

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



**STUDY SESSION AGENDA  
CITY COUNCIL – CITY OF ONTARIO OREGON  
THURSDAY, OCTOBER 4, 2018, 12:00 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: Betty Carter \_\_\_\_\_ Marty Jutus \_\_\_\_\_ Ramon Palomo \_\_\_\_\_ Dan Capron \_\_\_\_\_  
Thomas Jost \_\_\_\_\_ Norm Crume \_\_\_\_\_ Mayor Ron Verini \_\_\_\_\_

**2) PLEDGE OF ALLEGIANCE**

This Agenda was posted on Tuesday, October 2, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website at [www.ontariooregon.org](http://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. Out 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 ITEMS**

- A) Adoption of Council Minutes:
  - Council Meeting 03-20-2018
  - Work Session 05-03-2018
  - Work Session 06-07-2018
  - Work Session 08-09-2018
  - Council Meeting 08-21-2018
  - Council Meeting 08-28-2018
  - Work Session 09-06-2018

**6) PRESENTATIONS**

- A) Legislative Advocacy for TVCC Veteran Flight Program

**7) OLD BUSINESS**

- A) Lion's Park Splash Pad Bathroom Grant Agreement with State of Oregon

**8) NEW BUSINESS**

- A) Appointment to Public Works Committee
- B) Resolution #2018-137: Safe Routes to School Grant Application
- C) Mid-Block Crossing Project Bid Action
- D) Water Master Plan Task Order Action
- E) Water & Sewer Department Backhoe Purchase
- F) Delinquent Utility Billing Accounts to Collections

**9) DEPARTMENT HEAD UPDATES**

- A) August Financial Report

**10) HAND-OUTS/DISCUSSION ITEMS**

- A) Monthly Stats:  
Fire Department - September 2018  
Jacobs/Public Works - September 2018  
Police Department - August 2018  
Code Enforcement - August 2018
- B) Agenda - Planning Commission Meeting 10-08-2018
- C) Packet - V&C Board Meeting 10-04-2018
- D) Minutes:  
County Court 08-29-2018  
County Court 09-05-2018  
County Court 09-19-2018  
Airport Committee 08-27-2018  
Airport Committee 09-24-2018  
Public Works Committee 07-10-2018  
SREDA 09-05-2018
- E) Check Register July to September 11, 2018

**11) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS**

**12) ADJOURN**



## CITY COUNCIL MEETING MINUTES March 20, 2018

The scheduled meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, March 20, 2018, in the Council Chambers of City Hall. Council members in attendance were Ronald Verini, Norm Crume, Dan Capron, Tess Winebarger, Marty Justus, Betty Carter, and Ramon Palomo.

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

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 March 16, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

WINEBARGER moved, CAPRON seconded, **TO ADOPT THE AGENDA AS PRESENTED**. 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, CAPRON seconded, to adopt the Consent Agenda, which included Council Meeting minutes of February 20, 2018, and Council Work Session minutes of March 8, 2018. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

### PRESENTATIONS

#### Revitalize Ontario Report (Report attached)

Kayla Kirksey, Economic Development Coordinator, Revitalize Ontario!, presented.

Councilor Carter complemented Ms. Kirksey on her presentation.

Councilor Justus stated they'd all heard Ms. Kirksey say that a full-time person could accomplish so much, so Revitalize Ontario! would be looking for more money for the downtown area. If they wanted downtown to grow, and if they wanted it to do all the things that Oregon Main Street cities did, they were going to have to have somebody down there organizing it. If they were to ask Dan Cummings, he'd tell you it had been a great partnership.

Councilor Carter asked how receptive the downtown merchants were with this project.

Ms. Kirksey stated many of the merchants who were not really aware of the project in the past, were more excited now. She had signed up four new businesses to participate in the wine walk.

#### Code Enforcement Report

Cal Kunz, Police Chief, and Dallas Brockett, Code Enforcement Officer, presented.



Chief Kunz stated: *We were asked to spend a few minutes to give an update on civil penalties. On a side note, I can see that we are just getting the ball rolling, but I can also already see the positives coming from this. Just yesterday somebody came to the front desk and got my attention, it was a citizen that had received some paperwork from Ontario Code Enforcement. He got to the point where he was at his deadline, but he provided and showed me documentation that he was trying to correct the problem and he'd actually ordered the equipment necessary to solve the problem, and wanted to show me. I was able to take all that information, it was Officer Carter's case, and showed him and he was able to work with that homeowner to make sure the problem was solved. That's one example. We've had several already of people being very motivated to be compliant which we appreciate because as I said throughout this process is our goal as a police department is to get voluntary compliance. I think we can agree that we just want our city to be safer, and cleaner. We have property owners who are stepping up to the plate and trying to take responsibility. That's a success. In a very short period of time, as it just started, we are already seeing some successes from it. With that, we'll just take a few moments of your time, but Dallas has the numbers and whatnot, so I'll let him take over.*

Dallas Brockett, Code Enforcement Officer, stated: *Mayor and members of the Council, thank you for your time. I dug up some stuff, kind of how it's going so far. I will say that we are getting a lot of more interaction with the community, a lot more phone calls and voice mails of people, even the ones that are saying, that are complying, saying, "Hey can you come by and just make sure that it's done, just make sure that we're in compliance?", so that's good to see, to have more community involvement and voluntary compliance. So far, the numbers, total abatement letters sent under this new process is 35; total civil penalty letters that were sent, so somebody that's not compliant and they get a civil penalty letter with an invoice attached to that, is 18. That number is a little more because there's some properties that got more than one letter because they continue to be non-compliant. Total properties out of 35 that were complaint was 20, so that's a decent ratio, I think. The total amount of civil penalties sent so far is \$28,450. As of right now, I don't think that anybody has paid. Only three people have actually requested a hearing, which I think is pretty good. I think all those, or at least two out of the three of those, myself, Officer Carter, and the City Manager, had worked together. They actually complied, got it done, said hey I've got it done, and we worked something out so we didn't have to go through the entire appeal process with the Hearing's Officer and all that time. We actually got their attention and they cleaned up it up. The total amount of money out of that \$28K that was dismissed because of them complying finally, was \$1,300. So we got \$26K and some change that's still out there that's not paid at this time.*

*What we're working on....I know that Adam is working on the Hearing's Officer, he knows somebody that is going to work with us to be our Hearing's Officer. To my knowledge, at least from Corinna today, with finance, we're still working on trying to get the GIS tax lot information for Conduits so we can start lien docket information. Right now, I think one out of all these is ready to be put on the lien docket. That's the numbers I have. Any questions?*

Councilor Justus asked if he had a break-down of how many code enforcement citations you've given to the Southeast, Southwest....

Officer Brockett: *I have a list of all of them right here. I could get that to you.*

Councilor Justus wanted to make sure that all four quadrants were getting equal treatment.

Officer Brockett: *I know that Officer Carter and I we just recently did a saturation on the Northeast side of town, so probably, in looking at the list here really briefly, probably a third of it is the Northeast part of town. We really didn't do a saturation, or work on the Northeast side a lot. It's kind of industrial and we don't get to work on that side as much as we'd, so we kind of focused on that area first, and just went up and down every street. I would say about 1/3 of that so far is probably the Northeast, in looking at my list.*

Councilor Justus asked if there was a schedule for which quadrant would be done.

Officer Brockett: *Not really. Officer Carter, who normally works the North side of town, and then I work on the South side of town, so we don't overlap cases, unless we do a saturation like this, and then we'll, for instance, Officer Carter will take NE 1<sup>st</sup> Street and NE 2<sup>nd</sup> Street and all the avenues in between them, and I'll take NE 3<sup>rd</sup> Street and NE 4<sup>th</sup> Street and the avenues in between. We just kind of break it off like that. Generally, Carter's North*



*and I'm South. There's not really any schedule. We try to break it up evenly as much as we can. Every month we try to pick a different quadrant so it's not just focused on one.*

Councilor Justus asked if anyone done anything with the theater.

*Officer Brockett: Which one? The one down here...*

Councilor Justus stated it was the one on 3<sup>rd</sup>.

*Officer Brockett: No, I have not.*

Councilor Justus asked if that was on anybody's radar.

*Officer Brockett: It's kind of on my radar, I know it's kind of a hot topic, such as the Mall and Bob's and a couple other places, but we don't have any open cases on it right at the moment.*

Councilor Justus stated there was pigeon poop all over the sidewalk, and a crack in the side of the building.

*Officer Brockett: Okay, we'll, I think the derelict structures is passed the 30 days, and once we get the fees and stuff scheduled, that'll probably be one that we may want to look at.*

Councilor Capron asked about the out of state property owners.

*Officer Brockett: We get more response from them. I'm getting a lot more phone calls. Officer Carter and I commented on that the first couple weeks. Probably three or four phone calls or voice mails every day. Constantly calling up and hearing from the property owners.*

Councilor Crume asked if there was a progress report on that property that he'd mentioned to him about a month back, down on Fortner. The citizen that complained to him came into his office again that day and said he hadn't seen anything yet.

*Officer Brockett: It's the one kind of on 3<sup>rd</sup> Street and Fortner, with the Volkswagen bus. WE sent a civil penalty to that property owner of \$1,000. That was even with somewhat compliance, because he did clean up a lot of the carpet and some other stuff on the NW 3<sup>rd</sup> Street side, but the Fortner side is still bad, so it's something we still need to follow up with that property owner and send another penalty and see if we get some compliance. If not, we'll send a company in and have it done.*

Councilor Crume asked about the policy regarding with the person who makes the complaint. Did the department follow up with them?

*Officer Brockett: I think to build a better community relationship, it should be. That's something that we should definitely work on, to try to follow up with the complainant. I will man up to that, but I'm not very good at doing that, but I should be better. I think Officer Carter is a lot better at that community involvement and calling back the complainant. We get so swamped with so much follow up with dogs and some other stuff and getting pulled into some administrative stuff to help the Sergeants, getting pulled away from a call dispatch send us to, and it goes on and on. It's something I want to work on, and build a better community relationship.*

Councilor Crume stated the last time Office Brockett had been before them, they discussed dogs taking up a lot of his time. Had he come up with a solution?

*Officer Brockett: Officer Carter and I have drafted some things together. I'm actually, we're both part of the Oregon Code Enforcement Association, so I sent an email to the Secretary that sent a mass email to all the Code Enforcement Officers in Oregon, and I got a lot of feedback on what other cities do in Oregon as far as laws and stuff on dogs, and it varied. A lot of is very similar to what we have, whereas, Pendleton is \$500 if your dog's loose, and they actually have a judge that will uphold that fine and if somebody doesn't pay that, they will actually send*

*out a warrant for them to be arrested. I met with Judge Mahoney and had some discussions and concerns about the dog issues that we have.*

#### **Grass Strip and Other Airport Happenings**

Dan Beaubien, Airport Manager, presented a summary of what had been taking place at the airport.

Regarding the grass strip, there were some kids building a glider at the airport, and one thing needed for a glider was a place to park. The grass strip made the Ontario Airport unique. They had been working on the project over the past year. He had contacted the FAA and learned what the requirements would be for creating the strip. It sat between the runway and the old golf course. It could also be utilized as an emergency landing strip for any aircraft that could be in trouble. He was just looking for Council approval to continue moving forward.

Council consensus to continue.

#### **OLD BUSINESS**

#### **Temporary Modular Lease at Ontario Airport: FBO Frazier Aviation**

Adam Brown, City Manager, presented.

A modular building had been placed at the Ontario Airport in accordance with the Federal Aviation Administration and unanimous approval of the Ontario Airport Committee to provide much needed space.

This was the third time that this modular had come before the City Council in an effort to secure a temporary land lease. It was tabled the first time so records could be obtained to insure any and all late payments to the city could be reconciled. The second time it was brought to the City Council for approval it was tabled due to language in the contract stating that the rate was too low and the time it has been already at the Airport should be paid even though it was not in use. Both of these issues have been resolved.

After meeting with the City Attorney, City Manager, City Community Development Director, Airport Manager, Fixed Base Operator and his attorney, it was mutually agreed to move forward with the temporary land lease between Frazier Aviation and the City of Ontario. A revised lease was drawn up and agreed by all parties.

Before it could be put into full use, the facility needed adequate access, a ramp, skirting and paint. These were waiting on the approval of a lease with the city before beginning work on the necessary projects.

CRUME moved, CARTER seconded, **THAT THE CITY COUNCIL APPROVE THE TEMPORARY LEASE FOR THE MODULAR AT THE AIRPORT AS PRESENTED.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### **Contract Renewal with Larry Kitamura for Airport Property Use**

Larry Sullivan, City Attorney, presented.

A lease for land at the southern termination of the airport runway was renewed last on February 1, 2016. The one year lease expired on February 1, 2017, and was not renewed. This current action was to address a catch-up lease to bring the tenant current with his use of the property. On March 8, 2018, the Council heard comment from Mr. Kitamura, who requested additional time to do research on the property and to review the proposed contract in more detail. Council agreed to table the action to the next meeting.

A request to meet with the City Manager was sent from the City Recorder on June 19, 2017, and garnered no response. Notification of the lease expiration and request to make contact with the city was sent from the City Manager by certified mail on July 11, 2017. The tenant made one attempt to call the landlord. His call was returned unsuccessfully and staff has not heard from the tenant since that time.

Mr. Kitamura was sent an eviction notice from the City Attorney in January, 2018. He made a visit to City Hall to work out a way to stay on the property. Mr. Kitamura has met with the City Manager and expressed a desire to be caught up on his lease. They agreed to an 18-month lease at the same rate as the prior lease, said lease would expire in August, 2018. Between now and then, staff would either bid the ground out for lease or come to a new agreement with Mr. Kitamura. The lease rate was \$300 per acre at 2.67 acres. An 18-month lease would be a total cost of \$1,201.50, due upon signing. Proceeds of the lease go to the airport.

Staff was asking that Mr. Kitamura pay legal costs associated with pursuing renewal of his lease. Also, it was recommended that Mr. Kitamura pay for legal fees incurred by having to contact him using the City Attorney. The legal expenses were \$175.00.

The lease was more than 13 months past due. The tenant needed to get caught up and staff needed to work on a new lease. The tenant continued to use the property after the expiration of his lease, so the lease renewal should date back to the end of the last lease.

If the Council chose to take no action, staff would continue with the eviction proceeding and collection of past lease amounts due, as well as legal expenses.

CRUME moved, WINEBARGER seconded, **THAT THE CITY COUNCIL RENEW THE LEASE BETWEEN MR. LARRY KITAMURA AND THE CITY OF ONTARIO AS PROPOSED IN THE LEASE DOCUMENT AND TO INCLUDE PAYMENT OF THE COST OF LEGAL EXPENSES OF \$175.00 AS A CONDITION OF THE LEASE RENEWAL.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### NEW BUSINESS

#### **Resolution #2018-116: Support for Splash Pad Grant Application from the Oregon Department of Parks & Recreation**

Adam Brown, City Manager, presented.

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 is 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.

The City Council awarded construction for the Ontario Aquatic Center Splash Pad in the amount of \$262,670. Approximately \$100,000 additional cash and in-kind donations had also been received. More revenue was needed to complete the project, which included restroom facilities, as the State Department of Health required ADA restroom facilities and a water fountain.

The City of Ontario awarded a construction contract in January of 2018 to Anderson Pool Works. Ground breaking for the splash pad occurred on February 19, 2018. Work began on site preparation that same week. Planning and coordination of construction activities, in-kind work donations, permitting, and contractor scheduling continued.

The construction contract awarded to Anderson Poolworks, just for the splash pad, was for \$262,516. Other elements of the design would be paid for by business sponsorships and other grants.

The city was currently applying for a Local Government Grant from the State Department of Parks and Recreation. The grant request aligned with the county needs assessment done by the State of Oregon and the State Comprehensive Outdoor Recreation Plan. The grant application deadline was April 1, 2018. Action was needed prior to the end of the month to be considered for this year's funding.

CAPRON moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2018-116, A RESOLUTION AUTHORIZING THE CITY OF ONTARIO TO APPLY FOR A LOCAL GOVERNMENT GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR DEVELOPMENT OF RESTROOM FACILITIES AT LION'S PARK AND DELEGATING AUTHORITY TO THE CITY MANAGER TO SIGN THE APPLICATION.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

**PUBLIC HEARING**

**Ordinance #2737-2018: Annexation of Tax Lot 3500, Assessor Map 18S4705BD – Urban Growth Area Single Family Residential (RS-50) to City Single Family Residential (RS-50) – FIRST READING**

It being the date advertised for public hearing on the matter of Ordinance #2737-2018, 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.

Dan Cummings, Community Development Director, presented.

The applicant owned a parcel of land, known as 18S4705BD, Tax Lot 3500. The applicants wished to annex and rezone the property into the city to connect to city sanitary sewer due to a failed septic system. The subject property was within 300 feet of the city sanitary sewer system. Under state regulations, the applicants were not allowed to repair their septic system, so they had to annex to connect to city services. This application, if approved, would result in the annexation of 0.41 acres, plus the right of way for NW 4<sup>th</sup> Avenue, adjacent to the lands, into the city, and also rezone the property from Urban Growth Area Residential (UGA-R) to City Single Family Residential (RS-50).

This request for annexation and rezone needed a recommendation for approval or rejection from the Planning Commission to the City Council. The Ontario Municipal Code (OMC) designated the Planning Commission as the decision making body for a request for rezone, without City Council participation. The OMC designated the City Council as the decision making body for a request for annexation, without Planning Commission participation. State law required an ordinance be adopted by the local governing body to accomplish a rezone. The city's governing body was the City Council, and they were the only body that could adopt an ordinance; therefore, a request for rezone should go before the Council for a final decision. Staff believed the best procedure was consistency with state law; therefore, this matter needed a recommendation from the Planning Commission, and then forwarded to the City Council for their decision.

The proposed development had to comply with applicable provisions of the OCC (City of Ontario Zoning Ordinance as set forth in the Ontario City Code), and the City of Ontario Comprehensive Plan. Generally, unless otherwise noted, if a request was found to be consistent with the Zoning Ordinance, it was considered to be consistent with the Comprehensive Plan.

**A. Rezone**

1. *Section 10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA. In preparing findings to support a quasi-judicial zoning map amendment decision, the following findings shall be addressed except when alternatives are set forth or where a required findings clearly does not apply to the current action:*

a. *The zoning map amendment is in conformance with statewide planning goals and guidelines.*

b. *The zoning map amendment is in conformity with the acknowledged comprehensive plan.*

c. *The applicant has demonstrated a mistake or error in the original zone designation or the applicant has demonstrated a change in physical, social or market conditions generally affecting the area which make the proposed change appropriate.*

d. *A public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.*



- e. The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.*
- f. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.*
- g. The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.*

**Findings of fact based on the answers and information given in the application made a part hereof:**

- a. The City of Ontario Municipal Code Implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. The existing property is zoned UGA Residential and is proposed to be rezoned to City RS-50 Single Family Residential.
  - b. The subject properties are currently zoned UGA Residential and the request is to rezone to the companion City RS-50(Single Family Residential) Zone that is the same zone as adjacent and nearby properties. The requested zone allows basically the same use as the UGA zone, and is reflected in the Comprehensive Plan. No Comprehensive Plan amendment is necessary for this rezone; therefore, the proposal is consistent with, and conforms to, the Comprehensive Plan.
  - c. The applicants have requested annexation into the City of Ontario concurrent with the request for rezone; a City Zone must be applied to the property once within City Limits. The existing zone is not a mistake, and there is no need to demonstrate a change in conditions in the surrounding area; the change in zone is necessary and appropriate.
  - d. This request is legally necessary due to the annexation of the property; granting of this request is not a special privilege and no public need has to be demonstrated. The property is residentially designated under the Comprehensive Plan so a residential zone is the most appropriate for the property.
  - e. The property exceeds the size requirements for residential property, and is rectangular in shape. The property is already residentially developed and meets setback and other size requirements.
  - f. The property owner is requesting annexation and rezoning to connect to City Sanitary Sewer due to failure of their septic system, which said city system is available in NW 4<sup>th</sup> Avenue. The owner is extending the City main line from the east side of their property to the west boundary of the property and is asking to defer the extension of the City water line and city street to city standards. City fire and police services will be available upon annexation for the property.
- City streets, including curb, gutter, sidewalks and remaining public utilities will be deferred under a Deferred Improvement Agreement (DIA) being recorded prior to or concurrent with final approval of this action or connection to the Sanitary Sewer line.
- g. Uses allowed by the current zone are basically identical to the proposed zone. No significant difference in allowed uses will occur as a result of the rezone. Allowed uses under city residential zone designations are no more likely to produce dust, noise, etc., than those under the UGA residential zone.

**Conclusion:** The proposed rezone is consistent with all applicable criteria and standards.

**B. Annexation:**

1. *10B-45-10 INITIATION OF ACTION. When a person, authorized by statute, wishes to extend the city's boundaries, an application on forms supplied by the city shall be filed with the Planning Director and which include: annexation consent forms, by the property owners, and by tenants if required by law or court decision; request for a change in zoning map designation, or plan change if required; request for other quasi-judicial action if required; fees, and other exhibits and requirements for a quasi-judicial action as set forth in this Title. All land use actions associated with the annexation shall be consolidated, as feasible, and one fee paid.*

2. *Oregon Revised Statute 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.*

**Findings based on the answers and information given in the application made a part hereof:**

1. The applicants have paid the fees and provided the proper application with signatures.
2. The property is annexable because it lies inside the Urban Growth Boundary and is contiguous with current city limits.
3. The property is currently zoned for Residential use in the Urban Growth Area; the requested zone, City Single Family Residential (RS-50), is consistent with contiguous property.
4. Findings from preceding sections of this report are herein included by this reference. A change to the comprehensive plan map or text is not necessary to annex the property; however, the annexation of the property must be consistent with all applicable Comprehensive Plan Policies.
5. Annexation would benefit the city by increasing tax revenue, and, by providing more residential lands in a highly developable area.

**Conclusion:** All criteria and standards applicable to a request for annexation have been met. The property may be annexed.

Annexation would benefit the city by increased tax revenue, and, depending on the outcome of the Council decision on the public utilities, there could be addition costs associated with this action.

The request was filed on December 1, 2017, by the applicant. DLCD was given its 35-day notice, and the 20-day notice to the affected persons and agencies were sent 20 days prior to the hearing as required by law. The Public Hearing for this action was set for March 20, 2018, which met the notice requirements.

The quasi-judicial Zoning Map amendment procedures were designed and authorized to adjust zone boundaries and create new zoning classifications on the official Zoning Map within areas on the land use plan indicated for the uses allowed by the map change. Such changes would be in conformity with the land use goals of the state. The decision of the Planning Commission would be the final decision of the city unless an appeal was filed as authorized by this Title. (LANGUAGE IN 10B-10-05 SUPERSEDES THIS LANGUAGE) WHICH READ: *The ultimate decision-making authority for legislative actions and zone changes brought under the provisions of this Title shall rest with the City Council. Certain actions of the Planning Commission are in the form of a recommendation to the*



*City Council. The land use actions for which the Commission provides only a recommendation to the Council are amendments of the comprehensive plan and zoning ordinances or Zoning Map.*

The Council could, by motion, based on public testimony or need for more clarification, refer this matter back to the Planning Commission. The Council could table this action and continue this item to a future date certain meeting, to obtain clarification on issues raised at this Public Hearing.

The Planning Commission, at a Public Hearing on March 5, 2018, made a motion that the request for annexation be approved and rezoning of the subject property from UGA Single Family Residential (UGA RS-50) to City Single Family Residential (RS-50), as set forth in ACTION 2017-12-21AZ be recommended for approval by the City Council, based on the information, findings, and conclusions at said Public Hearing.

The Planning Commission made a motion to recommend the City Council have the city extend the sewer and water lines to the end of this property and this property only pay for their share of the extensions. This recommendation was based upon information provided at the Planning Commission meeting.

The Planning Commission made a motion to recommend the City Council have staff revise the city ordinances that would require connection to city water system when connection to city sewer connection was made due to the new NPS requirements.

The Hearing was opened for public testimony.

Proponents:

None.

Opponents:

None.

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

JUSTUS moved, CAPRON seconded, **THAT THE REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO, AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM UGA SINGLE FAMILY RESIDENTIAL (RS-50) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50), AS SET FORTH IN ACTION 2017-12-21AZ AND REMOVING THE LANDS FROM THE RURAL FIRE DISTRICT BE APPROVED BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS IN THIS REPORT AND MEETING.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes Verini-yes. Motion carried 7/0/0.

JUSTUS moved, CAPRON seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2739-2018, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 2601 NW 4TH AVENUE, FROM UGA SINGLE FAMILY RESIDENTIAL (UGA RS-50) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50), ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes Verini-yes. Motion carried 7/0/0.

CRUME moved, CARTER seconded, **THAT THE CITY COUNCIL HAVE THE CITY EXTEND THE SEWER AND WATER LINES TO THE END OF THIS PROPERTY AND THIS PROPERTY ONLY PAY FOR THEIR SHARE OF THE EXTENSIONS.**

Councilor Justus asked if there was any estimate on the cost.

Mr. Cummings stated there were no solid numbers yet, but some guestimates, yes. He was not happy with them, so they were going to rework them.

CRUME withdrew his motion; CARTER redrew her second.

Council consensus to have Mr. Cummings return to the Council with the cost of alternatives for extending the water and sewer line.

Councilor consensus to have staff revise the city ordinances that requires connection to city water system when a connection was made to city sewer due to the new NPS requirements.

#### HAND-OUTS/DISCUSSION ITEMS

##### Check Register: February-March 15, 2018

No comments (Attached)

#### CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Justus stated he had attended the PW Committee meeting, and wanted to know if the 2012 Committee had been approached about turning the 15-year NPDES permit into 30-year one. The question had also come up about the lift station and the impending failure.

Mr. Brown stated it had been in his presentation, but not specifically about a 30-year permit. On the lift station, he didn't want to wait for failure. Possible solutions would be forthcoming.

- Councilor Capron stated Mr. Brown was going to bring back some information regarding the Chamber. Was that still moving forward?

Mr. Brown stated not quite yet. He had some documents, but he wanted to review them before bringing them to Council.

- Councilor Capron reiterated his interest in moving forward with paperless billing.

Kari Ott stated the module for that action in the Springbrook Software would be a little over \$2K. She also needed to review the BDS contract.

- Councilor Capron stated he read a letter on Facebook regarding the sales tax issue. The writer wanted to see coins and bullion exempt at all levels, not just wholesale. Idaho exempted those items.

Mr. Brown stated that had not been asked before. He would research the issue.

- Councilor Capron informed them the last Fish Fry Friday was this week.

- Councilor Carter stated she had a staff member who would be contacting Debbie about possibly becoming a member of the Recreation Board.

#### ADJOURN

CAPRON 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:**

\_\_\_\_\_  
Ronald Verini, Mayor

#### **ATTEST**

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder







## CITY COUNCIL WORK SESSION MINUTES May 3, 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, May 3, 2018, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Dan Capron, Betty Carter, Ramon Palomo, and Marty Justus.

Members of staff present were Adam Brown, Marcy Siriwardene, Larry Sullivan, Kari Ott, Debbie Jeffries, Terry Leighton, Dan Cummings, Cal Kunz, and Cliff Leeper.

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 May 1, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

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

### OLD BUSINESS

#### **Ordinance #2740-2018: Amend Ontario Municipal Code 3-25-3; Adding 3-25-3(Q) Regarding Exemption of Precious Metals, Coins, Currency, and Bullion from the 1% Sales Tax FINAL READING**

Larry Sullivan, City Attorney, presented.

The City Council adopted Ordinance #2729-2017 on September 26, 2017, implementing the collection of a 1% sales tax. Citizens of Ontario filed a Petition in opposition of the ordinance, placing the action on the May 15, 2018, ballot. The Petition stayed Ordinance #2729-2017, pending results of the election. Proposed Ordinance #2740-2018 would add subsection (Q) to Ontario Municipal Code 3-25-3, exempting precious metals, coins, currency, and bullion from the 1% Sales Tax.

On April 17, 2018, the Council adopted Ordinance #2740-2018 on First Reading; however, if the sales tax ballot measure be defeated in the May 15th election, the amendment would become moot. There had been no changes to the proposed ordinance since First Reading.

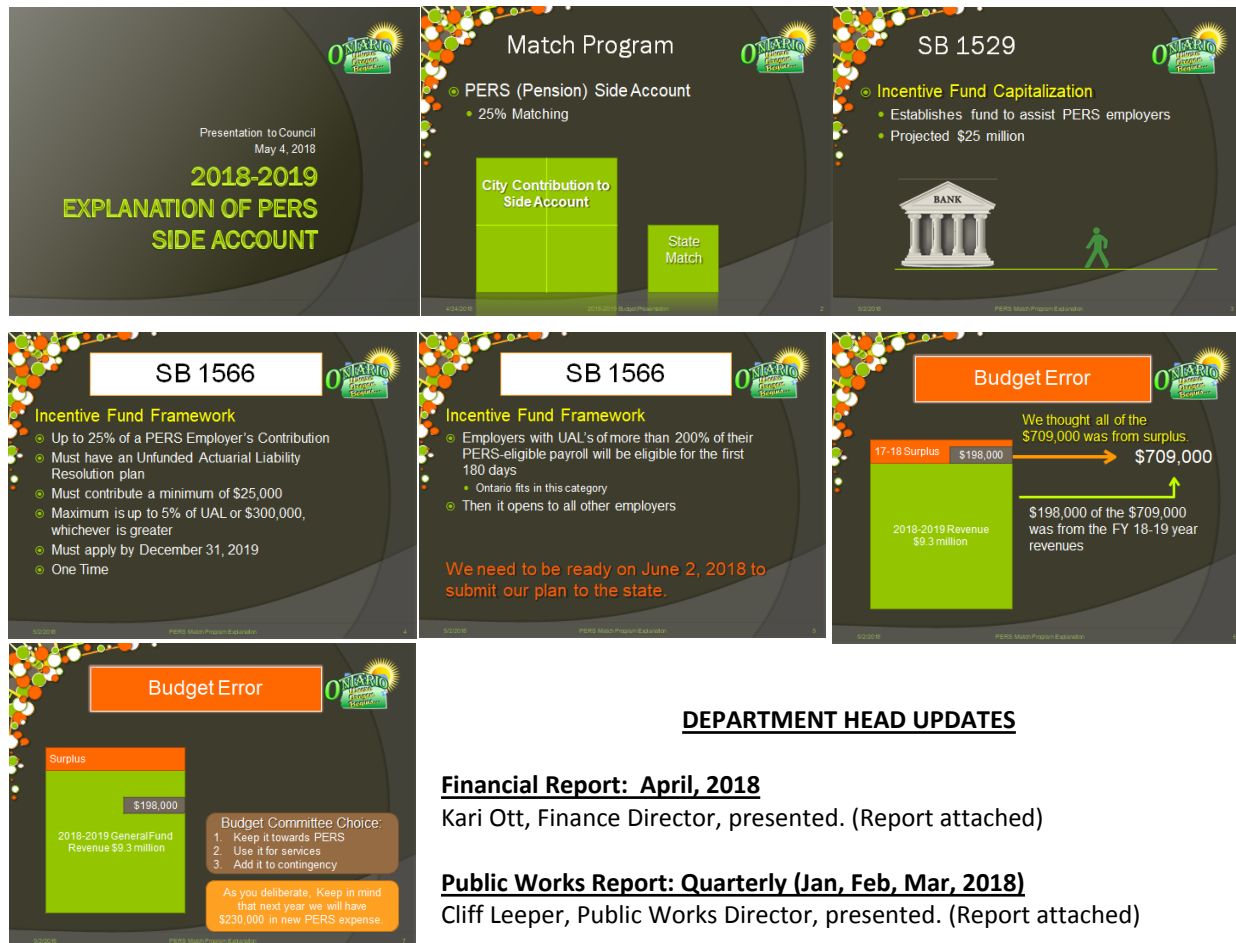
With an approximate profit margin of 2% on product, the exemption would not prove a significant loss to monies collected through the 1% sales tax. This exemption would not change the revenue estimate for the sales tax since it was not included in the consultant's report. If approved on final reading, the earliest the ordinance amendment would go into effect was June 3, 2018. Should the sales tax ballot measure be defeated in the May 15th election, the amendment would become moot. An existing ordinance could only be amended by another ordinance. The City Council was the approving authority for ordinances, and the action required two readings.

CARTER moved, WINEBARGER seconded, **THE CITY COUNCIL ADOPT ORDINANCE #2740-2018, AN ORDINANCE AMENDING SECTION 3-25-3 OF TITLE 3, CHAPTER 25, OF THE ONTARIO MUNICIPAL CODE TO ADD SUBSECTION (Q) REGARDING THE EXEMPTION OF COLLECTION OF THE 1% SALES TAX ON PRECIOUS METALS, COINS, CURRENCY, AND BULLION, ON SECOND AND FINAL READING BY TITLE ONLY. ON SECOND AND FINAL READING BY TITLE ONLY**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.



**NEW BUSINESS****PERS Side Account Explanation**

Adam Brown, City Manager, presented.

**DEPARTMENT HEAD UPDATES****Financial Report: April, 2018**

Kari Ott, Finance Director, presented. (Report attached)

**Public Works Report: Quarterly (Jan, Feb, Mar, 2018)**

Cliff Leeper, Public Works Director, presented. (Report attached)

**Community Development Report: Quarterly (Jan, Feb, Mar, 2018)**

Dan Cummings, Community Development Director, presented. (Report attached)

**HAND-OUTS/DISCUSSION ITEMS****Public Safety Fee**

Councilor Justus these next four issues have been discussed before. The city currently had the \$8 fee on the water bill now, but it didn't take into consideration that if one meter serviced a 30-unit manufactured home park, or a multi-unit complex, the city was only receiving \$8 from one meter vs. \$8 for every unit that was in the park or complex. That's really what was needed. Forty units in a park, they were all using the roads, but only paying one \$8 fee. It was important to do an inventory, ask the owner, reassess, do an audit, to get all units paying the fee. Mayor Verini stated there were businesses that had hundreds of employees and it was the same situation there as with the size of the complex or park. The city needed to find a way to fairly collect that public safety fee through the distribution of the number of persons in the businesses, as well as the units. He'd suggest having the City Manager research if that could legally be done, and were there other communities that had experienced this situation.

Councilor Crume asked the City Attorney if he had heard of this type of action before.

Mr. Sullivan stated cities in Oregon impose many fees. They were generally allowed in Oregon because of the home rule provisions in the Oregon Constitution that authorized cities to impose fees and charges if there was a



rational connection between the fee and the services provided, and if they were not pre-empted by state law. It could not be treated as a tax, as that was limited by law. If a fee was being assessed to reimburse the city for the cost of that service, which streets and public safety would fall under, the cases upheld the right of the cities to impose those fees.

Council consensus to have the City Manager research the issue.

#### **Utility Fee Distribution Policy**

Mr. Brown stated it was the same discussion, just a different fee.

#### **Business Use Fee**

Councilor Justus stated he knew there was a \$25 fee for registration, but he was interested in an actual business fee. It wasn't a registration fee. It was about users paying for the services.

Council consensus to have the City Manager research the issue.

#### **Cemetery District**

Councilor Justus stated if they were going to form a Recreation District, then do a Cemetery District, too. If the citizens didn't want that, then stop selling gravesites. Don't stop servicing or mowing or taking care of them, but stop selling new ones.

Mr. Cummings stated Evergreen Cemetery had been in a district back in the 20s and 30s. In the 1940s, the District was failing, and no one wanted to be on the Board, but there was no one to take it over. They asked the city to take it, which the city did. They deeded the undeeded lots to the city. When the city took it over, they did not continue collecting a fee. He suggested an increase in fees, and to stop allowing above-ground headstones.

Council consensus to have the City Manager research the issue.

#### **Sales Tax Exemptions for Consideration: Bikes, Farmer's Markets**

Mayor Verini stated he, along with other Councilors, had been approached regarding certain types of activities, such as yard sales, the farmer's market, the Saturday Market, etc., should the 1% sales tax pass. He was not in favor of imposing taxes on those types of "businesses".

Councilor Crume stated regarding bikes, he had read a statement that the state was already charging for bikes. However, the state was just beginning to collect *this* year, and only for adult bikes that exceeded \$200 in cost. It was a set fee, not a percentage. He was against exempting bikes from the sales tax, should it pass.

Councilor Justus stated they needed to be consistent. If there was a fee on bikes that cost \$200+, an additional \$2 wouldn't break anyone.

Councilor Capron stated he wanted to leave Farmer's Markets, and that type of activity, alone, but he also was in favor of exempting bikes that were \$200+ in cost. He was opposed to the double fee.

Councilor Winebarger was in favor of exempting bikes that were \$200+ in cost.

Mayor Verini stated it appeared the consensus was to exempt the 1% sales tax on bikes that were already being charged \$15 by the state.

Mr. Brown stated there had been discussion on the Council related to non-profit activities.

Mayor Verini stated there were two issues. One, the entities such as The Salvation Army or Project Dove, they were taxed in Idaho at the 6%, but regarding activities and functions such as fundraising, would be exempt. He'd like to see the City Manager compose a concise list of what entities they were speaking of.

Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### **Department Stats:**



Ontario Fire & Rescue: Apr, 2018 (Attached)  
Ontario Police: Mar, 2018 (Attached)  
Code Enforcement: Mar, 2018 (Attached)  
Public Works: Feb 23 – Mar 16, 2018 (Attached)

**Packet**

V&C Meeting: 05-03-2018

**Minutes**

SREDA: Apr 4, 2018 (Attached)  
County Court: Apr 4, 2018; Apr 11, 2018 (Attached)

**CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

Councilor Winebarger asked to have some research done on a “No-Cruising” ordinance in Ontario.

Consensus to bring it back to Council, after the City Manager has done some research.

Councilor Winebarger asked to discuss a social media policy. If the Council was taking to social media to make comments, or respond on an issue, they should consider placing something in the Council Rules & Procedures, providing some guidelines. There were already statutes on the books. Also, the LOC had classes they would come over and present.

Mr. Brown stated if the Council wanted to go that direction, then policies should be developed for staff.

Council consensus to have the City Manager research and develop social media policies.

Councilor Crume stated the City Manager had done some research into building some hangars at the Ontario Airport, believing they’d be filled up quickly, but financially, it hadn’t worked out. However, he had met with Toby Epler, the city’s airport engineer, who told him that one major issue that Idaho *didn’t* have that Oregon *did*, was prevailing wage. He suggested submitting a note into HB2012 committee, to look into government agencies getting exemptions from prevailing wages.

Mr. Brown stated they could talk to them, but one direction given was that wages were off limits, but it never hurt to ask.

Councilor Justus asked about going live with the Council meetings, and then dedicate some time at the beginning or the end of the meeting to allow citizens to type in questions or comments. Currently, the citizens had no clue on how the government worked. They all believed the Council was making \$100K a year. They needed to be invited, virtually, because it wasn’t hard to do.

Councilor Winebarger stated the Malheur Enterprise had almost 4K people watch the sales tax forum, but only 70-100 people in attendance. People didn’t want to go to a meeting at City Hall.

Mayor Verini stated one problem with that was that people were saying they were part of the community, but they were not. He had actually been communicating with someone from California. Councilor Winebarger stated they could make that one of the stipulations. The Council would not respond if someone was making inappropriate comments, or it was all negative. It needed to be a legitimate question, and it shouldn’t matter where they lived.

Mayor Verini stated that even when a citizen attended a Council meeting in person, the Council listened, gathered information, and later provided a response.

Councilor Justus stated that was a 20<sup>th</sup> century way of handling a 21<sup>st</sup> century city. Allow five minutes to accept comments via email, but maybe not provide an answer right then, but let them know someone would respond at some point. He didn’t want to debate with the public via Facebook.

Mayor Verini stated he didn't mind the questions coming in, but he would not get into a debate or an argument with someone that was faceless and might not even be in the country.

**ADJOURN**

CARTER moved, PALOMO 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 WORK SESSION MINUTES June 7, 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, June 7, 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 was excused. Marty Justus arrived at 12:52 p.m. and departed at 2:30 p.m. Betty Carter departed at 1:45 p.m.

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

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

Betty Carter led everyone in the Pledge of Allegiance.

### AGENDA

This Agenda was posted on June 5, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

Council added Resolution #2018-126 to the Agenda. This resolution was in support of the Transportation Growth Management Grant.

CRUME moved, PALOMO 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.

### OLD BUSINESS

#### NPDES Permit Update

Betsy Roberts, City Engineer, Paul Woods, Woods Consulting, and Don Butcher, ODEQ, presented a slide show. (Attached)

#### Ordinance #3737-2018: Annexation of Tax Lot 3500, Assessor Map 18S4705BD – Urban Growth Area Single Family Residential (RS-50) to Single Family Residential (RS-50) FINAL READING

Dan Cummings, Community Development Director, presented.

The applicants own a parcel of land they want to annex and rezone into the city to connect to the city's sewer line due to a failed septic system. Because of the location of their line, state regulations prohibit repair of that line, and they are being required to connect to city services, triggering the requirement to annex into the city.

This application, if approved, would result in the annexation of 0.41 acres, plus the right of way for NW 4th Avenue, adjacent to the lands, into the city, and also a rezone of the property from Urban Growth Area Residential (UGA-R) to City Single Family Residential (RS-50).

- March 5, 2018, the Planning Commission heard testimony on the action, and recommended approval to the City Council.
- March 20, 2018, the City Council, following a Public Hearing, adopted Ordinance #2737-2018, allowing the second and final reading to be scheduled following the Planning Commission meeting.

Further, the Council instructed staff to cover the cost of extending the required water line. In exchange, the applicants would be required to pay the cost of extending the sewer line with no recapture option.

Applicants/Proponents Ryan and Lindsay Roulston have requesting to connect to the city's water and sanitary sewer lines. The applicants have entered into a Deferred Improvement Agreement (DIA) Instrument No. 2018-1879 with the City of Ontario, whereby they have agreed to connect to the city water line once it has been extended for only the normal costs of installation of the water meter and connecting the home to the service line. All other cost for the water main and service to the property line is to be covered by the city. In exchange, the Roulstons will have recapture rights to the sewer main. The city will receive all the recapture rights for the sewer and water line from all other fronting property owners in their proportionate shares. The agreement also covers future street improvements.

The request was filed on December 1, 2017, by the applicant. DLCD was given its 35-day notice, and the 20-day notice to the affected persons and agencies were sent 20 days prior to the hearings as required by law. The Public Hearings for this action was held on March 5, 2018 and March 20, 2018. The required sewer main was constructed and the home connected as required. A DIA was recorded to cover all the remaining requirements.

There have been no changes to Ordinance #2739-2018 since First Reading with the exception of adding wording to Exhibit B - Map. The Deferred Improvement Agreement has been signed and recorded under Instrument No. 2018-1879.

CRUME moved, CARTER seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2739-2018, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 2601 NW 4TH AVENUE, FROM UGA SINGLE FAMILY RESIDENTIAL (UGA RS-50) TO CITY SINGLE FAMILY RESIDENTIAL (RS-50), ON SECOND AND FINAL READING BY TITLE ONLY.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

#### **Adopt Final Airport Manual**

Dan Beaubien, Airport Manager, presented.

Staff was instructed to review the Airport Manual, adopted December, 2017, and compare it against the city's codes and ordinances for conflicting information. Subsequent to that, it was to be brought back before the City Council for final approval. Staff compared the Manual against city codes and ordinances, and found no discrepancies.

CRUME moved, PALOMO seconded, **THAT THE CITY OF ONTARIO MUNICIPAL AIRPORT AUTHORITY STANDARD MANUAL OF AIRPORT RULES AND REGULATIONS, THAT WAS ADOPTED IN DECEMBER 2017, BE FINALIZED.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

### **NEW BUSINESS**

#### **Resolution #2018-126: Support Application for TGM Grant**

Betsy Roberts, City Engineer, presented.

ODOT has a grant program supporting the development or updating of existing Transportation System Plans (TSP) for communities. The grant would allow the city to update its current plan and incorporate new development, completed projects, and create new streetscape and connectivity thinking.

The ODOT TGM program has been around for several years. The grant requires a 12% match. Grant awards occur in the fall of 2018, followed by several months of scope development, Intergovernmental Agreement development, etc. over the winter. A Request for Proposals would go out in the spring with the goal of consultant selection prior to the end of FY2019 so that the year-long project could kick off at the beginning of FY2020. Essentially the project would cover part of the upcoming fiscal year and the entire next (2020) fiscal year.

With growth on East Idaho, interest in securing grants for trails systems, and developing an improved streetscape on East Idaho, the timing for updating the TSP was good. Because of the reduction of cost, if the grant was awarded, staff would propose beginning the project in FY19 (start July 2019).



The cost of the plan would be up to \$21,000 in match, though providing that amount of match as a “mix” had been identified in the grant application. This means the city could provide an equivalent value in labor. It was anticipated that most, if not all, of the cash portion of the required match would occur in FY2020.

A letter of support or resolution of support from the Council was needed now, as the application was due on Friday, June 8.

CRUME moved, CARTER seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION #2018-126, A RESOLUTION SUPPORTING THE APPLICATION OF AN OREGON DEPARTMENT OF TRANSPORTATION (ODOT) TRANSPORTATION GROWTH MANAGEMENT (TGM) GRANT.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-out; Verini-yes. Motion carried 6/0/1.

**Liquor License Application: No Place Bar, LLC**

Cal Kunz, Police Chief, presented.

No Place Bar, LLC, completed the “New Outlet” application for Full On-Premises Commercial liquor license privileges through the Oregon Liquor Control Commission for No Place Bar, located at 359 South Oregon Street, Ontario, Oregon. All necessary paperwork has been approved through the Oregon Liquor Control Commission office and is awaiting approval through the Ontario City Council. All legal steps have been followed to completion, with no negative feedback.

A criminal record process was completed on both the owners and managers of No Place Bar, LLC. All records returned meeting state and local requirements. The application forms were completed appropriately and required fees were paid. All permit and license requirements have been met through the Oregon Liquor Control Commission as well as through the City of Ontario Planning Department.

The No Place Bar, LLC, was opening their business at 359 South Oregon Street, Ontario. That location did not have a current liquor license which would allow them to operate. The application process provided the necessary requirements for the Oregon Liquor Control Commission to license that location for New Outlet, Full On-Premises – Commercial. Once this step was completed, this location would have the necessary license which would require renewal on a yearly basis.

If the Council opted to not approve the license application, that action would have no true effect on the process. While the Oregon Liquor Control Commission might take the city’s objections to the action into consideration, there was no obligation to do so. OLCC was the ultimate authority on the issuance of the license.

Councilor Justus stated the city had lost a police officer position in the last budget cycle, but the city was approving more liquor license applications. What was it going to take to get the state to understand this was a problem? If there was going to be however many liquor licenses in this town, and not get any assistance for police, why would they keep approving the applications. Why keep saying it was okay? It was not okay!

Mayor Verini stated until the state changed their rules, it would not be fair to deny an individual the opportunity to open a facility with a new license.

Councilor Justus stated they were hurting police officers. Just stretch them that much further. Keep saying it was okay...it was NOT okay. At some point, they had to draw the line and say it was not okay. He knew how to be a squeaky wheel. Police protection in the city was vital, and they just had to cut one officer position. Adding another liquor license and not addressing the shortage of officers, they were not doing the city the service they should be.

Chief Kunz stated if this application was approved, that would bring the total licenses to 51 in the City of Ontario.

Adam Brown, City Manager, reminded the Council that last year a letter had been sent to the Oregon legislature and LOC asking that they review this issue.

Larry Sullivan, City Attorney, believed the city could enact a policy that read it was getting out of the business of approving or denying liquor licenses.



CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE NEW OUTLET, FULL ON-PREMISES COMMERCIAL SALES LIQUOR LICENSE APPLICATION FOR NO PLACE BAR, LLC.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-yes; Winebarger-out; Verini-yes. Motion carried 5/1/1.

### **Social Gaming Fees**

John Gutcher, business owner, stated he was there requesting a reduction in fees for his establishment. Any relief would be appreciated. His was the only type of business in Ontario that was subject to these fees, and would like some consideration in a reduction.

Adam Brown, City Manager, presented.

On March 7, 2016, the Council enacted Ordinance #2715-2016, amending its social gaming regulations and allowing social gaming fees, including license and application fees, to be set by resolution of the Council through Resolution #2016-108. Chapter 12 of the Ontario Municipal Code regulated social gambling within the City of Ontario. On March 21, 2016, the Council approved Resolution #2016-108 establishing social gaming fees. The below fees were approved by the Council:

| Type                              | Initial Application Fee | Renewal Fee | License Fee                                                             |
|-----------------------------------|-------------------------|-------------|-------------------------------------------------------------------------|
| Nonprofit 501(C)(3) corporations: | \$100.00                | \$25.00     | \$100.00 Annually<br>\$50.00 Monthly<br>\$25.00 Weekly<br>\$10.00 Daily |
| Commercial Social:                | \$550.00                | \$375.00    | \$150.00 Annually/Gaming table)                                         |

The Owners of the Ontario Poker Room would like the Council to reconsider the fees imposed on Commercial Social Gaming. They have requested to be treated as any other business, which was required to have a business license renewed annually rather than the current fee schedule.

The Ontario Poker Room generated additional patrons in the downtown area in the evenings and early morning. This helped additional businesses downtown such as restaurants. There had not been any citations by the Ontario Police Department on this establishment. Staff had no reason to believe there had been increased law enforcement demand as a result of the commercial social gaming business. The room did bring additional traffic downtown which meant additional services could be required such as police, fire, and additional wear on roads. Social gaming was regulated by city code and did represent a unique business, which was regulated not only by state code, but by state code.

Fee in comparison included **Portland:** Fee Schedule \$500 per location annually; **Bend:** One time application of \$75 per table; **Coos Bay:** One time investigation fee of \$65 and then \$50 per table per month; **Redmond:** \$300 Application Fee and \$70 Investigation Fee; **Klamath County:** \$100 annually per card table; **Sisters:** \$100 permit paid annually; **Harrisburg:** Same as Business License; and **Tigard:** \$100 annually.

With six tables, the annual revenue from a renewal of a commercial social gaming business would be \$1,275.00. Additional commercial social gaming businesses were a possibility. The Ontario Poker Room would like to reduce their costs for the renewal application. Social games were allowed in Oregon if authorized by local jurisdictions. ORS 167.121 allowed cities to permit social gaming and establish restrictions. The current code required a license from the city and the payment of a License Fee, Initial Application Fee, and Renewal Application Fee that was set forth by resolution.

