after service of such notice.
- E. No petition for redetermination of redemption and refund or appeal therefrom shall be effective for any purpose unless the ~~operator~~transient lodging tax collector has first complied with the payment provisions of this chapter.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.170-075 Security for collection.

- A. The tax administrator, whenever deemed necessary to insure compliance with this chapter, may require any ~~operator~~transient lodging tax collector subject thereto to deposit security in the form of cash, bond or other security as the tax administrator may determine. The amount of the security shall be fixed by the tax administrator but shall not be greater than twice the ~~operator~~transient lodging tax collector's estimated average quarterly liability for the period for which a return is filed, determined in such manner as the tax administrator deems proper, or five thousand dollars, whichever amount is the lesser. The amount of the security may be increased or decreased by the tax administrator subject to the limitations provided in this chapter.
- B. At any time within three years after any tax or any amount of tax required to be collected becomes due and payable or at any time within three years after any determination becomes final, the tax administrator may bring an action in the courts of the state, or any other state, or of the United States in the name of the city to collect the amount delinquent together with penalties and interest.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.080180 Refund procedures.

- A. Refunds by City to ~~Operator~~Transient lodging tax collector. Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the tax administrator under this chapter, it may be refunded, provided a verified claim in writing thereof, stating the specific reason upon which the claim is founded, is filed with the tax administrator within three years from the date of payment. The claim shall be made on forms provided by the tax administrator. If the claim is

approved by the tax administrator, the excess amount collected or paid may be refunded or may be credited on any amounts then due and payable from the ~~operator~~[transient lodging tax collector](#) from whom it was collected or by whom paid and the balance may be refunded to such ~~operator~~[transient lodging tax collector](#), or the ~~operator~~[transient lodging tax collector](#)'s administrators, executors or assignees.

- B. Refunds by City to ~~occupant~~[transient](#). Whenever the tax required by this chapter has been collected by the ~~operator~~[transient lodging tax collector](#), and deposited by the ~~operator~~[transient lodging tax collector](#) with the tax administrator, and it is later determined that the tax was erroneously or illegally collected or received by the tax administrator, it may be refunded by the tax administrator to the ~~occupant~~[transient](#), provided a verified claim in writing therefor, stating the specific reason on which the claim is founded, is filed with the tax administrator within three years from the date of payment.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.~~190-085~~ Recordkeeping.

Every ~~operator~~[transient lodging tax collector](#) shall keep guest records of room sales and accounting books and records of the room sales. All records shall be retained by the ~~operator~~[transient lodging tax collector](#) for a period of three years and six months after they come into being.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.~~200-090~~ Examination of records.

The tax administrator, or any person authorized in writing by the tax administrator, may examine during normal business hours the books, papers and accounting records relating to room sales of any ~~operator~~[transient lodging tax collector](#), after notification to the ~~operator~~[transient lodging tax collector](#) liable for the tax, and may investigate the business of the ~~operator~~[transient lodging tax collector](#) in order to verify the accuracy of any return made, or if no return is made by the ~~operator~~[transient lodging tax collector](#), to ascertain and determine the amount required to be paid.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.~~095210~~ Confidentiality.

The tax administrator or any person having an administrative or clerical duty under the provisions of this chapter shall protect the confidential business operations or similar information obtained to implement this chapter, provided, that nothing in this subsection shall be construed to prevent:

- A. The disclosure to, or the examination of records and equipment ~~to~~[by](#), another city official, employee or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this chapter, or collecting taxes imposed under this chapter.
- B. The disclosure, after the filing of a written request to that effect, to the taxpayer, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, of information as to any paid tax, any unpaid tax or amount of tax required to be collected, or interest, and penalties; provided, however, that the tax administrator approves each such disclosure and that the tax administrator may refuse to make any disclosure referred to in this subsection when the public interest would suffer thereby.
- C. The disclosure of the names and addresses of any person owning/operating a transient lodging facility.
- D. The disclosure of general statistics regarding taxes collected or business done in the city.

E. The disclosure of information in accordance with [the Oregon Public Records Law](#).

F. [Disclosure to the Oregon Department of Revenue pursuant to ORS 320.332.](#)

G. [Disclosure to other Oregon cities for purposes of transient lodging tax administration and enforcement, consistent with applicable law.](#)

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.100250 Appeals to ~~Municipal Courteity council~~.

Any person aggrieved by any decision of the tax administrator may appeal to the [municipal courteity council](#), by filing a notice of appeal with the tax administrator within ~~fifteen~~ days of the serving or the mailing of the notice of the decision given by the tax administrator. The tax administrator shall transmit the notice of appeal, together with the file of such appealed matter to the ~~mayor~~ [city manager municipal court](#), who shall ~~schedule the appeal on its docket~~ [city council agenda](#) and provide the appellant notice of the hearing at least ten days before the hearing. ~~fix a time and place for hearing such appeal from the decision of the tax administrator. The mayor shall give the appellant not less than ten days written notice of the time and place of hearing of such appealed matter.~~ Action by the [municipal court council](#) on appeals shall be decided [as provided in TMC 3.08.](#) ~~by a majority of the members present at the meeting where such appeal is considered.~~

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.105260 Violation—Penalty.

