

**MISSION STATEMENT: TO PROVIDE A SAFE, HEALTHFUL AND SOUND ECONOMIC ENVIRONMENT,
PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE**



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, JANUARY 16, 2018, 7:00 PM, MT**

Pursuant to the Public Meetings Laws and Rules within the Oregon Revised Statutes, the City Council has the authority, ability, and standing to take action on any items on the Agenda, or add items to the Agenda, during the Study Session or Regular Meeting, as long as all public meeting notice requirements have been met.

1) CALL TO ORDER

Roll Call: Tessa Winebarger ____ Dan Capron ____ Marty Justus ____ Ramon Palomo ____
Betty Carter ____ Norm Crume ____ Mayor Ron Verini ____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on January 12, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) MOTION TO ADOPT THE AGENDA

4) PUBLIC COMMENTS Citizens may address the Council; however, Council may not be able to provide an immediate answer or response. Our of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

5) CONSENT AGENDA

- A) Adoption of Council Meeting Minutes: December 19, 2017
- B) Adoption of Council Meeting Minutes: December 26, 2017
- C) Adoption of Work Session Minutes: January 4, 2018

6) PRESENTATIONS

- A) Ontario Chamber of Commerce Annual Report: John Breidenbach, CEO
- B) Four Rivers Cultural Center Annual Report: Matt Stringer, Executive Director

7) OLD BUSINESS

- A) Housing Incentive Program Update and Discussion
- B) Resolution #2018-105: Appropriating Funds for OpenGov Software Purchase

8) NEW BUSINESS

- A) Appointments to Boards or Committees
- B) Refunding of Bond Numbers B04003 and G06004 for an Estimated Net Present Value Savings of \$595,764.64.
- C) Resolution #2018-106: Support of Parks Planning

9) HAND-OUTS/DISCUSSION ITEMS

- A) Proposed 2018-2019 Budget Calendar
- B) Abatement List
- C) Check Register: Dec 1, 2017 - Jan 12, 2018

10) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

11) EXECUTIVE SESSION

- A) ORS 192.660(2)(h)

12) ADJOURN

The City Council may recess/adjourn to Executive Session under ORS 192.660(2) as follows: (a) Employment of Public Officers, Employees, or Agents; (b) Discipline of Public Officers, Employees, or Agents; (c) Labor Negotiations; (d) Real Property Transactions; (e) Exempt Public Records; (f) Trade Negotiations; (g) Litigation /Consult with Legal Counsel; (h) Performance Evaluation of Public Officers and Employees; (i) Trade Negotiations; and/or (j) Labor Negotiations.

The City of Ontario does not discriminate in providing access to its programs, services and activities on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, physical or mental disability, or any other inappropriate reason prohibited by law or policy of the state or federal government. Should a person need special accommodations or interpretation services, contact the City at 889-7684 at least one working day prior to the need for services and every reasonable effort to accommodate the need will be made.



CITY COUNCIL MEETING MINUTES December 19, 2017

The scheduled meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, December 19, 2017, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Dan Capron, Betty Carter, Ramon Palomo, Tessa Winebarger, and Marty Justus.

Members of staff present were Adam Brown, Tori Barnett, Larry Sullivan, Kari Ott, Debbie Jeffries, Terry Leighton, Cal Kunz, Dan Cummings, Cliff Leeper, Betsy Roberts, Dallas Brockett, and Dan Beaubien.

The meeting was recorded and copies are available at City Hall.

Marty Justus led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on December 15, 2017. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Mayor Verini stated they would be adding an Executive Session to the Agenda, under ORS 192.660(2)(h), to discuss potential litigation.

WINEBARGER moved, PALOMO seconded, **TO ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

CONSENT AGENDA

CARTER moved, CRUME seconded, **TO ADOPT CONSENT AGENDA (A) MINUTES OF REGULAR MEETING OF NOVEMBER 21, 2017, AND (B) MEETINGS CALENDAR: JAN-DEC, 2018**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

PRESENTATION

Electronic Lien Filing

Kari Ott, Finance Director, presented.



ELECTRONIC LIENS

ORS 93.643

- Specifically allows governmental liens through an Electronic Lien Docket
- (1b) "A city may give constructive notice of a governmental lien by maintaining a record of the lien in an electronic medium that is accessible on-line during the regular business hours of the city"

ELECTRONIC LIEN DOCKET

ADVANTAGES

- Enable to report minor financial interests
- For abatements, utility billings etc.
- Has ability to provide enhanced access
- Payoff calculations etc.
- Quicker turnaround time for users.
- Traceable footprints of all information given
- No disputes over information provided

CONDUITS

Conduits

- Service owned by the NetAssets Corporation, Eugene Oregon
- No start up, software or hardware costs
- Provide all technical support
- Provide 24/7 access
- Charge \$10 per report

CONDUITS REFERENCE LIST

65 municipalities in Oregon including:

Albany	Redmond
Baker City	Sandy
Corvallis	Woodburn
Bend	Grants Pass
Pendleton	Junction City
Tillamook	Newberg
Portland	Monmouth
Salem	Sweet Home
Lincoln City	Silverton
Medford	Wilsonville

LIEN SEARCH FEES

- Most cities in Oregon have adopted lien search fees.
- Adopted by Council Resolution
- Average in Oregon is \$25
- This would be \$18 for City administration costs.

NEXT STEPS

- Council consensus
- Resolution to establish lien search fees
- Contract with company signed

Council consensus to have Ms. Ott bring a resolution back at the next meeting for lien search fees.

Council consensus to have Ms. Ott prepare and bring back a report on abatements to send to collections.

OLD BUSINESS

Resolution #2017-139: Calling for an Election Regarding an Amendment to the City Charter to Create a Sales Tax Cap and Placing the Action on the May, 2018, Ballot

Larry Sullivan, City Attorney, presented.

Community feedback following Council approval of the sales tax stressed the importance of capping the potential for the sales tax rate to increase over time. The requested and recommended ballot referral was to amend the City Charter, by vote of the people, to ensure that any increase to a sales tax must be approved by the voters in Ontario.

The Ontario City Council adopted Ordinance #2729-2017, enacting a 1% sales tax in the City of Ontario. On October 3, 2017, the ordinance was stayed due to a Referendum being filed in opposition to the tax.

If the sales tax collection action passed, the City Council proposed that the Charter be amended, creating Section 2.2, clarifying that any increase above the established 1% sales tax would be required to go to a vote of the City of Ontario citizens. The current Charter had no such provisions in place.

No additional costs would be incurred by adding this item to the ballot. The financial impact of adding this to the City Charter was that any future increase could only be done by a vote of the people. Any additional revenues from increasing a sales tax beyond 1% could not be done by the Ontario City Council.

This Ballot Initiative was contingent upon passage of the other Ballot Initiative passing in the affirmative to implement a 1% sales tax. The City Council, with the City Manager's concurrence, stated that any amount of sales tax above 1% would threaten the city's competitive advantage in the region under the city's current revenue structure.

A Ballot Initiative must be filed with the city's Elections Official by the Governing Body on or before the 80th day before the election. The final Ballot language submitted in form SEL 802 must be submitted to the County Elections Official on or before the 61st day prior to the election.

The City Council had authority established by the State of Oregon to refer items to ballot. The City Charter, last revised in 1985, could only be amended by vote of the people of the City of Ontario, Oregon.

Without referring this Measure to voters, the issue would not be on the Ballot with the 1% sales tax Ballot Measure. No cap would be implemented into the Ontario City Charter.

JUSTUS moved, WINEBARGER seconded, **TO APPROVE RESOLUTION #2017-139, A RESOLUTION CALLING FOR AN ELECTION REGARDING AN AMENDMENT TO THE CITY CHARTER TO CREATE A SALES TAX CAP AND PLACING THE ACTION ON THE MAY, 2018, BALLOT.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2017-142: Homeless Services Appropriation

Adam Brown, City Manager, presented.

Until the end of 2016, a private non-profit operated a homeless meal site. In January of 2017, Community in Action took over the site. Continuation of services was being provided by a local church with the support of Community in Action. Support for ongoing services was needed.

The Council approved Resolution #2017-110, on February 21, 2017, to appropriate \$2,500 for the homeless services. Community in Action allocated over \$25,000 to the program with grant and private funding. Currently, the program costs were short approximately \$23,000. Community in Action was seeking funding to continue services from January 1, 2018 to June 30, 2018.

The most recent count showed approximately 108 homeless in the area. The real number of homelessness was undoubtedly higher. Without homeless services, there were concerns of homeless living in business doorways and more emergency calls.

Councilor Marty Justus, who had participated in the Homeless Coalition Task Force was requesting that the city make another contribution to the program of \$4,000 in concert with the other cities and Malheur County. The proposed resolution would appropriate \$4,000 from the Public Safety Reserve. The balance in the public safety reserve at this time was \$304,620.

By policy, a budget resolution approved by the City Council was required to expend the funds as per ORS 294. A supplemental budget could be approved by the Ontario City Council. The city could use the Budget Committee in an advisory capacity, but the decision would ultimately fall upon the City Council to approve a supplemental budget for this fiscal year. Future appropriations should go through the Budget Committee. Taking no action would see funding for the first half of 2018 uncertain.

CRUME moved, CAPRON seconded, **THAT THE CITY SEEK COMMENTS FROM THE BUDGET COMMITTEE FOR THE CURRENT YEAR'S SUPPLEMENTAL BUDGET AND THAT A SUBMISSION FOR AN ANNUAL APPROPRIATION BE DIRECTED THROUGH THE BUDGET COMMITTEE PROCESS.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 6/1/0.

Resolution #2017-143: Housing Incentive Program

Adam Brown, City Manager, presented.

The City Manager was recommending a Housing Incentive Program to attract single family, owner occupied housing to the city. The Council first received this concept in November of 2017, and directed the City Manager to more fully prepare the program for consideration.

Resolution No. 87-103 established the City of Ontario Business Loan Fund. Loan Allocation Procedures were passed March 2, 1987. Funds were acquired as a grant through the Oregon Community Development Program. This established a revolving loan fund for the purpose of loaning to local businesses for business equipment, acquisition, business development, and the creation of new jobs. This resolution required that loans be established with interest.

Loan Terms in summary were as follows:

- Loans of not less than \$10,000
- Maximum loan term of 15 years
- Interest rate fixed by city council at not less than 5%
- Loan servicing fee of 1 ½% to be deducted from the loan proceeds
- Applicant must secure a commitment from a commercial or private lender or local development group of at least 66 2/3% of the total project cost.
- Applicant must provide evidence of collateral
- Loan proceeds used for working capital shall not exceed 10% of the total loan amount.

Resolution No. 00-128 revised the City of Ontario Business Loan Fund and Loan Allocation Procedures established by Resolution Number 87-103. Resolution No. 00-128 simplified the rules and procedures of the loan fund in several ways:

- The purpose was rewritten to maximize the utilization by saying it “is to provide financing to: encourage economic and community development; create or retain jobs; and/or, enhance the aesthetic appeal of properties located within the Ontario Urban Growth Area.”
- The resolution reduced the criteria, the ineligible activities, the application criteria, and repealed the minimum loan amount.
- It also designated the repayment of the loan directly to principal and outstanding uncollectable amounts and then established a grant fund for public facility projects.

Resolution No. 00-133 established the City of Ontario Economic and Community Enhancement Small Grant Fund and accompanying Criteria and Procedures. This resolution defined the procedures for granting money acquired from interests and fees from the business loan fund.

The small grant fund criteria and procedures were established and the grants were established for the following uses:

- Public facility improvement projects identified in adopted plans
- Public Facility Projects such as playground equipment, street or crosswalk pavers, park irrigation systems
- Landscaping enhancements
- Improvements to the Railroad Depot
- Projects with a useful life of at least 5 years

Resolution No. 2004-140 revised the City of Ontario Business Loan Fund and accompanying Criteria and Procedures to provide clarity that the Business Loan Fund could be spent within and outside the City of Ontario and the Urban Growth Boundary so long as there was a direct or indirect benefit to the city or Urban Growth Boundary.

The Ontario City Council directed the City Manager to prepare an amendment to the Business Loan Fund to implement the Housing Incentive Program as presented. Revisions to the Business Loan Fund have been prepared and reviewed with the Community Development Director and City Attorney. Amendments to the Business Loan Fund Rules and Procedures must be approved by the City Council.

This program would have a positive impact on the General Fund. Initially, as additional revenue came in from new construction built under the agreements, the taxes would be transferred to replenish the Business Loan Fund. After the incentive program money was replenished, the city would be able to use the additional property tax revenue from the new construction.

Additional housing in Ontario would provide secondary economic impacts to the local economy by increasing the work force, providing closer access to places of employment, and additional retail business.

Staff has had multiple contractors and individuals approach the city with interest in the program since it was presented conceptually to the City Council. Further, staff anticipates it will be received well by the community. If the Council chooses not to pursue this program, they could simply take no action.

CRUME moved, WINEBARGER seconded, **TO APPROVE RESOLUTION #2017-143, A RESOLUTION REVISING THE CITY OF ONTARIO BUSINESS LOAN FUND AND LOAN ALLOCATION PROCEDURES ESTABLISHED BY RESOLUTION #87-103, AND REVISED BY RESOLUTIONS #00-128, #00-133, AND #2004-140.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 6/1/0.

Ordinance #2733-2017: Amend Ontario Municipal Code 7-1; add 7-1A [Final Reading]

Larry Sullivan, City Attorney, stated there were no changes since First Reading.

The current process of enforcing ordinance violations included the city abating properties and then billing property owners. This process was found to be ineffective as many property owners failed to pay the fees. This resulted in loss of city funds, as well as lack of accountability for property owners that were out of compliance. The City Council directed police department staff to investigate civil penalty options. The City Council requested that the police department bring forward a civil penalties proposal to them as soon as possible.

After a staff site visit to the City of Salem, which currently has a successful civil penalty process, a draft civil penalty process was presented to the City Council. On October 17, 2017, the Council adopted Ordinance #2730-2017. The attached proposed ordinance, #2733-2017, contained additional suggestions to add or amend the Ontario City Code.

The City Council previously approved to amend the Ontario City Code to establish a civil penalty process, through Ordinance #2730-2017. The proposed ordinance now being presented to the City Council for review, if approved, would amend or add to the Ontario City Code regarding public nuisances and derelict buildings, aligning with the established civil penalties process.

The City Council previously addressed the need for the city to hire a part-time Hearing Officer. If approved, Ordinance #2733-2017 would not have any additional known financial impacts. It was anticipated that a civil penalties system would encourage more voluntary compliance, which would lessen the amount of funds the city spent on abatements, as well as create a more efficient process to collect unpaid fees.

Amending a city law could only be done by ordinance. Efficiency was one of the city's core values. This would improve the ability to encourage voluntary compliance of the city's ordinances, as well as collect assessed fines for those in non-compliance. Taking no action, the current City Code would remain in effect.

WINEBARGER moved, CARTER seconded, **TO APPROVE ORDINANCE #2733-2017, AN ORDINANCE AMENDING SECTIONS OF CHAPTER 1 OF TITLE 7 OF THE ONTARIO CITY CODE CONCERNING PUBLIC NUISANCES, AND ADDING A NEW CHAPTER 2A TO TITLE 7 IDENTIFYING DERELECT BUILDINGS AS PUBLIC NUISANCES, on Second and Final Reading by Title Only.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 6/1/0.

NEW BUSINESS

Frazier Aviation, LLC: Temporary Land Lease

Dan Beaubien, Airport Manager, presented.

Frazier Aviation LLC was applying for a temporary land lease at the airport for a modular building to provide additional space for the FBO. There had been a great deal of research done over the last eight months because the airport had not previously had a temporary land lease on the non-airport operations side of the airport and the modular was sitting idle during that time while the details of the land lease were worked out.

The modular that had been in place since May was waiting for a land lease agreement with the city in order to move forward on the FBO expansion. The additional lease would provide additional revenue for the city. The two-year temporary land lease had been approved by the City Attorney and the Airport Manager. The Lease met the requirements of applicable policies; however, the City Council could choose to not approve the lease.

WINEBARGER moved, CRUME seconded, **THAT THE CITY COUNCIL APPROVE THE TEMPORARY LAND LEASE AGREEMENT WITH FRAZIER AVIATION, LLC.** No vote.

Councilor Justus asked if Mr. Frazier's past due accounts been brought current?

Mr. Brown stated as of a few months back, Mr. Frazier had caught up on the flowage fees, but he had not paid the city for money from the eclipse. He had requested that, but it was now with the City Attorney for follow-up.

Councilor Justus questioned why the city would enter into a lease with Mr. Frazier when he owed the city money.

Mr. Brown stated currently, the city was not collecting anything because there was no lease.