As social gaming was required to be legislated by local jurisdictions and also has state laws that govern operation of those businesses, it did put itself in a separate category. Other businesses did not have an entire chapter of the municipal code devoted toward governing its operation. Gambling had also been identified by the Oregon Health Authority as a game prone to addiction. Gambling addiction was a mental health disorder which had negative impacts on society. With that in mind, staff believed it warranted being regulated and burdened with its own fee schedule. The level of fees set was at the discretion of the City Council.

JUSTUS moved to **TABLE ACCEPTANCE OF THE FEE SCHEDULE UNTIL THE COUNCIL HAD ALL SEVEN PRESENT.** Motion died for lack of Second.

Mayor Verini asked if there was Council consensus to accept the fees to modify the Fee Schedule to a \$100 Initial Application Fee, a \$25 Renewal Application Fee, and a \$100 License Fee. Capron-yes; Winebarger-out; Crume-yes; Justus-no; Carter-out; Palomo-no; Verini-yes. Consensus to accept.

**Resolution #2018-121: Set Policies per GASB54**

Kari Ott, Finance Director, presented.

Government Accounting Standards Board (GASB) No. 54 was adopted by the city for the fiscal year ended June 30, 2011. The City Council was required to formally establish spending policies for ending fund balances annually by formal resolution. The city needed to commit the 2017-2018 ending fund balances in the Revolving Loan Fund, Capital Projects Fund, Trust Fund and Reserve Fund, for use in the 2018-2019 fiscal year. All commitments of ending fund balance were required to be approved on or before the end of the fiscal year, which was June 30, 2018. Taking no action would result in a Finding in the audit.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION 2018-121, A RESOLUTION ESTABLISHING POLICIES RELATED TO ENDING FUND BALANCES FOR 2017-2018 PURSUANT TO GASB 54 REQUIREMENTS.** Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

**Resolution #2018-124: Adopt Master Fee Schedule**

Adam Brown, City Manager, presented.

A Master Fee Schedule was being presented for approval in accordance with the Ontario 2018-2019 Fiscal Year Budget. City fees were periodically updated as issues arose, without consistent review and attention. Staff created a Master Fee Schedule attempting to combine all city fees into one schedule that could be reviewed annually. Giving the Council the opportunity to review all fees annually would provide for a more consistent review of each fee.

As staff reviewed the fee schedule, adjustments were made where it was determined an increase was merited based on staff's knowledge of the time and materials needed to cover the cost and impact of the service associated with the fee. It was a best practice to approve a Master Fee Schedule in conjunction with the budget which must be approved by June 30, 2018. The Council could make adjustments to the fee schedule as needed with an additional opportunity to approve it on June 19, 2018. Fees could be adjusted at any point during the year. Staff recommended that it be done with the budget so revenue changes associated with cost centers could be considered. The Council held authority to change service fees. The Council could amend the fee schedule and adopt it as amended.

There were no members in attendance who spoke for or against this action.

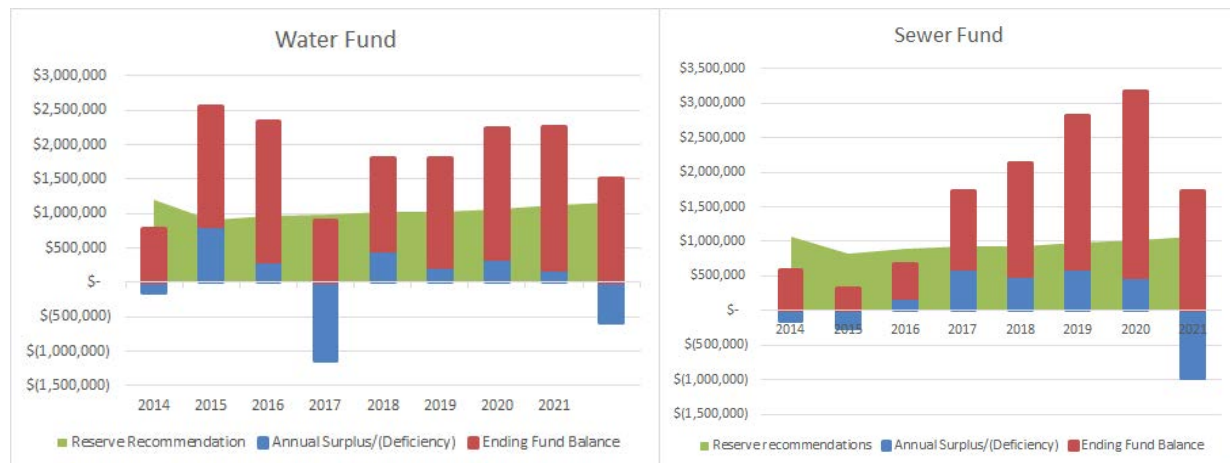
Consensus to have the City Manager do more research on fees and bring it back before Council.

**Resolution #2018-125: Increase Water and Sewer Rates by CPI**

Kari Ott, Finance Director, presented.

On December 5, 2016, the Council agreed to increase water and sewer rates annually based on the Portland, Oregon Consumer Price Index. The attached resolution would do so at 3.9%. The fee resolution implemented City Code Sections 8-11-22 and 8-9-2 which allowed the Council to set by resolution the water service rates for monthly water service and the sewer service rates for monthly sewer service to be charged by the city. The change from December 2016 to December 2017 consumer price index was 3.9%. This increase would keep the water and sewer funds stable while accumulating more than the reserve recommendation.

The following graphs showed the historical and projected ending fund balance, current year activity and recommended reserve:



The increase in the water and sewer fees provided a basis for keeping up with normal inflation. Fees could take effect at the discretion of the Council. Staff recommended that they be put into effect immediately. 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."* If the Council opted to take no action, the water and sewer funds would not keep up with inflation.

There were no members in attendance who spoke for or against this action.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION 2018-125: A RESOLUTION INCREASING WATER AND SEWER SERVICE FEES AND CHARGES BY 2017 CONSUMER PRICE INDEX.** Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

### Water Main Installation

Betsy Roberts, City Engineer, presented.

The water main would be installed on NW 4th Avenue and would include a new fire hydrant and a water service line to the property line of the property at 2601 NW 4th Avenue. Three contractors were contacted to get bids for the project. The bidders included Warrington Construction, Anderson Excavating LLC., and McMillen. Warrington Construction and Anderson Excavating LLC., bid on the project. McMillen was listed as "no bid" because they could not complete the work until fall of 2018.

Recently, 2601 NW 4th Avenue experienced septic system issues. Until recently, it was not included within the City of Ontario city limits. The homeowners contacted the city regarding connection to the city's sanitary sewer system, which was available near the eastern edge of their property. Connection to the city's sanitary sewer system required annexation into the city limits. During the March 20, 2018, Council Meeting, the Council concluded that, given the impact of the upcoming National Pollutant Discharge Elimination System (NPDES) permit for the Wastewater Treatment Plant (WWTP), property owners connecting to the city's sanitary sewer system must also connect to the city's water system. There was no waterline to support the current water needs at 2601 NW 4th Avenue. The owner agreed to be annexed into the city, and to finance the construction of the sanitary sewer line, including a stub out connection to the right of way line for the property on the south side of NW 4th Avenue in addition to their own service. Because the owner was willing to cover the cost of the whole sanitary sewer line, the city agreed to cover the cost of the waterline and the city be reimbursed for the proportionate costs of these lines from the adjacent property owner as allowed by city code.

This home was in the northwest region of downtown Ontario. The proposed project included extension of an 8-inch city water main, a fire hydrant, and taps for both the homeowner and the property on the south side of NW 4th Avenue. Installing the main would give the homeowner access to the city water system. The new water main extension would be approximately 250 feet long. All of the bids for the project had been received and the lowest bidder was Dave Anderson, of Anderson Excavating LLC, with a bid of \$21,863.75.

There was funding available in the Water Fund to cover the costs of this project. Line Item: 105-160-719283. Work would be conducted when the Council approved the cost and accepted the low bid. Once passed, the contractor would be notified to discuss the construction schedule. The sanitary sewer had already been constructed and a Deferred Improvement Agreement (DIA) was recorded documenting the agreement. Reimbursement of these lines was allowed under city code.

The alternative would be to do nothing and not fund the water main project. If the city did not fund the project, then, according to the DIA, the city would waive the owner's requirement to be connected to city water at this time, and would be liable for construction of the water line at a later date with no costs associated to the property owner at 2601 NW 4th Avenue other than normal water meter connection costs.

CAPRON moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE PROPOSED INSTALLATION OF THE NEW WATER MAIN FOR THE HOME AT 2601 NW 4TH AVENUE FOR THE LOW BID COST OF \$21,863.75 FROM ANDERSON EXCAVATING, LLC.** Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

#### **Housing Incentive Program – Agile Homes**

Dan Cummings, Community Development Director, presented.

The Business Loan Committee was the reviewing and recommending authority for the City of Ontario Business Loan Fund and, as such, the Committee was tasked with reviewing and providing a recommendation to the City Council on all applications submitted for loan requests and Housing Incentive payments. The City Council was the final authority for approval of the applications. The City Manager and Community Development Director were responsible for insuring all requirements were met prior to payment of the approved application. The City Council, under Resolution Number 2018-111, updated the City of Ontario Business Loan Fund codes under Section 11a Housing Incentive Program to promote new housing development within the city limits of Ontario. This application was the first application under the new Housing Incentive Program.

Agile Design Co, DBA Agile Homes, was requesting approval of their application for the \$10,000.00 Incentive on a new home to be located at 621 Reiter Drive, Lot 3, of Sage Ridge Place Subdivision. The proposed dwelling would be 1,546 square feet with two (2) bathrooms and a 504 square foot, two (2) car garage. The application was deemed complete by the Community Development Director and was deemed to meet or exceed the minimum requirements of Section 11 of the Business Loan Fund code. The application was then forwarded to the Business Loan Fund Committee for their review and recommendation. The BLF Committee met on May 14, 2018, to review the application, and moved to forward a recommendation for approval to the City Council for the Agile Design Co, DBA Agile Homes, application for \$10,000.00

If approved, the city would pay the funds from the Business Loan Fund. The \$10,000.00 would be paid back to the fund through the city portion of the property taxes collected on the property and dwelling approved under this application. Time was of the essence on this application as the applicant wanted to pull a building permit and start construction as soon as they received approval. The Business Loan Fund Committee made recommendations to the City Council. If the City Council approved the action, the City Manager would have the Agreement signed by all parties authorizing the Building Department to issue a permit under this Agreement.

PALOMO moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE OF THE APPLICATION OF AGILE DESIGN CO, DBA AGILE HOMES FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.00.** Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

**Ontario Water Treatment Plant Baffle Wall Design**

Betsy Roberts, City Engineer, presented.

The City of Ontario WTP flocculation basins were constructed in the early 1980's. The current condition of the redwood baffle walls and observed performance of the flocculation basins by staff identified the need to upgrade or replace the wooden baffle walls and the flocculation mechanism wooden paddles. The baffle wall design task order was part of the approved Ontario Water Treatment Plant project for the current fiscal year. This task order was for the design aspect of the baffle walls. The design would encompass assessing the baffle walls and creating a plan for upgrading or replacing them. The design would take place during the spring and summer of 2018. Project construction funds were approved as part of the current fiscal year budget as well, and were being carried over into the coming fiscal year. Construction needed to occur when water demand was low (fall or winter).

The baffle wall task order was part of the already approved Water Treatment Plant project which had a budget of \$175,000 for design and construction. Design and construction of this task order would occur from spring through late fall or early winter. The budget would span from this fiscal year and had been identified to be carried over into the 2019 fiscal year. There were funds available in the Water Fund to cover the cost of designing the baffle walls. Line Item: 105-160-719215. The actual construction would not occur until fall when the water demand decreased. It was essential to start the design in spring so as to not delay construction.

The Council could decide to reject this task order of design and construction of the baffle walls and keep the existing baffle walls. However, this would not be advised as the existing baffles were outdated and had surpassed their design life.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE THE CH2M/ JACOBS ONTARIO WATER TREATMENT PLANT FLOCCULATION BASIN BAFFLE WALL DESIGN TASK ORDER FOR THE FEE OF \$22,200.** Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

**PUBLIC HEARING(S)****Resolution #2018-122: Declare City's Intent to Receive State Revenues**

It being the date advertised for public hearing on the matter of Resolution #2018-122, 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.

Kari Ott, Finance Director, presented.

The City Council was required to annually approve a formal resolution in order to elect to receive state revenues. The City of Ontario Budget Committee held public hearings on April 24<sup>th</sup>, 26<sup>th</sup>, 26<sup>th</sup>, and May 8, 2018, discussing the 2018-2019 budget which contained revenue sharing from the State of Oregon. The City Council held a public hearing on June 7, 2018, giving the citizens an opportunity to comment on the use of State Revenue Sharing, pursuant to ORS 221.770.

The City will be able to share in State Revenues that are shared with cities throughout Oregon. The resolution was required, and had to be approved on or before June 30, 2018. An election to receive state revenues was required per ORS 221.770. If the Council took no action, the city would be ineligible to receive state revenues in the 2018-2019 fiscal year.

The Hearing was opened for public testimony.

Opponents: None.

Proponents: None.

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



CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION 2018-122, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR THE FISCAL YEAR 2018-2019.** Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

**Resolution #2018-123: Adopt City of Ontario's Annual 2018-2019 Budget**

It being the date advertised for public hearing on the matter of Resolution #2018-123, 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.

Adam Brown, City Manager, presented.

Resolution 2018-123 was a resolution to adopt and appropriate the 2018-19 annual City of Ontario budget; to impose taxes upon taxable property; and to categorize taxes imposed for Fiscal Year 2018-2019. The City of Ontario Budget Committee held public hearings on April 24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup>, and May 8, 2018, and approved the 2018-2019 annual budget. The City Council held a public hearing on June 7, 2018 giving the citizens an opportunity to comment on the annual budget for 2018-2019.

The City Council would adopt and appropriate the annual budget in the amount of \$29,352,605; the budget also included \$1,959,084 of unappropriated ending balance. The resolution was required to be approved on or before June 30, 2018. A budget was required to be approved per ORS 294. If the Council took no action, the city would not be able to spend money as of July 1, 2018.

The Hearing was opened for public testimony.

Opponents: None.

Proponents: None.

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

CAPRON moved, CRUME seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION 2018-123, A RESOLUTION TO ADOPT AND APPROPRIATE THE ANNUAL BUDGET FOR 2018-2019, IMPOSE THE TAXES UPON TAXABLE PROPERTY, AND CATEGORIZE THE TAXES IMPOSED, WITH AMENDMENTS FOR REMOVING \$10K FROM THE REVOLVING LOAN FUND, REINSTATING ONE POLICE OFFICER AT \$109,591, REINSTATE ONE CODE ENFORCEMENT OFFICER AT \$102,454, ADJUST CONTINGENCY TO \$202,076, FOR THE FISCAL YEAR 2018-2019.** Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

**DEPARTMENT HEAD UPDATES**

Financial: Monthly Report April, 2018

Kari Ott, Finance Director, presented. (Report attached)

Recreation: Quarterly Report

Debbie Jeffries, Recreation Manager, presented. (Report attached)

**HAND-OUTS/DISCUSSION ITEMS**

**Marijuana Taxation Ballot Initiative**

Mr. Brown stated he was seeking consensus to create a ballot measure that would tax marijuana if approved in November. Consensus given.

**CH2M/Jacobs Contract**

Mr. Brown stated the CH2 contract was up for renewal. CH2 had proposed a savings in cost for a longer contract. The current increase percentage was 2.9%. If the city entered into a contract for a 5-year period, the percentage would decrease to 1.5%, for a savings of \$184K; for a 10-year contract, it would decrease to 1%, for a savings of \$210K.

Consensus to bring it back before Council for the 10-year, but to provide numbers for the 5-year, too.





**Agendas: (Attached)**

SREDA 06-06-2018

**Minutes: (Attached)**

Malheur County Court - Budget 04-24-2018, 04-25-2018

Malheur County Court 04-18-2018, 05-02-2018, 05-09-2018, 05-16-2018

Public Works Committee 04-12-2018

Façade Grant Committee 05-23-2018

SREDA 05-02-2018

**Department Stats: (Attached)**

Ontario Fire &amp; Rescue 05/2018

Public Works 05/2018

Ontario Police 04/2018

Code Enforcement 04/2018

**CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

Councilor Capron asked that the Council be kept informed on how the hiring process was affected by the new requirement for city employees to live within the 8C school district boundaries.

Councilor Crume asked about a payback to the General Fund for the PERS payments made for previous Public Works employees.

Mr. Brown stated he would be researching that.

Councilor Palomo thanked Code Enforcement for enforcing clean-up of areas around the East side of town.

Mr. Brown stated the Diversity Advisory Committee would kick-off next Tuesday. The Marijuana Ad-Hoc Committee would see June 25<sup>th</sup> as their first meeting.

Mr. Cummings reminded everyone of the Buckaroo Supper at the Fairgrounds that evening.

**EXECUTIVE SESSION(S)****Executive Session: ORS 192.660(2)(h)**

An executive session was called at 4:04 p.m. under provisions of ORS 192.660(1)(h) to discuss current, potential, or pending litigation. The Council convened into a second Executive Session at 4:42 p.m.

**Executive Session: ORS 192.660(2)(f)**

An executive session was called at 4:32 p.m. under provisions of ORS 192.660(1)(f) to consider information or records that are exempt from disclosure by law, including written advice from legal counsel. The Council reconvened into regular session at 5:04 p.m.

**ADJOURN**

CRUME moved, PALOMO seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Crume-yes; Carter-out; Palomo-yes; Justus-out; Capron-yes; Winebarger-out; Verini-yes. Motion carried 4/0/3.

**ACCEPTED:****ATTEST**\_\_\_\_\_  
Ronald Verini, Mayor\_\_\_\_\_  
Tori Barnett, MMC, City Recorder



## CITY COUNCIL WORK SESSION MINUTES August 9, 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, August 9, 2018, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Dan Capron, Betty Carter, Ramon Palomo, and Marty Justus.

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

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

Betty Carter led everyone in the Pledge of Allegiance.

### AGENDA

This Agenda was posted on August 7, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

Council added an Executive Session to the Agenda, under ORS 192.660(2)(h) and a marijuana update under Old Business.

WINEBARGER moved, CARTER 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.

### PUBLIC COMMENT

Freddy Rodriguez, Ontario, stated: *Alfredo Rodriguez. Ontario is my place of residence. I just want to say today that I look forward to hearing, and I welcome the decision that will be made today by you guys to the appointing of the seat that will become vacant. I very much welcome it. But, that being said, most importantly, I wanted to say that regardless of the outcome today on that decision, my commitment to the community of this city will not waiver. I will continue. I want to make sure that is said today. Thank you. Thank you for your time.*

### OLD BUSINESS

#### Marijuana Update

Adam Brown, City Manager, stated the Marijuana Ad-Hoc Committee meets weekly. Staff would put their recommendations together for the Council. Also, he, Larry Sullivan, and Dan Cummings had been working together towards the ordinance. The recommendations from the Ad-Hoc committee should influence the ordinance. The Ballot Measure is on for November. He had also put a video on the city's Facebook page about marijuana.

Dan Cummings, Community Development Director, added he would be working on the land use ordinances. They'd like to have the new codes in place if the ban was lifted. The legal actions would occur after the election. The Council would also need to hold a joint planning meeting with the County.

Larry Sullivan, City Attorney, stated he believed they would have until January to take action, as it was his understanding that the statute regarding marijuana stipulated it would not become effective until January, 2019. If the Initiative passed in Ontario, it would not allow anyone to have any marijuana businesses in the UGA unless the county initiative passed, or a party could request to be annexed into the city.



NEW BUSINESSHangar Lease Transfer: 315 Golf to SRVEAA, Chapter #837

Dan Beaubien, Airport Manager, presented.

Hanger #315 Golf has been purchased by the Snake River Valley Experimental Aircraft Association, Chapter #837, and was seeking a lease from the City of Ontario. A new lease was drawn up to reflect the transfer of ownership and required Council approval.

The new lease will be set at an increased rate from the past owners and will therefore increase the dollar amount taken in from the City of Ontario.

As per city policy, the City Council is required to approve all leases generated from the Ontario Airport.

CRUME moved, CARTER seconded, **THAT THE CITY OF ONTARIO GRANT THE LEASE AS PRESENTED FOR HANGAR #315 GOLF AT THE ONTARIO MUNICIPAL AIRPORT TO THE SNAKE RIVER VALLEY EXPERIMENTAL AIRCRAFT ASSOCIATION (SRVEAA), CHAPTER #837.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

Appointment to Fill Upcoming Council Seat Vacancy

Tori Barnett, City Recorder, presented.

Councilor Winebarger has been accepted into nursing school, necessitating her resignation from service on the Ontario City Council. Councilor Winebarger tendered her resignation from the City Council, effective August 31, 2018, leaving a span of four months before the end of her regular term of service with the city.

The Council discussed options for the Interim Councilor spot, and directed staff to post an advertisement soliciting letters of interest from the community for the temporary appointment. Staff posted an advertisement for the position in the local media on several different occasions. The cut-off for accepting letters was Tuesday, July 31, 2018, at 5:00 p.m. Four letters of interest were received from Ontario citizens interested in serving on the Council in the interim. Letters were received from Thomas Jost, Richard Newman, Freddy Rodriguez, and Zoila Mason.

It was important for the Council to have seven members seated when conducting city business, so an appointment effective immediately upon the departure of Councilor Winebarger would keep the Council at full capacity.

Councilor Justus asked to table this action until the candidates could be in attendance. He hadn't spoken to them yet, but he'd like to have them there.

Councilor Winebarger stated she wanted to take action at the current meeting. Councilor Crume agreed.

Councilor Capron stated he had some questions for the candidates, so he was a bit disappointed.

Mayor Verini asked for a consensus on discussing this action, or vote. Capron-no; Winebarger-yes; Crume-yes; Justus-no; Carter-yes; Palomo-yes; Verini-yes. Consensus to vote that evening.

WINEBARGER moved, PALOMO seconded, **TO APPOINT THOMAS JOST AS AN INTERIM CITY COUNCILOR, BEGINNING SEPTEMBER 1, 2018, AND ENDING DECEMBER 31, 2018.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 6/1/0.

Gemini Properties Business Loan fund Application

Kari Ott, Finance Director, presented.

Jim and Anita Smith were partners of Gemini Property Holdings, LLC. They were working to open a fitness center in Ontario. They requested a \$150,000 loan for improvements to the building in order to open the new fitness center.

The Business Loan Fund reviewed the application information and held two meetings. This resulted in a recommendation by the Business Loan Committee to approve the loan with the following recommendations:

Loan to: Gemini Properties, LLC;

Amount of Loan: \$150,000;

Origination Fee: 1.5%

Duration of Loan: 10 years; and

Interest Percentage Rate: 5%

The Committee also requested guarantees from all of the following:

Personal Guarantees from Jim and Anita Smith; and

All Body Shop LLC's (besides Emmett).

The Applicant would be responsible for all recording fees including lien releases.

Regarding the Conditions of the Loan, the Committee recommends:

Applicant needs to purchase building;

Applicant needs an approved building loan from the lender.

Regarding city loan advancements:

Nothing will be paid unless the building loan closes;

Loan funds will be advanced with invoices presented and approved by Sandy Hemenway, BLF Committee Chairperson;

The loan funds will be paid directly to vendors.

Regarding collateral:

Lien on Ontario building;

Lien on Fruitland Building;

Lien on home; and

Assignment on life insurance – Banker's Life (two policies).

After the Business Loan Fund Committee set the stipulations on the loan, Mr. and Mrs. Smith were given a chance to look at the restrictions. On August 1, 2018, Mr. Smith sent an email with some concerns. The following are some of the points of the email:

The applicant was concerned about using the Fruitland property and home for collateral. Mr. Smith was worried that this would prevent refinancing of the buildings.

The applicant was concerned about putting a lien on other locations.

Mr. Smith was concerned that crossing separate LLC's would "pierce the corporate veil".

Applicant believes that personal guarantees alone would accomplish the same.

Finally, the applicant believes that the property alone would be sufficient collateral due to the improvements to be done on the building.

The Business Loan Committee was polled and it was decided to send the report to the Council and inform the Council what Mr. Smith requested. Also, there were a few responses to the above points.

The city could subordinate to the new lender which wouldn't prevent a refinance.

The Committee did not ask for a lien on other locations, only a guarantee from the LLC's.

Banks normally use the appraised value or purchase price of the collateral, whichever is less. In this case, the bank would use \$395,000. There is no guarantee that the improvements would increase the value of the building for sale purposes.

The Business Loan Fund procedures are established in the most current Resolution #2018-101. The \$150,000 loan would result in \$40,917.60 interest to be added to the Business Loan Fund. Currently, there was approximately \$500,000 available in the Business Loan Fund. The applicant was working on getting financing put together and finalized. The sooner a decision was given, it would be better for the applicant.

There were alternatives available to the Council for this matter. They could:

Approve the loan as the BLF Committee recommended.

Approve the loan with the stipulations amended as requested by Mr. Smith.

Approve the loan with a combination of 1 and 2.

Deny the loan.

It was the recommendation of the Business Loan Fund Committee to approve the loan with the previously stated stipulations.

CRUME moved, WINEBARGER seconded, **TO APPROVE THE BUSINESS LOAN TO GEMINI PROPERTIES, LLC, FOR \$150,000, AT 5% FOR 10 YEARS, WITH A 1.5% ORIGINATION FEE, WITH THE FINAL STIPULATIONS APPROVED BY THE BUSINESS LOAN FUND WITH THE FOLLOWING EXCEPTIONS: LIENS ON FRUITLAND BUILDING AND PERSONAL RESIDENCE WILL NOT BE REQUIRED AND A GUARANTEE FROM THE BODY SHOP LLC'S WILL NOT BE REQUIRED.**

Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-no; Capron-no; Winebarger-yes; Verini-yes. Motion carried 5/2/0.

#### Resolution #2018-133: Paid On-Call Firefighters Compensation

Adam Brown, City Manager, presented.

Adjustments to the Paid On-Call Fighters Compensation was last done in 2013. With changes to Oregon's minimum wage, some of the city's paid on-call firefighters were making just barely above minimum wage. This proposal was to adjust the wage for the paid on-call firefighters.

A paid on-call firefighter for the City of Ontario was required to complete 40 hours of in-house training as probationary firefighters before they could even respond to calls. Once completed, they continued training every Tuesday night of each week all year. Those trainings lasted for 2-3 hours. During the probationary year, they had to complete the 40 hour fire essentials class. Significant training was required to qualify to become an on-call firefighter.

Paid on-call firefighters were compensated based upon the hours they worked. Those pay rates were shown in the table below. The most recent change in pay was in 2013. Since that time, minimum wage had increased in Oregon and would continue to increase according to state law.

#### Amount Per Hour

| <u>Years Between Raises</u> | <u>Year</u> | <u>Low</u> | <u>High</u> |
|-----------------------------|-------------|------------|-------------|
|                             | 1982        | \$ 3.35    |             |
| 6                           | 1988        | \$ 5.00    | \$ 7.00     |
| 7                           | 1995        | \$ 7.50    | \$ 9.50     |
| 5                           | 2000        | \$ 9.50    | \$ 9.75     |
| 1                           | 2001        | \$ 9.75    | \$ 10.00    |
| 1                           | 2002        | \$ 10.00   | \$ 10.50    |
| 7                           | 2009        | \$ 10.50   | \$ 11.50    |
| 4                           | 2013        | \$ 11.50   | \$ 12.50    |
| 5                           | ?           |            |             |

The city's paid on-call staff provided coverage year round for all of the city's needs including fire, floods, secondary medical calls, HAZMAT, and search and rescue operations. They were required to pass an annual Physical Agility Test. Much of their time was volunteered without pay. All had full-time employment and responded around and within their normal work hours. It was also noted by the paid on-call firefighters that they participated in fund raising which has brought in tens of thousands of dollars to purchase equipment for the Department.

Staff was requesting a five-year compensation plan that would adjust each year by \$.50 per hour. Junior firefighter wages would be consistent with Oregon's minimum wage scale.

| Position     | Current  | 9/1/2018 | 7/1/2019 | 7/1/2020 | 7/1/2021 | 7/1/2022 |
|--------------|----------|----------|----------|----------|----------|----------|
| Shift Relief | \$ 15.00 | \$ 16.00 | \$ 16.50 | \$ 17.00 | \$ 17.50 | \$ 18.00 |
| Firefighter  | \$ 12.50 | \$ 13.50 | \$ 14.00 | \$ 14.50 | \$ 15.00 | \$ 15.50 |
| Juniors      | \$ 10.50 | \$ 10.50 | \$ 11.00 | \$ 11.50 | \$ 12.00 | \$ 12.50 |

Paid on-call firefighters were a cost effective way to protect the city and the surrounding rural community. The amount paid for paid on-call fire-fighters was less than the cost of a full-time firefighter. In 2017, \$80,375 was budgeted for paid on-call support and \$55,389 was spent, leaving approximately \$24,984 remaining. This volume has been relatively constant over the past five years at around 31%. The increase requested was approximately

19% over the course of the next five years. Fulfilling this compensation request would stay within the annual budgeted amount for paid on-call firefighters, which had remained the same for the past three years. No budget amendment would be necessary. The Council must approve compensation plan changes.

If the Council opted to do nothing on this request, the city could see a challenge in filling the 25 paid on-call spots currently on the city currently has.

WINEBARGER moved, CARTER seconded, **TO APPROVE RESOLUTION #2018-133, A RESOLUTION ADOPTING THE PAY SCHEDULE FOR THE PAID ON-CALL FIREFIGHTERS.** 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**

Financial Report: June, 2018

Kari Ott, Finance Director, presented. (Report attached)

Public Works/JACOBS: Annual Report

Cliff Leeper, Public Works Director, presented. (Report attached)

Community Development: Annual Report

Dan Cummings, Community Development Director, presented. (Report attached)

#### **HAND-OUTS/DISCUSSION ITEMS**

**Agenda: (Attached)**

SREDA 08-08-2018

**Minutes: (Attached)**

Diversity Advisory Committee 06-12-2018

County Court: 07-11-2018; 07-18-2018

SREDA 07-11-2018

**Thank you Letter from TVCC Foundation (Attached)**

**Monthly Department Stats: (Attached)**

JACOBS/Public Works 06-20-2018 thru 07-26-2018

Ontario Fire & Rescue 07-2018 (Attached)

#### **CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

- Councilor Justus stated his vote for abstaining and no vote in regard to Thomas Jost wasn't because he didn't believe that he was capable of being a Council person or that he wasn't capable of doing a good job. The reason he did that was because when they invited the citizens of this city to be a part of the process and did not take the time to hear them, they were presenting a false front. They fed the narrative that they were good old boys and that they had already made up their minds. Why tell these citizens to write a letter, then say they were all invited, but today was during a business day. When they invited during a business day, and they couldn't attend, don't make themselves believe they'd done all they could to invite the citizens to hear them. That's why he hadn't wanted to vote. He thought it was important that when they asked the committee members to make recommendations, that the Council listened. When they asked citizens to apply to be a City Councilor, the time would be taken to interview them. That was not done. That's why he wanted this on the record.
- Councilor Carter brought forward a suggestion to hold a monthly, city-wide clean-up day.

- Councilor Capron reminded them of the annual Cardinal & Corn event on August 18<sup>th</sup>. Proceeds went towards supporting local sports.

#### **EXECUTIVE SESSION**

##### **Executive Session: ORS 192.660(2)(h)**

An executive session was called at 2:51 p.m. under provisions of ORS 192.660(1)(h) to discuss current or potential litigation. The Council reconvened into regular session at 3:28 p.m.

#### **ADJOURN**

CRUME moved, CAPRON 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 August 21, 2018

The scheduled meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Tuesday, August 21, 2018, in the Council Chambers of City Hall. Council members in attendance were Ronald Verini, Norm Crume, Dan Capron, Tess Winebarger, Marty Justus, Betty Carter, and Ramon Palomo.

Members of staff present were Adam Brown, Tori Barnett, Larry Sullivan, Kari Ott, Dan Cummings, Terry Leighton, Jason Cooper, Cliff Leeper, and Betsy Roberts.

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

Tessa Winebarger led everyone in the Pledge of Allegiance.

### AGENDA

This Agenda was posted on August 18, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

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

Councilor Justus arrived back at 7:06 p.m.

### PUBLIC COMMENT

Bruce Tuttle, Ontario, stated: *Thank you, Mayor and Council. My name is Bruce Tuttle. I reside in Ontario, Oregon for the last 74 years. I would like the Council to find the specs on THC of marijuana back in 1980 versus what it is today. I can give you approximate. 4% back in the 80s, 30-33% today, and we need to get this to the paper, we need to get it to the people. We need to tell them that this is not just a little simple drug, or, if I can call it drug, but it is a drug today, and I think we need to get this out to the public. This is a hard drug. Those of you that think it isn't, prove it to us. Thank you.*

John Kirby distributed a Minority Report to the Council, he had prepared along with Andrew Peterson. Council accepted the document into the formal record of the meeting.

### CONSENT AGENDA

WINEBARGER moved, CAPRON seconded, to adopt the Consent Agenda, which included Work Session minutes of February 8, 2018; Special Telephonic Council Meeting minutes of July 9, 2018; Work Session minutes of July 12, 2018; Council Meeting minutes of July 17, 2018; and Special Council Meeting minutes of August 7, 2018. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

### SPECIAL ACTION

#### Departure of Councilor Tessa Winebarger

Mayor Verini presented Ms. Winebarger with a plaque, which read:

*Montessa "Tess" Winebarger, Ontario City Councilor, January 1, 2015 – August 31, 2018.*

*Audit Committee, Budget Committee, Hospital Facility Authority, Local Contract Review Board, Planning Commission Ex-Officio, Sister City Liaison, Four Rivers Cultural Center Liaison, Friends of the Aquatic Center Member, League of Oregon Cities Board Member*

*In recognition and with deep appreciation for the hard work, dedication, and many contributions rendered in service to the people and the community of Ontario, Oregon.*



*Thank you for your support on behalf of city employees, and for always having the courage to make bold statements, drawing attention and opening discussions about important, and sometimes controversial, issues.*

*A special thank you for your service on the League of Oregon Cities Board. Your commitment to providing a voice not just for Ontario, but all of Eastern Oregon, has had, and will continue to have, a positive impact on activities across the state.*

*We extend to you our deepest gratitude, the Ontario City Council, 2018.*

Councilor Winebarger presented each sitting Councilor, incoming Interim Councilor, and city Department Heads with a small gift.

## OLD BUSINESS

### Marijuana Update/Timeline Actions

Adam Brown, City Manager, presented.

Marijuana Ordinance Fastest Track for Completion by November Election

|    |    |    |    |    |    |    |           |
|----|----|----|----|----|----|----|-----------|
| 12 | 13 | 14 | 15 | 16 | 17 | 18 | August    |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |           |
| 26 | 27 | 28 | 29 | 30 | 31 | 1  | September |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |           |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 | October   |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |           |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | November  |
| 30 | 1  | 2  | 3  | 4  | 5  | 6  |           |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 | December  |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |           |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 | January   |
| 28 | 29 | 30 | 31 | 1  | 2  | 3  |           |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 | February  |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |           |

The city's Marijuana Ad-Hoc Committee had some recommendations for the Council.

***Should the City Council require a 2 year residency for any business owner with more than a 51% ownership to operate a dispensary in Ontario.***

*Ad Hoc Committee supports this requirement.*

*Notes: Attorney's initial reaction was that he believes it could be done going forward, but not looking backward.*

***Should the city council require that a business owner be required to operate in another state before being able to operate a store in Ontario?***

*Ad Hoc Committee does not support this policy*

#### ***Buffer Zones:***

*Ad Hoc Committee supports for 1,000 foot buffer from retail to parks/recreation.*

*Ad Hoc Committee supports no buffer from retail to church and daycare.*

*Ad Hoc Committee supports 500 foot buffer from retail to residential.*

*Ad Hoc Committee supports a 1,000 foot retail to retail buffer zone.*

#### ***Time:***

*Ad Hoc Committee supports following the state hours of operation.*

#### ***Taxation and Licensing:***

*Ad Hoc Committee supports city business license for medical grows within the city.*

*Ad Hoc Committee supports taxation at highest possible local level (currently 3%).*

*Ad Hoc Committee supports all business licenses pay \$5,000. Motion passes 7-0*

*Ad Hoc Committee supports a no cost registration for all medical grows. Motion passes 7-0*

#### ***Advertising:***

*Ad Hoc Committee supports prohibiting billboard advertising in the city.*

#### ***Where:***

*Ad Hoc Committee supports non-flammable processing should be allowed in all zones other than residential. Flammable processing should be allowed in just industrial zones. Motion passes 7-0*

*Ad Hoc Committee supports allowing all wholesalers in the commercial and industrial Zones. Motion passes 7-0*

*Ad Hoc Committee supports indoor and outdoor grows in industrial zones. Motion passes 7-0*

*Ad Hoc Committee supports that we allow both indoor and outdoor grows of medical marijuana. Motion passes 7-0*

#### ***Revenue:***

*Ad Hoc Committee supports the city council be allowed to spend money as they see fit to educate children and parents. Motion passes 6-1;*

*Ad Hoc Committee recommends the City Council create a committee involving professionals from all sides of this situation that has the greatest potential to benefit the largest portion of our community. 4-2*

Dan Cummings, Community Development Director, stated the Council directed staff to start the process of amending Title 10A-58 and to bring the Council a schedule to amend Title 10A, all dealing with medical marijuana facilities to allow certain marijuana related operation and activities. This direction was given in case the pending marijuana initiative on the November ballot was approved by the voters.

Chapter 10B-15 Legislative Amendment Procedures required amendments to Title 10A be initiated by the City Council. Amendment actions would first be referred to the planning Commission for a public hearing and recommendation to the City Council. To initiate this action, staff provided a proposed motion.

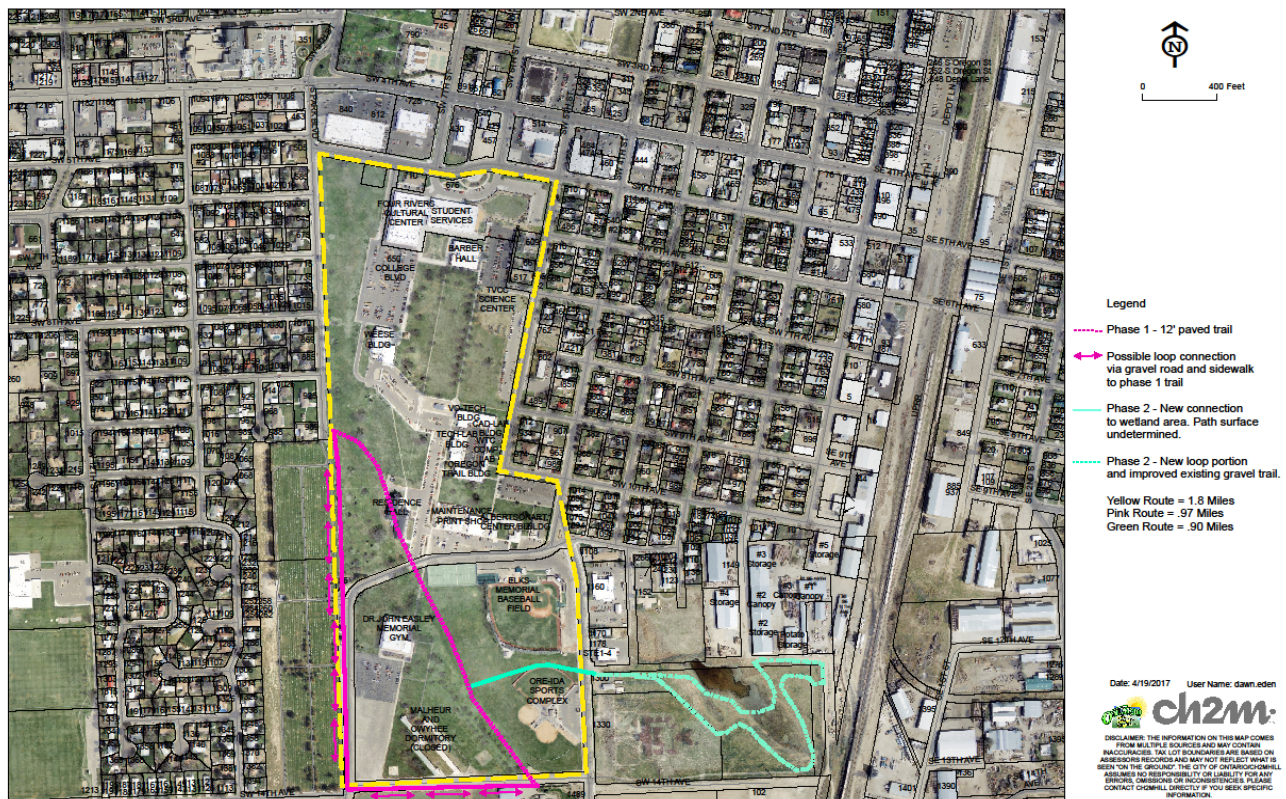
CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL DIRECT STAFF TO MOVE FORWARD WITH THE AMENDMENTS TO TITLE 10A, TO ALLOW CERTAIN MARIJUANA RELATED OPERATIONS AND ACTIVITIES AND TO REGULATE THESE ACTIVITIES, IN THE EVENT THAT THE EXISTING BAN UNDER TITLE 3 CHAPTER 23 IS LIFTED BY THE VOTE OF THE PEOPLE.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

### NEW BUSINESS

#### Treasure Valley Community College Multi-Use Pathway Design

Adam Brown, City Manager, and Betsy Roberts, City Engineer, presented.

Mr. Brown stated this report provided for the survey and design of the TVCC trail improvements. The TVCC Connector trail improvements would link more regions of the TVCC campus and the rest of the community. Phase 1 included paving nearly 6,000 feet of 10-foot wide trail. The segments of path explored in Phase 1 would be along SW 14th Avenue, generally from SW 4th Street to Park Boulevard, then north along Park Boulevard to SW 9th Avenue to connect to the existing sidewalk. The third leg of the triangle connected back through the campus sports field, running past the new residence hall and the southern end of the campus at SW 14th Avenue.



By connecting to existing sidewalks on Park Boulevard at SW 9th Avenue on the north and SW 4th Avenue on the south, the new pathway connects the campus to the rest of the community. The cross campus path would be at the decision of TVCC as to whether they want that route through campus or not. This new path would provide walking, running, or biking for all of the community to enjoy. This pathway project is identified in the recently updated Parks Master Plan.

Currently TVCC pedestrian paths lacked connectivity with the community. On the west side of the college along Park Boulevard and SW 14th Avenue, the path would be paved in asphalt and a new curb and gutter would be constructed. This would create a more formalized path for community residents and students walking along the road to ensure they were better protected from vehicles. A new asphalt paved path would be explored for construction near the residence hall and down toward the south end of campus; this section of path would run through the existing lawn. Any landscaping disturbed during construction would be replaced back to its original condition. City staff would like to have the design for this pathway completed so that it was available when construction funding might become available. Trails were an important aspect for making the community more attractive and livable.



The total construction cost of the phase one TVCC trail improvements was estimated to cost approximately \$165,000 to do all three legs of the project. The construction costs generally included landscaping, excavation, asphalt paving, base course, curb and gutter. The estimated cost for this effort was \$16,300, which broke down to \$6,800 for survey efforts by on-call surveyor, CK3, and \$9,500 for in-house design by Jacobs. The Bike Reserve fund currently sat at \$104,718. Design and survey costs would come out of the Bike Reserve fund, leaving a remaining \$88,418 in that fund. Staff's goal was to conduct a survey this fall and design over the winter so that the construction documents could be available for construction in the spring or as funds became available. Not adding the pathways would not improve the alternative transportation connectivity throughout the campus or the community.

CARTER moved, WINEBARGER seconded, **THAT THE CITY COUNCIL APPROVE DESIGN AND SURVEY FOR PHASE 1 OF THE TREASURE VALLEY COMMUNITY COLLEGE (TVCC) TRAIL PROJECT FOR \$16,300.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### **Bid Award - Ontario Splash Pad Phase 1 (Restroom)**

Adam Brown, City Manager, and Betsy Roberts, City Engineer, presented.

Construction of the restrooms was part of phase one of the Ontario Aquatic Center Master Plan. Completion of this portion of the Phase One was essential to opening the facility.

The Splash Park idea was started by a group of citizens in March, 2016, wanting to reopen the pool. Through numerous public outreach events, input was gathered from the citizens and school aged children and the concept of the splash pad was born. The Friends of the Aquatic Center had raised a significant amount of money through a variety of fundraisers and had been awarded a grant from the State of Oregon to help fund the restroom construction effort for the Splash Pad.

The restrooms for the Splash Pad were required by the State of Oregon in order to proceed with the development of the Splash Pad Phase One. Very recently, the Oregon State Parks and Recreation awarded a grant of nearly \$300,000 to the city to help fund the building of the restrooms and other parts of the Splash Park project. The restrooms were put out to bid over the past month, and two bids were received. The low bid was submitted by Holcomb Construction, Inc. in the amount of \$154,720.00 and the second, submitted by Snake River Construction & Excavation, LLC, in the amount of \$203,452.00. Both bids were reviewed and found to be responsive, and both were within the amount estimated.

The Holcomb Construction Inc. bid, in the amount of \$154,720.00, would be paid out of the Oregon State Parks and Recreation Grant. No additional funds from the City were needed. Approval by the Council to award this project needed to occur quickly so that work could commence as soon as possible. The fall construction window was starting to shrink staff wanted to move quickly to take advantage of that window. This has been out to bid and was advertised in the Argus Observer and on public bid forums. Not moving forward on this aware would require rebidding, which would take additional time and it was likely the bid amount would not change.

WINEBARGER moved, CARTER seconded, **THAT THE CITY COUNCIL APPROVE THE AWARD OF THE BID FOR THE BUILDING OF THE RESTROOMS FOR THE ONTARIO AQUATIC CENTER PHASE 1 SPLASH PARK BUILDING ADDITION TO HOLCOMB CONSTRUCTION, INC. FOR \$154,720.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### **SRCI Wastewater Agreement Extension**

Adam Brown, City Manager, and Larry Sullivan, City Attorney, presented.

The Department of Corrections (DOC), which operated the Snake River Corrections Institute (SRCI), was proposing a second one-year extension of the 20 year agreement that terminated in September of 2017.

Following the last extension of the agreement in August of 2017, negotiations ceased until the spring of 2018 when DOC was once again able to come to the table. The timeliness of the extension was important because of the failures of the lower lift station, which were under-engineered and had failed multiple times. The lower lift station only served SRCI. The city had made repeated attempts to notify DOC that there was an imminent danger that had to be addressed. Since the extension in August 2017, the city had spent \$50,000 in studying alternatives and making temporary repairs to the lower lift station. More repairs were required to make the facility environmentally safe and fail proof.

The Department of Justice assisted the Department of Corrections in preparing the extension of the contract. They had also been helpful in accelerating the negotiations over the past three weeks. The Council expressed a desire to document their continued concerns for the collection system from SRCI to the Wastewater Treatment Plant. In addition to approving the extension, the Council asked staff to prepare a letter to the Department of Corrections reiterating its concerns about the collection system.

The estimated cost to rebuild the preferred reconstruction alternative was \$1.68 million. The wastewater fund was not currently sufficient to bear that cost. That cost would need to be built into the rate system going forward or the state would need to pay for that cost up front to keep the service cost low. The city prepared and shared a 10-year forecast of capital needs for SRCI. Staff believed the state recognized the urgency and was willing to continue to negotiate in good faith. Only the City Council can approve the extension with the State of Oregon. The State of Oregon had the authority to force the city to continue to provide service to the prison.

State statute allowed the state to force the city into mediation to determine a reasonable rate. It was the sentiment of staff from both the state and the city that they could work forward now to negotiate a rate without the time constrictions of mediation.

WINEBARGER moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE THE WASTEWATER EXTENSION AGREEMENT FOR THE SNAKE RIVER CORRECTIONS INSTITUTION AND AUTHORIZE THE MAYOR TO SIGN A LETTER STATING THE ONTARIO CITY COUNCIL'S CONCERNS ABOUT THE LOWER LIFT STATION.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

#### **Resolution #2018-124: Establishing a \$5 Public Safety Fee**

Kari Ott, Finance Director, presented.

The City Council recognized the need to maintain services that safeguarded, facilitated, and encouraged the health, safety, and welfare of the residence and businesses of the city. The Public Safety Fee was not intended to fund public safety in its entirety. It would be used to maintain public safety services.

The City was in need of a funding mechanism to preserve the current police department staffing levels. The City Manager proposed a public safety fee and the budget committee approved a \$5 public safety fee listed as a separate line on the water on the sewer bills. The public safety fee would preserve two police officer positions.

The proposed resolution would set the public safety fee as a monthly \$5 fee to each dwelling unit and nonresidential unit. Staff believes this fee, at a monthly charge of \$5, would bring in \$217,500 annually. If the Council opted to not adopt the proposed resolution, the city could not collect a fee, and lack of funding would cause two police officers to be cut from the 2018-2019 budget. This should be approved as soon as possible to start bringing revenue into the city to fund public safety; however, ORS 294.160 required an opportunity for public comment on fees.

CRUME moved, JUSTUS seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION 2018-134, A RESOLUTION ESTABLISHING PUBLIC SAFETY FEES.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes Verini-yes. Motion carried 7/0/0.

#### **Resolution #2018-125: Certain Fees and Charges Not Subject to Limitations of Article IX, Section 11b, of the Oregon Constitution (Measure 5)**

Kari Ott, Finance Director, presented.

After Resolution 2018-134 Establishing Public Safety Fees was approved by the City Council, the Council needed to consider approving Resolution 2018-135. Resolution 2018-135 classified the public safety fee imposed by Resolution 2018-134 not subject to Measure 5 limitations. This also certified that a publication would be published in the newspaper to give notice of the adoption of this resolution. This should be approved as soon as possible after approval of Resolution 2018-134.

CRUME moved, CARTER seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION 2018-135, A RESOLUTION CLASSIFYING CERTAIN FEES AND CHARGES AS NOT SUBJECT TO LIMITATIONS OF ARTICLE IX, SECTION 11B OF THE OREGON CONSTITUTION (MEASURE 5).** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes Verini-yes. Motion carried 7/0/0.