A. ~~Any operator transient lodging tax collector~~ or other person who fails or refuses to [register as required by this chapter, fails or refuses to](#) furnish any return, supplemental return or other data required in this chapter or by the tax administrator, or [who fails to collect or remit taxes as required, commits a violation of this chapter,](#) with intent to defeat or evade the determination of any amount due under this chapter, shall make, render, sign or verify any false or fraudulent report, commits an offense which constitutes a violation of this chapter punishable by a fine in an amount to be fixed by the municipal court.

B. ~~Any person who, with intent to defeat or evade the determination of any amount due under this chapter, makes, renders, signs or verifies any false or fraudulent report, commits a violation of this chapter.~~

C. ~~A violation of this chapter is a Class A civil infraction punishable by a fine in an amount to be fixed by the municipal court. Each day that a violation remains uncured is a separate infraction.~~

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.110 Municipal Court Enforcement.

• A. [Enforcement of the provisions of this Title 3.08 shall be the responsibility of the finance director and/or city manager, who are authorized to:](#)

[1. Investigate alleged violations;](#)

[2. Issue administrative determinations and decisions;](#)

[3. Issue and file complaints in the municipal court;](#)

3. Reach a written settlement, if appropriate, with the violator;

4. Impose fines;

5. Represent the city of Troutdale before the municipal court with or without an attorney.

B. A proceeding may be initiated in municipal court by the filing of a complaint with the clerk of court which contains the following:

1. The applicable section of the municipal code;

2. The name and address of the respondent;

3. The location of the transient lodging facility at issue and nature of the violation;

4. The signature of the complainant.

C. The finance director or city manager shall cause notice of the complaint and date of a hearing to be given to the respondent(s) either personally or by certified or registered United States mail by issuing a "citation to appear in court." The citation shall contain a statement of the time, date and place of the hearing, and a copy of the complaint shall be attached to the notice. The city shall, by separate document served with the citation, notify the respondent that he/she may be represented by a retained attorney provided that notice of such representation is received by the city to allow the city to be represented by counsel as provided in subsection F below.

D. If a respondent alleged to have committed a violation fails to appear at a hearing as provided in this section, the municipal court shall order a citation to be issued for failure to appear.

E. Unless precluded by law, informal disposition of any proceeding may be made between the finance director or City Manager and respondent, with or without a hearing, by stipulation, consent order, agreed settlement or default. Finance Director or City Manager shall inform the municipal court in writing of any such disposition which occurs after the issuance of a complaint.

F. The city shall not be represented before the municipal court judge by legal counsel except in preparation of the case or as provided in this section. A respondent may be represented by a retained attorney provided that ten working days' written notice of such representation is received by the city so that the city may have counsel represent it. The municipal court judge may for good cause waive this notice requirement in individual cases or reset the hearing for a later date.

G. The city must prove the violation occurred by a preponderance of the admissible evidence.

H. The municipal court judge shall have the authority to administer oaths and take testimony of witnesses. Upon the request of any party, or upon his or her own motion, the municipal court judge may issue subpoenas in accordance with the Oregon Rules of Civil Procedure.

1. If a respondent desires that witnesses be ordered to appear by subpoena, respondent shall so request in writing at any time no less than ten days prior to the scheduled hearing.

2. Subject to the same ten-day limitation, the city may also request that certain witnesses be ordered to appear by subpoena.

3. The municipal court judge may waive the ten-day limitation for good cause.

4. Witnesses ordered to appear by subpoena shall be allowed the same fees and mileage as allowed in civil cases which shall be the responsibility of the party or parties requesting the witnesses' appearance.

5. If a fine is declared in the final order, the order shall also provide that the respondent also pay any witness fees attributable to the hearing.

I. The parties shall have the right to cross-examine witnesses who testify and shall have the right to submit evidence on their behalf.

J. After due consideration of the evidence and arguments, the municipal court judge shall determine whether the violation alleged in the complaint has been proven by a preponderance of the evidence.

1. When the determination is that the violation has not been proven, an order dismissing the complaint shall be entered.

2. When the determination is that the violation has been proven, or if an answer admitting the violation has been received, an appropriate order shall be entered. The order may require a person that violated this title to pay a penalty, costs, and to take specific corrective actions.

3. The final order issued by the municipal court judge shall contain the amount of any fine, costs and other penalties imposed and instructions regarding payment.

K. Review:

1. Any motion to reconsider the final order of the municipal court judge must be filed within ten days of the original order.

2. A respondent may appeal a final adverse ruling by writ of review as provided in ORS 34.010 through 34.100

3.08.115 Tax Distribution and Usage.

A. The city shall dedicate ninety-five one hundredths of one percent (0.95%) of the taxable rent to tourism promotion, paying for tourism-related facilities, or to being able to finance or refinance debt for tourism-related facilities. The city council, by resolution, shall determine the distribution of the ninety-five one hundredths of one percent of the tax beginning on July 1, 2019.