Councilor Justus verified that Mr. Frazier placed a building at the airport without the city's permission?

Mr. Brown stated that was correct.

Councilor Justus questioned the city giving Mr. Frazier a lease, with a really good rate? Tell him to move his building.

Mr. Brown stated that was one option. He would be getting a market rate for that facility.

Councilor Justus stated Mr. Frazier had been nothing but a pain in their side since he'd been out the airport. He questioned the thinking of the Council.

Councilor Capron asked how they got from when Mr. Frazier first put the building out there, to going to a lease instead of telling him to remove the building.

Dan Cummings, Community Development Director, stated this had started as part of the Aviation School. Mr. Frazier was going to provide space the school. He was originally going to build, but then he made some deal with the Nyssa School District, who built a school in place of these modules. In the interim, the city began talks with TVCC about leasing the golf course area. Mr. Frazier had made commitments and purchased two of the modules; one he set up at the airport, and he had informed Mr. Cummings that he had done that. The other module had been placed in the boneyard on temporary jacks. He had met with Mr. Frazier and informed him that he could not just move that module out there without any permits, etc., and was told by Mr. Frazier that he didn't have any other place to put it. That's when they started this process. Mr. Frazier had completed the application to place the module there, but at the same time, the school had not committed to move to that building, while still in talks with the city. Eight months had gone by, but they hadn't made him remove it completely from the area because if the city couldn't make the golf course area work for the Flight School, the module would work for them. He couldn't issue a Conditional Use Permit because the owner of the property, which was the city, to sign off. Mr. Brown couldn't sign it until there was a lease. He had the CUP in the process, and if the lease was approved by the Council, he would complete the CUP.

Councilor Winebarger stated if someone had a house, and they put a shed on cinder blocks, but they hadn't picked up a permit, they would be fined?

Mr. Cummings stated they would get a warning, told to move it, but the process was pretty drawn out before a fine would be assessed.

Councilor Winebarger agreed, but it was not supposed to be done.

Mr. Cummings stated yes. Mr. Frazier had done the same thing. When he told Mr. Frazier he couldn't do what he'd done, he began the process of getting legal. It was put on hold due to the school's involvement, and the city's.

Councilor Winebarger stated if someone said they wanted to use that person's shed, it was the same situation.

Mr. Cummings agreed, and he was not defending Mr. Frazier's actions. It was due to the circumstances. Normally, he would have fined him and made him remove it, but with the city trying to get an aviation school out there, he chose to be lenient on the situation.

Councilor Crume stated everybody was aware that things had not been done in the correct manner, and there were issues along with it. But, in the end, the result of having that there would be a benefit to the Airport Committee. That's how he'd be looking at it. The extra space was invaluable. There was no excuse for the action being done the way it had been, but there was a benefit.

Councilor Carter stated she wanted to see accountability.

Mr. Brown stated Ms. Ott looked up Mr. Frazier's account, and he was behind on his flowage fee payment, by at least one quarter.

WINEBARGER requested, CRUME concurred, **TO WITHDRAW HER PREVIOUS MOTION.**

Councilor Justus stated he didn't want to table this, because overall it would be a benefit, but they needed more information. They needed to come back with exactly what they wanted. Everything needed to be brought current. If Mr. Frazier was going to lease that space to the college for \$1,000 a month, and he'd give the city 9¢, the city needed to know what the lease rate was, and the city should get a percentage of that. That was business. Mr. Frazier took the city every way he could. Historically, this was his mode of operation. Why should the city roll over?

Mayor Verini suggested a motion that approved this with the condition that everything else be brought up to date.

Mr. Sullivan stated it wouldn't address the issue of the 9¢ per square foot.

Councilor Justus stated if the city opened the door, Mr. Frazier would walk through it. He wanted to slam it shut!

Councilor Palomo stated a person with bad credit could get credit somewhere else, but they'd charge a higher interest rate.

JUSTUS moved, CARTER seconded, **TO TABLE THIS ACTION.** No vote.

Councilor Crume asked if they did as the Mayor suggested, could they include that in the motion?

Mr. Sullivan stated they could, and they could also put in the 9¢ as retroactive to when the module was placed. If the action was tabled, it would give the Council and staff a chance to review it and prepare a proposal that would erase the slate between Mr. Frazier and the city. Mr. Frazier would have to decide if the demands being made by the city were too onerous and he could move the building.

Councilor Crume stated that Mr. Cummings had stated the Mr. Frazier purchased the building from Nyssa, but in reality, the Nyssa District gave him the building for free.

Mr. Cummings stated they could tie the Conditional Use Permit with the lease, to give it more hammer. If anything was violated with a CUP, it became void. They could tie the two together.

JUSTUS moved, CARTER seconded, **TO TABLE THIS ACTION**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Adoption of Airport Standard Manual of Rules and Regulations

Dan Beaubien, Airport Manager, presented.

The Airport Manager, with the support of the Airport Committee, was seeking approval from the City Council to adopt the "*City of Ontario Municipal Airport Authority Standard Manual of Airport Rules and Regulations*".

The Airport Committee had been trying to resolve airport issues without success due to a lack of official rules and regulations on the field that were specifically established for Ontario's airport. The proposed manual had been reviewed, revised, and approved by the Airport Committee to fit the Ontario Municipal airport. After many months of discussions and revisions, the Airport Committee unanimously approved the proposed Airport Manual for adoption by the City Council, knowing that necessary changes might be needed over time as the airport grew and changed. Seeing the need to have this document in place for safety reasons, and well as providing order and consistency at the airport, the Airport Committee made this a top priority.

There is no financial impact to the city. The timing was important as this document was long overdue. Most all other airports had an Operational Manual in place. This manual gave the Airport Manager and the city the authority needed to implement best practices that were consistent with safe operations. By policy, it was the city's responsibility to provide a manual for the Ontario Municipal Airport; however, the city could elect not to adopt the manual as presented.

CRUME moved, CAPRON seconded, **TO ADOPT THE PROPOSED STANDARD MANUAL OF AIRPORT RULES AND REGULATIONS AS RECOMMENDED BY THE ONTARIO AIRPORT BOARD**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

CRUME moved, JUSTUS seconded, **TO DIRECT THE CITY MANAGER TO WORK WITH THE CITY CODES TO COMPLIMENT THE PROPOSED STANDARD MANUAL OF AIRPORT RULES WITHIN SIX MONTHS**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Hangar Lease Transfer: Cruson to Cruson- 348 Charlie and 343 Delta

Dan Beaubien, Airport Manager, presented.

A hangar transfer from Kevin and Michelle Cruson to Dale and Cheryl Cruson required approval from the city. The city recently approved the lease agreement for Kevin and Michelle Cruson of Hangar 348 Charlie and 343 Delta, a hangar with two accesses to the taxiway. It was one of the hangars that collapsed during last year's snowfall. The area was currently a slab waiting to be built upon. Kevin and Michelle Cruson were planning to return to Ontario, however, plans changed and Kevin was now unable to make the move. Dale and Cheryl Cruson decided they would like to rebuild and lease that area from the city. Keeping the lease current by changing the names enabled rebuilding to begin as soon as possible.

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE SALE OF HANGAR 348 CHARLIE AND 343 DELTA FROM KEVIN AND MICHELLE CRUSON TO DALE AND CHERYL CRUSON**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Hangar Lease Transfer: Daniels to Daniels- 317 Golf

Dan Beaubien, Airport Manager, presented.

Alan Daniels sold Hangar 317 Golf to Randy and Le Ann Daniels. Transfer of ownership required approval from the City Council. Upon approval, a new Lease for 317 Golf would be executed.

CAPRON moved, CARTER seconded, **THAT THE CITY COUNCIL APPROVE THE SALE OF HANGER 317 GOLF FROM ALAN DANIELS TO RANDY AND LE ANN DANIELS.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2017-140: Appropriating Funding for the Final Costs of the Water Treatment Plant Project

Betsy Roberts, City Engineer, presented.

The Water Treatment Plant (WTP) Chemical Feed Project was underfunded originally and the Council was now acting to appropriate the final funding amount from the Utility Capitalization Fee Department within the Capital Projects Fund. The City Council reviewed and approved the bid for RSCI July 18, 2016 for \$1,650,520. The amount of the contract was lower than the original bid, after some negotiation and value engineering recommendations were implemented. During the Council meeting, there was significant discussion regarding budget; in addition to the construction cost, there were known costs for on-site engineering support, software programing, and engineering review. The Services During Construction (SDC) actual budgets were discussed at a Council meeting on October 6th, 2016. In addition to the SDC costs, the City Engineer maintained a recommendation of a 10% construction contingency. Below are the original values as they were reviewed at the October Council meeting:

Activity	Budget
WTP Project Budget	\$1,800,000
Less – Construction Bid (RSCI)	\$1,650,520
Less – Services During Construction	\$1,236,611 ¹
Less – Special Inspections	\$4,095
Remaining Budget	\$21,724

¹ This number is slightly lower than that provided on July 18th, therefore the remaining amount is slightly higher.

If the 10% construction contingency was adhered to, that amount would be \$165,052, which was higher than the \$1.8M budget allowed (\$1,943,328 when all the parts + 10% contingency were added up).

Over the course of the year, from fall of 2016 through summer of 2017, the City Engineer had provided updates and requested approvals as Change Orders had come through. The past four months had been needed for final clean up and record drawing completion. The entities billing against this project included:

- General Contractor – RSCI
- Engineer of Record – Murray Smith, Control Engineers, and CH2M
- Resident Engineer – CH2M
- Materials Testing – Materials Testing and Inspection (MTI)

Each entity had billed out their negotiated amount (including approved change orders) or that amount was known and a final bill would arrive soon. The financial analysis below identified the final costs associated with the project and the specific budget overrun that required an appropriation of additional funds. The overage amount was reduced by the \$50,000 amount budgeted in the Water Fund for the Skidsteer (half of the cost) that was not required to make that purchase in this budget year and was therefore available in the budget for use.

Final close out costs:

Activity	Budget	Actual
Original Budget	\$1,800,000	
Expenditures		
General Contractor - RSCI - Final Construction Cost	\$1,650,520	\$1,786,969
Engineering (including Resident Engineer) – MSA, Control Engineers, CH2M – Final Cost	\$123,661	\$123,661
Materials Testing – MTI – Final Cost	\$4,095	\$3,703.60
Unidentified Cost – BOLI	\$0	\$1,650.52
	\$1,778,276	\$1,915,983.82
Difference		
Budget – Actual		(\$137,707.82)
Fund Credit		\$50,000
	OVERAGE (Transfer)TOTAL	\$87,707.82

The final amount of Change Orders was \$136,449, which was just over 8% of the contract price. This amount was greater than the contingency amount budgeted (\$21,724) but was under the standard 10% change order amount recommended. This was the amount estimated in April of this year as the final change order amount and presented to the Council.

Previously, the Finance Director had recommended that it would be appropriate to present a resolution to increase the budget at the time that the budget will truly be overrun – final payment. This agenda report presented the information for that resolution.

Staff reviewed the options for supplementing the budget and identified the additional \$50,000 in the Water Fund that could be used and no resolution was required. This brought the amount to be addressed by resolution to \$87,707.82. To ensure staff did not need to come back to Council, the Council might consider an amount of up to \$90,000. This overage could be covered through additional funding in the Utility Capitalization Fund (UCF).

Time was critical as this project was complete and it was appropriate to pay final invoices for the contractor and consultants. A budget resolution approved by the City Council was required to expend the funds as per ORS 294. While the Council could elect to take no action on this matter, the amounts were still owed to the vendors. Or, the Council could choose to fund the final project costs from the water fund instead of the Utility Capitalization Fee Department.

CARTER moved, JUSTUS seconded, **TO APPROVE RESOLUTION #2017-140, A RESOLUTION APPROPRIATING FUNDS FROM THE UTILITY CAPITALIZATION FEE DEPARTMENT TO COMPLETE THE WATER TREATMENT PLANT CHEMICAL FEED IMPROVEMENTS PROJECT, FOR A COST NOT TO EXCEED \$90K.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2017-141: Appropriating Funds for OpenGov Software Purchase

Kari Ott, Finance Director, presented.

The City had worked to be as transparent as possible, especially regarding financial reporting. The financial software used by the city could be difficult to use by staff and access wasn't available to the public. Most Enterprise Resource Planning (ERP) systems didn't provide public portals. Staff would like to create better access for senior staff and create more openness to the public of the city's finances. The city recently changed its budget process to make financial reporting more transparent, but struggled to get financial information to department heads and the public.

Due to the resignation of the Front Desk Receptionist and the Human Resources Director, the City Manager made the decision to not fill the vacancies at this time, resulting in a savings of approximately \$94,162 for the remainder of the fiscal year. Additionally, staff was able to save approximately \$7,500 by deleting financial software modules that weren't being utilized.

The proposed vendor, OpenGov, was cloud based software that could be integrated with the city's financial software (Springbrook) to provide financial information that would be readily accessible to city staff, the City Council, and the general public. Reports could be run across fiscal years and would be more efficient in providing financial information. No hardware purchases would be required to implement this software.

The software purchase would incur a one-time implementation cost and an annual fee, with an initial five-year contract. The annual cost of the software was \$11,850, along with a one-time implementation fee of \$7,500 for training and set up for the City of Ontario. Staff would like to proceed immediately on this project to begin the implementation of the software. The City Council would have to appropriate funds in order to spend the funds and sign the contract with OpenGov.

If the Council opted to take no action on this proposal, the financial reporting process would remain as it currently was, with no improvements to efficiency or transparency.

JUSTUS moved, CARTER seconded, **TO TAKE THE ACTION BEFORE THE BUDGET COMMITTEE FOR DISCUSSION AND RECOMMENDATION.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES

Fire Department Quarterly Report

Terry Leighton, Fire Chief, presented. Report attached.

Recreation Department Quarterly Report

Debbie Jeffries, Recreation Manager, presented. Report attached.



HAND-OUTS/DISCUSSION ITEMSCheck Register

November 1 – December 13, 2017

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

Councilor Capron stated his comments were directed to the editors of the two newspapers. There had been articles where they'd put out some information, but not all. Most recently was the City Manager wage. They put the lowest one – Baker City – in there, but didn't put ones that were higher. In his opinion, both editors were making them opinion papers, not factual papers that showed the entire story. They took stories and put them how they wanted to. He blamed the editors. They would take an article and put them however they wanted – both papers – and they came out as opinions, not as a story for the people to read. It stirred the pot, but it sold the papers.

Councilor Winebarger asked Public Works if the city was ready for another snowpocalypse. If that happened again, what had been prepped?

Cliff Leeper, Public Works Director, stated the city was ready. All the sanders and trucks were ready to roll. The Magnesium Chloride tanks were full, and they had a full load of salt.

Councilor Crume asked for an update on the dump truck arrival.

Mr. Leeper stated there was not.

Councilor Capron reminded everyone it was a snowplow, not a dump truck.

Councilor Justus stated the Care-O-Sell won the best window decoration for the downtown area. There were 15-20 businesses that participated in the contest.

Councilor Carter stated they had a Friends of the Aquatic Center meeting last Wednesday, and they were going to make a presentation on January 4th before Council. They had been doing some positive things.

Councilor Carter informed Debbie Jeffries there were some funds available for children that could not pay for things, and there was an agency that helped with that. She'd get the data to Deb.

Councilor Palomo thanked Debbie Jeffries for all the effort on behalf of the Recreation Center, as well as all the partnering she did with the schools. If that teamwork could play into everything else the city did, it would be an awesome place.

Councilor Carter stated they were going to send out sponsor letters to get sponsors to assist with the funds for the Splash Pad. She had sent one to Idaho Power. They were asking for \$2,500+, which would give funds towards the goal of groundbreaking in late winter or early spring.

EXECUTIVE SESSIONExecutive Session: ORS 192.660(2)(h)

An executive session was called at 9:42 p.m. under provisions of ORS 192.660(1)(i) *to review and evaluate the performance of an officer, employee, or staff member unless an open meeting is requested.* The Council reconvened into regular session at 10:22 p.m.

ADJOURN

JUSTUS moved, WINEBARGER seconded, **THAT THE MEETING BE ADJOURNED.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

ACCEPTED:

ATTEST

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder





CITY COUNCIL MEETING MINUTES December 26, 2017

The scheduled meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, December 26, 2017, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Dan Capron, Betty Carter, Ramon Palomo, and Marty Justus. Tessa Winebarger was excused.

Members of staff present were Adam Brown, Tori Barnett, Larry Sullivan, and Terry Leighton.

The meeting was recorded and copies are available at City Hall.

Ramon Palomo led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on December 23, 2017. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Councilor Justus informed the Council he would not be at the January 4, 2018 work session, and asked that, due to his absence, that the Chamber of Commerce presentation be held off until the following meeting, so he could participate.