#### **HAND-OUTS/DISCUSSION ITEMS**

##### **Check Register: June to August 16, 2018**

No comments (Attached)

#### **CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

Councilor Justus stated he wanted to discuss the Business Loan Fund. He wanted the Council to consider asking the Business Loan Committee to update its policies. One, the interest rate should be market instead of below; and two, they should consider a residency requirement. If they were going to be consistent with residency requirements, that should be a part of the Business Loan Fund. I'd like the Council to ask the Committee to update their policies and procedures.

Councilor Crume stated he'd like to ask the Committee members if they had any requests for the Council.

Councilor Carter stated they needed to be careful with how they boxed themselves in every time something came up where a person would have to live within this community. Also, were they truly prepared to support a larger community with no housing?

Councilor Crume stated thanked Mr. Brown for his work on the trail system. However, he feared there could be some in the community who would not understand what could be done with "free" money and cooperation from within the community. He wanted to make sure everyone knew where the money was coming from. It was from the State of Oregon, not local taxpayers.

Councilor Winebarger reminded everyone that there was a city ordinance which prohibited bike riding on sidewalks. That needed to be reviewed, in order for bike riding on the proposed trail system. There were several outdated ordinances that needed to be reviewed.

Councilor Capron stated one year ago was the eclipse. Everyone worked together, and made it a great event.

Councilor Carter informed everyone that Verna Pike was the replacement for Maggie Wood on the Citizens on Patrol group.

The Council thanked Councilor Winebarger for her service on the Council.

#### **ADJOURN**

WINEBARGER moved, VERINI 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 August 28, 2018

The scheduled telephonic meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 5:30 p.m. on Tuesday, August 28, 2018, in the Council Chambers of City Hall. Council members in attendance were Ronald Verini, Norm Crume, Dan Capron, Tess Winebarger, Marty Justus, Betty Carter, and Ramon Palomo.

Members of staff present were Adam Brown, Tori Barnett, Peter Hall, Larry Sullivan, Kari Ott, Dan Cummings, Terry Leighton, Cal Kunz, and Dan Beaubien.

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 August 27, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

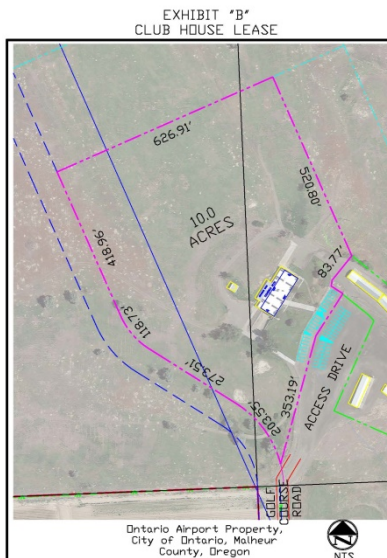
CARTER moved, PALOMO seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes; Verini-yes. Motion carried 7/0/0.

### NEW BUSINESS

#### **Resolution #2018-136: Golf Course Clubhouse and Land Lease Agreement**

Adam Brown, City Manager, presented.

The city has worked with Shadow Butte Enterprises, LLC, to develop a 20-year lease agreement for the former golf course clubhouse and 10 acres of land. The city worked with the proposed lessee to find a mutually beneficial site on the west side of the Ontario Municipal Airport, which was formerly the Golf Course Clubhouse and land. The tenant was looking for a building to be used for oil extraction and production, along with land to build greenhouses for seeding. The tenant would like a 20 year lease. The City Attorney and attorney for Shadow Butte Enterprises, LLC, have come to an agreement on the lease language for the property that was mutually beneficial. The tenant would like to enter the lease as soon as possible to commence operations this fall.



The city has agreed to update the bathrooms to be ADA accessible and to provide ADA accessible parking on site. Also, the city will pay for electrical upgrades up front and will be reimbursed for 50% of the costs within the first two years of the lease agreement. The site plan of the leased property has been made contemplating an ultimate use of the west side of the airport as industrial use. Sufficient land was been set aside for an entrance that would accommodate large vehicles and multiple lanes into the industrial park through Golf Lane. This would be the second lease for the west side of the airport.

After a 90 day period, the city would receive rent in the amount of \$2,000 per month or \$24,000 per year. The rent would increase by 3% per year until the rent was equal to the fair market value of the property. Revenue from this property lease would go to the airport to make the airport more self-sustaining. The tenant would also pay \$300 per year into a sinking fund for maintenance of the Hollingsworth Well from which they would draw some irrigation. Not only would the city realize a new revenue source for the airport, but would also save on the heating and air costs being spent on the building now, as well as ten less acres of property for the city to maintain.



Should the Council opt to deny this action, the city would continue to bear the maintenance costs for the airport. No additional revenue would be received; however, staff would continue to look for revenue generating opportunities to develop the west side of the airport.

CRUME moved, JUSTUS seconded, **I MOVE THE CITY COUNCIL APPROVE RESOLUTION 2018-136, A RESOLUTION APPROVING THE LEASE OF THE FORMER GOLF COURSE CLUBHOUSE AND 10 CONTIGUOUS ACRES OF LAND.** Roll call vote: Crume-yes; Carter-yes; Palomo-yes; Justus-yes; Capron-yes; Winebarger-yes Verini-yes. Motion carried 7/0/0.

**ADJOURN**

WINEBARGER moved, CAPRON 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 WORK SESSION MINUTES September 6, 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, September 6, 2018, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Dan Capron, Betty Carter, and Marty Justus. Ramon Palomo was excused.

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

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 September 4, 2018. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website [www.ontariooregon.org](http://www.ontariooregon.org).

Mayor Verini asked to move item 5A to between sections 3 and 4.

JUSTUS moved, CARTER seconded, **to ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Carter-yes; Palomo-out; Justus-yes; Capron-yes; Verini-yes. Motion carried 5/0/1.

### SPECIAL ACTION

#### Swearing in Interim City Councilor Thomas A. Jost, Jr.

Tori Barnett, City Recorder, gave the Oath of Office to Interim City Councilor Thomas Jost. Mr. Jost was replacing the vacancy left by the resignation of Tessa Winebarger.

### PUBLIC COMMENT

Heather Cummins, Vale: *I live in Vale, however I do spend a lot of time in Ontario. I attend Treasure Valley Community College, and I really believe that the health of that institution relies heavily on the health of this city, so that is why I choose to attend today, and discuss matters pertaining to the health of the community. I have been asked to read some short comments from Jim Forrester, who is the leader of the Malheur CAN organization that is actively engaged in getting regulated cannabis businesses legal in this town, so I will start with his comments as requested. Again, these are his comments.*

*I'll start off saying I urge the Council to keep the donation from Hotbox Farms and use it as intended and not censure a business who wants to show good faith and cause in our community, especially when it comes to something for our kids. I'm sure everyone here knows the lack of quality recreation opportunities we have for our kids. The donation from Hotbox has been paid to the Splash Pad fund already, whereas some of the other donors have only made a promise to donate and invest in our kids. What I would like to emphasize that their promise is in good faith, and should not let any political agenda guide their decision. Our schools receive funds already from the state lottery and from alcohol taxes, both legal in the State of Oregon, just like cannabis. We have organizations, like the Boys & Girls Club, here in town, openly accepting and displaying sponsors involved with alcohol distribution. One even has the name beer in it, displayed on the club website, along with other sponsors. Yet some of those other sponsors are, in fact, ones who are bringing an issue up about Hotbox Farms donation. Pure hypocrisy. After following this issue*



*closely, I've seen multiple comments across many news sources, and almost all of them area in support of keeping the donation and keeping their name, the Hotbox name, on the sponsor wall. This gives me good faith that the Council will make the right decision and keep the wonderful donation made by Hotbox Farms. Keep the money, and the other donors should stick to their promise of investing in our kids too.*

*My personal comments are that as I have read the news reports, it feels as though these donors simply do not want to be associated with a legal cannabis business because of the product they sell, and I would urge the Council to remember that they sell a legal product and have just as much right as any other product sold to adults to sponsor community projects, even when they are to help children. Thank you.*

Megan Cook, Ontario: *Hello. I'm Megan Cook. I'm a resident of Ontario. I am also the Chairperson of Friends of the Aquatic Center. I'm a business owner of multiple businesses in Ontario, as well, and I have two children that go public school here in Ontario. While I agree with many of the things that Heather said in her comments, I think that the actual issue at hand here is not whether or not the donation should be accepted or that donations from the marijuana industry should go towards kids' activities. I completely agree with that. It's just I agree with the fact that the schools get funds from alcohol, from lotteries, but you do not see these things publicized and advertised at the schools. That's the issue at hand. It's not that we don't want the support. We appreciate from Steven Meland very much the, and Jay Britton, for the huge donation and the support to the project, but while this is coming from light, and we're going to see this ban possibly lifted, this is going to be something that is going to be raised consistently, and I feel like it is the responsibility of you Councilors and Mayor that you have to draw a line here. This is where we need to stand and make sure that you are creating, or taking care of the responsibility of whether or not our children are going to be affected like this. Just as I've seen some of the comments where people don't think it's appropriate for kids to do it, but yet still think it's appropriate for it to be supported. It is our responsibility as adults and as of the people of our town to make sure that we are sending the clear message that we're not promoting hotboxing, or promoting smoking marijuana. It's just like a distributorship. It's just like cigarettes, back in the 80s, maybe it was the 70s, when you saw the logos start coming off of these things. It's the same thing. We're just moving in that same direction. I really encourage the Councilors to stand up here, because if we don't, then we're going to see these advertisements, because that's exactly what it is, it's an advertisement. The amount of people that are going to be seeing the name, are going to be underage children. The fact that these owners are so adamant that their business name go on there, makes it even more of an advertisement. That's all I have. Thank you.*

### **SPECIAL ACTION**

#### **Proclamation:**

Mayor Verini read the Proclamation into the record:

*WHEREAS, Each September is recognized as National Preparedness Month; and WHEREAS, Oregonians have witnessed and experienced natural disasters in our own community; and WHEREAS, Every community member can take active steps to protect their families and neighbors from natural and manmade disasters; and WHEREAS, Every family and business in Ontario is encouraged to take active steps to be financially secure after a disaster; and WHEREAS, Every community member is encouraged to make sure they are properly insured against fire, flood, earthquakes, and storms; and WHEREAS, Every community member is encouraged to create a home inventory to include as part of their disaster preparedness kit. NOW, THEREFORE, BE IT RESOLVED that I, Ron Verini, Mayor of Ontario, Oregon, do hereby proclaim the week of September 16-22, 2018, as HOME INVENTORY WEEK in Ontario, Oregon, and join cities across Oregon to encourage everyone to build a home inventory of their personal property, and speak with an insurance agent to make sure they are financially prepared for a disaster.*

### **OLD BUSINESS**

#### **Donation Acceptance of Ontario Splash Pad**

Adam Brown, City Manager, presented.

Mr. Brown read a letter into the record from Friends of the Aquatic Center:



*Dear Council Members: Friends of the Aquatic Center request the Council to ask Steve Meland / Jay Breton/ Hot Box Farms, LLC be recognized as an individual donation by its owners, or in the alternative, anonymously. Out of respect for our other generous donors and, more importantly, because the splash pad is an attraction being built for the children of our community, consensus was reached that it would be inappropriate to brand the project with any businesses that cannot legally serve youth. If they do not agree to change the name, then we encourage the Council return the donation to its owners. If the Council does not act on this, we feel we will be losing other sponsors that will total more than \$40,000. Respectfully, Friends of the Aquatic Center*

Mayor Verini stated the Council had options. They could table it; they could not address it; they could officially accept the donation, which they'd already done;, or they could reject the donation.

Councilor Jost asked what it mattered where the money came from. It was a business donation. They were now saying they didn't want to put Hotbox on there, but it was no different from the gambling business downtown. If they wanted to donate money, but you didn't believe in gambling, you wouldn't take the money? If there were people who didn't believe in the hospital systems, they'd have to remove St. Al's name. The group was begging for money a few years back, now they had money, and wanted to turn certain money back. No child was going to see that on the sign and cause them to start smoking marijuana because they saw the Hotbox name. The Council should accept it – as they had – and move on.

Councilor Crume stated he was against marijuana. But with this donation, he struggled to see the issue. Gambling, selling alcohol, church organization using alcohol sale profits to fund things. The name was not there, but it was the same thing. There were no rules established on who could or could not donate. This project was for the kids and for the community. Accepting one donation but not the other, they were depriving the community of having this project happen. Marijuana was legal in Oregon. They would be hypocritical to accept money, and then not. This money was accepted, then they were told no logo. They agreed to remove the logo, then they were asked to remove their business name...excuse me, Megan, this is time for Council to talk.

Ms. Cook: *I don't think you have all the information.*

Councilor Crume continued with excuse me, Megan...anyway, it had gone back and forth. The money had been given to the city, not to Friends of the Aquatic Center or to Marty Justus, and it was accepted. He was tired of the bickering over this. Send them all to the corner and have them figure it out. The community was at stake here, not someone's pride over where the money was coming from.

Councilor Capron stated he had spoken to both sides, and agreed with both sides. Why were there no standards established in the beginning? Now they wanted the Council to make the decision.

Councilor Carter stated she had missed the meeting when this happened. She received an email indicating that an individual wasn't happy with Hotbox donating \$25K. She also informed the City Manager of the issue. This money did not go through any representative of the Friends; it came a different way before getting to the city. That's what she was not happy about. If they were going to use Hotbox, why not just use Steven's name? That conversation had happened. Megan was right – Councilor Crume didn't have all the information. She supported Steven Meland and Jay Britton in donating the \$25K, their names were fine, but she preferred that Hotbox not be. She wanted to protect the community and the children.

Councilor Justus stated if anyone wanted to read the email exchange between him, Adam, and the Friends, it was on his Facebook page. This discussion was held last March. Steven Meland and company were clients of Four Star Real Estate. He managed their properties. Nothing was being hidden about how the donation process occurred. The money was donated, a check was written, and it was given to the city, with a receipt. The Chair of the Friends was privy to the email exchanges, and she herself approached Hotbox Farms and asked for the donation. She knew where it was coming from; she knew how it happened, and she was now saying she didn't know, she thought it was just Steven, but it said Hotbox Farms.

Mayor Verini stated the public comments were finished. It was now a Council discussion.

CARTER moved, CAPRON seconded, **THAT THE COUNCIL REQUEST THE DONATORS CONSIDER RENAMING THE DONATION FROM HOTBOX FARMS TO STEVEN MELAND AND JAY BRITTON, AND REMOVE THE HOTBOX FARMS NAME.** Roll call vote: Crume-no; Carter-yes; Palomo-out; Justus-no; Capron-no; Jost-no; Verini-no. Motion failed 1/5/1.

### **Marijuana Issues Update**

Mayor Verini stated the next meeting would be with the Planning Commission on October 8, 2018.

Adam Brown stated Mr. Cummings had submitted a draft ordinance to DLCD on August 31, 2018. There could possibly be a second Planning Commission meeting on October 15, 2018. That would be in time for Council consideration at their October 16, 2018, meeting. He also thanked Dan Cummings for all his work and time put in on this project, as well as the Ad-Hoc committee for their work.

Dan Cummings stated it had been submitted on September 1, 2018. The Ad-Hoc committee had received all the documents for review, and would be meeting next week to discuss it.

### **NEW BUSINESS**

#### **Appointment to Diversity Advisory Committee: Angela Machuca**

Adam Brown, City Manager, presented.

CRUME moved, CARTER seconded, **TO APPOINT ANGELA MACHUCA TO THE DIVERSITY ADVISORY COMMITTEE WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.** Roll call vote: Crume-yes; Carter-yes; Palomo-out; Justus-yes; Capron-yes; Jost-yes; Verini-yes. Motion carried 6/0/1.

#### **Public Works Contract with JACOBS**

Adam Brown, City Manager, presented.

CRUME moved, CAPRON seconded, **TO APPROVE THE AMENDED AND RESTATED AGREEMENT FOR OPERATIONS, MAINTENANCE, AND MANAGEMENT SERVICES (OMI) FOR THE CITY OF ONTRIO, OREGON, FOR A 10-YEAR CONTRACT PERIOD.** Roll call vote: Crume-yes; Carter-yes; Palomo-out; Justus-yes; Capron-yes; Jost-yes; Verini-yes. Motion carried 6/0/1.

#### **Bid Award: Snow Removal Equipment Purchase for Ontario Municipal Airport**

Adam Brown, City Manager, presented.

Snow removal equipment for the Ontario Municipal Airport was previously budgeted at \$30,000 to purchase equipment for snow removal and general upkeep of the airport grounds. After searching during the Fiscal Year 2017-2018, staff could not find the equipment needed at that price point. The city was not looking for a new piece of equipment, they were seeking used. The Budget Committee and Council authorized \$90,000 in this current year to find equipment to sustain a safely operating airport. The desire was to have a loader, with snow blower, snow pusher, and broom to meet the basic needs of the airport.

An invitation to bid was released on August 23, 2018, and advertised in the Argus Observer. The bid opening was conducted on September 9, 2018, at 9 a.m. One bid was received from Pape Machinery for \$87,103.60, and was good through September 15, 2018. The equipment offered was a 2017 John Deere 244k-II Four Wheel Drive Loader. The equipment came with a snow blower, snow pusher, and broom. It had a Quik Tatch Coupler and electrical attachment control Kit. Council must act now or the bidder may sell the equipment to another buyer; however, if the Council chose to not award the bid, the Airport Manager could negotiate with other vendors since the item was bid publicly.

Councilor Crume indicated this was not used, it was new, and had only 89 hours on it. It was a demo. Also, it was too small for the needs of the airport. They knew what type of equipment was needed, but they hadn't discussed the attachments. They also hadn't specified the size of the loader. He could not support this action.

Both Councilor Jost and Councilor Capron agreed that it was too small to do what was needed at the airport.

Councilor Justus asked that the Airport Committee review the specs before it went back out for bid.

CRUME moved, CAPRON seconded, **TO REJECT THE CURRENT BID AND DO MORE RESEARCH.** Roll call vote: Crume-yes; Carter-yes; Palomo-out; Justus-yes; Capron-yes; Jost-yes; Verini-yes. Motion carried 6/0/1.

#### **DEPARTMENT HEAD UPDATES**

##### **Financial Report: July**

Kari Ott, Finance Director, presented. (Report attached)

##### **Recreation Report: Quarterly**

Debbie Jeffries, Recreation Director, presented. (Report attached)

#### **HAND-OUTS/DISCUSSION ITEMS**

##### **Department Stats:**

Ontario Fire & Rescue: Aug, 2018 (Attached)

Ontario Police: Jul, 2018 (Attached)

Code Enforcement: Jul, 2018 (Attached)

Public Works: Jul 2-Aug 23, 2018 (Attached)

##### **Agenda**

SREDA 09-05-2018 (Attached)

##### **Minutes**

County Court: Aug 1, Aug 8, Aug 15, 2018 (Attached)

SREDA: Aug 8, 2018 (Attached)

Public Works: 05-08-2018 (Attached)

#### **CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

Councilor Capron stated with regard to the Splash Pad donation. It was open to anybody to make a donation. For anyone who wasn't happy with the issue, leave the money in there and remove your name from the list. Taking money away on this issue only hurt the kids.

Councilor Jost voiced his desire to take the vacant position on the city's Audit Committee.

CARTER moved, JUSTUS seconded, **TO APPOINT THOMAS JOST TO A POSITION ON THE AUDIT COMMITTEE.** Roll call vote: Crume-yes; Carter-yes; Palomo-out; Justus-yes; Capron-yes; Jost-yes; Verini-out. Motion carried 5/0/2.

Councilor Justus invited everyone to the Four Star Real Estate Block Party, 5:00-8:00 p.m. that evening. There would be a band, food, and beverage. Four Star would be taking donations for the Splash Pad, and would be matching the donations. The sponsor board would read from the Citizens of Ontario. However, if someone donated and wanted their name on the list, that could be done.

Councilor Carter stated with regard to the donations at the Splash Pad, donations were made from the heart. On this issue, they were dealing with mothers. They needed to think about that, and try to understand.

Councilor Crume stated he hoped the community looked at the issue and acted for the greater good.





**EXECUTIVE SESSION****Executive Session: ORS 192.660(2)(h)**

An executive session was called at 1:35 p.m. under provisions of ORS 192.660(1)(h) to discuss current or potential litigation. The Council reconvened into regular session at 1:53 p.m.

**ADJOURN**

CARTER moved, JUSTUS seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Crume-yes; Carter-yes; Palomo-out; Justus-yes; Capron-yes; Jost-yes; Verini-out. Motion carried 5/0/2.

**ACCEPTED:****ATTEST**

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Ronald Verini, Mayor

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Tori Barnett, MMC, City Recorder



**AGENDA REPORT  
OLD BUSINESS  
October 4, 2018**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **LION'S PARK SPLASH PAD BATHROOM GRANT AGREEMENT WITH STATE OF OREGON**

DATE: October 2, 2018

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**PROPOSED MOTION:**

**I MOVE THAT THE CITY COUNCIL APPROVE THE GRANT AGREEMENT BETWEEN THE STATE PARKS AND RECREATION DEPARTMENT AND THE CITY OF ONTARIO FOR STATE GRANT NUMBER LG18-017 - LIONS PARK WATER PLAYGROUND.**

**SUMMARY:**

A grant agreement between the State of Oregon Parks and Recreation Department (OPRD) and the City of Ontario must be executed to proceed with work on the splash pad.

**BACKGROUND:**

The City of Ontario applied for a grant from the Oregon Parks and Recreation Department. Staff was asked to come present before the Local Government Grant Program Committee in June of 2018. The City was notified that the committee would be recommending the Lion's Park Water Playground project to the State Parks and Recreation Commission. The commission met in September and approved the committee's recommendation.

**CURRENT SITUATION:**

The city received a grant agreement between the State of Oregon Parks and Recreation Department and the City of Ontario, which must be signed and sent back to OPRD for final execution of the agreement. After both parties have signed the agreement, work may proceed.

The project includes building 3 restrooms to service the splash pad, an additional restroom to service the skate park, a wood pergola, and additional shade structures.

**ANALYSIS:**

- A. **FINANCIAL** The total state grant is \$298,200. The match from the city is \$229,000, which comes from donations, in kind work, and city transient occupancy tax. The total project cost is \$527,200. No general fund dollars have been spent on this project.
- B. **TIMING** Timing is critical, because the builder is ready to proceed immediately with construction. It is our understanding that as soon as the council approves the agreement and the city returns the signed agreement, that the State can execute the agreement immediately and give us a notice to proceed.
- C. **POLICY/LEGAL** The City Council must approve the grant agreement and authorize the City Manager to sign the grant agreement document.

**ALTERNATIVES:**

Take No Action - The project will be delayed if the item is not approved.

**RECOMMENDATION:**

The City Manager recommends that the City Council approve the grant agreement between the State Parks and Recreation Department and the City of Ontario for state grant number LG18-017 - Lions Park Water Playground.

**ATTACHMENTS:**

1. LG18-017 Lions Park Agreement



# Oregon

Kate Brown, Governor

## Parks and Recreation Department

Headquarters - Administration

725 Summer St NE Ste C

Salem, OR 97301-1266

(503) 986-0980

Fax (503) 986-0794

[www.oregonstateparks.org](http://www.oregonstateparks.org)



September 21, 2018

Adam Brown  
City of Ontario  
444 SW 4th St  
Ontario, OR 97914

RE: **Project Agreement**  
Local Government Grant Program  
**LG18-017 – Lions Park Water Playground**

Adam:

Congratulations on your successful application for grant funds for the Lions Park Water Playground project.

Enclosed you will find two original copies of the **Local Government Grant Program Agreement** between Oregon Parks and Recreation Department (OPRD) and the City of Ontario. This agreement must be approved and signed by you or the appropriate representative, and our office, in order to receive grant funds.

Please sign both copies of this agreement and return them both to our office. We will then return a fully signed agreement to you along with a **Notice to Proceed** letter. **Work must not begin until you receive the Notice to Proceed letter and a copy of this agreement, signed by the State. Any work completed prior to receiving the Notice to Proceed is not eligible for reimbursement or as match.**

Timely implementation and completion of your project is extremely important. Your project must be completed by **October 31, 2020**. This will ensure continued credibility and success of the Local Government Grant Program by demonstrating effective results to citizens and policy makers.

We encourage you to offer appropriate media opportunities and, when possible, involve your local legislators to help build public awareness of the project's purpose and benefits. Please notify me for any event celebrating your project's completion.

If you have questions or if I can be of any assistance please feel free to contact me at 503-986-0591 or [mark.cowan@oregon.gov](mailto:mark.cowan@oregon.gov). Thank you for helping make this valuable investment in Oregon's outdoor recreation.

Sincerely,

Mark Cowan  
Grant Program Coordinator

Enclosures: LGGP Project Agreement (2)



# Oregon Parks and Recreation Department

## Local Government Grant Program Agreement

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THIS AGREEMENT ("Agreement") is made and entered into by and between the State of Oregon, acting by and through its **Oregon Parks and Recreation Department**, hereinafter referred to as "OPRD" or the "State" and the **City of Ontario**, hereinafter referred to as the "Grantee".

**OPRD Grant Number:** LG18-017

**Project Title:** Lions Park Water Playground

**Project Type (purpose):** Development

**Project Description:** The project will add two separate restroom buildings and shade structures at Lions Park in Ontario, Oregon. The Project is further described in the Application included as Attachment B.

**Grant Funds /**

|                                     |                         |                 |
|-------------------------------------|-------------------------|-----------------|
| <b>Maximum Reimbursement:</b>       | <b>\$298,200</b>        | <b>(56.56%)</b> |
| <b>Grantee Match Participation:</b> | <b><u>\$229,000</u></b> | <b>(43.44%)</b> |
| <b>Total Project Cost:</b>          | <b>\$527,200</b>        |                 |

**Grant Payments / Reimbursements:** Grant funds are awarded by the State and paid on a reimbursement basis, and only for the Project described in this Agreement, and the original Application included as Attachment B. To request reimbursement, Grantee shall use OPRD's online grant management system accessible at [oprdragrants.org](http://oprdragrants.org). The request for reimbursement shall include documentation of all project expenses plus documentation confirming project invoices have been paid. Grantee may request reimbursement as often as quarterly for costs accrued to date.

**Fiscal Year-End Request for Reimbursement:** Grantee must submit a Progress Report and a Reimbursement Request to OPRD for all Project expenses, if any, accrued up to **June 30**, of each fiscal year. The Fiscal Year-End Reimbursement Request must be submitted to OPRD by **July 31**.

**Reimbursement Terms:** Based on the estimated Project Cost of **\$527,200**, and the Grantee's Match participation rate of **43.44%**, **the reimbursement rate will be 56.56%**. Upon successful completion of the Project and receipt of the final reimbursement request, the State will pay Grantee the remaining Grant Funds balance, or **56.56%** of the total cost of the Project, whichever is less.

**Matching Funds:** The Grantee shall contribute matching funds or the equivalent in labor, materials, or services, which are shown as eligible match in the rules, policies and guidelines for the Local Government Grant Program. Volunteer labor used as a match requires a log with the name of volunteer, dates volunteered, hours worked, work location and the rate used for match, to be eligible.

**Progress Reports:** Grantee shall submit Progress Reports with each Reimbursement Request or, at a minimum, at **six month intervals**, starting from the effective date of the Agreement. Progress Reports shall be submitted using OPRD's online grant management system accessible at [oprdragrants.org](http://oprdragrants.org).

**Agreement Period:** The effective date of this Agreement is the date on which it is fully executed by both parties. Unless otherwise terminated or extended, the Project shall be completed by **October 31, 2020**. If project is completed before the designated completion date, this Agreement shall expire on the date final reimbursement payment is made by OPRD to Grantee.

**Retention:** OPRD shall disburse up to 90 percent of the Grant Funds to Grantee on a cost reimbursement basis upon approval of invoices submitted to OPRD. OPRD will disburse the final 10 percent of the Grant Funds upon approval by OPRD of the completed Project, the Final Progress Report and the submission of five to ten digital pictures of the completed project site.



**Final Request for Reimbursement:** Grantee must submit a Final Progress Report, a Final Reimbursement Request and five to ten digital pictures of the completed project site to OPRD within 45 days of the Project Completion Date.

**Project Sign:** When project is completed, Grantee shall post an acknowledgement sign of their own design, or one supplied by the State, in a conspicuous location at the project site, consistent with the Grantee's requirements, acknowledging grant funding and the State's participation in the Project.

**Agreement Documents:** Included as part of this Agreement are:

Attachment A: Standard Terms and Conditions

Attachment B: Project Application including Description and Budget

In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents is as follows, listed from highest precedence to lowest precedence: this Agreement without Attachments; Attachment A; Attachment B.

**Contact Information:** A change in the contact information for either party is effective upon providing notice to the other party:

Grantee Administrator

Adam Brown  
City of Ontario  
444 SW 4th St  
Ontario, OR 97914  
541-881-3223  
adam.brown@ontariooregon.org

Grantee Billing Contact

Adam Brown  
City of Ontario  
444 SW 4th St  
Ontario, OR 97914  
541-881-3223  
adam.brown@ontariooregon.org

OPRD Contact

Mark Cowan, Coordinator  
Oregon Parks & Rec. Dept.  
725 Summer ST NE STE C  
Salem, OR 97301  
503-986-0591  
mark.cowan@oregon.gov

**Signatures:** In witness thereof, the parties hereto have caused this Agreement to be properly executed by their authorized representatives as of the last date hereinafter written.

**GRANTEE**

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Oregon Department of Justice (ODOJ)** approved for legal sufficiency for grants exceeding \$150,000:

By: Kristen Ennis  
ODOJ Signature or Authorization

\_\_\_\_\_  
Printed Name/Title

by email on September 4, 2018  
Date

**STATE OF OREGON**

**Acting By and Through Its  
OREGON PARKS AND RECREATION DEPT.**

By: \_\_\_\_\_  
Tracy Loudon, Business and Tech. Solutions Administrator

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Jan Hunt, Grants Section Manager

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Mark Cowan, Grant Program Coordinator

\_\_\_\_\_  
Date



# Attachment A – Standard Terms and Conditions

## Oregon Parks and Recreation Department Local Government Grant Program Agreement

1. **Compliance with Law:** Grantee shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Agreement or to implementation of the Project, including without limitation, OAR chapter 736, Division 6 (the Local Government Grant Program administrative rules).
2. **Compliance with Workers Compensation Laws:** All employers, including Grantee, that employ subject workers who provide services in the State of Oregon shall comply with ORS.656.017 and provide the required Worker's Compensation coverage, unless such employers are exempt under ORS 656.126. Employer's liability insurance with coverage limits of not less than \$500,000 must be included.
3. **Amendments:** This Agreement may be amended only by a written amendment to the Agreement, executed by the parties.
4. **Expenditure Records:** Grantee shall document, maintain and submit records to OPRD for all Project expenses in accordance with generally accepted accounting principles, and in sufficient detail to permit OPRD to verify how Grant Funds were expended. These records shall be retained by the Grantee for at least six years after the Agreement terminates. The Grantee agrees to allow Oregon Secretary of State auditors and State agency staff access to all records related to this Agreement for audit and inspection and monitoring of services. Such access will be during normal business hours, or by appointment.
5. **Equipment:** Equipment purchased with Local Government Grant Program funds must be used as described in the Project Agreement and Application throughout the equipment's useful life. The Grantee will notify the State prior to the disposal of equipment and will coordinate with the State on the disposal to maximize the equipment's ongoing use for the benefit of the Local Government Grant Program.
6. **Use of Project Property:** Grantee warrants that the land within the Project boundary described in the Application (Attachment B) shall be dedicated and used for a period of no less than 25 years from the completion of the Project. Grantee agrees to not change the use of, sell, or otherwise dispose of the land within the Project boundary, except upon written approval by OPRD. If the Project is located on land leased from the federal government, the lease shall run for a period of at least 25 years after the date the Project is completed. If the Project is located on land leased from a private or public entity, other than the federal government, the lease shall run for a period of at least 25 years after the date the Project is completed, unless the lessor under the lease agrees that, in the event the lease is terminated for any reason, the land shall continue to be dedicated and used as described in the Project Application for a period of at least 25 years after the date the Project is completed.

Land acquired using Local Government Grant funds shall be dedicated, by an instrument recorded in the county records, for recreational use in perpetuity, unless OPRD or a successor agency consents to removal of the dedication.

7. **Conversion of Property:** Grantee further warrants that if the Grantee converts lands within the Project boundary to a use other than as described in the grant application or disposes of such land by sale or any other means ("Converted Land"), the Grantee must provide replacement land acceptable to OPRD within 24 months of the date of the conversion or disposal or, if the conversion or disposal is not discovered by OPRD until a later date, within 24 months after the discovery of the conversion or disposal.



If replacement land cannot be obtained within the 24 month period, the Grantee will provide payment of the grant program's prorated share of the current fair market value of the Converted Land to the State. The prorated share is measured by that percentage of the original grant (plus any amendments) as compared to the original Project cost(s). The replacement land must be equal to the current fair market value of the Converted Land, as determined by an appraisal. The recreation utility of the replacement land must also be equal to that of the Converted Land.

If conversion occurs through processes outside of the Grantee's control such as condemnation or road replacement or realignment, the Grantee must pay to the State a prorated share of the consideration paid to the Grantee by the entity that caused the conversion. The State's prorated share is measured by the percentage of the original grant (plus any amendments) as compared to the original Project cost(s).

The warranties set forth in Section 6 and this Section 7 of this Agreement are in addition to, and not in lieu of, any other warranties set forth in this Agreement or implied by law.

8. **Contribution:** If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against a party (the "Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim.

With respect to a Third Party Claim for which the State is jointly liable with the Grantee (or would be if joined in the Third Party Claim), the State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the Grantee in such proportion as is appropriate to reflect the relative fault of the State on the one hand and of the Grantee on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the State on the one hand and of the Grantee on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if the State had sole liability in the proceeding.

With respect to a Third Party Claim for which the Grantee is jointly liable with the State (or would be if joined in the Third Party Claim), the Grantee shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the State in such proportion as is appropriate to reflect the relative fault of the Grantee on the one hand and of the State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Grantee on the one hand and of the State on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The Grantee's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if it had sole liability in the proceeding.

Grantee shall take all reasonable steps to cause its contractor(s) that are not units of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents ("Indemnatee") from and against any and all



claims, actions, liabilities, damages, losses, or expenses (including attorneys' fees) arising from a tort (as now or hereafter defined in ORS 30.260) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Grantee's contractor or any of the officers, agents, employees or subcontractors of the contractor ("Claims"). It is the specific intention of the parties that the Indemnatee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnatee, be indemnified by the contractor from and against any and all Claims.

9. **Condition for Disbursement:** Disbursement of grant funds by OPRD is contingent upon OPRD having received sufficient funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow OPRD, in the exercise of its reasonable administrative discretion, to make the disbursement and upon Grantee's compliance with the terms of this Agreement.
10. **No Third Party Beneficiaries.** OPRD and Grantee are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly or indirectly, to a third person unless such a third person is individually identified by name herein and expressly described as intended beneficiary of the terms of this Agreement.
11. **Repayment:** In the event that the Grantee spends Grant Funds in any way prohibited by state or federal law, or for any purpose other than the completion of the Project, the Grantee shall reimburse the State for all such unlawfully or improperly expended funds. Such payment shall be made within 15 days of demand by the State.
12. **Termination:** This Agreement may be terminated by mutual consent of both parties, or by either party upon a 30-day notice in writing, delivered by certified mail or in person to the other party's contact identified in the Agreement. On termination of this Agreement, all accounts and payments will be processed according to the financial arrangements set forth herein for Project costs incurred prior to date of termination. Full credit shall be allowed for reimbursable expenses and the non-cancelable obligations properly incurred up to the effective date of the termination.
13. **Governing Law:** The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.
14. **Entire Agreement:** This Agreement constitutes the entire Agreement between the parties. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, Agreements, or representations, oral or written, not specified herein regarding this Agreement. The Grantee, by signature of its authorized representative on the Agreement, acknowledges that the Grantee has read this Agreement, understands it, and agrees to be bound by its terms and conditions.
15. **Notices:** Except as otherwise expressly provided in this Agreement, any communications between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile, email, or mailing the same, postage prepaid, to Grantee contact or State contact at the address or number set forth in this Agreement, or to such other addresses or numbers as either party may hereinafter indicate. Any communication or notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine, and to be effective

against State, such facsimile transmission must be confirmed by telephone notice to State Contact. Any communication by email shall be deemed to be given when the recipient of the email acknowledges receipt of the email. Any communication or notice mailed shall be deemed to be given when received, or five days after mailing.

16. **Counterparts:** This agreement may be executed in two or more counterparts (by facsimile or otherwise), each of which is an original and all of which together are deemed one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart.
17. **Severability:** If any term or provision of this agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular term or provision held to be invalid.

Revised by ODOJ 8/15/17: MC  
Reviewed by ODOJ 9/4/18: MC



# Lions Park Water Playground (LGGP)

Application #4578 - Grant Application Summary

Manage

Edit 

## Project Information

Project Name

Lions Park Water Playground

Brief Project Description

New construction of a splash pad at Lion's Park in Ontario. The grant request is to add necessary restrooms and shade structures for families to utilize.

Project Start Date

09/15/2018

Project End Date

10/31/2018

Site Name

Lion's Park

Site City/Town/Area

Ontario

Site County

Malheur

Site Description

The site is located in the center of the city at the Lion's Park. It is a 6.26 acre park that has older playground equipment, two covered shade areas, a small skate park, and it houses the vacant buildings there were used as the Aquatic Center prior to 2013. According to the new 2018 Parks & Recreation Master Plan, this park will be upgraded to become the vibrant park that is used to be when the Aquatic Center was functioning. Repurposing the park will ensure that this park is well used. The site is ideal to address the needs of the SCORP by adding picnic areas, shade areas for small and large visitor groups, and by adding needed restrooms for the people who enjoy the park. The location is near the Boys & Girls Club which has plans to walk with the children to the new splash pad and utilize it for needed exercise for the approximately 240 youth who attend in the summer. Churches, St Alphonsus Medical Center, restaurants, schools, and other businesses are close by. There is a bus stop at the park and the City of Ontario police and fire & rescue is just down the main road. This will offer safety and emergency services close by. The new trails system will intersect with the park, which makes it an ideal location for families

to walk to from any nearby neighborhood. The addition of the restrooms and the shade areas will help those who attend be comfortable and meet the requirements of the Health Department.

Site Acreage

6.3

Latitude

44.02521717750561

Longitude

-116.973615673126

## Contact Information

Applicant

City of Ontario

Applicant Federal Tax Id

93-6002229

Applicant DUNS Number

Project Contact

Barb Higinbotham

Address

Barb Higinbotham  
444 SW 4th Street  
Ontario, OR 97914  
barb@cina.team  
541-889-1060

Reimbursement Contact

Adam Brown

## Financial Information



Requested Amount

\$298,200.00

Match Amount

\$229,000.00

Total Project Cost

\$527,200.00

Grant %

56.56297420333839 %

Match %

43.43702579666161 %

### Project Budget Worksheet

| Project Budget Worksheet                                                               |              |
|----------------------------------------------------------------------------------------|--------------|
| Cost of Pergola Wood Shade Structure                                                   | \$60,700.00  |
| Cost of bank of three restrooms required by the Health Department                      | \$220,000.00 |
| New tensile fabric sun/rain protection awning at existing building (approx 1600 sq ft) | \$75,000.00  |
|                                                                                        | \$0.00       |
| Additional restroom to connect with skate park not including utility extensions        | \$140,000.00 |
| Additional tensile fabric structure at skate park restroom                             | \$31,500.00  |
| In-kind Donation                                                                       | \$0.00       |
| In-kind Donation                                                                       | \$0.00       |
| St Alphonsus                                                                           | \$0.00       |
| Hot Box Farms                                                                          | \$0.00       |
| V&C                                                                                    | \$0.00       |
| Cook Family Donation                                                                   | \$0.00       |
| Four Star Real Estate                                                                  | \$0.00       |
| Treasure Valley Steel                                                                  | \$0.00       |
| Poole Family Donation                                                                  | \$0.00       |
| Olsen Family Donation                                                                  | \$0.00       |

| <b>Project Budget Worksheet</b>                              |             |
|--------------------------------------------------------------|-------------|
| Peterson Family Donation                                     | \$0.00      |
| Community in Action                                          | \$0.00      |
| Malheur Trust                                                | \$0.00      |
| Baskin Robins                                                | \$0.00      |
| Boys & Girls Club                                            | \$0.00      |
| Anderson Excavation                                          | \$0.00      |
| Ch2MHill                                                     | \$0.00      |
| TCI                                                          | \$0.00      |
| Friends of the Aquatic Center                                | \$0.00      |
| Carter Family Donation                                       | \$0.00      |
| Transient Occupancy Tax Funds                                | \$0.00      |
| <b>Source of Funding Worksheet</b>                           |             |
| In-kind Donation (Steve's Backhoe Service)                   | \$0.00      |
| In-kind Donation (Home Depot)                                | \$0.00      |
| St Alphonsus (Non-Profit Business Donation)                  | \$25,000.00 |
| Hot Box Farms (Private Business Donation)                    | \$25,000.00 |
| V&C (Ontario Chamber of Commerce)                            | \$10,000.00 |
| Cook Family Donation (Private Donatrion)                     | \$3,000.00  |
| Four Star Real Estate (Private Business Donation)            | \$2,500.00  |
| Treasure Valley Steel (Private Business Donation)            | \$3,500.00  |
| Poole Family Donation (Private Donation)                     | \$5,000.00  |
| Olsen Family Donation (Private Donation)                     | \$6,000.00  |
| Peterson Family Donation (Private Donation)                  | \$1,000.00  |
| Community in Action (Non-Profit Donation)                    | \$2,500.00  |
| Malheur Trust (Family Trust Donation)                        | \$2,000.00  |
| Baskin Robins (Business Donation)                            | \$500.00    |
| Boys & Girls Club (Non-Profit Donation)                      | \$3,000.00  |
| Anderson Excavation (In-Kind Donation from Private Business) | \$10,000.00 |

| <b>Project Budget Worksheet</b>                                                                    |              |
|----------------------------------------------------------------------------------------------------|--------------|
| Ch2MHill (In-Kind Donation from a Private Business)                                                | \$10,800.00  |
| TCI (In-Kind Donation from a Private Business)                                                     | \$1,200.00   |
| Friends of the Aquatic Center (Private Donations of Cash - multiple donations throughout the year) | \$6,500.00   |
| Carter Family Donation (Private Donation)                                                          | \$1,500.00   |
| Transient Occupancy Tax Funds (City of Ontario's Transient and Occupancy Tax)                      | \$110,000.00 |

**Total Project Cost**

\$527,200.00

**Total Match from Sponsor**

\$229,000.00

**Grant Funds Requested**

\$298,200.00

**Supplemental Information****A. PROJECT NARRATIVE (Please limit each answer to 400 words or less.)**

1. Describe all elements of the project, project objectives, and the need for assistance. Describe who will do the work and who will provide supervision.

The full project elements include building of a new splash pad starting in April of 2018. This project will bring amenities to the Lion's park that include splash pad, water features, concrete decking, shade and picnic areas, and restroom facilities to service the area. The City has enough money raised to complete the splash pad, mechanics, excavation, and surrounding concrete. The project must include adding bathrooms and shade structures for attendees. The objective of the splash pad is to add low cost amenities for residents to enjoy. Utilizing the Lion's park is a wonderful way to repurpose property that was central for family activities prior to closure the Aquatic Center in 2013. Families need to exercise and have fun in a community-centric way. The City's objectives are threefold. First, enhance a blighted area used to be a location filled with activity and family fun. Second, to create a healthy community where residents can live, work, and enjoy life. Adding amenities is an expressed need and has been identified through three community surveys. All surveys support recreation options for families and many respondents specifically listed a splash pad to address the need. The third objective is to add amenities



that will help entice new and future employers to look more seriously at the area to boost economic stability. Employers look at quality of schools, family amenities, access to quality child care, and ability to hire qualified/skilled workers. The City needs assistance to address the areas identified in the 2013 SCORP. This includes the addition of two sets of public restrooms, creating shaded picnic areas, and creating areas for families to recreate. Need for Assistance: We are asking for this grant to cover the costs of two bathroom installations and three shaded picnic areas. There are not enough funds available to complete the project without the help of this grant and restrooms and shade are a necessity. The City will follow their process to bid the installation of the project according to procurement policies. Quality control will be provided by the City with personnel in place. Supervision of the work: Mark Seder, Seder Architecture + Urban Design, LLC, will provide project management services and oversight. Mark has experience including the North Wasco County Aquatic Center that opened in 2015. Mark will coordinate the volunteers who have offered their services for the project.

2. Describe any new facilities to be constructed, existing facilities which are to be renovated, removed or demolished. Describe present development on the site and how the proposed project fits in with future development.

Phase one includes new construction of the splash pad, new construction of public restrooms with changing stations, benches and shade areas for families and children to enjoy. The splash pad will be approximately 4,000 square feet, will include fun water apparatuses and will offer the community an amenity that they will be proud of. A fence will be constructed around the area to contain the site. Families will be able to utilize nearby benches and added covered seating to enjoy watching their children exercise, play, and interact with other children. The construction for the splash pad will require excavation of the site, installation of mechanical units, drain systems, water tanks and other equipment designed to maintain the system. New cement pads and a deck for families to utilize in combination with the splash pad will be constructed. Work will be done in consultation with the Oregon Health Authority and the local Malheur County Health Department, consultation and coordination with the City of Ontario Public Works Department, and other interested and required to review the Master Plan and scope of the project. Amenities on site include a skate park, and tennis courts. These amenities are located on the Lion's Park property and will enhance the new Master Plan to create a campus for community activities. The defunct pool building is vacant and houses two empty pools and equipment that have not been used since 2013. The plan is to incorporate renovation of the AC building, refurbish the pools, and create a campus style location that is easily accessible for the community, staff, and maintenance workers. The proposed plan fits within future development nicely. When the splash pad, public restrooms, picnic areas with shade for families is completed, the next phase of the project will be started. The Master Plan provides the vision that is needed to complete the entire campus for the community to use.

## **B. CONSISTENCY With STATEWIDE PRIORITIES - SCORP Criteria (0-20 points)**

**To what extent does the project address ONE OR MORE of the following FOUR (1-4) priorities identified in the 2013-2017 SCORP?**

1. MAJOR REHABILITATION projects involve the restoration or partial reconstruction of eligible recreation areas and facilities. If the project includes major rehabilitation, please check all that apply:



a) Please list the specific facilities that are in need of rehabilitation. Upload photos in the Attachments tab showing the facilities in need of rehabilitation.

b) If only part of the project is rehabilitation, approximately what percentage of the project is rehabilitation?

2. NON-MOTORIZED TRAIL CONNECTIVITY. Trail connectivity involves linking urban trails to outlying Federal trail systems; linking neighborhood, community and regional trails; connecting community parks and other recreational public facilities; connecting parks to supporting services and facilities; connecting neighboring communities; and providing alternative transportation routes. To what extent does the project address non-motorized trail connectivity?

3. ACTIVE PARTICIPATION projects support or provide a base for individual active participation. 'Active' means those forms of recreation that rely predominantly on human muscles and includes walking, sports of all kinds, bicycling, running, and other activities that help people achieve currently accepted recommendations for physical activity. To what extent does the project support or improve access to individual active participation?

Currently, there are no community facilities in Ontario or the surrounding area that encourage families to participate in physical activities. Youth who participate in limited sports through school or private lessons are limited and generally at a substantial cost to families. Schools do not have the capacity to open gyms to families due to liability. The mall was open for residents to walk and is now closed due to snow damage from winter storms. The Lions Park area housed the now defunct aquatic center that has been closed for the past five years and offers no services to the community. There is a small games room in a neighboring town, Payette (Idaho) which is 5 miles away but can only accommodate small groups and is not available at a low cost. By 2011, Oregon was ranked the 35th most obese state in America with an obesity rate of 25.4%, according to Oregon Obesity Statistics. The study shows that Malheur County has over 25% obesity levels that are directly linked to physical inactivity. Children with obesity issues on WIC ages 2-4 in Oregon make up 19.9% of the population in Oregon according to the State of Obesity records. Malheur County has 25.5% of its residents living in poverty according to the Malheur County City Data report. Knowing this makes this an ideal time and location for low-cost and family-centric amenities. Ontario needs to help raise the level of health, provide options to encourage families to get outside and has an obligation to answer the citizen requests to provide low-cost amenities to the area. The splash pad provides access to individual active participation. This includes turf where running is safe and encouraged between water features and other play equipment. Youth will move from one active apparatus to the next with moms, dads, and siblings joining in the fun. Adding the restrooms and picnic/shade areas make sense to offer needed areas for bathroom/health breaks and much needed shade.



4. **SUSTAINABILITY.** To what extent does the project address sustainability recommendations for OPRD-administered grant programs? Please see Chapter Seven (pages 115-117) of the SCORP for sustainability recommendations for land acquisition, new facility development, major rehabilitation, and trail projects.

The project will include public recycling containers to ensure that recyclable materials are processed correctly. The project also has an appropriate use of pervious and impervious surfaces. When the project is completed, it will increase the number of native trees and water efficient landscaping. The project will utilize natural light during the day and will be closed at night, which will conserve energy as well. The project will create a diverse set of recreational experiences which are currently unavailable in the local area, which addresses an identified unmet need and has been substantiated by the community surveys gathered to support recreation in Ontario. Access to the site is easily available by foot and is located in the center of the town.

### **C. LOCAL NEEDS AND BENEFITS - SCORP Criteria (0-30 points)**

1. A map clearly identifying the project location and UGB or unincorporated community boundary or Tribal community boundary drawn on it must be uploaded in the attachments section of this application. Is your project in a CLOSE-TO-HOME area (located within an urban growth boundary (UGB), unincorporated community boundary, or a Tribal Community) or in a DISPERSED AREA (located outside of these boundaries)?

CLOSE-TO-HOME

2. **Please identify how the project satisfies county-level needs by using priorities identified in one of the following local public planning processes. See SCORP Chapter 5, Pgs 86-102 for specific county priorities.**

a) **Public Recreation Provider Identified Need** - Does the project satisfy county-level needs identified by the Public Recreation Provider Survey beginning on page 86 in the SCORP? If so, enter which priority or priorities are identified for the project county. Please use either the Close-to-Home Priorities or Dispersed Area Priorities, not both.