B. Should funds under Section B. be paid to a third party provider, the provider shall submit annually without cost to the city: (1) a financial statement using a comprehensive method of accounting; and (2) a review of tourism and business related activities. Such submissions shall be presented at a regular meeting of the city council no later than March 1 following the calendar year for which the reviews are required. The city council can accept, reject or require remedial action after such review by majority vote of the city council. Any third party provider responsible for administering these funds shall make all of its books, records and accounts, which in any manner relate to the expenditure of transient lodging tax moneys available to the city for examination or audit upon reasonable notice and upon request of the city council.

ORDINANCE NO.

AN ORDINANCE AMENDING THE TROUTDALE MUNICIPAL CODE TITLE 3, REVENUE AND FINANCE, TO UPDATE TRANSIENT LODGING TAX REMITTANCE ON SHORT-TERM RENTALS

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. In 1972, the City of Troutdale adopted Ordinance No. 179, which imposed the city's first Transient Lodging Tax of 5%.
2. In 1978, the City of Troutdale adopted Ordinance No. 274, which raised the Transient Lodging Tax to 6%.
3. In 1999, the City of Troutdale adopted Ordinance 670, which raised the Transient Lodging tax to 6.95%, with a stipulation that .95% would be dedicated to the Troutdale Chamber of Commerce.
4. In 2019, the City Council adopted Ordinance No. 853 amending Chapter 3.08 Transient Lodgings Tax of the Municipal Code to clarify further that the .95% dedication is for tourism promotion, paying for tourism-related facilities, and/or to be able to finance or refinance debt for tourism-related facilities.
5. On October 8, 2025, city staff within the Economic Development & Tourism Division provided an overview of Troutdale's Transient Lodging Tax (TLT) history, current structure, and the growing issue of uncollected taxes from short-term rentals (STRs) with the goal of presenting code amendments for the Council to review by the end of the year.
6. On December 9, 2025, after proper notice, the Troutdale City Council opened the public hearing, took public testimony, and closed the hearing.
7. On January 13, 2026, the Troutdale City Council considered the public testimony, deliberated, and found the amendments were in the best interest of the City of Troutdale.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The Troutdale Municipal Code is amended as shown in Exhibit A

Section 2. The effective date of this ordinance is 30 days after the adoption date, which is February 12, 2026.

YEAS:
NAYS:
ABSTAINED:

David Ripma, Mayor
Date:

Sarah Skroch, City Recorder
Adopted:

DRAFT

Chapter 3.08 TRANSIENT LODGINGS TAX*

Sections:

3.08.010 Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter:

- A. "Accrual accounting" means the transient lodging tax collector enters the rent due from an occupant on the records when the rent is earned, whether or not it is paid.
- B. "Cash accounting" means the transient lodging tax collector does not enter the rent due from an occupant on the records until rent is paid;
- C. "Council" means the city council;
- D. "Occupancy" means the right to the use or possession of any space in transient lodging for dwelling, lodging, or sleeping purposes for fewer than 30 consecutive days, counting portions of calendar days as full days.
- E. "Occupant" means any individual who exercises occupancy or is entitled to occupancy in transient lodging for a period of fewer than 30 consecutive calendar days, counting portions of calendar days as full days.
- F. "Person" means any individual, firm, partnership, joint venture, limited liability company, limited liability partnership, host, tenant-in common, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination.
- G. "Rent" means the consideration paid or payable by an occupant for the occupancy of space in transient lodging valued in money, goods, labor, credits, property or other consideration. If a separate fee is charged for services, goods or commodities and the fee is optional, that fee is not included in rent.
"Retail" means rental to an intended occupant, whether or not arranged by an agent or other person, including an employer.
- H. "Short-Term Rental" means a house, duplex, multi-plex, apartment, condominium, houseboat, trailer or other residential dwelling unit where a person rents a guest bedroom or the entire residential dwelling unit for transient lodging occupancy. Short-term rentals are transient lodging facilities.
- I. "Short-Term Rental Hosting Platform" means a business or other person that facilitates the retail sale of transient lodging by connecting occupants with transient lodging providers, either online or in any other manner. Short-term rental hosting platforms are transient lodging intermediaries.
- J. "Tax" or "TLT" means either the tax payable by the occupant or the aggregate amount of taxes due from a transient lodging tax collector during the period for which the transient lodging tax collector is required to report the collections.
- K. "Tax administrator" means the Finance Director of the City of Troutdale, or its designee, which may include the Oregon Department of Revenue pursuant to ORS 305.620.L. "Tourism Promotion" means any of the following activities:
 - 1. Advertising, publicizing, or distributing information for the purpose of attracting and welcoming tourists;
 - 2. Conducting strategic planning and research necessary to stimulate future tourism development;