Council consensus to have the Chamber of Commerce presentation on January 16, 2018.

CRUME moved, PALOMO seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

CONSENT AGENDA

CRUME moved, PALOMO seconded, **TO ADOPT CONSENT AGENDA (A) MINUTES OF WORK SESSION OF DECEMBER 7, 2017**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(h)

An executive session was called at **7:05 p.m.** under provisions of ORS 192.660(1)(h) *to discuss real or potential litigation*. The Council reconvened into regular session at **8:47 p.m.**

ADJOURN

JUSTUS moved, CRUME seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

ACCEPTED:

ATTEST

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder





CITY COUNCIL WORK SESSION MINUTES January 4, 2018

The scheduled Work Session of the Ontario City Council was called to order by Mayor Ronald Verini at 12:00 p.m. on Thursday, January 4, 2018, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Dan Capron, Betty Carter, and Ramon Palomo. Tessa Winebarger and Marty Justus were excused.

Members of staff present were Adam Brown, Tori Barnett, Larry Sullivan, Kari Ott, Debbie Jeffries, Terry Leighton, Cal Kunz, Dan Cummings, Cliff Leeper, Betsy Roberts, and Dan Beaubien.

The meeting was recorded and copies are available at City Hall.

Dan Capron led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on January 2, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Mayor Verini stated they would be moving the Public Hearing portion up under Presentations, and adding John Kirby's application for appointment to the Marijuana Ad Hoc Committee to New Business (A).

CARTER moved, CRUME seconded, **to ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

PUBLIC COMMENT

Theresa Martinez, Sarah Bradbury, Megan Cook, and Alfredo Rodriguez all spoke in support of the Splash Pad (upcoming Agenda item 7-C).

PRESENTATION

Ontario Chamber of Commerce

John Breidenbach, CEO, Ontario Chamber of Commerce, stated: *I have the pleasure of running the Ontario area Chamber of Commerce and Visitors and Conventions Bureau. Back in 1987, the City of Ontario into a contract with the Chamber of Commerce to promote tourism for the city, and part of that agreement is that I come before the City Council periodically and report what we're doing with those funds and how the TOT tax funds that we receive for tourism are given back to the community. So, I'm here today just as a preliminary, to ask you, since it's a work session, what you're going to want to hear from me on the 18th. In front of you, I have passed out many of the items that we have done just in the year 2017. One of the biggest changes that we have done since the last time I was in front of any City Council, was we bought the building from Ontario Pharmacy and St. Alphonsus, and in that building is a Visitor's Center that is open to the public, year round, Monday through Friday, to promote not only Ontario, but the whole region for visitors that come. As you know, the state, we had a contract, some of you may know, we had a state contract with the Welcome Center out on the freeway a few years back, but then the state took it back upon themselves to man that and house it. So, they close in the winter months, and so we're open year round to do that. In 2017, of course, our numbers were, I wouldn't say inflated, but they were really profitable and promising. Year to day, just so you know, and you have this in front of you, but in '15 we had like 1,800 phone calls, in 2016, 2,300 phone calls, and then 2,400 in 2017. What I'm most excited about is the website. This website traffic alone...Sarah is sitting here, and Silver Signet, rebuilt our website for us in 2016, and we have since maintained a much nicer, user-friendly website. You can see that year to date, just the hits on the website alone has jumped from*



the 24,000 back in 2015 to 63,559 in the year 2017, and that wasn't all just eclipse traffic. You hear me tell the story all the time on how Niagara Falls froze over last week and we were getting requests for people to come see Niagara Falls and things like that. Obviously, our search engine works very well. That particular document I will be bringing back and going into more detail on that note, but I wanted to just kind of have that done. An exciting one that just came in yesterday, and we shared on Facebook, and I heard that comment, and I appreciate that because social media does seem to be the way to be. Oregon Events and Festivals has an annual calendar magazine that they put out, and you may remember, those of you who know, back in 2013, we were chosen as the best multi-cultural festival with America's Global Village Festival. I have built a very strong relationship with Oregon Events and Festival Board and the people that are involved in that, through going to their conferences and everything else, that's one big thing I can say that the longevity of the job, you get to build industry-alike relationships. We were awarded, for 2017, so these will be out in maybe two weeks, this is the digital copy that you guys have in your hands, so we got the cover. The cover is the Aztec dancer, dancing at Global Village. The back cover, of course, is an ad, which we paid for, and then on the inside, page 26, there is another photo of Global Village. Last year they had that similar photo, but they had it down in the Lakeview area instead of ours, so that was part of how we negotiated a really good price on the cover. If you go to Ontario Chamber's Facebook page, you will see that. Another thing that I have done since the last time I came to City Council that you're probably not aware of, is some national advertising, and inside, you have this in black and white in front of you, but inside of the Outdoor Adventure magazine, which goes to almost all doctors in the nation, they put them in their waiting rooms and things like that, we have run an ad that's down here in the corner, and it just has a picture of the Owyhee River with a big fish, and it says the most exciting fishing in the west. I can tell you, as somebody who tracks those, we have had hits off of this ad because people will come to fish the Owyhee River. They call our office, they want to know what's the big secret and how do you catch them. I don't know either of those answers, but we get tourists to do it. I should give them Dan Cummings' number. Of course, every year we spend tons of money because we are asked to in Travel Oregon magazine and Eastern Oregon Visitors Association, and, of course, we promote our events on Travel Oregon's website all the time. Ritz Hospitality is more direct out of the Boise market, and it's to bring people over here to our events, but they always give us a nice article, as well, and we only paid for an ad inside, but since we've had a relationship and done it with them for so many years, they chose to put it on the back. You may remember prior to the eclipse and we were all working, scrambling, Sarah was doing maps, we were all doing different things, we came up with a new brochure that wasn't just for the eclipse but all the motels and hotels here in town have these, and inside, and we did this on purpose, so on the inside, you will see that we had cards in there for lodging, points of interest, dining, and these aren't just Chamber dining places, they are city dining places. We highlight the ones that are Chamber members; events guides, points of interest, and we did that because as we grow as a community, or shrink, but mostly grow as a community, we can change those out a lot quicker than trying to change a whole brochure like the Directory, or whatever. We are pretty proud of those. That was TOT funds that paid for those. The fun guide that we've done for several years now, this one is done with no advertising on it. This is all done with TOT money, and these go out any time somebody calls and wants a relocation packet, a visitor's packet, walks in the office and wants information about Ontario, it's kind of a simple insert and it has local areas and then goes out a little further to the Baker region and then south of Malheur County. The gravesite had some interest just yesterday from Oregon Historical Society, which Dr. Daniels is on the Malheur County Society, and he works for that. Street banners – so the last year, in 2017, we replaced the blue street banners that were around town when they took down the Christmas decorations prior to the eclipse. Those cost about \$6,600 to do, and we plan on doing that again. I'm going to get with Cliff and Betsy and Casey in the next few weeks, and I've got a catalog coming to replace the Christmas decorations. You may have noticed this year, especially, the decorations are really beat up downtown, and the ones that we used to put on the underpass, which were the big wreaths, were to the point of no repair. So we just decided not to put those up, so we obviously need to spend some money and put those up. Twice in the last year, we brought in writers from Travel Oregon magazine and Travel Oregon, some bloggers, to tour the area and do some things. We've had a couple different workshops and we're working on a campaign right now with Eastern Oregon Visitors Association and Travel Oregon for agritourism, and I just submitted a grant yesterday for more training on that. In the last year, we started the white board series. Some of you are aware of that. That was a hospitality training for our people who are in the hotels, motels, and restaurant business to get together one night a month to get to know each other and talk about what they do. We moved around to the different locations and did that. We are working hard with the charm trail to get more people in here. We advertised in RV magazines, we do a lot. I know, by statute, and by law, and I know you guys have discussed this already because I've seen the minutes and notes, how the TOT funding goes, and what the state regulations are. I know you're looking at all that and everything. I do agree that if there's a way that you can take TOT money that was dedicated to the Aquatic Center, or the Splash Pad, I'd be 100% in support of that. It's very difficult to

market a city that doesn't have a golf course; it's very difficult to market a city that doesn't have a library – we were able to get the library saved through a district – it's very difficult to market a city that doesn't have a swimming pool, and it would be very difficult to market a town that doesn't have a Recreation Department. If there is a way to either do districts, or friends of, or whatever it takes, we here at the Chamber are certainly going to support that, and we are going to support helping you find ways to do that. I will say that I've heard a lot of comments that we did not take a position, and we have not taken a position, on the 1% sales tax, and I can tell you that the Chamber Board is probably not going to take a position on the 1% sales tax between now and May. We will try and education; we try and be informed on both sides, but we will lose a whole lot of members if we push one way, and we can lose a whole lot of respect from the city if we push another way. We are in a really tough position when it comes to that. I personally know that the importance of finding money is very important. I sat on the Revenue Committee back before most of you were on the City Council in 2005, and I remember long discussions about restaurant taxes and gas taxes and sales taxes. I promised that I'd only talked for an hour and a half today, and I think that's probably why prior City Council's asked me to quit coming. So, I just want to end on a question. What would you guys really like me to present to the full City Council; what kind of questions might be coming up? I can always try and answer them there, and maybe come back with more detail.

Councilor Capron asked there was no funding for the Chamber, how much would the city be missing out on compared to all the advertising being done. They did a lot of advertising, but would Ontario notice it?

Mr. Breidenbach stated: *Yes. I believe that not only immediately would there be an effect, but down the road. Not only from working with Mr. Cummings and others for the economic development side, as tourism is a big part of economic development, but if you were to have to rebuild the system and bring tourism in the house, by law that's what you'd have to do, you'd have to hire somebody for the city, put it under Dan's hat or something, and make it happen. The relationships that are built and going out. You're only going backwards instead of forward on economic development and tourism. If I left the Chamber, it would still be that way. You'd still want to have it at the Chamber where they have relationships and everything like that. One of the questions is so there's a \$30K fund that the Chamber and city sits together on, called the V&C grant. What that is, on that TOT tax that was collected for the Chamber, \$2,500 comes directly off of the Chamber's portion. I know that during the report a few months ago when it was discussed, there as talk about that \$2,500, that comes right off the check that we get at the Chamber from Kari to go into that grant fund. And then anybody can apply for the grant. If it met the criteria, and there's a city board that sits on that – Adam and I are ex-officios on it – and if it's gonna bring overnight stays, beautification, education, and media projects, they can apply for it. So, like yesterday, I was at the SREDA meeting, and Weiser is planning on doing a country music festival similar to what Mountain Home does, the week before Fiddle Festival and the week after Global Village, which is Relay for Life and a lot of other things here in town. But if they did that, they'd bring in a lot of people. The good thing is, for Ontario, if Payette, Weiser, Fruitland, bring in people, whether it's the Big Nasty or whatever, there's no hotels, and hopefully they're going to keep it that way, so we get those TOT stays. But, I think we would definitely, the money is not going just somewhere being spent. When the Chamber Director gets hired, he or she is also hired to be the V&C Director. That's in the contract.*

Mayor Verini stated Mr. Breidenbach had been very instrumental as the Chamber of Commerce going out and selling our area, and quite effectively, especially with families that were planning on relocating. On the return presentation, he'd like John to address some of the discussions with corporations, their wives, their families, with regard to why they should relocate here. It was an extremely important part of economic development; not only selling the land and the opportunity to get a corporation here, but selling the family and relocating here.

Mr. Breidenbach stated: *I'd be happy to do that. A lot of that comes with trying to relocate professionals here, whether it be a City Manager, doctors, lawyers, that type of thing. We've had a big push back for year that there was nothing for spouses to do in this area – and the Splash Pad will certainly help – and families and everything, and I would be happy to dive into that a little more in detail.*

Councilor Crume thanked Mr. Breidenbach for revisiting everything the Chamber does, and how the funds are used. It was good to have the annual presentation to refresh minds and show new members what all was done.

Mr. Breidenbach stated: *I appreciate that Norm. Part of what happened, in the years past, the City Council would elect so many people at one time, that'd there would be an orientation type day, and I would usually go to that. Then when Adam was appointed, and I don't know what happened this year, but I didn't go to the orientation, and*

it's usually when you meet with all the staff. I kind of talked Tori into letting me come and have my 45-50 minutes of time, which in Tori's world is always 5 minutes, and I appreciate that. So, in the future, regardless if I come back every quarter or once a year, or whenever, when there are new members on the Council, I will work with Tori to get to that orientation.

PUBLIC HEARING

Closing of CDBG H15010 for the City of Ontario

It being the date advertised for public hearing on the matter of the Closing of CDBG H15010 for the City of Ontario, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Kathy Markee, Program Representative, Community in Action, presented. She introduced Rene Harris, Manager, Ontario and Vale Umpqua Bank, who also sat on the review committee and reviewed all the applications and information received from the homeowners to make sure they were making the right decisions.

By statute, was required to read the Public Notice and Notice of Public Hearing into the record:

Public Hearing Notice

City of Ontario is completing a Harney Malheur Residential Housing Rehabilitation grant funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the project is various locations within the City of Ontario. It is estimated that the project has benefited at least 50 persons of whom 100% are low or moderate income.

A public hearing will be held by the City of Ontario, on January 4th at 12:00 p.m. at Ontario City Hall, 444 SW 4th Street, Ontario

The purpose of the hearing is for the city council to obtain citizens views about the project and to take comments about the local government's performance. Written comments are also welcome and must be received by, 11 a.m. on January 4th, 2018 at 444 SW 4th Street in Ontario. Both oral and written comments will be reviewed by the city council.

The location of the hearing is accessible to the disabled. Please let Tori Barnett, City Recorder at 541-881-3232 know if you need any special accommodations to attend or participate in the hearing.

More information about the Oregon Community Development Block Grant program and the project is available for public review at Community in Action, 915 SW 3rd Avenue, Ontario, Oregon during regular office hours. Advance notice is requested.

Ms. Markee stated: The residential rehabilitation grant program is a means for low to moderate income homeowners to do needed repairs to their homes. Their financial situation does not allow them to get traditional bank financing. There were 18 projects were funded with this grant; All homes were within the city limits of Ontario; Projects benefited 52 persons living in the rehabilitated homes; Senior citizens owned 10 of the homes, six of those homeowners are disabled or a member of their household is disabled, one is raising her grandchildren. Nineteen children live in the homes rehabilitated; Community in Action was able to coordinate weatherization and USDA programs with qualified residential rehabilitation grant program homeowners; leveraged funds in the amount of \$41,570.00 was also used for energy efficient upgrades on 6 of the home projects; and all homes rehabilitated are now equipped with smoke detectors and carbon monoxide detectors where needed.

Community in Action would like to thank the City of Ontario for the opportunity to manage the Owner-Occupied Housing Rehabilitation grant program. We look forward to working with the city again to assist the citizens of our city.

In closing, Ms. Markee read a transcript of a voicemail left on December 7, 2017, from a very grateful grant recipient: *Hey Kathy this is [intentionally removed caller's name], the furnace fellow came here and was able to get the furnace on lickity split. And then he came in and told me, I said oh, thanks for getting the furnace going, he said*



oh no, I turned it off at the breaker box, he said the reason the furnace was off was because the wiring to the furnace was over heated and to leave it off until the new furnace gets here. If I'm cold, get more space heaters. And the furnace is under the house right where the bedrooms are, Kathy you saved us getting burned, if it had caught on fire when we were asleep we would have been dead. So, I'm very grateful you are doing my new furnace, Thank you.

Ms. Markee stated In this particular grant, the amount of mold in bathrooms was unbelievable, and it's from leaks from their roofs, and not having adequate ventilation.

The Hearing was opened for public testimony.

Proponents:

Megan Cook, Ontario, stated: *I don't know exactly what Kathy's report covers, but I do know that all of the people that go to do the work on these jobs, also work in our community, and they are creating jobs for these people as well, or for others.*

Rene Harris stated: *Being part of the committee has really opened my eyes. I've been in banking for 20 years and these people that are getting these loans or the grants, really, really need them. I mean, they've tried traditional financing, and we've tried everything we can do at the banks, and we can't help them, for lack, most of the time, honestly, it's debt to income. We go off the debt to income, and they just don't make the money to help them get new roofs and windows and electrical issues that they're having, so, for me, this is, I enjoy being on this community because I can help the people that I can't normally help in my paying job. So, I just want to say I think it's a great program and I hope that we continue to have programs like this that we can help the community.*

Opponents:

None.

There being no further Proponent and no Opponent testimony, the Hearing was closed.

NEW BUSINESS

Appointments to Various Boards, Committees, and the Planning Commission

Adam Brown, City Manager, presented.