The close to home priorities in 2013 were identified as soccer fields, baseball/football fields, and trails connected to public lands. The dispersed area priorities include cabins/yurts for visitors, showers, and public restrooms. The soccer and baseball fields have been addressed by community groups and local business sponsorship. Over the years, the parks in the community have not been well maintained, which has resulted in the lack of restroom facilities and the lack of areas for visitors to relax and take a break from their travels. This has caused the "dispersed area priorities" to become what we now consider the "close to home" priorities as restroom facilities are a dire need for the Ontario parks areas.

b) **Oregon Resident Identified Need** - Does the priority project satisfy county-level need identified by the Oregon Resident Survey beginning on page 86 in the SCORP? If so, enter which priority or priorities are identified for the project county.

These priorities include children's playgrounds and play areas made of natural materials, picnic areas and shelters for small visitor groups, picnic areas and shelters for large visitor groups. The splash pad area will accommodate the needs of families with children to access a play area filled with water apparatuses,



sunshine, grassy areas, and healthy options for exercise and play. Families will be able to watch their children from shaded picnic areas designed to give relief from the hot sun that is experienced every summer in the Ontario area. Temperatures can range from mild days in the spring in the high 70s to temperatures well over 100 degrees in the summer. The Parks & Recreation Master Plan for 2018 addresses the parks in the community. The plan acknowledges that the Lion's park is a priority for the City and the splash pad project fits nicely within the plan. The pergola on the south side will provide shade to families and the shade sail on the northeast side will provide shade and some rain protection on this side of the water park. The addition of the shade sail over the restroom located near the skate park will also provide needed shade for families to enjoy.

c) Local Planning -To what extent does the project satisfy priority needs, as identified in a current local planning document (park and recreation master plan, city or county comprehensive plan, trails master plan, transportation system plan or bicycle and pedestrian plan)?

The Parks & Recreation Executive Summary says "...the public input in the parks and recreation planning process identified clear preference for a community of choice. They want a built environment that includes recreation opportunities and infrastructure for healthy lifestyles. Trails were the number one identified desire for the community. Renovation and reopening of the Ontario Aquatic Center is also at the forefront of a large percentage of the populations mind. The real challenge will be financing the parks and recreation system that meets the desires of people who make living choices based on the build environment...Investing in a strong park system will pay dividends by bringing more people into our community and making healthy lifestyles more attainable." The City understands what the citizens want due to their input into the plan. In addition, the Master Plan identifies that the Aquatic Center facility must be addressed - see page 87 of the plan, which further identifies a water playground approach.

d) Public Involvement Effort - If the project is not included in a current local planning document, describe the public involvement effort that led to the identification of the priority project including citizen involvement through public workshops, public meetings, surveys, and local citizen advisory committees during the project's planning process.

The Aquatic Center was in operation when the SCORP was created in 2013 and is not listed in the planning document. Public involvement effort included several community groups starting with The Ford Family Foundation (TFFF) leadership training sponsored by Four Rivers Healthy Community. A representative from TFFF came to Ontario, facilitated meetings to identify gaps in the communities, and determine next steps. Both leadership teams agreed that creating low-cost recreation was the highest priority. The next step for the team was a survey, which was completed by 1000 respondents. The city of Ontario and 4RHC leadership team worked to develop plans. A survey was also conducted by an outside firm that produced results to support low-cost recreation at the Lion's Park property. over time this committee morphed into the Friends of the Aquatic Center (FAC), which is currently spearheading the effort. Citizen involvement has been a key. The FAC held over 16 community meetings, gathered information, and coordinated special community events to raise awareness in 2017 and 2018. Public meetings have been held generally monthly at the Malheur County library. Three surveys that have been conducted each resulted in support of the efforts to bring low-cost recreation to Ontario. Some surveys were specific to the defunct pool, however, they provided insight into what the community wants and will support financially through tax levies, if needed. The 4RHC leadership survey indicated that 882 youth would benefit, 963 families will benefit, 774 parents will benefit and one respondent said that no one



would benefit. The City of Ontario survey of 300 households indicated that three in ten would use the pool facility at least once a week and 70% of this group was vary/fairly satisfied with the programs and activities. Nearly 3/4 said they would support a renovation/expansion of family-friendly elements. 7/10 strongly be in favor of adding an outdoor splash park. The popular price point for a future complex per household was \$15 to \$49/yr. The Friends of the Aquatic Center survey of 704 respondents indicated preference of a facility was 159/outside, 346/inside, and 198/both. Seasonal preference was 552/All season, 130/Summer, and 14/Winter. Respondents indicated that recreation and healthy options are needed. Open ended questions gathered information including 312 respondents want a concession stand, 169 respondents want access to fitness activities, 131 want a picnic area and /or place to relax, and 20 respondents specifically asked for a splash pad.

#### **D. LONG TERM COMMITMENT TO MAINTENANCE – SCORP Criteria (0-15 points)**

1. How will the project's future maintenance be funded? Please include specific maintenance funding sources such as tax levies, fee increases, and other funding sources which will be used. A Resolution to Apply submitted with this application should address funding for on-going operation and maintenance for this project.

The resolution to apply for funds was approved by the City Council on March 21, 2018 and is added as an attachment. Ongoing maintenance will be funded from the following sources: City of Ontario Transient Occupancy Tax, which will generate at least \$100,000 per year. Fees raised by the facility that are low costs to residents will produce approximately 50% per season as a low estimate. Funds will be raised by selling food and trinkets and the concession stand and will produce a conservative profit of \$5500 per season. The community has indicated through the Friends of the Aquatic Center survey that it will support an additional tax levy imposed to support the operation with 70% of the 704 respondents supporting this option. Area non-profit organizations have indicated through letters of support that they will contribute to purchasing passes for families that utilize their program. This could add a conservative addition of \$7000 to \$8500 per season. Treasure Valley boxing Club has offered their services for ongoing beautification and removal of debris from the park area. Recreation budget will include oversight of staff that will operate the facility. This amount is anticipated to be a small administrative amount of \$3500 per season.

2. How much do you expect to spend annually or how many staff hours will be needed to maintain the completed project?

The total anticipated cost to maintain the Splash pad project per year is approximately \$97,000 per season, which is assuming a season will be 7 months long. The Splash pad will be open from 11 a.m. to 7 p.m. Monday through Sunday. It will require approximately 1.5 full-time equivalency positions to staff it adequately. The staffing model may include 5 to 6 part-time summer staff who will make a little over minimum wage, depending on their skills and aptitudes. One of these workers may be paid a lead-worker differential with an additional \$2.00 per hour for these duties. Total staffing budget includes 1.5 FTE that will cost approximately \$22,000 per season. This may be 5 part-time workers and work 8 to 12 hours per week. Lead work differential that will cost approximately \$3136 per season.

3. Do you have partnerships with other agencies or volunteer maintenance? Provide documentation such as letters of support from volunteer organizations, cooperative agreements, donations, or signed memoranda of understanding to demonstrate commitment to maintenance.



We have received letters and have had recent discussions regarding maintenance from the Lion's club that offers the assistance of their volunteer labor force. This is a community based group that has a proven track record to do what they say. They provide support at many local venues including the Malheur County Fair and fundraising events in the community. They will be an asset to the splash pad project. We also have a letter of support from the Treasure Valley Boxing Club. This club is unique in the fact that they train their youth on much more than boxing. They are visible in the community and provide beautification, debris removal, and other needed services for local businesses. They provide programs for youth that include entrepreneur training and life skills training. They want to be visible at the splash pad to show the community that kids are a huge asset. We also anticipate that the local schools will be interested in partnering with the City to provide job shadowing experiences for youth in and around Ontario. This will give the schools another outlet for kids to gain employment skills to be able to compete in the workforce when they graduate from high school. We also anticipate that church groups will be interested in helping with projects at the splash pad. Ontario is a very giving community where people like to volunteer. The splash pad is a perfect place to volunteer and show support of the community. Also, the resolution that is attached indicates the City of Ontario's commitment to provide adequate funding for on-going operations and maintenance of the park and recreation facility should this grant be funded.

## **E. OVERALL SITE SUITABILITY (0-10 points)**

### **1. To what extent is the site suitable for the proposed development?**

The site is designed as a community park and owned by the city of Ontario. It is suitable for the project, resides in the center of the community, and is accessible within walking distance to all neighborhoods. The splash pad and its supporting features will create an immediate draw and is very visible from the busy SW 4th Avenue along the adjacent skate park. The new public restrooms and shade/picnic areas will be a needed (and required by the Health Department) addition to the amenities at the Lion's park in Ontario. The Community Development Director has been part of the planning process. He is in support of the plan and does not foresee any issues that will preclude the process of new construction for the bathroom/shade structures at the park. All additional bathrooms/shade areas and picnic/shade areas will be ADA accessible. All permits will be requested and the appropriate authorities will be consulted for health and safety features. Many permits have been applied for and/or obtained.

### **2. Also describe the extent to which the site or project design minimizes negative impacts on the environment and surrounding neighborhood and integrates sustainable elements.**

The project will have minimal negative impact on the environment and surrounding neighborhoods. Any such impacts will be temporary during the construction phase. This will include excavating the site to ensure that all equipment, water lines, etc. can be placed in the proper locations. The new restrooms/changing rooms and picnic/shade areas will be within the new splash pad area and will create no additional disruption to the park, plants, etc. Native grass area will be added in a splash pad location to give another area for relaxation for the splash pad goers.

## **F. COMMUNITY SUPPORT (0-5 points)**

### **1. To what degree can you demonstrate community support for the project? Can you provide letters of support and/or survey analysis? If yes, please include supporting documentation with this application.**



The attached surveys and survey recaps illustrate that the splashpad project has excellent community support. This has been accomplished through three community surveys, an Aquatic Center "friendraising" event, and several years of meetings conducted by the Friends of the Aquatic Center and predecessor groups. These groups are all community based advisory consisting of private citizens, non-profit organizations, the City of Ontario, business leaders, and others who are interested in providing input on the splashpad project as well as the larger scale Aquatic Center Master Plan. Letters of support are attached and are very diverse. They include non-profits, a state agency, and private citizen groups. In addition to the surveys, the FAC survey shows 70% of FAC survey respondents support a tax levy to support the plan, if needed. 78% of the respondents concluded that an all-season facility is needed, which will be accomplished in phase two and three of the Aquatic Center Master Plan. In a recent survey by the City for the Master Plan update, 77.3% of respondents chose a functioning aquatic center as one of their two choices. Comments from the survey also include that the Lion's part needs bathrooms; respondents are "super excited" about the splash pad; respondents want to open the restrooms and update the play areas. Others commented that the splash pad will draw more people but it must have restrooms. It is clear from the comments that respondents are supportive of the park upgrade that includes the splash pad and restrooms. An emerging type of recreation development that can promote water activities in a much safer environment is a splash pool or water playground. These facilities are gaining in popularity due Parks and Recreation Master Plan 2018 Section 6 – Recommendations Page 6-35 to the fact that they are popular with small children, use little water, and are relatively inexpensive to build. Because of the hot summers, the City should consider developing one of these facilities. Some of the more elaborate water playgrounds are staffed and charge an entry fee. It is recommended that a water playground be developed at Lions Park. The advantage of this approach is that mechanical system at the existing aquatic center also be used to operate the water playground.

## G. FINANCIAL COMMITMENT (0-10 points)

1. What is the source of local matching funds for the project? A Resolution to Apply must be submitted with this application to indicate a commitment of local match funding for the project.

The source of funds used as match for this grant primarily include funds from local community businesses, community members, and the City of Ontario's Transient and Occupancy Tax. The Friends of the Aquatic Center continue to raise money for additional phases of the project. The budget that is attached details the donors of for the splash pad and illustrates that the community supports the project. The fundraising will continue in an effort to expand the services into the next phase of the project. The Resolution to Apply for funding is an attachment to the grant details.

2. Project applicants are encouraged to develop project applications involving partnerships between the project applicant, other agencies, or non-profit organizations. Project applicants are also encouraged to demonstrate solid financial commitment to providing necessary project maintenance and upkeep. To what extent does the project involve partnerships with other agencies or groups? Are donations and/or funding from other agencies or groups secured?

Please review the attached survey recap that illustrates that this project has excellent community support. This has been accomplished through three community surveys, two Aquatic Center "friend raising" events held in the Lion's park, and several years of meetings conducted by the Friends of the Aquatic Center and predecessor groups. These groups are all community based advisory groups consisting of private



citizens, non-profits organizations, the City of Ontario, business leaders, and others who have shown interest in providing input on the splash pad project. More recently there has been a large push for fundraising that has involved other community people who are interested in the well being of its citizens. The 2018 Water Event recorded 900 in attendance and offered the ability for kids and parents to design the splash pad water apparatuses, which gained additional support from families. Donations are secure and the fundraising will continue for the next phase of the project throughout the year.

### 3. To what extent has funding been secured to complete the project?

Funding is secure for the splash pad project in part due to the Transient Occupancy Tax, which will be made available in coming years. The total amount from TOT is \$262,670, of which \$110,000 has been used for match for this grant. There is also support from local business donations and donations from the community residents. Additional local businesses are offering support as donations of labor and/or equipment. You will see that there are a few businesses in the budget that show \$0, however, they have firm commitments to the project. Funding is secure to match funds with this grant as indicated in the application budget. This will allow match for the restrooms and shade structures. The City of has over \$50,000 cash on hand from individuals and several commitments that have not been collected. The City has also expressed their commitment for maintaining this project over time, which is identified in the Resolution and the newly updated Parks & Recreation Master Plan.

## H. ACCESSIBILITY COMPLIANCE

### 1. Does your agency have a board or city council adopted/approved ADA Transition Plan and/or Self Certification?

Yes, see attachment.

### 2. How will your proposed project meet current accessibility standards?

The City of Ontario regulates ADA requirements through the Ontario Building Inspection Department. All ADA issues will be up to code for this project. Public rights of way are designed per the PROWAG (latest interpretation of the ADA guidelines) and Oregon DOT standard plans. There are already ADA accessible cross walks, curb cut-outs, and flashing light caution signals that lend to the overall ADA requirements. ADA parking is in place with access to the splash pad area by sidewalk for ease of access and all new amenities will meet ADA requirements such as benches, tables, restrooms with changing stations, and picnic and shade areas.

## I. READINESS TO PROCEED

### 1. Have you submitted a signed Land Use Compatibility Statement with this application?

true

### 2. Have you submitted construction or concept plans with this application?

true

3. List required permits and status of permit applications for the project (i.e. Corps of Engineers, Division of State Land, Building Permits, etc.). Describe any possible delays or challenges that could occur in receiving permits.

The splash pad permit is in the process of being submitted. The building permit for the restrooms will go through the City's current process. We have applied for the Oregon Health Department for permit as well. The City Planner does not anticipate any issues or delays with permitting this project.

## J. ACTIVE AND PAST GRANTS PERFORMANCE

1. Describe your performance and compliance with all active and past OPRD grant awards.

There are no recent OPRD grant awards for the City of Ontario. No past issues of compliance nor performance.

## Applicant Certification

As an authorized representative of **City of Ontario**, I certify that the applicant agrees that as a condition of receiving Local Government Grant Program assistance, it will comply with all applicable local, state and federal laws. This application has been prepared with full knowledge of and in compliance with the Oregon Administrative Rules Chapter 736, Division 6, for the Distribution of State Funding Assistance to Units of Local Government for Public Parks and Recreation and OPRD's Procedures Manual for the program.

I also certify that to my best knowledge, information contained in this Application is true and correct. I will cooperate with OPRD by furnishing any additional information that may be requested in order to execute a State/Local Agreement, should the project receive funding assistance.

**Barb Higinbotham, 05/02/2018**

▼ 48 Files

No Comments

▼ 11 Logged Events



# **Inadvertent Discovery Plan for Cultural Resources**

Oregon Parks and Recreation Department • Local Government Grant Program

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**The Inadvertent Discovery Plan (IDP) should be followed if cultural materials, including human remains, are encountered during construction.**

## **Protocol for coordination in the event of inadvertent discovery:**

- In the event of an inadvertent discovery of possible cultural materials, including human remains, all work will stop immediately in the vicinity of the find. A 30 meter buffer should be placed around the discovery with work being able to proceed outside of this buffered area unless additional cultural materials are encountered.
- The area will be secured and protected.
- The project manager/land manager will be notified. The project/land manager will notify the State Historic Preservation Office (SHPO). If possible human remains are encountered, the Oregon State Police, Commission on Indian Services (CIS), SHPO, and appropriate Tribes will also be notified.
  - **Oregon State Police:** ..... Chris Allori 503-731-4717
  - **CIS:** ..... Karen Quigley 503- 986-1067
  - **Appropriate Tribes:** .... As designated by CIS
  - **SHPO:** ..... Dennis Griffin 503-986-0674 or John Pouley 503-986-0675.
- No work may resume until consultation with the SHPO has occurred and a professional archaeologist is able to assess the discovery.
- If human remains are encountered, do not disturb them in any way. *Do not call 911.* Do not speak with the media. Secure the location. Do not take Photos. The location should be secured and work will not resume in the area of discovery until all parties involved agree upon a course of action.
- A professional archaeologist may be needed to assess the discovery and they will consult with SHPO and appropriate Tribal Governments to determine an appropriate course of action.
- Archaeological excavations may be required. This is handled on a case by case basis by the professional archaeologist and project manager, in consultation with SHPO and appropriate Tribes.

## **When to stop work:**

Construction work may uncover previously unidentified Native American or Euro-American artifacts. This may occur for a variety of reasons, but may be associated with deeply buried cultural material, access restrictions during project development, or if the area contains impervious surfaces throughout most of the project area which would have prevented standard archaeological site discovery methods.



Work must stop when the following types of artifacts and/or features are encountered:

***Native American artifacts may include (but are not limited to):***

- Flaked stone tools (arrowheads, knives scrapers etc.)
- Waste flakes that resulted from the construction of flaked stone tools
- Ground stone tools like mortars and pestles
- Layers (strata) of discolored earth resulting from fire hearths. May be black, red or mottled brown and often contain discolored cracked rocks or dark soil with broken shell
- Human remains
- Structural remains- wooden beams, post holes, fish weirs.

***Euro-American artifacts may include (but are not limited to):***

- Glass (from bottles, vessels, windows, etc.)
- Ceramic (from dinnerware, vessels, etc.)
- Metal (nails, drink/food cans, tobacco tins, industrial parts, etc.)
- Building materials (bricks, shingles, etc.)
- Building remains (foundations, architectural components, etc.)
- Old Wooden Posts, pilings, or planks (these may be encountered above or below water)
- Remains of ships or sea-going vessels, marine hardware, etc.
- Old farm equipment may indicate historic resources in the area
- Even what looks to be old garbage could very well be an important archaeological resource.

***When in doubt, call it in!***

**Proceeding with Construction**

- Construction can proceed only after the proper archaeological inspections have occurred and environmental clearances are obtained. This requires close coordination with SHPO and the Tribes.
- After an inadvertent discovery, some areas may be specified for close monitoring or 'no work zones.'
- Any such areas will be identified by the professional archaeologist to the Project Manager, and appropriate Contractor personnel.
- In coordination with the SHPO, the Project Manager will verify these identified areas and be sure that the areas are clearly demarcated in the field, as needed.



# Oregon

Kate Brown, Governor

## Parks and Recreation Department

State Historic Preservation Office

725 Summer St NE Ste C

Salem, OR 97301-1266

Phone (503) 986-0690

Fax (503) 986-0793

[www.oregonheritage.org](http://www.oregonheritage.org)



September 19, 2018

Mr. Mark Cowan  
Oregon Parks and Recreation Department  
725 Summer St NE STE C  
Salem, OR 97301

RE: SHPO Case No. 18-1365

OPRD LGGP Grant ID 4578, City of Ontario, Lions Park Water Playground  
Construct splash pad, restrooms and shade structures  
18S 47E 4, Ontario, Malheur County

Dear Mr. Cowan:

Our office recently received a request to review your application for the project referenced above. In checking our statewide archaeological database, it appears that there have been no previous surveys completed near the proposed project area. However, the project area lies within an area generally perceived to have a high probability for possessing archaeological sites and/or buried human remains. In the absence of sufficient knowledge to predict the location of cultural resources within the project area, extreme caution is recommended during project related ground disturbing activities. Under state law (ORS 358.905 and ORS 97.74) archaeological sites, objects and human remains are protected on both state public and private lands in Oregon. If archaeological objects or sites are discovered during construction, all activities should cease immediately until a professional archaeologist can evaluate the discovery. If you have not already done so, be sure to consult with all appropriate Indian tribes regarding your proposed project. If the project has a federal nexus (i.e., federal funding, permitting, or oversight) please coordinate with the appropriate lead federal agency representative regarding compliance with Section 106 of the National Historic Preservation Act (NHPA). If you have any questions about the above comments or would like additional information, please feel free to contact our office at your convenience. In order to help us track your project accurately, please reference the SHPO case number above in all correspondence.

Sincerely,

Dennis Griffin, Ph.D., RPA  
State Archaeologist  
(503) 986-0674  
[dennis.griffin@oregon.gov](mailto:dennis.griffin@oregon.gov)



## Request for Reimbursement Guide

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All **Progress Reports** and **Reimbursement Requests** must be submitted using OPRD's online grant application and management system. An account with [OPRDgrants.org](http://OPRDgrants.org) is required for access.

For detailed instruction on how to submit Progress Reports and Reimbursement Requests, see the ***Grant Reporting and Reimbursement Instructions*** at:

- > [oprdrants.org](http://oprdrants.org)
- > Grant Programs
- > Local Government
- > Application and Forms
- > ***Grant Reporting and Reimbursement Instructions***

All files for projects benefiting from Oregon Parks and Recreation Department administered grant funds must be able to pass a State audit. When preparing to submit a Request for Reimbursement, plan on submitting the following documentation:

- ☐ **Progress Report**
- ☐ **Project Bills / Invoices**
- ☐ **Bill Payment Confirmation** – Please submit documentation confirming that all project bills/invoices have indeed been paid. The best way to document this is with some type of **Accounts Paid Report** or **Check Ledger Report** for the project that lists **Payments, Payee, Payment Date** and **Check Number**. (This is different from an Accounts Payable Report which would only list payments pending.) If an Accounts Paid Report is not available, please submit copies of canceled payment checks (with account numbers blocked out).

Once the project is completed . . .

- ☐ **Project Pictures** – Please plan to submit 5-10 digital pictures of the completed project site, for the project file. Digital pictures can be attached to any Progress Report or Request for Reimbursement. For **Planning Projects**, rather than pictures, please submit a digital copy of the final **Planning Document**.

- ☐ **Acknowledgement Sign** - Is there any type of signage on site acknowledging OPRD grant support for the project? If not, we will send you one.

If you have questions, please contact:

Mark Cowan  
Grant Program Coordinator  
[mark.cowan@oregon.gov](mailto:mark.cowan@oregon.gov)  
503-986-0591  
[www.ore.gov/OPRD/GRANTS/index.shtml](http://www.ore.gov/OPRD/GRANTS/index.shtml)





**AGENDA REPORT  
NEW BUSINESS  
October 4, 2018**

To: Mayor and City Council

FROM: Tori Barnett, City Recorder

THROUGH: Adam J. Brown, City Manager

**SUBJECT: APPOINTMENT TO PUBLIC WORKS COMMITTEE**

DATE: October 1, 2018

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**PROPOSED MOTION:**

**I MOVE THE CITY COUNCIL APPOINT CYDNEY COOKE TO THE PUBLIC WORKS COMMITTEE, WITH TERM OF OFFICE COINCIDING WITH THE ESTABLISHING ORDINANCE.**

**SUMMARY:**

The city actively recruited volunteers from the community to serve on the various Committees. 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.

Currently, there are two vacancies on the Parks & Recreation Board, and one vacancy on the Public Works Committee.

One application has been received requesting appointment to the Public Works Committee.

**BACKGROUND:**

The Council has historically appointed individuals to fill positions on the various city committees as they become vacant or open, and applications for appointment are received.

**CURRENT SITUATION:**

There is currently one open position on the Public Works Committee, and one application was 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 the applicant, leaving a vacancy on the Committee.

**RECOMMENDATION:**

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

**ATTACHMENTS:**

1. Request for Appt - Cydney Cooke

## 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:                  |
|-----------------------------------------------------------|----------------------------------------|-------------------------------------|
| <input type="text" value="Diversity Advisory Committee"/> | <input type="text" value="1 year"/>    | <input type="text" value="Member"/> |
| <input type="text" value="FOAC Committee"/>               | <input type="text" value="10 months"/> | <input type="text" value="Member"/> |
| <input type="text"/>                                      | <input type="text"/>                   | <input type="text"/>                |

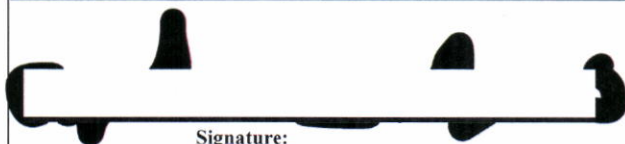
Employment:

|                                         |                                           |                                          |
|-----------------------------------------|-------------------------------------------|------------------------------------------|
| <input type="text" value="Cydney INC"/> | <input type="text" value="Grant Writer"/> | <input type="text" value="August 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:

October 1, 2018

Date:

Submit

Reset



**AGENDA REPORT  
NEW BUSINESS  
October 4, 2018**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

**SUBJECT: RESOLUTION #2018-137: SAFE ROUTES TO SCHOOL GRANT APPLICATION**

DATE: September 25, 2018

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**PROPOSED MOTION:**

**I MOVE THE CITY COUNCIL ADOPT RESOLUTION #2018-137, A RESOLUTION TO AUTHORIZE THE CITY OF ONTARIO TO EXTEND THE ONTARIO HIGH SCHOOL DEFERRED IMPROVEMENT AGREEMENT FOR ONE YEAR AND TO APPLY FOR A SAFE ROUTES TO SCHOOL GRANT FROM THE OREGON DEPARTMENT OF TRANSPORTATION FOR THE VARIETY OF SIDEWALK IMPROVEMENTS AT ONTARIO SCHOOLS.**

**SUMMARY:**

The Oregon Department of Transportation solicits grant applications for its Safe Routes to School program every several years. Grant applications are due this year on October 15th. City staff would like to submit an application identifying a variety of sidewalk improvements around the following schools: Alameda, Ontario Middle, Ontario HS, and May Roberts. Grant award is typically determined by early spring of the following year (2019).

**BACKGROUND:**

While sidewalk improvements specifically for High Schools are not applicable for Safe Routes applications, if they are within one mile of a grade school, then the section of sidewalk can be applicable. Fortunately for the City, the Ontario HS falls within a mile radius of several grade schools. Ontario High School has a Deferred Improvement Agreement (DIA) to install sidewalk along Street. This High School DIA has a completion date of 2018. However, if the Council agrees to extend the DIA by one year, the High School project can be incorporated into the Safe Routes application and counted as an in-kind match. The School District would still be funding the work required in their DIA, but the funds would leverage match money for additional Safe Routes work. The High School effort includes sidewalk and ADA ramps on the west side of SW 10th Street from W. Idaho to NW 2nd Avenue. The Public Works Committee supports the extension of the School District DIA.

### **CURRENT SITUATION:**

The attached map shows the sidewalk and ADA ramp improvements (including the HS section) that would be included in the grant application. The table below identifies the estimated costs for the in-kind (School District) and remaining portion of improvements. The required match for the City of Ontario is 20%. As can be seen in the table, the estimate for the School District portion is approximately 62% of the 20% match. Please note – these costs are estimates. If actual costs at bid time are different, the City will need to use match from the General Fund or possibly consider adding the projects to the System Development Charges (SDC's) map and use those funds to cover the match.

|                                        |  |
|----------------------------------------|--|
| Area of Improvement                    |  |
| Estimated Cost                         |  |
| Percentage of Total Effort             |  |
| Ontario School District DIA            |  |
| \$81,000                               |  |
| 62%                                    |  |
| Remaining Work Included in Application |  |
| \$49,000                               |  |
| 38%                                    |  |

### **ANALYSIS:**

- A. **FINANCIAL** The overall estimate for all of the work included in the Grant Application is \$650,000. Based on leveraging the School District DIA funds as in-kind match, and the modification of the System Development Charges plan to include these sidewalks, the impact to the City should be \$0. However, the City should be prepared to supplement the match if for some reason the SDC map cannot be changed up to approximately \$49,000.

If for any reason the financial support (DIA or SDC's) are not available, the City could choose NOT to accept the grant if awarded.

- B. **TIMING** Timing is critical as the application is due October 15, 2018.
- C. **POLICY/LEGAL** The City Council holds the authority to extend a DIA.

### **ALTERNATIVES:**

1. Do not approve the extension of the School District DIA and use General Fund budget for match and approve Grant application submittal.
2. Do not approve the Grant submittal.



**RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution #2018-137 for the School District DIA extension to be leveraged for in-kind match for the Safe Routes to School Grant Application.

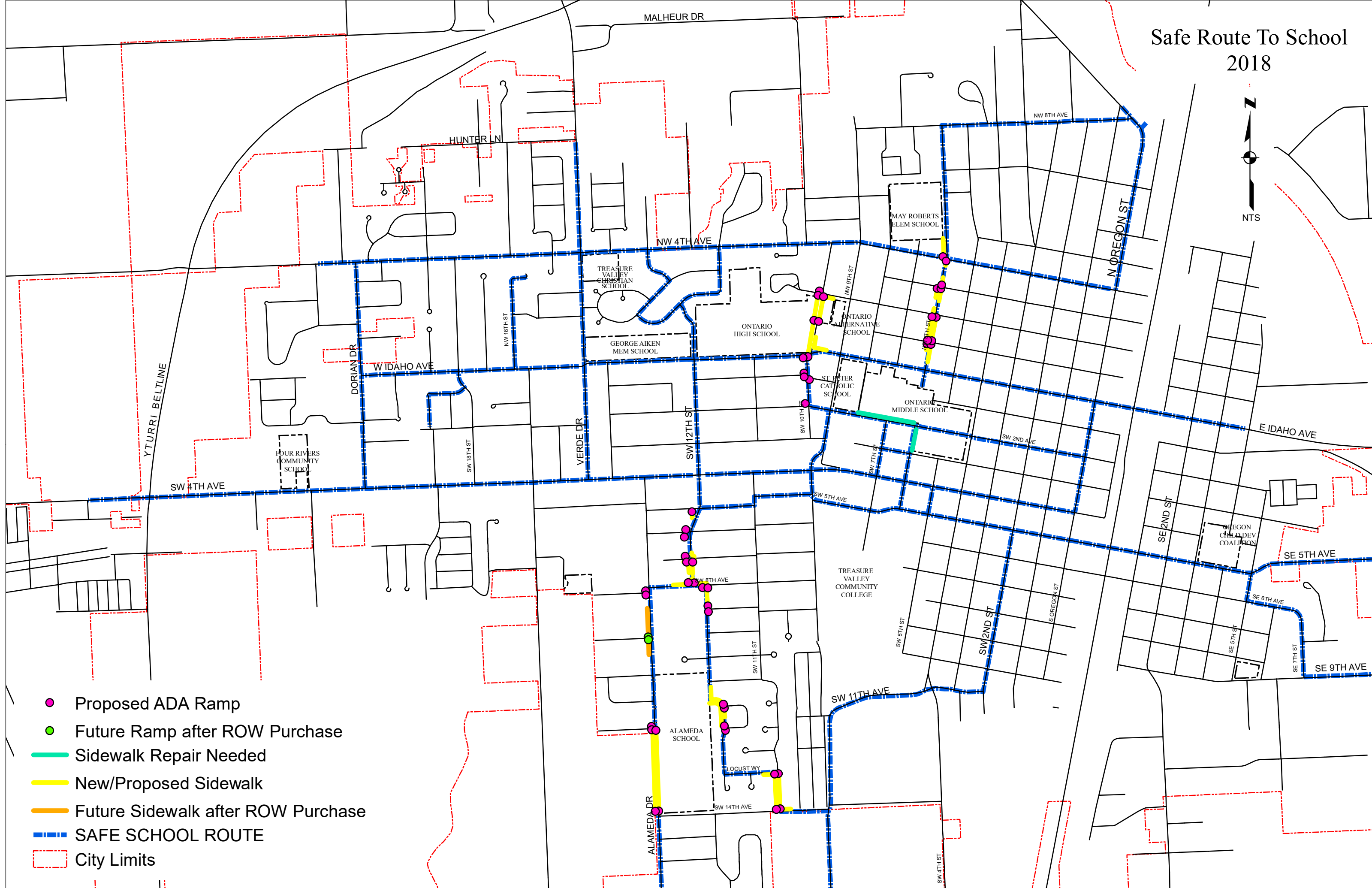
**ATTACHMENTS:**

1. safe school routes 2018
2. Resolution Support Safe Routes to School

Safe Route To School  
2018



- Proposed ADA Ramp
- Future Ramp after ROW Purchase
- Sidewalk Repair Needed
- New/Proposed Sidewalk
- Future Sidewalk after ROW Purchase
- SAFE SCHOOL ROUTE
- City Limits





**RESOLUTION #2018-137**

**A RESOLUTION TO AUTHORIZE THE CITY OF ONTARIO TO EXTEND THE ONTARIO HIGH SCHOOL DEFERRED IMPROVEMENT AGREEMENT FOR ONE YEAR AND TO APPLY FOR A SAFE ROUTES TO SCHOOL GRANT FROM THE OREGON DEPARTMENT OF TRANSPORTATION FOR THE VARIETY OF SIDEWALK IMPROVEMENTS AT ONTARIO SCHOOLS**

- WHEREAS,** the Oregon Department of Transportation is accepting applications for the Safe Routes to School Grant Program; and
- WHEREAS,** the City of Ontario desires to participate in this grant program to the greatest extent possible as a means of providing needed sidewalk improvements around Alameda, Ontario Middle School, Ontario High School and May Roberts; and
- WHEREAS,** the City desires to extend Ontario High School's deferred improvement agreement for one year to use as match funding for the grant; and
- WHEREAS,** the City would commit to a 20% match which would be approximately \$130,000, using the approximate \$81,000 from deferred improvement 12% of the Ontario High School, the City match would be \$49,000: and
- WHEREAS,** the City of Ontario desires to modify the system development charge capital plan to include this project and fund the City's match share from system development charges.

**NOW, THEREFORE, BE IT RESOLVED BY THE ONTARIO CITY COUNCIL OF THE CITY OF ONTARIO AS FOLLOWS:**

The City Council demonstrates its support for the submittal of a grant application to the Oregon Department of Transportation for sidewalk improvements at various Ontario Schools.

**PASSED AND ADOPTED** by the Ontario City Council this \_\_\_\_ day of \_\_\_\_\_, 2018.

AYES:

NAYS:

ABSENT:

**APPROVED** by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
Ronald Verini, Mayor

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder



**AGENDA REPORT  
NEW BUSINESS  
October 4, 2018**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

**SUBJECT: MID-BLOCK CROSSING PROJECT BID ACTION**

DATE: September 25, 2018

---

**PROPOSED MOTION:**

**I MOVE THE COUNCIL REJECT THE BID FROM FINECRETE CONCRETE CONTRACTOR, LLC FOR \$48,575 FOR THE MODIFICATION OF MID-BLOCK CROSSINGS IN THE DOWNTOWN CORE.**

**SUMMARY:**

Public Works staff secured one bid for the Mid-Block Crossing project. The bid was approximately \$12,000 over the budgeted amount. With the addition of the South Oregon Street rehabilitation in the current fiscal year budget, the modification to the Mid-block crossings can cost-effectively be included in this project.

**BACKGROUND:**

The Mid-Block Crossing project was developed a year ago to update parallel parking along South Oregon Street between Idaho Avenue and SW 4th Avenue to meet current safety standards. Setback distances from crosswalks significantly reduced the number of usable parking spaces with the continuance of the mid-block crossings. In addition, the ramps and small drainage pipes under them were causing drainage issues, especially in winter. The City concluded that to meet safety setbacks, improve drainage, and maintain maximum parking along South Oregon, the mid-block crossings would be removed. A budget of \$36,000 was developed for the project. The original intent was for the Public Works staff to do some of the demolition work. The budget was split evenly between the Streets and the Stormwater funds.

Public Works staff were in contact with the general contractors in the area and understood that the heavy workload in the Treasure Valley in general would have a negative impact to bidding. However, the project was bid. Only one bid was received; that came from FineCrete. In discussions with the owner, squeezing the project into his already packed schedule was going to be extremely difficult, so he was not at all put out to have the recommendation of bid rejection offered by the staff.



### **CURRENT SITUATION:**

City staff have discussed the positive aspects of combining the mid-block crossing project with the pavement overlay and ADA ramp project on South Oregon:

- Project efficiency, and therefore reduced cost for mid-block aspect
- Reduced impact to downtown properties owners (one time instead of two)
- Increased project size, which can draw more bidders
- More interested bidders, which can result in better unit costs

Right now, official action needs to be taken by the Council to reject the FineCrete bid. The project can then move forward as one larger project.

### **ANALYSIS:**

- FINANCIAL** The bid price from FineCrete was \$48,575. The budget was \$36,000, coming evenly from Streets and Stormwater funds. If the project is rejected, these dollars will remain in their respective funds to be used as part of the overall S. Oregon project in the spring of 2019.
- TIMING** Staff would like to have the project rejected as soon as possible so that the bid process can be officially closed.
- POLICY/LEGAL** The City Council must formally accept or reject the bids.

### **ALTERNATIVES:**

1. Reject the bid and include the project in the spring.
2. Do not reject the bid and find additional sources of funding to fill the gap.

### **RECOMMENDATION:**

Staff recommends that the City Council reject the FineCrete bid and incorporate the Mid-Block Crossing project into the over South Oregon improvement project for spring of 2019.

### **ATTACHMENTS:**

1. finecrete bid-09252018074834

FINECRETE CONCRETE CONTRACTOR LLC  
*WE DO CONCRETE RIGHT!!!*

QUOTATION

3424 nw 7<sup>th</sup> ave      OREGON CCB 174451  
ONTARIO OREGON      IDAHO RCT 12470  
Phone (208) 230 5472  
Email: [Finecrete0466@yahoo.com](mailto:Finecrete0466@yahoo.com)  
Representative: Miguel Sanchez

DATE: JULY 11, 2018

TO:        
Jacobs: City of Ontario

For  
Mid-Block Crossing Removal Project Bid#:496187

| DESCRIPTION                                                                                                                                                                                                                                                                                                                                   | AMOUNT   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Tear out and replacement of approximately 8 12' concrete mid block cross walk and replace with 12" x 6" regular curb and 24" x 6 " gutter according to city requirements with approximately 12'x 4'x 4-6" asphalt patch according to city road requirement replacement.<br>All of this work to be done on South Oregon ST, in Ontario Oregon. | \$48,575 |
| TOTAL                                                                                                                                                                                                                                                                                                                                         | \$48,575 |

Make all checks payable to FINECRETE CONCRETE CONTRACTOR LLC

FINECRETE CONCRETE CONTRACTOR LLC DOESNOT GUARANTEE THEIR CONCRETE WILL NOT CRACK.

If you have any questions concerning this invoice, contact MIGUEL SANCHEZ (208) 230 5472

Signed By:

M. Sanchez Miguel Sanchez owner

Thank you for your business!



**AGENDA REPORT  
NEW BUSINESS  
October 4, 2018**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

**SUBJECT: WATER MASTER PLAN TASK ORDER ACTION**

DATE: September 26, 2018

---

**PROPOSED MOTION:**

**I MOVE THE CITY COUNCIL APPROVE THE ANDERSON PERRY & ASSOCIATES, INC. TASK ORDER FOR DEVELOPMENT OF THE WATER MASTER PLAN UPDATE FOR \$145,800.**

**SUMMARY:**

The attached Task Order was developed by Anderson Perry in conjunction with Public Works staff. The task order provides the framework for the development of an update to the existing Water Master Plan. The update to the Master Plan is timed to be completed prior to, and to inform, the proposed capital improvement project that would increase the capacity of the water treatment facility.

**BACKGROUND:**

In 2014, Murray Smith & Associates (MSA) completed an audit of the City of Ontario water treatment plant. As part of the document they provided detailed documentation regarding recommended improvements and actions. One of those items was the update of the existing Water Master Plan prior to taking on a project to increase the capacity of the plant.

A significant number of projects have been completed based on the recommendations in the MSA Audit as a part of the Chemical Feed project.

**CURRENT SITUATION:**

The Economic Development Director, in coordination with the State's economic development team, continue to provide opportunities for industrial development within the community. Quite often, Public Works responds negatively to the request, based on the lack of available potable water. Based on this, and the recommendation of the MSA Audit, the Council approved \$175,000 in the budget to support the update of the Water Master Plan. This plan will look in detail at the current capacity of the treatment plant, distribution and storage



systems, update the City's outdated water model and calibrate it, review specific system issues (clearwell capacity and condition, pressure zone issues, inability to fully utilize capacity of Bench reservoir, etc.), and provide a cost estimate for proposed recommendations, among many other items as detailed in the attached scope of work.

**ANALYSIS:**

- A. **FINANCIAL** The approved budget for this project was \$175,000. The attached Task Order is for \$145,800, well within the budget.

Water Line Item: 105-160-719282

- B. **TIMING** Staff would like to begin working with Anderson Perry on the project this fall so that the plan can be complete by summer and inform staff's recommendations for next year's capital improvement plan.
- C. **POLICY/LEGAL** None.

**ALTERNATIVES:**

Do not approve the task order and do not move forward on the water master plan update; the impact would likely include significant delay of the proposed water system capacity increase project.

**RECOMMENDATION:**

Staff recommends that the City Council approve the Task Order for Anderson Perry & Associates for \$145,800 for the Water Master Plan Update.

**ATTACHMENTS:**

1. WO 9 and SOW

## **WORK ORDER – City of Ontario, Oregon, and Anderson Perry & Associates, Inc.**

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Work Order No. 9

Job No. 53-100

Date: September 18, 2018

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### ***I. SCOPE OF SERVICES***

In accordance with the AGREEMENT FOR GENERAL ENGINEERING SERVICES dated May 8, 2012, the OWNER hereby authorizes the ENGINEER to perform the following professional engineering services:

Prepare a Water System Master Plan (WSMP) and perform GIS database work for the water system, outlined in the WSMP Scope of Work (SOW), dated September 18, 2018 (see Attachment A).

### ***II. SPECIAL CONDITIONS***

SPECIAL CONDITIONS related to this WORK ORDER are as follows:

The City of Ontario will engage in and assist with the WSMP planning effort and shall provide the necessary data as summarized in Attachment B. Additional data may be required as the work effort progresses.

### ***III. BASIS OF PAYMENT***

- ☒ Time and Materials Basis (Estimated fee of \$140,000 for the WSMP and \$5,800 for the GIS database conversion).
- ☐ Lump Sum Basis =
- ☐ Hourly Fee Basis
- ☐ Other as described hereafter:

If the SOW should substantially change from the SOW summarized in the September 18, 2018, attachment, the OWNER and ENGINEER shall amend this Work Order, as required and agreed upon.

### ***IV. AUTHORIZATION OF WORK ORDER***

OWNER: **City of Ontario, Oregon**

By: \_\_\_\_\_

Type Name: \_\_\_\_\_

Acceptance by ENGINEER: **Anderson Perry & Associates, Inc.**

By: Brad D. Baird

Type Name: Brad D. Baird, P.E.



**ATTACHMENT A  
SCOPE OF WORK  
September 18, 2018**

**PROJECT UNDERSTANDING**

This Scope of Work (SOW) describes the work that will be performed by Anderson Perry & Associates, Inc. (ENGINEER) for the Water System Master Plan (WSMP) for the City of Ontario, Oregon (OWNER). This SOW has been prepared in cooperation with Jacobs. Jacobs specifically provided documentation outlining what is desired to be included in this SOW, as well as specific items to be excluded. Several documents and related water system information were provided to assist with preparation of this SOW. The documents provided for review and use include the following:

- 2002 Water Master Plan (Keller)
- 2008 WaterCAD Modeling Files (Keller)
- 2010 Water Distribution Master Plan Update Addendum No. 1 (Keller)
- 2014 Water Treatment Plant Audit (Murray Smith/CH2M/Aquamize)
- 2017 Water and Sewer Rate Study (CH2M)
- 2017 Water Management & Conservation Plan (CH2M)
- 2008 Supplemental Standards for Public Works Construction (Revised July 2011)

The WSMP effort will include the following deliverable documents:

- WSMP
- Water System Capital Improvement Plan (CIP)
- Water System Computer Model Update (Model Runs and Report)

**WATER SYSTEM MASTER PLAN**

**GENERAL**

The ENGINEER, in cooperation with the OWNER, shall develop a WSMP. The WSMP is intended to evaluate the OWNER's water supply capacity and availability, water storage capacity, and overall system performance and water usage and analyze the distribution system. The WSMP will provide a comprehensive overview of the system in accordance with the "Guidelines for the Preparation of Planning Documents for Developing Community Water System Projects," as well as Oregon Administrative Rules Chapter 333, Division 061, Section 0060.

Based on these guidelines and rules, the WSMP will be developed for a 20-year planning period. The WSMP will include design criteria and service goals for the planning period, identify present and anticipated future system deficiencies, and evaluate future water supply, storage, and distribution system needs. The general financial capacity of the existing water system will also be reviewed and summarized.



The completed WSMP will provide the OWNER with a comprehensive planning document that will identify and prioritize needed system improvements and allow the OWNER to appropriately plan and budget for the selected improvements. The WSMP will provide the OWNER with the required documents to seek state and/or federal funding to complete the selected improvements.

## SCOPE OF WORK

- 1. General.** The WSMP will provide a general description of the community and a general history of the existing water system. A summary of the planning objectives and goals will be outlined.
- 2. Existing System.** The WSMP will outline the status of the existing water system and describe its current operation, recent system improvements, system strengths, and system deficiencies.
- 3. Design Criteria.** Planning and design criteria will be established, including service area and boundaries; population growth projections; past, present, and future anticipated water usage patterns; fire flow requirements; federal and state standards; system pressure needs; and service goals.
- 4. Water Supply Facilities.** The individual components of the existing water supply system will be analyzed considering capacity, compliance with current water quality standards, water rights, condition of components, and operational dependability. The water supply needs for the planning period will be developed. If water supply improvements are identified to be needed over the course of the planning period, cost-effective alternatives for meeting current and long-term water supply needs will be identified, including alternatives for correcting existing system deficiencies. Estimated costs and conceptual design schematics for the preferred alternatives will be presented. New water supply options, if needed, will also be investigated.

*Note: Items specifically excluded from this SOW include the following:*

- Detailed water rights analysis will not be completed. Water rights related work is being completed by others. This WSMP will summarize water rights information and cite work completed by others.*
  - A review of the Operations and Maintenance (O&M) requirements, including operational costs, for the water supply system will not be completed. This work has been completed by others. This WSMP SOW will reference existing O&M and operating cost information summarized by others, as appropriate.*
- 5. Water Storage Facilities.** The existing water storage facilities will be analyzed considering capacity, condition of reservoirs, distribution system pressures, etc. The water storage analysis will include the clear well at the water treatment plant. Current O&M information provided by the OWNER will be reviewed and summarized, including any recommended revisions and/or additions to the O&M plan. Records from inspections performed by others, when available, will be utilized to help evaluate existing reservoir conditions. Recommended storage capacity for each reservoir and its service area will be analyzed





considering emergency storage, operational storage, equalization storage, and fire flow storage.

Alternatives for meeting the storage requirements of the water system for the planning period will be identified, including preliminary conceptual schematics and estimated costs for the preferred alternatives.

- 6. Distribution System.** Utilizing existing distribution system maps and OWNER records, a review of the condition and adequacy of the distribution system piping and booster pumping systems will be made. A summary of the fire department's fire flow concerns and needs will be prepared. Evaluation of the general O&M needs of the distribution system will be completed. General system deficiencies will be identified and alternatives for meeting current and future system deficiencies will be outlined. Anticipated extensions of and any upgrades to existing distribution system piping will be presented on updated maps and figures. Estimated costs for implementation of recommended improvements will also be provided.
- 7. Water Distribution System Improvements Computer Modeling.** The OWNER's existing Bentley WaterCAD computer model of the existing water system will be converted to InfoWater by Innovyze, Inc. The InfoWater software operates within ArcGIS and will better utilize the OWNER's GIS database and water system map to evaluate potential system improvements. The water model will be calibrated prior to operation, which is typically achieved by comparing model results to known fire flow information and other water system information, if available. The model will be utilized to analyze the hydraulic capacity and system pressures of proposed distribution system improvements for both current and projected 20-year average day and peak day demand conditions. Peak hour flows, as well as peak daily flows under a fire demand condition, will also be analyzed. Distribution system deficiencies that are identified, such as low system pressures, low fire flow capacities, dead-end or undersized lines, etc., will be addressed with proposed improvements. Fire flow capacities throughout the distribution system (with proposed improvements) will be modeled. Up to three scenarios of alternatives for correcting noted deficiencies and to serve key areas of anticipated expansion will be modeled for consideration by the OWNER. Figures will be developed to show existing system deficiencies and improvement options to address these deficiencies. Specific SOW items related to the water model work that has been identified by the OWNER include the following:

  - Field time to secure needed water model information, such as pump curves, missing elevation data, configuration information, other system data, etc.
  - Completion of a hydraulic performance evaluation of the OWNER's existing wells
  - Evaluation of a potential new pressure zone for the Bench Reservoir
- 8. Planning and Implementation Recommendations.** A summary will be prepared identifying current and future water system needs with their associated estimated cost and layout schematics. Recommendations will be made for meeting the water system needs for the planning period. An Implementation Plan will be outlined in the CIP discussed later in this SOW.



9. **Water System Rates and Funding.** The existing water system financial condition and rate study have been reviewed and analyzed by others. This WSMP SOW will include, for completeness, a summary of the work completed by others, so the reader will have a summary of the financial condition and water rate structure of the OWNER's municipal water system. Information will be provided on potential state and federal grant and loan programs that may be available to assist the OWNER in implementing water system improvements. A strategy for implementation of any recommended water system improvements will be developed in cooperation with the OWNER.
10. **Water System Design Standards.** The ENGINEER will review the OWNER's existing 2008 Supplemental Standards for Public Works Construction (Revised July 2011) for development and will provide suggested improvements via memorandum. The analysis will summarize areas of missing information and will provide suggested additions and revisions.
11. **Capital Improvement Plan.** The ENGINEER shall prepare a CIP for a 20-year planning period for the water system. The CIP will include an implementation schedule for improvements identified in the WSMP. The implementation schedule will be outlined with improvements to be completed in 0 to 5 years, 5 to 10 years, 10 to 20 years, and beyond 20 years. The estimated project cost for each improvement will be provided and will be projected using an assumed annual inflation rate to the anticipated year of implementation.

