

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



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, MARCH 19, 2019, 7:00 PM, MT**

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

1) CALL TO ORDER

Roll Call: Freddy Rodriguez ____ Marty Justus ____ Ramon Palomo ____ Dan Capron ____
Michael Braden ____ Norm Crume ____ Mayor Riley Hill ____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on March 15, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) MOTION TO ADOPT THE AGENDA

4) PUBLIC COMMENTS Citizens may address the Council; however, Council may not be able to provide an immediate answer or response. 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 AGENDA

- A) Minutes:
Council Meeting 01-22-2019
Council Work Session 02-07-2019
Council Meeting 02-19-2019
- B) Delinquent Utility Billing Accounts to Collections
- C) Resolution #2019-111: Supplemental Budget for Golf Clubhouse ADA Compliance Project and Bid Award for Project

6) OLD BUSINESS

- A) Resolution #2019-112: A Supplemental Budget to Recognize Additional Revenue Sources and Appropriate Expenditures for Splash Pad Construction
- B) Ordinance #2750-2019: An Ordinance Proclaiming the Annexation and Rezoning of Certain Territory to the City of Ontario, Being a Parcel within the NW 1/4 SW 1/4 SW 1/4 NW 1/4 Section 11, Township 18 South Range 47 East, W.M. known as Tax Lot 1101 Map 18S4711BC; and Withdrawing Said Territory from the Ontario Rural Fire Protection District 7-302, on Second and Final Reading by Title Only
- C) Ordinance #2751-2019: An Ordinance Proclaiming the Annexation and Rezoning of Certain Territory to the City of Ontario, Being a Parcel Within the SW1/4 Section 33, Township 17 South Range 47 East, W.M. known as Tax Lot 3001 Map 17S4733C, on Second and Final Reading by Title Only
- D) Ordinance #2752-2019: An Ordinance Proclaiming the Annexation and Rezoning of Certain Territory to the City Of Ontario, Being a Parcel Within The NW1/4NE1/4 Section 10, Township 18 South Range 47 East, W.M. known as Tax Lots 1200, 1300, 1301, 1302, 1303, 1305, and 1310 On Map 18S4710 D1, on Second and Final Reading by Title Only

7) NEW BUSINESS

- A) Housing Incentive Program - Rywest Homes
- B) Housing Incentive Program - Mollahan

8) HAND-OUTS/DISCUSSION ITEMS

- A) Council Discussion on What Meetings Action will be Taken
- B) Mandatory Trash Collection and Property Owner Responsibilities Regarding Utility Bills and other Mandated Fees
- C) Check Register 2/1/2019 to 3/13/2019

9) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

10) ADJOURN



CITY COUNCIL MEETING MINUTES January 22, 2019

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 7:00 p.m. on Tuesday, January 22, 2019, in the Council Chambers of City Hall. Council members present were Riley Hill, Norm Crume, Dan Capron, Ramon Palomo, Michael Braden, and Marty Justus. Freddy Rodriguez arrived at 7:45 p.m.

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

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

Guest Danielle Capron opened the meeting and led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on January 18, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Consensus to add item 6(F) Committee Member Appointments.

CRUME moved, JUSTUS seconded, **TO ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Braden-yes; Palomo-yes; Justus-yes; Capron-yes; Rodriguez-out; Hill-yes. Motion carried 6/0/1.

PUBLIC COMMENT

Mike Lovaas, Ontario, discussed some issues at the Ontario Airport regarding fueling problems.

Staff was directed to research Mr. Lovaas's concerns.

OLD BUSINESS

Additional Information on Oregon Department of Transportation Grants

Betsy Roberts, City Engineer, presented a PowerPoint report. (Attached)

NEW BUSINESS

Hangar Lease – 361 Bravo – Clyde Hager to Bill Hager

Dan Beaubien, Airport Manager, presented.

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL GRANT THE LEASE AS PRESENTED TO BILL HAGER FOR HIS HANGAR LOCATED AT 361 BRAVO AT THE ONTARIO MUNICIPAL AIRPORT**. Roll call vote: Crume-yes; Rodriguez-out; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 6/0/1.

Lease Amendment: Moore Park

Adam Brown, City Manager, presented.

Mayor Hill declared a conflict and deferred that the action be handled by the Council President.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE A LEASE AMENDMENT WITH RILEY HILL FOR MOORE PARK, WITH THE AMENDMENT THAT THE TIMEFRAME NOT INCLUDE DECEMBER 10TH THROUGH JANUARY 10TH**. Roll call vote: Crume-yes; Braden-yes; Palomo-yes; Justus-yes; Capron-yes; Rodriguez-out; Hill-abstain. Motion carried 5/0/1/1.

Resolution #2019-105: Establishing a Quarterly Recognition Program for City of Ontario Law Enforcement

Riley Hill, Mayor, presented.

CAPRON moved **THAT THE CITY COUNCIL APPROVE RESOLUTION #2019-105, A RESOLUTION ESTABLISHING A QUARTERLY RECOGNITION PROGRAM FOR CITY OF ONTARIO LAW ENFORCEMENT.** Motion failed due to lack of second.

Resolution #2019-106: Appropriate Funds for Ontario School District 8C Robotic Team

Riley Hill, Mayor, presented.

CAPRON moved, BRADEN seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION #2019-106, A RESOLUTION TO APPROPRIATE FUNDS FOR THE ONTARIO SCHOOL DISTRICT 8C ROBOTIC TEAM.** Roll call vote: Crume-no; Rodriguez-out; Palomo-no; Justus-no; Capron-no; Braden-no; Hill-yes. Motion failed 1/5/1.

Resolution #2019-107: Appropriate Funding for FEMA Grant Match to Purchase Self-Contained Breathing Apparatus for Ontario Fire Department

Kari Ott, Finance Director, presented.

JUSTUS moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2019-107, A RESOLUTION TO APPROPRIATE FUNDING FOR FEMA GRANT MATCH TO PURCHASE 28 SELF-CONTAINED BREATHING APPARATUS UNITS.** Roll call vote: Crume-yes; Rodriguez-out; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 6/0/1.

Councilor Rodriguez arrived at the meeting.

Committee Member Appointments

Adam Brown, City Manager, presented.

Council consensus to bring this issue back before Council on the next Agenda.

CORRESPONDENCE, COMMENTS, EX-OFFICIO REPORTS

Councilor Justus asked for an update on the Nyssa Rail Center.

Mayor Hill stated he had spoken with Nyssa City Manager Jim Maret and Representative Findley. Representative Findley thought there might be a bump in the road. Mr. Maret stated the Tiago Company used September 28th information to write that report, and he thought some of those issues had been resolved. That was the Mayor's understanding; it was not the written word.

Councilor Justus asked for an update regarding the city sending a letter to the Oregon Legislature asking for the ability to raise the marijuana tax up to 18%. It was his understanding that the legislation did not get written.

Mayor Hill stated a bill had been introduced in Salem.

Councilor Justus stated he had been absent when that discussion had taken place, and he wanted it on the record that he would NOT have supported that.

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

An executive session was called at 8:05 p.m. under provisions of ORS 192.660(2)(e) to discuss real property issues. The Council reconvened into regular session at 8:55 p.m.

Council consensus to have the Community Development Director continue negotiations with the parties on the property being discussed.

CORRESPONDENCE, COMMENTS, EX-OFFICIO REPORTS

Mayor Hill stated the Council on Aging received approximately \$180K STIF money, and they planned to spend around \$65K taking care of a land dispute, but they were seeking suggestions on how to expend the remaining funds.

Mayor Hill stated going back to the business registration issues, one of the people in question had a discussion with the City Attorney, and were led to believe he didn't have to register. The other individual in question was a partner who took care of none of the business. He, himself, took care of it out of his office, so he'd fall on the sword on that one. They didn't know they

needed to register because his actual office was out of city limits. Both cases had been corrected and were in compliance. Prior to him taking office, he had two discussion; one with the City Manager and one with the City Attorney, asking to discuss issues that might get the Councilors in trouble. Was the Council interested in pursuing that training?

Council consensus to schedule a training for the Council.

ADJOURN

CAPRON moved, JUSTUS seconded, **THAT THE MEETING BE ADJOURNED**. Unanimous to adjourn.

ACCEPTED:

ATTEST

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



CITY COUNCIL WORK SESSION MINUTES February 7, 2019

The scheduled Work Session of the Ontario City Council was called to order by Mayor Riley Hill at 12:00 p.m. on Thursday, February 7, 2019, in the Council Chambers of City Hall. Council members present were Riley Hill, Norm Crume, Dan Capron, Marty Justus, Ramon Palomo, Michael Braden, and Freddy Rodriguez.

Members of staff present were Adam Brown, Tori Barnett, Larry Sullivan, Jason Cooper, Kari Ott, Terry Leighton, Dan Cummings, Cliff Leeper, Peter Hall, Debbie Jeffries, and Casey Mordhorst.

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

Mayor Hill led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on February 5, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Request to add the Audit Presentation to the Agenda.

CRUME moved, CAPRON seconded, **to ADOPT THE AGENDA AS AMENDED**. Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

OLD BUSINESS

Resolution #2019-105: Amending Resolution #2018-115 which Requires Good Financial Standing with the City to be Appointed to a City Board or Committee and Cause for Removal for a City Board or Committee

Mayor Hill stated the proposed resolution read that "if anybody that has any ownership", what if someone were a minority owner, and didn't control it?

Larry Sullivan, City Attorney, stated he was trying to ensure that whatever ownership interest someone had, they would take responsibility for making sure their business was registered. Even a minority owner should be able to accomplish that. His understating from the Council that if anyone was going to serve on a city committee, and they had any ownership in a business, it was their obligation to ensure that business was registered.

Mayor Hill asked the Council to explore the possibility of getting rid of the registration.

Council consensus to direct the City Manager to bring that issue back to Council for discussion.

Appointments to City Committees

Adam Brown, City Manager, presented.

Mayor Hill **APPOINTED JERRY TROLARD TO THE AIRPORT COMMITTEE**. Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

Mayor Hill **APPOINTED TERRY FISHER TO THE DIVERSITY COMMITTEE**. Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

Mayor Hill **APPOINTED TERRY DOLS TO THE VISITORS & CONVENTIONS BUREAU BOARD**. Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.



NEW BUSINESS**Water and Sewer Exceptions for Federal Furloughed Employees**

Adam Brown, City Manager, presented.

Councilor Braden stated he believed it was within the City Manager's discretion for waiving fees and/or delaying shut-offs.

Use of North Oregon Property for Warming Shelter

Heather Echeveste, Housing Programs Manager, Community in Action, presented.

They were interested in utilizing the old City Shop as a warming shelter for the homeless population in this area. There was a lease option, which was very intimidating, but they also had the option for an outright purchase. They had annual guaranteed funding for this project. The funding stream actually would prefer, and asked them, to outright purchase instead of lease the property. The financing was through the state.

Mr. Brown stated they'd have to do a rezone action, too.

Council consensus to have staff work on this issue.

DEPARTMENT HEAD UPDATES**Financial Report:**

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

Audit Report:

Chelsea Herron, Connected Professional Accountants (Report attached)

City Recorder Report:

Tori Barnett, City Recorder, presented (Report attached)

Public Works/Jacobs:

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

HAND-OUTS/DISCUSSION ITEMS**City Manager Goals**

To be discussed at a future meeting.

Annual Communication from Solid Waste Franchise Ontario Sanitation

Scott Wilson, Ontario Sanitary Service, presented. (Letter attached)

CDBG Report from Community in Action

Kathie Markee, Program Representative, Community in Action, presented. (Letter and photos attached)

Community Survey Committee

Adam Brown stated Councilor Rodriguez had asked him to look into this, referring him to community member Eddy Thiel. He and Peter Hall had met with Ms. Thiel to learn about her ideas. Her concept was that if there was a significant community issue that the city wanted immediate feedback on, she would have a committee that could be mobilized to conduct phone surveys, and then remit the data to the city. They did not currently have a phone list, but Ms. Thiel believed there was a way to obtain one. Ms. Thiel would be in charge of the group. There were many questions still to be answered, but it might be something to try.

Department Stats:

Public Works: Dec 22-Nov 25, 2018 (Attached)

Ontario Police: Dec, 2018 (Attached)

Code Enforcement: Dec, 2018 (Attached)

Ontario Fire & Rescue: Jan, 2019 (Attached)

Agenda:

SREDA 02-05-2019 (Attached)

Planning Commission 02-11-2019 (Attached)

Packet

V&C Board 02-07-2019 (Attached)

Minutes

County Court: Jan 9, 2019; Jan 23, 2019 (Attached)

Misc.

SREDA – 2019 Meetings Calendar (Attached)

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

Mayor Hill stated Senator Bentz had introduced a Bill that was at the request of the former Mayor, or Councilor Justus, to increase the fee for registration for a liquor permit from \$25 to \$100, and the Bill has made it to Committee. Senator Bentz stated if the city wanted to send someone to campaign for it, they should, or hire a lobbyist.

Mr. Brown stated it was scheduled for the same day as the Council meeting, but he could do phone in.

Consensus to have the City Manager phone in.

ADJOURN

CAPRON moved, CRUME seconded, **THAT THE MEETING BE ADJOURNED.** Unanimous voice agreement.

ACCEPTED:**ATTEST**

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



CITY COUNCIL MEETING MINUTES February 19, 2019

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 7:00 p.m. on Tuesday, February 19, 2019, in the Council Chambers of City Hall. Council members present were Riley Hill, Norm Crume, Dan Capron, Freddy Rodriguez, Michael Braden, Marty Justus, and Ramon Palomo. Dan Capron was excused.

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

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

Mayor Hill led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on February 15, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Mayor Hill added Item D to New Business: Cap and Trade.

JUSTUS moved, CRUME seconded, **TO ADOPT THE AGENDA AS AMENDED**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

PRESENTATION

Ken Hart, President, St. Alphonsus Medical Center, Ontario, presented a \$2,000 check from St. Alphonsus to the City of Ontario for use towards assisting the homeless in the community.

CONSENT AGENDA

CRUME moved, BRADEN seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED JANUARY 3, 2019, WORK SESSION MINUTES; JANUARY 15, 2019, COUNCIL MEETING MINUTES; AND RESOLUTION #2019-108, A RESOLUTION AMENDING RESOLUTION #2018-115 WHICH REQUIRES GOOD FINANCIAL STANDING WITH THE CITY TO BE APPOINTED TO A CITY BOARD OR COMMITTEE AND CAUSE FOR REMOVAL FROM A CITY BOARD OR COMMITTEE**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

JUSTUS moved, BRADEN seconded, **TO REMOVE RESOLUTION #2018-115 FROM THE CONSENT AGENDA**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, BRADEN seconded, **TO ADOPT RESOLUTION #2019-108, A RESOLUTION AMENDING RESOLUTION #2018-115 WHICH REQUIRES GOOD FINANCIAL STANDING WITH THE CITY TO BE APPOINTED TO A CITY BOARD OR COMMITTEE AND CAUSE FOR REMOVAL FROM A CITY BOARD OR COMMITTEE**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-no. Motion carried 5/1/1.

OLD BUSINESS**Engineering Design Task Order for South Oregon Improvement Project**

Betsy Roberts, City Engineer, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE THE SUBTASK WORK AUTHORIZATION FOR CK3, LLC, TO COMPLETE THE DESIGN FOR THE SOUTH OREGON STREET IMPROVEMENT PROJECT, SPECIFICALLY FOR \$34,000 FOR SUBTASK 1, WITH ALLOWANCE TO SPEND UP TO \$45,500 IF ADEQUATE PROJECT FUNDS ARE AVAILABLE; TO WATCH FOR BEAUTIFICATION GRANTS; AND TO NOTIFY AFFECTED BUSINESSES.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Business Registrations

Adam Brown, City Manager, presented.