The city was currently recruiting volunteers from the community to serve on the various Boards, Committees, and Planning Commission. An advertisement was placed in the Argus Observer, the Reminder, on the city's website, and all current members with expiring terms of service were contacted directly. The Council has historically appointed individuals to fill positions on the various city committees as they become vacant or open.

Further, on December 7, 2017, the Council passed Resolution #2017-138, which created an Ad Hoc Committee, to address the marijuana issues in the community. Councilor Dan Capron was assigned to sit as the Liaison to this Committee.

There were two positions open on the Airport Board, one regular and one Alternate position; two applications were submitted. There was one position open on the Budget Board; two applications were submitted. Four applications were submitted for appointment to the Marijuana Ad Hoc Committee, which currently had zero members. Council had not yet determined the number of members to have on this Committee. There was one position on the Planning Commission; one application was submitted. There were three positions open on the Public Works Committee; one application was submitted. There were two positions on the Visitors & Conventions Bureau Board; one application was submitted.

Staff would like to fill the open positions as soon as possible. City policy stated appointments to all Boards, Committees, and the Planning Commissions were to be made by the Mayor, with consensus of the Council.

CRUME moved, PALOMO seconded, **TO REAPPOINT JACK TERRY TO THE AIRPORT COMMITTEE, AND APPOINT JOHN FREEBURG TO THE AIRPORT COMMITTEE IN THE ALTERNATE POSITION WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

CARTER moved, CRUME seconded, **TO APPOINT CHARLOTTE FUGATE TO THE BUDGET BOARD WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Councilor Crume asked if they had determined the number of members for the Marijuana Ad Hoc Committee – was it five, seven, or?

Tori Barnett, City Recorder, stated there was no record of a set number being determined.

CRUME moved, CARTER seconded, **TO APPOINT FLORA GIBBS, BRAD BARTOLOME, AND JOHN KIRBY TO THE MARIJUANA AD HOC COMMITTEE, WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-no; Winebarger-out; Verini-yes. Motion carried 4/1/2.

CRUME moved, PALOMO seconded, **TO REAPPOINT CRAIG SMITH TO THE PLANNING COMMISSION WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

CRUME moved, CARTER seconded, **TO REAPPOINT SCOTT WILSON TO THE PUBLIC WORKS COMMITTEE WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

CARTER moved, PALOMO seconded, **TO REAPPOINT DEBBIE BLACKABY TO THE VISITORS AND CONVENTIONS BUREAU BOARD WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Approval of Abatement Write-Offs

Kari Ott, Finance Director, presented.

Before the Council was a list of abatement accounts that were over 120 days old that staff would like to send to collections. As required by the Allowance for Bad Debts and Write Offs policy the council needs to approve accounts to write-off before they are written off and/or sent to collections. There was \$19,547.84 of past-due abatement accounts to send to collections. that are deemed uncollectible by the City Finance Department. Sending these accounts to collection will allow a clean beginning to begin the civil penalties and lien process for abatements.

The Council could take no action on this matter; however, this would leave the past due accounts on the city books which most likely will never be collected.

Councilor Crume stated on the larger amounts, where those one-time deals, or continuous.

Ms. Ott stated many were due to multiple abatements.

Councilor Crume asked if they could receive the names on the accounts, not just numbers.

Ms. Ott stated yes, as that was a matter of public record. She would have them ready for the next meeting.

CAPRON moved, PALOMO seconded, **TO APPROVE THE LIST OF PAST DUE ABATEMENTS AS PRESENTED, AND AUTHORIZE SENDING THE ACCOUNTS TO COLLECTIONS.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Splash Pad Contract Approval

Adam Brown, City Manager, presented.

Sufficient funds were now available from the Transient Occupancy Tax revenues and other fund splash pad fund raisers to build the Ontario Splash Pad. A master plan was conducted by the Friends of the Aquatic Center and Seder Architecture and Urban Design in the spring of 2017. The ultimate goal of the master plan was to renovate the Ontario Aquatic Center. The study identified a splash pad as Phase I of the renovation. This was a low cost way to open an activity at the Ontario Aquatic Center.

Funds were budgeted for the Aquatic Center from Transient Occupancy Tax. The splash project was budgeted in the 2018 Capital Improvement Program. Phase One of the Ontario Aquatic Center Master Plan was to create a 4,000 square foot splash pad with 23 water features. The new Splash Park and its supporting features would create an immediate draw which was the purpose of the transient occupancy tax. It would be very visible from 4th Avenue along with the adjacent skateboard park. This would create an immediate attraction to Ontario and area families, teens and young children.

This contract cost of \$262,516 was just for the splash pad. Other elements of the design would be paid for by business sponsorship's and other grants.

As of the 6th of December the Aquatic Fund had \$198,670 in Transient Occupancy Tax funds and staff expected to have another \$64,000 by the end of the 2018 fiscal year. This would be a total of \$262,670. Additionally, the project received a \$25,000 grant from the St Alphonsus Foundation and \$814 in other donations. There was another \$41,500 in donations, in addition to the \$288K in the report.

Staff would like to move forward with the project now since there were sufficient funds available. The Friends of the Aquatic Center worked very diligently on behalf of the city. Many volunteer hours had been spent in the public fund raiser events such as Splash Fest which had been held two years in a row and the haunted house this past fall. The Friends of the Aquatic Center would continue to hold fundraisers to advance other elements of this phase and other phases of the project. Council approval was required to award the contract to Anderson Poolworks. Several proposals were vetted by the Friends of the Aquatic Center and Anderson Poolworks was chosen as the best proposal.

If the Council opted to take no action, it would halt progress on this project until a further date. It could also potentially result in a contract change with Anderson Poolworks.

Councilor Crume stressed that the community needed to know that there was no property tax money being used for this project. That message needed to get to the community.

CARTER moved, PALOMO seconded, **TO APPROVE AWARDING A CONTRACT TO ANDERSON POOLWORKS FOR \$262,516 FROM BUDGETED TRANSIENT OCCUPANCY TAX AND FUNDRAISING MONEY.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Staff was directed to get a sign in place at the site which addressed the funding of the project, specifically that it was NOT funded with taxpayer dollars, but with TOT funds, donations, and contributions. Further, to set the ground-breaking ceremony as soon as possible.

Resolution #2018-101: Housing Incentive Program

Adam Brown, City Manager, presented.

The City Manager was recommending one additional revision to the recently adopted Housing Incentive Program to attract single family, owner occupied housing to the city. Resolution No. 87-103 established the City of Ontario Business Loan Fund and loan allocation procedures, passed on March 2, 1987. Funds were acquired as a grant through the Oregon Community Development Program. This established a revolving loan fund for the purpose of loaning to local businesses for business equipment, acquisition, business development, and the creation of new jobs. This resolution required that loans be established with interest.

Loan Terms in summary were:

- Loans of not less than \$10,000
- Maximum loan term of 15 years
- Interest rate fixed by city council at not less than 5%
- Loan servicing fee of 1 ½% to be deducted from the loan proceeds
- Applicant must secure a commitment from a commercial or private lender or local development group of at least 66 2/3% of the total project cost.
- Applicant must provide evidence of collateral
- Loan proceeds used for working capital shall not exceed 10% of the total loan amount.

Resolution No. 00-128 revised the City of Ontario business loan fund and loan allocation procedures established by Resolution Number 87-103. Resolution No. 00-128 simplified the rules and procedures of the loan fund in several ways:

- The purpose was rewritten to maximize the utilization by saying it “is to provide financing to: encourage economic and community development; create or retain jobs; and/or, enhance the aesthetic appeal of properties located within the Ontario Urban Growth Area.”
- The resolution reduced the criteria, the ineligible activities, the application criteria, and repealed the minimum loan amount.
- It also designated the repayment of the loan directly to principal and outstanding uncollectable amounts and then established a grant fund for public facility projects.

Resolution No. 00-133 established the city of Ontario Economic and Community Enhancement Small Grant Fund and Accompanying Criteria and Procedures. This resolution defined the procedures for granting money acquired from interests and fees from the business loan fund.

The small grant fund criteria and procedures were established and the grants were established for the following uses:

- Public facility improvement projects identified in adopted plans
- Public Facility Projects such as playground equipment, street or crosswalk pavers, park irrigation systems
- Landscaping enhancements
- Improvements to the Railroad Depot
- Projects with a useful life of at least 5 years

Resolution No. 2004-140 revised the City of Ontario Business Loan Fund and Accompanying Criteria and Procedures to provide clarity that the Business Loan Fund could be spent within and outside the City of Ontario and the Urban Growth Boundary so long as there was a direct or indirect benefit to the City or Urban Growth Boundary.

The Ontario City Council directed the City Manager to prepare an amendment to the Business Loan Fund to implement the Housing Incentive Program as presented. Revisions to the Business Loan Fund were prepared and approved by the Ontario City Council on December 19, 2017.

A revision to the recently passed Housing Incentive Program was requested by several Council members that the funds not be awarded to projects already receiving or who would be receiving other governmental funding.

Several inquiries had already been made about the program.

This program would have a positive impact on the General Fund. Initially, as additional revenue came in from new construction built under these agreements, the taxes would be transferred to replenish the Business Loan Fund. After the incentive program money was replenished, the city would see be able to use the additional property tax revenue from the new construction.

Additional housing in Ontario would provide secondary economic impacts to the local economy by increasing the work force, providing closer access to places of employment, and additional retail business.

Multiple contractors and individuals had approached the city with interest in the program since it was presented conceptually to the City Council. Staff anticipated it would be received well by the community. Amendments to the Business Loan Fund Rules and Procedures must be approved by the City Council. If the Council chose not to pursue this program, the program would stand as recently passed by Resolution #2017-143.

CAPRON moved, CARTER seconded, **TO APPROVE RESOLUTION #2018-101, A RESOLUTION REVISING THE CITY OF ONTARIO BUSINESS LOAN FUND AND LOAN ALLOCATION PROCEDURES RECENTLY REVISED BY RESOLUTION #2017-143.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Resolution #2018-102: Requesting a Change in the Boundary of the Malheur County Enterprise Zone

Dan Cummings, Community Development Director, presented.

The offices of the County of Malheur, City of Ontario, City of Vale, and City of Nyssa are requesting a change in the boundary of the Malheur County Enterprise Zone that would add the area indicated in Resolution 2018-102. In 1999 under Resolution 99-111, Malheur County, City of Ontario, City of Vale, and the City of Nyssa successfully applied for an enterprise zone, which was designated as the Malheur County Enterprise Zone by the Director of the Oregon Business Development Department (dba Business Oregon). The designation of an enterprise zone did not grant or imply permission to develop land within the zone without complying with all prevailing zoning, regulatory and permitting processes and restrictions of any and all local jurisdictions; nor did it indicate any public intent to modify those processes or restrictions, unless otherwise in agreement with applicable comprehensive land use plans. This Enterprise Zone and the tax exemption that it offered for new investments in plant and equipment by eligible business firms were critical elements of local efforts to increase employment opportunities, to raise local incomes, to attract investments by new and existing businesses and to secure and diversify the local economic base.

On May 18, 2015, under Resolution 2015-123, the City of Ontario adopted the current Malheur County Enterprise Zone boundaries. At the time of adoption of Resolution #2015-123, a portion of the property under this new request for Ontario, shown as Tax lots 1000, 1100, 1200, 1400, 1500 and 1600, were inadvertently left out of the adoption, along with Tax Lots 1300 and 1800, which were now proposed to be added to the Enterprise Zone.

A public notice of the change in the boundary of the enterprise zone was submitted to the Argus Observer newspaper and Malheur Enterprise newspaper, and a public meeting was held by the Malheur County Court on December 20, 2017, in conjunction with the adoption of this resolution, to hear the response of the citizenry to the proposed change to the Malheur County Enterprise Zone requested herein. At said meeting, the County Court adopted Resolution R17-41 and recorded the resolution under Instrument #2017-4736.

The change in the boundary of the Malheur County Enterprise Zone would allow the property described to be eligible for tax abatement. The applicant's business activity had to fall under qualifying activity outlined in Oregon's enterprise zone program.

The County approved their portion of the process on December 20th and, for the action to be finalized, the Ontario, Nyssa and Vale needed to approve their portions.

The City Attorney has reviewed the resolution for consistency with the agreements established.

CRUME moved, CAPRON seconded, **TO APPROVE RESOLUTION #2018-102, A RESOLUTION REQUESTING A CHANGE IN BOUNDARY OF THE MALHEUR COUNTY ENTERPRISE ZONE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Resolution #2018-103: Increasing Fees for Youth Soccer, Girls Softball, and Out of City Fees

Debbie Jeffries, presented.

The Ontario Recreation Department would like to increase the Youth Soccer, Girls Softball, and Out of City Participant fees. The department had not raised fees for these three areas in several years. Increasing fees would help offset the amount the department was subsidized from the General Fund. Staff believed that increasing this small amount would help insure that participation would not decrease due to the cost of the program. The department would bring in more revenue with these larger fees and would decrease the amount of the subsidy from the General Fund.

Ms. Jeffries suggested the following:

<u>Current Fees</u>		<u>Suggested New Fees</u>
Youth Soccer	\$36	\$40
Girls Softball	\$38	\$40
Out of City Fee	\$ 5	\$ 7

Action to raise fees should be done now. Registration for these sports would begin in late January and early February. Only the City Council had authority to approve fees.

Adam Brown, City Manager, stated he was proposing a higher increase, but acknowledged that a larger increase could, while bringing in more revenue, also result in a decline in participation.

Councilor Crume stated there wasn't a right or wrong answer, but he had heard outcry from some citizens about spending money from the General Fund for non-essentials in the city when core services had to be provided to the community. He didn't believe they had to reduce the entire deficit of \$134K, but they needed to make a significant change. Raising fees just a few dollars wouldn't get them where they needed to be. To break even, they'd need to increase the \$36 to \$84, but that would decrease participation drastically. He'd like a business plan developed now to bring down the expense put on the tax payers, and have those results ready for the Budget Hearing process. There was a risk of having to shut down the Recreation Department, but he didn't want that to happen. But, they needed to decrease the amount of subsidy being given to out of city participants.

Councilor Capron stated the rates proposed didn't show the real situation of the budget. The fees needed to be higher.

Councilor Carter stated this community and its children needed the Recreation Department. They needed to keep the kids whole, and keep them busy. She did not believe the Budget Board would cut the Recreation Department.

Councilor Palomo asked Ms. Jeffries when people came in to register for activities, what was the percentage who made comments about not having the funds to pay.

Ms. Jeffries stated she didn't know a percentage, but there were a lot. Out of the 850 soccer people, there were probably 150+ who brought in pop cans, or different family members sending money to meet the full amount. A lot of the players were actually homeless. But, there were also several people who asked her to let them know what extra was needed, and they'd make a donation. Families with multiple kids playing, struggled more.

Councilor Palomo asked about the \$5 out of city fee; how did that go.

Ms. Jeffries stated they started off complaining, but it had decreased over time.

Councilor Palomo asked if at the end of the soccer season, was it just over, or was there a tournament that could be developed, facing off the champions from various other areas, for maybe a week-end tournament.

Ms. Jeffries stated with rec leagues, it was difficult to do that. With recreation, if one kid or team got a medal, every kid or team got a medal.

Councilor Carter asked about establishing a sliding fee. If not, there should be one.

Ms. Jeffries stated there was not. People asked for one.

Councilor Carter stated when families signed up their kids, were any of them asked if they could sponsor a child. Was there anything saying that couldn't be done?

Ms. Jeffries stated it had not specifically been asked.

Mr. Brown stated there had been a donor this year alone; a \$500 donation from Guild Mortgage. Also, city staff had stated they'd sponsor kids, along with businesses in the area. They could certainly set up some type of donation envelope that would add to that account line.

Councilor Carter asked what they, as Council members, were willing to do. How were they giving back? It was something to think about.

Councilor Capron asked if they had ever researched establishing a booster group, or a "friends of" whatever. Do auctions or fundraisers, etc. However, the rec department not having winners and losers, was wrong, and not everyone needed a "participation" ribbon or trophy. He'd personally hauled kids to practices and games, provided food and beverage to players who wouldn't have it otherwise. As a coach, he saw that there were some kids who just didn't have anything. Coaches would provide not just food or beverage, but sometimes shoes, gloves, hats, etc.

Councilor Carter addressed Chief Kunz with regard to PAL, the Police Athletic League, who covered all recreational activities for children. Would that be some type of program that could be started in this community?

Cal Kunz, Police Chief, stated he would need to do some research. He had heard of it, and thought it was fantastic.

Councilor Palomo stated the Nampa Police Department participated in that during baseball season.

Chief Kunz stated anything promoting positive interaction between the department and the youth would be a good thing.