-
3. Operating tourism promotion agencies and visitor information centers; and
 4. Marketing special events and festivals designed to attract tourists.
- M. "Tourism-Related Facility" means:
1. A conference center, convention center, or visitor information center; and
 2. Other improved real property that has a useful life of 10 or more years and has a substantial purpose of supporting tourism or accommodating tourist activities.
- N. "Transient Lodging" or "Transient Lodging Facilities" means:
1. Hotel, motel, and inn dwelling units that are used for temporary overnight human occupancy;
 2. Spaces used for overnight parking of recreational vehicles or placement of tents during periods of human occupancy; or
 3. Houses, cabins, condominiums, apartment units or other dwelling units, or portions of any of these dwelling units that are used for temporary human occupancy.
- O. "Transient Lodging Intermediary" means a person other than a transient lodging provider that facilitates the retail sale of transient lodging and:
1. Charges for occupancy of that transient lodging;
 2. Collects the considerations charged for occupancy of the transient lodging; or
 3. Receives a fee or commission and requires the transient lodging provider to use a specified third-party entity to collect the consideration charged for occupancy of the transient lodging.
- P. "Transient Lodging Provider" means a person that furnishes transient lodging.
- Q. "Transient Lodging Tax Collector" means a transient lodging provider or transient lodging intermediary.
- (Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.015 Tax imposed.

- A. For the privilege of occupancy in any Transient Lodging Facility in the city, each occupant shall pay a tax in the amount of six and ninety-five one hundredths percent of the rent charged by the transient lodging tax collector. The tax constitutes a debt owed by the occupant to the city, which is extinguished only by payment by the transient lodging tax collector to the city. The occupant shall pay the tax to the transient lodging tax collector at the time the rent is paid, unless an exemption applies.
- B. If payment is by credit card or other electronic transfer, for the purposes of this section, payment is made at the time credit card or other account information is utilized by the transient lodging tax collector to receive payment, not when the transient lodging tax collector ultimately receives credit for the transaction.
- C. The transient lodging tax collector shall enter the tax on its records when rent is collected if the transient lodging tax collector keeps its records on the cash accounting basis and when earned if the transient lodging tax collector keeps its records on the accrual accounting basis. If rent is paid in installments, a proportionate share of the tax shall be paid by the occupant to the transient lodging tax collector with each installment.
- D. Bills, receipts, records, or invoices provided to occupants shall list the TLT separately and must accurately state the amount of tax. All amounts listed as TLT on invoices, bills, or receipts must be reported as TLT and, after collection, must be turned over to the city.

E. No transient lodging tax collector shall advertise that the tax or any part of the tax will be assumed or absorbed by the transient lodging tax collector, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this chapter.

E.

(Ord. 772 § 1, 2006: Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

(Ord. No. 853, 5-28-2019)3.08.020 Liability for Tax.

- A. Transient lodging providers who receive any portion of the rent for transient lodging and transient lodging intermediaries that provide booking services are both transient lodging tax collectors and are jointly and severally liable for the tax.
- B. While holding the tax payment in trust for the city, a transient lodging tax collector may commingle the tax proceeds with the transient lodging tax collector's funds, but the transient lodging tax collector is not the owner of tax proceeds.
- C. Transient lodging tax collectors may choose to file returns and remit payment based on amounts accrued but not yet collected. The transient lodging tax collector is liable for any TLT that should have been collected from the occupant, except in cases of nonpayment of rent by the occupant.

3.08.025 Exemptions from chapter provisions.

No tax imposed under this chapter shall be imposed upon:

- A. Any federal, state, or local government employee who presents an exemption certificate and rents a room for official government business;
 - B. Any person who rents space for a permanently occupied manufactured or mobile home that:
 - 1. Is located on property in accordance with the standards in the Troutdale Development Code;
 - 2. Is in a manufactured home subdivision or a manufactured home park as described in the Troutdale Development Code; and
 - 3. Is subject to both personal and property taxes that are paid by separate individuals, or is only subject to property tax that is paid by the owner of the manufactured home and that is based on the value of the real property and manufactured home.
 - C. A dwelling unit that is leased or otherwise occupied by the same person for a consecutive period of more than 30 days during the year. The requirements of this subsection are satisfied even if the physical dwelling unit changes during the consecutive period, if:
 - 1. All dwelling units occupied are within the same facility; and
 - 2. The person paying consideration for the transient lodging is the same person throughout the consecutive period.
- ;
- F. A dwelling unit in a hospital, health care facility, long-term care facility or any other residential facility that is licensed, registered or certified by the Oregon Department of Human Services or the Oregon Health Authority;

-
- G. A dwelling unit in a facility providing treatment for drug or alcohol abuse or providing mental health treatment;
 - H. A dwelling unit, the consideration for which is funded through a contract with a government agency and the purpose of which is to provide emergency or temporary shelter;
 - I. A dwelling unit at a nonprofit youth or church camp, nonprofit conference center or other nonprofit facility; or

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)3.08.030 Registration of Transient Lodging Tax Collector.