The completed CIP will provide the OWNER with a comprehensive plan that will identify and prioritize needed system improvements and allow the OWNER to appropriately plan and budget for the selected improvements. The results of the CIP will be incorporated into the OWNER's WSMP document. The anticipated SOW is as follows:

- **Develop Criteria for Qualifying Capital Improvements.** The ENGINEER will work with the OWNER to determine the criteria for a qualifying capital improvement. These may include such criteria as a project cost limit (i.e., anything greater than \$10,000), determining the definition of a capital expense, and any other criterion that the OWNER might want to define as a capital improvement.
- **Gather Information.** The ENGINEER will meet with the OWNER to compile an inventory of existing facilities and infrastructure. The inventory is not intended to list every piece of equipment but, rather, will be an inventory of major equipment and facilities that could require capital improvements over time. The ENGINEER will utilize the findings from the WSMP, as well as input from the OWNER, to determine qualifying capital improvements. Qualifying capital improvements will be in accordance with the criteria established above.



- **Prioritize Projects.** Once the information has been gathered and organized, the ENGINEER will meet with the OWNER to review the improvements and set priorities. It is anticipated that the prioritization will comprise four general timeframes: 0 to 5 years, 5 to 10 years, 10 to 20 years, and improvements to be completed beyond 20 years.

### WATER SYSTEM GIS DATABASE

The ENGINEER will work with the OWNER to review existing water distribution system data and prepare a model-ready GIS database. Existing geometry and attributes from OWNER's existing water system layers and water model will be evaluated for completeness, organized, and loaded into a structured geodatabase template. This exercise is not intended to serve as a physical asset inventory but will contain the inputs required by InfoWater; however, the resulting geodatabase will serve as a foundation for OWNER's web and mobile capabilities as described herein.

### WEB AND MOBILE GIS

1. **Esri ArcGIS Online Setup and Configuration.** The ENGINEER will set up and configure an ArcGIS Online account such that it can be used by the OWNER to gather, manage, and deliver geospatial data to key personnel. Key tasks include customizing the organization home page; creating functional groups; setting up named users, user roles, and group permissions; and testing all facets of the account. The product of this task will be a fully functional ArcGIS Online account that will be used to securely deliver the OWNER's geospatial data, maps, and apps to desktop, web, and mobile clients across the organization.
2. **Configure Web Map and Web Application.** The ENGINEER will stage and publish the water distribution system geodatabase to the OWNER's ArcGIS Online account and, using industry standard map symbology, prepare and configure a web map for use on web and mobile devices. The map will serve as the primary repository for the OWNER's water system maps and be used to support field data collection, visualization, analysis, and reporting. Once completed, the ENGINEER will create and configure a web application to deliver both operational and reference data along with basic visualization and analysis tools.
3. **On-site Training.** Once the above have been tested and deployed, the ENGINEER will provide a one-day training session for the OWNER's location on the use of ArcGIS Online for office and field use. The session will include an overview of the OWNER's ArcGIS Online account, feature layers, and web maps, and demonstrate how to use the web app and widgets to support common everyday tasks. The ENGINEER will provide an introduction to office/field workflows using Esri's Collector app for smart devices. Additional training sessions can be scheduled utilizing Technical Support and Enablement hours.
4. **Technical Support and Enablement.** The ENGINEER will oversee and administer the OWNER's ArcGIS Online account and provide 40 hours of Technical Support and Enablement services as the City's location strategy evolves. Technical Support and Enablement allows for ongoing oversight, configuration, and support and will remain available to the OWNER to assist with ongoing support and development activities as related to the OWNER's ArcGIS Online account and services.



## ESTIMATED FEES

The estimated fee for completion of the WSMP and related tasks outlined herein is \$140,000. The estimated fee for the initial water system GIS database work is \$5,800. These amounts shall not be exceeded without notification to and approval of the OWNER. The estimated fee to complete the ArcGIS Online implementation is \$13,700.

## RESPONSIBILITIES OF THE OWNER

For this effort to be a successful planning process, the ENGINEER will work closely with the OWNER during development of the WSMP to review the work and provide the OWNER with the opportunity to make decisions relative to key planning issues, selection of the population growth rate used for the study period, selection of improvement alternatives, etc. The OWNER will be requested to provide data to the ENGINEER including maps, records, reports, correspondence, and any other information relative to the planning work. When required, the OWNER shall provide equipment and personnel to allow the ENGINEER to assess field conditions related to the planning effort. The OWNER shall pay for any agency plan review fees as may be required by local, state, or federal authorities.

The OWNER shall also work closely with the ENGINEER to assist with work sessions. Typically, two to three work sessions are held during the WSMP process. Each work session is intended to ensure the base assumptions and alternatives are agreed upon prior to further progress on the WSMP. Typically, each work session includes the following:

- First Work Session: Base WSMP assumptions are presented and agreed upon. These items typically include service area for the water system, population projections, water system demands, anticipated demands, and any other items to be included in the WSMP analysis. The objective of the first work session is to clearly outline the base data to be used for the WSMP effort.
- Second Work Session: The second work session typically involves presentation of the water system deficiencies and needs. Preliminary alternatives to address system deficiencies are also discussed to help guide the direction of continued alternatives analysis.
- Third Work Session: The third work session typically involves presentation of the improvement alternatives and their estimated costs. The intent of this work session is to ensure the OWNER agrees with the WSMP recommendations prior to submitting the draft WSMP for OWNER and AGENCY review.





### ESTIMATED WATER SYSTEM MASTER PLAN SCHEDULE

The OWNER desires the WSMP to be completed by June 30, 2019. To achieve this deadline, the anticipated schedule for the WSMP effort is as follows.

| Task                             | Timeline      |
|----------------------------------|---------------|
| Kickoff Meeting                  | October 2018  |
| Data Acquisition                 | October 2018  |
| First Work Session (20 percent)  | November 2018 |
| Second Work Session (60 percent) | January 2019  |
| Third Work Session (90 percent)  | February 2019 |
| Submit Draft WSMP and CIP        | April 2019    |
| City and Agency Review Period    | May 2019      |
| Submit Final WSMP and CIP        | June 2019     |



**ATTACHMENT B  
GENERAL LIST OF ITEMS NEEDED  
FOR THE WATER MODEL AND WATER SYSTEM MASTER PLAN  
September 18, 2018**

**Items needed for the Water Model (please provide as soon as possible):**

1. The existing WaterCAD water model files, most recent edition.
2. Information on existing storage reservoir(s) such as size, type, height, age, condition, base elevation, etc., as well as a copy of any reservoir inspection reports. Operating levels for each reservoir (i.e., fill start and fill stop).
3. Booster pump curves, pressure reducing valve setting, and any other information on special equipment.
4. A copy of the most recent Insurance Services Office report including hydrant flow tests. Identify the large fire risks in town and note their locations. Also provide copies of any other fire hydrant test results and a list of any Fire Department concerns.

**Items needed for the Water System Master Plan:**

1. Copies of water consumption records (i.e., total of service meters) on a monthly basis for the past 5 years.
2. Total number of residential, commercial, and industrial water service connections listed by category and meter size. The list should also summarize total annual water use for each category and meter size for the past 5 years.
3. Information on the number of service connections that are metered and those that are not metered, including the condition and age of existing meters. Include information on all master meters and when these meters were last calibrated.
4. Copies of current water distribution system maps. Where possible, identify pipe size, pipe type, age of pipe, valve and hydrant locations, and identify each pressure zone and where the zones are separated (closed valves, etc.) in the distribution system. Note locations of special system units such as booster pumps, pressure reducing valves, etc., and note their operational settings.
5. Note all known distribution system deficiencies, i.e., leaky pipe, small size, etc.
6. Information on water supply sources, water quality data, and any other information that may be available.
7. Water rights extensions and related periodic reports.
8. Well information supplemental to the well logs. Examples of additional useful information includes any records of static water levels, pump repairs/replacements, pump set depth, any well column cleaning, and production rates including any decreased production capacity.



9. Summarize any water quality problems in the system, including any documented water quality violations or non-compliance issues. Provide a summary of water complaints as they may relate to pressure, taste and odor, water quality, turbidity, etc. Please provide how often complaints have occurred, general locations, and any verifications that the OWNER has made on the reported problems.
  10. Provide copies of all correspondence between the OWNER and the Oregon Health Authority - Drinking Water Services as it relates to the water system. Include any violation notifications or other pertinent notifications. Provide a copy of the most recent sanitary survey.
  11. Summary of any conservation efforts made by the Owner.
  12. Any cross-connection concerns in the system.
  13. Copies of any previous water system audits (volume delivered to water system compared to volume sold to customers) completed for the water system.
  14. Copies of all prior water system studies or plans.
  15. Copies of any existing emergency response or vulnerability assessment studies or data for water system operation.
  16. A copy of the OWNER's most recent "comprehensive plan," including a map of the urban growth boundary and city limits and a zoning map.
  17. Annual itemized water system budget or audit reports for operation and maintenance, debt service, reserve fund, and revenues (taxes and user fees) for the past 5 years.
  18. Copies of existing water rate schedule and copies of prior rate schedules for the previous 5 years, if different from existing.
- Data on any existing water system debt including total indebtedness, annual debt service, interest rate, and date debt will be paid in full.



**AGENDA REPORT  
NEW BUSINESS  
October 4, 2018**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

**SUBJECT: WATER & SEWER DEPARTMENT BACKHOE PURCHASE**

DATE: September 25, 2018

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**PROPOSED MOTION:**

**I MOVE THE CITY COUNCIL APPROVE THE PURCHASE OF THE BACKHOE TO BE SHARED BY THE WATER AND SEWER DEPARTMENTS TO THE LOW BIDDER, COASTLINE EQUIPMENT, THROUGH SOURCEWELL FOR \$94,986.**

**SUMMARY:**

Public Works staff have secured a low bid for a John Deere backhoe through the cooperative bidding agency (was the National Joint Powers Alliance , but is now called Sourcewell) of which the City is a member. The Staff would like to secure approval of the bid by the Council so that they can finalize the purchase and have the backhoe on site.

**BACKGROUND:**

The backhoe currently shared between the Water and Sewer Departments is over 15 years old. Staff can still maintain it, but it has over 6,600 hours on it, and maintenance time is certainly increasing. That existing backhoe would then be transferred to the Parks and Cemeteries Departments on a lease basis to replace their backhoe which is over 21 years old, and for which replacement parts are no longer available. The older backhoe would then be surplussed.

**CURRENT SITUATION:**

The Budget Committee recommended and City Council approved a budget of up to \$100,000 to be split between the Water and Sewer Departments to support the purchase of a new backhoe. The staff have gone through the process of securing a low bid and would like to move forward with finalizing the purchase.



**ANALYSIS:**

- A. **FINANCIAL** The low bid price is \$94,986. The budget was \$100,000, so this leaves \$5,014 or \$2,407 in both the Water and the Sewer funds.

Water Line Item: 105-160-712100

Sewer Line Item: 110-165-712100

- B. **TIMING** Staff would like to continue moving forward with this purchase as soon as possible. This piece of equipment can be very helpful during the snow plowing season.

- C. **POLICY/LEGAL** None.

**ALTERNATIVES:**

1. Approve the purchase of the backhoe for the Water and Sewer Departments using the Sourcewell low bid process.
2. Do not approve the purchase of the backhoe for the Water and Sewer Departments. The impact of this is that the Parks and Cemeteries Departments are also deprived of the ability to replace their backhoe, for which new parts are no longer available.

**RECOMMENDATION:**

Staff recommends that the City Council approve the purchase of the John Deere backhoe from Coastline Equipment for \$94,986 through Sourcewell.

**ATTACHMENTS:**

1. Coastline Equipment Quote Sept 2018 Backhoe
2. Coastline documentation Backhoe Sept 2018

Quote Id: 18154724

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Prepared For:  
**CH2M - ONTARIO, OREGON**



Prepared By: **PATRICK HARGAN**

Coastline Equipment Company  
2000 E Overland Road  
Meridian, ID 83642

Tel: 208-888-3337

Mobile Phone: 208-870-4968

Fax: 208-888-3088

Email: [patrick.hargan@coastlineequipment.com](mailto:patrick.hargan@coastlineequipment.com)

Date: 11 September 2018

Offer Expires: 31 December 2018

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*Confidential*

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**Quote Summary****Prepared For:**

CH2M - ONTARIO, OREGON  
CASEY MORDHORST  
1551 Nw 9th St  
Ontario, OR 97914  
Mobile: 208-870-2844  
Casey.Mordhorst@ch2m.com

**Prepared By:**

PATRICK HARGAN  
Coastline Equipment Company  
2000 E Overland Road  
Meridian, ID 83642  
Phone: 208-888-3337  
Mobile: 208-870-4968  
patrick.hargan@coastlineequipment.com

**Sourcewell (Formerly NJPA) Contract #032515-JDC**  
**Machine List Price \$165,568 Less 47% Contract Discount <**  
**\$77,817>**

**Contract Price: \$87,751**

**Add For Dealer Provided Items Not Included in Contract Pricing:**

**Factory Freight: \$3,000**

**Machine Pre Delivery Inspection/Fuel/DEF: \$1,387**

**60 Month/2,500 Hours Extended Powertrain/Hydraulic**

**Warranty: \$1,970**

**Sourcewell Admin Fee: \$878**

**Quote Id:** 18154724

**Created On:** 11 September 2018

**Last Modified On:** 11 September 2018

**Expiration Date:** 31 December 2018

**Price Complete, Delivered to Ontario, Oregon: \$94,986**

| Equipment Summary                  | Suggested List | Selling Price  | Qty | Extended            |
|------------------------------------|----------------|----------------|-----|---------------------|
| JOHN DEERE 310SL BACKHOE<br>LOADER | \$ 165,568.00  | \$ 94,986.00 X | 1 = | \$ 94,986.00        |
| <b>Equipment Total</b>             |                |                |     | <b>\$ 94,986.00</b> |

---

**Quote Summary**

|                    |                     |
|--------------------|---------------------|
| Equipment Total    | \$ 94,986.00        |
| SubTotal           | \$ 94,986.00        |
| Total              | \$ 94,986.00        |
| <b>Balance Due</b> | <b>\$ 94,986.00</b> |

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

# Selling Equipment

Quote Id: 18154724

Customer: CH2M - ONTARIO, OREGON

## JOHN DEERE 310SL BACKHOE LOADER

Hours:

Suggested List

Stock Number:

\$ 165,568.00

| Code  | Description          | Qty |
|-------|----------------------|-----|
| 0A70T | 310SL BACKHOE LOADER | 1   |

**Standard Options - Per Unit**

|      |                                                                                                                    |   |
|------|--------------------------------------------------------------------------------------------------------------------|---|
| 170C | JDLink Ultimate Cellular - 5 Years                                                                                 | 1 |
| 1065 | John Deere PowerTech Plus 4.5L (276 Cu. In.) Engine Meets Final Tier 4 and Stage IV Emissions                      | 1 |
| 2035 | Cab                                                                                                                | 1 |
| 2401 | English Decals with English Operator and Safety Manuals                                                            | 1 |
| 3065 | Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential                                                 | 1 |
| 4464 | Galaxy 19.5L - 24 in. 12 PR Rear & 12.5/80-18 10PR Front                                                           | 1 |
| 5285 | Pilot Controls, Two Lever, with Pattern Selection                                                                  | 1 |
| 5410 | DEERE Standard Quick Coupler                                                                                       | 1 |
| 5656 | 24" (610 mm) Wide, Heavy-Duty, 7.5 Cu. Ft. (0.21 Cu. M.) Capacity Bucket                                           | 1 |
| 6020 | Extendible Dipperstick                                                                                             | 1 |
| 6220 | Auxiliary Hydraulic with One Way Flow (Hammer)                                                                     | 1 |
| 7025 | Two-Function Loader Hydraulics, Single Lever                                                                       | 1 |
| 7645 | 1.3 Cu. Yd. (1.0 Cu. M.) 92 in. (2.34 m) Wide Heavy Duty Long Lip Bucket with Bolt on Cutting Edge and Skid Plates | 1 |
| 8485 | 1250 Lb. (567 kg) Front Counterweight                                                                              | 1 |
| 8685 | Dual Maintenance Free Batteries With Disconnect and Jump Post                                                      | 1 |
| 9060 | Front View Mirror                                                                                                  | 1 |
| 9080 | Engine Coolant Heater                                                                                              | 1 |
| 9110 | Ride Control                                                                                                       | 1 |
| 9116 | LED Light Package                                                                                                  | 1 |
| 9140 | Heavy-Duty Backhoe Bucket Cylinder                                                                                 | 1 |
| 9210 | Left Side Console Storage with Cup Holders                                                                         | 1 |
| 9905 | Strobe Light with Magnetic Mount                                                                                   | 1 |
| 9917 | Radio, Bosch Basic Package                                                                                         | 1 |
| 9919 | Sun Visor                                                                                                          | 1 |



# Selling Equipment

**Quote Id:** 18154724**Customer:** CH2M - ONTARIO, OREGON

|      |                            |   |
|------|----------------------------|---|
| 9965 | Seat, Cloth Air-Suspension | 1 |
|      |                            |   |



## Extended Warranty Proposal

### JOHN DEERE 310SL BACKHOE LOADER

**Date :** September 11, 2018

| Machine/Use Information |                         | Plan Description | Price      |         |
|-------------------------|-------------------------|------------------|------------|---------|
| Manufacturer            | JOHN DEERE              | Application      | Deductible |         |
| Equipment Type          | 310SL LOADER<br>BACKHOE | Coverage         | List       | \$ 0.00 |
| Model                   | 310SL LOADER<br>BACKHOE | Total Months     |            |         |
| Country                 | US                      | Total Hours      |            |         |

Extended Warranty is available only through authorized John Deere Dealers for John Deere Products, and may be purchased at any time before the product's Standard Warranty, or Extended Warranty expires.

**Extended Warranty Proposal Prepared for:**

I have been offered this extended warranty and

Customer Name - Please Print

☐ I ACCEPT the Extended Warranty

☐ I DECLINE the Extended Warranty

Customer Signature

If declined, I fully understand that any equipment listed above is not covered for customer expenses due to component failures beyond the original basic warranty period provided by John Deere.

**Note :** This is **not** a contract. For specific Extended Warranty coverage terms and conditions, please refer to the actual Extended Warranty contract for more information and the terms, conditions and limitations of the agreement.

### What Extended Warranty is :

The Extended Warranty Program is for the reimbursement on parts and labor for covered components that fail due to faulty material or original workmanship that occur beyond the John Deere Basic Warranty coverage period. The agreement is between Deere & Company and the owners of select John Deere Construction and Forestry equipment, who purchase the Extended Warranty Plans for the desired coverage as indicated in this proposal.

### What Extended Warranty is not :

Extended Warranty is not insurance. It also does not cover routine maintenance or high wear items, or insurance-related risks/perils such as collision, overturn, vandalism, wind, fire, hail, etc. It does not cover loss of income during or after an equipment failure. See the actual product-specific Extended Warranty agreement for a complete listing of covered components, and limitations and conditions under the program.

### Features/Benefits:

- Extended Warranty includes the following features and benefits under the program :
- Pays for parts and labor costs incurred on failed covered components (less any applicable deductibles),
- Does not require pre-approval before repairs are made by the authorized John Deere dealership,
- Payments are reimbursed directly to the dealership with no prepayment required by the contract holder.



## Sourcewell (previously NJPA)

|                  |                                                                                                                                                                                                                                           |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contract Number: | 032515-JDC                                                                                                                                                                                                                                |
| Contract Period: | July 19, 2015 – May 18, 2020                                                                                                                                                                                                              |
| Eligibility:     | Sourcewell cooperative members; state and local governments, public and private accredited schools, as well as public serving non-profit agencies.<br><br><a href="#">Sourcewell Member Search</a><br><br><a href="#">Join Sourcewell</a> |

### **Quotes and Purchase Orders:**

Quote generation and customer Purchase Order processing are handled by the direct-selling dealer that has been approved by the John Deere Construction Retail Sales (JDCRS) office. Approval for dealer-direct selling requires agreement to uphold the **Sourcewell** Terms and Conditions and to facilitate contract compliance as needed. Dealership must submit a signed agreement to JDCRS and receive approval from JDCRS prior to selling direct. Verify current eligibility to sell direct by following the link provided below:

[CE Direct Selling Approved Dealer List](#)

If you are not an approved direct-selling dealer, please reach out to JDCRS to sign up for maximum dealer benefit:

Division 2 (Southeast) Adam Holdt, (309)765-7787

Division 3 (Midwest/Northeast) Mark Deakyne, (309)765-0294

Division 5 (Northwest/West/Southwest) Kent Hoffman, (309)765-0282

## **Contract Details**

|                       |                                                                                                                                                                                                                                                                              |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quotes                | Quotes are valid for 30 days from the creation date.                                                                                                                                                                                                                         |
| Allied<br>(non-Deere) | Allowed, can only be sold with a contract item.<br>Allied items are products, implements, attachments, accessories, parts or bundles not manufactured by John Deere that are requested by the customer to complete the purchase of John Deere equipment awarded on contract. |





|                              |                                                                                                                                                                                                                                                                                          |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Credit Cards                 | Allowed with a 3% processing surcharge added to the sales price.                                                                                                                                                                                                                         |
| Special Delivery Obligations | FOB Destination, Freight Prepaid and Added. Factory to dealer freight and dealer to customer freight are to be quoted and invoiced to the customer.                                                                                                                                      |
| Fees                         | Dealer quotes; non-factory items, installs, PDI, and local delivery.<br>Dealer provides customer walk around at time of delivery free of charge.<br>Dealer margin is 7% MDP for CE products.<br>Sourcewell has a 1% admin fee based on contract item selling price (not dealer items).   |
| Financing                    | A John Deere Municipal Lease grants full ownership at the end of the lease term.<br>Arrangements are made between the dealer and John Deere Financial.<br>Notice of lease/provider must appear on the quote and customer purchase order.<br>No operating leases are allowed.             |
| Multiple Unit Discount       | Following additional discount applies to: like/self-propelled machines, placed at the same time, and on the same purchase order.<br><br>5-7 Units    1%<br><br>8-14 Units    2%<br><br>15-30 Units    3%                                                                                 |
| Non-contract (Deere)         | Allowed, can only be sold with a contract item.<br>Non-contract items are John Deere manufactured products, attachments, accessories, parts or bundles that are not on contract, but are requested by the customer to complete the purchase of John Deere equipment awarded on contract. |
| Rental                       | Not allowed on this contract.                                                                                                                                                                                                                                                            |
| Substitution                 | Not allowed on this contract.                                                                                                                                                                                                                                                            |
| Trade-in                     | Allowed, trade-in items must be clearly labeled on the quote and customer purchase order as "Trade-in". Dealer determines the trade-in value for customer consideration.                                                                                                                 |
| Demo                         | Product demonstrations are not required under this contract, but should be arranged by                                                                                                                                                                                                   |





dealer, where applicable, as they are very beneficial for customer awareness of product.

## Miscellaneous

States with sales and use tax; Alaska, Arizona, Arkansas, California (also has Tire Tax), Hawaii, Minnesota, South Carolina, Washington.  
Obtain exemption certificate, if applicable, for your file.

## Remittance Information

Specify remittance address on your invoice if your dealership is authorized to sell direct under Sourcewell.

## Equipment and Discounts

| John Deere Model               | Product Descriptions (click model links for machine specs)            | Discount off MSRP | Price Page Dates |
|--------------------------------|-----------------------------------------------------------------------|-------------------|------------------|
| <b>Articulated Dump Trucks</b> |                                                                       |                   |                  |
| <a href="#">260E</a>           | 260E ADT/ 321 HP / 53,334 lbs. / 19.6 cu yd. Heaped Capacity          | 30%               | 18Jul18          |
| <a href="#">310E</a>           | 310E ADT / 354 HP / 62,005 lbs. Payload / 22.9 cu yd. Heaped Capacity | 30%               | 18Jul18          |
| <a href="#">370E</a>           | 370E ADT/ 422 HP / 74,139 lbs. Payload / 26.8 cu yd. Heaped Capacity  | 30%               | 22May18          |
| <a href="#">410E</a>           | 410E ADT/ 443 HP / 82,157 lbs. Payload / 29.7 cu yd. Heaped Capacity  | 30%               | 22May18          |
| <a href="#">460E</a>           | 460E ADT / 481 HP / 92,195 lbs. Payload / 33.4 cu yd. Heaped Capacity | 30%               | 22May18          |
| <b>Backhoes</b>                |                                                                       |                   |                  |
| <a href="#">310L EP</a>        | 310L EP Backhoe / 71 HP / 15,880 lbs. Weight / 14'0" Dig              | 47%               | 20Jun18          |
| <a href="#">310L</a>           | 310L Backhoe / 93 HP / 16,119 lbs. Weight / 14'0" Dig                 | 47%               | 20Jun18          |



|                                 |                                                                             |     |         |
|---------------------------------|-----------------------------------------------------------------------------|-----|---------|
| <a href="#"><u>310SL</u></a>    | 310SL Backhoe / 100 HP / 17,692 lbs. Weight / 14'3" Dig                     | 47% | 20Jun18 |
| <a href="#"><u>310SL HL</u></a> | 310SL HL Backhoe / 110 HP / 18,811 lbs. Weight / 14'10" Dig                 | 47% | 20Jun18 |
| <a href="#"><u>315SL</u></a>    | 315SL Backhoe Loader / 99 HP / 17,554 lbs. Weight / 13' 8" Dig              | 47% | 15Jun18 |
| <a href="#"><u>410L</u></a>     | 410L Backhoe / 113 HP / 19,463 lbs. Weight / 15'10" Dig                     | 44% | 20Jun18 |
| <a href="#"><u>710L</u></a>     | 710L Backhoe / 148 HP / 27,033 lbs. Weight / 17'3" Dig                      | 44% | 20Jun18 |
| <b>Crawler Dozers</b>           |                                                                             |     |         |
| <a href="#"><u>450K</u></a>     | 450K Dozer / 80 HP / 17,510 - 18,752 lbs. Weight / 86" Track on Ground      | 30% | 26Apr18 |
| <a href="#"><u>550K</u></a>     | 550K Dozer / 92 HP / 19,640 - 20,622 lbs. Weight / 92" Track on Ground      | 30% | 17Apr18 |
| <a href="#"><u>650K</u></a>     | 650K Dozer / 104 HP / 19,949 - 20,974 lbs. Weight / 92" Track on Ground     | 30% | 17Apr18 |
| <a href="#"><u>700K</u></a>     | 700K Dozer / 130 HP / 30,275 - 31,290 lbs. Weight / 102" Track on Ground    | 30% | 17Apr18 |
| <a href="#"><u>750K</u></a>     | 750K Dozer / 165 HP / 34,527 - 37,745 lbs. Weight / 102" Track on Ground    | 30% | 27Jun18 |
| <a href="#"><u>850K</u></a>     | 850K Dozer / 205 HP / 43,818 - 48,005 lbs. Weight / 109" Track on Ground    | 30% | 17Apr18 |
| <a href="#"><u>950K</u></a>     | 950K Dozer / 265 HP / 65,300-73,700 lbs. Weight / 126" Track on Ground      | 31% | 10May18 |
| <a href="#"><u>1050K</u></a>    | 1050K Dozer / 350 HP / 94,300 - 95,000 lbs. Weight / 134.6" Track on Ground | 31% | 21May18 |
| <b>Crawler Loaders</b>          |                                                                             |     |         |
| <a href="#"><u>655K</u></a>     | 655K Crawler / 145 HP / 40,614 lbs. Weight / 2.4 cu yds. Heaped Capacity    | 30% | 05Jul18 |



[755K](#)

755K Crawler / 190 HP / 45,178 lbs. Weight / 3.2 cu yds. Heaped Capacity

30%

05Jul18

## Excavators

[75G FT4](#)

75G Excavator / 56.9 HP / 18,221 lbs. Weight / 13'6" Dig

34%

24Jul18

[85G FT4](#)

85G Excavator / 56.9 HP / 18,821 lbs. Weight / 13'1" Dig

34%

24Jul18

[130G FT4](#)

130G Excavator / 98 HP / 31,604 lbs. Weight / 19'9" Dig

36%

24Jul18

[135G FT4](#)

135G Excavator / 101 HP / 31,500 lbs. Weight / 20'0" Dig

36%

24Jul18

[160G LC FT4](#)

160G LC Excavator / 121 HP / 39,526 lbs. Weight / 21'4" Dig

37%

24Jul18

[180G LC FT4](#)

180G LC Excavator / 121 HP / 45,170 lbs. Weight / 23'2" Dig

38%

24Jul18

[190GW FT4](#)

190GW Excavator / 173 HP / 43,431 lbs. Weight / 19'2" Dig

46%

24Jul18

[210G LC FT4](#)

210G LC Excavator / 159 HP / 51,940 lbs. Weight / 21'11" Dig

36%

02Aug18

[245G LC FT4](#)

245G LC Excavator / 159 HP / 57,800 lbs. Weight / 21'9" Dig

37%

24Jul18

[250G LC FT4](#)

250G LC Excavator / 188 HP / 57,800 lbs. Weight / 25'0" Dig

34%

02Aug18

[300G LC FT4](#)

300G LC Excavator / 223 HP / 68,674 lbs. Weight / 25' 10" Dig

34%

02Aug18

[345G LC FT4](#)

345G LC Excavator / 249 HP / 80,788 lbs. Weight / 24' 10" Dig

30%

02Aug18

[350G LC FT4](#)

350G LC Excavator / 271 HP / 78,550 lbs. Weight / 26' 10" Dig

34%

02Aug18



|                                    |                                                                |     |         |
|------------------------------------|----------------------------------------------------------------|-----|---------|
| <a href="#"><u>380G LC FT4</u></a> | 380G LC Excavator / 271 HP / 83,992 lbs. Weight / 26' 10" Dig  | 34% | 24Jul18 |
| <a href="#"><u>470G LC FT4</u></a> | 470G LC Excavator / 367 HP/ 112,916 lbs. Weight / 29' 11" Dig  | 34% | 02Aug18 |
| <a href="#"><u>670G LC FT4</u></a> | 670G LC Excavator / 463 HP / 154,103 lbs. Weight / 32' 11" Dig | 34% | 24Jul18 |
| <a href="#"><u>870G LC FT4</u></a> | 870G LC Excavator / 512 HP / 188,716 lbs. Weight / 39' 11" Dig | 34% | 24Jul18 |

## Forestry Machines

|                              |                                                                           |     |         |
|------------------------------|---------------------------------------------------------------------------|-----|---------|
| <a href="#"><u>1910G</u></a> | 1910G Forwarder/ 268 HP/ 42,990 lbs. Weight/ 27.9 ft. Max Boom Reach      | 30% | 24May18 |
| <a href="#"><u>2654G</u></a> | 2654G Swing Machine/ 194 HP/ 73,353 lbs. Weight/ 79,560 lbs. Swing Torque | 34% | 23Jul18 |

## Motor Graders

|                                |                                                                        |     |         |
|--------------------------------|------------------------------------------------------------------------|-----|---------|
| <a href="#"><u>620G/GP</u></a> | 620G/GP Grader / 215 HP/ 40,350 lbs. Weight / 31,066 lbs. Blade Pull   | 42% | 26Jun18 |
| <a href="#"><u>622G/GP</u></a> | 622G/GP Grader / 225 HP/ 42,060 lbs. Weight / 45,000 lbs. Blade Pull   | 42% | 26Jun18 |
| <a href="#"><u>670G/GP</u></a> | 670G/GP Grader / 235 HP/ 42,340 lbs. Weight / 34,173 lbs. Blade Pull   | 42% | 26Jun18 |
| <a href="#"><u>672G/GP</u></a> | 672G/GP Grader / 255 HP / 44,040 lbs. Weight / 49,500 lbs. Blade Pull  | 42% | 26Jun18 |
| <a href="#"><u>770G/GP</u></a> | 770G/GP Grader / 255 HP / 42,760 lbs. Weight / 34,173 lbs. Blade Pull  | 45% | 26Jun18 |
| <a href="#"><u>772G/GP</u></a> | 772G/GP Grader / 275 HP / 44,570 lbs.- Weight / 49,500 lbs. Blade Pull | 45% | 26Jun18 |
| <a href="#"><u>870G/GP</u></a> | 870G/GP Grader / 280 HP / 44,760 lbs. Weight / 34,173 lbs. Blade Pull  | 44% | 01Jun18 |
| <a href="#"><u>872G/GP</u></a> | 872G/GP Grader / 300 HP / 46,710 lbs. Weight / 49,500 lbs. Blade Pull  | 44% | 01Jun18 |





## Wheel Loaders

|                             |                                                                           |     |         |
|-----------------------------|---------------------------------------------------------------------------|-----|---------|
| <a href="#">444K</a>        | 444K 4WD Loader / 124 HP / 25,022 lbs. Weight / 2.0-4 CY Capacity         | 41% | 13Jun18 |
| <a href="#">524K II</a>     | 524K II 4WD Loader / 130 HP / 27,928 lbs. Weight / 2.5-4.5 CY Capacity    | 43% | 13Jun18 |
| <b>524L (New)</b>           | 524L 4WD Loader / 139 HP / (TBA) lbs. Weight / 2.5-4.5 CY Capacity        | 39% | 13Jul18 |
| <a href="#">544K II</a>     | 544K II 4WD Loader / 163 HP / 29,138 lbs. Weight / 2.75-5.25 CY Capacity  | 43% | 13Jun18 |
| <b>544L (New)</b>           | 544L 4WD Loader / 166 HP / (TBA) lbs. Weight / 2.5-5.25 CY Capacity       | 38% | 13Jul18 |
| <a href="#">624K II</a>     | 624K II 4WD Loader/ 186 HP / 34,717 lbs. Weight / 3.5-5.25 CY Capacity    | 43% | 13Jun18 |
| <b>624L (New)</b>           | 624L 4WD Loader/ 192 HP / (TBA) lbs. Weight / 2.5-5.25 CY Capacity        | 37% | 13Jul18 |
| <a href="#">644K</a>        | 644K 4WD Loader / 232 HP / 41,188 lbs. Weight / 4.0-4.25 CY Capacity      | 42% | 13Jun18 |
| <a href="#">644K Hybrid</a> | 644K Hyb. 4WD Loader / 229 HP / 40,436 lbs. Weight / 4.0-4.25 CY Capacity | 42% | 13Jun18 |
| <a href="#">724K</a>        | 724K 4WD Loader / 264 HP / 48,988 lbs. Weight / 4.0-4.75 CY Capacity      | 43% | 13Jun18 |
| <a href="#">744K II</a>     | 744K II 4WD Loader / 303 HP / 55,905 lbs. Weight / 5.25-5.75 CY Capacity  | 41% | 15Jun18 |
| <a href="#">824K II</a>     | 824K II 4WD Loader / 333 HP / 59,260 lbs. Weight / 6.0-6.75 CY Capacity   | 41% | 15Jun18 |
| <a href="#">844K III</a>    | 844K III 4WD Loader / 380 HP / 74,534 lbs. Weight / 7.25 CY Capacity      | 41% | 15Jun18 |
| <a href="#">844K III AH</a> | 844K III AH 4WD Loader / 380 HP / 80,052 lbs. / 9.3-9.8 CY Capacity       | 41% | 15Jun18 |
| <a href="#">944K</a>        | 944K Hyb 4WD Loader / 536 HP / 117,947 lbs. Weight / 8.5-10 CY Capacity   | 41% | 15Jun18 |



## Tractor Loaders

|                         |                                                                           |     |         |
|-------------------------|---------------------------------------------------------------------------|-----|---------|
| <a href="#">210L EP</a> | 210L EP Tractor Loader / 69 HP / 10,569 lbs. Weight / 8,245 lbs. Breakout | 40% | 17May18 |
| <a href="#">210L</a>    | 210L Tractor Loader / 93 HP / 11,326 lbs. Weight / 8,245 lbs. Breakout    | 40% | 17May18 |

### Contract Updates:

15 Dec 2017 - Added new 190GW FT4 and update price page dates.

14 Mar 2018 - Added new models (345G LC FT4), removed old models (605K, 344K) and update price pages.

12 Jun 2018 – NJPA change name to Sourcewell.

17 Aug 2018 – Added new models (524L, 544L, 624L). Removed models (344K and 605K). Price increase (655K, 755K and 2654G) and update price pages.



**AGENDA REPORT  
NEW BUSINESS  
October 4, 2018**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

**SUBJECT: DELINQUENT UTILITY BILLING ACCOUNTS TO COLLECTIONS**

DATE: October 1, 2018

---

**PROPOSED MOTION:**

**I MOVE TO APPROVE THE LIST OF UTILITY BILLING WRITE OFFS AS PRESENTED AND  
AUTHORIZE SENDING THE APPLICABLE ACCOUNTS TO COLLECTIONS.**

**SUMMARY:**

Attached is the following document:

- List of utility billing accounts over 120 days old proposed to write off and send to collections

**BACKGROUND:**

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. The list of accounts proposed to write-off is attached to the report, they are all over 120 days past due.

**CURRENT SITUATION:**

There are \$11,680.60 of utility billing accounts to write off with \$8,796.89 to be sent to collections. They are all over 120 days past due.

The Finance Department was required to wait to get a collections agency to submit a business registration before bringing this report to the City Council.

**ANALYSIS:**

- A. **FINANCIAL** There is \$8,796.89 from utility bills that are deemed noncollectable by the City Finance Department. Hopefully, a portion will be collected in the future from the

collections agency.

- B. **TIMING** The Finance Department would like to get the utility accounts to collections as soon as possible.
- C. **POLICY/LEGAL** These write-offs need to be approved by the Council per the allowance for doubtful accounts policy.

**ALTERNATIVES:**

A. Take No Action - The Council could take no action on this matter; this would leave the past due accounts on the city books which most likely will never be collected.

**RECOMMENDATION:**

Staff recommends the City Council approve the utility billing accounts to send to collections.

**ATTACHMENTS:**

1. COLLECTIONS LIST



# ACCOUNT TO SEND TO COLLECTIONS

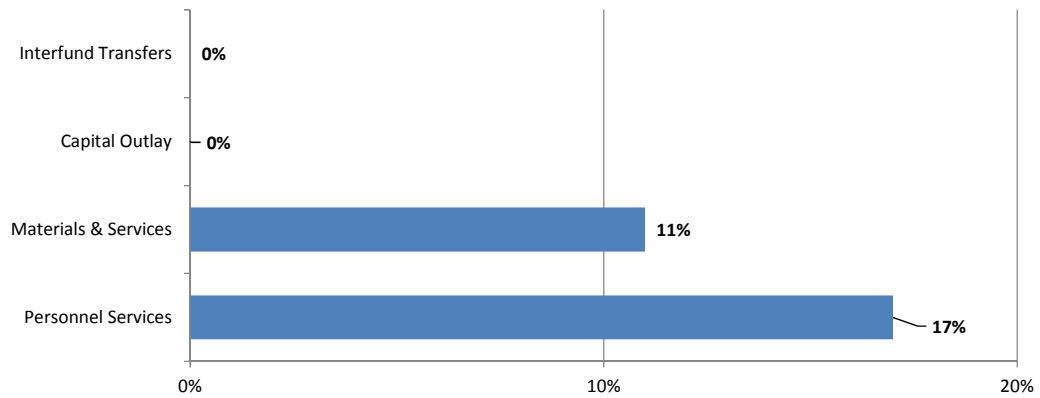
| <u>Account No</u> | <u>Last Name</u>    | <u>First Name</u> | <u>DATE</u><br><u>FINALED</u> | <u>TOTAL DUE</u> | <u>FINAL BILL WAS</u> | <u>INTEREST TO</u><br><u>WRITE OFF</u> | <u>AMOUNT TO</u><br><u>COLLECTIONS</u> |
|-------------------|---------------------|-------------------|-------------------------------|------------------|-----------------------|----------------------------------------|----------------------------------------|
| 014172-000        | MARTINEZ            | JOSE              | 10/09/17                      | \$ 711.51        | \$ 265.52             | \$ 325.93                              | \$ 385.58                              |
| 012992-000        | CHRISTIAN M/R       | SEAN              | 10/18/17                      | \$ 260.59        | \$ 103.96             | \$ 104.18                              | \$ 156.41                              |
| 013192-000        | MICHAEL             | JEREMY            | 10/18/17                      | \$ 305.90        | \$ 122.03             | \$ 122.31                              | \$ 183.59                              |
| 014203-000        | SASS                | GRACE             | 10/18/17                      | \$ 90.70         | \$ 36.19              | \$ 36.26                               | \$ 54.44                               |
| 007410-000        | PETTET              | JOHN/SALLY        | 11/03/17                      | \$ 757.57        | \$ 308.55             | \$ 302.89                              | \$ 454.68                              |
| 012862-000        | PAULSEN/GOMEZ M/R   | CHRIS/VANESSA     | 11/14/17                      | \$ 198.98        | \$ 83.21              | \$ 79.56                               | \$ 119.42                              |
| 014035-000        | GARCIA M/R          | JOSE              | 11/14/17                      | \$ 84.42         | \$ 37.30              | \$ 28.30                               | \$ 56.12                               |
| 012660-000        | HOYT M/R            | JUDY              | 11/16/17                      | \$ 452.02        | \$ 190.42             | \$ 180.73                              | \$ 271.29                              |
| 011107-000        | DE LA ROSA M/R      | ROSENDO           | 11/20/17                      | \$ 344.10        | \$ 152.03             | \$ 115.38                              | \$ 228.72                              |
| 012776-001        | FRANKLIN            | CLINTON           | 11/20/17                      | \$ 427.48        | \$ 188.87             | \$ 143.34                              | \$ 284.14                              |
| 014614-000        | FLORES              | JUSTIN            | 11/20/17                      | \$ 770.94        | \$ 340.62             | \$ 258.50                              | \$ 512.44                              |
| 007126-000        | LAWSON M/R          | DAVID             | 12/04/17                      | \$ 163.54        | \$ 74.54              | \$ 54.83                               | \$ 108.71                              |
| 013219-000        | SWEENEY             | JEFFREY           | 12/04/17                      | \$ 335.92        | \$ 151.05             | \$ 112.63                              | \$ 223.29                              |
| 014394-000        | TACOS MEXICO        |                   | 12/08/17                      | \$ 92.64         | \$ 45.33              | \$ 24.44                               | \$ 68.20                               |
| 014499-000        | GUTIERREZ M/R       | VICENTE           | 12/12/17                      | \$ 16.38         | \$ 8.01               | \$ 4.33                                | \$ 12.05                               |
| 011852-001        | SOSA \$\$           | DANIEL            | 12/19/17                      | \$ 306.22        | \$ 149.84             | \$ 80.79                               | \$ 225.43                              |
| 013028-000        | SEEBERGER M/R       | TRAVIS            | 12/19/17                      | \$ 259.28        | \$ 126.87             | \$ 68.41                               | \$ 190.87                              |
| 013648-000        | THOMPSON M/R        | ZACH              | 12/19/17                      | \$ 99.60         | \$ 48.73              | \$ 26.28                               | \$ 73.32                               |
| 014654-000        | DULISSE             | SAMANTHA          | 12/26/17                      | \$ 304.62        | \$ 149.05             | \$ 80.38                               | \$ 224.24                              |
| 014043-000        | LOPEZ               | ANGEL             | 12/27/17                      | \$ 204.56        | \$ 100.08             | \$ 53.98                               | \$ 150.58                              |
| 014346-000        | VARGAS              | JOVANNA           | 01/16/18                      | \$ 271.77        | \$ 139.42             | \$ 71.71                               | \$ 200.06                              |
| 013309-000        | BENINTENDI M/R      | JUSTIN            | 01/17/18                      | \$ 42.84         | \$ 23.22              | \$ 8.24                                | \$ 34.60                               |
| 014765-000        | AMBUSKI JR. M/R     | DEMUND            | 01/17/18                      | \$ 35.66         | \$ 19.32              | \$ 6.86                                | \$ 28.80                               |
| 013951-000        | BERQUIST M/R        | JOSEPH            | 01/22/18                      | \$ 198.42        | \$ 107.53             | \$ 36.65                               | \$ 161.77                              |
| 014711-000        | SANTANA             | ELICIA            | 01/22/18                      | \$ 225.22        | \$ 122.06             | \$ 41.60                               | \$ 183.62                              |
| 000346-002        | SHARP\DAVIS         | JAMES\BARBARA     | 01/31/18                      | \$ 607.38        | \$ 329.15             | \$ 160.26                              | \$ 447.12                              |
| 013441-000        | PAPPAS              | VIVIANE           | 02/01/18                      | \$ 113.57        | \$ 61.54              | \$ 21.84                               | \$ 91.73                               |
| 013831-000        | SEWELL M/R          | BRANDY            | 02/20/18                      | \$ 220.13        | \$ 132.12             | \$ 21.37                               | \$ 198.76                              |
| 014460-000        | SERRANO \$ M/R      | CECILIA           | 02/20/18                      | \$ 313.56        | \$ 188.19             | \$ 57.92                               | \$ 255.64                              |
| 014575-000        | ROMANS M/R          | TANNER            | 02/20/18                      | \$ 14.86         | \$ 8.92               | \$ 4.62                                | \$ 10.24                               |
| 014651-000        | AGUIRRE M/R         | LUIS              | 02/20/18                      | \$ 266.22        | \$ 159.78             | \$ 25.84                               | \$ 240.38                              |
| 014694-000        | SAUER               | BRITYN            | 02/20/18                      | \$ 247.44        | \$ 148.51             | \$ 24.02                               | \$ 223.42                              |
| 014743-000        | LANDALUCE M/R       | JOY               | 02/20/18                      | \$ 130.81        | \$ 78.51              | \$ 24.16                               | \$ 106.65                              |
| 014636-000        | MOSER               | PATRICK           | 03/14/18                      | \$ 10.27         | \$ 6.83               | \$ -                                   | \$ 10.27                               |
| 009565-000        | BROOKS M/R          | PAMELA            | 03/21/18                      | \$ 516.18        | \$ 343.11             | \$ 95.34                               | \$ 420.84                              |
| 011667-000        | CLASON              | ROBERT            | 03/21/18                      | \$ 49.88         | \$ 33.16              | \$ 9.21                                | \$ 40.67                               |
| 014587-000        | MOORE               | MATTHEW           | 03/21/18                      | \$ 202.89        | \$ 134.86             | \$ -                                   | \$ 202.89                              |
| 014764-000        | CARLSON             | JACOB             | 03/21/18                      | \$ 209.47        | \$ 139.23             | \$ -                                   | \$ 209.47                              |
| 010722-000        | RAMIREZ             | PETRA             | 04/02/18                      | \$ 161.64        | \$ 110.25             | \$ -                                   | \$ 161.64                              |
| 014413-000        | GARCIA ESTEVA       | MARIA             | 04/02/18                      | \$ 107.91        | \$ 74.47              | \$ 10.47                               | \$ 97.44                               |
| 000107-000        | ERNIES ELECTRIC M/R |                   | 04/18/18                      | \$ 75.17         | \$ 55.33              | \$ -                                   | \$ 75.17                               |
| 009130-000        | WILKERSON           | DEANA             | 04/18/18                      | \$ 466.92        | \$ 343.73             | \$ -                                   | \$ 466.92                              |
| 014024-000        | WILSON              | DAVIANNA          | 04/18/18                      | \$ 146.12        | \$ 107.57             | \$ -                                   | \$ 146.12                              |
| 014787-000        | RHOADES             | BRIEANNA          | 04/18/18                      | \$ 322.23        | \$ 185.34             | \$ -                                   | \$ 322.23                              |
| 013722-001        | TYLER               | APRIL             | 04/25/18                      | \$ 72.42         | \$ 53.31              | \$ -                                   | \$ 72.42                               |
| 014671-000        | COVARRUBIAS         | SAMUEL            | 04/30/18                      | \$ 227.99        |                       | \$ 60.15                               | \$ 167.84                              |
| 012745-000        | WORKMAN *           | DALE / DIANA      | 05/01/18                      | \$ 236.66        | \$ 174.22             | \$ -                                   | \$ 236.66                              |
|                   |                     |                   |                               |                  |                       | TOTAL                                  | <b>\$ 8,796.89</b>                     |

**CITY OF ONTARIO  
GENERAL FUND - DEPARTMENT EXPENSE  
FOR THE PERIOD ENDED  
AUGUST 31, 2018**

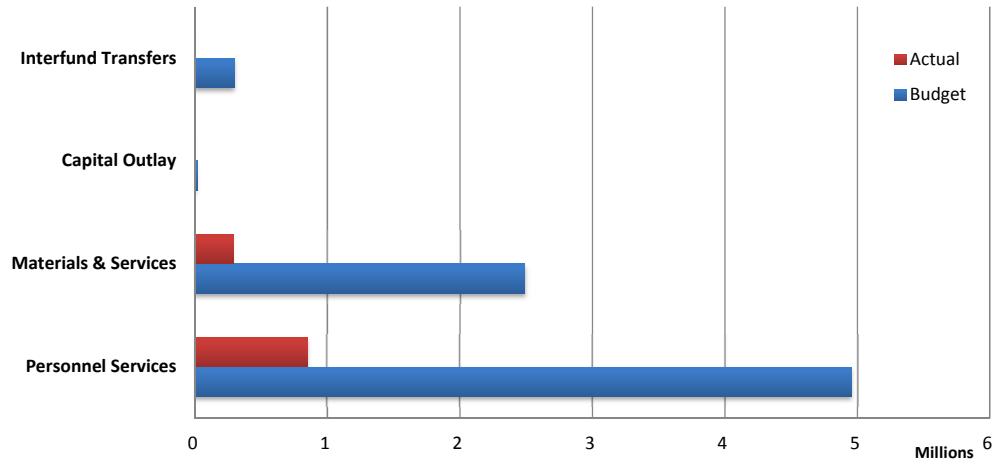
| DEPARTMENT                      | BUDGET              | ACTUAL              | %<br>EXPENDED   | COMMENTS                                                                             |
|---------------------------------|---------------------|---------------------|-----------------|--------------------------------------------------------------------------------------|
| Parks                           | 130,374             | 27,301              | 20.9%           | contract paid month ahead<br>timing, soccer officials                                |
| Recreation                      | 119,616             | 28,277              | 23.6%           |                                                                                      |
| <b>Parks &amp; Recreation</b>   | <b>249,990</b>      | <b>55,578</b>       | <b>22.2%</b>    |                                                                                      |
| Fire                            | 1,436,598           | 242,314             | 16.9%           |                                                                                      |
| Code Enforcement                | 126,154             | 24,314              | 19.3%           |                                                                                      |
| Police                          | 3,286,782           | 548,284             | 16.7%           |                                                                                      |
| Police reserves                 | 2,000               | -                   | 0.0%            |                                                                                      |
| <b>Public Safety Total</b>      | <b>4,851,534</b>    | <b>814,912</b>      | <b>16.8%</b>    |                                                                                      |
| Administration                  | 470,084             | 62,650              | 13.3%           | contract paid month ahead                                                            |
| City Council                    | 25,292              | 1,801               | 7.1%            |                                                                                      |
| Business Registration           | 1,100               | 4                   | 0.4%            |                                                                                      |
| Cemetery                        | 116,418             | 21,446              | 18.4%           |                                                                                      |
| Finance                         | 234,857             | 31,190              | 13.3%           |                                                                                      |
| Technology                      | 108,606             | 19,455              | 17.9%           |                                                                                      |
| <b>General Government Total</b> | <b>956,357</b>      | <b>136,547</b>      | <b>14.3%</b>    |                                                                                      |
| Community development           | 163,760             | 23,267              | 14.2%           |                                                                                      |
| <b>Community Development</b>    | <b>163,760</b>      | <b>23,267</b>       | <b>14.2%</b>    |                                                                                      |
| Administrative Overhead         | 1,259,111           | 108,178             | 8.6%            |                                                                                      |
| <b>Other Total</b>              | <b>1,259,111</b>    | <b>108,178</b>      | <b>8.6%</b>     |                                                                                      |
| Operating Transfers Out         | 267,157             | -                   | 0.0%            |                                                                                      |
| <b>GENERAL FUND TOTALS</b>      | <b>\$ 7,747,909</b> | <b>\$ 1,138,482</b> | <b>14.7%</b>    |                                                                                      |
| <b>YTD BUDGET BENCHMARK</b>     |                     |                     | <b>16.6667%</b> |  |