Issues the Council voiced as concerns, or items they would like addressed with regard to the business registration process:

Would like more information overall; determine the best way to pinpoint when fines would begin; determine best method to inform businesses of the requirement to register; from first contact, consider one-year leniency before fining; develop a public comment period to allow input from the community; appears they are reinventing the wheel. Staff brought what the previous Council asked for- they just needed to state what had been done; Council passed an ordinance wherein marijuana dispensaries would be required to get a license, so all businesses should; determine and define the purpose of the registration; explain why there was a fee involved, maybe stop the fee process, get everyone registered, and put it online; clearly define who is required to register; reduce the fine from \$100 to \$50, and allow everyone a year to get registered. If businesses registered within that year, only charge half (\$12.50); if not within that one year, charge the full \$25; determine who is following up on businesses after that one year period.

Council consensus to move forward on the business registration in some fashion, with Councilor Justus the dissenting vote.

Water and Sewer Exceptions for Federal Furloughed Employees

JUSTUS moved, CRUME seconded, **TO TAKE NO ACTION ON THIS ISSUE.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

NEW BUSINESS**Lease Renewal and Amendment for Property Between the City of Ontario and Dennis Montgomery**

Adam Brown, City Manager, presented.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE AN AMENDED LEASE RENEWAL BETWEEN THE CITY OF ONTARIO AND DENNIS MONTGOMERY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Resolution #2019-109: A Resolution Appropriating Expenditures for SE 2nd Water and Sewer Extension Design

Betsy Roberts, City Engineer, presented.

BRADEN moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2019-109, A RESOLUTION APPROPRIATING EXPENDITURES FOR SE 2ND WATER AND SEWER EXTENSION DESIGN, AND CORRECTING THE RESOLUTION TO REFLECT THE CORRECT TOTAL OF \$12,000 FOR LINE 030-087-19315.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Resolution #2019-110: A Resolution in Support of HB2456 Allowing for Residential Rural Housing Development

Adam Brown, City Manager, presented.

JUSTUS moved, CRUME seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2019-110, A RESOLUTION IN SUPPORT OF HOUSE BILL 2456 ALLOWING FOR RESIDENTIAL RURAL HOUSING DEVELOPMENT IN EASTERN OREGON.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Cap and Trade

Riley Hill, Mayor, presented.

CRUME moved, RODRIGUEZ seconded, **TO DIRECT STAFF TO WRITE A LETTER STATING THE COUNCIL'S OPPOSITION TO CAP AND TRADE, AND ASKING THE STATE TO ALLOW THE BOARDER BOARD A FIVE YEAR EXTENSION TO STUDY THE IMPACTS OF THE CAP AND TRADE IN THIS AREA.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

PUBLIC HEARING(S)**Ordinance #2749-2019: Annex and Rezone 2819 SW 4th Avenue (H Bar H Properties) Tax Lot 3800, Map 18S4705C, on First Reading by Title Only**

It being the date advertised for public hearing on the matter of Ordinance #2749-2019, 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 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 REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO, AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM UGA COMMERCIAL (UGA-C) TO CITY GENERAL COMMERCIAL (C-2), AS SET FORTH IN ACTION 2018-10-17AZ AND REMOVING THE LANDS FROM THE RURAL ROAD DISTRICT AND THE RURAL FIRE DISTRICT BE APPROVED BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS IN THIS REPORT AND THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, BRADEN seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2749-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 2819 SW 4TH AVENUE, FROM UGA COMMERCIAL (UGA-C) TO CITY GENERAL COMMERCIAL (C-2), ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, PALOMO seconded, **TO WAIVE THE SECOND READING OF ORDINANCE #2749-2019.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Ordinance #2750-2019: Annex and Rezone 716 SE 13th Street (Snake River Ventures, LLC) Tax Lot 1101, Map 18S4711BC, on First Reading by Title Only

It being the date advertised for public hearing on the matter of Ordinance #2750-2019, 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 Hearing was opened for public testimony. Opponents: None. Proponents: Charles Oakes stated he was the attorney of record for the applicant and would answer any questions from the Council. There being no further Proponent and no Opponent testimony, the Hearing was closed.

CRUME moved, BRADEN 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 INDUSTRIAL (UGA-I-2) TO CITY HEAVY INDUSTRIAL (I-2), AS SET FORTH IN ACTION 2018-10-19AZ 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 THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, JUSTUS seconded, **TO ALLOW THE INSTALLATION OF A FIRE HYDRANT BE INCLUDED IN THE DEFERRED DEVELOPMENT AGREEMENT, TO COINCIDE WITH THE STREET IMPROVEMENTS, FOR A PERIOD NOT TO EXCEED FOUR YEARS.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2750-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 716 SE 13TH STREET, FROM UGA INDUSTRIAL (UGA-1-2) TO CITY HEAVY INDUSTRIAL (I-2) ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Ordinance #2751-2019: Annex and Rezone 1987 NW 11th Street (HEVN, LLC) Tax Lot 3001, Map 17S4733C, on First Reading by Title Only

It being the date advertised for public hearing on the matter of Ordinance #2751-2019, 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 Hearing was opened for public testimony. Opponents: None. Proponents: Charles Oakes stated he was the attorney of record for the applicant and would answer any questions from the Council. There being no further Proponent and no Opponent testimony, the Hearing was closed.

CRUME moved, seconded by JUSTUS, **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 INDUSTRIAL (UGA-I) TO CITY LIGHT INDUSTRIAL (I-1), AS SET FORTH IN ACTION 2018-11-20AZ, BE APPROVED BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS IN THE REPORT AND THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

CRUME moved, JUSTUS seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2751-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 1987 NW 11TH STREET, FROM UGA INDUSTRIAL (UGA-I) TO CITY LIGHT INDUSTRIAL (I-1), ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

Ordinance #2752-2019: Annex and Rezone a Parcel Located at the NW Corner of SE 5th Avenue and SE 10th Street, (H2MK, LLC) Tax Lots 1200, 1300, 1301, 1302, 1303, 1305 and 1310, Map 18S4710D1, on First Reading by Title Only

It being the date advertised for public hearing on the matter of Ordinance #2752-2019, 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 Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

HILL moved, CRUME 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 GENERAL COMMERCIAL (UGA-C2) TO CITY GENERAL HEAVY COMMERCIAL (C-2H), AS SET FORTH IN ACTION 2018-12-21AZ, BE APPROVED BY THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS, AND CONCLUSIONS IN THIS REPORT AND THIS MEETING.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

PALOMO moved, CRUME seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2752-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT THE NW CORNER OF SE 5TH AVENUE AND SE 10TH STREET, FROM UGA GENERAL COMMERCIAL (UGA-C2) TO CITY GENERAL HEAVY COMMERCIAL (C-2H), ON FIRST READING BY TITLE ONLY.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-out; Braden-yes; Hill-yes. Motion carried 6/0/1.

HAND-OUTS/DISCUSSION ITEMS

Check Register: January 1 – February 14, 2019 (Attached)

Mayor Hill had questions on three checks: \$5,000 to Dorsey Music; \$23,812 to Oster Professional Group; and \$949,445 to Milliman, Inc.

Ms. Ott stated the \$5,000 was a Façade Grant; the \$23,812 was the monthly payment for Oster's contract; and the \$949,445 was the payment for PERS.

Agenda Prep Calendar – 3rd Councilor (Attached)

Land Lease – Museum

Dan Beaubien, Airport Manager, presented. (Attached)

Grass Runway Irrigation System

Dan Beaubien, Airport Manager, presented. The area was 2,826 feet long, 90 feet wide, and equipment and labor had been donated for making the area usable as an alternate runway. 600 pounds of grass had been donated, but the area needed an irrigation system. Bids had been obtained, and it would be approximately \$18,000. He had identified a fund which currently had \$16,512 in it, and the Airport Committee hoped to use that money to purchase the irrigation parts.

CORRESPONDENCE/COMMENTS

Mayor Hill encouraged the Council to hold either a public hearing or to take public comments on the business registration issue. They should take public input.

ADJOURN

CRUME moved, PALOMO seconded, **THAT THE MEETING BE ADJOURNED.** Unanimous voice vote to adjourn.

ACCEPTED:

ATTEST

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
CONSENT AGENDA
March 19, 2019**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: DELINQUENT UTILITY BILLING ACCOUNTS TO COLLECTIONS

DATE: March 11, 2019

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 \$8,209.44 of utility billing accounts to write off with \$11,954.07 to be sent to collections (including four months interest). They are all over 120 days past due.

ANALYSIS:

- A. **FINANCIAL** There is \$8,209.44 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** Staff 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. UTILITY BILLING ACCOUNTS TO SEND TO COLLECTIONS

ACCOUNT	NAME	DATE FINALED	TOTAL DUE	COLLECTIONS	
009884-001	JESSICA JONES M/R	7/18/2018	\$ 39.10	\$ 58.81	
010017-001	LARRY SCOGGINS*	9/19/2018	\$ 251.64	\$ 340.03	DECEASED
010815-003	HILDA AGUILAR\$@	7/3/2018	\$ 74.06	\$ 104.66	
012173-000	JENNIFER LOPEZ M/R	10/1/2018	\$ 285.45	\$ 385.24	
013117-000	VICTOR SOLORIO M/R	7/18/2018	\$ 80.70	\$ 121.42	
013162-000	SHAWN / SAMANTHA ALANIS / COULTER	10/16/2018	\$ 302.22	\$ 396.21	
013690-000	BILLY TUCKER M/R	6/20/2018	\$ 17.31	\$ 26.04	
014045-000	PEDRO GOMEZ * M/R	7/3/2018	\$ 138.08	\$ 199.21	
014052-000	LEONARDA OROZCO	5/23/2018	\$ 309.42	\$ 465.50	
014212-000	BRADEN LEARNED M/R	9/20/2018	\$ 181.53	\$ 244.74	
014270-000	ERIC ROGGE	9/11/2018	\$ 120.96	\$ 175.22	
013203-000	WORLD FITNESS LLC * M/R	7/18/2018	\$ 362.07	\$ 544.71	
000104-000	ERNIE'S MOTOR & PUMPS M/R	6/20/2018	\$ 101.02	\$ 151.98	
002871-004	CONNIE TRUNNELL	8/20/2018	\$ 98.65	\$ 148.41	
002916-000	MARIA LUNA	8/22/2018	\$ 143.68	\$ 216.17	
003243-000	EUGENIO LOPEZ	8/22/2018	\$ 91.87	\$ 138.22	
003492-000	PEARL LINDSEY	7/17/2018	\$ 138.97	\$ 199.53	
004180-000	LARRY ALTIZER M/R	5/23/2018	\$ 274.70	\$ 413.26	
004381-000	SAMUEL SANCHEZ JR.*	5/23/2018	\$ 62.96	\$ 94.72	
007023-000	DOROTHY STONE **	6/11/2018	\$ 100.80	\$ 145.86	
009059-000	MICHELLE CANTU	6/20/2018	\$ 144.97	\$ 218.09	
011392-000	BRANDI BASS	6/11/2018	\$ 57.98	\$ 87.22	
012475-000	YOLANDA GARCIA M/R	6/25/2018	\$ 116.30	\$ 174.96	
013376-003	JORDAN BRANDON M/R	5/31/2018	\$ 134.18	\$ 201.85	
013471-000	FELIPE MENDEZ M/R	6/20/2018	\$ 92.75	\$ 139.53	
013855-000	APRIL PROCK M/R	7/3/2018	\$ 152.19	\$ 218.91	
013945-000	ARRON / KIMBERLY COOLEY / BAYES	5/16/2018	\$ 130.30	\$ 182.49	
014729-000	KAREN & MICHAEL EKMAN	7/2/2018	\$ 239.76	\$ 354.80	
014740-000	LARON DANA M/R	3/21/2018	\$ 156.97	\$ 236.15	
014779-000	MATTHEW SHELL	7/2/2018	\$ 96.95	\$ 141.05	
014801-000	MATTHEW MULLINS M/R	6/20/2018	\$ 199.49	\$ 300.12	
014802-000	TERRY ANDREWS	6/12/2018	\$ 90.31	\$ 127.99	
014844-000	STEPHANIE BARKER	5/23/2018	\$ 99.93	\$ 150.34	
014885-000	WALTER CUMBIE M/R	7/18/2018	\$ 160.71	\$ 241.78	
013203-001	WORLD FITNESS LLC * M/R	7/18/2018	\$ 257.91	\$ 388.02	
010799-000	CARLETTE MACKLIN	7/3/2018	\$ 248.93	\$ 366.22	
011565-001	SUSIE LACELLE @RETAIL	5/23/2018	\$ 64.81	\$ 97.52	
013585-002	ASHLEY HOOD M/R	8/10/2018	\$ 148.04	\$ 209.17	
014395-001	BLANCA GARCIA	9/20/2018	\$ 237.25	\$ 323.52	
014400-000	JENNIFER CASSITY M/R	9/4/2018	\$ 148.00	\$ 219.85	
014409-000	TOBBY WHITE	8/22/2018	\$ 216.85	\$ 326.24	
014416-000	TOM WELCH	7/18/2018	\$ 136.33	\$ 205.11	
014526-000	ANDREW MARTINEZ	8/31/2018	\$ 154.76	\$ 232.84	
014646-000	LIBRADO JARAMILLO	9/4/2018	\$ 156.51	\$ 233.56	
014685-000	SUMMER CARR M/R	8/3/2018	\$ 333.90	\$ 493.15	
014686-000	JOSE VAZQUEZ	9/21/2018	\$ 253.89	\$ 342.97	
014725-000	DALIA ORTEGA	8/8/2018	\$ 41.26	\$ 58.55	
014818-000	JACOB STARR M/R	5/23/2018	\$ 166.29	\$ 250.18	
014825-000	FRANK RODRIGUEZ	9/11/2018	\$ 117.85	\$ 170.01	
014841-000	VICENTE GUTIERREZ JR.	8/22/2018	\$ 111.17	\$ 167.25	
014871-000	JOSHUA POEWLL M/R	9/28/2018	\$ 179.41	\$ 241.40	
014895-000	WILLIAM GOOD M/R	7/18/2018	\$ 188.30	\$ 283.29	
			\$ 8,209.44	\$ 11,954.07	



**AGENDA REPORT
CONSENT AGENDA
March 19, 2019**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer
Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2019-111: SUPPLEMENTAL BUDGET FOR GOLF CLUBHOUSE ADA COMPLIANCE PROJECT AND BID AWARD FOR PROJECT**

DATE: March 11, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION 2019-111: A SUPPLEMENTAL BUDGET APPROPRIATING EXPENDITURES FOR THE GOLF CLUBHOUSE ADA COMPLIANCE PROJECT.

I MOVE THE CITY COUNCIL AWARD THE CITY OF ONTARIO GOLF COURSE CLUBHOUSE IMPROVEMENTS PROJECT TO HOLCOMB CONSTRUCTION INC. FOR UP TO \$50,000.

SUMMARY:

Staff has secured a bid for the Golf Course Improvements and need City Council approval to award the project and approve funding. The project will upgrade the existing Golf Course facilities to ensure they meet ADA codes, as agreed to within the lease with Shadow Butte Enterprises.

A supplemental budget hearing was held at the council work session on March 7, 2019. There were no comments from the public.

BACKGROUND:

The existing Golf Course Clubhouse, which has not been in use for over five years, was recently leased to Shadow Butte Enterprises. The agreement required the city to upgrade the existing facilities to meet current ADA standards. The facility has multiple areas where it does not meet current ADA requirements, including restroom stall size, door widths, landing space, water fountain heights, sink heights, parking spaces, and others.

CURRENT SITUATION:

The project was estimated to be under \$100,000 so Public Works staff put the project out to

bid using an informal process, contacting only three contractors. Out of the three contacted companies only Brad Holcomb Construction, Inc., responded. Holcomb's bid was higher than anticipated. However, with a single bidder situation Public Works staff had the opportunity to negotiate the scope and project cost. During these negotiations, costs were reduced using a value engineering approach and utilizing the Public Works staff.

ANALYSIS:

- A. **FINANCIAL** Public Works staff are comfortable that the total final cost can be covered by a budget of up to \$50,000. By removing some scope of work from the contractor, the higher initial cost was successfully negotiated down to approximately \$46,000. Including a 10% contingency in the budget supports a \$50,000 budget request.

In order to modify the budget, a supplemental budget is required with a supplemental budget hearing.

- B. **TIMING** This is an urgent project due to the need to meet code requirements as agreed to with Lessee.
- C. **POLICY/LEGAL** The project was not originally budgeted so the City Council is required to award the bid.