- A. Every person engaging or about to engage in business as a transient lodging tax collector shall obtain a City of Troutdale business license prior to commencing business per Chapter 5 of the Troutdale Municipal Code. The transient lodging tax collector shall not rent any lodging facilities prior to obtaining the business license.
- B. The business license shall require the transient lodging tax collector to any information as the tax administrator may require to implement this Chapter. Transient lodging tax collectors who own or operate multiple transient lodging facilities in the city shall provide the address of each lodging facility.
- C. If the rent transaction is facilitated online, the business license number must be included in the description of the listing. A business license issued to a lodging facility shall be displayed in a conspicuous place on the business premises at all times during the license's effective period, available for inspection by any interested person.
- D. Business licenses shall be non-assignable and non-transferable. If a lodging facility is sold or transferred or when a lodging facility ceases to operate at the location specified on the business license, the transient lodging tax collector must notify the city of such sale, transfer, or closure.
- E. Upon request of the city, transient lodging tax collectors must provide all physical addresses of transient lodging facilities within the city limits and the related contact information, including the name and mailing address, of the general manager, agent, owner, host or other responsible person for the location.

3.08.035 Short-Term Rental Hosing Platforms.

- A. A hosting platform for short-term rentals may collect a fee for booking services in connection with short-term rentals only when those short-term rentals are lawfully registered as transient lodging tax collectors with the city and possess a certificate of authority at the time the short-term rental is occupied.
- B. Short-term rental hosting platforms are transient lodging intermediaries and transient lodging tax collectors. Hosting platforms that facilitate short-term rentals within the city shall:
 - 1. Register as a transient lodging tax collector pursuant to Section 3.08.035;
 - 2. Collect and remit transient lodging tax for all transactions facilitated through their platform for transient lodging within the city;
 - 3. Provide to the city, upon request, all physical addresses of transient lodging facilities within the city limits and the related contact information.

-
- C. Hosting platforms and transient lodging providers are jointly and severally liable for tax collection and remittance as provided in Section 3.08.025.

3.08.040 Collection and Enforcement.

- A. Every transient lodging tax collector renting rooms or space for lodging or sleeping purposes in the city, the occupancy of which is not exempted under the terms of this chapter, shall collect the tax from the occupant. The tax collected or accrued by the transient lodging tax collector constitutes a debt owing by the transient lodging tax collector to the city.
- B. All transient lodging tax collectors shall collect the tax at the same time as the rent is collected. The amount of tax shall be separately stated upon the transient lodging tax collector's records, and any receipt rendered. No transient lodging tax collector shall advertise that the tax or any part of the tax will be assumed or absorbed by the transient lodging tax collector, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this chapter.
- C,
- C. The tax administrator shall enforce provisions of this chapter and shall have the power to adopt rules and regulations not inconsistent with this chapter as may be necessary to aid in the enforcement.
- D. For rent collected on portions of a dollar, fractions of a penny of tax shall not be remitted.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.045 Payment, returns, and due date.

- A. All tax collected by any transient lodging tax collector is due and payable to the tax administrator on a quarterly basis on the fifteenth day of the following month for the preceding three months. Taxes are delinquent on the last day of the month in which they are due.
- B. The tax administrator has authority to classify and/or district the transient lodging tax collectors for determination of applicable tax periods, and shall notify each transient lodging tax collector of the due and delinquent dates for the transient lodging tax collector's returns. The initial return under this chapter may be for less than the three months preceding the due date; thereafter, returns shall be made for the applicable quarterly period.
- C. On or before the fifteenth day of the month following each quarter of collection, a return for the preceding quarter's tax collections shall be filed with the tax administrator. The return shall be filed in such form as the tax administrator may prescribe by every transient lodging tax collector liable for payment of tax.
- D. Returns shall show the amount of tax collected or otherwise due for the related period. The tax administrator may require returns to show the total rentals upon which tax was collected or otherwise due, gross receipts of transient lodging tax collector for such period and an explanation in detail of any discrepancy between such amounts, and the amount of rents exempt, if any.
- E. The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the tax administrator, either by personal delivery, mail, or online. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.

-
- F. The tax administrator may offer an extension of 30 calendar days to submit the return and/or payment of tax. No further extension shall be granted, except by the city council. Any transient lodging tax collector to whom an extension is granted shall pay interest at the rate of one percent per month of the amount of tax due without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this chapter.
 - G. The tax administrator, on an individual case, may require returns and/or payment of the tax on a monthly basis in order to ensure payment and facilitate tax collection by the city.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.050 Delinquent returns, penalties, interest, and fraud.