**CITY OF ONTARIO  
GENERAL FUND - DEPARTMENT EXPENSE  
FOR THE PERIOD ENDED  
AUGUST 31, 2018**

**% Expended by Category**



**Budget to Actual by Category**

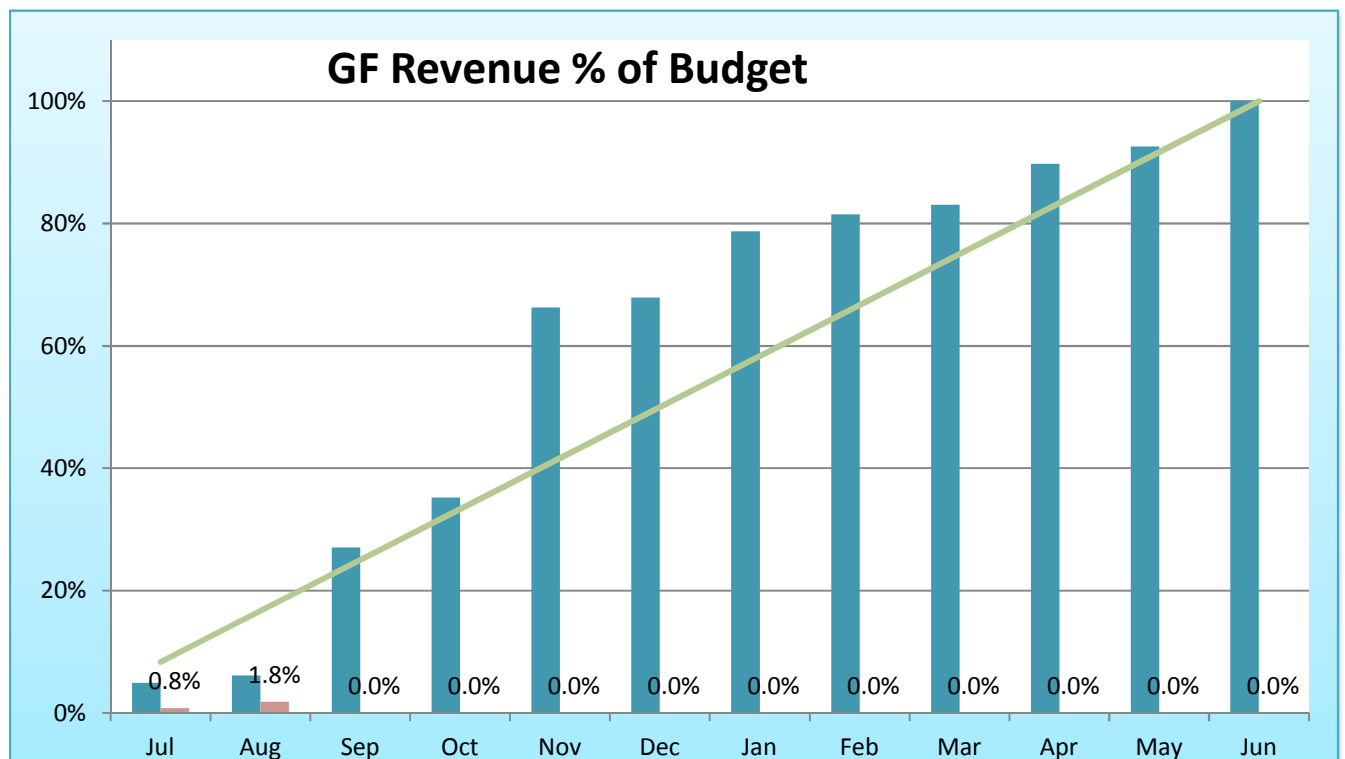
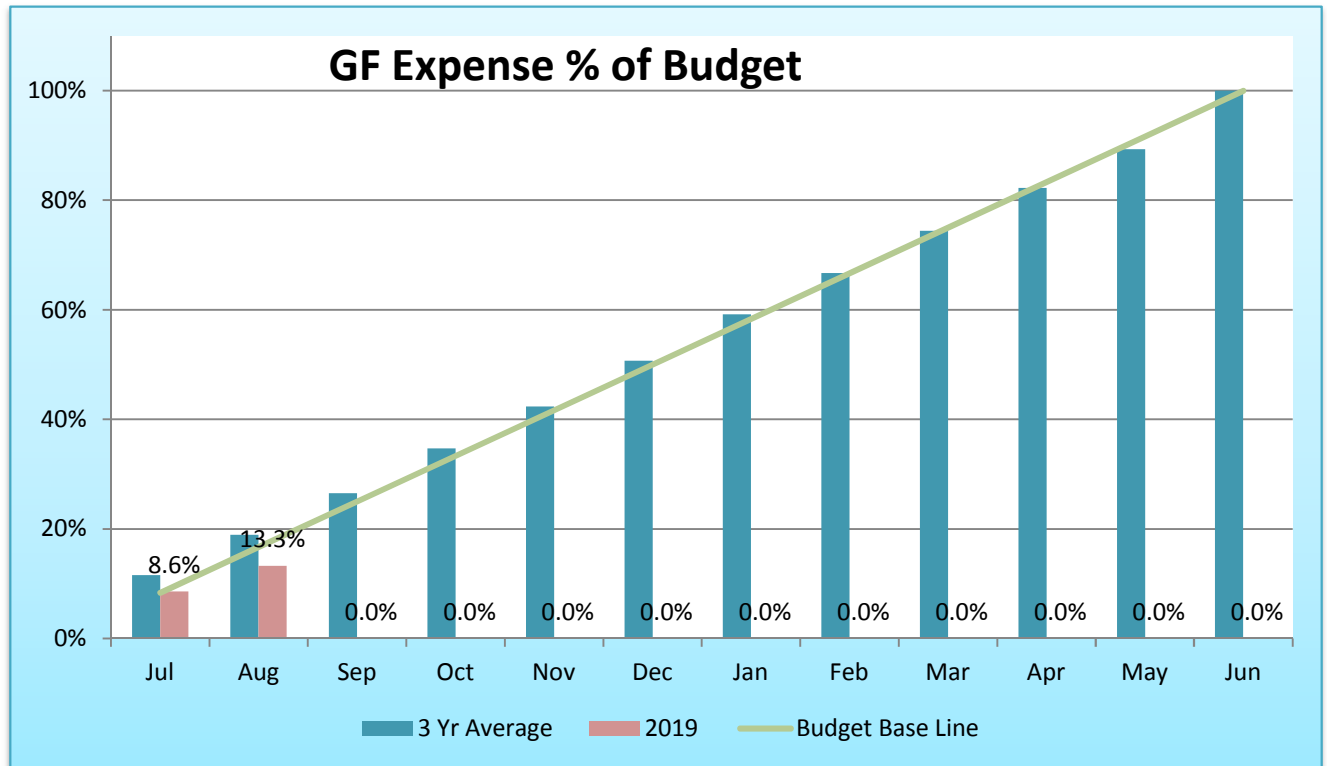


**CITY OF ONTARIO  
GENERAL FUND - DEPARTMENT REVENUE  
FOR THE PERIOD ENDED  
AUGUST 31, 2018**

| DEPARTMENT                          | BUDGET              | ACTUAL            | %<br>REALIZED | COMMENTS                                                                                            |
|-------------------------------------|---------------------|-------------------|---------------|-----------------------------------------------------------------------------------------------------|
| GENERAL FUND BEGINNING FUND BALANCE | 2,449,445           |                   | 0.0%          | (not calculated in totals)                                                                          |
| Parks                               | 51,900              | 4,352             | 8.4%          |                                                                                                     |
| Recreation                          | 16,873              | 6,319             | 37.5%         |                                                                                                     |
| <b>Parks &amp; Recreation</b>       | <b>68,773</b>       | <b>10,671</b>     | <b>15.5%</b>  |                                                                                                     |
| Fire                                | 134,372             | 34                | 0.0%          | Quarterly payments rural fire                                                                       |
| Code Enforcement                    | 21,050              | 11,863            | 56.4%         |                                                                                                     |
| Police                              | 420,010             | 5,739             | 1.4%          |                                                                                                     |
| <b>Public Safety Total</b>          | <b>575,432</b>      | <b>17,636</b>     | <b>3.1%</b>   |                                                                                                     |
| Interest                            | 35,000              | 9,448             | 27.0%         | Interest rates keep raising                                                                         |
| State Revenue Sharing               | 124,887             |                   | 0.0%          |                                                                                                     |
| PERS Allocation Transfer            | 146,480             | -                 | 0.0%          | Quarterly payments                                                                                  |
| Administrative Services             | 497,148             | 82,858            | 16.7%         |                                                                                                     |
| Other General Revenues              | 12,655              | 1,532             | 12.1%         |                                                                                                     |
| Property Taxes                      | 3,634,901           | 42,115            | 1.2%          |                                                                                                     |
| Alcohol Bvg License & Fee           | 188,355             | 700               | 0.4%          | No state payments yet                                                                               |
| Cigarette tax                       | 14,362              | -                 | 0.0%          | No state payments yet                                                                               |
| Franchise Fees                      | 1,648,374           | -                 | 0.0%          | Quarterly payments                                                                                  |
| Business Registration               | 1,700               | 225               | 13.2%         |                                                                                                     |
| Cemetery                            | 51,750              | 2,675             | 5.2%          |                                                                                                     |
| <b>General Government Total</b>     | <b>6,355,612</b>    | <b>139,552</b>    | <b>2.2%</b>   |                                                                                                     |
| P&Z Hearings                        | 4,000               | 815               | 20.4%         |                                                                                                     |
| Application Fees                    | 300                 | -                 | 0.0%          |                                                                                                     |
| <b>Community development</b>        | <b>4,300</b>        | <b>815</b>        | <b>19.0%</b>  |                                                                                                     |
| <b>GENERAL FUND REVENUE TOTALS</b>  | <b>\$ 7,004,117</b> | <b>\$ 168,675</b> | <b>2.4%</b>   |                                                                                                     |
| <b>YTD BUDGET BENCHMARK</b>         |                     |                   | <b>16.7%</b>  |  <b>-14.3%</b> |



**CITY OF ONTARIO  
GENERAL FUND  
FOR THE PERIOD ENDED  
AUGUST 31, 2018**



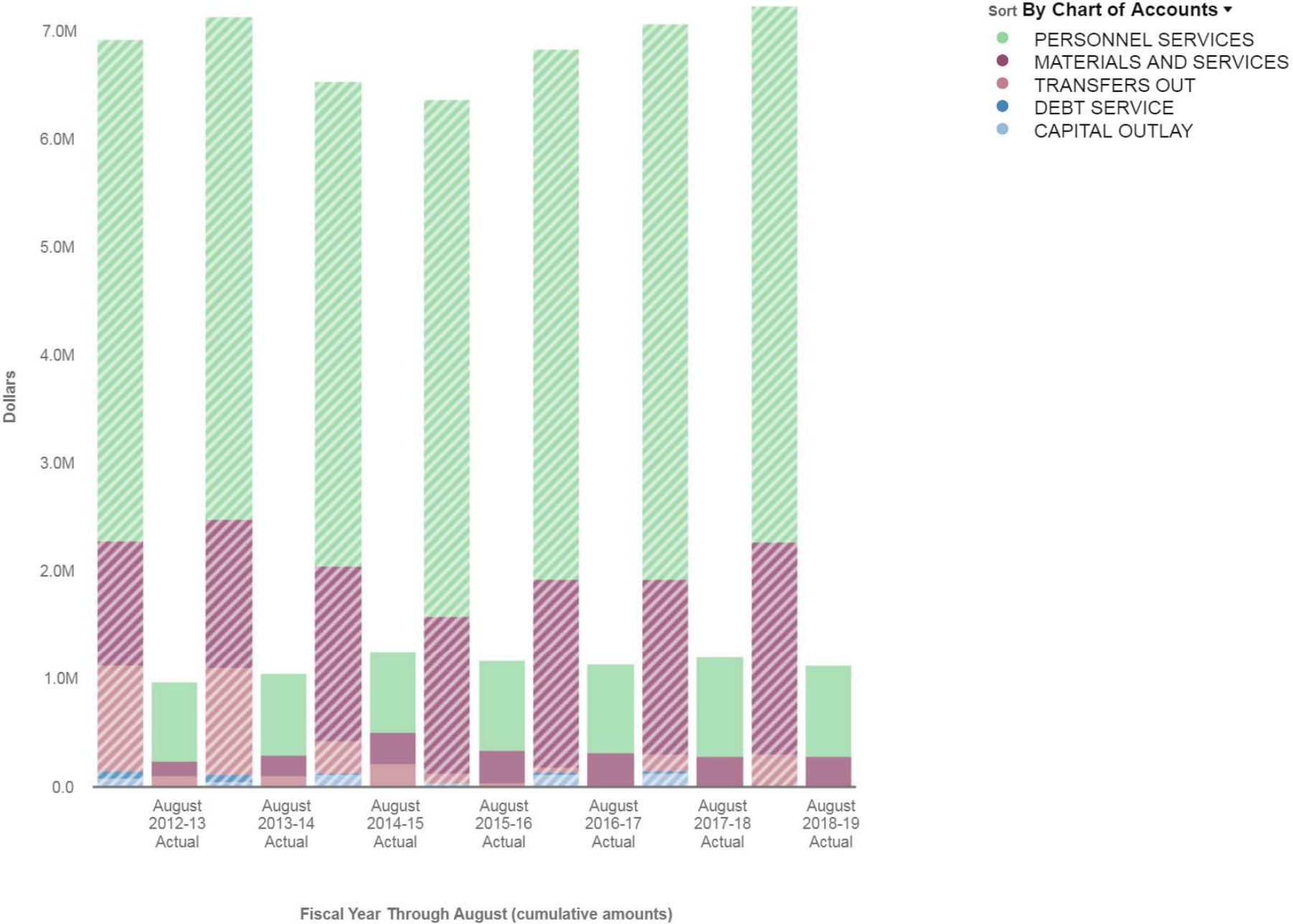
**CITY OF ONTARIO  
OTHER FUNDS - DEPARTMENT EXPENSES AND REVENUE  
FOR THE PERIOD ENDED  
AUGUST 31, 2018**

| DEPARTMENT/FUND                      | EXPENDITURES |         |               |  | REVENUES  |         |               |
|--------------------------------------|--------------|---------|---------------|--|-----------|---------|---------------|
|                                      | BUDGET       | ACTUAL  | %<br>EXPENDED |  | BUDGET    | ACTUAL  | %<br>REALIZED |
| 005 Golf Course Fund                 | 6,000        | -       | 0.0%          |  | 6,000     | -       | 0.0%          |
| 010 Grant Fund                       | 386,476      | 17,049  | 4.4%          |  | 386,476   | 7,820   | 2.0%          |
| 027 Building Fund                    | 153,475      | 17,428  | 11.4%         |  | 192,475   | 48,199  | 25.0%         |
| 030 Capital Projects Fund            | 1,479,704    | 2,760   | 0.2%          |  | 3,875,536 | 116,908 | 3.0%          |
| 031 SDC Fund                         | 340,221      | -       | 0.0%          |  | 340,221   | 7,280   | 2.1%          |
| 035 Debt Service Fund                | 58,665       | 29,642  | 50.5%         |  | 81,380    | 1,742   | 2.1%          |
| 045 Street Fund                      | 2,244,985    | 321,414 | 14.3%         |  | 2,244,985 | 216,981 | 9.7%          |
| 050 Trust Funds                      | 636,825      | 51,308  | 8.1%          |  | 793,480   | 50,098  | 6.3%          |
| 055 Reserve Funds                    | 678,284      | 115     | 0.0%          |  | 2,360,576 | 47,800  | 2.0%          |
| 060 Revolving Loan Fund              | 546,834      | -       | 0.0%          |  | 546,834   | 1,288   | 0.2%          |
| 065 Aquatic Donation Fund            | 25,814       | -       | 0.0%          |  | 25,814    | -       | 0.0%          |
| 105 Water Fund                       | 3,156,064    | 429,320 | 13.6%         |  | 4,516,458 | 716,693 | 15.9%         |
| 110 Sewer Fund                       | 3,107,885    | 497,842 | 16.0%         |  | 5,338,610 | 568,158 | 10.6%         |
| 115 Storm Sewer Fund                 | 233,720      | 17,085  | 7.3%          |  | 615,981   | 18,398  | 3.0%          |
| 120 Airport Fund                     | 122,976      | 26,165  | 21.3%         |  | 122,976   | 33,360  | 27.1%         |
| 125 Aquatic Fund                     | 573,305      | 5,023   | 0.9%          |  | 573,305   | 8,915   | 1.6%          |
| <div>YTD BUDGET BENCHMARK16.7%</div> |              |         |               |  |           |         |               |

# Monthly Budget to Actual

General Fund August Budget to Actual

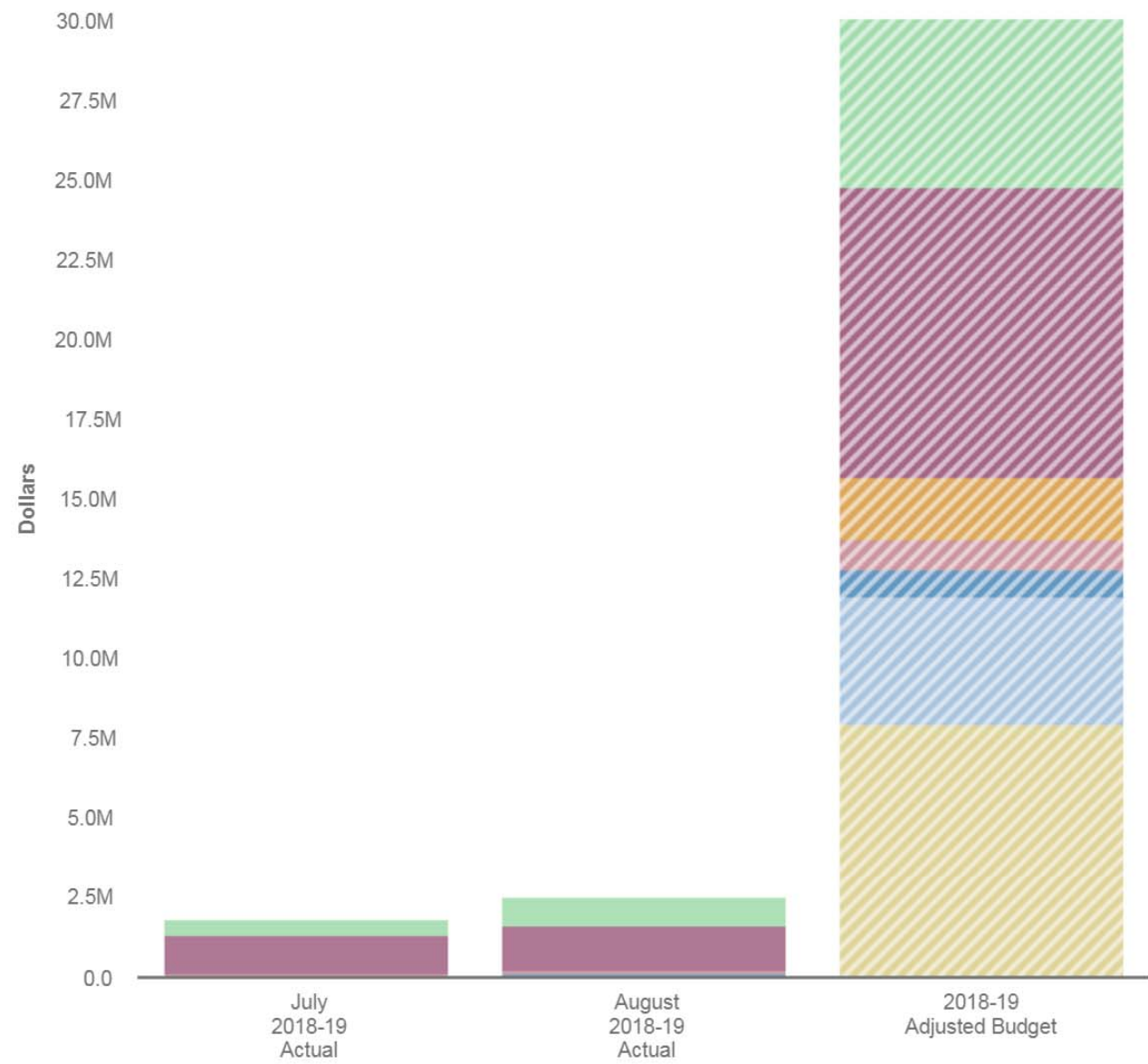
Updated On 2 Oct,  
2018



# Monthly Budget to Actual

General Fund August YTD 2018-2019

Updated On 2 Oct,  
2018



- Sort By Chart of Accounts ▼
- PERSONNEL SERVICES
  - MATERIALS AND SERVICES
  - UNAPPROPRIATED ENDING BALANCE
  - TRANSFERS OUT
  - DEBT SERVICE
  - CAPITAL OUTLAY
  - CONTINGENCY





*September 2018 ACTIVITY REPORT*



September 2018



### **Emergency Medical:**

(Types of medical calls responded to: Falls with injury, fall lift assists, medical emergencies, medical alarms, assaults, etc.)

|              |            |
|--------------|------------|
| <b>CITY</b>  | <b>134</b> |
| <b>RURAL</b> | <b>17</b>  |

**2 of these emergency calls required back-up crews to be called in to respond to 2<sup>nd</sup> call.**

**Hazmat Team Calls:**

|          |
|----------|
| <b>0</b> |
|----------|

### **Fire Related Emergency Calls:**

(Types of fire related calls responded to: Rescue calls, building fires, vehicle fires, smoke detector/fire alarm activation, unauthorized burning, etc.)

|              | <b>TOTAL</b> | <b>General</b> | <b>Mutual Aid</b> |
|--------------|--------------|----------------|-------------------|
| <b>CITY</b>  | <b>23</b>    | <b>2</b>       | <b>0</b>          |
| <b>RURAL</b> | <b>4</b>     | <b>2</b>       | <b>1</b>          |

**2 of these emergency calls required back-up crews to be called in to respond to 2<sup>nd</sup> call.**

### **TOTAL CALLS FOR MONTH**

|              |            |
|--------------|------------|
| <b>CITY</b>  | <b>157</b> |
| <b>RURAL</b> | <b>21</b>  |

### **FIREFIGHTER TRAINING:**

*8/28/18 Ems case reviews with TVP and our Medical control doctor*

*8/28/18 Child Sexual abuse by Treasure Valley Children's Relief Network*

*9/4, 6, /18 Lexipol policies and Standard Operating Procedures*

*9/6/18 Post incident analysis of numerous past incidents*

*9/18/18 Self- contained breathing apparatus drills*

*9/24/18 Elevator training at St Al's hospital*

*9/25/18 Site visits to Campo/Poole locations*



September 2018



### **PERMITS ISSUED:**

*City Open Burns 0*

*City Burn Barrels 0*

*Rural Open Burns 3*

*Rural Burn Barrels 0*

### **INSPECTIONS:**

*8/30/18 Ontario High school football concession stands final*

*9/12 /18 Jamie's Adult Foster Care state inspection*

*9/25/18 Les Schwab overhead fire alarm rough in*

### **COMMUNITY INVOLVEMENT:**

*8/30/18 Super Hero jog a thon with Alameda students.*

*9/5/18 Boys and Girls club fire station tour, 15/ 5 and 6 year olds and their instructors.*

*9/11/18 Patriot day ceremony at city hall with the Ontario Police, Treasure Valley Paramedics, Ontario Fire Department, Mayor Verini, Councilor Carter and many city staff.*

*9/11/18 Ontario Fire annual picnic @ Lions Park.*

*9/22/18 Light up the night 5K run.*











September 2018



## **Summary of Calls of Interest:**

### **City Incidents:**

**900 Block of SE. 9<sup>th</sup> ave.:** This is ODOT's ground of pits and mounds from old road building projects. It was a large grass fire and caused one of our members to be taken to the hospital with heat exhaustion.

**55 NE. Good fellow:** The crew was dispatched to Dairy Queen as a structure fire but fortunately it was contained to some of the electrical wiring on the outside of the building.

**East Lane and SE 2<sup>nd</sup> street:** These are both locations that we had dumpster fires at. The fires were contained by the on duty crew.

### **Rural Incidents:**

**1580 Gentry Lane Weiser:** Our crew responded to a mutual aid call north of Weiser that was started by a single wide mobile home and had spread to the surrounding grass area. We were assigned to control the grass fire portion.

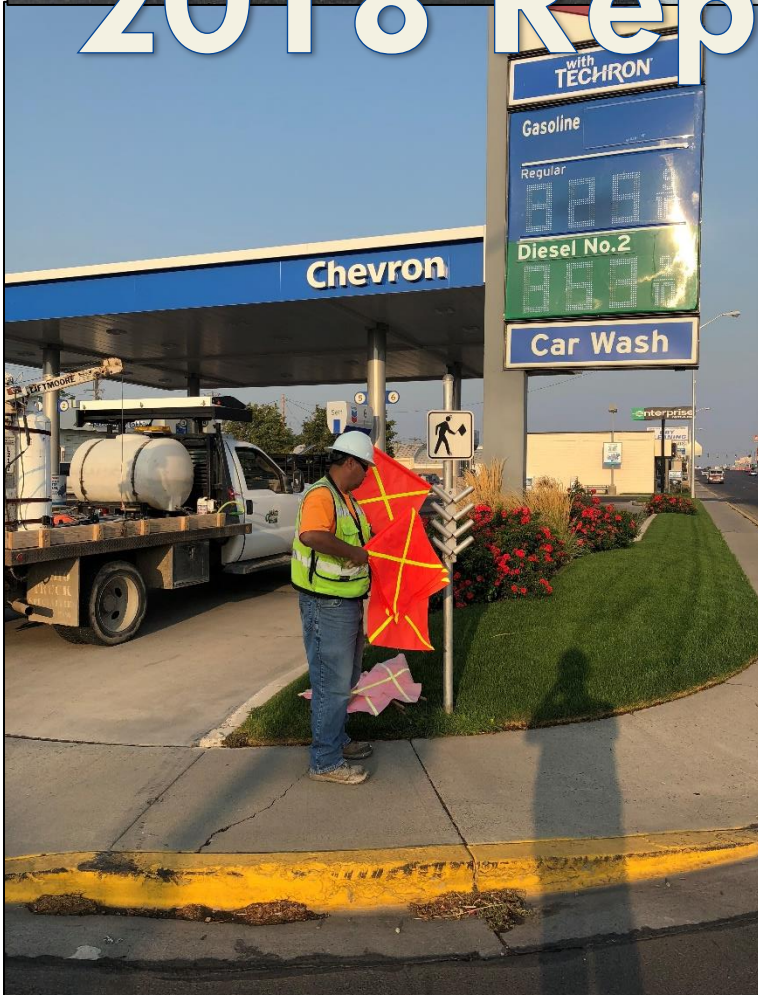




# Jacobs

# Aug. 24 – Sept. 20

# 2018 Report



September  
2018

Prepared by JACOBS for  
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT



# Monthly Business Review

PUBLIC WORKS DEPARTMENT

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WASTEWATER TREATMENT PLANT SUMMARY ..... 8-9

PARKS AND CEMETERY SUMMARY .....10

FACILITY MAINTENANCE SUMMARY.....11

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APPENDIX.....13-15



## FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

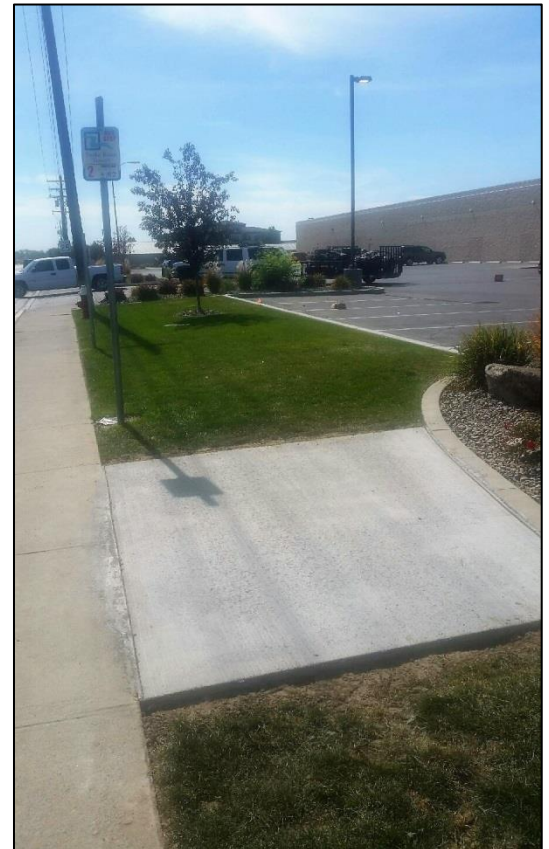
ACTIVITIES AUGUST 24 – SEPTEMBER 20:

- Warrington Construction began the Sewer and Water line project. Staff has been operating valves and assisting in this operation.
- Water and sewer repairs to the 300 block of S. Oregon were initiated, pipe bursting and new water line installation including 2 sewer lines will be combines into 1. The alley will be out of service for approximately 1 week while this operation continues. All business owners were notified, and alternate garbage service addressed while this outage continues.
- A concrete pad was poured for a new bus shelter near Harbor Freight; this has been an action item for some time.
- The crosswalks were painted on Oregon St.
- Two stop signs with flashing LED lights have been ordered and will be installed at the intersection of Verde and 4<sup>th</sup> Ave. to address the potential safety hazard. Lights will be installed on the north and south routes only.
- Finished hot taping crosswalk bars and arrows throughout the community.
- Multiple street signs were replaced due to graffiti.
- Repaired the mechanical sweeper.
- First round of sweeping throughout the community has begun.
- The City was awarded a grant from the state to update its Transportation System Plan. The new plan will allow the City to better compete for additional transportation plan dollars in the future.
- Installation of thermoplastic crosswalk bars continues. This is a work in progress.
- Dan Shepard, long term employee for the City and Jacobs, retired after 41 years of service.



**Top: New stop signs installed at SE 3<sup>rd</sup> Ave./SE 3<sup>rd</sup> St.**

**Bottom: New pad for bus shelter at Harbor Freight.**

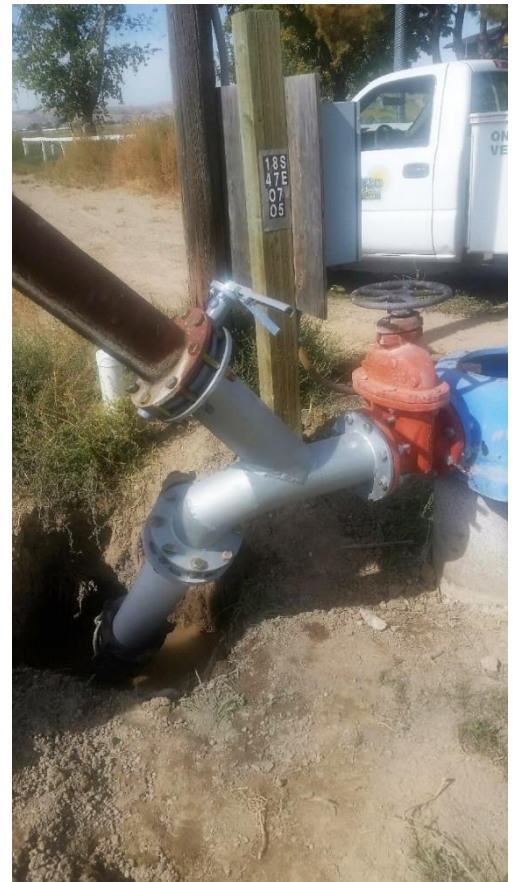




## FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES AUGUST 24 – SEPTEMBER 20:

- Crews prepared for crack seal. 18 lane miles will be targeted for this effort.
- Performed a 10" fire service tap for Heinz.
- New stop signs and temporary safety flagging were installed at the intersection of SE 3<sup>rd</sup> Ave. and SE 3<sup>rd</sup> St. This intersection has seen numerous motor vehicle accidents for failure to yield right of way. Added control at the intersection should address this problem and provide a safer environment for our citizens.
- Peter Hall was given a driving tour of City of Ontario Public Works facilities and general operations.
- Set up 2 road closures (block party and gym grand opening).
- Set up barricades for the TVCC fun run/walk.
- Crews worked on numerous leaking water services throughout the community.
- Weekly lift station checks and maintenance.
- Picked up garbage on E. Idaho every other week.
- Sewer cleaning continues throughout the City.
- Applied herbicide to City right of ways.
- Performed weekly vehicle, equipment, lift station, and building inspections.
- Water maintenance – leaking setters, broken angle stops, and broken boxes were repaired through-out town.
- Cleaned 2 lift station wet wells.
- 4 water meters were installed.
- 34 water services were turned on per customer request.
- 15 water services were shut off per customer request.
- 53 water services were read-only on/off per customer request.
- 43 water services were checked for consumption issues.
- 39 water services were turned on for payment received.
- 11 water services were checked to verify leaks had been repaired by customer.
- 6 water services were shut off due to leaks, per customer requests.



**New pipe fitting at Hollingsworth pump for Golf Course Pond.**

## FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES AUGUST 24 – SEPTEMBER 20:

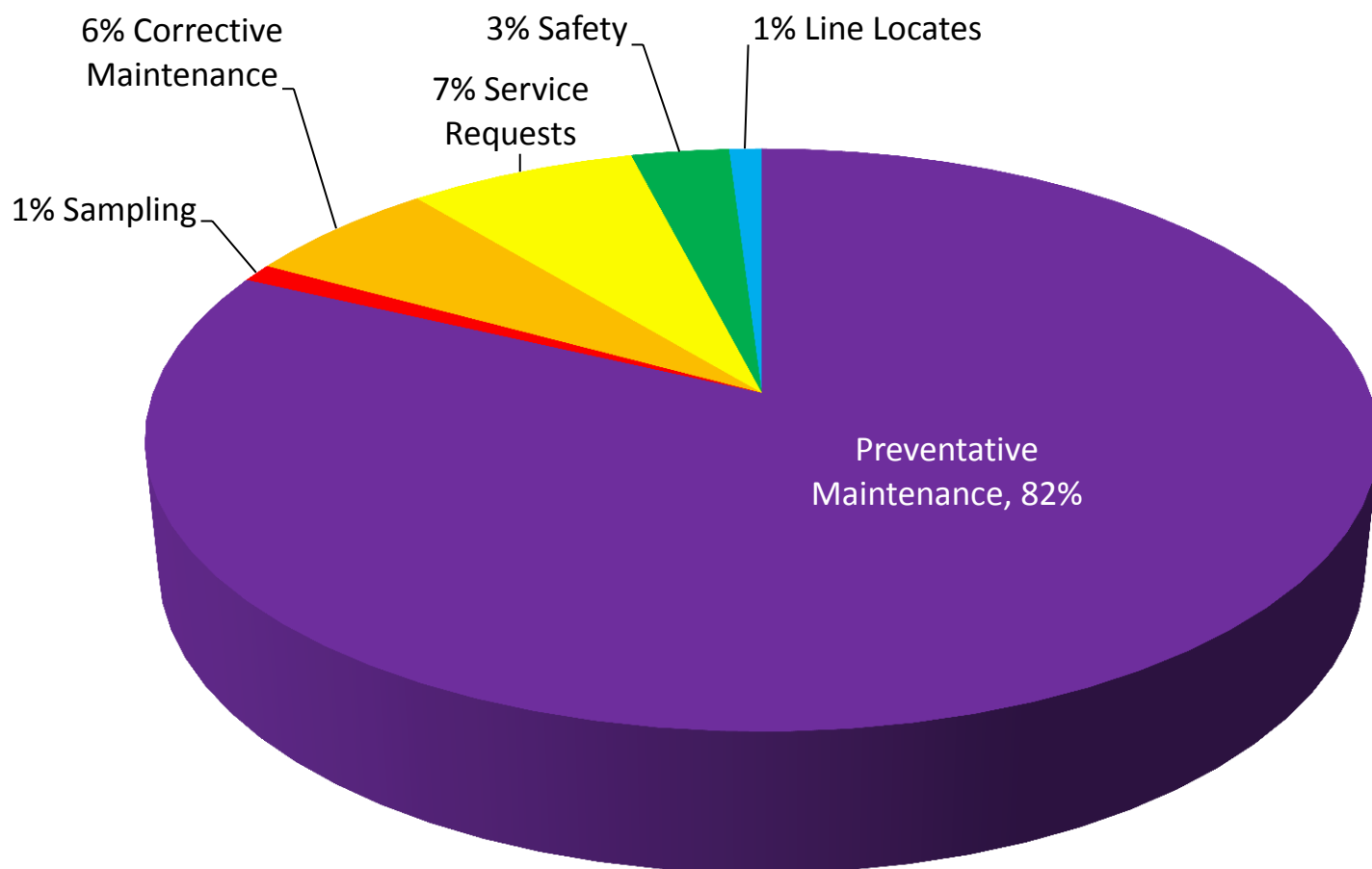
- 15 water services were checked for leaks per customer request.
- 50 water meters were changed out for not functioning.
- 55 water meters were shut off for non-payment.
- 11 services were checked to verify locked off for non-payment.
- 58 utility locates were completed.

**Dan Shepard's  
retirement  
luncheon.**



## FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

**Work Orders**  
**August 24 – September 20**  
**Actual Hours by Work Order Type**





## WATER TREATMENT PLANT SUMMARY

ACTIVITIES AUGUST 24 – SEPTEMBER 20:

- Routine maintenance throughout system; operations are good. River raw water supply is stable and good treatment has resulted.
- Well #4 was reset and brought on line. A new pump and column was installed along with new cathodic protection. This will add an additional 900 gpm to production capacity.
- Heinz was off for a 3 day outage for Labor Day weekend.
- A new bench tank recirculation pump was installed and placed into service.
- Clarifier #1 was cleaned and put back into service.
- Sampling has continued for blue green algae in raw water supply from Snake River; this testing is mandated by the State of Oregon and may require additional testing and potential Water Advisory notices. All samples have been negative so far.
- Inventories are currently topped off at 25 tank levels across the board, right where our targets are set.
- Staff attended a Webinar sponsored by the State of Oregon related to Blue Green Algae and future rules and analysis.
- Reservoir 3B was vandalized; crews quickly painted over graffiti.
- SRCI crews were used to remove weeds from a portion of the fence line at Skyline Farms Reservoir and the fire arms qualification range adjacent to the reservoir acreage.
- Meetings were held to review and draft a new water master plan with the City. This is a work in progress.



**Left: Installation of new pump and column on Well #4.**



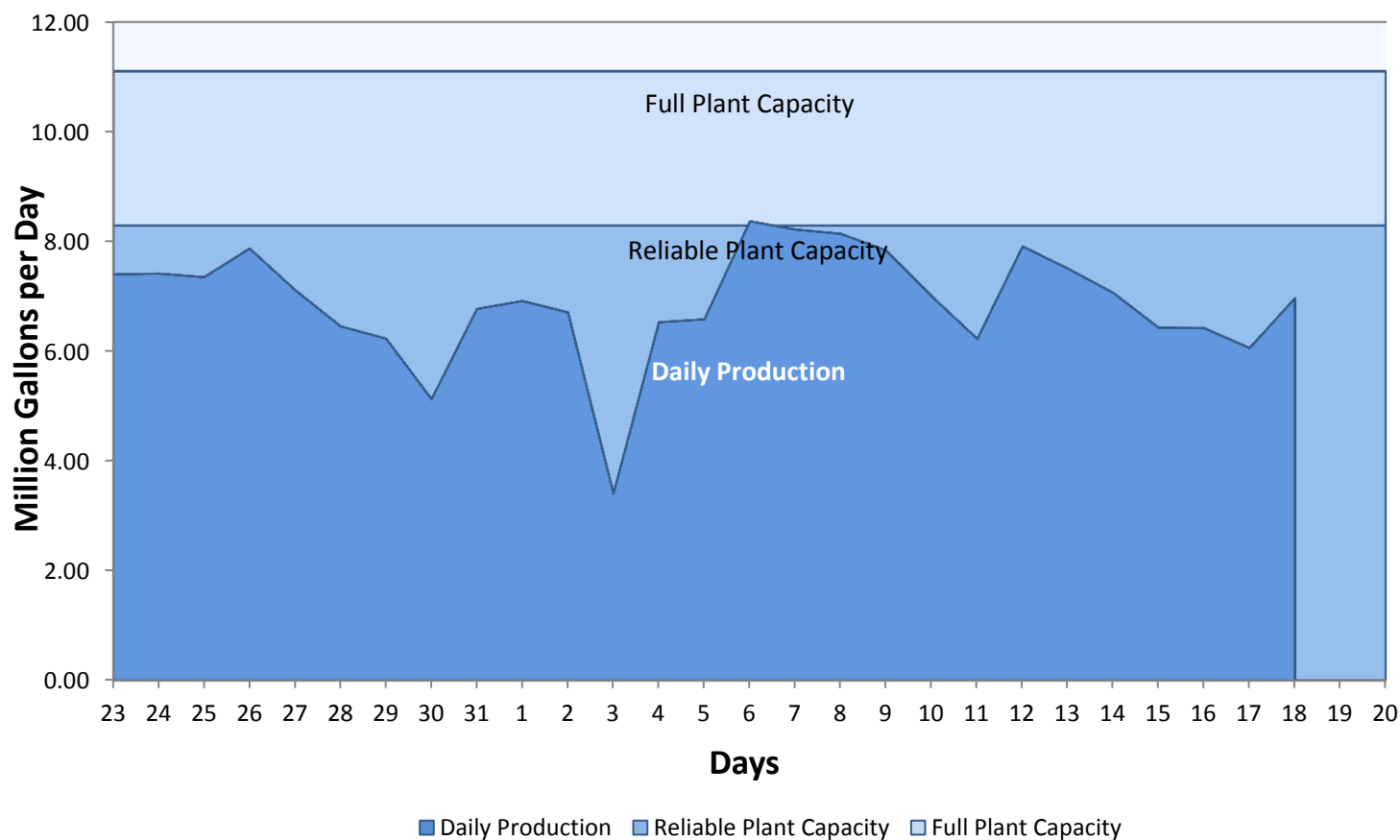
**Right: Staff taking samples after pump rehab.**



## WATER TREATMENT PLANT SUMMARY

ACTIVITIES AUGUST 24 – SEPTEMBER 20:

### Demand vs. Availability



## WASTEWATER TREATMENT PLANT SUMMARY

ACTIVITIES AUGUST 24 – SEPTEMBER 20:

- Normal operations; plant is operating well.
- Plant effluent now fully diverted to Skyline Farms as per permit requirements.
- Crews continue with regularly scheduled maintenance as tracked by our maintenance management system.
- Performed monthly maintenance to lagoon aerators.
- Staff attended a training in the operation of the loader tractor.
- We met with our contract farmer related to water issues for this last summer at the Skyline Farms City. A later meeting will be scheduled.

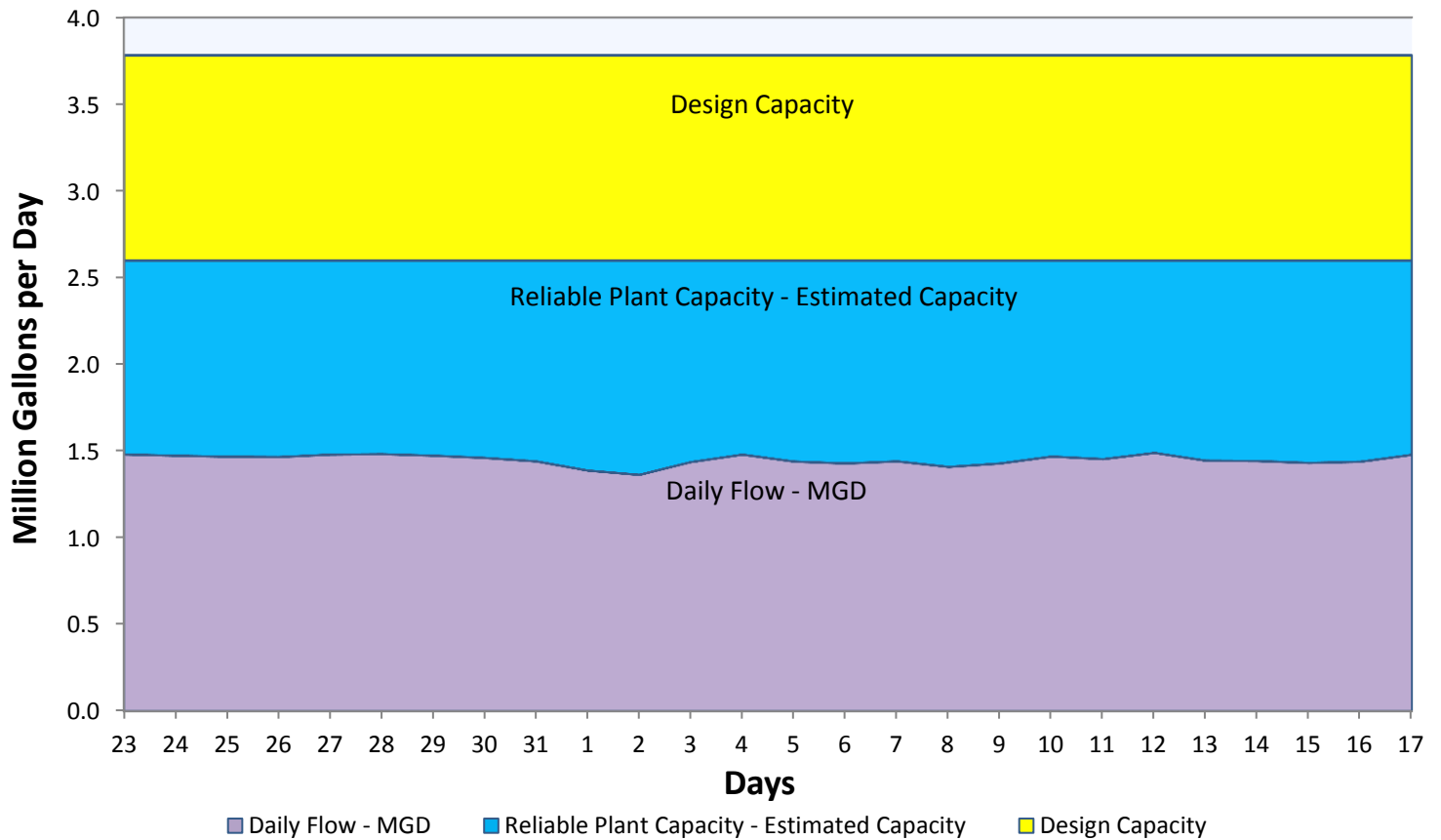


**Instructor giving direction on loader operation during training.**

## WASTEWATER TREATMENT PLANT FLOWS

ACTIVITIES AUGUST 24 – SEPTEMBER 20:

### Wastewater Treatment Flows



## **PARKS AND CEMETERY SUMMARY**

### **ACTIVITIES AUGUST 24 – SEPTEMBER 20:**

- There were 3 burials at Evergreen Cemetery and 1 at Sunset Cemetery.
- There were 5 reservations for the parks this month.
- Three of the wells pumping into the Golf Course pond were started.
- Repaired damaged gate and pillar at Evergreen Cemetery after it was damaged by vehicle.
- Continuing to mow at airport, as needed.
- Completed regularly scheduled maintenance on irrigation systems in both cemeteries and parks.



**Golf Course pond  
being filled for new  
tenants.**



## FACILITY MAINTENANCE SUMMARY

ACTIVITIES AUGUST 24 – SEPTEMBER 20:

- Repaired door handles at City Hall.
- Changed 4 outside lights that had burnt out at City Hall.
- Cleaned out basement at the Golf Course Club House as it is being leased by outside source.