Mayor Verini asked when the set information had to be sent out.

Ms. Jeffries stated mid-January, but they could wait until after the next Council meeting. She had to print several thousand forms. Registration for soccer began on February 1st.

By statute, the Council was required to accept any public comment on this action. No comments were made.

Councilor Crume stated Ms. Jeffries had proposed a soccer fee increase of \$36 to \$40, girls softball increased from \$38 to \$40, and out of city fees increased from \$5 to \$7. However, that wasn't quite enough.

CRUME moved, CAPRON seconded, **TO APPROVE RESOLUTION #2018-103, AS AMENDED, A RESOLUTION INCREASING THE FEE FOR YOUTH SOCCER FROM \$36 TO \$44; GIRLS SOFTBALL FROM \$38 TO \$44; AND OUT OF CITY PARTICIPATION FEES FROM \$5 TO \$10.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Resolution #2018-104: Establishing Lien Search Fees

Kari Ott, Finance Director, presented.

At the Council meeting on December 19, 2017, the Council gave consensus to pursue the Electronic Lien Docket process and to approve lien search fees. This would create a more efficient and cost-effective solution for recording liens.

Based on comparisons within other cities in Oregon that charge lien search fees, staff was proposing a \$25 fee on a per search basis. The following were some cities that charged lien search fees:

10 CITIES CLOSEST TO ONTARIO THAT USE CONDUITS		
Baker	\$40	
Pendleton	\$20	
Milton-Freewater	\$25	
Hermiston	\$25	
The Dalles	\$25	
Madras	\$25	
Redmond	\$25	
Bend	\$25	
Cascade Locks	\$25	
Sandy	\$30	
HIGHEST SEARCH FEE IN OREGON		
Lake Oswego	\$58	
LOWEST SEARCH FEE IN OREGON		
Warrenton and Cannon Beach	\$10	
*Most Cities in Oregon charge a fee of \$25 or more.		
Per Ryan Hosek, Conduits		

This would generate a minimal amount of revenue which would cover administrative costs and also reduce lien filing costs for the city.

This should be approved as soon as possible to enable the Electronic Lien Docket process to move forward. Without Council approval, the city will not be able to charge for lien searches.

The passage of a fee was subject to ORS 294. 160(1) which provided: *"The governing body of a city, county or other unit of local government shall provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase or an increase in the rate or other manner in which the amount of a fee is determined or calculated."*

CAPRON moved, CARTER seconded, **TO APPROVE RESOLUTION #2018-104, A RESOLUTION ESTABLISHING LIEN SEARCH FEES.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

DEPARTMENT HEAD UPDATES

Finance Monthly Report: Nov, 2017

Kari Ott, Finance Director, presented. Report attached.

City Recorder Semi-Annual Report: Jul-Dec, 2017

Tori Barnett, City Recorder, presented. Report attached.

Police Department Quarterly Report: Oct-Dec, 2017

Cal Kunz, Police Chief, presented. Report attached.

Airport Quarterly Report: Oct-Dec, 2017

Dan Beaubien, Airport Manager, presented. Report attached.



HAND-OUTS/DISCUSSION ITEMS**Department Stats**

Ontario Fire & Rescue: Dec, 2017 (Attached)
Public Works: Nov 18-Dec 15, 2017 (Attached)
Ontario Police: Nov, 2017 (Attached)
Code Enforcement: Nov, 2017 (Attached)

Minutes

Public Works Committee: Oct, 2017 (Attached)

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

Councilor Capron asked if they were still having a Budget gathering on the 9th?

Ms. Ott stated she had heard from some members, but not all. Charlotte Fugate wouldn't be able to make it.

Councilor Capron would be there, as would Councilor Palomo, and probably Councilor Carter.

Councilor Crume stated one of next year's capital projects was the security fencing at the airport. One comment from an Airport Committee member was to split those funds to purchase some much needed equipment. While he agreed the equipment was needed, he was against the move to split. The security fencing was needed to protect the assets that were already there. He also gave kudos to the Airport Manager – he was doing a great job.

Councilor Carter stated there was a lot about this city that maybe the Council didn't know about. She hadn't visited like she should, some of the departments. Were they going to set up something that would have every Councilor involved, a visit to all areas of City Hall? That should be part of their orientation. They needed to really see how the city worked, all of the departments.

Mr. Brown stated for new Councilors, he liked to do a one-on-one, or two, orientation. He'd like to add something like what Councilor Carter was suggesting to the annual Councilor Retreat Process. They could incorporate the day-to-day happenings that occurred in the background. Any of the Department Heads would be happy to take a Councilor around, showing what they did every day.

Councilor Palomo stated they needed to stay positive, stay moving forward, stay on track, and try to get the community, like with the Splash Pad, looking at the donations, that's the way the city and the people needed to work together. He believed they were headed that way. Keep up the good work! It's tougher with fewer people, but great job on working with what you have.

Mayor Verini stated there was a meeting with Budget Board coming up, but also a vote coming up in May regarding the sales tax. Staff had recently hired two police officers, which might not be sustained depending on the money situation. Was there a possibility that they could develop a figure that they would have to shoot for, like the \$8 street fund that was on the utility statements, so the city wasn't caught short if the sales tax failed? What dollar amount could be put with that?

Mr. Brown stated he didn't think they should do one department at a time. They needed to look at it all as one. It could be done, but it wouldn't be by next week.

Adam Brown stated the city had received a proposal from the state to refinance two bonds, with a present value savings of approximately \$300K. That's between \$20-30K a year annually that could be saved through refinancing. That would be back to the Council on the 16th.

Mr. Brown stated the Sales Tax Discussion Page on the city's website had been reformatted. They'd be adding more detail as they moved along.



Mr. Brown stated they'd be asking for proposals from engineering companies that could build or design a spec for airport hangars. Instead of having it engineered and then seeking bids, he'd like to have an engineer write specifications, given the parameters provided by the city. Then they'd award a design build on those specifications. That would be financed through Business Oregon through the state financing mechanism.

Larry Sullivan stated when reviewing the Attorney General's Public Meetings Laws that he had not proposing the city do, but they should be doing. When the Council was going into an executive session and there were members of the public present, and the Council knew they'd be coming out and making a final decision, the Council needed to inform the public an estimate of how long the session would run, to give those people a chance to hear the final decision.

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(h)

An executive session was called at **2:59 p.m.** under provisions of ORS 192.660(1)(h) *regarding real or potential litigation*. The Council reconvened into regular session at **3:07 p.m.**

REGULAR SESSION

CRUME moved, CARTER seconded, **TO DIRECT THE CITY ATTORNEY TO COMPOSE A LETTER WITH CHANGES ADDRESSED IN THE EXECUTIVE SESSION.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Councilor Justus joined the meeting at 3:21 p.m. via telephone.

AMEND AGENDA

CRUME moved, CAPRON seconded, **THAT THE COUNCIL ACCEPT THE LETTER COMPOSED BY ADAM BROW AND TO ADD IT TO THE AGENDA.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/0/2.

Mr. Brown stated he had added one sentence to the end of the letter. This letter would be sent only to Malheur County Economic Development, and not to any state agency. When they had met with Representative Bentz, they told him that the city planned to send a letter just to the corporation, not to the state, and that it would extoll the virtues of the Ontario site, but still express support for the Nyssa site.

Councilor Justus stated he didn't think there was anything wrong with the letter.

Councilor Palomo stated he believed the letter was well-written.

JUSTUS moved, CARTER seconded, **THAT THE COUNCIL ACCEPT THE LETTER AS WRITTEN AND SEND IT TO THE MALHEUR COUNTY ECONOMIC DEVELOPMENT CORPORATION.** Roll call vote: Crume-no; Carter-yes; Palomo-yes; Justus-yes; Capron-no; Winebarger-out; Verini-yes. Motion carried 4/2/1.

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(d)

An executive session was called at **3:36 p.m.** under provisions of ORS 192.660(1)(d) *to discuss labor negotiations*. The Council reconvened into regular session at **4:09 p.m.**

REGULAR SESSION

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE THE TENTATIVE AGREEMENT WITH THE ONTARIO POLICE OFFICER'S ASSOCIATION FOR THE CONTRACT RENEWAL OF JANUARY 1, 2018, THROUGH DECEMBER 31, 2020.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

ADJOURN

CRUME moved, CAPRON seconded, **THAT THE MEETING BE ADJOURNED.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

ACCEPTED:**ATTEST**

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
OLD BUSINESS
January 16, 2018**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2018-105: APPROPRIATING FUNDS FOR OPENGOV SOFTWARE PURCHASE**

DATE: January 12, 2018

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION 2018-105: A RESOLUTION APPROPRIATING FUNDS FOR THE PURCHASE OF OPENGOV SOFTWARE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT WITH OPENGOV.

SUMMARY:

The City has worked to be as transparent as possible especially regarding financial reporting. The financial software used by the City can be difficult to use by staff and access isn't available to the public. Most Enterprise Resource Planning (ERP) systems don't provide public portals. Staff would like to create better access for senior staff and create more openness to the public of the city's finances.

BACKGROUND:

1. The City has recently changed its budget process to make financial reporting more transparent. The City; however, has struggled to get financial information to department heads and the public.
2. Recently when the Human Resources Director and the Front Desk Receptionist resigned, the City Manager made the decision to not fill the vacancies at this time. This will lead to a total savings of \$94,162 for the remainder of the year.
3. We have been able to save approximately \$7,500 by getting rid of financial software modules that weren't being utilized.

CURRENT SITUATION:

OpenGov is a cloud based software that can be integrated with the City's financial software (Springbrook) to provide financial information that would be readily accessible to city staff, city council and the public. Reports would be able to be run across fiscal years and would make it

more efficient to provide financial information. No hardware purchases would be required to implement this software.

The software purchase would incur a one-time implementation cost and an annual fee. The contract would be for a five-year period.

ANALYSIS:

- A. **FINANCIAL** The annual cost of the software is \$9,000 and there is a one-time implementation fee of \$7,500 for the training and the set up for the City of Ontario.
- B. **TIMING** We would like to proceed immediately to begin the implementation of the software.
- C. **POLICY/LEGAL** The City Council will have to appropriate funds in order to spend the funds and sign the contract with OpenGov.

ALTERNATIVES:

Take No Action

Taking no Action would result in the financial reporting process remaining the same and no improvements to efficiency and transparency would be gained.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution 2018-105.

ATTACHMENTS:

- 1. Resolution #2018-105 Purchase OpenGov Software
- 2. Contract with OpenGov



RESOLUTION 2018-005

A RESOLUTION APPROPRIATING FUNDS TO PURCHASE ACCESS TO OPENGOV SOFTWARE

- WHEREAS,** The city wishes to be as transparent as possible in all financial reporting; and
- WHEREAS,** The city has saved money by not replacing the human resources director and front desk receptionist; and
- WHEREAS,** OpenGov will provide opportunity for the public, city staff and the City Council to access financial information on a regular basis; and
- WHEREAS,** The software costs consists of \$7,500 implementation and \$9,000 annual fee, the total in the first year is \$16,500; and
- WHEREAS,** The City desires to modify the 2017-2018 budget to expend the funds.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2017-2018 budget:

Line Item	Item Description	FY 17-18 Budget	Amount of Change	Adjusted Budget
General Fund				
001-014-611900	Data Processing	\$15,000	\$8,421	\$23,421
001-005-511000	Wages and Salaries	\$55,952	(\$8,421)	\$47,531
Water Fund				
105-160-611900	Data Processing	\$3,000	\$3,578	\$6,578
105-160-871000	Contingency	\$780,491	(\$3,578)	\$776,913
Sewer Fund				
110-165-611900	Data Processing	\$3,000	\$3,806	\$6,806
110-165-871000	Contingency	\$759,393	(\$3,806)	\$755,587
Storm Sewer Fund				
115-170-611900	Data Processing	\$110	\$529	\$639
115-170-871000	Contingency	\$387,328	(\$529)	\$386,799
Building Fund				
027-010-611900	Data Processing	\$ -	\$166	\$166
027-010-614800	Office Machine Contract	\$400	(\$166)	\$566



EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this ____ day of _____, 20____, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this ____ day of _____, 20____.

Ronald Verini, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



OpenGov, Inc.
955 Charter Street
Redwood City, CA 94063
United States

Quote Number	OG-00003389	Prepared By	Adam Schnoll
Created Date	1/10/2018	Phone	(650) 557-2625
Quote Expiration	3/30/2018	Email	aschnoll@opengov.com
Contract Dates	Effective Date: 1/16/2018 End Date: 1/15/2023	Contract Term	60 Months

Customer Information

Contact Name	Adam Brown	Bill To Name	City of Ontario, OR
Phone	541-881-3223	Bill To / Ship To	444 SW 4th Street
Email	adam.brown@ontariooregon.org		Ontario, Oregon 97914
			United States

Product	Contract Effective Date	Contract End Date	Annual Fee	Total Price
OpenGov ERP Integrations - GA - Between \$20-40 Million	1/16/2018	1/15/2023	USD 2,850.00	USD 14,250.00
OpenGov Reporting and Analysis - Between \$20-40 Million	1/16/2018	1/15/2023	USD 9,000.00	USD 45,000.00
Quick Start Platform Deployment - Between \$20-40 Million	1/16/2018		USD 0.00	USD 7,500.00

Annual Fee	USD 11,850.00	First Term	USD 19,350.00
Billing Frequency	Annual	Grand Total	USD 66,750.00

Welcome to OpenGov! Thanks for using our software. This Software Agreement ("**Agreement**") is entered into between OpenGov, Inc., with its principal place of business at 955 Charter Street, Redwood City, 94063 ("**OpenGov**"), and you, the entity identified above ("**Customer**"), as of the Effective Date. This Agreement includes and incorporates the OpenGov Terms and Conditions attached as Appendix A. By signing this Agreement, Customer acknowledges that it has reviewed, and agrees to be legally bound by, the OpenGov Terms and Conditions. Each party's acceptance of this Agreement is conditional upon the other's acceptance of the terms in the Agreement to the exclusion of all other terms.

Signature

Customer

OpenGov, Inc.

Signature: _____
Name: _____
Title: _____
Date: _____

Signature: _____
Name: _____
Title: _____
Date: _____

Terms and Conditions

Appendix A

OpenGov Terms and Conditions

1. SOFTWARE SERVICES

1.1 Subject to the terms and conditions of these OpenGov Terms and Conditions (the "Agreement"), OpenGov will use commercially reasonable efforts to perform the software services (the "Software Services") identified in the applicable Software Agreement entered into by OpenGov and Customer ("Software Agreement").

1.2 Customer understands that OpenGov's performance depends on Customer timely providing OpenGov with a copy of the Customer's chart of accounts in .csv or .xls format. In addition, Customer agrees to provide OpenGov with five or more years of general ledger data, also in .csv or .xls format, including budget data for the current year and actual expense and revenue data for past years. Any dates or time periods relevant to OpenGov's performance will be extended appropriately and equitably to reflect any delays caused by Customer's failure to timely deliver any such materials. OpenGov shall not be liable for any delays in performance under this Agreement resulting from Customer's failure to meet these obligations.

2. RESTRICTIONS AND RESPONSIBILITIES

2.1 This is a contract for access to the Software Services and Customer agrees not to, directly or indirectly: reverse engineer, decompile, disassemble, or otherwise attempt to discover the source code, object code, or underlying structure, ideas, or algorithms of the Software Services, documentation or data related to the Software Services, except to the extent such a restriction is limited by applicable law; modify, translate, or create derivative works based on the Software Services; or copy, rent, lease, distribute, assign, sell, or otherwise commercially exploit, transfer, or encumber rights to the Software Services; or remove any proprietary notices.

2.2 Customer will use the Software Services only in compliance with all applicable laws and regulations (including, but not limited to, any export restrictions).

2.3 Customer shall be responsible for obtaining and maintaining any equipment and other services needed to connect to, access or otherwise use the Software Services and Customer shall also be responsible for (a) ensuring that such equipment is compatible with the Software Services, (b) maintaining the security of such equipment, user accounts, passwords and files, and (c) for all uses of Customer user accounts with or without Customer's knowledge or consent.

3. OWNERSHIP. OpenGov retains all right, title, and interest in the Software Services and all intellectual property rights (including all past, present, and future rights associated with works of authorship, including exclusive exploitation rights, copyrights, and moral rights, trademark and trade name rights and similar rights, trade secret rights, patent rights, and any other proprietary rights in intellectual property of every kind and nature) therein.