- A. Original Delinquency. Any transient lodging tax collector who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this chapter prior to the delinquency shall pay a penalty of ten percent of the amount of the tax due in addition to the amount of the tax.
- B. Continued Delinquency. Any transient lodging tax collector who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first become delinquent shall pay a second delinquency penalty of fifteen percent of the amount of the tax due plus the amount of the tax and the ten percent penalty first imposed.
- C. Extension Delinquency. Any transient lodging tax collector who has been granted an extension of time for remittance of tax due, and who failed to pay the tax and interest due by the end of the extension granted shall pay a penalty of fifteen percent of the amount of the tax due plus the amount of the tax and the interest imposed during the extension.
- D. In addition to the penalties imposed, any transient lodging tax collector who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent per month (or fraction thereof) on the amount of the tax due from the date on which the remittance first became delinquent until paid. No proration shall be made for portions of months.
- E. If the tax administrator determines that the nonpayment of any remittance due under this chapter is due to fraud or intent to evade the provisions thereof, a penalty of twenty-five percent of the amount of the tax due in addition to the amount of tax.
- F. Every penalty imposed and such interest as accrues of this chapter shall be merged with and become a part of the tax required to be paid by this chapter.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.055 Deficiency determinations—Notification procedures.

If the tax administrator determines that the returns are incorrect, the tax administrator may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns, or upon the basis of any information within the tax administrator's possession or that may come into the tax administrator's possession. One or more deficiency determinations may be made of the amount due for one, or more than one, period, and the amount so determined shall be due and payable immediately upon service of notice as provided in this chapter after which the amount determined is delinquent. Penalties on deficiencies shall be applied as set forth in Sections 3.08.080 through 3.08.120 of this chapter.

- A. In making a determination the tax administrator may offset overpayments, if any, which may have been previously made for a period or periods, against any underpayment for a subsequent period or periods, or against penalties and interest on the underpayments. The interest on underpayments shall be computed in the manner set forth in Sections 3.08.080 through 3.08.120 of this chapter.
- B. The tax administrator shall give to the transient lodging tax collector or occupant a written notice of determination. The notice may be served personally or by mail. If by mail, the notice shall be addressed to the transient lodging tax collector at the address as it appears on the records of the tax administrator. In case of service by mail or any notice required by this chapter, the service is complete at the time of deposit in the United States Post Office.
- C. Except in the case of fraud or intent to evade this chapter or authorized rules and regulations, every deficiency determination shall be made and notice thereof mailed within three years after the last day of the month following the close of the quarterly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires the later.
- D. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the tax administrator has given notice thereof; provided, however, the transient lodging tax collector may petition redemption and refund if the petition is filed before the determination becomes final as provided in this chapter.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.060 Failure to collect tax.

If any transient lodging tax collector fails or refuses to collect the tax or to make within the time provided in this chapter any report and remittance of the tax or any portion thereof required by this chapter, or makes a fraudulent return or otherwise willfully attempts to evade this chapter, the tax administrator shall proceed in such manner as deemed best to obtain facts and information on which to base an estimate of the tax due. As soon as the tax administrator has determined the tax due that is imposed by this chapter from any transient lodging tax collector who has failed or refused to collect the same and to report and remit the tax, the tax administrator shall proceed to determine and assess against such transient lodging tax collector the tax, interest and penalties provided for by this chapter. In case such determination is made, the tax administrator shall give a notice in the manner aforesaid of the amount so assessed. Such determination and notice shall be made and mailed within three years after discovery by the tax administrator of any fraud, intent to evade or failure or refusal to collect the tax, or failure to file return. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the administrator has given notice thereof; provided, however, the transient lodging tax collector may petition for redemption and refund if the petition is filed before the determination becomes final as provided in this chapter.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.065 Transient lodging tax collector delay.

If the tax administrator believes that the collection of any tax or any amount of tax required to be collected and paid to the city will be jeopardized by delay, or if any determination will be jeopardized by delay, the tax administrator shall thereupon make a determination of the tax or amount of tax required to be collected, noting the fact upon the determination. The amount so determined as provided in this chapter shall be immediately due and payable, and the transient lodging tax collector shall immediately pay such determination to the tax administrator after service of notice thereof; provided, however, the transient lodging tax collector may petition, after payment has been made, for redemption and refund of such determination, if the petition is filed within ten days from the date of service of notice by the tax administrator.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.070 Petition for redetermination and refund.

- A. Any person against whom a determination is made under Sections 3.08.130, 3.08.140 and 3.08.150 of this chapter, or any person directly interested may petition for a redetermination and redemption and refund within the time required in Sections 3.08.130, 3.08.140 and 3.08.150 of this chapter. If a petition for redetermination and refund is not filed within the time required in Sections 3.08.130, 3.08.140 and 3.08.150 of this chapter, the determination becomes final at the expiration of the allowable time.
- B. If a petition for redetermination and refund is filed within the allowable period, the tax administrator shall reconsider the determination, and, if the person has so requested in the petition, shall grant the person an oral hearing and shall give ten days' notice of the time and place of the hearing. The tax administrator may continue the hearing from time to time as may be necessary.
- C. The tax administrator may decrease or increase the amount of the determination as a result of the hearing and if an increase is determined such increase shall be payable immediately after the hearing.
- D. The order or decision of the tax administrator upon a petition for redetermination of redemption and refund becomes final fifteen days after service upon the petitioner of notice thereof, unless appeal of such order or decision is filed with the municipal court as provided in TDC 3.08.____ within fifteen days after service of such notice.
- E. No petition for redetermination of redemption and refund or appeal therefrom shall be effective for any purpose unless the transient lodging tax collector has first complied with the payment provisions of this chapter.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.075 Security for collection.