Also, a supplemental budget approved by the City Council is required in order to expend the funds per ORS 294.

ALTERNATIVES:

1. Reject the bid, and Public Works staff will have to back out to bid or find an alternative method for completing the work. If the work is not completed in good faith, the city will be in breach of its agreement with the Lessee.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution 2019-111 and also approved the bid award to Holcomb Construction.

ATTACHMENTS:

1. Cover Bid ONLY
2. RES 2019-111_CC_GOLF COURSE ADA COMPLIANCE PROJECT_03 2019

Holcomb Construction Inc.

407 S 4th St.

Nyssa OR, 97913

Project: City of Ontario, Golf Course Clubhouse Improvements Project

Bid Amount: \$83,725.00 (Eighty-Three Thousand, Seven Hundred Twenty Five Dollars)

Holcomb Construction acknowledges that this project is over \$50,000 (Fifty Thousand Dollars), and BOLI prevailing wages are in affect.

Holcomb Construction is a resident bidder.

Holcomb Construction acknowledges addendum #1.

Brad Holcomb

541-823-2202

Holconst@yahoo.com





RESOLUTION 2019-111

A RESOLUTION APPROVING A SUPPLEMENTAL BUDGET APPROPRIATING EXPENDITURES FOR THE GOLF CLUBHOUSE ADA COMPLIANCE PROJECT

- WHEREAS,** The City of Ontario Golf Course Clubhouse was recently leased to Shadow Butte Enterprises; and
- WHEREAS,** The lease requires the City upgrade the existing Golf Course facilities to ensure that they meet American Disability Act codes; and
- WHEREAS,** The City desires to fund the improvements from funds that had been received from an option on the Stelling property in past years; and
- WHEREAS,** The City desires to modify the 2018-2019 Capital Project Fund and Airport Fund budgets to expend the funds.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2018-2019 budget:

Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
CAPITAL PROJECTS FUND – SPECIAL PROJECTS DEPARTMENT				
030-086-871000	Spec Project Contingency	\$431,987	(\$50,000)	\$381,987
030-086-827000	Transfers Out	\$ -	\$50,000	\$50,000
AIRPORT FUND				
120-006-712100	Capital Outlay	\$ -	\$50,000	\$50,000
120-000-458000	Transfers In	\$37,332	\$50,000	\$87,332

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the Common Council City Council of the City of Ontario this ____ day of _____, 2019, by the following vote:

AYES:

NAYES:

ABSENT:

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

Riley Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
OLD BUSINESS
March 19, 2019**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2019-112: A SUPPLEMENTAL BUDGET TO RECOGNIZE
ADDITIONAL REVENUE SOURCES AND APPROPRIATE EXPENDITURES FOR
SPLASH PAD CONSTRUCTION**

DATE: March 11, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2019-112: A SUPPLEMENTAL BUDGET TO RECOGNIZE ADDITIONAL REVENUE SOURCES AND APPROPRIATE EXPENDITURES FOR SPLASH PAD CONSTRUCTION.

I MOVE THE CITY COUNCIL APPROVE THE BID FROM WARRINGTON CONSTRUCTION FOR THE SPLASH PAD CONCRETE DECK FOR \$110,970.

SUMMARY:

The report discusses the following items:

- 1) Resolution 2019-112 which required a supplemental budget hearing.
A supplemental budget hearing was held at the Council work session on March 7, 2019, there were no comments from the public.
- 2) Concrete deck bid award for the Splash Pad to Warrington Construction

BACKGROUND:

In 2015, a passionate group of volunteers was created to revive the Ontario Aquatic Center, Friends of the Aquatic Center. Over time, they determined an outdoor splash pad was the most cost effective way to begin revitalizing the city's pool.

The City of Ontario committed several year's Transient Occupancy Tax (TOT) collections toward the project until it had sufficient funds to award the splash features to Anderson Poolworks in January of 2018. After the Council awarded the contract to Anderson Poolworks, the Friends of

the Aquatic Center began securing significant donations towards the remainder of the project. This past spring, the project was kicked off.

The City Parks Master Plan was approved in time for the city to apply for the State Local Government Grant Program. In the spring, the city applied for the grant and received funding for up to \$298,200 for restrooms and other splash pad elements, such as shade structures. The restroom portion of the project was bid previously and awarded to Holcomb Construction for \$154,720 after the State of Oregon officially announced the award of Grants in September of 2018.

The Site Work portion of the Splash Pad Project was bid separately from the restrooms. This part of the project ties together the bathroom piece with the pool features into one facility. Two bids were received. The low bid came from Warrington Construction for \$378,620. The bids were higher than expected.

After receiving the bids, city staff and JACOBS worked with the contractor to value engineer elements of the project. JACOBS worked with the engineer to reduce concrete fill amounts and concrete coloring by \$46,080. Staff was also able to reduce the scope by a donation of fill material to save approximately \$7,715. Another \$4,890 was saved by the contractor identifying different lights and drains. Included in the savings was a donation of steel rebar from Ontario Building Supply worth \$1,568.

At the November 27, 2018, City Council Meeting, the Council partially awarded the Warrington Construction bid for \$208,966.

CURRENT SITUATION:

There were additional donations for the Splash Pad received however, there is still a shortage in revenues. Timing is critical for this project and construction needs to be completed soon to open by the goal of June 1, 2019.

Funds need to be transferred and budgeted to be able to award the remainder of the contract to Warrington Construction so that the work can be finished.

Staff recommends the following:

- 1) Council approve the resolution 2019-112 to appropriate the funding which includes transferring the transient occupancy tax TOT originally allocated to the Parks Department of \$50,000 to the Aquatic Fund. Transfer \$40,000 from the water, sewer, and storm funds proportionally to cover connection costs and transfer the remaining \$70,301 from the General Fund (Contingency).

An alternative to using water, sewer, and storm fees is to transfer \$110,301 from the General Fund (Contingency).

2) After funding the remaining amount the council can then award the remaining bid of \$110,970 to Warrington Construction.

ANALYSIS:

- A. **FINANCIAL** The \$50,000 placed in the Parks was not appropriated to anything specifically by the budget committee or city council.

The cost of connections from the city water, sewer, and storm lines in total approximate to \$40,000. The new facility will use water, sewer and storm services. Costs will be recouped through fees over the life of the facility.

The remaining amount must come from the current year's funds. Sufficient money is already budgeted in the contingency account. At the council's discretion, the council can either use the contingency or repay the costs from the 2019-2020 TOT revenue. Considerations for committing next year's TOT revenue would be that we have the Treasure Valley Connector Trail that will need match money and we have the River Trail project that will need preliminary design funds. The TOT money being referred to is specifically targeted for Parks Recreation and other community enhancements.

Staff is looking for the Council to award the remaining contract to Warrington Construction for the concrete deck in the amount of \$110,970.

- B. **TIMING** The project timing is critical. The goal is to have the Splash Pad open by June 1, 2019. It is necessary for the council to make this award at this time to keep the project on schedule. The contractor would like to perform the concrete work in mid March. He has enough under his current award to begin, but not to finish the job.
- C. **POLICY/LEGAL** A supplemental budget approved the the City Council is required to expend the funds per ORS 294. Notice has been provided to the papers in compliance with Oregon Revised Statutes.

Only the City Council can award the bid and the bid cannot be awarded without Council approval.

ALTERNATIVES:

1) The City Council could transfer approximately \$40,000 from Water & Sewer Funds to pay for the water and sewer infrastructure and transfer \$70,970 from the General Fund. The up front cost of those improvements would be recovered from the user fees over time.

2) The City Council could transfer the entire \$110,970 balance from the General Fund using contingency balance.

3) The City Council could wait to receive additional revenues which would delay the project and the June 1, 2019, open date would be pushed back possibly until next year.

RECOMMENDATION:

Staff recommends that the City Council the version of Resolution #2019-112 that uses a combination of funds from the Parks; Water, Sewer, and Storm funds, and contingency.

Staff recommends approval of the remaining bid award for the concrete deck to Warrington Construction.

ATTACHMENTS:

1. Resolution 2019-112 Splash Pad Construction
2. Splash Pad bid sheet
3. Alternative Resolution 2019-112 Splash Pad Construction No Water & Sewer Funds
4. Pres_CC_Splash Pad Update_3 15 2019



RESOLUTION 2019-112

A RESOLUTION APPROVING A SUPPLEMENTAL BUDGET TO RECOGNIZE ADDITIONAL REVENUE SOURCES AND APPROPRIATE EXPENDITURES FOR SPLASH PAD CONSTRUCTION

- WHEREAS,** The City of Ontario received more donations than budgeted for the Splash Pad construction and would like to appropriate funding to complete construction; and
- WHEREAS,** The City of Ontario is working to finish splash pad construction as soon as possible in order to open this summer; and
- WHEREAS,** The City desires to fund the funding shortage from motel occupancy tax originally budgeted for the Parks department, General Fund Contingency and water and sewer funds for utility infrastructure; and
- WHEREAS,** The City desires to modify the 2018-2019 Aquatic and General Fund budgets to expend the funds.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2018-2019 budget:

Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Motel Occ Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Motel Occ Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$70,301	\$70,301
001-004-871000	Contingency	\$205,653	(\$120,301)	\$85,352
WATER FUND				
105-160-829000	Transfers Out	\$ -	\$20,000	\$20,000
105-160-871000	Contingency	\$1,360,394	(\$20,000)	\$1,340,394
SEWER FUND				
110-165-833200	Transfers Out	\$ -	\$20,000	\$20,000
110-165-871000	Contingency	\$2,230,725	(\$20,000)	\$2,210,725

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the Common Council City Council of the City of Ontario this ____ day of _____, 2019, by the following vote:

AYES:
NAYES:
ABSENT:

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

Riley Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder

Bid Item	Description	Unit	Approx QTY	Unit Price	Extended Total Amount	Approx QTY	Unit Price	Extended Total Amount
1	Reinforced Concrete Splash Pad (includes surface prep, fill, bedding, and fence post sleeves)	CY	85	467	\$ 39,695	85	467	\$ 39,695
2	Concrete Deck/Slab – Plain (includes surface prep, fill, bedding, and fence post sleeves)	CY	195	450	\$ 87,750	158	470	\$ 74,260
3	Concrete Deck/Slab - Pigmented (includes surface prep, fill, and bedding)	CY	110	630	\$ 69,300	73	502.88	\$ 36,710
4	Concrete Sidewalk	CY	10	1070	\$ 10,700	10	1070	\$ 10,700
5	3/4" Minus Crushed Aggregate Base (includes both 4" thick section under deck and 6" thick section under splash pad)	CY	420	24	\$ 10,080	420	24	\$ 10,080
6	6" Minus Aggregate Fill Material Sub-Base (12" thick) (includes all material, hauling, placement, and compaction to subbase elevation)	CY	1390	21	\$ 29,190	1390	15.45	\$ 21,476
6A	<i>Coordination with Anderson Pool Works – APW contract includes:</i> <i>- Excavation & trenching coordination for surge tank, manifold vault, and piping system</i> <i>- Assist in placement of vaults (direction only)</i> <i>- Core drill vaults for system piping</i> <i>- Link seal and grout all pipe</i> <i>- Waterproof surge tank</i> <i>- Install plumbing for splash pad, surge tank, and manifold vault</i>	LS	1	5000	\$ 5,000	1	5000	\$ 5,000

	General Contractor responsible for all other work to ensure site is to proper grade, trenches for system piping are excavated to appropriate depths and backfilled (except right at vaults or under the splashpad).							
7	Concrete Stairs (includes handrail)	LS	1	2500	\$ 2,500	1	2500	\$ 2,500
8	4" Gravity Sewer Service (includes earthwork)	LF	40	30	\$ 1,200	40	30	\$ 1,200
9	1" Potable Water Service (includes earthwork, cap, and marker)	LF	40	30	\$ 1,200	40	30	\$ 1,200
10	10" Storm Drain Culvert – SDR 35 (includes earthwork, concrete outlet pad, and rodent screens)	LF	115	40	\$ 4,600	115	40	\$ 4,600
11	6" Storm Sewer Pipe and Appurtenances	LF	200	32	\$ 6,400	200	32	\$ 6,400
12	8" Storm Sewer Pipe and Appurtenances	LF	155	35	\$ 5,425	155	35	\$ 5,425
13	Clean Out Fixture	EA	2	1000	\$ 2,000	2	1000	\$ 2,000
14	Stainless Steel Drain Fixture Epoxy Coated Cast Drains	EA	6	500	\$ 3,000	6	100	\$ 600
15	Storm Sewer Manhole	EA	3	2500	\$ 7,500	3	2500	\$ 7,500
16	Landscaping Boulders (to be donated, hauled, and placed)	EA	7 0	-----	-----	7 0	-----	-----

17	Landscaping (finish grading, weed barrier, bark-mulch, lawn seeding, placement of landscape rock)	LS	1	2000	\$ 2,000	1	2000	\$ 2,000
18	Pole Mounted Luminaires	EA	6	4500	\$ 27,000	6	4085	\$ 24,510
18A	Wall Mounted Luminaires	EA	2	1000	\$ 2,000	2	1000	\$ 2,000
19	Underground Power Services (includes conduit and wires)	LF	1,220	14	\$ 17,080	1,220	14	\$ 17,080
20	Erosion & Sediment Control	LS	1	5000	\$ 5,000	1	5000	\$ 5,000
21	Construction Traffic Control	LS	1	5000	\$ 5,000	1	5000	\$ 5,000
22	Mobilization	LS	1	35000	\$ 35,000	1	35000	\$ 35,000
TOTAL BID AMOUNT					\$ 378,620			\$ 319,936

\$ 2,000

\$ 5,000

\$ 326,936

\$ 51,684



RESOLUTION 2019-112

A RESOLUTION APPROVING A SUPPLEMENTAL BUDGET TO RECOGNIZE ADDITIONAL REVENUE SOURCES AND APPROPRIATE EXPENDITURES FOR SPLASH PAD CONSTRUCTION

- WHEREAS,** The City of Ontario received more donations than budgeted for the Splash Pad construction and would like to appropriate funding to complete construction; and
- WHEREAS,** The City of Ontario is working to finish splash pad construction as soon as possible in order to open this summer; and
- WHEREAS,** The City desires to fund the funding shortage from motel occupancy tax originally budgeted for the Parks department and also General Fund contingency balance; and
- WHEREAS,** The City desires to modify the 2018-2019 Aquatic and General Fund budgets to expend the funds.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2018-2019 budget:

Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Motel Occ Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Motel Occ Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the Common Council City Council of the City of Ontario this ____ day of _____, 2019, by the following vote:

AYES:

NAYES:

ABSENT:

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

Riley Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



SPLASH PAD UPDATE

Presentation

March 7, 2019



Expenditure Budget

▶ Splash Pad - Anderson Poolworks	\$262,516
▶ Site Work (Warrington)	\$326,936
▶ Bath and Shade	\$298,200
▶ Miscellaneous	\$13,282







Splash Pad Update



Either - \$110,301 GF Contingency

Or - \$70,301 GF & \$40,000 from
Water and Wastewater

\$110,301



General Fund

2019 Transient Occupancy Tax \$50,000
(TOT) from the Parks Dept.

Aquatic Park Budget Transfers

Transfer 2019 TOT

budgeted for operations \$50,000

Add'l Cash Donations \$134,228

Fund Balance Carryover \$2,900

Total \$187,128



Project
Budget
Line

REVENUES

Previous Budget: \$513,305

New Budget: \$854,934



Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Transient Occ. Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Transient Occ. Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

$\$50,000 + \$110,301 = \$160,301$ (Reducing Contingency)

Options

- #1 \$70,301 Fund Balance & \$40,000 Water, Sewer Connection
- #2 \$110,301 Contingency , no pay back (taking out of carryover)
- #3 \$110,301 Contingency pay back with 2020 TOT



Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Transient Occ. Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Transient Occ. Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

Total Cash Budget
\$854,934



Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Transient Occ. Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Transient Occ. Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

Budgeted 2019 Transient
Occupancy Tax
\$100,000

Operations
\$50,000

Parks \$50,000
(No specific
designation)



Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Transient Occ. Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Transient Occ. Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

Additional Cash Donations
\$134,228



Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Transient Occ. Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613800	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Transient Occ. Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

Transfer In
\$110,301
Budget Shortage



Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Transient Occ. Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Transient Occ. Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

Additional Cost of the Site Work
\$341,629



Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-417100	Transient Occ. Tax – Aquatic	\$50,000	\$50,000	\$100,000
125-000-456100	Grants & Donations	\$309,613	\$134,228	\$443,841
125-000-458000	Transfers In	\$25,814	\$110,301	\$136,115
125-000-406000	Available Cash on Hand	\$187,878	(\$2,900)	\$184,978
125-008-613600	Splash Pad Operations	\$50,000	(\$50,000)	\$ -
125-008-714120	Site Improvements	\$513,305	\$341,629	\$854,934
GENERAL FUND				
001-000-417200	Transient Occ. Tax – Parks	\$50,000	(\$50,000)	\$ -
001-004-832200	Transfer to Aquatic Fund	\$ -	\$110,301	\$110,301
001-004-871000	Contingency	\$205,653	(\$160,301)	\$45,352

Out of GF \$110,301
 Into Aquatic Fund \$110,301
 \$0

Transfer out of General Fund
 to the Aquatic Fund
 \$110,301



**AGENDA REPORT
OLD BUSINESS
March 19, 2019**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2750-2019: AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE NW 1/4 SW 1/4 SW 1/4 NW 1/4 SECTION 11, TOWNSHIP 18 SOUTH RANGE 47 EAST, W.M. KNOWN AS TAX LOT 1101 MAP 18S4711BC; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302, ON SECOND AND FINAL READING BY TITLE ONLY**

DATE: March 13, 2019

PROPOSED MOTION:

1. I MOVE THAT THE CITY COUNCIL ADOPT ORDINANCE #2750-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 716 SE 13TH STREET, FROM UGA INDUSTRIAL (UGA I-2) TO CITY HEAVY INDUSTRIAL (I-2), ON SECOND AND FINAL READING BY TITLE ONLY.