**Repairing pillar at Evergreen Cemetery.**

## ENGINEERING SUMMARY

### ACTIVITIES AUGUST 24 – SEPTEMBER 20:

- Right-of-way permits issued: 6
- Attended a development meeting for an expansion on existing business.
- Attended a development meeting for new use of existing building.
- Attended weekly splash pad meeting.
- Golf Course Upgrade – Continuing to meet with Community Development Director to incorporate changes as desired.
- City Hall remodel – Had to put drawings on hold, as architect on project was away on site project for nearly a month. Will be picking up shortly.
- Mid-block crossing – held bid, awaiting decision regarding incorporation into S. Oregon Project.
- National Pollutant Discharge Elimination System (NPDES) – Wastewater design team working on technical permit solutions and cost estimates for variance application. Continued coordination with Don Butcher at DEQ and public involvement team. Set schedule for public presentation and hearing
- SRCI – Finalized historical cost sheet and held meeting with Christine Coleman to share information.
- Splash Pad – Continued supporting Lena Gandiaga and the team regarding pool project design and construction. Worked directly with Brad Holcomb who won the Restroom bid.
- Lions Shelter – Insurance budget available – have found pre-fab shelter that could fit budget with installation conducted by staff.
- Water Master Plan – Met with Anderson Perry team to finalize scope of work.
- 2018 Water and Sewer Construction Project – Coordinating with contractor, conducting daily reviews, review of Pay Applications, change orders, etc.
- Baffle Wall – Continuing design.
- SE 3<sup>rd</sup> St/SE 3<sup>rd</sup> Ave – Conducted stop sign warrant for intersection.
- TSP Grant – met with Cheryl Jarvis-Smith of ODOT to begin process of developing scope for selection of consultant.
- Safe Routes to School – Letter of intent submitted with support from School District. Working on finalizing list of projects to be included.
- Attended Council meetings.
- Bid Backhoe and both cameras for Sewer system.
- TVCC Trail – modified scope to delete portion of project across TVCC fields.
- SRCI – worked on potential siphon; contacted DEQ to understand review requirements.
- Hometown Motors – secured mapping and began development of grading sheet.
- Worked with PW team on CIP items and scheduling completion.
- SCADA – worked with ACS regarding upcoming communications changes that will impact system.

## APPENDIX

### FIELD SERVICES

Collection and Distribution staff is responsible for Sewer Collection and Water Distribution throughout the City. Water distribution duties include maintenance and repair of approximately 97 miles of water lines and 3,625 services that include service installations, mainline installation, meter reading, maintenance of more than 600 fire hydrants, and valve exercising of more than 1,700 water valves.

Sewer collection duties include maintenance and repair of approximately 78 miles of sanitary sewer lines within the city. Responsibilities include constructing new pipelines, cleaning all gravity sanitary sewer lines, repairing or replacing sanitary sewer lines as needed, providing line locations for all water and sewer lines, and maintaining eight lift stations plus a barscreen and one lift station from SRCl. The city has approximately 56 miles of storm drain collection lines and 1,450 catch basins throughout city limits. Duties include storm drain maintenance and repair, cleaning of approximately 11 miles of storm drain lines, and cleaning the catch basins.

---

*COLLECTION AND DISTRIBUTION STAFF MAINTAINS  
78 MILES OF SANITARY SEWER LINES  
56 MILES OF STORM DRAIN COLLECTION LINES,  
AND 1,450 CATCH BASINS THROUGHOUT  
CITY LIMITS*

---

The Street Maintenance Division maintains more than 122 lane miles of improved streets and more than 9 miles of alleys. The Street Division is responsible for resurfacing, repairing and maintaining the streets, installing and maintaining street signs and markings, tree trimming, and repairing all established pavement markings. The division also completes excavation and repair of deteriorating streets, gravel road grading, street sweeping, crack sealing, chipsealing, snow removal and sanding during the winter months, and weed control along the alleys. Street Maintenance staff assists the Chamber of Commerce by putting decorations on street lights during the Christmas season and replacing them with regular decorations when the season is over.

---

*STREET MAINTENANCE DIVISION MAINTAINS MORE THAN  
122 LANE MILES OF IMPROVED STREETS  
9 MILES OF ALLEYS  
CHIPSEALS LAST A MINIMUM OF 8 YEARS,  
AND PUBLIC WORKS CHIPSEALS 7 MILES PER YEAR*

---

As part of the Street Division's maintenance program, crews chipseal street surfaces in the summer months to protect them from water and weather damage and to keep them in good condition. A chipseal maintains the existing pavement, delaying further aging resulting from water and sun, provides a moisture barrier, and corrects existing pavement problems by sealing cracks. A chipseal application provides

substantial savings to taxpayers and should last a minimum of 8 years with minimal maintenance required. The city chipseals approximately 7 miles of streets per year.

## APPENDIX CONTINUED

Water treatment plant staff is responsible for treatment of the city's drinking water supply. They must reliably produce high-quality water in adequate volume to meet city needs. Besides the daily laboratory checks, there are monthly, quarterly and yearly reports.

There are two sources of water for Ontario's estimated 11,090 residents: 80 percent comes from the Snake River and 20 percent comes from wells. Two plants treat the City's water. One is a conventional filtration plant and the other is an upflow clarifier. The steps for treatment are flocculation, sedimentation, filtration and disinfection, which meet the compliance of the Oregon Health Authority.

The Oregon Health Authority requires an operator be on duty 365 days a year. Ontario customers account for 3,845 water services, not including SRCl.

The water treatment plant has a reliable capacity (capacity with the largest pump out of service) of 8.3 mgd and a maximum capacity of 11 mgd. The water treatment plant average production is 6 mgd and the City's largest industrial user, Heinz Frozen Foods, uses an average of 2.2 million gallons (MG) of that water.

*THE WATER TREATMENT PLANT HAS A RELIABLE CAPACITY OF 8.3 MGD AND A MAXIMUM CAPACITY OF 11 MGD.*

*APPROXIMATELY 80 PERCENT OF WATER COMES FROM THE SNAKE RIVER, THE OTHER 20 PERCENT FROM WELLS.*

The City retains surface and groundwater rights permits for a combined total of 38.23 cubic feet per second (cfs), 24.71 mgd for municipal use.

All of the City's potable water is treated and disinfected at the water treatment plant. The plant has an original 8-mgd design capacity based on the optimum filter loading rates. The City expanded its treatment capacity in 2006, through the addition of two adsorption clarification and filtration tanks.

## WASTEWATER TREATMENT PLANT

The wastewater treatment plant collects wastewater from the entire city and SRCl. The prison accounts for approximately 16 percent of the flow to the plant.

Wastewater treatment plant operators use a conventional treatment system of aerated lagoons and secondary chlorination treatment. Effluent from the treatment process is used to irrigate forage crops during the growing season. Nine lift stations transport sanitary sewer waste to the Wastewater Treatment Plant. Wastewater is screened and the flow measured at the headworks. Five cells (lagoons) with 25 mechanical aerators assist with biological treatment. Onsite generation of chlorine is used for disinfection.

Average discharge volume is approximately 1.5 mgd. Winter discharge is to the Snake River from November through March. Summer discharge is land applied to approximately 353 acres of cropland at the Skyline Farm.



## APPENDIX CONTINUED

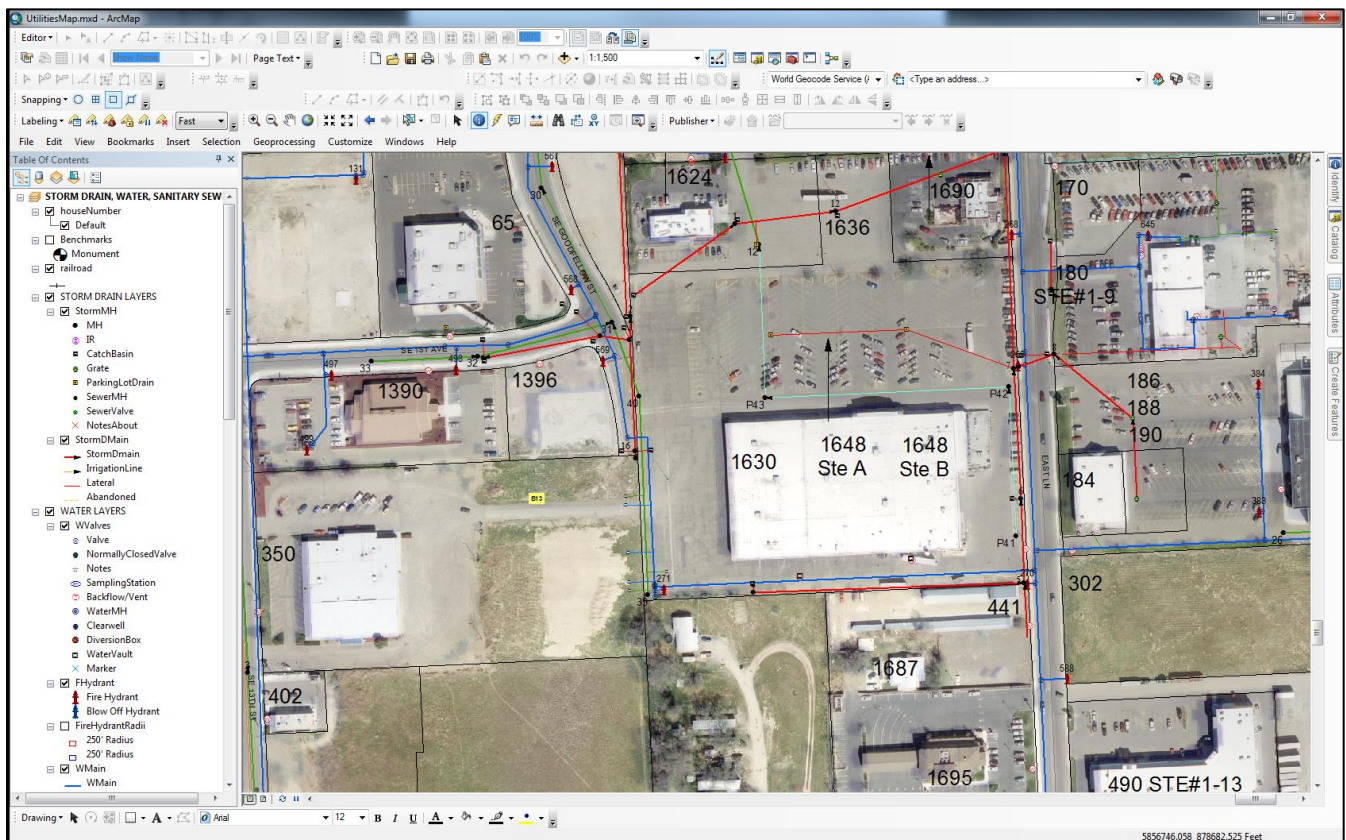
### PARKS DEPARTMENT

The Ontario park system consists of both active and passive recreational areas. There are four neighborhood parks, one community park, one large urban park, and numerous special use sites in the park system. In total, the City owns 13 park and recreational areas representing more than 1,012 acres of land. The city also owns the Wayne King Skateboard Park.

### ENGINEERING DIVISION

The Engineering Division reviews plans for construction of public improvements, maintains the city's mapping system, and manages the engineering projects within both the Capital Improvements and Maintenance Programs. The department provides technical support to residents, developers, builders, other city departments, consulting engineers, and surveyors. The staff reviews and approves construction plans for subdivisions, partitions, streets, sanitary sewer, water lines, and storm drainage construction projects. They also design projects, prepare bid documents for public works maintenance projects, and provide project management for public improvements.

The Geographic Information System (GIS) database is maintained by Engineering Department staff. The department also provides support to the city by creating, analyzing, and maintaining the city's geographical digital data. They provide updates to the record maps for all city utilities, right-of-way, easements, land division plots, and city base maps.





**City of Ontario**  
**POLICE DEPARTMENT**  
*Office of the Chief*

444 SW 4<sup>th</sup> Street  
 Ontario, OR 97914

**To:** Ontario City Council  
**Re:** Department Statistics for August 2018

| Activity                | Month of August | Previous Month | Year to Date | Prior Year to Date |
|-------------------------|-----------------|----------------|--------------|--------------------|
| Calls for Service       | 952             | 929            | 7073         | 7429               |
| Traffic Stops           | 159             | 110            | 1561         | 1018               |
| Cited Traffic/Parking   | 90              | 62             | 806          | 764                |
| Motor Vehicle Crashes   | 43              | 29             | 309          | 340                |
| Arrests                 | 94              | 66             | 615          | 559                |
| Arrests w/ Use of Force | 0               | 1              | 6            | 8                  |
| Citizen Complaints      | 0               | 0              | 2            | 0                  |
| Task Force Cases        | 3               | 5              | 24           | 23                 |
| SRO Cases               | 65              | 78             | 365          | 477                |
| Gang Related Cases      | 18              | 6              | 106          | 92                 |
| Gang Designations       | 0               | 0              | 4            | 1                  |
| Graffiti                | 17              | 5              | 107          | 78                 |
| Death Investigations    | 3               | 4              | 16           | 12                 |
| Burglary                | 8               | 13             | 67           | 82                 |
| Robbery                 | 1               | 0              | 6            | 7                  |
| Larceny                 | 39              | 44             | 283          | 410                |
| Assault                 | 10              | 6              | 69           | 134                |
| Homicide                | 0               | 0              | 0            | 2                  |
| Sex Crimes              | 1               | 2              | 19           | 11                 |
| Alarms                  | 41              | 32             | 243          | 207                |
| Ordinance Cases Total   | 89              | 48             | 647          | 983                |



# ONTARIO POLICE DEPARTMENT

444 SW 4<sup>TH</sup> STREET, ONTARIO, OR 97914

OFFICE: (541) 889-7684 DISPATCH: (541) 473-5125 FAX: (541) 889-3026

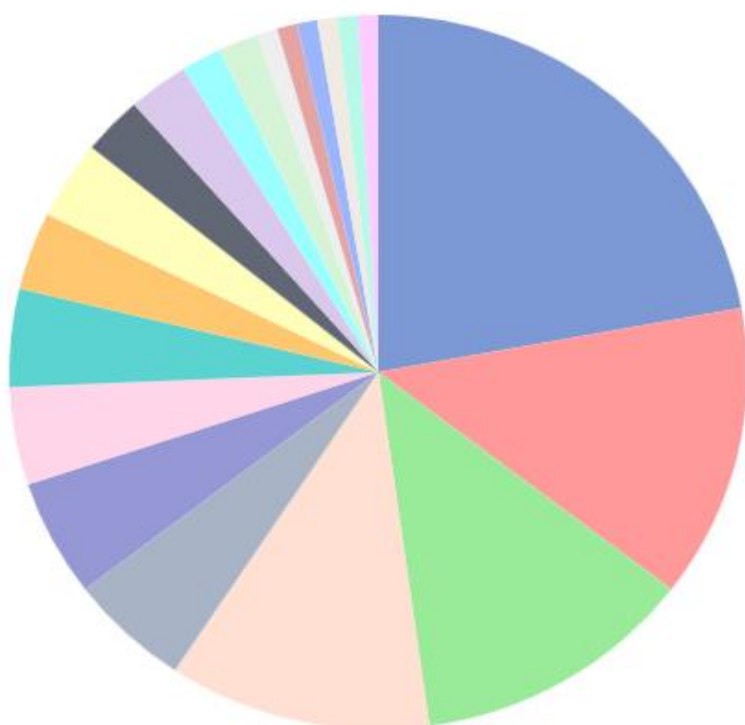
## Code Enforcement Stats AUGUST 2018

Open Date From:

08/01/2018

Open Date To:

08/31/2018



| Violations by Violation Type               |                                           |          |
|--------------------------------------------|-------------------------------------------|----------|
| <span style="color: blue;">■</span>        | Parking over 72 hours ? Abandoned Vehicle | 25 22.1% |
| <span style="color: red;">■</span>         | Weeds                                     | 15 13.3% |
| <span style="color: green;">■</span>       | Noxious Weeds                             | 14 12.4% |
| <span style="color: orange;">■</span>      | Dog running at large                      | 13 11.5% |
| <span style="color: grey;">■</span>        | Derelict Structures                       | 6 5.3%   |
| <span style="color: purple;">■</span>      | Public nuisance                           | 6 5.3%   |
| <span style="color: pink;">■</span>        | AniCare Transport                         | 5 4.4%   |
| <span style="color: teal;">■</span>        | Debris                                    | 5 4.4%   |
| <span style="color: yellow;">■</span>      | Derelict Structure Registration           | 4 3.5%   |
| <span style="color: black;">■</span>       | Animal Neglect II                         | 4 3.5%   |
| <span style="color: lightblue;">■</span>   | Graffiti prohibited                       | 3 2.7%   |
| <span style="color: lightgreen;">■</span>  | Storage of Motor Vehicles or Parts        | 3 2.7%   |
| <span style="color: lightyellow;">■</span> | Outdoor Storage of Other Nontrash Items   | 2 1.8%   |
| <span style="color: lightgrey;">■</span>   | Outside storage of personal property      | 2 1.8%   |
| <span style="color: lightpink;">■</span>   | Vision Obstructions                       | 1 0.9%   |
| <span style="color: lightblue;">■</span>   | Dog license required; No dog license      | 1 0.9%   |
| <span style="color: lightgreen;">■</span>  | Odors                                     | 1 0.9%   |
| <span style="color: lightyellow;">■</span> | Graffiti removal required                 | 1 0.9%   |
| <span style="color: lightgrey;">■</span>   | Iceboxes and Other Containers             | 1 0.9%   |
| <span style="color: lightpink;">■</span>   | Location outside camps                    | 1 0.9%   |

|                                   |             |
|-----------------------------------|-------------|
| <b>Total Violations</b>           | 113         |
| <b>Total Cases</b>                | 89          |
| <b>Garbage</b>                    | 5           |
| <b>Dogs running at large</b>      | 13          |
| <b>Dogs taken to Ani-Care</b>     | 5           |
| <b>Junk</b>                       | 5           |
| <b>Civil Penalties YTD</b>        | 36          |
| <b>Civil Penalties Amount YTD</b> | \$50,442.50 |

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



**PLANNING COMMISSION MEETING AGENDA**  
**CITY OF ONTARIO OREGON**  
**OCTOBER 8, 2018**  
**7:00 P.M., M.T.**

1) **Call to Order:**

Commissioner Craig Smith \_\_\_\_\_ Commissioner Cindy McLeran \_\_\_\_\_ Commissioner Max Twombly \_\_\_\_\_  
Commissioner John Hall \_\_\_\_\_ Commissioner John Briedenbach \_\_\_\_\_ Commissioner Richard Newman \_\_\_\_\_  
Chairman Ralph Poole \_\_\_\_\_

City Council Ex-Officio, Betty Carter \_\_\_\_\_ City Manager Ex-Officio, Adam Brown \_\_\_\_\_

Economic Development Director Dan Cummings \_\_\_\_\_ Planning & Zoning Technician Marcy Siriwardene \_\_\_\_\_

2) **Pledge of Allegiance**

3) **Motion to Adopt the Agenda**

This Agenda was posted on 10/01/18. Copies of the Agenda are available at the Community Development Center and on the city's website at [www.ontariooregon.org](http://www.ontariooregon.org).

**Public Comments:** Citizens may address the Planning Commission; however, the Planning Commission may not be able to provide an immediate answer or response. Out of respect to the Commissioners and others in attendance, please limit your comment to three minutes. Please state your name and city of residence for the record.

4) **Approval of Minutes**

A) Minutes: Planning Commission Meeting of June 11, 2018 .....

5) **Old Business**

A) None.....

6) **New Business**

A) Land Use Action #2018-08-15ZCA, AMENDING TITLE 10A ("THE ZONING TITLE") OF THE ONTARIO CITY CODE TO ALLOW CERTAIN MARIJUANA RELATED OPERATIONS AND ACTIVITIES IN CERTAIN ZONES UNDER A CONDITIONAL USE PERMIT AND TO PROHIBIT THEM IN ALL OTHER ZONES NOT SPECIFICALLY NOTED AS BEING ALLOWED AS A CONDITIONAL USE. (ORDINANCE NO. 2748-2048).

7) **Hand-Outs/Discussion Items**

A) None .....

8) **Comments from Commissioners**

9) **Adjourn**



**AGENDA**  
**ONTARIO VISITORS AND CONVENTIONS BUREAU BOARD**  
**OCTOBER 4, 2018 - 7:00 a.m. M.T.**  
**CLARION INN**

- 1) Call to order:  
This agenda was emailed: September 27, 2018
  - (a) Roll Call:  
Debbie Blackaby\_\_\_\_ Cheryl Cruson\_\_\_\_ Laura Davis\_\_\_\_  
Doug Dean\_\_\_\_ John Hall\_\_\_\_ Bob Quinn\_\_\_\_ Ron Verini\_\_\_\_  
  
City Manager Adam Brown\_\_\_\_  
V&C Director John Breidenbach\_\_\_\_
- 2) New Business
  - a) Grant Request: Treasure Valley Community College Chukar Rodeo
- 3) Motion to adopt V&C Meeting Minutes of July 12, 2018 meeting
- 4) Review Financial Report
- 5) Adjourn

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, if you contact the City at 889-7684 at least one working day prior to the need for services, we will make every reasonable effort to accommodate the need. T.D.D. available by calling 889-7266.



## VISITORS AND CONVENTION BOARD

C/O Ontario Chamber of Commerce

876 SW 4<sup>th</sup> Avenue

Ontario, OR 97914

541-889-8012 (Voice) 541-889-8331 (Fax)

[info@ontariochamber.com](mailto:info@ontariochamber.com)

### **PROMOTION AND EVENT FUND APPLICATION**

#### **GENERAL INFORMATION:**

Name of Applicant Organization: Treasure Valley Community College Rodeo Team

Complete Mailing Address: 650 College Blvd. Ontario, OR 97914

Telephone: 541-881-5970 Fax: 541-881-2731 E-Mail: rgrace@tvcc.cc

Principal Contact Drew Pearson - Rodeo Coach

Complete Mailing Address: 650 College Blvd, Ontario, OR 97914

Telephone: 541-881-5587 Fax: 541-881-5521 E-Mail: dpearson@tvcc.cc

Name of Event and Date and Time Event Will Be Held: TVCC Chukar Rodeo - 10/12-14/2018

Has organization applied for a V&C Grant Before: xx Yes        No

*\*If yes was the V&C grant request approved and for what amount:*

xx Yes        No / \$ 2000.00

*\*If grant request was approved did the organization give their 90 day follow-up report*

xx Yes        No

Description of Promotion or Event: First regional rodeo for the Northwest Region of the NIRA. Followed by the TVCC

Chukar Rodeo. Teams from 15 Colleges and Universities in Oregon, Idaho, and Washington will be competing in 2 rodeos.

The annual Rodeo Kick-off BBQ will start the weekend with an appreciation dinner for rodeo parents and supporters.

**NATURE OF PROMOTION/EVENT:** \_\_\_\_\_

       Tourism based capital project

xx Multi-night local lodging event

       Special media promotion

       Education and/or training project

Amount of Funding Support Requested: \$ 2000.00  
Total Promotion/Event Budget: \$ 11,500.00

What specific expenditures will the granted funds be used for?\*: Promotion of TVCC and the City of Ontario through, radio interviews, promotional fliers, mailings, and media advertising.

Other expenses that may need additional funding include: Stock Contractors, Announcer, Bullfighters, pick-up men, judges, and other support staff that are essential in hosting a rodeo.

List promotion/event supporters or partners\*\*: Treasure Valley Community College  
Treasure Valley Paramedics, Ontario Auto Ranch, Campbell Tractor of Fruitland,  
TVCC Ag Ambassador Club and Young Farmers and Ranchers Club,  
National Intercollegiate Rodeo Association - Northwest Region

#### **PROJECTED PROMOTION/EVENT IMPACT:**

Describe how the promotion/event will impact the Ontario economy (e.g., room nights, number of visitors/attendees, restaurant sales, retail sales, etc.)\*: This is the first regional rodeo of the fiscal year, and we

expect it to be well attended; all of the Northwest Region Colleges will be represented, with teams consisting of 25-35 members.

Other colleges who are not regional members will also be present. Last year, OSU, BMCC, WWCC, PCC, and OIT were represented at

the 2017 Chukar Rodeo. Judging from last year, we expect teams to stay with our local hotels for a minimum of 2 nights reserving 8 rooms or more.

In addition to rodeo teams, families from the entire region will be in attendance. We anticipate them to utilize our local lodging

along with the regional secretary, announcer, bullfighters and other support staff who travel with the region.

We expect as many as 500 visitors to pass through Ontario. As they travel, they will purchase gas, food,

and other items for their weekend trip. Students are REQUIRED to board their horses at the Malheur County Fairgrounds

for a fee of \$10 per night. It is also possible that some individuals may need services for unexpected events, such as:

veterinary, medical, tire, and mechanical services that are offered in the city of Ontario.

#### **FINANCIAL REPORTING REQUIREMENTS:**

For established groups, please provide two years of P & L Statements, a current Balance Sheet, and a proposed budget for this year's promotion/event. For newly formed groups, please provide a proposed budget of revenues and expenditures in a form similar to the one below:

## PROPOSED REVENUES

|                                                   |                          |
|---------------------------------------------------|--------------------------|
| Source #1 <u>Concession Stand 10% of proceeds</u> | Amount \$ <u>220.25</u>  |
| Source #2 <u>Ticket Sales</u>                     | Amount \$ <u>2733.00</u> |
| Source #3 <u>NW Region</u>                        | Amount \$ <u>2910.00</u> |
| Source #4 _____                                   | Amount \$ _____          |
| Source #5 _____                                   | Amount \$ _____          |

TOTAL REVENUES      \$ 5863.25

## PROPOSED EXPENDITURES

|                                         |                          |
|-----------------------------------------|--------------------------|
| Use #1 <u>Rough Stock</u>               | Amount \$ <u>5000.00</u> |
| Use #2 <u>Timed-Event Stock</u>         | Amount \$ <u>5351.00</u> |
| Use #3 <u>Rodeo Stock Feed</u>          | Amount \$ <u>7200.00</u> |
| Use #4 <u>Advertising and Promotion</u> | Amount \$ <u>1540.12</u> |
| Use #5 <u>Kick-off BBQ</u>              | Amount \$ <u>1400.28</u> |
| Use #6 <u>NIRA Certified Judges</u>     | Amount \$ <u>1700.00</u> |
| Use #7 <u>Bullfighters</u>              | Amount \$ <u>1200.00</u> |
| Use #8 <u>Rodeo Announcer/Timers</u>    | Amount \$ <u>1000.00</u> |
| Use #9 <u>Pick-up Men</u>               | Amount \$ <u>1000.00</u> |
| Use #10 <u>Pick-up Horses</u>           | Amount \$ <u>750.00</u>  |

TOTAL EXPENDITURES \$ 26141.40  
 REVENUES MINUS EXPENDITURES \$ -20278.15

As a final condition to accepting granted funds, the applicant agrees to provide the Ontario Visitors and Conventions Board with a final report summarizing results of the promotion/event (e.g., attendance, local and regional publicity, hotel/motel occupancy, closing revenue and expenditure report, etc.) within 90 days of the event/promotion.

9/04/18  
 \_\_\_\_\_  
 Date

*Drew Pearson*  
 \_\_\_\_\_  
 Signed

Drew Pearson  
 \_\_\_\_\_  
 Printed Name of Applicant

Date Received: 9/6/18

Ontario Chamber President/CEO: \_\_\_\_\_



## V&C GRANT CRITERIA CHECKLIST

**Applicant/Event: Treasure Valley Community Rodeo Team's Chukar Rodeo**

| Criteria |                                                                                                                                                                                                                                                                                                                 | Meets No<br>Criteria - Point<br>Value 0 | Partly Meets<br>Criteria - Point<br>Value 1 | Sufficiently<br>Meets Criteria -<br>Point Value 3 | Exceeds Criteria<br>- Point Value 5 |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|---------------------------------------------|---------------------------------------------------|-------------------------------------|
| 1        | The project is a capital project, which enhances tourism such as, but not limited to, beautification. Examples of such potential projects might include coordinated refuse bins in shopping areas or enhancements to the highway arterial entrances to the City of Ontario such as shrubs, lighting or signage. |                                         |                                             |                                                   |                                     |
| 2        | Events that would attract attendees and participants from out of the area and would promote local tourism and business. Extra consideration will be given to multi-night events that necessitate over night lodging in the Ontario area.                                                                        |                                         |                                             |                                                   |                                     |
| 3        | Projects consisting of special area media promotions. These could include, among others, special brochures or videos or advertising co-op projects designed to extol the virtues of Ontario as a tourism, convention, cultural, or recreational destination.                                                    |                                         |                                             |                                                   |                                     |
| 4        | Projects related to the education and/or training of the Visitors and Conventions Director or Board members.                                                                                                                                                                                                    |                                         |                                             |                                                   |                                     |

ADDITIONAL QUESTIONS

YES

NO

|                                   |  |  |   |
|-----------------------------------|--|--|---|
| Is this a not for profit project? |  |  | X |
|-----------------------------------|--|--|---|

TOTAL POINTS

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

POINT SYSTEM

|             |                                                    |
|-------------|----------------------------------------------------|
| 0           | Unable to provide funding.                         |
| 1 through 3 | May provide funding with or without contingencies. |
| 4 through 5 | May provide funding with or without contingencies. |

Date:

10/04/18

**Ontario V&C Minutes**  
**July 12, 2018**  
**7:00 am**  
**Clarion Inn**

---

Meeting called to order at 7:00 am by Bob Quinn.

Roll Call – Debbie Blackaby, Cheryl Cruson, Laura Davis, Doug Dean, John Hall, Bob Quinn, Ron Verini, City Manager Adam Brown, V&C Director John Breidenbach

Absent: None

**NEW BUSINESS**

Grant Request: Treasure Valley Community College New Student Orientation

Cathy Yasuda and Chase Van Weerdhuizen presented the funds request for the Treasure Valley Community College's New Student Orientation. An updated grant application with revised expenditures was included due to a prior error. Funds would be used for printed materials, event supplies, promotional materials, and the closing meal. The event will be held in an effort to showcase Treasure Valley Community College as well as the community to new students and their family members. Financial literacy will be a large feature of the new student orientation to help new students manage their money to the best of their abilities. Local restaurants will be working with the college for food samplers. The programming will go from 1:00 pm to 6:00 pm and the event will be fast-paced to keep the students engaged. About 250 students are expected and parent sessions will be included as well.

Funds in the full amount of \$4,200.00 for Treasure Valley Community College's New Student Orientation were approved. There is a concern Treasure Valley Community College may request more funds for upcoming student orientations, so it will be stressed to them to find other sources of funding. Moved by Ron Verini and seconded by Doug Dean. A roll call vote was made; Cheryl Cruson and Debbie Blackaby abstained from the vote due to conflict of interest. Laura Davis voted for the funding as did Doug Dean and Ron Verini. Motion carried.

**MINUTES/FINANCIALS**

The May 2018 minutes were reviewed; it was moved by Debbie Blackaby and seconded by John Hall to approve the minutes as presented. Motion carried. Financials were presented by Laura Davis. It was moved by Cheryl Cruson and seconded by Debbie Blackaby to approve the financials as presented. Motion carried.

Meeting adjourned.

**CITY OF ONTARIO  
VISITORS AND CONVENTIONS BOARD  
PROMOTIONS AND EVENT FUND  
BALANCES THROUGH  
DRAFT SEPTEMBER 2018**

| 2018                                            | RESOURCES    | EXPENSES     | BALANCE     |
|-------------------------------------------------|--------------|--------------|-------------|
| BALANCE FORWARD                                 | \$642,814.15 | \$628,107.26 | \$14,706.89 |
|                                                 |              |              |             |
| JULY<br><i>T.O.T. Disbursement -\$2500</i>      | \$2,500.00   | \$4,269.62   | \$12,937.27 |
| AUGUST<br><i>T.O.T. Disbursement -\$2500</i>    | \$2,500.00   | \$0.00       | \$15,437.27 |
| SEPTEMBER<br><i>T.O.T. Disbursement -\$2500</i> | \$2,500.00   | \$0.00       | \$17,937.27 |
| OCTOBER<br><i>T.O.T. Disbursement -\$2500</i>   |              |              | \$17,937.27 |
| NOVEMBER<br><i>T.O.T. Disbursement -\$2500</i>  |              |              | \$17,937.27 |
| DECEMBER<br><i>T.O.T. Disbursement -\$2500</i>  |              |              | \$17,937.27 |
|                                                 |              |              |             |
| 2019                                            |              |              |             |
| JANUARY<br><i>T.O.T. Disbursement -\$2500</i>   |              |              | \$17,937.27 |
| FEBRUARY<br><i>T.O.T. Disbursement -\$2500</i>  |              |              | \$17,937.27 |
| MARCH<br><i>T.O.T. Disbursement -\$2500</i>     |              |              | \$17,937.27 |
| APRIL<br><i>T.O.T. Disbursement -\$2500</i>     |              |              | \$17,937.27 |
| MAY<br><i>T.O.T. Disbursement -\$2500</i>       |              |              | \$17,937.27 |
| JUNE<br><i>T.O.T. Disbursement -\$2500</i>      |              |              | \$17,937.27 |
|                                                 |              |              |             |
| TOTAL FISCAL                                    | \$7,500.00   | \$4,269.62   |             |
|                                                 |              |              |             |
| ACCRUALS FROM JULY 1997<br>TO PRESENT           | \$650,314.15 | \$632,376.88 | \$17,937.27 |

**CITY OF ONTARIO  
VISITORS AND CONVENTIONS BOARD  
ACTIVITY SUMMARY  
BEGINNING SEPTEMBER 1997**

| DATE      | REQUESTOR                                                                            | REQUESTED     | GRANTED       | DISBURSED     |
|-----------|--------------------------------------------------------------------------------------|---------------|---------------|---------------|
| JULY 2017 | V & C BREAKFAST MEETING (07/06/17 - CK# 121989)                                      | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| JULY 2017 | ONTARIO AREA CHAMBER OF COMMERCE<br>PROMOTION OF AWE ONTARIO                         | \$ 1,500.00   | \$ 1,500.00   | \$ 1,500.00   |
| AUG 2017  | BULLS & BRONCS EXTRAVAGANZA<br>BULLS & BRONCS EXTRAVAGANZA EVENT                     | \$ 5,000.00   | \$ 5,000.00   | \$ 5,000.00   |
| AUG 2017  | ONTARIO AREA CHAMBER OF COMMERCE<br>SOLAR ECLIPSE BANNERS & BUSSES                   | \$ 1,825.00   | \$ 1,825.00   | \$ 1,825.00   |
| AUG 2017  | SNAKE RIVER NISEI GOLF ASSOCIATION<br>83RD ANNUAL NORTHWEST NIKKEI GOLF TOURNAMENT   | \$ 4,000.00   | \$ 4,000.00   | \$ 4,000.00   |
| SEP 2017  | V & C BREAKFAST MEETING (08/03/17 - CK# 122090)                                      | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| SEP 2017  | V & C BREAKFAST MEETING (09/08/17 - CK# 122134)                                      | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| OCT 2017  | V & C BREAKFAST MEETING (10/06/17 - CK#122233)                                       | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| OCT 2017  | TVCC RODEO TEAM<br>TVCC CHUCKAR RODEO                                                | \$ 2,000.00   | \$ 2,000.00   | \$ 2,000.00   |
| OCT 2017  | VETERAN'S SMALL BUSINESS MANAGEMENT<br>VETERAN'S SMALL BUSINESS BROCHURE PUBLICATION | \$ 190.00     | \$ 190.00     | \$ 190.00     |
| NOV 2017  | NO NEW ACTIVITY                                                                      | \$ -          | \$ -          | \$ -          |
| DEC 2017  | NO NEW ACTIVITY                                                                      |               |               |               |
| JAN 2018  | NO NEW ACTIVITY                                                                      |               |               |               |
| FEB 2018  | V & C BREAKFAST MEETING (02/01/18)<br>**Check #122724 dated 02/08/18**               | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| FEB 2018  | BORDER TOWN COMIC CON<br>BORDER TOWN COMIC CON 2018                                  | \$ 1,500.00   | \$ 1,500.00   | \$ 1,500.00   |
| FEB 2018  | FRIENDS OF THE AQUATIC CENTER<br>SPLASH PAD PARK                                     | \$ 10,000.00  | \$ 10,000.00  | \$ 10,000.00  |
| MAR 2018  | V & C BREAKFAST MEETING (03/01/18)<br>**Check #122816 dated 03/01/18**               | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| APR 2018  | V & C BREAKFAST MEETING (04/05/18)<br>**Check #122963 dated 04/05/18**               | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| APR 2018  | FOUR RIVERS CULTURAL CENTER<br>TRADITION KEEPERS EVENT & EXHIBIT                     | \$ 5,250.00   | \$ 4,800.00   | \$ 4,800.00   |
| APR 2018  | MALHEUR COUNTY FAIR BOARD<br>MALHEUR COUNTY FAIR CONCERT SERIES                      | \$ 6,500.00   | \$ 6,500.00   | \$ 6,500.00   |
| MAY 2018  | V & C BREAKFAST MEETING (05/03/18)<br>**Check #123111 dated 05/04/18**               | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| MAY 2018  | TRI-COUNTY LOVE, INC.<br>2018 BRINGING HOPE FESTIVAL                                 | \$ 2,000.00   | \$ 1,000.00   | \$ 1,000.00   |
| JUNE 2018 | NO NEW ACTIVITY                                                                      | \$ -          | \$ -          | \$ -          |
| JULY 2018 | V & C BREAKFAST MEETING (07/12/18)<br>**Check #123405 dated 07/13/18**               | \$ 69.62      | \$ 69.62      | \$ 69.62      |
| JULY 2018 | TREASURE VALLEY COMMUNITY COLLEGE<br>TVCC NEW STUDENT ORIENTATION                    | \$ 5,000.00   | \$ 4,200.00   | \$ 4,200.00   |
| AUG 2018  | NO NEW ACTIVITY                                                                      | \$ -          | \$ -          | \$ -          |
| SEP 2018  | NO NEW ACTIVITY                                                                      | \$ -          | \$ -          | \$ -          |
| 9/27/2018 |                                                                                      | \$ 736,505.32 | \$ 616,610.05 | \$ 616,610.05 |



## **MALHEUR COUNTY COURT MINUTES**

**August 29, 2018**

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

### **PROCLAMATION - RECOVERY MONTH**

Present for the signing of the proclamation declaring September 2018 as Alcohol, Drug, and Problem Gambling Addiction Recovery Month were: Paula Olvera, Laurie Smith, and Judy Trask from Lifeways, Jane Padgett from DHS; Susan Gregory, Sara Runnels, and Jennifer Schaffer from the Juvenile Department; Health Department Director Lindsay Atagi; and Undersheriff Travis Johnson.

Undersheriff Johnson read the proclamation:

### **MALHEUR COUNTY PROCLAMATION**

Mental and substance use disorders affect all communities nationwide, but with commitment and support, people with these disorders can achieve healthy lifestyles and lead rewarding lives in recovery. By seeking help, people who experience mental and/or substance use disorders can embark on a new path toward improved health and overall wellness. The focus of *National Recovery Month (or Recovery Month)* this September is to celebrate their journey with the theme “*Join the Voices for Recovery: Invest in Health, Home, Purpose, and Community.*” *Recovery Month/Hands Around the Park* spreads the message that behavioral health is essential to health and one’s overall wellness, and that prevention works, treatment is effective, and people recover.

The impact of mental and substance use disorders is apparent in our local community, and an estimated 21 million people aged 12 or older needed substance use treatment in 2016, with 8.2 million adults having had a co-occurring mental illness and substance use disorder the past year. Oregon ranks 3<sup>rd</sup> for substance use disorders in the past year among those 12 and older in the US. An estimated 81,100 adult Oregonians have problems with gambling. We all are affected by these conditions in one way or another. Through *Recovery Month*, people become more aware and able to recognize the signs of mental and substance use disorders, and problem gambling, which can lead more people into needed treatment. Managing the effects of these conditions can help people achieve healthy lifestyles, both physically and emotionally.

The *Recovery Month* observance continues to work to improve the lives of those affected by mental and/or substance use disorders by raising awareness of these diseases and educating communities about the prevention, treatment, and recovery resources that are available. For the above reasons, we are asking the citizens of Malheur County to join us in celebrating this September as *Recovery Month*.

We, as Malheur County Court, do hereby proclaim the month of September 2018 as

### ***ALCOHOL, DRUG, AND PROBLEM GAMBLING ADDICTION RECOVERY MONTH***

In Malheur County and call upon our community to observe this month with compelling programs and events that support this year’s observance.

The Court signed the proclamation.

The annual Hands Around the Park celebration will be September 6, 2018 at Lions Park in Ontario.

### **COURT MINUTES**

Commissioner Hodge moved to approve Court Minutes of August 15, 2018 as written. Commissioner Wilson seconded and the motion passed unanimously.

### **BYLAWS - HOUSING AUTHORITY OF MALHEUR & HARNEY COUNTIES**

The Court was asked to review proposed updated Bylaws for the Housing Authority. By consensus, the Court approved Bylaws of the Housing Authority of Malheur & Harney Counties, revision date of August 3, 2018.

### **RESOLUTION - APPROVING LOAN FROM BANK OF EASTERN OREGON**

Commissioner Wilson moved to approve Resolution No. R18-22 - In the Matter of: Resolution Approving Loan from Bank of Eastern Oregon for the Purpose of Providing Financing for the Purchase of New Equipment for the Malheur County Road Department. Commissioner Hodge seconded and the motion passed unanimously. The equipment to be purchased is a John Deere grader. See instrument #[2018-3245](#)

## **SUBAGREEMENT WITH MCOA&CS**

Commissioner Hodge moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) to Provide Funding to Expand, Permit and Design Bus Barn Pursuant to State Agreement Number 32837 - Capital, Planning 5339. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2018-3243](#) (ODOT Agreement #32837 is recorded as instrument # [2018-3086](#) )

Annette Serrano, Lifeways Division Administrator for Malheur County, joined the meeting to answer any questions the Court might have had on the amendment to IGA #148074.

## **VOLUNTEER RESOLUTION**

Commissioner Wilson moved to approve Resolution No. R18-20: A Resolution Extending Workers' Compensation Coverage to Volunteers of Malheur County Effective for the Policy Period July 1, 2018 - June 30, 2019. Commissioner Hodge seconded and the motion passed unanimously. Pursuant to ORS 656.031, workers' compensation coverage will be provided to the classes of volunteers listed in the resolution, noted on CIS payroll schedule, and verified at audit. See instrument #[2018-3244](#)

## **MOA - ADA COUNTY**

Commissioner Hodge moved to approve Memorandum of Agreement between County of Malheur, State of Oregon and County of Ada, State of Idaho FY 2019. Commissioner Wilson seconded and the motion passed unanimously. The agreement is for juvenile offenders under the jurisdiction of Malheur County to be temporarily housed at the Ada County Juvenile Detention Center. A copy will be returned for recording.

## **AMENDMENT - IGA #148074**

Commissioner Wilson moved to approve Amendment Number 4 to State of Oregon Intergovernmental Grant Agreement for the Financing of Community Developmental Disability Services, Agreement Number 148074. Commissioner Hodge seconded and the motion passed unanimously. Several sections of the agreement were amended; a new Section 52 was added as "Oregon Needs Assessment" (ONA). A copy will be returned for recording. The original agreement was recorded as instrument #[2015-2953](#).

## **SUPPLEMENTAL BUDGET**

Commissioner Hodge moved to approve Resolution No. R18-23: In the Matter of Fiscal Year 2018/2019 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate memorial funds that were received but not anticipated when the adopted budget was prepared; these funds will be used for construction projects. See instrument #[2018-3242](#)

## **COURT ADJOURNMENT**

The meeting was adjourned.

## **MALHEUR COUNTY COURT MINUTES**

**September 5, 2018**

County Court met with Judge Dan Joyce presiding with Commissioner Hodge present. Staff present was Lorinda DuBois.

Also present was Larry Meyer of the Argus Observer.

### **ASD - VALE AND JORDAN VALLEY AMBULANCE SERVICES**

ASD Director Bob Dickinson met with the Court acting as the governing body of the Ambulance Service District. Mr. Dickinson explained the need to request a variance from the State for drivers of both Vale Ambulance Service and Jordan Valley Ambulance Service. Currently both ambulance services are facing difficulties providing drivers who are licensed medical responders; however, their drivers have completed EMS driving training. Commissioner Hodge moved to approve the Request for Variance to the State for the driver requirements for both Vale Ambulance Service and Jordan Valley Ambulance Service. Judge Joyce seconded and the motion passed. Mr. Dickinson will complete the necessary paperwork and submit the request to the State. See instrument # [2018-3321](#)

### **COURT MINUTES**

Commissioner Hodge moved to approve Court Minutes of August 29, 2018 as written. Judge Joyce seconded and the motion passed.

### **DEED - KINCADE**

Commissioner Hodge moved to approve Quitclaim Deed to Michael Kincade Revocable Trust of 2014 for Ref. #12344. Judge Joyce seconded and the motion passed. Mr. Kincade purchased the property at the 2016 Land Sale and has paid off the Contract to Sell. See instrument # [2018-3322](#)

### **DEED - PROVIDENT INVESTMENTS**

Commissioner Hodge moved to approve Quitclaim Deed to Provident Investments LLC for Ref. #3778. Judge Joyce seconded and the motion passed. Provident Investments purchased the property at the 2017 Land Sale and has paid off the Contract to Sell. See instrument # [2018-3323](#)

### **EOCCO CAC APPOINTMENT**

Judge Joyce moved to appoint Bobbi (Roberta) Stoddart to the Eastern Oregon Coordinated Care Organization (EOCCO) Community Advisory Council (CAC). Commissioner Hodge seconded and the motion passed.

### **CSA – WILDLIFE SERVICES**

Judge Joyce moved to approve Cooperative Service Agreement (CSA) between Malheur County Court and United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (APHIS-WS); Agreement Number 18-7341-5124-RA. Commissioner Hodge seconded and the motion passed. The purpose of the Agreement is to conduct wildlife damage management activities to manage coyotes and other predatory and/or nuisance species in and around Malheur County property to reduce property and livestock damage and mitigate human health and safety threats. The agreement expires June 30, 2023. A copy will be returned for recording.

### **WILDLIFE SERVICES WORK PLAN**

Commissioner Hodge moved to approve USDA APHIS Wildlife Services Work and Financial Plan, Cooperative Agreement No. 18-7341-5124-RA. Judge Joyce seconded and the motion passed. The document defines the objectives, plan of action, resources and budget of the cooperative wildlife services program in Malheur County to be conducted July 1, 2018 through June 30, 2019; the County's financial contribution to the program is \$55,786. A copy will be returned for recording.

### **SUPPLEMENTAL BUDGET**

Commissioner Hodge moved to approve Resolution R18-24: In the Matter of Fiscal Year 2018/2019 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Judge Joyce seconded and the motion passed. The purpose of the supplemental budget is to allocate loan proceeds that

were received but not anticipated when the adopted budget was prepared; funds are for the purchase of a 2015 John Deere Grader in the Road Equipment Fund. See instrument #[2018-3324](#)

#### **COURT ADJOURNMENT**

The meeting was adjourned.



## **MALHEUR COUNTY COURT MINUTES**

**September 19, 2018**

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

### **ADDITION OF PALMER AMARANTH TO NOXIOUS WEED LIST**

Present for the hearing to consider the addition of Palmer amaranth to the County Noxious Weed List were Weed Inspector Gary Page and Jessica Norton. Judge Joyce opened the public hearing for consideration of the addition of Palmer amaranth (*Amaranthus palmeri*) to the County Noxious Weed List. Notice of the hearing was published in the Argus Observer and Malheur Enterprise. Mr. Page explained that Palmer amaranth is an annual pigweed; it is not known to exist in the county yet. The recommendation of the Weed Board to add Palmer amaranth to the Class A noxious weed list is meant to be a proactive measure. Palmer amaranth would be many times as problematic as the common pigweeds already in the county; currently there are three known species in the county. Palmer amaranth has been present in the Midwest for many years and has recently expanded its area of influence and is moving west; it is expanding due largely to the excessive use of glyphosate tolerant crops. Palmer amaranth is a much more robust plant compared to the three types currently in the county; it will commonly reach heights of 6-8 feet, 3-4 feet wide, and one plant produces up to 250,000 seeds with a high viability percentage as well. Several sightings of the plant have been investigated in the county but so far have not turned out to be Palmer amaranth. Dr. Joel Felix at the Experiment Station has been instrumental in the investigations and is very concerned about the matter. The Weed Advisory Board has made recommendations to the Weed Control Department concerning public outreach and the Department will be making an effort to inform the public about the risks of Palmer amaranth and how to identify it. It appears very likely that Palmer amaranth will continue to move west and may make significant jumps across the landscape; it can spread through multiple channels including farm equipment movement and animal feed. Due to the destructive and disruptive nature of Palmer amaranth, the Weed Advisory Board recommends that the plant be added to the Class A Noxious Weed List. No public comments were received.

Judge Joyce closed the hearing.

Commissioner Hodge moved to approve Resolution No. R18-21: Resolution Adding Palmer Amaranth to Malheur County's Noxious Weed List as a Class "A" weed, effective October 1, 2018. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2018-3538](#)

### **COURT MINUTES**

Commissioner Hodge moved to approve Court Minutes of September 5, 2018 as written. Judge Joyce seconded and the motion passed. (Commissioner Wilson was not present on September 5, 2018.)

### **QUITCLAIM DEEDS - KINCADE**

Commissioner Wilson moved to approve Quitclaim Deed to the Michael Kincade Revocable Trust of 2014 for Ref. # 5711; and Quitclaim Deed to the Michael Kincade Revocable Trust of 2014 for Ref. #5709. Commissioner Hodge seconded and the motion passed unanimously. The properties were bought at the 2015 County Land Sale. See instrument #[2018-3536](#) and [2018-3537](#)

### **CHECK REGISTER**

The Court signed the Accounts Payable (AP) book for June 2018.

### **TOUR OF RELOAD FACILITIES**

It was explained that staff had received a request to reimburse the City of Nyssa for travel expenses for their City Manager in conjunction with site visits of rail facilities he had participated in with Commissioner Wilson and Economic Development Director Greg Smith last June. Consensus of the Court was that the County would pay for Commissioner Wilson and Mr. Smith's expenses but had not agreed to pay for the City of Nyssa's expenses. Commissioner Wilson will visit further with Nyssa and Mr. Smith regarding the matter.

### **LETTER - BROADBAND**

The Court signed a letter to the Federal Communications Commission (FCC) regarding Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment, WT Docket No. 17-79; Streamlining Deployment of Small Cell Infrastructure by Improving Wireless Siting Policies, WT Docket No. 16-421. The Court urges the removal of regulatory barriers to the deployment of new wireless broadband services. See instrument #[2018-3539](#)

### **AMENDED VOLUNTEERS RESOLUTION**

Commissioner Hodge moved to approve Amended Resolution R18-20: A Resolution Extending Workers' Compensation Coverage to Volunteers of Malheur County Effective for the Policy Period July 1, 2018 - June 30, 2019. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2018-3540](#)

### **COURT ADJOURNMENT**

The meeting was adjourned.

# **Airport Committee Minutes**

Date: August 27, 2018

In Attendance:

Shawn Coleman

Jim Bain

Dale Cruson

Gary Taylor

Amanda Vansyckle

Alternate – John Freeburg

Ex Official Members: Norm Crume, Adam Brown

Airport Manager: Dan Beaubien

FBO: Tom Frazier

Engineering: Toby Eplin

Community & Economic Development Director: Dan Cummings

TVCC Representative: Ron Hanks

GUESTS: Pete Morgan, Brian Rindilsbacher, BLM. Jessica Sherwood, BLM  
Aviation Specialist

A quorum was **NOT** established.