- A. The tax administrator, whenever deemed necessary to insure compliance with this chapter, may require any transient lodging tax collector subject thereto to deposit security in the form of cash, bond or other security as the tax administrator may determine. The amount of the security shall be fixed by the tax administrator but shall not be greater than twice the transient lodging tax collector's estimated average quarterly liability for the period for which a return is filed, determined in such manner as the tax administrator deems proper, or five thousand dollars, whichever amount is the lesser. The amount of the security may be increased or decreased by the tax administrator subject to the limitations provided in this chapter.
- B. At any time within three years after any tax or any amount of tax required to be collected becomes due and payable or at any time within three years after any determination becomes final, the tax administrator may

bring an action in the courts of the state, or any other state, or of the United States in the name of the city to collect the amount delinquent together with penalties and interest.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.080 Refund procedures.

- A. Refunds by City to Transient lodging tax collector. Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the tax administrator under this chapter, it may be refunded, provided a verified claim in writing thereof, stating the specific reason upon which the claim is founded, is filed with the tax administrator within three years from the date of payment. The claim shall be made on forms provided by the tax administrator. If the claim is approved by the tax administrator, the excess amount collected or paid may be refunded or may be credited on any amounts then due and payable from the transient lodging tax collector from whom it was collected or by whom paid and the balance may be refunded to such transient lodging tax collector, or the transient lodging tax collector's administrators, executors or assignees.
- B. Refunds by City to occupant. Whenever the tax required by this chapter has been collected by the transient lodging tax collector, and deposited by the transient lodging tax collector with the tax administrator, and it is later determined that the tax was erroneously or illegally collected or received by the tax administrator, it may be refunded by the tax administrator to the occupant, provided a verified claim in writing thereof, stating the specific reason on which the claim is founded, is filed with the tax administrator within three years from the date of payment.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.085 Recordkeeping.

Every transient lodging tax collector shall keep guest records of room sales and accounting books and records of the room sales. All records shall be retained by the transient lodging tax collector for a period of three years and six months after they come into being.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.090 Examination of records.

The tax administrator, or any person authorized in writing by the tax administrator, may examine during normal business hours the books, papers and accounting records relating to room sales of any transient lodging tax collector, after notification to the transient lodging tax collector liable for the tax, and may investigate the business of the transient lodging tax collector in order to verify the accuracy of any return made, or if no return is made by the transient lodging tax collector, to ascertain and determine the amount required to be paid.

(Ord. 735 § 1 Att. A (part), 2003: Ord. 732 § 1, 2003)

3.08.095 Confidentiality.

The tax administrator or any person having an administrative or clerical duty under the provisions of this chapter shall protect the confidential business operations or similar information obtained to implement this chapter, provided, that nothing in this subsection shall be construed to prevent:

-
- A. The disclosure to, or the examination of records and equipment by, another city official, employee or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this chapter, or collecting taxes imposed under this chapter.
 - B. The disclosure, after the filing of a written request to that effect, to the taxpayer, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, of information as to any paid tax, any unpaid tax or amount of tax required to be collected, or interest, and penalties; provided, however, that the tax administrator approves each such disclosure and that the tax administrator may refuse to make any disclosure referred to in this subsection when the public interest would suffer thereby.
 - C. The disclosure of the names and addresses of any person owning/operating a transient lodging facility.
 - D. The disclosure of general statistics regarding taxes collected or business done in the city.
 - E. The disclosure of information in accordance with Oregon Public Records Law.
 - F. Disclosure to the Oregon Department of Revenue pursuant to ORS 320.332.
 - G. Disclosure to other Oregon cities for purposes of transient lodging tax administration and enforcement, consistent with applicable law.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.100 Appeals to Municipal Court.

Any person aggrieved by any decision of the tax administrator may appeal to the municipal court, by filing a notice of appeal with the tax administrator within fifteen days of the serving or the mailing of the notice of the decision given by the tax administrator. The tax administrator shall transmit the notice of appeal, together with the file of such appealed matter to the municipal court, who shall schedule the appeal on its docket and provide the appellant notice of the hearing at least ten days before the hearing. Action by the municipal court on appeals shall be decided as provided in TMC 3.08.____.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.105 Violation—Penalty.

- A. Any transient lodging tax collector or other person who fails or refuses to register as required by this chapter, fails or refuses to furnish any return, supplemental return or other data required in this chapter or by the tax administrator, or who fails to collect or remit taxes as required, commits a violation of this chapter.
- B. Any person who, with intent to defeat or evade the determination of any amount due under this chapter, makes, renders, signs or verifies any false or fraudulent report, commits a violation of this chapter.
- C. A violation of this chapter is a Class A civil infraction punishable by a fine in an amount to be fixed by the municipal court. Each day that a violation remains uncured is a separate infraction.