SUMMARY:

The applicant owns a parcel of land, known as 18S4711BC, Tax Lot 1101. The applicants wish to annex and rezone the property into the city for further development of the property and connect to city services. This application, if approved, will result in the annexation of 0.54 plus the right of way for SE 13th Street of land into the city and a rezone of the property from Urban Growth Area Industrial (UGA I-2) to City Heavy Industrial (I-2).

BACKGROUND:

This request for annexation and rezone needs a recommendation for approval or rejection from the Planning Commission to the City Council. The Ontario Municipal Code (OMC) designates the Planning Commission as the decision making body for a request for rezone, without City Council participation. The OMC designates the City Council as the decision making body for a request for annexation, without Planning Commission participation. State Law requires an ordinance be adopted by the local governing body to accomplish a rezone. The city's governing body is the City Council, and they are the only body that may adopt an ordinance; therefore, a request for rezone should go before the Council for a final decision.

Staff feels that the best procedure is consistency with state law; therefore, this matter needs a recommendation from the Planning Commission, and then will be forwarded to the City Council for their decision.

CURRENT SITUATION:

The proposed development must 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 is found to be consistent with the Zoning Ordinance it is 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 effected 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 effected 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 (see

applicant's narrative) 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.
- b. The subject properties are currently zoned UGA Industrial (I-2) and the request is to rezone to the companion City I-2 (Heavy Industrial) 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. That being said, the applicant is wanting to improve the property and there is a need for improving and redeveloping this area as the applicant wishes to do.
- e. The subject property is adequate in size and shape for the proposed use to be rezoned from UGA Industrial to City I-2 Heavy Industrial.
- f. The property owner of tax lot 1101 proposes future development and is requesting annexation and rezoning for timely redevelopment of the property in the near future. City Water and Sewer is available adjacent to the property on the west in SE 13th Street and sewer and water services are extended to this property. Applicant will connect existing building to these services. City fire and police services will be available upon annexation for the property. Additional right of way for SE 13th Street will be a requirement of this annexation process and will be granted to the City prior to final approval of the Annexation order. City streets, including curb, gutter, sidewalks and public utilities will be deferred under a Deferred Improvement Agreement (DIA) being recorded prior to or concurrent with final approval of this action **for a term not to exceed 4 years**. This will give the applicant time to work with other property owners north of these lands to get a street design done that will work with all the properties.

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. Requirements in the OMC applicable to uses in the commercial zone will ensure that impacts from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land are minimized.

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 by annexing the right of way of SE 13th Street along the Industrial lands to City Industrial lands.
3. The property is currently zoned for Industrial use in the Urban Growth Area; the

requested zone, City Heavy Industrial (I-2), 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 potentially developable industrial 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.

ANALYSIS:

- A. **FINANCIAL** Annexation will benefit the city by increased tax revenue and utility services from a piece of property that has already had the benefits of city services due to its location adjacent to the city.
- B. **TIMING** The applicant is in the process of wanting to remodel the existing structure and improve the site to city standards, and have started the demolition process in the building. Once the City Council approves this action they can pull their structural building permit from the city and not have to pull a county permit.
- C. **POLICY/LEGAL** The quasi-judicial Zoning Map amendment procedures are 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 shall be in conformity with the land use goals of the state. The decision of the Planning Commission shall be the final decision of the city unless an appeal is filed as authorized by this Title. (LANGUAGE IN 10B-10-05 SUPERSEDES THIS LANGUAGE) WHICH IS: 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.

ALTERNATIVES:

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

RECOMMENDATION:

On February 11, 2019, the Planning Commission made a motion to recommend to the City County they approve this request for Annexation and Rezone with the following conditions:

1. The approval of the annexation and rezone granted herein is valid for a period of one year from the date the decision of the Council is final; that final decision date shall be the date of expiration of the 21-day period for appeal to LUBA as required by Oregon Revised Statute and as noted in the Notice of Decision for this request.
2. The owner of the property dedicated to the City of Ontario the required additional 10 feet of right of way along SE 13th Street for 30 feet of right of way adjacent to the west of this property as measured from the sectional line/centerline of the street.
3. The owner shall sign a Deferred Improvement Agreement (DIA) to defer street improvements to **not exceed 4 years** and cause it to be recorded prior to the final recording of the Ordinance authorizing the Annexation and rezoning.
4. The existing buildings shall be connected to City sewer and water service.
5. The owner will sign a lien causing any unpaid Utility bill to be a lien against the property

ATTACHMENTS:

1. Ord #2750-2019



ORDINANCE #2750-2019

AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE NW1/4SW1/4SW1/4NW1/4 SECTION 11, TOWNSHIP 18 SOUTH RANGE 47 EAST, W.M.; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302.

- WHEREAS,** There has been submitted to the City of Ontario a written request for annexation and rezoning to the City signed by 100% of the owners of land within the affected territory to be annexed; and
- WHEREAS,** All of the owners of land in that territory have consented in writing to the annexation of their land in the territory and have filed a statement of their consent with the legislative body of the City; and
- WHEREAS,** The City Charter does not expressly require the City to submit a proposal of annexation of territory to the electors of the City; and
- WHEREAS,** All the owners have requested the lands to be rezoned from UGA Industrial (UGA I-2) to City Heavy Industrial (I-2); and
- WHEREAS,** The City desires to withdraw the land to be annexed from the ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302, pursuant to ORS 222.120(5) and has received assent from the Districts to do so;

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. Annexation Area. The following contiguous territory be and the same is hereby annexed: The property legally described and mapped in the attached Exhibits "A" and "B" respectively.
2. Rezoning. That based on the Planning Commission findings and recommendation the lands as shown and described in the attached Exhibits "A" and "B" be rezoned from UGA Industrial (UGA I-2) to City Heavy Industrial (I-2).
3. Withdrawing above described area from Ontario Rural Fire Protection District 7-302. The Common Council of the City of Ontario deems it in the best interest of the public of the City of Ontario and hereby declares that the real property described hereinabove is withdrawn from the Ontario Rural fire Protection District No. 7-302 on the effective date of this annexation pursuant to ORS 222.120(5).
4. Record. The City Planner shall submit to the Oregon Secretary of State (1) a copy of this Ordinance, (2) a copy of the statement of consent of the landowner in the territory annexed; and (3) Shall send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City within 10 days of the effective date of annexation to the Malheur County Assessor, Malheur County Clerk and the State Department of Revenue.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2019 by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this _____ day of _____, 2019.

ATTEST:

Riley Hill, Mayor

Tori Barnett, MMC, City Recorder

Exhibit "A"
Property Description for Annexation/Rezone
City Action No. 2018-10-19AZ

Land in Malheur County, Oregon:

In Twp. 18 S., R. 47 E., W.M.:

Sec. 11: A parcel of land in the NW1/4SW1/4SW1/4NW1/4 described as follows:

Beginning at the Northwest corner of the NW1/4SW1/4SW1/4NW1/4;

thence South, along the West boundary thereof, 110;

thence East 230 feet;

thence North, parallel with the West boundary, 110 feet, to the North line of the NW1/4SW1/4SW1/4NW1/4;

thence West along the North line, 230 feet to the Point of Beginning.

TOGETHER WITH The westerly right of way of SE 13th Street more particularly described as follows:.

Beginning at the Northwest corner of the NW1/4SW1/4SW1/4NW1/4;

thence South, along the West boundary thereof, 110;

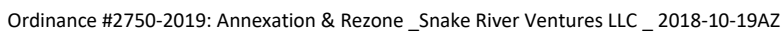
thence West 20 feet;

thence North, 501.23 feet, more or less, to a point on the existing City limits;

thence East along the existing City limits, 20 feet to the centerline of SE 13th Street;

thence South along said centerline 391.23 feet, more or less, to the Point of Beginning.

Subject property





**AGENDA REPORT
OLD BUSINESS
March 19, 2019**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2751-2019: AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE SW1/4 SECTION 33, TOWNSHIP 17 SOUTH RANGE 47 EAST, W.M. KNOWN AS TAX LOT 3001 MAP 17S4733C, ON SECOND AND FINAL READING BY TITLE ONLY**

DATE: March 13, 2019

PROPOSED MOTION:

1. I MOVE THAT THE CITY COUNCIL ADOPT ORDINANCE #2751-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT 1987 NW 11TH STREET, FROM UGA INDUSTRIAL (UGA I) TO CITY LIGHT INDUSTRIAL (I-1), ON SECOND AND FINAL READING BY TITLE ONLY.

SUMMARY:

The applicant owns a parcel of land, known as 17S4733C, Tax Lot 3001. The applicants wish to annex and rezone the property into the city for further development of the property and to connect to city Sanitary Sewer and Water as they further develop the property to its fullest potential. This application, if approved, will result in the annexation of 1.01 acres plus the right of way for NW 20th Avenue, into the city and a rezone of the property from Urban Growth Area Industrial (UGA I-1) to City Light Industrial (I-1).

BACKGROUND:

This request for annexation and rezone needs a recommendation for approval or rejection from the Planning Commission to the City Council. The Ontario Municipal Code (OMC) designates the Planning Commission as the decision making body for a request for rezone, without City Council participation. The OMC designates the City Council as the decision making body for a request for annexation, without Planning Commission participation. State Law requires an ordinance be adopted by the local governing body to accomplish a rezone. The City's governing body is the City Council, and they are the only body that may adopt an ordinance; therefore, a request for rezone should go before the Council for a final decision.

Staff feels that the best procedure is consistency with state law; therefore, this matter needs a recommendation from the Planning Commission, and then will be forwarded to the City Council for their decision.

CURRENT SITUATION:

The proposed development must 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 is found to be consistent with the Zoning Ordinance it is 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 effected 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 effected 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 (see applicant's narrative) 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.
- b. The subject properties are currently zoned UGA Industrial (I-1) and the request is to rezone to the companion City I-1 (Light Industrial) 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. That being said, the applicant wants to improve the property and there is a need for improving and redeveloping this area as the applicant wishes to do. Also in this area the majority of the lands within the City limits zoned Light Industrial is already developed therefor creating a need for more Light Industrial lands with the City limits
- e. The subject property is adequate in size and shape for the proposed use to be rezoned from UGA Industrial to City I-2 Heavy Industrial.
- f. The property owner of tax lot 3001 proposes future development and is requesting annexation and rezoning for timely redevelopment of the property in the near future. City Water is within 150 feet of the site and Sewer is available 400 feet from the site and the main lines will be extended at time of building permits and development of the property other than agricultural use with no buildings. Applicant will connect existing building to these services or remove the existing structure if the main lines are not extended. City fire and police services will be available upon annexation for the property. Additional right of way for NW 20th Avenue will be a requirement of this annexation process and will be granted to the City prior to final approval of the Annexation order. City streets, including curb, gutter, sidewalks and public utilities will be constructed at time of building permits being issued. Agricultural use with no buildings will not require the construction of the City services.
- 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.

Requirements in the OMC applicable to uses in the commercial zone will ensure that impacts from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land are minimized.

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 along its east boundary.
3. The property is currently zoned for Industrial use in the Urban Growth Area; the requested zone, City Light Industrial (I-1), 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 potentially developable industrial 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.

ANALYSIS:

- A. **FINANCIAL** Annexation will benefit the city by increased tax revenue and utility services.
- B. **TIMING** The Applicant is in the process of cleaning up the property and needs the annexation to be able to develop the property to its best and highest use. Applicant needs the annexation done in a timely manner.
- C. **POLICY/LEGAL** The quasi-judicial Zoning Map amendment procedures are 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 shall be in conformity with the land use goals of the state. The decision of the Planning Commission shall be the final decision of the city unless an appeal is filed as authorized by this Title. (LANGUAGE IN10B-10-05 SUPERSEDES THIS LANGUAGE) WHICH IS: 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.

ALTERNATIVES:

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

RECOMMENDATION:

On February 11, 2019 the Planning Commission made a motion to recommend to the City County they approve this request for Annexation and rezone with the following conditions:

1. The approval of the annexation and rezone granted herein is valid for a period of one year from the date the decision of the Council is final; that final decision date shall be the date of expiration of the 21-day period for appeal to LUBA as required by Oregon Revised Statute and as noted in the Notice of Decision for this request.
2. The owner of the property dedicated to the City of Ontario the required additional

17.50 feet of right of way along NW 20th Avenue for 30 feet of right of way (60 feet both sides) adjacent to the north of this property, as well as right of way for NW 12th Street to be determined.

3. The owner shall extend all city services and construction NW 20th Avenue to city standards upon any building permit requested or continuing use of existing buildings.
4. The existing buildings shall be connected to city sewer and water service or removed from the property prior to recording of the final ordinance approving annexation.
5. The owner will sign a lien causing any unpaid utility bill to be a lien against the property

ATTACHMENTS:

1. Ord #2751-2019



ORDINANCE #2751-2019

AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE SW1/4 SECTION 33, TOWNSHIP 17 SOUTH RANGE 47 EAST, W.M.

- WHEREAS,** There has been submitted to the City of Ontario a written request for annexation and rezoning to the City signed by 100% of the owners of land within the affected territory to be annexed; and
- WHEREAS,** All of the owners of land in that territory have consented in writing to the annexation of their land in the territory and have filed a statement of their consent with the legislative body of the City; and
- WHEREAS,** The City Charter does not expressly require the City to submit a proposal of annexation of territory to the electors of the City; and
- WHEREAS,** All the owners have requested the lands to be rezoned from UGA Industrial (UGA I-1) to City Light Industrial (I-1); and

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. Annexation Area. The following contiguous territory be and the same is hereby annexed: The property legally described and mapped in the attached Exhibits "A" and "B" respectively.
2. Rezoning. That based on the Planning Commission findings and recommendation the lands as shown and described in the attached Exhibits "A" and "B" be rezoned from UGA Industrial (UGA I-1) to City Light Industrial (I-1).
3. Record. The City Planner shall submit to the Oregon Secretary of State (1) a copy of this Ordinance, (2) a copy of the statement of consent of the landowner in the territory annexed; and (3) Shall send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City within 10 days of the effective date of annexation to the Malheur County Assessor, Malheur County Clerk and the State Department of Revenue.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2019 by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this _____ day of _____, 2019.