The meeting opened at 6:07pm

## **OLD BUSINESS:**

Dan Beaubien talked to John Forsythe, Field Waldo, about the insurance. Discussion was held and it was decided group insurance would be much less. Hangar would be \$2,500 total. John, Pete, Gary, and Dale agreed.

## **TOBY EPLIN**

2017 Flight check is not completed. It is between 60 to 90 days out. The project will be closed.

2018 Fence contractor awarded. He will start late September or early October.

2019 Meeting with hold Apron Design. Telephone joint conference with FAA.

## **DAN BEAUBIN**

Grass runway dedication and barbeque is scheduled for September 20 at noon. EAA will provide lunch.

## **NEW BUSINESS:**

### **GARY TAYLOR**

Is the number of parking spaces for FBO too much? Are the parking spaces based on foot print areas? Dan Cummings said two codes are involved. The building code and airport codes are different. Dan Beaubien would like it cleared up so it is the same and equitable. Dan Cummings said he would work on it and get a general rule.

### **ADAM BROWN**

Consistency and clarity. Dan C and Don B met with Jacobs regarding the water and sewer and Shadow Butte Enterprise LLC. Looking at Cable One to install fiber optic to the airport. If we could get more hooked up, it would be more reasonable financially. TVCC needs a Franchise Agreement

## **Reports:**

### **DAN BEAUBIEN**

No quorum. Don is looking for backup as a fill in. No one stepped up.

### **NORM CRUM**

No opinions

### **PETE MORGAN**

Suggested we look for a trucking park area to offset the weed mowing.

A bid document for bids for equipment will get to the city council by next Thursday.

The meeting was adjourned at 7:00.

Respectfully Submitted,

Dale Cruson



# **Airport Committee Minutes**

Date: September 24, 2018

In Attendance:

Shawn Coleman    Jim Bain    Dale Cruson    Alternate – John Freeburg

Ex Official Members: Norm Crume

Airport Manager:

FBO: Tom Frazier

Engineering: Toby Epler

Community & Economic Development Director:

TVCC Representative:

GUESTS: Brian Rindilsbacher, BLM. Jessica Sherwood, BLM Aviation Specialist

The meeting opened at 6:08pm

## **Public Comment:**

Jessica Sherwood presented a BLM Briefing Paper she and Brian would like the City Council and the Airport Committee to consider. It presents the position The BLM sees the current and future involvement at the Ontario Airport. They site other examples of the City, County, State and Federal agencies working together to jointly fund buildings and even an airbase. At the least the BLM would like to have room for their standard fire fighting base in the next master plan.

A quorum was established.

The agenda was approved with the amendment of the BLM

The August minutes were approved with the corrections of Shawn Coleman, Amanda Vansyckle, and Jim Bain were absent and Toby Epler name misspelled. John Moved and Jim seconded, passed.

## **OLD BUSINESS:**

The main purpose of a loader dedicated to the airport was discussed with priorities assigned.

1. Snow removal with a horsepower of at least 115 or more would be desirable. They come with a 4 to 5 yard bucket standard.

2. The loader should be quick attaching capable and an articulating snow blade with a Joma bit compatible.
3. An articulating broom would be the next priority.
4. The last attachment would be a snow blower to help keep the lights visible. Toby said the lights can be damaged easily with a careless operator and we rarely get enough snow to warrant a self powered snow blower. Shawn suggested we look into the availability of renting a blower.

It was discussed where to house the loader out of the sun and weather. A temporary building was suggested as possible.

John Freeburg moved to recommend to the City Council to purchase a quick attach capable loader such as an IT 28 or similar class. It should have a minimum of 114 HP. The attachments, when possible, would be added in this order:

1. Loader Bucket 4 to 6 yard capacity.
2. Articulating snow blade 12 to 16 foot length with JOMA bit capable.
3. Articulating broom hydraulically operated.
4. Self powered snow blower.

Jim Bain seconded and it passed.

## **NEW BUSINESS:**

### **TOBY EPLIN**

Flight check will be flown on the 11<sup>th</sup> to the 18<sup>th</sup> of October. There is to be a meeting with the FAA next week.

The fence contractor will start about October 8<sup>th</sup>. They will do one gate at a time so the airport will not be adversely affected. All the gates will be left open until all are completed and will be put into operation at the same time.

### **FBO: Tom Frazier**

Tom expressed his concerns that the Oregon State Dept. of Veteran Affairs is not issuing the TVCC Flight Program a license to operate in the State of Oregon.

This is putting a burden on the Community College as they have to fly their Oregon State VA students out of Payette or another Idaho location.

John Freeburg moved to recommend the Ontario City Council send a recommendation that the Oregon Department of Veteran Affairs approve the TVCC Flight School Program. This was seconded by Jim Bain and was passed.

Tom also said Larry Kuenzli leveled the future grass strip. It would set up pretty hard if it was watered with a truck. Norm said he would see if Adam will ask CH2M to water it.

The meeting was adjourned at 7:35.

Respectfully Submitted,

Dale Cruson

## **PUBLIC WORKS COMMITTEE MEETING MINUTES**

Tuesday, July 10, 2018, 3:00 p.m. MT

**\*\* Public Works Headquarters \*\***

Meeting called to order at 3:00 p.m. by Bernie Babcock, Public Works Committee Chairman.

Committee members present included Mr. Bernie Babcock, Mr. Scott Wilson and Mr. Riley Hill (Mr. Woodcock-excused; one vacant position).

Others present included Cliff Leeper, Casey Mordhorst, and Suzanne Mulvany.

The press was notified. This meeting was recorded (the tape is available at the Public Works Headquarters); the minutes are on file at City Hall and on the city's website at [www.ontariooregon.org](http://www.ontariooregon.org).

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### **ADOPTION OF MINUTES – MAY 8, 2018**

#### **RESOLUTION, ACTION &/OR MOTION:**

**The motion was made by Mr. Hill, seconded by Mr. Wilson to adopt the minutes of the previous meeting, May 8, 2018: Motion passed unanimously.**

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### **UPDATES**

#### **NPDES UPDATE**

- DEQ representative presented to Council last month, answered questions, discussed background/history of permit progress and requirements. Talked about meeting in Portland with DEQ Director and planned steps forward with City.
- Anticipate permit out for public comment by this fall. Once public comment, and response is completed, the permit will be finalized and enforced.
- Permit, as drafted, has 15-year compliance schedule.
- Meeting with DEQ leadership resulted in agreement to immediately submit a variance based on financial hardship once permit is finalized.
- Engineering team with Woods Consulting is preparing to work on the variance application now. Task order for variance application development is in front of Council July 12<sup>th</sup>.
- Variance application will review alternative treatment methods and provide cost estimates for those alternatives based on community needs. These will be translated into user rates to determine where they fall with respect to the allowable financial variance limit of 2% of Median Household Income.

#### **SRCI UPDATE**

- Water Agreement – Extension approved by Council for 1 more year (ends June 22, 2019). This will provide time for staff to determine whether or not changes need to be made to the current agreement to most fairly represent each partner in the contract.
- WW Agreement – Next meeting is July 26, 2018 conference call. Both parties putting information together on costs spent by each regarding the elements of the shared system. Staff anticipates that the finalization of



the NPDES permit occurring this fall and the variance application being developed and reviewed by DEQ over this fall and winter, will have impacts on the City's future WW system that should be applied to SRCI. With that in mind, staff recommends extending the current agreement through September of 2019 in order to fully understand and incorporate NPDES impacts.

### PROJECT UPDATE

- Annex – parking area improvements include curb/gutter, drainage swale, and pavement. Complete.
- City Hall Improvements – improvements consist of slight modification of space to accommodate police security within City Hall space. Struggling to get bidders for small project in this economy.
- Mid-block Crossing Removal – this project removes midblock crossings and restripes parallel parking spaces on S. Oregon. Struggling to get bidders for this small project in this econ

### ADJOURN

**The motion was made by Mr. Wilson, seconded by Mr. Hill to Adjourn: Motion passed unanimously.**

### **APPROVED:**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

*(Bernie Babcock, Chairman / Riley Hill, Vice-Chairman)*



SREDA Board Meeting  
Weiser Senior Center, Weiser, Idaho  
September 5, 2018

Board and Members: Adam Brown, Dan Greig, John Breidenbach, Rick Watkins, Cathy Yasuda, Jeff Williams, Sandy Hemenway, Patrick Nauman, Craig Jensen, Georgia Hanigan, Steven Hale, Dennis Baughman, Nate Marvin, Alicia Cavazos, Layna Hafer, Bob Komoto, Larry Hogg, Matt Frye, Jerry Smith, Melody Goodman, and Kyle McCauley

Guests: Blas Guerra, Ron Amarel

Staff: Executive Director of SREDA, Kit Kamo

1. Chairman Patrick Nauman called the meeting to order: 7:07 AM after everyone had gotten a wonderful breakfast sponsored in part by Weiser Senior Center and Weiser Classic Candy. Patrick began by thanking the staff of the Senior Center for hosting the meeting!

2. Introduction of attendees: Each attendee introduced themselves and what organization or business they represented.

3. Motion to approve the August minutes: Minutes from the August 8, 2018 meeting were emailed out for review. Chairman Nauman asked for any changes to the minutes. Hearing none, he asked for a motion to approve. Dan Greig so moved and Dennis Baughman seconded the motion. The motion passed.

4. Financial report given by Treasurer Sandy Hemenway. Sandy covered the balances in each account as well as the monthly activity. A motion to approve the August financials was made by Bob Komoto with a 2<sup>nd</sup> from Layna Hafer. Motion passed.

5. City and Community Highlights:

A. Fruitland City: City Administrator, Rick Watkins, reported that the city has budgeted in numerous capital outlay items, including a backhoe, ambulance, two police cars and a public works vehicle. Additional personnel budgeted for include one police officer, two paramedics, one public works employee and two deputy city clerks. The Prescription Pad has been issued a building permit at the former Green Tree Drive-In site. Current plan reviews include a Subaru dealership, a construction company office and shop, and Treasure Valley Classical Academy (charter school) that will fill the former Olde School in downtown Fruitland. Three new business licenses and eight home occupation licenses were issued in August.

John Breidenbach talked about the Fruitland Family Fun Days coming up next week.

B. Payette City: City Councilman Craig Jensen said plans have been submitted for a multi-unit housing development along Highway 95; Portia club project, which includes Gem grant funding, and façade grant funding, to renovate a downtown building to be used as a small business incubator is progressing; A new business is planning to go in the old Boise cascade building, some type of furnishing company and another new business involved in Internet auctions planned downtown. Mayor Jeff Williams updated the group that Cruise Night is coming the 1st weekend after Labor Day.



D. Ontario City: City Manager, Adam Brown, said that Marshall's is coming to town. They will be between Walmart and Harbor Freight. He gave Dan Cummings Kudos as he has worked hard on this project for 2-3 years. The city also announced Blue Bird Car Wash was on target and that Project Glass is underway and will have 12 professional jobs that may eventually be up to 24 jobs. And finally the city has leased the empty golf course building for a hemp extraction facility. The City is working on a trail from Lions Park to 14<sup>th</sup>. This week is Cars in the Park. This Thursday is Hands Around the Park.

E. Weiser City: Councilman Hogg reported on the East Park Street Project, Ridley's groundbreaking was held and they project a May 2019 opening. The new budget was approved and the pool will be resurfaced.

Patrick Nauman mentioned that the Hospital received a \$10,000 donation from Ridley's.

No one was there from Vale, Nyssa, or New Plymouth so no report was given.

## 6. County Highlights

A. Payette: Commissioner Georgia Hanigan announced their budget was approved and SREDA was fully funded. The county is ahead on building permits.

B. Washington County: Commissioner Nate Marvin reported that their budget was approved. One major change was that the salaries were revised and updated. There will be an open house at Cove Road Bridge today.

C. Malheur County: No one from the county was present to report.

8. Executive Directors Report: SEE ATTACHED report that was handed out.

9. Round Table: Layna Hafer, City Councilwoman, reported that the city will be closing their recycling center. She also reported that the Pythan Castle will be renovated for use as a traditional folk trade school center. Ridley's old building has been demolished. Layna reported that Ash Grove Cement has granted \$275,000 towards the hospital's pumping project.

John Breidenbach, Ontario Area Chamber reported that the ag tour maps will be out this spring and there will be signs out. This was funded in part with grant dollars from Travel Oregon. Also the wall at Red Apple has been chosen for one of a few murals that the state is putting up. The city of Ontario said yes, whereas the City of La Grande said no. The Looks Nu Car Wash will be holding their 25<sup>th</sup> anniversary party and Diamond Gallery will also be holding their 25<sup>th</sup> anniversary party. The ribbon cutting for Health Fitness is coming up. All the events can be found on the chamber's website.

Jerry Smith announced that the new DL Evans bank will be able to open November 3. Although the building is completed, there is a federal rule that requires a 90 day delay in opening if the bank is more than 1000 feet from the original location. Other new locations are in Rigby Idaho and Tremonton, Utah. Idaho, Oregon and Utah are 3 of the 4 fastest growing economies according to the economists. Jerry also is predicting a recession of some type within 12-18



months if there is an interest rate inversion, ie short term rates are above long term rates. Check the 1 year Treasury Bonds versus the 10 year Treasury Bonds.

Craig Jensen talked about the Payette A & W Cruise Night which is a big celebration in September. It includes a street dance and the 2<sup>nd</sup> largest car show in Idaho.

Dan Greig reported that there will be a FMTC 110 year anniversary celebration and customer appreciation on October 5<sup>th</sup> from 4-6 with tri-tip and music by Billy and the Barn Kats. The employees have worked for many years at FMTC, with one being there 41 years.

Bob Komoto gave an update on the Four Rivers Cultural Center activities with the Live at Five Beatles band playing, free Zumba and Yoga classes. There'll be an OSU Exhibit in the gallery on September 12<sup>th</sup>. Eight films on Social Justice will begin showing on Thursday. On September 16<sup>th</sup> there will be the Mexican Day of the Dead celebration.

Cathy Yasuda gave an update on TVCC with fall classes beginning soon and enrollment is up. Welding classes will continue but will be at Ontario High School while the CTE building is being redone. There are several open positions so please see the website for more info.

Kyle McCauley, Intermountain Gas, said that their foundation grant process is open. To learn more, please see the website: <https://www.mdu.com/integrity/foundation>

10. Next meeting will be the SREDA Annual Meeting and Dinner at Saint Alphonsus Medical Center in Ontario. We will meet in the Snake River room October 30<sup>th</sup>, 5:30 am for a combination of the Annual Meeting followed by a brief, joint Oct/Nov monthly meeting. We will be reviewing the activities for this past year, economic indicators including an updated housing report, and electing new board members and officers.

11. Meeting adjourned 7:58 AM.

Minutes prepared by Kit Kamo & Bob Komoto for Randy Griffin who was out of town.

# Accounts Payable

## Checks by Date - Summary by Check Date

User: kari.ott  
Printed: 9/11/2018 5:13 PM



| Check No            | Vendor No | Vendor Name                                | Check Date | Check Amount |
|---------------------|-----------|--------------------------------------------|------------|--------------|
| 123352              | &525      | American Staffing, Inc.                    | 07/09/2018 | 1,337.79     |
| 123353              | 032180    | Anytime Septic Service, LLC                | 07/09/2018 | 140.00       |
| 123354              | 033300    | Argus Observer                             | 07/09/2018 | 109.65       |
| 123355              | 037600    | AT&T                                       | 07/09/2018 | 21.02        |
| 123356              | 822861    | Big Valley Supply, Inc.                    | 07/09/2018 | 63.52        |
| 123357              | 626400    | Campo & Poole Distributing, LLC            | 07/09/2018 | 3,463.28     |
| 123358              | 192273    | CBA Lighting & Controls, Inc.              | 07/09/2018 | 46.34        |
| 123359              | 637828    | Century Link Communications, LLC           | 07/09/2018 | 97.68        |
| 123360              | 206557    | Creative Product Source, Inc.              | 07/09/2018 | 41.48        |
| 123361              | 879225    | Malheur Media, LLC                         | 07/09/2018 | 505.98       |
| 123362              | 602320    | NAPA Auto Parts                            | 07/09/2018 | 14.17        |
| 123363              | 879301    | Net Assets                                 | 07/09/2018 | 10.00        |
| 123364              | 879176    | Seder Architecture & Urban Design, LLC     | 07/09/2018 | 2,892.30     |
| 123365              | 879145    | Silver Signet, LLC                         | 07/09/2018 | 75.00        |
| 123366              | &357      | Larry A. Sullivan                          | 07/09/2018 | 3,402.62     |
| 123367              | 878931    | Tire Factory of Ontario                    | 07/09/2018 | 144.00       |
| 123368              | 879146    | Toshiba Financial Services                 | 07/09/2018 | 2,545.68     |
| 123369              | 788402    | TransUnion Risk & Alternative Data Soluti  | 07/09/2018 | 140.00       |
| 123370              | 823500    | Vale Electric, Inc.                        | 07/09/2018 | 1,568.43     |
| 123371              | 879151    | Waste-Pro                                  | 07/09/2018 | 30.00        |
| 123372              | &260      | Four Rivers Cultural Center                | 07/09/2018 | 4,758.14     |
| 123373              | 113500    | Allen Montgomery                           | 07/09/2018 | 539.55       |
| 123374              | 539200    | Ontario Area Chamber of Commerce           | 07/09/2018 | 4,310.31     |
| 123375              | 571100    | Ontario Rural Fire Protection District     | 07/09/2018 | 2,316.00     |
| 123376              | 596071    | Ontario Volunteer Firefighters Association | 07/09/2018 | 343.00       |
| 123377              | 879309    | Civil Air Patrol Magazine                  | 07/09/2018 | 45.00        |
| 123378              | 879176    | Seder Architecture & Urban Design, LLC     | 07/09/2018 | 780.00       |
| 123379              | UB*11471  | NEVIN JOSHUA VINCENT DASS                  | 07/09/2018 | 23.46        |
| 123380              | UB*11473  | SASHA DRAKE M/R@RETAIL                     | 07/09/2018 | 71.19        |
| 123381              | UB*11470  | ALBERTO GAMEZ * \$\$                       | 07/09/2018 | 23.56        |
| 123382              | UB*11472  | MICHAEL HAUETER                            | 07/09/2018 | 35.01        |
| 123383              | UB*11476  | PENNY KENISON*                             | 07/09/2018 | 14.30        |
| 123384              | 879310    | Donovan McGraw                             | 07/09/2018 | 250.00       |
| 123385              | 15101     | City Of Ontario - Department Head Credits  | 07/09/2018 | 3,900.00     |
| 123386              | UB*11475  | QUISENBERRY'S                              | 07/09/2018 | 64.43        |
| 123387              | UB*11474  | RON YANO                                   | 07/09/2018 | 70.00        |
| Total for 7/9/2018: |           |                                            |            | 34,192.89    |
| 123388              | &525      | American Staffing, Inc.                    | 07/12/2018 | 1,248.11     |
| 123389              | 032180    | Anytime Septic Service, LLC                | 07/12/2018 | 85.00        |
| 123390              | 130624    | B & W Car Wash                             | 07/12/2018 | 9.00         |
| 123391              | 520400    | Dorman's, Inc.                             | 07/12/2018 | 7.61         |
| 123392              | 408200    | J-U-B Engineers, Inc.                      | 07/12/2018 | 22,008.15    |
| 123393              | 440000    | L.N. Curtis and Sons                       | 07/12/2018 | 113.40       |
| 123394              | UB*11130  | Jordan Lucas                               | 07/12/2018 | 41.28        |
| 123395              | 527000    | Ontario Animal Hospital                    | 07/12/2018 | 87.50        |



| Check No             | Vendor No | Vendor Name                                | Check Date | Check Amount |
|----------------------|-----------|--------------------------------------------|------------|--------------|
| 123396               | 516494    | State of Oregon Department of Transportati | 07/12/2018 | 5,795.98     |
| 123397               | 718000    | State of Oregon Employment Department      | 07/12/2018 | 2.36         |
| 123398               | 528405    | Oster Professional Group, LLC              | 07/12/2018 | 23,460.00    |
| 123399               | 738001    | James Swank                                | 07/12/2018 | 47.99        |
| 123400               | 738002    | Symbol Arts, LLC                           | 07/12/2018 | 125.00       |
| 123401               | 878957    | Valli Information Systems, Inc.            | 07/12/2018 | 1,964.39     |
| Total for 7/12/2018: |           |                                            |            | 54,995.77    |
| 123402               | 130950    | Cable One                                  | 07/13/2018 | 298.94       |
| 123403               | 878915    | CH2M Hill OMI                              | 07/13/2018 | 435,797.60   |
| 123404               | 180798    | CIS Trust                                  | 07/13/2018 | 226,629.36   |
| 123405               | 364000    | Clarion Inn                                | 07/13/2018 | 69.62        |
| 123406               | 879247    | Idaho Communications, LLC Day Wireless     | 07/13/2018 | 470.00       |
| 123407               | 336784    | G.W., Inc.                                 | 07/13/2018 | 63.04        |
| 123408               | 462397    | L-3 Mobile-Vision, Inc.                    | 07/13/2018 | 43.70        |
| 123409               | 428200    | League of Oregon Cities                    | 07/13/2018 | 8,418.90     |
| 123410               | 434008    | Lexipol, LLC                               | 07/13/2018 | 6,748.00     |
| 123411               | 436000    | Lindsay Eco Water                          | 07/13/2018 | 7.00         |
| 123412               | 210200    | CMi Software Corp                          | 07/13/2018 | 17,900.00    |
| 123413               | 477523    | Municipal Code Corporation                 | 07/13/2018 | 350.00       |
| 123414               | 879142    | Oregon Association of Municipal Recorder:  | 07/13/2018 | 485.00       |
| 123415               | 583401    | State of Oregon Department of Environmen   | 07/13/2018 | 840.00       |
| 123416               | 642093    | Red's Automotive Repair, Inc.              | 07/13/2018 | 770.99       |
| 123417               | 738560    | Tailored Solutions Corporation             | 07/13/2018 | 705.00       |
| 123418               | 879311    | Treasure Valley Community College          | 07/13/2018 | 4,200.00     |
| 123419               | 774001    | Wtechlink                                  | 07/13/2018 | 300.00       |
| Total for 7/13/2018: |           |                                            |            | 704,097.15   |
| 123420               | 879240    | Advanced Control Systems, LLC              | 07/19/2018 | 8,452.80     |
| 123421               | 879312    | The Parents of Julissa Almarez             | 07/19/2018 | 44.00        |
| 123422               | 033300    | Argus Observer                             | 07/19/2018 | 1,113.60     |
| 123423               | 144000    | Cascade Natural Gas Corporation            | 07/19/2018 | 20.05        |
| 123424               | 637830    | Century Link                               | 07/19/2018 | 75.10        |
| 123425               | 878915    | CH2M Hill OMI                              | 07/19/2018 | 10,518.51    |
| 123426               | 376000    | Idaho Power                                | 07/19/2018 | 250.63       |
| 123427               | 456402    | Malheur County Clerk                       | 07/19/2018 | 107.00       |
| 123428               | 583450    | State of Oregon Dept of Corrections        | 07/19/2018 | 2,360.00     |
| 123429               | 682495    | SBE Oregon, LLC                            | 07/19/2018 | 2,382.71     |
| 123430               | 879138    | Stantec Consulting Services, Inc.          | 07/19/2018 | 595.00       |
| 123431               | 863995    | White Cloud Communications-Boise, Inc.     | 07/19/2018 | 4,250.00     |
| 123432               | &525      | American Staffing, Inc.                    | 07/19/2018 | 868.46       |
| 123433               | 033300    | Argus Observer                             | 07/19/2018 | 116.10       |
| 123434               | 626400    | Campo & Poole Distributing, LLC            | 07/19/2018 | 3,505.52     |
| 123435               | 637830    | Century Link                               | 07/19/2018 | 435.89       |
| 123436               | 477523    | Municipal Code Corporation                 | 07/19/2018 | 858.28       |
| 123437               | UB*11477  | City of Ontario                            | 07/19/2018 | 136.00       |
| 123438               | UB*11480  | City of Ontario                            | 07/19/2018 | 170.00       |
| 123439               | UB*11479  | EASTERN OREGON CYCLES                      | 07/19/2018 | 136.00       |
| 123440               | 879313    | The Parents of Marcus Grimaldo             | 07/19/2018 | 52.00        |
| 123441               | UB*11481  | LARRY & NORMA HENRY                        | 07/19/2018 | 118.13       |
| 123442               | UB*11482  | ADAN RICO                                  | 07/19/2018 | 15.86        |
| 123443               | UB*11478  | ASHTON STARK                               | 07/19/2018 | 97.59        |
| 123444               | 832852    | Wells Fargo Business Elite Card            | 07/19/2018 | 11,084.61    |
| Total for 7/19/2018: |           |                                            |            | 47,763.84    |

| Check No             | Vendor No | Vendor Name                          | Check Date | Check Amount |
|----------------------|-----------|--------------------------------------|------------|--------------|
| 123445               | 180798    | CIS Trust                            | 07/26/2018 | 539.34       |
| 123446               | 344128    | City of Fruitland                    | 07/26/2018 | 7,763.61     |
| 123447               | 879299    | Dwayne Holloway                      | 07/26/2018 | 31.50        |
| 123448               | 376000    | Idaho Power                          | 07/26/2018 | 3,526.80     |
| 123449               | 420000    | John Deere Financial                 | 07/26/2018 | 225.28       |
| 123450               | 412500    | Keller Associates, Inc.              | 07/26/2018 | 3,450.00     |
| 123451               | 441140    | Looks Nu, Inc.                       | 07/26/2018 | 80.00        |
| 123452               | 451750    | Malheur County Sheriff's Office      | 07/26/2018 | 48,536.00    |
| 123453               | 638602    | Quality Electric, Inc.               | 07/26/2018 | 64,250.59    |
| 123454               | 702008    | Staples Business Credit              | 07/26/2018 | 46.80        |
| 123455               | 005000    | A-1 Key & Lock                       | 07/26/2018 | 18.50        |
| 123456               | &525      | American Staffing, Inc.              | 07/26/2018 | 1,703.10     |
| 123457               | UB*11483  | JOSHUA ANDREWS                       | 07/26/2018 | 33.96        |
| 123458               | 033300    | Argus Observer                       | 07/26/2018 | 232.20       |
| 123459               | 130950    | Cable One                            | 07/26/2018 | 63.75        |
| 123460               | 144000    | Cascade Natural Gas Corporation      | 07/26/2018 | 16.24        |
| 123461               | 637830    | Century Link                         | 07/26/2018 | 727.08       |
| 123462               | 420000    | John Deere Financial                 | 07/26/2018 | 32.83        |
| 123463               | 626654    | The Police and Sheriff's Press, Inc. | 07/26/2018 | 17.49        |
| 123464               | 638602    | Quality Electric, Inc.               | 07/26/2018 | 8,689.00     |
| 123465               | 692230    | Specialty Construction Supply        | 07/26/2018 | 22,500.00    |
| 123466               | 702008    | Staples Business Credit              | 07/26/2018 | 83.95        |
| 123467               | 702100    | Staples Credit Plan                  | 07/26/2018 | 43.26        |
| Total for 7/26/2018: |           |                                      |            | 162,611.28   |
| ACH                  | PRAFLAC   | AMERICAN FAMILY LIFE ASSURANCE       | 07/31/2018 | 2,146.28     |
| ACH                  | PRAMERF   | AMERICAN FUNDS GROUP                 | 07/31/2018 | 400.00       |
| ACH                  | PRCCIS    | E B S TRUST                          | 07/31/2018 | 60,911.32    |
| ACH                  | PRFED     | PAYROLL TAXES                        | 07/31/2018 | 63,041.59    |
| ACH                  | PRNATW    | NATIONWIDE RETIREMENT SOLUTIONS      | 07/31/2018 | 250.00       |
| ACH                  | PRORJU    | OREGON DEPARTMENT OF JUSTICE         | 07/31/2018 | 947.00       |
| ACH                  | PRORTAX2  | OREGON DEPARTMENT OF REVENUE         | 07/31/2018 | 248.95       |
| ACH                  | PRORTAXE  | OREGON DEPARTMENT OF REVENUE         | 07/31/2018 | 17,465.35    |
| ACH                  | PROSGP    | OREGON SAVINGS & GROWTH PLAN         | 07/31/2018 | 2,100.00     |
| ACH                  | PRPERS    | OREGON PERS                          | 07/31/2018 | 74,885.39    |
| ACH                  | PRFED     | PAYROLL TAXES                        | 07/31/2018 | 100.66       |
| ACH                  | PRORTAX2  | OREGON DEPARTMENT OF REVENUE         | 07/31/2018 | 0.66         |
| ACH                  | PRPERS    | OREGON PERS                          | 07/31/2018 | 226.89       |
| 123468               | PRICMA    | I C M A RETIREMENT TRUST 457         | 07/31/2018 | 150.00       |
| 123469               | PRIDCHIL  | IDAHO CHILD SUPPORT RECEIPTING       | 07/31/2018 | 411.00       |
| 123470               | PRLINC    | LINCOLN NATIONAL LIFE INS CO         | 07/31/2018 | 350.00       |
| 123471               | PRSFIRE   | UMPQUA BANK                          | 07/31/2018 | 360.00       |
| 123472               | PRUTCH    | UTAH, OFFICE OF RECOVERY SERVICES    | 07/31/2018 | 716.00       |
| Total for 7/31/2018: |           |                                      |            | 224,711.09   |
| 123473               | &260      | Four Rivers Cultural Center          | 08/03/2018 | 25,332.59    |
| 123474               | 539200    | Ontario Area Chamber of Commerce     | 08/03/2018 | 20,448.39    |
| 123475               | 408200    | J-U-B Engineers, Inc.                | 08/03/2018 | 22,520.88    |
| 123476               | &525      | American Staffing, Inc.              | 08/03/2018 | 2,253.29     |
| 123477               | 003079    | AVG Technologies USA, Inc.           | 08/03/2018 | 2,967.99     |
| 123478               | 626400    | Campo & Poole Distributing, LLC      | 08/03/2018 | 5,265.96     |
| 123479               | 637828    | Century Link Communications, LLC     | 08/03/2018 | 101.99       |
| 123480               | 879243    | Clear Creek K9                       | 08/03/2018 | 800.00       |

| Check No             | Vendor No | Vendor Name                               | Check Date | Check Amount |
|----------------------|-----------|-------------------------------------------|------------|--------------|
| 123481               | 216000    | D & B Supply Company                      | 08/03/2018 | 192.65       |
| 123482               | 333852    | Graphic Impressions                       | 08/03/2018 | 325.00       |
| 123483               | &162      | USABlueBook                               | 08/03/2018 | 6,995.01     |
| 123484               | 376000    | Idaho Power                               | 08/03/2018 | 50.99        |
| 123485               | 073400    | Deborah L. Jeffries                       | 08/03/2018 | 18.53        |
| 123486               | 879163    | Ontario Auto Ranch                        | 08/03/2018 | 885.20       |
| 123487               | 572000    | Ontario Sanitary Service, Inc.            | 08/03/2018 | 306.94       |
| 123488               | 702008    | Staples Business Credit                   | 08/03/2018 | 66.05        |
| 123489               | 738001    | James Swank                               | 08/03/2018 | 114.88       |
| 123490               | 774001    | Wtechlink                                 | 08/03/2018 | 300.00       |
| Total for 8/3/2018:  |           |                                           |            | 88,946.34    |
| 123491               | 173000    | Chief Supply Corporation, Inc.            | 08/10/2018 | 641.85       |
| 123492               | 240100    | State of Oregon Dept of Consumer & Busir  | 08/10/2018 | 4,077.14     |
| 123493               | 879130    | Ani-Care Animal Shelter, Inc.             | 08/10/2018 | 1,370.08     |
| 123494               | 879192    | Annas Consultants, Inc.                   | 08/10/2018 | 431.72       |
| 123495               | 032180    | Anytime Septic Service, LLC               | 08/10/2018 | 85.00        |
| 123496               | 130950    | Cable One                                 | 08/10/2018 | 298.94       |
| 123497               | 364000    | Clarion Inn                               | 08/10/2018 | 34.00        |
| 123498               | 206557    | Creative Product Source, Inc.             | 08/10/2018 | 165.33       |
| 123499               | 634311    | Frazier Aviation, LLC                     | 08/10/2018 | 425.00       |
| 123500               | UB*11484  | EMILIO GALLEGOS                           | 08/10/2018 | 26.72        |
| 123501               | 360015    | Home Depot Credit Services                | 08/10/2018 | 3.26         |
| 123502               | UB*11486  | HOTBOX FARMS                              | 08/10/2018 | 73.91        |
| 123503               | 368200    | Hughes Fire Equipment, Inc.               | 08/10/2018 | 1,695.63     |
| 123504               | 396000    | Iseri Travel Agency                       | 08/10/2018 | 1,041.10     |
| 123505               | 879191    | Kristy's Custom Sewing                    | 08/10/2018 | 118.00       |
| 123506               | 440000    | L.N. Curtis and Sons                      | 08/10/2018 | 135.00       |
| 123507               | 436000    | Lindsay Eco Water                         | 08/10/2018 | 12.00        |
| 123508               | 879314    | Micro Focus Software, Inc.                | 08/10/2018 | 2,444.80     |
| 123509               | 500400    | Norco, Inc.                               | 08/10/2018 | 100.15       |
| 123510               | 572000    | Ontario Sanitary Service, Inc.            | 08/10/2018 | 137.44       |
| 123511               | 879149    | ProForce Law Enforcement                  | 08/10/2018 | 822.22       |
| 123512               | UB*11485  | CHRISTIE REEVES                           | 08/10/2018 | 57.82        |
| 123513               | 879176    | Seder Architecture & Urban Design, LLC    | 08/10/2018 | 3,777.63     |
| 123514               | 686822    | Sprint                                    | 08/10/2018 | 51.92        |
| 123515               | &357      | Larry A. Sullivan                         | 08/10/2018 | 2,992.50     |
| 123516               | 879146    | Toshiba Financial Services                | 08/10/2018 | 1,694.39     |
| 123517               | 788402    | TransUnion Risk & Alternative Data Soluti | 08/10/2018 | 140.00       |
| 123518               | 878957    | Valli Information Systems, Inc.           | 08/10/2018 | 2,164.04     |
| 123519               | 832697    | Virtual Graffiti, Inc.                    | 08/10/2018 | 1,271.90     |
| 123520               | 879151    | Waste-Pro                                 | 08/10/2018 | 30.00        |
| 123521               | 863995    | White Cloud Communications-Boise, Inc.    | 08/10/2018 | 711.00       |
| Total for 8/10/2018: |           |                                           |            | 27,030.49    |
| ACH                  | PRFED     | PAYROLL TAXES                             | 08/15/2018 | 294.28       |
| ACH                  | PRORTAX2  | OREGON DEPARTMENT OF REVENUE              | 08/15/2018 | 1.81         |
| ACH                  | PRPERS    | OREGON PERS                               | 08/15/2018 | 663.35       |
| Total for 8/15/2018: |           |                                           |            | 959.44       |
| 123522               | 642080    | Petty Cash                                | 08/17/2018 | 48.83        |
| 123523               | 832852    | Wells Fargo Business Elite Card           | 08/17/2018 | 550.50       |
| 123524               | UB*11493  | "C" INVESTMENT CO, LLC &                  | 08/17/2018 | 41.02        |

| Check No             | Vendor No | Vendor Name                                | Check Date | Check Amount |
|----------------------|-----------|--------------------------------------------|------------|--------------|
| 123525               | UB*11488  | ACE REALTY                                 | 08/17/2018 | 72.82        |
| 123526               | 007140    | Liz Amason                                 | 08/17/2018 | 206.50       |
| 123527               | COOPJ     | Jason Cooper                               | 08/17/2018 | 50.55        |
| 123528               | UB*11487  | LISA DEL RE                                | 08/17/2018 | 50.16        |
| 123529               | UB*11490  | MIKE ERLEBACH &                            | 08/17/2018 | 39.45        |
| 123530               | 879318    | Peter Hall                                 | 08/17/2018 | 166.87       |
| 123531               | UB*11492  | KENT HEITZ                                 | 08/17/2018 | 80.96        |
| 123532               | UB*11460  | MIKE JARAMILLO                             | 08/17/2018 | 73.13        |
| 123533               | 287000    | Malheur County Title Company, Inc.         | 08/17/2018 | 150.00       |
| 123534               | UB*11404  | OREGON PARTNERS LLC                        | 08/17/2018 | 100.37       |
| 123535               | UB*11440  | OREGON PARTNERS LLC                        | 08/17/2018 | 100.37       |
| 123536               | 642080    | Petty Cash                                 | 08/17/2018 | 194.53       |
| 123537               | UB*11489  | PINE VALLEY PROPERTY                       | 08/17/2018 | 54.08        |
| 123538               | UB*11494  | PVPM &                                     | 08/17/2018 | 5.03         |
| 123539               | UB*11491  | LOUIS/GLENDA SATHER                        | 08/17/2018 | 85.77        |
| 123540               | UB*11454  | CAROL TEGLAND                              | 08/17/2018 | 86.13        |
| 123541               | 832852    | Wells Fargo Business Elite Card            | 08/17/2018 | 4,347.20     |
| Total for 8/17/2018: |           |                                            |            | 6,504.27     |
| 123542               | 879315    | State of Idaho Unclaimed Property          | 08/21/2018 | 457.32       |
| 123543               | 879316    | State of Michigan Department of Treasury   | 08/21/2018 | 39.93        |
| 123544               | 583450    | State of Oregon Dept of Corrections        | 08/21/2018 | 2,950.00     |
| 123545               | 879138    | Stantec Consulting Services, Inc.          | 08/21/2018 | 807.50       |
| 123546               | 879319    | State of Texas Comptroller of Public Accou | 08/21/2018 | 32.41        |
| 123547               | 005800    | Action Medical, Inc.                       | 08/21/2018 | 103.30       |
| 123548               | &525      | American Staffing, Inc.                    | 08/21/2018 | 4,675.02     |
| 123549               | 032180    | Anytime Septic Service, LLC                | 08/21/2018 | 140.00       |
| 123550               | 037600    | AT&T                                       | 08/21/2018 | 20.75        |
| 123551               | 816597    | Bank of Eastern Oregon                     | 08/21/2018 | 29,642.36    |
| 123552               | 879317    | BME Fire Fighter Supply, LLC               | 08/21/2018 | 155.00       |
| 123553               | 130950    | Cable One                                  | 08/21/2018 | 63.75        |
| 123554               | 626400    | Campo & Poole Distributing, LLC            | 08/21/2018 | 4,157.37     |
| 123555               | 144000    | Cascade Natural Gas Corporation            | 08/21/2018 | 13.05        |
| 123556               | 637830    | Century Link                               | 08/21/2018 | 515.24       |
| 123557               | 247940    | Dooley Enterprises, Inc.                   | 08/21/2018 | 2,620.00     |
| 123558               | 520400    | Dorman's, Inc.                             | 08/21/2018 | 7.95         |
| 123559               | 344128    | City of Fruitland                          | 08/21/2018 | 450.45       |
| 123560               | 336784    | G.W., Inc.                                 | 08/21/2018 | 968.00       |
| 123561               | 412500    | Keller Associates, Inc.                    | 08/21/2018 | 2,760.00     |
| 123562               | 413204    | Kenworth Sales Company, Inc.               | 08/21/2018 | 704.88       |
| 123563               | 879191    | Kristy's Custom Sewing                     | 08/21/2018 | 39.00        |
| 123564               | 440000    | L.N. Curtis and Sons                       | 08/21/2018 | 58.00        |
| 123565               | 428200    | League of Oregon Cities                    | 08/21/2018 | 1,485.00     |
| 123566               | 441140    | Looks Nu, Inc.                             | 08/21/2018 | 129.00       |
| 123567               | 456402    | Malheur County Clerk                       | 08/21/2018 | 209.00       |
| 123568               | 879301    | Net Assets                                 | 08/21/2018 | 96.00        |
| 123569               | 539200    | Ontario Area Chamber of Commerce           | 08/21/2018 | 400.00       |
| 123570               | 583401    | State of Oregon Department of Environmen   | 08/21/2018 | 574.00       |
| 123571               | 242083    | State of Oregon Driver and Motor Vehicle S | 08/21/2018 | 3.00         |
| 123572               | 333809    | State of Oregon Government Ethics Commi    | 08/21/2018 | 665.16       |
| 123573               | 528405    | Oster Professional Group, LLC              | 08/21/2018 | 23,812.00    |
| 123574               | 879149    | ProForce Law Enforcement                   | 08/21/2018 | 782.91       |
| 123575               | 642093    | Red's Automotive Repair, Inc.              | 08/21/2018 | 143.50       |
| 123576               | 879138    | Stantec Consulting Services, Inc.          | 08/21/2018 | 722.50       |
| 123577               | 738002    | Symbol Arts, LLC                           | 08/21/2018 | 50.00        |
| 123578               | 738993    | Tangent Computer                           | 08/21/2018 | 1,495.00     |

| Check No             | Vendor No | Vendor Name                            | Check Date | Check Amount |
|----------------------|-----------|----------------------------------------|------------|--------------|
| 123579               | 878931    | Tire Factory of Ontario                | 08/21/2018 | 838.50       |
| 123580               | 288897    | Verizon                                | 08/21/2018 | 1,341.47     |
| 123581               | 863995    | White Cloud Communications-Boise, Inc. | 08/21/2018 | 625.00       |
| 123582               | 879320    | Paul Melody                            | 08/21/2018 | 75.00        |
| 123584               | 879321    | Dan Quick                              | 08/21/2018 | 95.12        |
| Total for 8/21/2018: |           |                                        |            | 84,923.44    |
| 123585               | &260      | Four Rivers Cultural Center            | 08/23/2018 | 100.00       |
| Total for 8/23/2018: |           |                                        |            | 100.00       |
| 123586               | 684622    | Marcy Siriwardene                      | 08/28/2018 | 94.25        |
| Total for 8/28/2018: |           |                                        |            | 94.25        |
| ACH                  | PRAFLAC   | AMERICAN FAMILY LIFE ASSURANCE         | 08/31/2018 | 2,190.61     |
| ACH                  | PRAMERF   | AMERICAN FUNDS GROUP                   | 08/31/2018 | 500.00       |
| ACH                  | PRCCIS    | E B S TRUST                            | 08/31/2018 | 61,900.18    |
| ACH                  | PRFED     | PAYROLL TAXES                          | 08/31/2018 | 65,091.04    |
| ACH                  | PRNATW    | NATIONWIDE RETIREMENT SOLUTIO          | 08/31/2018 | 250.00       |
| ACH                  | PRORJU    | OREGON DEPARTMENT OF JUSTICE           | 08/31/2018 | 435.00       |
| ACH                  | PRORTAXE  | OREGON DEPARTMENT OF REVENUE           | 08/31/2018 | 17,398.30    |
| ACH                  | PROSGP    | OREGON SAVINGS & GROWTH PLAN           | 08/31/2018 | 2,200.00     |
| ACH                  | PRPERS    | OREGON PERS                            | 08/31/2018 | 80,219.04    |
| ACH                  | PRAFLAC   | AMERICAN FAMILY LIFE ASSURANCE         | 08/31/2018 | 2,146.28     |
| ACH                  | PRAMERF   | AMERICAN FUNDS GROUP                   | 08/31/2018 | 400.00       |
| ACH                  | PRCCIS    | E B S TRUST                            | 08/31/2018 | 62,023.92    |
| ACH                  | PRFED     | PAYROLL TAXES                          | 08/31/2018 | 60,075.79    |
| ACH                  | PRNATW    | NATIONWIDE RETIREMENT SOLUTIO          | 08/31/2018 | 250.00       |
| ACH                  | PRORJU    | OREGON DEPARTMENT OF JUSTICE           | 08/31/2018 | 947.00       |
| ACH                  | PRORTAX2  | OREGON DEPARTMENT OF REVENUE           | 08/31/2018 | 236.83       |
| ACH                  | PRORTAXE  | OREGON DEPARTMENT OF REVENUE           | 08/31/2018 | 16,664.38    |
| ACH                  | PROSGP    | OREGON SAVINGS & GROWTH PLAN           | 08/31/2018 | 2,100.00     |
| ACH                  | PRPERS    | OREGON PERS                            | 08/31/2018 | 73,405.84    |
| 123587               | PRICMA    | I C M A RETIREMENT TRUST 457           | 08/31/2018 | 150.00       |
| 123588               | PRIDCHIL  | IDAHO CHILD SUPPORT RECEIPTING         | 08/31/2018 | 411.00       |
| 123589               | PRLINC    | LINCOLN NATIONAL LIFE INS CO           | 08/31/2018 | 350.00       |
| 123590               | PRSFIRE   | UMPQUA BANK                            | 08/31/2018 | 360.00       |
| 123591               | PRUTCH    | UTAH, OFFICE OF RECOVERY SERVIC        | 08/31/2018 | 716.00       |
| 123592               | UB*11496  | AARON ALFARO                           | 08/31/2018 | 672.22       |
| 123593               | UB*11252  | ERIKA & AARON ALFARO                   | 08/31/2018 | 260.04       |
| 123594               | &260      | Four Rivers Cultural Center            | 08/31/2018 | 25,991.91    |
| 123595               | UB*11495  | ZACH MILLS                             | 08/31/2018 | 16.61        |
| 123596               | 539200    | Ontario Area Chamber of Commerce       | 08/31/2018 | 21,046.61    |
| 123597               | 130624    | B & W Car Wash                         | 08/31/2018 | 3.00         |
| 123598               | 878915    | CH2M Hill OMI                          | 08/31/2018 | 6,938.40     |
| 123599               | 184000    | Claire Bowers Claire's Automotive      | 08/31/2018 | 403.33       |
| 123600               | 879322    | Eduardo Mendoza                        | 08/31/2018 | 55.79        |
| 123601               | 879130    | Ani-Care Animal Shelter, Inc.          | 08/31/2018 | 1,370.08     |
| 123602               | 738800    | Axon Enterprise, Inc.                  | 08/31/2018 | 1,550.00     |
| 123603               | 130624    | B & W Car Wash                         | 08/31/2018 | 27.00        |
| 123604               | 144000    | Cascade Natural Gas Corporation        | 08/31/2018 | 13.05        |
| 123605               | 637830    | Century Link                           | 08/31/2018 | 717.06       |
| 123606               | 364000    | Clarion Inn                            | 08/31/2018 | 429.16       |
| 123607               | 206557    | Creative Product Source, Inc.          | 08/31/2018 | 194.33       |



| Check No                   | Vendor No | Vendor Name                               | Check Date | Check Amount |
|----------------------------|-----------|-------------------------------------------|------------|--------------|
| 123608                     | 256603    | Eastern Oregon Youth Football League      | 08/31/2018 | 525.00       |
| 123609                     | 333890    | Graphix Wear                              | 08/31/2018 | 28.00        |
| 123610                     | 376000    | Idaho Power                               | 08/31/2018 | 4,349.40     |
| 123611                     | 376002    | Idaho Power - Payette Operations Center   | 08/31/2018 | 7,202.00     |
| 123612                     | 420000    | John Deere Financial                      | 08/31/2018 | 325.42       |
| 123613                     | 408200    | J-U-B Engineers, Inc.                     | 08/31/2018 | 7,637.83     |
| 123614                     | 879300    | Kussmaul Electronics                      | 08/31/2018 | 337.55       |
| 123615                     | 457799    | Malheur Drainage District                 | 08/31/2018 | 3,075.34     |
| 123616                     | 454410    | Malheur Enterprise                        | 08/31/2018 | 40.00        |
| 123617                     | 572000    | Ontario Sanitary Service, Inc.            | 08/31/2018 | 444.38       |
| 123618                     | 583352    | State of Oregon Department of Consumer a  | 08/31/2018 | 44.80        |
| 123619                     | 686822    | Sprint                                    | 08/31/2018 | 51.92        |
| 123620                     | 702100    | Staples Credit Plan                       | 08/31/2018 | 75.99        |
| 123621                     | 774300    | T-N-T Signs & Graphics                    | 08/31/2018 | 45.00        |
| 123622                     | 785001    | Treasure Valley Custom Upholstery         | 08/31/2018 | 75.00        |
| 123623                     | 288897    | Verizon                                   | 08/31/2018 | 1,385.38     |
| Total for 8/31/2018:       |           |                                           |            | 535,752.81   |
| 123624                     | &525      | American Staffing, Inc.                   | 09/07/2018 | 1,704.01     |
| 123625                     | 032180    | Anytime Septic Service, LLC               | 09/07/2018 | 255.00       |
| 123626                     | 037600    | AT&T                                      | 09/07/2018 | 20.94        |
| 123627                     | 010500    | Tori Barnett                              | 09/07/2018 | 261.00       |
| 123628                     | 879304    | Beaver Equipment Specialty Company, Inc   | 09/07/2018 | 48,708.00    |
| 123629                     | 626400    | Campo & Poole Distributing, LLC           | 09/07/2018 | 4,330.89     |
| 123630                     | 637828    | Century Link Communications, LLC          | 09/07/2018 | 94.31        |
| 123631                     | 878915    | CH2M Hill OMI                             | 09/07/2018 | 855,902.35   |
| 123632                     | 184000    | Claire Bowers Claire's Automotive         | 09/07/2018 | 1,986.96     |
| 123633                     | 436000    | Lindsay Eco Water                         | 09/07/2018 | 7.00         |
| 123634                     | 516440    | City of Nyssa                             | 09/07/2018 | 4,950.00     |
| 123635                     | 583450    | State of Oregon Dept of Corrections       | 09/07/2018 | 2,360.00     |
| 123636                     | 684622    | Marcy Siriwardene                         | 09/07/2018 | 229.50       |
| 123637                     | 879146    | Toshiba Financial Services                | 09/07/2018 | 1,694.39     |
| 123638                     | 788402    | TransUnion Risk & Alternative Data Soluti | 09/07/2018 | 140.00       |
| 123639                     | 879151    | Waste-Pro                                 | 09/07/2018 | 30.00        |
| 123640                     | 774001    | Wtechlink                                 | 09/07/2018 | 300.00       |
| Total for 9/7/2018:        |           |                                           |            | 922,974.35   |
| Report Total (323 checks): |           |                                           |            | 2,895,657.41 |