4. CONFIDENTIALITY. Each party (the "Receiving Party") agrees not to disclose (except as permitted herein) any Confidential Information of the other party (the "Disclosing Party") without the Disclosing Party's prior written consent. "Confidential Information" means all confidential business, technical, and financial information of the disclosing party that is marked as "Confidential" or an equivalent designation or that should reasonably be understood to be confidential given the nature of the information and/or the circumstances surrounding the disclosure (including the terms of the applicable Software Agreement). OpenGov's Confidential Information includes, without limitation, the software underlying the Software Services and all documentation relating to the Software Services. "Confidential Information" does not include "Public Data," which is data that the Customer has previously released or would be required to release according to applicable federal, state, or local public records laws. The Receiving Party agrees: (i) to use and disclose the Confidential Information only in connection with this Agreement; and (ii) to protect such Confidential Information using the measures that Receiving Party employs with respect to its own Confidential Information of a similar nature, but in no event with less than reasonable care. Notwithstanding the foregoing, Confidential Information does not include information

that: (i) has become publicly known through no breach by the receiving party; (ii) was rightfully received by the receiving party from a third party without restriction on use or disclosure; or (iii) is independently developed by the Receiving Party without access to such Confidential Information. Notwithstanding the above, the Receiving Party may disclose Confidential Information to the extent required by law or court order, provided that prior written notice of such required disclosure and an opportunity to oppose or limit disclosure is given to the Disclosing Party.

5. DATA LICENSE. Customer grants OpenGov a non-exclusive, transferable, perpetual, worldwide, and royalty-free license to use any data or information submitted by Customer to OpenGov for the development of new software or the provision of the Software Services.

6. PAYMENT OF FEES. The fees for the Software Services ("Fees") are set forth in the applicable Software Agreement. Customer shall pay all Fees within thirty (30) days after the date of OpenGov's invoice, which shall be billed as of the Effective Date. **Taxes.** All Fees under this Agreement are exclusive of any applicable sales, value-added, use or other taxes ("**Sales Taxes**"). Customer is solely responsible for any and all Sales Taxes, not including taxes based solely on OpenGov's net income. If any Sales Taxes related to the Fees under this Agreement are found at any time to be payable, the amount may be billed by OpenGov to, and shall be paid by, Customer. If Customer fails to pay any Sales Taxes, then Customer will be liable for any related penalties or interest, and will indemnify OpenGov for any liability or expense incurred in connection with such Sales Taxes.

7. TERM & TERMINATION

7.1 Subject to compliance with all terms and conditions, the term of this Agreement shall be from the Contract Effective Date and shall continue until the Contract End Date specified on page one (1) of the Agreement (the "Initial Term"). The Customer will be billed according to the Billing Frequency as specified above. Unless either party declines to renew in writing no less than thirty (30) days before the Contract End Date, this Agreement shall renew for another period of the same duration as the Initial Term. The Customer will be billed on an annual basis for each twelve (12) month term. If either party materially breaches any term of this Agreement and fails to cure such breach within thirty (30) days after notice by the non-breaching party (ten (10) days in the case of non-payment), the non-breaching party may terminate this Agreement immediately upon notice.

7.2 Upon termination, Customer will pay in full for all Software Services performed up to and including the effective date of termination. Upon any termination of this Agreement: (a) all Software Services provided to Customer hereunder shall immediately terminate; and (b) each party shall return to the other party or, at the other party's option, destroy all Confidential Information of the other party in its possession.

7.3 All sections of this Agreement which by their nature should survive termination will survive termination, including, without limitation, accrued rights to payment, confidentiality obligations, warranty disclaimers, and limitations of liability.

8. WARRANTY AND DISCLAIMER

8.1 OpenGov represents and warrants that: (i) it has all right and authority necessary to enter into and perform this Agreement; and (ii) the Software Services shall be performed in a professional and workmanlike manner in accordance with generally prevailing industry standards.

8.2 Customer represents and warrants that (i) it has all right and authority necessary to enter into and perform this Agreement; (ii) it owns all right, title, and interest in and to all data provided to OpenGov for use in and in connection with this Agreement, or possesses the necessary authorization thereto; (iii) OpenGov's use of such materials in connection with the Software Services will not violate the rights of any third party and (iv) it will not transfer any Personally Identifiable Information ("PII") to the Software Services platform.

8.3 OPENGOV DOES NOT WARRANT THAT THE SOFTWARE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE; NOR DOES IT MAKE ANY WARRANTY AS TO THE RESULTS THAT MAY BE OBTAINED FROM USE OF THE SOFTWARE SERVICES. EXCEPT AS SET FORTH IN THIS SECTION 8, THE SOFTWARE SERVICES ARE PROVIDED "AS IS" AND OPENGOV DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY, TITLE, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT.

9. LIMITATION OF LIABILITY. NEITHER PARTY, NOR ITS SUPPLIERS, OFFICERS, AFFILIATES, REPRESENTATIVES, CONTRACTORS AND EMPLOYEES, SHALL BE RESPONSIBLE OR LIABLE WITH RESPECT TO ANY SUBJECT MATTER OF THIS AGREEMENT OR RELATED TERMS AND CONDITIONS UNDER ANY CONTRACT, NEGLIGENCE, STRICT LIABILITY, OR OTHER THEORY: (A) FOR ERROR OR INTERRUPTION OF USE OR FOR LOSS OR INACCURACY OF DATA OR COST OF PROCUREMENT OF SUBSTITUTE GOODS OR SERVICES OR LOSS OF BUSINESS; (B) FOR ANY INDIRECT, EXEMPLARY, PUNITIVE, INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES; OR (C) FOR ANY MATTER BEYOND SUCH PARTY'S REASONABLE CONTROL, EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH LOSS OR DAMAGE. IN NO EVENT SHALL EITHER PARTY'S AGGREGATE, CUMULATIVE LIABILITY FOR ANY CLAIMS ARISING OUT OF OR IN ANY WAY RELATED TO THIS AGREEMENT EXCEED THE FEES PAID BY CUSTOMER TO OPENGOV (OR, IN THE CASE OF CUSTOMER, PAYABLE) FOR THE SOFTWARE SERVICES UNDER THIS AGREEMENT IN THE 12 MONTHS PRIOR TO THE ACT THAT GAVE RISE TO THE LIABILITY.

10. MISCELLANEOUS. Capitalized terms not otherwise defined in these Terms and Conditions have the meaning set forth in the applicable Software Agreement. Neither party shall be held responsible or liable for any losses arising out of any delay or failure in performance of any part of this Agreement, other than payment obligations, due to any act of god, act of governmental authority, or due to war, riot, labor difficulty, failure of performance by any third party service, utilities, or equipment provider, or any other cause beyond the reasonable control of the party delayed or prevented from performing. OpenGov shall have the right to use and display Customer's logos and trade names for marketing and promotional purposes in connection with OpenGov's website and marketing materials, subject to Customer's trademark usage guidelines (as provided to OpenGov). If any provision of this Agreement is found to be unenforceable or invalid, that provision will be limited or eliminated to the minimum extent necessary so that this Agreement will otherwise remain in full force and effect and enforceable. This Agreement is not assignable or transferable by either party without the other party's prior written consent, provided however that either party may assign this Agreement to a successor to all or substantially all of its business or assets. This Agreement (including the Software Agreement) is the complete and exclusive statement of the mutual understanding of the parties and supersedes and cancels all previous written and oral agreements, communications, and other understandings relating to the subject matter of this Agreement, and that all waivers and modifications must be in a writing signed by both parties. No agency, partnership, joint venture, or employment is created as a result of this Agreement and neither party has any authority of any kind to bind the other party in any respect. In any action or proceeding to enforce rights under this Agreement, the prevailing party will be entitled to recover costs and attorneys' fees. All notices under this Agreement will be in writing and will be deemed to have been duly given when received, if personally delivered; when receipt is electronically confirmed, if transmitted by facsimile or e-mail; the day after it is sent, if sent for next day delivery by recognized overnight delivery service; and upon receipt, if sent by certified or registered mail, return receipt requested. This Agreement shall be governed by the laws of the State of California without regard to its conflict of laws provisions.

Appendix B

OpenGov Service Level Metrics

- 1. SCHEDULED DOWNTIME.** When needed, OpenGov will schedule downtime for routine maintenance or system upgrades ("Scheduled Downtime") for its Services. OpenGov shall exercise commercially reasonable efforts to schedule Scheduled Downtime outside of peak traffic periods. OpenGov will notify Customer's designated contact at least twenty-four (24) hours prior to the occurrence of Scheduled Downtime.
- 2. SYSTEMS ACCESSIBILITY WARRANTY.** The Services will be accessible 99.9% of the time, 7 days of the week, and 24 hours per day, as calculated over a calendar month ("Systems Accessibility Warranty"). Such System Accessibility Warranty shall not apply to, and OpenGov will not be responsible for, any inaccessibility which: 1) results from Scheduled Downtime, including a maintenance period every Tuesday from 6:00pm Pacific Time to 11:00pm Pacific Time; 2) results from a failure of equipment, software or services not under the direct control of OpenGov; 3) results from the failure of communication or telephone access service or other outside service or equipment not the fault of OpenGov; 4) is caused by a third party not under OpenGov' control; or 5) is a result of causes beyond the reasonable control of OpenGov, including any force majeure event. To the extent solely under OpenGov' control, OpenGov shall be responsible for monitoring and maintaining adequate controls over Customer Data transmissions and storage. OpenGov shall be solely responsible for setting applicable data processing and transmission parameters.

APPENDIX C

OpenGov Support Services

- 1. Support.** Customer support is available via email 12 hours per day, Monday through Friday, excluding OpenGov' corporate designated holidays. See below for a list of holidays observed by OpenGov. Problems may be reported any time, however, OpenGov will not be obligated to assign work after business hours (9 a.m. to 5 p.m. Pacific Time).
- 2. Liaisons.** On or before the Activation Date, Customer and OpenGov shall each designate a liaison as a respective point of contact for technical issues. Each party may change such liaison upon written notice from time to time at reasonable intervals. OpenGov will not be obligated to provide support to any person other than the Customer's designated liaison.
- 3. Holidays.** OpenGov observes the following holidays: New Year's Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve Day, Christmas Day, and New Year's Eve.



**AGENDA REPORT
NEW BUSINESS
January 16, 2018**

To: Mayor and City Council

FROM: Tori Barnett, City Recorder

THROUGH: Adam J. Brown, City Manager

SUBJECT: APPOINTMENTS TO BOARDS OR COMMITTEES

DATE: January 10, 2018

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPOINT ALFREDO RODRIGUEZ, JAHMEL COOKE, AND/OR ANDREW PETERSON TO THE MARIJUANA AD HOC COMMITTEE WITH TERMS OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.

I MOVE THE CITY COUNCIL REAPPOINT PATRICK WOODCOCK TO THE PUBLIC WORKS COMMITTEE WITH TERMS OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.

I MOVE THE CITY COUNCIL REAPPOINT JOHN HALL TO THE VISITORS & CONVENTIONS BUREAU BOARD, WITH TERMS OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.

SUMMARY:

The city is currently recruiting volunteers from the community to serve on the various Boards, Committees, and Planning Commission. An advertisement was placed in the Argus Observer, the Reminder, on the city's website, and all current members with expiring terms of service were contacted directly.

Several applications requesting appointment or reappointment have been received.

BACKGROUND:

The Council has historically appointed individuals to fill positions on the various city committees as they become vacant or open.

Further, on December 7, 2017, the Council passed Resolution #2017-138, which created an Ad Hoc Committee, to address the marijuana issues in the community. Councilor Dan Capron was assigned to sit as the Liaison to this Committee.

CURRENT SITUATION:

There are two open positions on the Public Works Committee; one application for reappointment has been submitted.

There is one open position on the Visitors & Conventions Bureau Board; one application for reappointment was submitted.

There are currently three open positions on the Marijuana Ad Hoc Committee; three applications were submitted for appointment.

ANALYSIS:

- A. **FINANCIAL** None.
- B. **TIMING** The city would like to fill the open positions as soon as possible.
- C. **POLICY/LEGAL** City policy states appointment to all Boards, Committees, and the Planning Commissions are to be made by the Mayor, with consensus of the Council.

ALTERNATIVES:

Not appoint some, any, or all of the applicants. This could leave vacancies on the Committees.

RECOMMENDATION:

Staff makes no recommendation on appointments, as this is a Council action.

ATTACHMENTS:

- 1. Alfredo Rodriguez-Marijuana Ad Hoc Committee
- 2. Jahmel Cooke-Marijuana Ad Hoc Committee
- 3. Andrew Peterson-Marijuana Ad Hoc Committee
- 4. Pat Woodcock-Public Works Committee
- 5. John Hall-V&C Bureau Board

received

1/5/18 @3:56 PM

CITY OF ONTARIO

REQUEST FOR BOARD OR COMMISSION APPOINTMENT

Mail or personally deliver to: **City of Ontario -- City Recorder**
444 SW 4th St., Ontario, OR 97914
(541) 889-3232 FAX (541) 889-7121

The Ontario City Council appoints individuals to numerous Boards, Committees, and the Planning Commission. Persons who wish to serve need to provide the following information.

NAME: Rodriguez Alfredo L
Last First, Middle Initial
HOME ADDRESS: 110 NE 3rd St #5 Ontario 97914
Street City Zip Code
TELEPHONE: 541-709-9117 arlizaola@gmail.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

Name of Board, Committee, or Commission for appointment requested:

Marijuana ADHOC Committee

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>Parks + Recreation</u>	<u>2 years</u>	<u>Committee Member</u>
<u>Friends of the Aquatic Center</u>	<u>1 year</u>	<u>Committee Member</u>
<u>Diversity Panel</u>	<u>(Committee forming)</u>	<u>Committee Member</u>

Employment:

Current Employer:	Position:	Dates of Employment:
-------------------	-----------	----------------------

Education:

GED / College

Please indicate why you are requesting appointment to this Board (s) /Commission (s):

I have extensive knowledge in the pro's + con's of medicinal + recreational

Additional Information you feel may be helpful in considering your request for appointment:

marijuana, as well as the criminal laws. I am accessible to gain the opinions and views of the community

Alfredo Rodriguez
Signature:

January 5, 2018

Date:

Submit

Reset

CITY OF ONTARIO

REQUEST FOR BOARD OR COMMISSION APPOINTMENT

Mail or personally deliver to: *City of Ontario -- City Recorder*
444 SW 4th St., Ontario, OR 97914
(541) 889-3232 FAX (541) 889-7121

The Ontario City Council appoints individuals to numerous Boards, Committees, and the Planning Commission. Persons who wish to serve need to provide the following information.

NAME:
Last First Middle Initial

HOME ADDRESS:
Street City Zip Code

TELEPHONE:
Home, Work, Cell, or Business (Include Area Code) E-mail Address

Name of Board, Committee, or Commission for appointment requested:

1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
Make Eastern Oregon Green A	1 year	President
Benevolent and Protective Ord	1 month	New Member

Employment:

Cydney Inc	General Manager	08/2015
Current Employer:	Position:	Dates of Employment:

Education:

Please indicate why you are requesting appointment to this Board (s) /Commission (s):

Additional Information you feel may be helpful in considering your request for appointment:

Signature:

Date:

Submit

Reset

Please Type or Print
With Blue Ballpoint



RECEIVED

1-10-18

Please Type or Print
with Blue Ballpoint

CITY OF ONTARIO

REQUEST FOR BOARD OR COMMISSION APPOINTMENT

Mail or personally deliver to: **City of Ontario -- City Recorder**
444 SW 4th St., Ontario, OR 97914
(541) 889-3232 FAX (541) 889-7121

The Ontario City Council appoints individuals to numerous Boards, Committees, and the Planning Commission. Persons who wish to serve need to provide the following information.

NAME: PETERSON ANDREW C
Last First Middle Initial

HOME ADDRESS: 1099 NW 2nd AVE ONTARIO 97914
Street City Zip Code

TELEPHONE: 541 212-9584 _____
Home, Work, Cell, or Business (Include Area Code) E-mail Address

Name of Board, Committee, or Commission for appointment requested:

1. _____ 2. _____ 3. _____

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>Marijuana</u>	<u>Ad Hoc</u>	_____
_____	_____	_____
_____	_____	_____

Employment:

SELF EMPLOYED NO _____
Current Employer: Position: Dates of Employment:

Education:

B.S. NO

Please indicate why you are requesting appointment to this Board (s) /Commission (s):

Additional Information you feel may be helpful in considering your request for appointment:

[Signature] December 12, 2017
Signature: Date:

Submit

Reset

CITY OF ONTARIO REQUEST FOR BOARD OR COMMISSION APPOINTMENT

Mail or personally deliver to: **City of Ontario -- City Recorder**
444 SW 4th St., Ontario, OR 97914
(541) 889-3232 FAX (541) 889-7121

The Ontario City Council appoints individuals to numerous Boards, Committees, and the Planning Commission. Persons who wish to serve need to provide the following information.