ATTEST:

Riley Hill, Mayor

Tori Barnett, MMC, City Recorder

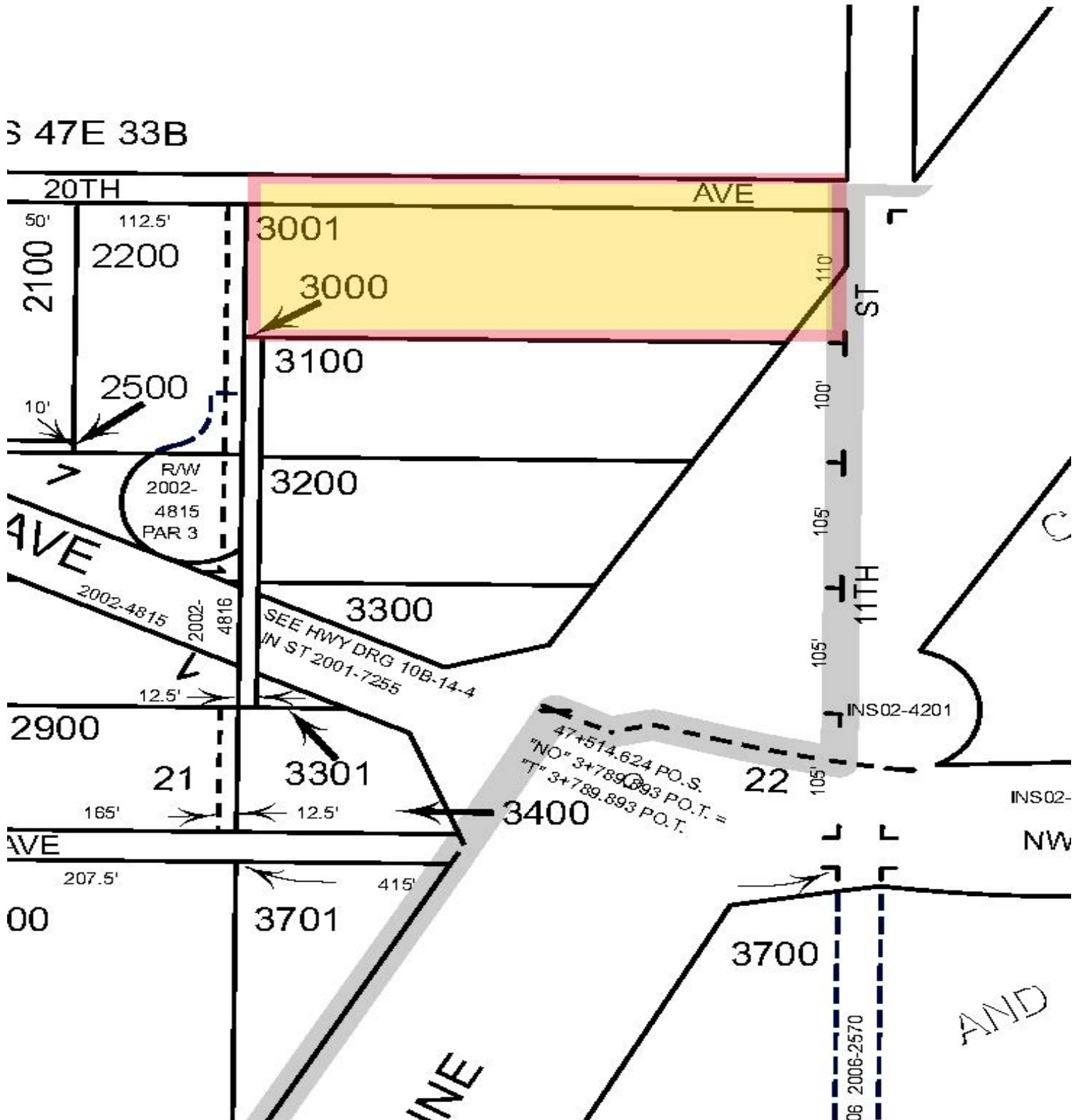
Exhibit “A”
Property Description for Annexation/Rezone
City Action No. 2018-11-20AZ

Land in Oregon and Western Colonization Subdivision Second Addition in Section 33, Township 17 South Plat Range 47 East of the Willamette Meridian, Malheur County, Oregon, according to the Corrected Plat thereof, as follows:

In Block 5 : Lot 22,
EXCEPTING THEREFROM the South 415 feet.

TOGETHER WITH all that portion of the 25 feet wide Right of Way of NW 20th Avenue adjacent to the north line of said Lot 22 lying between Lot 16 and Lot 22 of said Block 5.

Exhibit "B"
Subject property





**AGENDA REPORT
OLD BUSINESS
March 19, 2019**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2752-2019: AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE NW1/4NE1/4 SECTION 10, TOWNSHIP 18 SOUTH RANGE 47 EAST, W.M. KNOWN AS TAX LOTS 1200, 1300, 1301, 1302, 1303, 1305, AND 1310 ON MAP 18S4710 D1, ON SECOND AND FINAL READING BY TITLE ONLY**

DATE: March 13, 2019

PROPOSED MOTION:

1. I MOVE THAT THE CITY COUNCIL ADOPT ORDINANCE #2752-2019, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF A PARCEL OF LAND BEING LOCATED AT THE NW CORNER OF SE 5TH AVENUE AND SE 10TH STREET, FROM UGA GENERAL COMMERCIAL (UGA C-2) TO CITY GENERAL HEAVY COMMERCIAL (C-2H), ON SECOND AND FINAL READING BY TITLE ONLY.

SUMMARY:

The applicant owns a parcel of land, known as 18S4710D1, Tax Lots 1200,1300,1301,1302,1303,1305 and 1310. The applicants wish to annex and rezone the property into the city to have the property ready for further development of the property to its fullest potential. This application, if approved, will result in the annexation of 16.1 acres, with right of way adjacent to the lands, into the city and a rezone of the property from Urban Growth Area Commercial (UGA-C2) to City General Heavy Commercial (C-2H).

BACKGROUND:

This request for annexation and rezone needs a recommendation for approval or rejection from the Planning Commission to the City Council. The Ontario Municipal Code (OMC) designates the Planning Commission as the decision making body for a request for rezone, without City Council participation. The OMC designates the City Council as the decision making body for a request for annexation, without Planning Commission participation. State law requires an ordinance be adopted by the local governing body to accomplish a rezone. The city's governing body is the City Council, and they are the only body that may adopt an

ordinance; therefore, a request for rezone should go before the Council for a final decision. Staff feels that the best procedure is consistency with state law; therefore, this matter needs a recommendation from the Planning Commission, and then will be forwarded to the City Council for their decision.

CURRENT SITUATION:

The proposed development must 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 is found to be consistent with the Zoning Ordinance it is 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 effected 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 effected 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 Commercial and is proposed to be rezoned to City C-2H General Heavy Commercial.
- b. The subject properties are currently zoned UGA Commercial and the request is to rezone to the companion City C-2H (General Heavy Commercial) Zone that is the same zone as adjacent to the South 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 commercially designated under the Comprehensive Plan so a commercial zone is the most appropriate for the property.
- e. The property exceeds the size requirements for commercial property, and is rectangular in shape and can easily meet any development large or small.
- f. The property owner is requesting annexation and rezoning to have the property ready for future development. All City main line exists in SE 5th Avenue and SE 10th Street. City fire and police services will be available upon annexation for the property. City streets, including curb, gutter are already developed along SE 10th Street and sidewalk will be developed along the portions being developed with a building permit and no addition right of way is required at this time. Paving exists along SE 5th Avenue and Curb, Gutter and sidewalk will be developed under a deferred development agreement.
- 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 commercial zone designations are no more likely to produce dust, noise, ect. than those under the UGA commercial 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 Commercial use in the Urban Growth Area; the requested zone, City General Heavy Commercial (C-2H), 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 Heavy Commercial 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.

ANALYSIS:

- A. **FINANCIAL** Annexation will benefit the city by increased tax revenue and utility services from a piece of property that has already had the benefits of city services due to its location adjacent to the city.
- B. **TIMING** The applicant is in the process of wanting to perform two partitions and a Conditional Use Permit and the annexation is key to getting these actions done in a timely manner.
- C. **POLICY/LEGAL** The quasi-judicial Zoning Map amendment procedures are 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 shall be in conformity with the land use goals of the state. The decision of the Planning Commission shall be the final decision of the city unless an appeal is filed as authorized by this Title. (LANGUAGE IN 10B-10-05 SUPERSEDES THIS LANGUAGE) WHICH IS: 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.

ALTERNATIVES:

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

RECOMMENDATION:

On February 11, 2019, the Planning Commission made a motion to recommend to the City County they approve this request for Annexation and Rezone with the following conditions:

- 1. The approval of the annexation and rezone granted herein is valid for a period of one year from the date the decision of the Council is final; that final decision date shall be the date of expiration of the 21-day period for appeal to LUBA as required by Oregon Revised Statute and as noted in the Notice of Decision for this request.
- 2. Any new development shall be connected to city sewer and water, along with any street improvements not in place along the development envelope established on the building site plan at the time of building permit.

3. The owner will sign a lien causing any unpaid Utility bill to be a lien against the property.

ATTACHMENTS:

1. Ord #2752-2019



ORDINANCE #2752-2019

AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE NW1/4NE1/4 SECTION 10, TOWNSHIP 18 SOUTH RANGE 47 EAST, W.M.

- WHEREAS,** There has been submitted to the City of Ontario a written request for annexation and rezoning to the City signed by 100% of the owners of land within the affected territory to be annexed; and
- WHEREAS,** All of the owners of land in that territory have consented in writing to the annexation of their land in the territory and have filed a statement of their consent with the legislative body of the City; and
- WHEREAS,** The City Charter does not expressly require the City to submit a proposal of annexation of territory to the electors of the City; and
- WHEREAS,** All the owners have requested the lands to be rezoned from UGA General Commercial (UGA C-2) to City General Heavy Commercial (C-2H); and

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. Annexation Area. The following contiguous territory be and the same is hereby annexed: The property legally described and mapped in the attached Exhibits "A" and "B" respectively.
2. Rezoning. That based on the Planning Commission findings and recommendation the lands as shown and described in the attached Exhibits "A" and "B" be rezoned from UGA General Commercial (UGA C-2) to City General Heavy Commercial (C-2H).
3. Record. The City Planner shall submit to the Oregon Secretary of State (1) a copy of this Ordinance, (2) a copy of the statement of consent of the landowner in the territory annexed; and (3) Shall send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City within 10 days of the effective date of annexation to the Malheur County Assessor, Malheur County Clerk and the State Department of Revenue.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2019 by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this _____ day of _____, 2019.

ATTEST:

Riley Hill, Mayor

Tori Barnett, MMC, City Recorder

Exhibit "A"
Property Description for Annexation/Rezone
City Action No. 2018-12-21AZ

Land in Malheur County, Oregon, as follows:

In the Northwest Quarter, Northeast Quarter of Section 10, Township 18 South, Range 47 East W.M.

BEGINNING at the Southeast corner of the NW1/4NE1/4 of Section 10, T.18S., R.47E., W.M.; thence along the east line of said NW1/4NE1/4, N00°11'15"W a distance of 953.13 feet, to a point on the existing City of Ontario, city limits boundary; thence along said city limits boundary N55°08'31"W a distance of 60.91 feet; thence leaving said city limits boundary N89°55'43"W a distance of 104.84 feet; thence N55°10'47"W a distance of 5.43 to a point on said city limits boundary; thence along said city limits boundary the following four calls
S00°13'20"E a distance of 207.22 feet;
thence S89°46'40"W a distance of 165.00 feet;
thence N00°13'20"W a distance of 204.97 feet;
thence N89°55'43"W a distance of 59.78 feet;
thence leaving said city limits boundary S00°12'06"E a distance of 88.54 feet;
thence S89°48'18"W a distance of 166.08 feet to a point on said city limits boundary; thence along said city limits boundary the following six calls
S00°11'15"E a distance of 239.78 feet;
thence N89°54'24"W a distance of 130.36 feet;
thence S00°07'48"E a distance of 222.06 feet;
thence S81°45'52"W a distance of 69.61 feet;
thence S00°07'48"E a distance of 67.38 feet;
thence N76°59'10"W a distance of 200.55 feet;
thence leaving said city limits boundary S13°00'10"W a distance of 382.79 feet; thence S00°08'12"W a distance of 30.00 feet more or less to a point on the south boundary of the NW1/4NE1/4; thence along said south boundary line of the NW1/4NE1/4, S89°51'48"E a distance of 1032.35 feet more or less to the **POINT OF BEGINNING**.

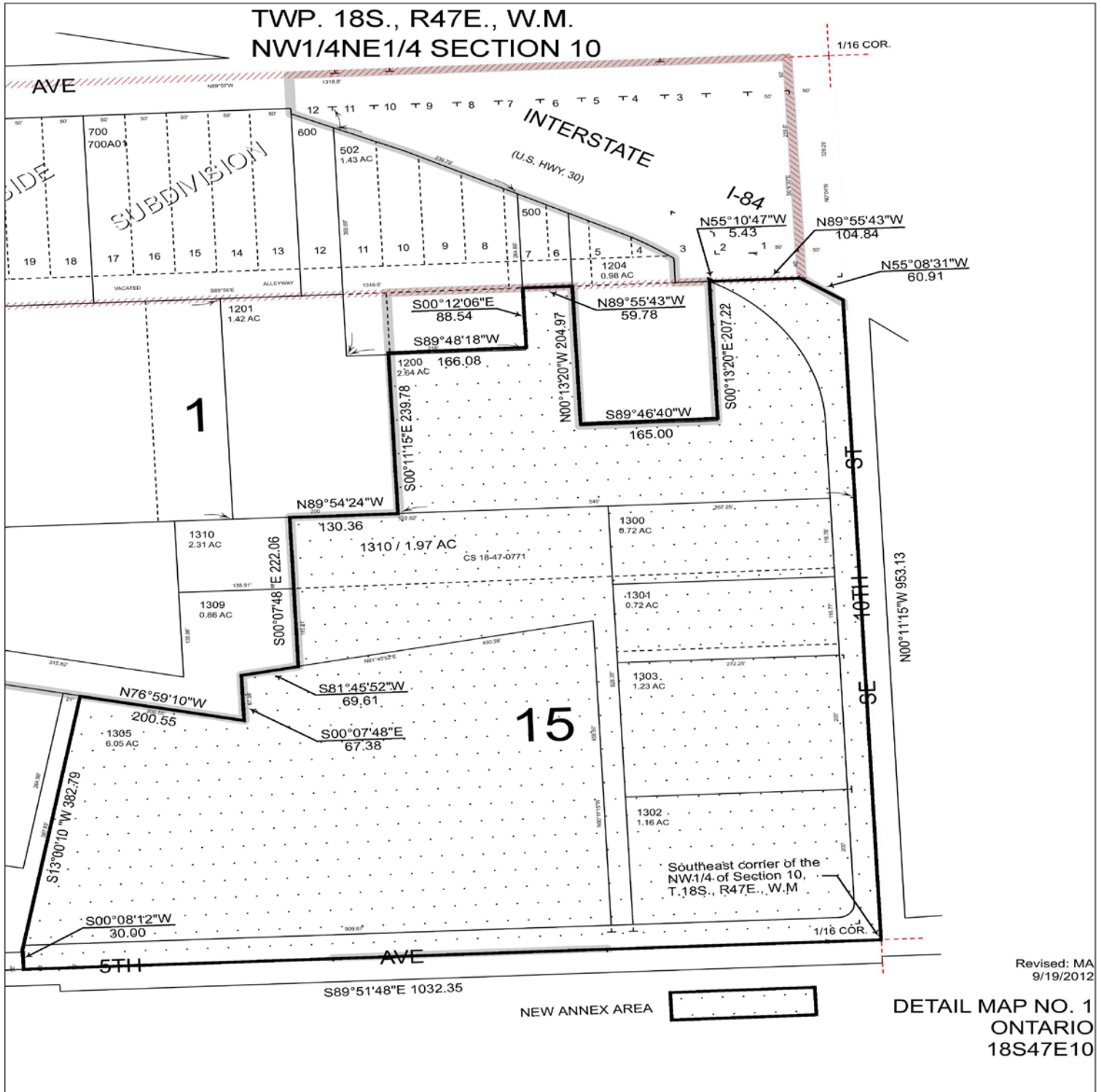
The above description is to include all property as described in deeds of records Instrument No's. 2005-6497, 2005-5948, 2005-6493, 2005-9444, 2006-2226 and all adjacent street right of way and easements associated with and connected to said parcels. Additionally it is to leave no gap or create no overlap were it runs with the existing city limits boundary. This annex description shall not prevent the minor adjusting of property lines to resolve a property boundary dispute, property line adjustments for land use purposes shall be made per land use regulations, which would also adjust the annexation line, leaving no gap or overlap.