(Ord. 735 § 1 Att. A (part), 2003; Ord. 732 § 1, 2003)

3.08.110____Municipal Court Enforcement.

• A. Enforcement of the provisions of this Title 3.08 shall be the responsibility of the finance director and/or city manager, who are authorized to:

1. Investigate alleged violations;
2. Issue administrative determinations and decisions;
3. Issue and file complaints in the municipal court;
3. Reach a written settlement, if appropriate, with the violator;
4. Impose fines;
5. Represent the city of Troutdale before the municipal court with or without an attorney.

B. A proceeding may be initiated in municipal court by the filing of a complaint with the clerk of court which contains the following:

1. The applicable section of the municipal code;
2. The name and address of the respondent;
3. The location of the transient lodging facility at issue and nature of the violation;
4. The signature of the complainant.

C. The finance director or city manager shall cause notice of the complaint and date of a hearing to be given to the respondent(s) either personally or by certified or registered United States mail by issuing a "citation to appear in court." The citation shall contain a statement of the time, date and place of the hearing, and a copy of the complaint shall be attached to the notice. The city shall, by separate document served with the citation, notify the respondent that he/she may be represented by a retained attorney provided that notice of such representation is received by the city to allow the city to be represented by counsel as provided in subsection F below.

D. If a respondent alleged to have committed a violation fails to appear at a hearing as provided in this section, the municipal court shall order a citation to be issued for failure to appear.

E. Unless precluded by law, informal disposition of any proceeding may be made between the finance director or City Manager and respondent, with or without a hearing, by stipulation, consent order, agreed settlement or default. Finance Director or City Manager shall inform the municipal court in writing of any such disposition which occurs after the issuance of a complaint.

F. The city shall not be represented before the municipal court judge by legal counsel except in preparation of the case or as provided in this section. A respondent may be represented by a retained attorney provided that ten working days' written notice of such representation is received by the city so that the city may have counsel represent it. The municipal court judge may for good cause waive this notice requirement in individual cases or reset the hearing for a later date.

G. The city must prove the violation occurred by a preponderance of the admissible evidence.

H. The municipal court judge shall have the authority to administer oaths and take testimony of witnesses. Upon the request of any party, or upon his or her own motion, the municipal court judge may issue subpoenas in accordance with the Oregon Rules of Civil Procedure.

1. If a respondent desires that witnesses be ordered to appear by subpoena, respondent shall so request in writing at any time no less than ten days prior to the scheduled hearing.

2. Subject to the same ten-day limitation, the city may also request that certain witnesses be ordered to appear by subpoena.

3. The municipal court judge may waive the ten-day limitation for good cause.

4. Witnesses ordered to appear by subpoena shall be allowed the same fees and mileage as allowed in civil cases which shall be the responsibility of the party or parties requesting the witnesses' appearance.

5. If a fine is declared in the final order, the order shall also provide that the respondent also pay any witness fees attributable to the hearing.

I. The parties shall have the right to cross-examine witnesses who testify and shall have the right to submit evidence on their behalf.

J. After due consideration of the evidence and arguments, the municipal court judge shall determine whether the violation alleged in the complaint has been proven by a preponderance of the evidence.

1. When the determination is that the violation has not been proven, an order dismissing the complaint shall be entered.

2. When the determination is that the violation has been proven, or if an answer admitting the violation has been received, an appropriate order shall be entered. The order may require a person that violated this title to pay a penalty, costs, and to take specific corrective actions.

3. The final order issued by the municipal court judge shall contain the amount of any fine, costs and other penalties imposed and instructions regarding payment.

K. Review:

1. Any motion to reconsider the final order of the municipal court judge must be filed within ten days of the original order.

2. A respondent may appeal a final adverse ruling by writ of review as provided in ORS 34.010 through 34.100

3.08.115___Tax Distribution and Usage.

A. The city shall dedicate ninety-five one hundredths of one percent (0.95%) of the taxable rent to tourism promotion, paying for tourism-related facilities, or to being able to finance or refinance debt for tourism-related facilities. The city council, by resolution, shall determine the distribution of the ninety-five one hundredths of one percent of the tax beginning on July 1, 2019.

-
- B. Should funds under Section B. be paid to a third party provider, the provider shall submit annually without cost to the city: (1) a financial statement using a comprehensive method of accounting; and (2) a review of tourism and business related activities. Such submissions shall be presented at a regular meeting of the city council no later than March 1 following the calendar year for which the reviews are required. The city council can accept, reject or require remedial action after such review by majority vote of the city council. Any third party provider responsible for administering these funds shall make all of its books, records and accounts, which in any manner relate to the expenditure of transient lodging tax moneys available to the city for examination or audit upon reasonable notice and upon request of the city council.