NAME: WOODCOCK Patrick J
Last First, Middle Initial
HOME ADDRESS: 221 DOUGLAS RD ONTARIO 97914
Street City Zip Code
TELEPHONE: 541-769-0905 patwoodcockpec@gmail.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

Name of Board, Committee, or Commission for appointment requested:

1. PUBLIC WORKS 2. _____ 3. _____

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>PUBLIC WORKS</u>	_____	_____
_____	_____	_____
_____	_____	_____

Employment:

<u>Engineering Northwest</u>	<u>Principal</u>	<u>05/16 → current</u>
Current Employer:	Position:	Dates of Employment:

Education:

Bachelors of Science Civil Engineering

Please indicate why you are requesting appointment to this Board (s) /Commission (s):

Current member

Additional Information you feel may be helpful in considering your request for appointment:

Pat J Woodcock January 9, 2018
Signature: Date:
August 30, 2017

Submit

Reset

received

1-4/p 1-8-17 KS

CITY OF ONTARIO

REQUEST FOR BOARD OR COMMISSION APPOINTMENT

Mail or personally deliver to: *City of Ontario – City Recorder*
444 SW 4th St., Ontario, OR 97914
(541) 889-3232 FAX (541) 889-7121

The Ontario City Council appoints individuals to numerous Boards, Committees, and the Planning Commission. Persons who wish to serve need to provide the following information.

NAME: Hall John R
Last First, Middle Initial

HOME ADDRESS: 91 Lauren Dr. Ontario 97914
Street City Zip Code

TELEPHONE: 208-739-5603 the2halls13@gmail.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

Name of Board, Committee, or Commission for appointment requested:

1. V&C Board 2. Planning and Zoning Commission 3. _____

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>Ontario City V&C Board</u>	<u>TVCC Board of Directors</u>	<u>Ontario City Planning Commission</u>
<u>Ontario City budget board</u>	<u>Advisory Board for the Experiment Station</u>	<u>Past Chairman - Ontario Chamber</u>
_____	_____	_____

Employment:

Retired	Current Employer:	Position:	Dates of Employment:
_____	_____	_____	_____

Education:

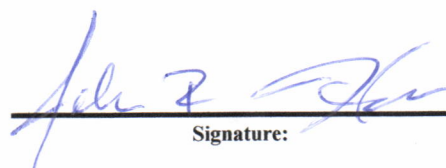
Agricultural Engineering degree from Oregon State.

Please indicate why you are requesting appointment to this Board (s) /Commission (s):

I have served on this board for many years. I feel that my experience on the board and in the community fit this board well.

Additional Information you feel may be helpful in considering your request for appointment:

I worked for an local agricultural bank for 40 years.


Signature:

January 8, 2018
Date:

Submit

Reset



**AGENDA REPORT
NEW BUSINESS
January 16, 2018**

TO: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **REFUNDING OF BOND NUMBERS B04003 AND G06004 FOR AN ESTIMATED NET PRESENT VALUE SAVINGS OF \$595,764.64.**

DATE: January 12, 2018

PROPOSED MOTION:

I MOVE THE CITY COUNCIL AUTHORIZE THE REFUNDING OF STATE OF OREGON TO REFUND BONDS B04003 AND G06004 FOR AN ESTIMATED NET PRESENT VALUE SAVINGS OF \$595,765.

SUMMARY:

Business Oregon has informed the City that an opportunity is available, based upon favorable interest rates, to refinance two City Bonds. Bond Number B04003 has a current balance of \$3,066,491 and Bond Number G06004 has a current balance of \$2,996,415.

BACKGROUND:

Bond B04003 (full faith and obligations series) was entered into by the City for the amount of \$4,482,580 on May 1, 2007. The interest rates ranged from 4.0% to 4.375% with the final payment due December 1, 2031. Revenues from water fees have been used to repay the note. The project was for the Ontario Water Transmission and Treatment Plant Upgrade.

Bond G06004 (full faith and obligations series) was entered into by the City for the amount of \$3,976,000 on May 27, 2009. The interest rates ranged from 3.0% to 5.25% with the final payment due December 1, 2033. Revenues from sewer fees have been used to repay the note. The project was for Wastewater System Improvements.

CURRENT SITUATION:

Business Oregon notified the city on December 29, 2017, that an opportunity existed to refinance Bond Numbers B04003 and G06004. Bond B04003 has a principal balance of \$3,066,491 and Bond G06004 has a principal balance of \$2,996,415. They have estimated the Net Present Value Savings for both projects at \$595,765.

ANALYSIS:

- A. **FINANCIAL** Refunding these bonds would save the city approximately \$37,000 per year in water and waste water funds. The savings does not come in a lump sum to the City, but rather in reduced bond payments each year.

There issuance costs for refinancing the bonds are included in the net present value savings. The city can, however, at their own cost use the city Bond Counsel to verify the validity and enforce-ability of the refunding loan.

The actual savings will depend on the interest rates at the time of refunding. The state will not act unless there is an opportunity to get a lower interest rate.

- B. **TIMING** The deadline for notifying the state is January 18, 2018. They estimate reissuing bonds in April or May of 2018, based on the rates at the time of re-issuance.
- C. **POLICY/LEGAL** Only the City Council can authorize the refunding of bonds. If the letter of intent is approved by City Council, the City Council will need to amend the loan documents.

ALTERNATIVES:

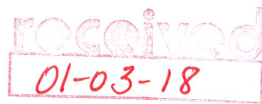
Take No Action - If the Council chooses not to refund these bonds, the future debt obligations will not change from what their current status.

RECOMMENDATION:

The City Manager recommends the Ontario City Council authorize the State of Oregon to refund Bonds B04003 and G06004 for an estimated net present value savings of \$595,765.

ATTACHMENTS:

1. ATT Letter Bond B04003
2. ATT Letter Bond G06004



December 29, 2017

City of Ontario
Attention: Adam Brown, City Manager
444 SW 4th Street,
Ontario, Oregon 97914

RE: Bond Refunding B04003, current balance: \$3,066,491.00

Dear Adam Brown:

Current interest rates are generally lower then when the above-referenced loan was originated. This makes it possible for us to consider refunding certain bonds for debt service savings, including those that funded a portion of the City of Ontario loan. Refunding involves issuing new bonds at a lower interest rate to retire old, higher-rate bonds. Subject to approval by the Oregon Infrastructure Finance Authority Board, we estimate issuing the refunding bonds April or May 2018; however our ability to do so depends on the availability of low interest rates at that time.

Current market conditions make it possible to issue refunding bonds for savings. If we issued the refunding bonds today and passed through the savings, the estimate for this loan would result in a percentage savings of 10.68% or a net present value savings of \$271,692.89. Actual savings will depend on the interest rate environment at the time that the refunding bonds are sold. For example, if interest rates increase by 1.00% (or 100 basis points) from current rates your estimated savings decline to 4.67%, or \$118,893.33 of present value savings. The estimate of savings includes the costs of issuing the refunding bonds. In other words, savings estimates include the Bond Bank's costs of issuance related to the sale of the refunding bonds. The City of Ontario may, however, incur costs related to retaining local counsel to confirm the validity and enforceability of the refunding loan.

The savings would not come in a lump sum but through lower loan payments over the remaining term of the City of Ontario loan. To set a new interest rate, we would need to amend the City of Ontario loan document(s), which would be sent to you. Note the refunding bonds, and thus, the amended loan, cannot be prepaid without penalty for eight years. All existing post compliance requirements would remain in force for the loan.

We are notifying borrowers in advance of the refunding in order to offer them the opportunity to participate in the refunding or prepay their loans. We are not encouraging you to prepay. However, prepayment would affect the size and structure of the contemplated Bond Bank refunding, so we ask that you inform us if you intend to prepay. The deadline for notification is January 18, 2018, and the notification should be in writing at the above address.

We appreciate your business and hope you will stay with the loan program.

If you have any questions, please do not hesitate to call. Our number is 503-986-0123.

Sincerely,

Rich Rodriguez
Finance Officer

CONSENT TO PARTICIPATE IN BOND BANK REFUNDING

City of Ontario
Attention: Adam Brown, City Manager
444 SW 4th Street,
Ontario, Oregon 97914

RE: Bond Refunding B04003, current balance: \$3,066,491.00

The undersigned, an authorized representative of the municipal entity identified above, hereby consents to participate in the Business Oregon Bond Bank refunding – to take advantage of a potential reduced cost of borrowing.

X
Authorized Representative

X
Date

RETURN BY JANUARY 18TH, 2018

ENVELOP ENCLOSED



RECEIVED

1-5-18



December 29, 2017

City of Ontario
Attention: Adam Brown, City Manager
445 SW 4th Street,
Ontario, Oregon 97915

RE: Bond Refunding G06004, current balance: \$2,996,415.00

Dear Adam Brown:

Current interest rates are generally lower than when the above-referenced loan was originated. This makes it possible for us to consider refunding certain bonds for debt service savings, including those that funded a portion of the City of Ontario loan. Refunding involves issuing new bonds at a lower interest rate to retire old, higher-rate bonds. Subject to approval by the Oregon Infrastructure Finance Authority Board, we estimate issuing the refunding bonds April or May 2018; however our ability to do so depends on the availability of low interest rates at that time.

Current market conditions make it possible to issue refunding bonds for savings. If we issued the refunding bonds today and passed through the savings, the estimate for this loan would result in a percentage savings of 13.09% or a net present value savings of \$324,071.75. Actual savings will depend on the interest rate environment at the time that the refunding bonds are sold. For example, if interest rates increase by 1.00% (or 100 basis points) from current rates your estimated savings decline to 6.52%, or \$161,341.20 of present value savings. The estimate of savings includes the costs of issuing the refunding bonds. In other words, savings estimates include the Bond Bank's costs of issuance related to the sale of the refunding bonds. The City of Ontario may, however, incur costs related to retaining local counsel to confirm the validity and enforceability of the refunding loan.

The savings would not come in a lump sum but through lower loan payments over the remaining term of the City of Ontario loan. To set a new interest rate, we would need to amend the City of Ontario loan document(s), which would be sent to you. Note the refunding bonds, and thus, the amended loan, cannot be prepaid without penalty for eight years. All existing post compliance requirements would remain in force for the loan.

We are notifying borrowers in advance of the refunding in order to offer them the opportunity to participate in the refunding or prepay their loans. We are not encouraging you to prepay. However, prepayment would affect the size and structure of the contemplated Bond Bank refunding, so we ask that you inform us if you intend to prepay. The deadline for notification is January 18, 2018, and the notification should be in writing at the above address.

We appreciate your business and hope you will stay with the loan program.

If you have any questions, please do not hesitate to call. Our number is 503-986-0123.

Sincerely,

Rich Rodriguez
Finance Officer

CONSENT TO PARTICIPATE IN BOND BANK REFUNDING

City of Ontario
Attention: Adam Brown, City Manager
445 SW 4th Street,
Ontario, Oregon 97915

RE: Bond Refunding G06004, current balance: \$2,996,415.00

The undersigned, an authorized representative of the municipal entity identified above, hereby consents to participate in the Business Oregon Bond Bank refunding – to take advantage of a potential reduced cost of borrowing.

X

Authorized Representative

X

Date

RETURN BY JANUARY 18TH, 2018

ENVELOP ENCLOSED



**AGENDA REPORT
NEW BUSINESS
January 16, 2018**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: RESOLUTION #2018-106: SUPPORT OF PARKS PLANNING

DATE: January 16, 2018

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVAL RESOLUTION #2018-106, A RESOLUTION IN SUPPORT OF PLANNING.

SUMMARY:

The City of Ontario must update the Parks Master Plan to be eligible for state grant funding. Staff intends to do this in house since there is not funding available to hire an outside consultant.

BACKGROUND:

The City of Ontario made a grant application to the State of Oregon for the Ontario Aquatic Center in 2017. We were not awarded the grant. One of the deficiencies noted by the selection committee was that our Parks and Recreation Plan was not current. The last one was approved in 2003 and does not reflect the current status of the Ontario parks and recreation system.

Resolution No. 2006-118 was passed in 2006 that modified the plan to include a greenbelt trail and safe school route map. While this could be considered an amendment it does not impact any of the current projects for which we have requesting funding and is still beyond the five-year timeline requested by the State of Oregon.

CURRENT SITUATION:

Working with multiple groups, staff feels like they can update the plan in time to apply for the next round of grant funding. Resolution 2018-106 follows the recommended protocol for initiating a revision to the parks plan.

We have multiple sources of feedback we can use to update the plan. First, we have significant amount of data that we can pull from the strategic planning process. We have initiated

contact to work collaboratively with the college on a trail around campus and they are engaging students in the process. The Friends of the Aquatic Center have done multiple surveys and developed a master plan for the Ontario Aquatic Center that can be incorporated. Lastly, the Fair Board has made significant progress updating their long range plan that can be incorporated in the process.

ANALYSIS:

- A. **FINANCIAL** We do not anticipate spending any city funds to update the plan. City staff will use community partners to assist in the preparation of the document.
- B. **TIMING** We would like to apply for another round of funding in April of 2018, which means we must get going quickly. The City Council will have to adopt an amended plan as late as March of 2018.
- C. **POLICY/LEGAL** The state provides guidelines for preparing a community park and recreation plan. One of the recommended steps is passing a resolution supporting planning. The proposed resolution follows the state template. The City Council will need to adopt the final plan to make it current and acceptable to the State of Oregon.

ALTERNATIVES:

Take No Action: Approving the resolution in support of planning is a recommended step. We can still proceed with planning without approval of this resolution.

Do Not Update the Plan: If Council directs staff to not update the Parks and Recreation Plan at this time, we will not be eligible for funding in 2018.

RECOMMENDATION:

The City Manager recommends that the Ontario City Council approve Resolution No. 2018-106 a Resolution in Support of Planning as recommended by the Oregon State Department of Parks and Recreation.

ATTACHMENTS:

1. Resolution 2018-106 A Resolution in Support of Planning



RESOLUTION # 2017-106

A RESOLUTION IN SUPPORT OF PLANNING

WHEREAS, The City of Ontario recognizes the importance of parks and recreation to the quality of life of the residents of Ontario, Oregon; and

WHEREAS, The need to provide quality park and recreation services for residents is recognized; and

WHEREAS, The importance of sound planning in order to effectively meet the parks and recreation needs of its citizens is understood; and

WHEREAS, Councilor Raymond Palomo is the Council liaison to the Parks and Recreation Committee; and

WHEREAS, Community members and the City Council desire to address these impacts collaboratively with diverse perspectives.

NOW, THEREFORE BE IT RESOLVED, The City of Ontario supports the preparation of a Park and Recreation Plan, to be used upon adoption by this body as its official plan for the next 5 years, to guide the provision of parks and recreation services in our community.

EFFECTIVE DATE: January 2018

PASSED AND ADOPTED by the Ontario City Council this 16th day of January, 2018.

AYES:

NAYS:

ABSENT:

Approved by the Mayor this 16th day of January, 2018.