Containing 16.1+/- Acres more or less

END OF DESCRIPTION

Exhibit "B"

Subject property





**AGENDA REPORT
NEW BUSINESS
March 19, 2019**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: HOUSING INCENTIVE PROGRAM - RYWEST HOMES

DATE: March 13, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION BY RYWEST HOMES FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.

SUMMARY:

The Business Loan Committee is the reviewing and recommending authority for the City of Ontario Business Loan Fund and as such the Committee is 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 is the final authority for approval of the applications. The City Manager, Finance Director and Community Development Director are responsible for insuring all requirements are met prior to payment of the approved application.

BACKGROUND:

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 with the city limits of Ontario.

CURRENT SITUATION:

Rywest Homes is requesting approval of their application for the \$10,000.00 Incentive on a new home to be located at TBD – Tax Parcel 18S4705C 504 being Parcel 2 of Partition Plat 2017-01. The proposed Dwelling will be 1789 Square feet with three (3) bathrooms and an 814 square foot, three (3) car garage. The application was deemed to be complete by the Community Development Director and meeting or exceeding the minimum requirements of Section 11 of the Business Loan Fund code and is being forwarded to the Committee for their review and recommendation. The application was then forwarded to the Business Loan Fund Committee for their review and recommendation. The Business Loan Fund Committee

recommended approval of the application.

ANALYSIS:

- A. **FINANCIAL** 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.
- B. **TIMING** Time is of the essence on this application as the applicant wants to pull a building permit and start construction as soon as they receive their approval.
- C. **POLICY/LEGAL** The Business Loan Fund Committee makes recommendations to the City Council. If the City Council approves the action, the City Manager will have the Agreement signed by all parties authorizing the Building Department to issue a permit under this Agreement.

ALTERNATIVES:

Table the Action: The City Council could table the request and request further information from the Applicant.

Deny the Action: The \$10,000 payment would not be made.

RECOMMENDATION:

Staff has reviewed the application for completeness and find it meeting or exceeding the minimum requirements. The Business Loan Fund Committee sent a favorable recommendation to the City Council and therefore the staff recommends that the City Council approve the Application by Rywest Homes in the amount of \$10,000.00.

ATTACHMENTS:

1. Housing Incentive_04-2019_Rywest_2-28-19



City of Ontario, Oregon Housing Incentive Program Checklist

Applicant: Rymer Homes Date: 2/22/19

Site Address or Tax Lot: TBD - 1854705C 504

Application Number: 04-2019 (City Use Only)

Application Information: (Applicant or Staff)

- ☒ Completed Application Signed & Dated: _____
- ☒ Documentation showing funding: Self
- ☒ Within City Limits
- ☐ In Urban Growth Boundary Annexation Application filed: _____
- ☒ Floor Plan or description describing minimum square footage:
 - 1. House Square footage: 1789 1555 1789 814
 - 2. Number of Baths: 2 814
 - 3. Size of Garage: 814 3 car 754 2 car
- ☒ Description of Property of Home:
 - 1. Tax Lot map & Number: attached
 - 2. Copy of Deed: Plot
 - 3. Or written description: _____
- ☒ Completed W-9 Taxpayer Form.

Actually 3 car
garage

Process Completed: (Staff Use Only below)

- ☒ PDAC (if Required) date Completed: N/A 2/28/19
- ☐ Community Development Director approval date: 2/28/19
- ☒ Forwarded to Business Loan Fund Committee: 2/28/19
- ☐ BLF Committee forwards recommendation to City Manager: _____
- ☐ City Council Approval or Denial: _____
- ☐ City Manager signs application signifying Council **Approval**: _____
- ☐ Application submitted to Finance for tracking: _____
- ☐ Certificate of Occupancy issued (within 2 yrs. of Council approval): _____
- ☐ Proof of Owner Occupancy (must be within 1 yr. of C of O): _____
- ☐ Payment made to Owner: _____

Project Closeout

Buyers Information

Buyer 1 (Name, First, Middle, Last)

Phone

Signature

Buyer 2 if Applicable (Name, First, Middle, Last)

Phone

Signature

Address

City

State, Zip Code

City of Ontario

First House Complete: Certificate of Occupancy Yes ☐ No ☐

Finance Director (Name, First, Middle Initial, Last)

Date

Signature

City Manager (Name, First, Middle Initial, Last)

Date

Signature

Record of Payment

Property Address

Finance Director

Payee

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made:

Date

Check Number

Property Address

Finance Director

Payee

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made:

Date

Check Number

Property Address

Finance Director

Payee

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made:

Date

Check Number

Property Address

Finance Director

Payee

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made:

Date

Check Number

Addendum attached if needed

SINGLE FAMILY GENERAL NOTES:

1. All work shall conform to the latest editions of the International Building Code, the International Residential Code, and the Uniform Building Code, as applicable. The engineer shall be responsible for obtaining all necessary permits and for the proper interpretation of the code. The contractor shall be responsible for obtaining all necessary permits and for the proper interpretation of the code.

2. The owner shall provide all necessary information and data for the engineer to prepare the plans. The owner shall be responsible for the accuracy of the information and data provided. The engineer shall be responsible for the accuracy of the plans prepared.

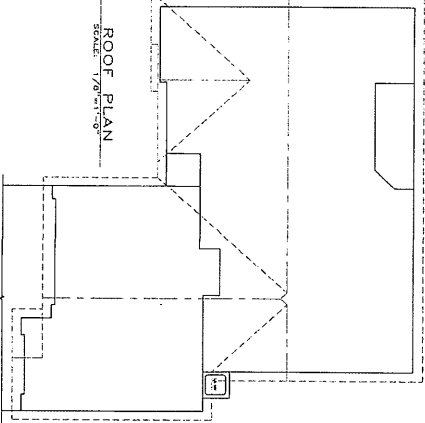
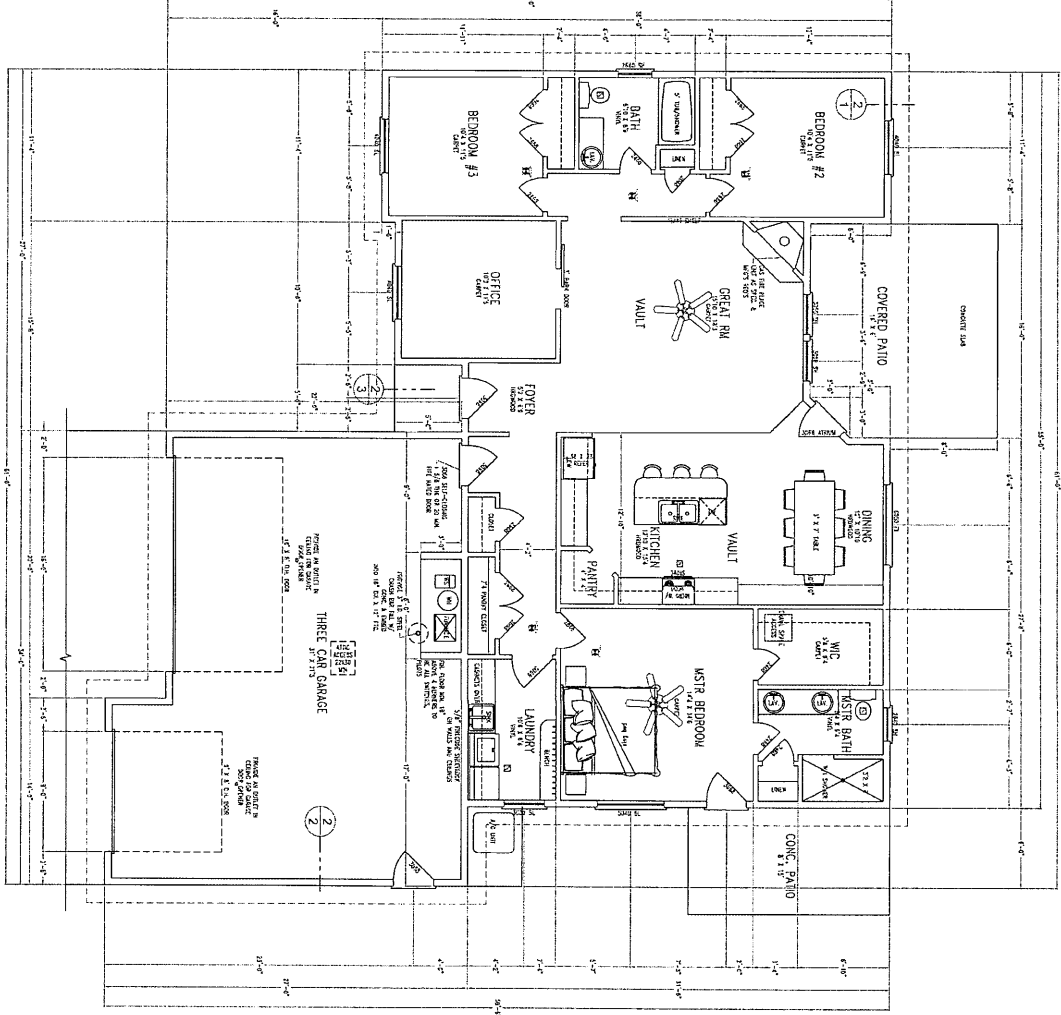
3. The contractor shall be responsible for the construction of the project in accordance with the plans and specifications. The contractor shall be responsible for the quality of the work and for the safety of the workers. The contractor shall be responsible for the completion of the project within the specified time and budget.

4. The engineer shall be responsible for the design of the project. The engineer shall be responsible for the accuracy of the plans and specifications. The engineer shall be responsible for the coordination of the project with the owner and the contractor.

5. The owner shall be responsible for the payment of the engineer's fee. The owner shall be responsible for the payment of the contractor's fee. The owner shall be responsible for the payment of all other costs associated with the project.

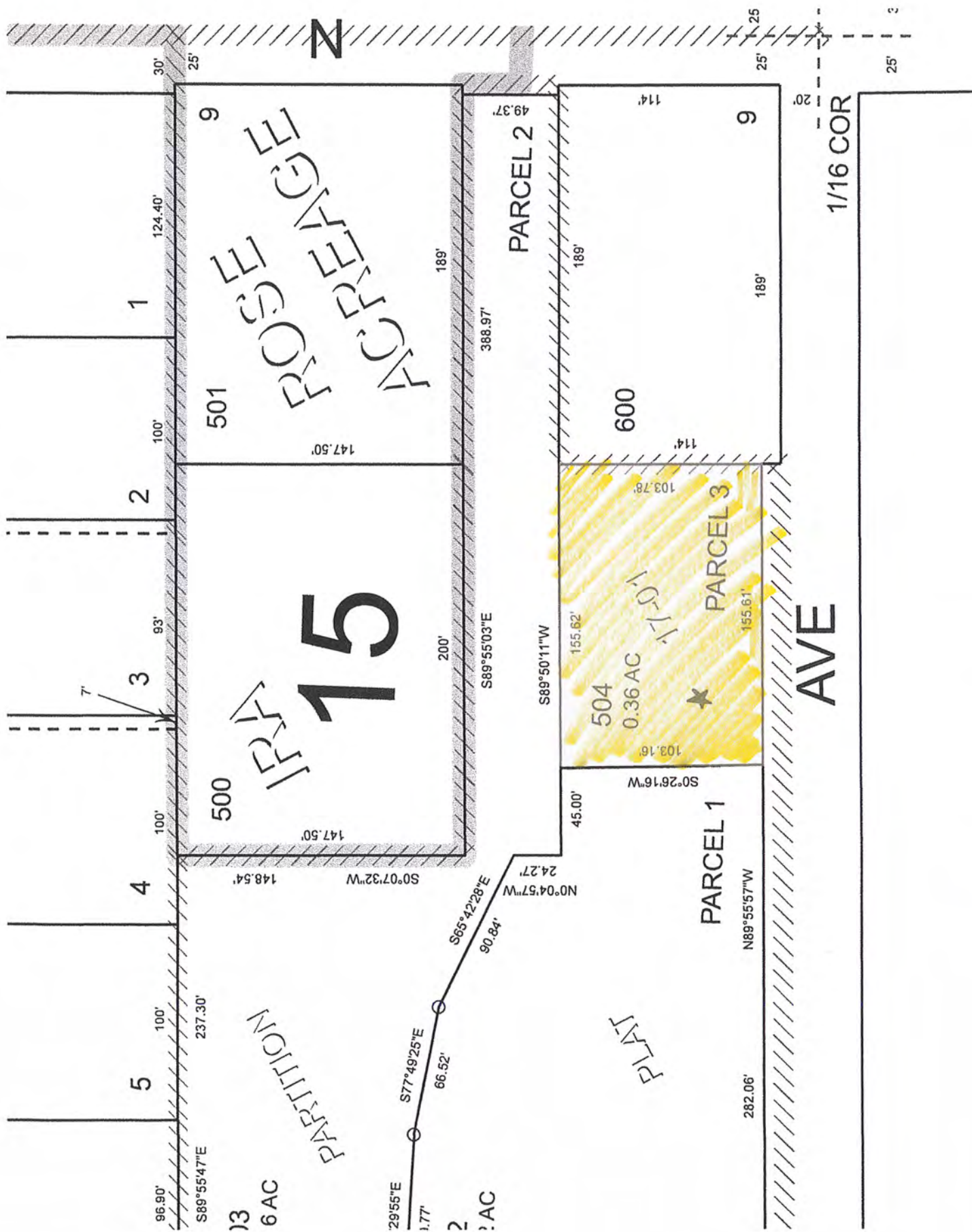
6. The engineer shall be responsible for the preparation of the plans and specifications. The engineer shall be responsible for the coordination of the project with the owner and the contractor. The engineer shall be responsible for the completion of the project within the specified time and budget.

7. The contractor shall be responsible for the construction of the project in accordance with the plans and specifications. The contractor shall be responsible for the quality of the work and for the safety of the workers. The contractor shall be responsible for the completion of the project within the specified time and budget.



NOTES:
1. SEE PLAN FOR DIMENSIONS.
2. SEE PLAN FOR FINISHES.
3. SEE PLAN FOR EQUIPMENT.
4. SEE PLAN FOR FIXTURES.
5. SEE PLAN FOR FURNITURE.
6. SEE PLAN FOR LIGHTING.
7. SEE PLAN FOR PLANTS.
8. SEE PLAN FOR PAINTS.
9. SEE PLAN FOR WALLPAPER.
10. SEE PLAN FOR CARPETING.

WARRANTY DISCLAIMER:
THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROJECT. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE QUALITY OF THE WORK. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE SAFETY OF THE WORKERS. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE COMPLETION OF THE PROJECT WITHIN THE SPECIFIED TIME AND BUDGET.





**AGENDA REPORT
NEW BUSINESS
March 19, 2019**

TO: Mayor and City Council
FROM: Kari Ott, Finance Director
THROUGH: Adam J. Brown, City Manager
SUBJECT: HOUSING INCENTIVE PROGRAM - MOLLAHAN

DATE: March 14, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION FROM BARBARA AND ANDREW MOLLAHAN FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.

SUMMARY:

The Business Loan Committee is the reviewing and recommending authority for the City of Ontario Business Loan Fund and as such the Committee is 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 is the final authority for approval of the applications. The City Manager, Finance Director and Community Development Director are responsible for insuring all requirements are met prior to payment of the approved application.

BACKGROUND:

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 with the city limits of Ontario.

CURRENT SITUATION:

Mr. and Mrs. Mollahan are requesting approval of their application for the \$10,000.00 Incentive on a new home to be located at 935 Reiter Drive being Lot 13 of Sage Ridge Place Subdivision. The proposed Dwelling will be 2,226 Square feet with two and half (2½) bathrooms and a 631 square foot, two (2) car garage. The application was deemed to be complete by the Community Development Director and meeting or exceeding the minimum

requirements of Section 11 of the Business Loan Fund code and was forwarded to the Business Loan Fund Committee for their review and recommendation. The Business Loan Fund Committee recommended approval of the application.

ANALYSIS:

- A. **FINANCIAL** 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.
- B. **TIMING** Time is of the essence on this application as the applicant wants to pull a building permit and start construction as soon as they receive their approval.
- C. **POLICY/LEGAL** The Business Loan Fund Committee makes recommendations to the City Council. If the City Council approves the action, the City Manager will have the Agreement signed by all parties authorizing the Building Department to issue a permit under this Agreement.

ALTERNATIVES:

Table the Action: The City Council could table the request and request further information from the Applicant.

Deny the Action: The \$10,000 payment would not be made.

RECOMMENDATION:

Staff has reviewed the application for completeness and find it meeting or exceeding the minimum requirements. The Business Loan Fund Committee sent a favorable recommendation to the City Council and therefore the staff recommends that the City Council approve the Application by Rywest Homes in the amount of \$10,000.00.

ATTACHMENTS:

1. Housing Incentive_03-2019_Mollahan_2-25-19



City of Ontario, Oregon Housing Incentive Program Checklist

Applicant: Barbara + Andrew Mollahan Date: 2/25/19

Site Address or Tax Lot: 935 Reiter Dr Ontario, OR 97914

Application Number: 03-2019 (City Use Only)

Application Information: (Applicant or Staff)

- ☒ Completed Application Signed & Dated: See W-9
- ☒ Documentation showing funding: WASHINGTON Federal
- ☒ Within City Limits
- ☒ In Urban Growth Boundary Annexation Application filed: N/A
- ☒ Floor Plan or description describing minimum square footage:
 - 1. House Square footage: 2,226
 - 2. Number of Baths: 2.5
 - 3. Size of Garage: 631
- ☒ Description of Property of Home:
 - 1. Tax Lot map & Number: 1608 + 184704
 - 2. Copy of Deed: 2018-2117
 - 3. Or written description: Sage Ridge Place Subdivision Lot 13
- ☒ Completed W-9 Taxpayer Form.

Process Completed: (Staff Use Only below)

- ☒ PDAC (if Required) date Completed: N/A Dan Cummings
- ☒ Community Development Director approval date: Dan Cummings 2/25/19
- ☒ Forwarded to Business Loan Fund Committee: Dan Cummings 2/25/19
- ☐ BLF Committee forwards recommendation to City Manager: _____
- ☐ City Council Approval or Denial: _____
- ☐ City Manager signs application signifying Council **Approval**: _____
- ☐ Application submitted to Finance for tracking: _____
- ☐ Certificate of Occupancy issued (within 2 yrs. of Council approval): _____
- ☐ Proof of Owner Occupancy (must be within 1 yr. of C of O): _____
- ☐ Payment made to Owner: _____

Return to: Dan K Cummings, Community Development Director, 458 SW 3rd Street, Ontario, OR 97914
541-881-3222 – dan.cummings@ontariooregon.org

Project Closeout

Buyers Information

Buyer 1 (Name, First, Middle, Last) BARBARA ANDREW MOLLER Phone 541-913-6446 Signature See W-9

Buyer 2 if Applicable (Name, First, Middle, Last) _____ Phone _____ Signature _____
Address 935 REITER DR City ONTARIO State, Zip Code OR 97914

City of Ontario

First House Complete: Certificate of Occupancy Yes ☐ No ☐

Finance Director (Name, First, Middle Initial, Last) _____ Date _____ Signature _____

City Manager (Name, First, Middle Initial, Last) _____ Date _____ Signature _____

Record of Payment

Property Address _____ Finance Director _____ Payee _____

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made: _____
Date _____ Check Number _____

Property Address _____ Finance Director _____ Payee _____

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made: _____
Date _____ Check Number _____

Property Address _____ Finance Director _____ Payee _____

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made: _____
Date _____ Check Number _____

Property Address _____ Finance Director _____ Payee _____

Attached Documentation Needed: Certificate of Occupancy Yes ☐ No ☐

Payment Made: _____
Date _____ Check Number _____

Addendum attached if needed



City of Ontario, Oregon

Housing Incentive Program Builder Agreement

1. Eligibility: Contractors or persons acting as their own contractor are eligible for the Housing Incentive Program so far as they meet the requirements set by state and local building code.
2. Incentive Offer:
 - A. A qualified project will be eligible for a \$10,000 incentive payment at the time the Certificate of Occupancy (C of O) is Issued.
 - B. The home must be a single family home and owner occupied.
 - C. The home must be new construction and over 1,600 square feet of living space in size, or 1,350 square feet if it has a two garage and two bathrooms.
 - D. The home must be completed within 24 months of the application approval.
 - E. The home must be in the city limits of Ontario or annexed into the city prior to payment of incentive monies.
 - F. The home project must not be receiving any other governmental funding or subsidy (federal or state loan guarantees or tax credits are excluded).
3. General: This program is valid for contractors or owners using contractors that are licensed and in good standing with the state builders association and who are licensed, bonded, and insured. Amounts are reserved on a first come first-served basis. Incentive amounts are reserved for each project at the time an incentive application is approved and executed. Incentive amounts are returned to the general pool if the project is disqualified or not completed by the completion date, or the completion date is not extended by the City Manager.
4. Compliance-
 - A. Sufficient proof must be provided to ensure that the home meets the minimum requirements eligible for the incentive program.
 - B. All projects are expected to comply with federal, state, and local codes. If the home is not owner occupied within a year of certificate of occupancy, then 50% of the funds must be returned to the City of Ontario.
5. Payments of the \$10,000 building incentive are to be made within 30 days after certificate of occupancy is issued.

✓ _____ Owner/Contractor/Builder Initials

BARBARA A. MOLLAHAN

Legal Company Name or Owner/Builder

127 SW 19th ST.

Company Address

N/A

Contractor License Number

1

Number of homes proposed to be built in this agreement

Phone

ONTARIO

City

Yes ☐ No ☐

Licensed to Build in Oregon

Fax

OR

State

97914

Zip Code

Federal Tax ID Number

N/A

Payee Company Name (if contractor)

Payee First Name

Payee Last Name

Mailing Address

City

State

Zip Code

Email

Phone

Federal Tax ID Number

SEB W-9

Contractor/Builder Signature

2/25/19

Date

Community Development Director Signature

Date

City Manager Signature

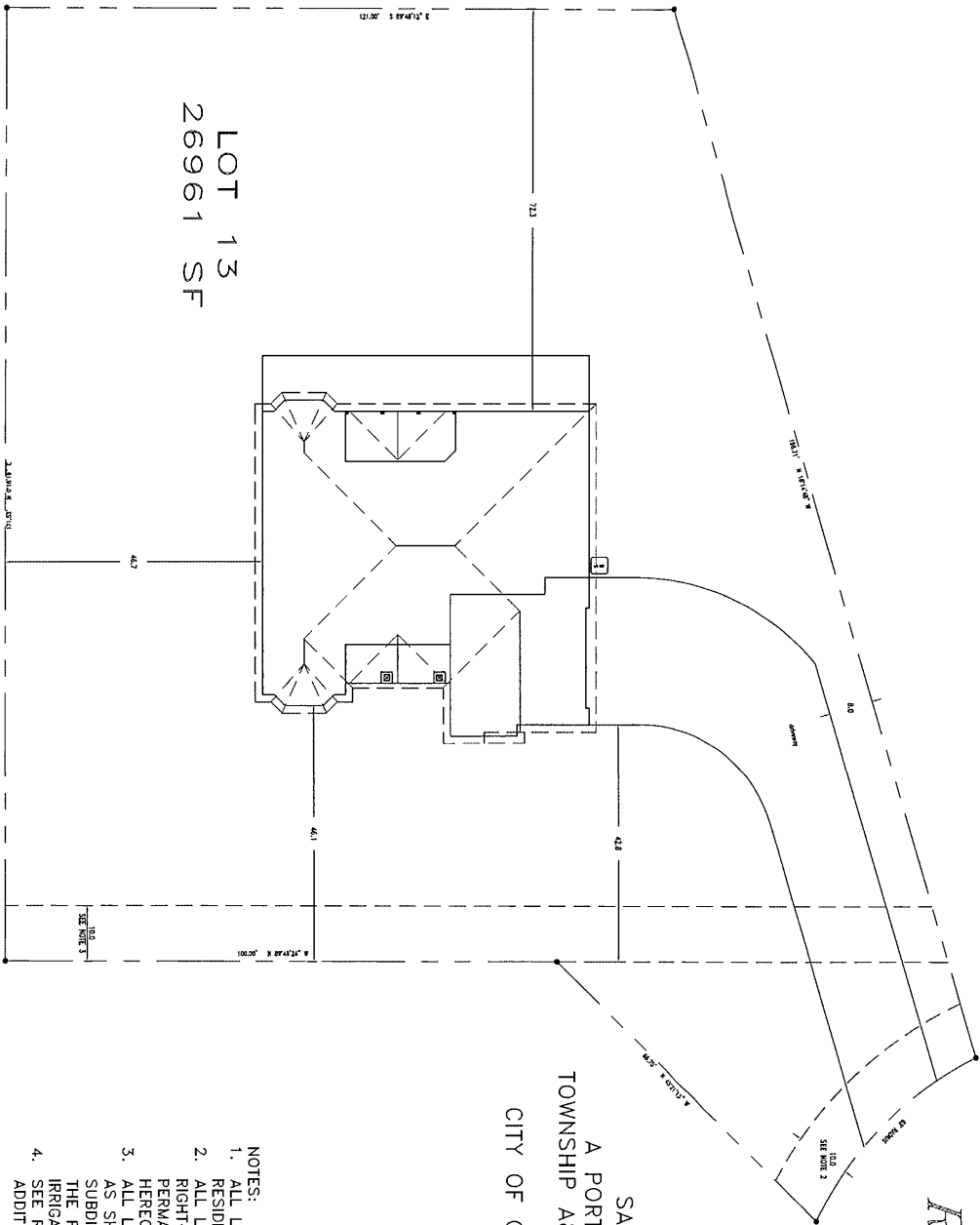
Date

Business Loan Fund Chair Signature

Date

Copy of Contractor License due on Initiation of Agreement

RETTOR DRIVE



SAGE RIDGE PLACE SUBDIVISION
A PORTION OF THE NW $\frac{1}{4}$ OF SECTION 4
TOWNSHIP A8 SOUTH, RANGE 47 EAST, WILLAMETTE
MERIDIAN
CITY OF ONTARIO, MALHEUR COUNTY, OREGON
LOT 13



- NOTES:
1. ALL LOTS IN THIS SUBDIVISION ARE SINGLE-FAMILY RESIDENTIAL LOTS
 2. ALL LOT LINES COMMON TO THE PUBLIC RIGHT-OF-WAY HAVE A TEN FOOT (10') WIDE PERMANENT PUBLIC UTILITY EASEMENT AS SHOWN HEREON.
 3. ALL LOTS ARE SUBJECT TO AN IRRIGATION EASEMENT AS SHOWN HEREON IN FAVOR OF SAGE RIDGE PLACE SUBDIVISION AND HOMEOWNER'S ASSOCIATION FOR THE PURPOSE OF ACCESSING AND MAINTAINING THE IRRIGATION SYSTEM.
 4. SEE RECORD OF SURVEY NO. 18-47-0906 FOR ADDITION BOUNDARY INFORMATION.

PLOT PLAN

ANDY & BARB MOLLAHAN
127 SW 17TH ST. SUITE 200
PORTLAND, OR 97204
541-206-3716

DRAWN BY:

DATE: 11-21-2010

Kathy Brittingham - K-CAD, Inc.
Computer Aided Drafting Services
Ontario, OR 97014 - Phone: (541)889-3539



1

Just diagrams can usually be coded on the Macintosh. Please contact K&C-AD, Inc. if a modification to the plans is requested or required. After local governing agencies require engineering calculations or require seal of a Licensed Architect or Engineer on the construction drawings, that responsibility and fee is assumed by the client. K&C-AD, Inc. does not assume responsibility for its application in the field. The contractor must check and verify all dimensions and conditions on different drawings and in the field before proceeding with construction. Contractor is provided of necessary temporary support for walls and floors during application of vertical and lateral load systems.

DESIGN LOADS 25 Psf
Floor live loads

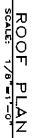
[illegible][illegible][illegible][illegible]