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

City of Ontario, Oregon

2018-2019 Budget Calendar

Departments Prepare Requested Budget Documents	January 2 through February 9, 2018
Preliminary budget committee meeting	January 2018
Departments Turn in Budget Documents to Finance	February 9, 2018
Finance Prepare Requested/Proposed Budget	February 9 through March 9, 2018
Proposed Budget Reviewed with Departments	March 10 through March 24, 2018
Proposed Budget' prepared by City Manager and Finance for Budget Committee	March 25 through April 10, 2018
Publish First Notice of Budget Committee Meeting (5 to 30 days before meeting)	April 10, 2018
Proposed Budget made available to Budget Committee and Public	April 10, 2018
Publish Second Notice of Budget Committee Meeting (5 days before meeting)	April 17, 2018
Budget Committee Meetings (Budget Committee approves budget) (Budget Committee approves state revenue sharing)	April 24 through April 26, 2018
Prepare Budget Summary	April 27, 2018 through May 25, 2018
Publish Budget Summary and Notice of Budget Hearing (5 to 30 days before hearing)	May 28, 2018
Public Hearing by City Council	June 7, 2018
City Council Adopts Budget, Makes Appropriations, Imposes Taxes, and Categorizes Taxes, Election to Receive State Revenues	June 7, 2018
Certify Taxes to County Assessor	By July 15, 2018
File Budget Document with County Clerk	By September 30, 2018

PAST DUE ABATEMENTS TO COLLECTIONS

	ACCOUNT #	AMOUNT TO COLLECTION	MAILED INVOICE	PAYMENT
RILEY HILL	0000249	486.88	9/28/2015	NO
FEDERAL NATIONAL MOR	0001565	102.52	7/31/2017	NO
ORIN CROCKETT	1576	866.71	2/18/2015	NO
SUSAN SPARLING	0001594	240.26	8/31/2016	NO
WELLS FARGO BANK	0001611	268.68	8/31/2016	NO
BETTY JO DUDLEY	0001684	242.84	7/31/2015	NO
HECTOR NAVARRETE	0001695	103.36	5/2/2017	NO
GARY POLTASH	0001776	103.36	6/1/2017	NO
JOY DUNCAN	0001780	506.89	7/15/2015	NO
LYNN ROTHCHILD	0001860	490.84	11/15/2015	NO
ALBERTO VILLAREAL	0001887	1,723.92	2/18/2015	NO
EMERITOL MEADOWBROOK	0001909	100.84	9/7/2017	NO
ROBERT BOWERS	0001910	423.68	7/31/2015	NO
HC INVESTMENTS	0001911	102.52	6/30/2017	NO
JOSEPH HILL	0001930	240.26	7/30/2015	NO
BART MILLER	0001932	240.26	7/30/2015	NO
VICKI MCCALLISTER	0001933	103.36	5/16/2017	NO
MICHAEL GONZALES	0001939	289.36	9/30/2015	NO
NAOMI BROWN	0001940	18.89	9/1/2016	YES
PRISCILLA GONZALES	0001945	289.36	8/31/2015	NO
FRANCISCO BENITEZ	0001946	423.68	8/31/2016	NO
DAVID WHEELER	0001948	255.78	8/31/2015	NO
ALEXANDER JOHNSTON	0001949	255.78	8/31/2015	NO
WILKEN/OLIVIA JONES	0001959	774.23	10/8/2015	NO
BRIAN ADAMS	0001962	1,247.25	11/5/2015	NO
MICHAEL BROTHERS	0001968	354.95	2/15/2016	NO
GARY MCDANIEL	0001975	103.36	4/4/2016	NO
MICHAEL/CHRISTINA BUETOW	0001976	945.06	4/4/2016	NO
FELIPE MENDEZ	0001982	227.56	6/24/2016	NO
PATRICIA RUFFIN	0001985	255.78	6/24/2016	NO
BECKY HATFIELD	0001997	863.35	7/18/2016	NO
SUSAN FURNISS	0001999	335.84	7/18/2016	NO
PEDRO & VELIA MADERA	0002006	322.94	9/1/2016	NO
CAMERON ECRET	0002007	490.84	9/1/2016	NO
MICHELE BILLINGSLEY	0002010	950.68	10/3/2016	NO
MALHEUR COUNTY FARM	0002012	103.36	10/3/2016	NO
GREGORY/SUSAN STORLIE	0002013	433.10	10/3/2016	NO
BELT JOINT LIVING TRUST	0002016	499.21	10/5/2016	NO
OREGON PARTNERS LLC	0002017	1,278.13	9/7/2017	YES
LORETTA DOLLARHIDE	0002018	474.65	10/5/2016	YES
PENNY GROTTING	0002019	265.36	10/5/2016	NO
CHRISTINE WOOD	0002025	234.45	1/3/2017	NO
RANDAL/MYRA FOLDEN	0002027	122.20	1/3/2017	YES
JODENE BELT	0002034	103.36	5/1/2017	NO
BRIAN/MANDI ALLENDER	0002039	103.36	6/14/2017	NO
SUSAN COX	0002047	102.52	7/12/2017	NO
ESTHER GARCIA	0002052	215.27	7/25/2017	NO
GERMAN HERNANDEZ	0002054	655.96	8/7/2017	NO
EDUARDO/TERESA FERREIRA	0002055	102.52	8/7/2017	NO
LARRY SCOGGINS	0002056	102.52	8/7/2017	NO

TOTALS

19,547.84

Accounts Payable

Checks by Date - Summary by Check Date

User: kari.ott
Printed: 1/12/2018 9:17 AM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
122465	879130	Ani-Care Animal Shelter, Inc.	12/01/2017	1,370.08
122466	033300	Argus Observer	12/01/2017	192.40
122467	130624	B & W Car Wash	12/01/2017	9.00
122468	114239	Chris Bolyard	12/01/2017	206.50
122469	144000	Cascade Natural Gas Corporation	12/01/2017	4.35
122470	CASTROEL	Eleanzar Castro	12/01/2017	125.00
122471	879028	Dan Cummings	12/01/2017	35.00
122472	253897	Dustbusters, Inc.	12/01/2017	4,872.65
122473	405947	Ben Esplin	12/01/2017	206.50
122474	&260	Four Rivers Cultural Center	12/01/2017	3,974.94
122475	336088	Grossenbacher Brothers, Inc.	12/01/2017	340.00
122476	420000	John Deere Financial	12/01/2017	36.10
122477	879191	Kristy's Custom Sewing	12/01/2017	49.00
122478	MALLEAM/	Mallory Mallea	12/01/2017	35.00
122479	Manairco	Manairco, Inc.	12/01/2017	255.66
122481	572000	Ontario Sanitary Service, Inc.	12/01/2017	444.38
122482	583450	State of Oregon Dept of Corrections	12/01/2017	2,360.00
122483	618100	Physicians Primary Care Center, Inc.	12/01/2017	234.00
122484	684622	Marcy Siriwardene	12/01/2017	35.00
122485	686822	Sprint	12/01/2017	103.94
122486	716553	St. Luke's	12/01/2017	80.00
122487	879212	Uniforms 2 Gear	12/01/2017	559.97
122489	539200	Ontario Area Chamber of Commerce	12/01/2017	3,600.83
122490	539200	Ontario Area Chamber of Commerce	12/01/2017	70.00
Total for 12/1/2017:				19,200.30
122491	037600	AT&T	12/08/2017	20.62
122492	130950	Cable One	12/08/2017	298.94
122493	626400	Campo & Poole Distributing, LLC	12/08/2017	3,942.51
122494	637830	Century Link	12/08/2017	511.18
122495	637828	Century Link Communications, LLC	12/08/2017	74.56
122496	878915	CH2M Hill OMI	12/08/2017	426,791.85
122497	173000	Chief Supply Corporation, Inc.	12/08/2017	454.00
122498	364000	Clarion Inn	12/08/2017	17.00
122499	UB*11363	JUAN CORONA GIL	12/08/2017	57.86
122500	540996	Wade Douglas	12/08/2017	70.95
122501	ELIZT	Tomas Elizondo	12/08/2017	74.99
122502	UB*11368	DEWAYNE ELSPERMAM	12/08/2017	26.83
122503	634311	Frazier Aviation, LLC	12/08/2017	425.00
122504	344128	City of Fruitland	12/08/2017	10,142.61
122505	UB*11367	FIDEL GONZALEZ	12/08/2017	97.68
122506	878973	Guardian Management Company	12/08/2017	254.15
122507	376000	Idaho Power	12/08/2017	1,492.70
122508	879191	Kristy's Custom Sewing	12/08/2017	69.00
122509	879250	Larsen Firearms	12/08/2017	860.00
122510	436000	Lindsay Eco Water	12/08/2017	12.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
122511	477523	Municipal Code Corporation	12/08/2017	1,909.93
122512	602320	NAPA Auto Parts	12/08/2017	42.99
122513	500400	Norco, Inc.	12/08/2017	67.08
122514	879219	NorthWest Recreation of Oregon	12/08/2017	8,778.00
122515	879166	Pitney Bowes Global Financial Services, LI	12/08/2017	953.25
122516	UB*11364	TERI \ AUSTIN ROBINSON \ WELKE	12/08/2017	33.75
122517	738001	James Swank	12/08/2017	81.59
122518	878931	Tire Factory of Ontario	12/08/2017	2,096.00
122519	879146	Toshiba Financial Services	12/08/2017	2,112.16
122520	788402	TransUnion Risk & Alternative Data Soluti	12/08/2017	140.30
122521	UB*11366	UPPER COUNTRY MOTORS	12/08/2017	87.60
122522	879151	Waste-Pro	12/08/2017	30.00
122523	UB*11365	CHELSEA WIDMER	12/08/2017	88.79
122524	774001	Wtechlink	12/08/2017	300.00
Total for 12/8/2017:				462,415.87
122525	879058	A Plus Awards	12/15/2017	123.50
122526	144000	Cascade Natural Gas Corporation	12/15/2017	550.14
122527	879133	Community in Action	12/15/2017	53,860.50
122528	520400	Dorman's, Inc.	12/15/2017	7.38
122529	878932	Four Rivers Community School	12/15/2017	200.00
122530	879254	Northwestern University	12/15/2017	4,500.00
122531	583401	State of Oregon Department of Environmen	12/15/2017	100,491.00
122532	516494	State of Oregon Department of Transportati	12/15/2017	5,786.75
122533	593410	Oregon Recreation & Park Association	12/15/2017	175.00
122534	528405	Oster Professional Group, LLC	12/15/2017	23,460.00
122535	702008	Staples Business Advantage	12/15/2017	539.22
122536	&357	Larry A. Sullivan	12/15/2017	2,432.50
122537	878957	Valli Information Systems, Inc.	12/15/2017	1,932.91
122538	879133	Community in Action	12/15/2017	30,717.00
122539	583401	State of Oregon Department of Environmen	12/15/2017	1,920.00
Total for 12/15/2017:				226,695.90
122540	005800	Action Medical, Inc.	12/22/2017	102.10
122541	879130	Ani-Care Animal Shelter, Inc.	12/22/2017	1,370.08
122542	878981	Arano Sports Group, LLC	12/22/2017	350.00
122543	UB*11376	NICK BARRY M/R	12/22/2017	67.16
122544	UB*11372	DONNA BUCHANAN	12/22/2017	6.54
122545	130950	Cable One	12/22/2017	63.75
122546	626400	Campo & Poole Distributing, LLC	12/22/2017	3,956.03
122547	144000	Cascade Natural Gas Corporation	12/22/2017	518.95
122548	192273	CBA Lighting & Controls, Inc.	12/22/2017	140.24
122549	15101	CITY OF ONTARIO	12/22/2017	68.00
122550	215300	DCS Technologies, LLC	12/22/2017	3,285.00
122551	879246	Finecrete Concrete Contractor, LLC	12/22/2017	28,500.00
122552	UB*11377	AMAR FRANCIS	12/22/2017	95.94
122553	UB*11373	JESSICA FUSON	12/22/2017	36.09
122554	UB*11369	KRISTA HOBBS	12/22/2017	59.06
122555	376000	Idaho Power	12/22/2017	865.60
122556	408200	J-U-B Engineers, Inc.	12/22/2017	56,007.95
122557	UB*11375	MICHAEL KREIDER	12/22/2017	29.47
122558	539200	Ontario Area Chamber of Commerce	12/22/2017	120.00
122559	UB*11371	NATONGA SHERRELL *** \$	12/22/2017	147.77
122560	702008	Staples Business Advantage	12/22/2017	239.06
122561	UB*11374	AMBER SUNDQUIST	12/22/2017	49.29

Check No	Vendor No	Vendor Name	Check Date	Check Amount
122562	UB*11370	MANDY TRAVIS	12/22/2017	136.00
122563	878957	Valli Information Systems, Inc.	12/22/2017	182.13
122564	832697	Virtual Graffiti, Inc.	12/22/2017	1,395.00
Total for 12/22/2017:				97,791.21
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	12/29/2017	2,022.65
ACH	PRAMERF	AMERICAN FUNDS GROUP	12/29/2017	500.00
ACH	PRCCIS	E B S TRUST	12/29/2017	62,015.73
ACH	PRFED	PAYROLL TAXES	12/29/2017	64,859.08
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTION	12/29/2017	250.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	12/29/2017	215.00
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	12/29/2017	17,332.77
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	12/29/2017	1,900.00
ACH	PRPERS	OREGON PERS	12/29/2017	75,916.95
19479	PRICMA	I C M A RETIREMENT TRUST 457	12/29/2017	150.00
19480	PRIDCHIL	IDAHO CHILD SUPPORT RECEIPTING	12/29/2017	461.00
19481	PRLINC	LINCOLN NATIONAL LIFE INS CO	12/29/2017	350.00
19482	PRSFIRE	UMPQUA BANK	12/29/2017	360.00
19483	PRUTCH	UTAH, OFFICE OF RECOVERY SERVICE	12/29/2017	716.00
122566	005000	A-1 Key & Lock	12/29/2017	40.00
122567	130624	B & W Car Wash	12/29/2017	9.00
122568	192000	CDW Government	12/29/2017	765.60
122569	637830	Century Link	12/29/2017	697.73
122570	173000	Chief Supply Corporation, Inc.	12/29/2017	180.49
122571	364000	Clarion Inn	12/29/2017	34.00
122573	&260	Four Rivers Cultural Center	12/29/2017	14,382.90
122574	879257	Four Star Real Estate PC	12/29/2017	5,000.00
122575	368200	Hughes Fire Equipment, Inc.	12/29/2017	201.14
122576	879247	Idaho Communications LLC	12/29/2017	470.00
122577	376000	Idaho Power	12/29/2017	2,878.10
122578	420000	John Deere Financial	12/29/2017	63.67
122579	879191	Kristy's Custom Sewing	12/29/2017	51.00
122580	440000	L.N. Curtis and Sons	12/29/2017	630.00
122581	UB*11378	JACK LANTERMAN	12/29/2017	60.05
122582	441140	Looks Nu, Inc.	12/29/2017	53.00
122583	451750	Malheur County Sheriff's Office	12/29/2017	48,536.00
122584	539200	Ontario Area Chamber of Commerce	12/29/2017	10,529.23
122585	110805	State of Oregon Bureau of Labor & Industries	12/29/2017	643.34
122586	583401	State of Oregon Department of Environmental Quality	12/29/2017	8,469.00
122587	879255	State of Oregon Department of Transportation	12/29/2017	100.00
122588	333809	State of Oregon Government Ethics Commission	12/29/2017	665.16
122589	608001	Pitney-Bowes, Inc.	12/29/2017	104.97
122590	368050	Robb Enterprises	12/29/2017	179.56
122591	686822	Sprint	12/29/2017	104.06
122592	879256	Steve's Hometown	12/29/2017	263.94
122593	879212	Uniforms 2 Gear	12/29/2017	62.27
Total for 12/29/2017:				322,223.39
122594	879133	Community in Action	01/03/2018	23,090.00
Total for 1/3/2018:				23,090.00
122595	626400	Campo & Poole Distributing, LLC	01/05/2018	3,024.01
122596	637828	Century Link Communications, LLC	01/05/2018	56.10

Check No	Vendor No	Vendor Name	Check Date	Check Amount
122597	878915	CH2M Hill OMI	01/05/2018	423,535.34
122598	183201	CK3, LLC	01/05/2018	18,480.00
122599	879028	Dan Cummings	01/05/2018	35.00
122600	520400	Dorman's, Inc.	01/05/2018	3.46
122601	303800	Frank's Extinguisher Service	01/05/2018	106.91
122602	&597	Gresham Ford	01/05/2018	44,356.00
122603	378001	International Institute of Municipal Clerks	01/05/2018	160.00
122604	412500	Keller Associates, Inc.	01/05/2018	1,917.50
122605	MALLEAM/	Mallory Mallea	01/05/2018	35.00
122606	470102	Motorola Solutions, Inc.	01/05/2018	283.20
122607	879258	Musick Auction	01/05/2018	2,310.00
122608	572000	Ontario Sanitary Service, Inc.	01/05/2018	444.38
122609	879142	Oregon Association of Municipal Recorder:	01/05/2018	50.00
122610	&690	Oregon City/County Management Associati	01/05/2018	268.42
122611	583401	State of Oregon Department of Environmen	01/05/2018	62,512.97
122612	240100	State of Oregon Dept of Consumer & Busir	01/05/2018	4,175.38
122613	589200	Oregon Mayors Association	01/05/2018	135.00
122614	T242	State of Oregon Secretary of State	01/05/2018	350.00
122615	642080	Petty Cash	01/05/2018	335.84
122616	879120	Record Steel and Construction, Inc.	01/05/2018	219,876.41
122617	684622	Marcy Siriwardene	01/05/2018	35.00
122618	&357	Larry A. Sullivan	01/05/2018	4,115.00
122619	878931	Tire Factory of Ontario	01/05/2018	183.00
122620	879146	Toshiba Financial Services	01/05/2018	1,694.39
122621	788402	TransUnion Risk & Alternative Data Soluti	01/05/2018	140.00
122622	288897	Verizon	01/05/2018	1,380.50
122623	072400	Dave Walters	01/05/2018	838.79
122624	774001	Wtechlink	01/05/2018	300.00
122625	583401	State of Oregon Department of Environmen	01/05/2018	306.47

Total for 1/5/2018:

791,444.07

Report Total (171 checks):

1,942,860.74