2226 SQ. FT. MAIN
631 SQ. FT. GARAGE



ONE STORY STRUCTURE
24" SHEAR WALL PANEL
NTS

STRUCTURAL INTERMEDIATE
PORTAL FRAME PANEL
NTS



ANDY
127

NOTES:
ENERGY PATH

PLEASE RETURN TO # 1113

1. ☐ YES 2. ☐ NO 3. ☐ NO 4. ☐ NO 5. ☐ NO 6. ☐ NO 7. ☐ NO 8. ☐ NO 9. ☐ NO 10. ☐ NO 11. ☐ NO 12. ☐ NO 13. ☐ NO 14. ☐ NO 15. ☐ NO 16. ☐ NO 17. ☐ NO 18. ☐ NO 19. ☐ NO 20. ☐ NO 21. ☐ NO 22. ☐ NO 23. ☐ NO 24. ☐ NO 25. ☐ NO 26. ☐ NO 27. ☐ NO 28. ☐ NO 29. ☐ NO 30. ☐ NO 31. ☐ NO 32. ☐ NO 33. ☐ NO 34. ☐ NO 35. ☐ NO 36. ☐ NO 37. ☐ NO 38. ☐ NO 39. ☐ NO 40. ☐ NO 41. ☐ NO 42. ☐ NO 43. ☐ NO 44. ☐ NO 45. ☐ NO 46. ☐ NO 47. ☐ NO 48. ☐ NO 49. ☐ NO 50. ☐ NO 51. ☐ NO 52. ☐ NO 53. ☐ NO 54. ☐ NO 55. ☐ NO 56. ☐ NO 57. ☐ NO 58. ☐ NO 59. ☐ NO 60. ☐ NO 61. ☐ NO 62. ☐ NO 63. ☐ NO 64. ☐ NO 65. ☐ NO 66. ☐ NO 67. ☐ NO 68. ☐ NO 69. ☐ NO 70. ☐ NO 71. ☐ NO 72. ☐ NO 73. ☐ NO 74. ☐ NO 75. ☐ NO 76. ☐ NO 77. ☐ NO 78. ☐ NO 79. ☐ NO 80. ☐ NO 81. ☐ NO 82. ☐ NO 83. ☐ NO 84. ☐ NO 85. ☐ NO 86. ☐ NO 87. ☐ NO 88. ☐ NO 89. ☐ NO 90. ☐ NO 91. ☐ NO 92. ☐ NO 93. ☐ NO 94. ☐ NO 95. ☐ NO 96. ☐ NO 97. ☐ NO 98. ☐ NO 99. ☐ NO 100. ☐ NO 101. ☐ NO 102. ☐ NO 103. ☐ NO 104. ☐ NO 105. ☐ NO 106. ☐ NO 107. ☐ NO 108. ☐ NO 109. ☐ NO 110. ☐ NO 111. ☐ NO 112. ☐ NO 113. ☐ NO 114. ☐ NO 115. ☐ NO 116. ☐ NO 117. ☐ NO 118. ☐ NO 119. ☐ NO 120. ☐ NO 121. ☐ NO 122. ☐ NO 123. ☐ NO 124. ☐ NO 125. ☐ NO 126. ☐ NO 127. ☐ NO 128. ☐ NO 129. ☐ NO 130. ☐ NO 131. ☐ NO 132. ☐ NO 133. ☐ NO 134. ☐ NO 135. ☐ NO 136. ☐ NO 137. ☐ NO 138. ☐ NO 139. ☐ NO 140. ☐ NO 141. ☐ NO 142. ☐ NO 143. ☐ NO 144. ☐ NO 145. ☐ NO 146. ☐ NO 147. ☐ NO 148. ☐ NO 149. ☐ NO 150. ☐ NO 151. ☐ NO 152. ☐ NO 153. ☐ NO 154. ☐ NO 155. ☐ NO 156. ☐ NO 157. ☐ NO 158. ☐ NO 159. ☐ NO 160. ☐ NO 161. ☐ NO 162. ☐ NO 163. ☐ NO 164. ☐ NO 165. ☐ NO 166. ☐ NO 167. ☐ NO 168. ☐ NO 169. ☐ NO 170. ☐ NO 171. ☐ NO 172. ☐ NO 173. ☐ NO 174. ☐ NO 175. ☐ NO 176. ☐ NO 177. ☐ NO 178. ☐ NO 179. ☐ NO 180. ☐ NO 181. ☐ NO 182. ☐ NO 183. ☐ NO 184. ☐ NO 185. ☐ NO 186. ☐ NO 187. ☐ NO 188. ☐ NO 189. ☐ NO 190. ☐ NO 191. ☐ NO 192. ☐ NO 193. ☐ NO 194. ☐ NO 195. ☐ NO 196. ☐ NO 197. ☐ NO 198. ☐ NO 199. ☐ NO 200. ☐ NO 201. ☐ NO 202. ☐ NO 203. ☐ NO 204. ☐ NO 205. ☐ NO 206. ☐ NO 207. ☐ NO 208. ☐ NO 209. ☐ NO 210. ☐ NO 211. ☐ NO 212. ☐ NO 213. ☐ NO 214. ☐ NO 215. ☐ NO 216. ☐ NO 217. ☐ NO 218. ☐ NO 219. ☐ NO 220. ☐ NO 221. ☐ NO 222. ☐ NO 223. ☐ NO 224. ☐ NO 225. ☐ NO 226. ☐ NO 227. ☐ NO 228. ☐ NO 229. ☐ NO 230. ☐ NO 231. ☐ NO 232. ☐ NO 233. ☐ NO 234. ☐ NO 235. ☐ NO 236. ☐ NO 237. ☐ NO 238. ☐ NO 239. ☐ NO 240. ☐ NO 241. ☐ NO 242. ☐ NO 243. ☐ NO 244. ☐ NO 245. ☐ NO 246. ☐ NO 247. ☐ NO 248. ☐ NO 249. ☐ NO 250. ☐ NO 251. ☐ NO 252. ☐ NO 253. ☐ NO 254. ☐ NO 255. ☐ NO 256. ☐ NO 257. ☐ NO 258. ☐ NO 259. ☐ NO 260. ☐ NO 261. ☐ NO 262. ☐ NO 263. ☐ NO 264. ☐ NO 265. ☐ NO 266. ☐ NO 267. ☐ NO 268. ☐ NO 269. ☐ NO 270. ☐ NO 271. ☐ NO 272. ☐ NO 273. ☐ NO 274. ☐ NO 275. ☐ NO 276. ☐ NO 277. ☐ NO 278. ☐ NO 279. ☐ NO 280. ☐ NO 281. ☐ NO 282. ☐ NO 283. ☐ NO 284. ☐ NO 285. ☐ NO 286. ☐ NO 287. ☐ NO 288. ☐ NO 289. ☐ NO 290. ☐ NO 291. ☐ NO 292. ☐ NO 293. ☐ NO 294. ☐ NO 295. ☐ NO 296. ☐ NO 297. ☐ NO 298. ☐ NO 299. ☐ NO 300. ☐ NO 301. ☐ NO 302. ☐ NO 303. ☐ NO 304. ☐ NO 305. ☐ NO 306. ☐ NO 307. ☐ NO 308. ☐ NO 309. ☐ NO 310. ☐ NO 311. ☐ NO 312. ☐ NO 313. ☐ NO 314. ☐ NO 315. ☐ NO 316. ☐ NO 317. ☐ NO 318. ☐ NO 319. ☐ NO 320. ☐ NO 321. ☐ NO 322. ☐ NO 323. ☐ NO 324. ☐ NO 325. ☐ NO 326. ☐ NO 327. ☐ NO 328. ☐ NO 329. ☐ NO 330. ☐ NO 331. ☐ NO 332. ☐ NO 333. ☐ NO 334. ☐ NO 335. ☐ NO 336. ☐ NO 337. ☐ NO 338. ☐ NO 339. ☐ NO 340. ☐ NO 341. ☐ NO 342. ☐ NO 343. ☐ NO 344. ☐ NO 345. ☐ NO 346. ☐ NO 347. ☐ NO 348

WARRANTY DISCLAIMER

THESE DRAWINGS AND SPECIFICATIONS ARE PREPARED BY THE ARCHITECT FOR THE PURPOSES OF OBTAINING PERMITS AND FOR THE CONSTRUCTION OF THE PROJECT. THE ARCHITECT DOES NOT WARRANT OR REPRESENT THAT THE PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THESE DRAWINGS AND SPECIFICATIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN OF THE PROJECT. THE ARCHITECT DOES NOT WARRANT OR REPRESENT THAT THE PROJECT WILL BE CONSTRUCTED IN ACCORDANCE WITH THESE DRAWINGS AND SPECIFICATIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN OF THE PROJECT.

BAY WINDOW DETAIL

SCALE: 1/4" = 1'-0"

3 PORCH DETAIL

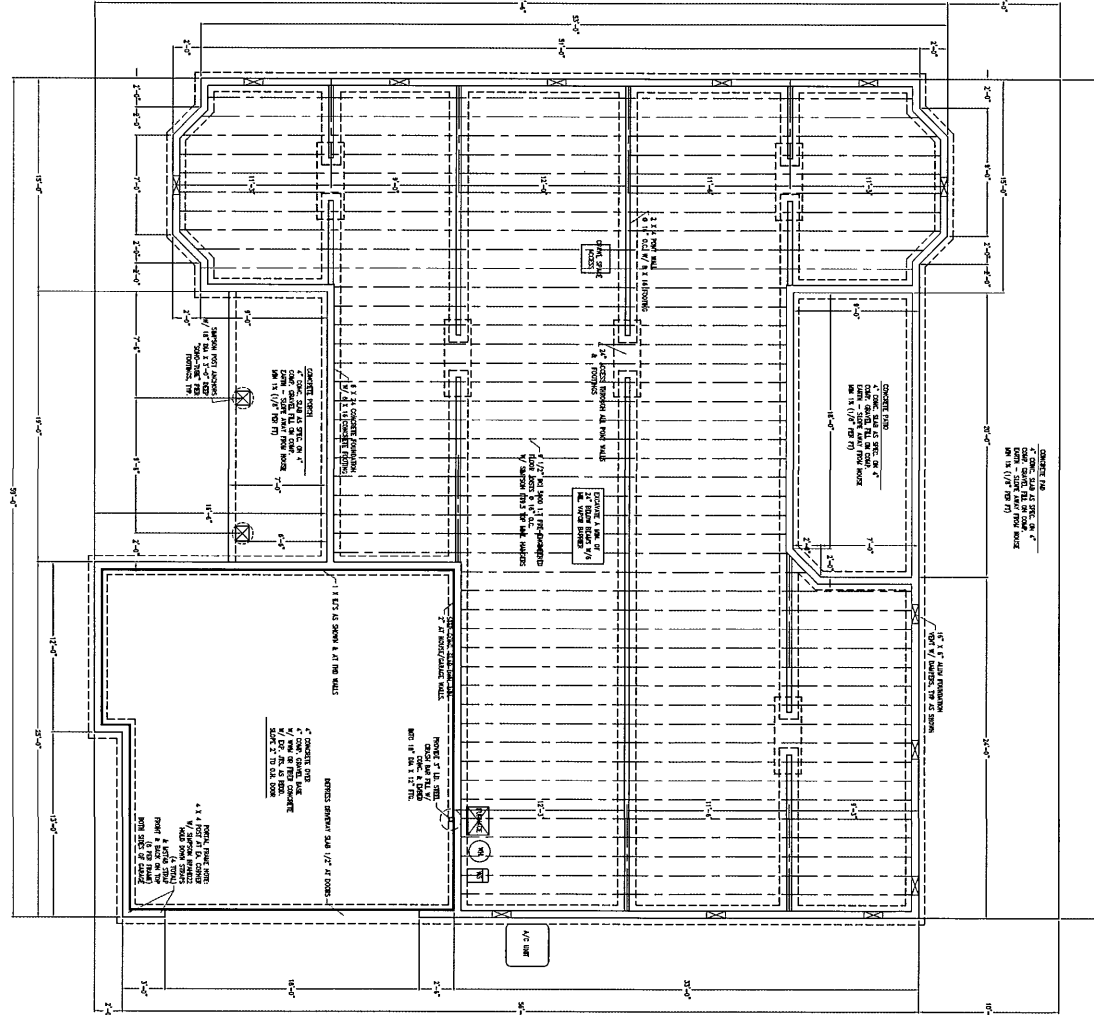
SCALE: 1/4" = 1'-0"

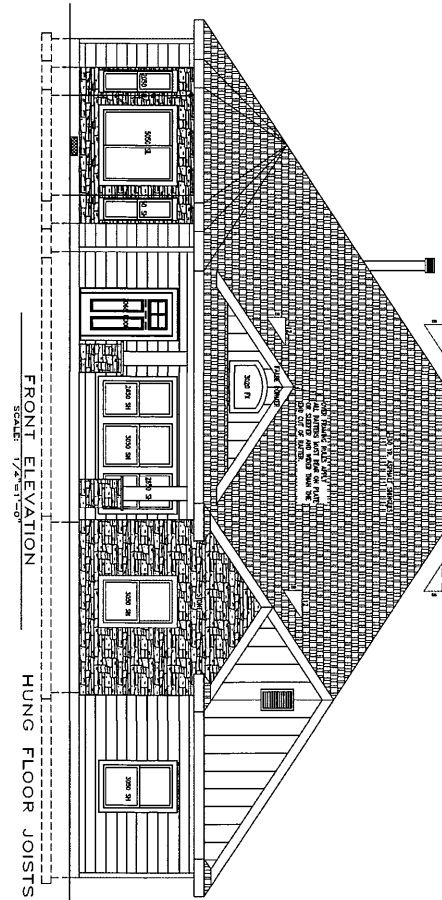
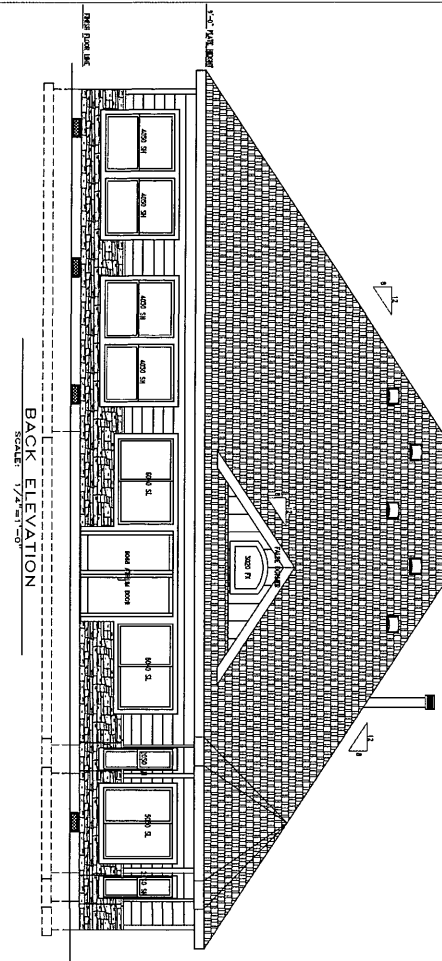
2 GARAGE SECTION

SCALE: 1/4" = 1'-0"

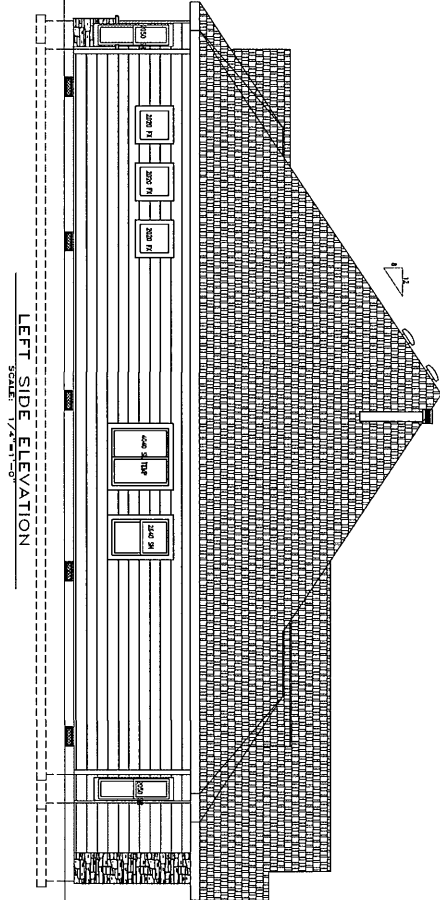
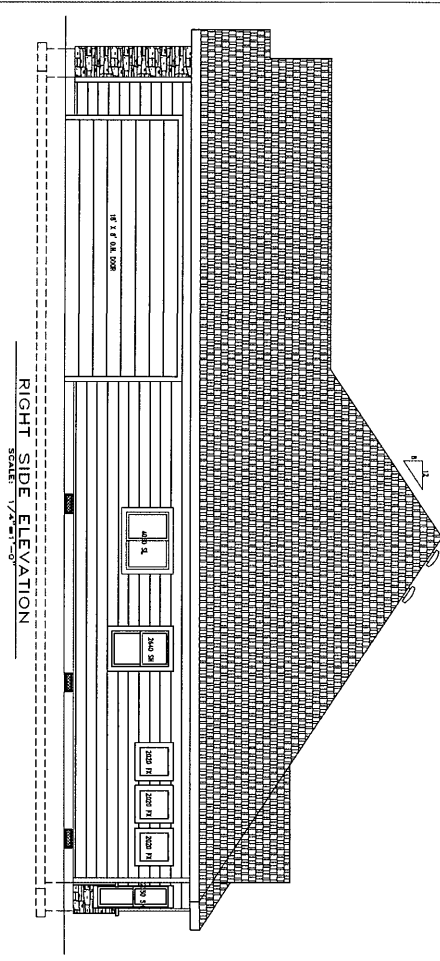
1 TYP. WALL SECTION

SCALE: 1/4" = 1'-0"





FRONT ELEVATION
SCALE: 1/8"=1'-0"



LEFT SIDE ELEVATION
SCALE: 1/8"=1'-0"

ELEVATIONS

ANDY & BARB MOLLAHAN
127 SW 19TH ST., OMAHA, NE 68104
402-339-3115

SCALE: 1/8"=1'-0" OR AS NOTED

DESIGN BY:
Eddy Architecture - P.C., Inc.
Computer Aided Drafting Services
Olathe, KS 67441-Phone: (913) 882-3222



Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 2/23/2019

Value and tax information for tax year 2018

Ref#:20648 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
18S4704	1608	0	1	100 RESIDENT/RES/VACANT	O-RS

OWNER:	MOLLAHAN, ANDREW & BARBARA
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	127 SW 19TH ST
CITY/ST:	ONTARIO, OR ,97914

Mal Co Title.

PROPERTY ADDRESS: 935 REITER DR ONTARIO

NOTES:
DETAIL MAP 002

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$40,050	
STRUCTURES	\$0	
SUBTOT	\$40,050	\$40,050
TOTAL	\$40,050	\$40,050

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$578.42
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$578.42

STRUCTURES

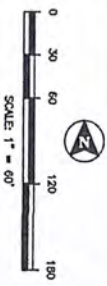
#	BLDG CLASS	DESCRIPTION	MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE- MDL

$\Gamma'' = 100$

18S47E04
DETAIL MAP NO 2
ONTARIO



ONTARIO
DETAIL MAP NO 2
18S47E04



SAGE RIDGE PLACE SUBDIVISION
 A PORTION OF THE NW 1/4 OF SECTION 4
 TOWNSHIP 18 SOUTH, RANGE 47 EAST, WILLAMETTE MERIDIAN
 CITY OF OREGON, MALHEUR COUNTY, OREGON
 2006

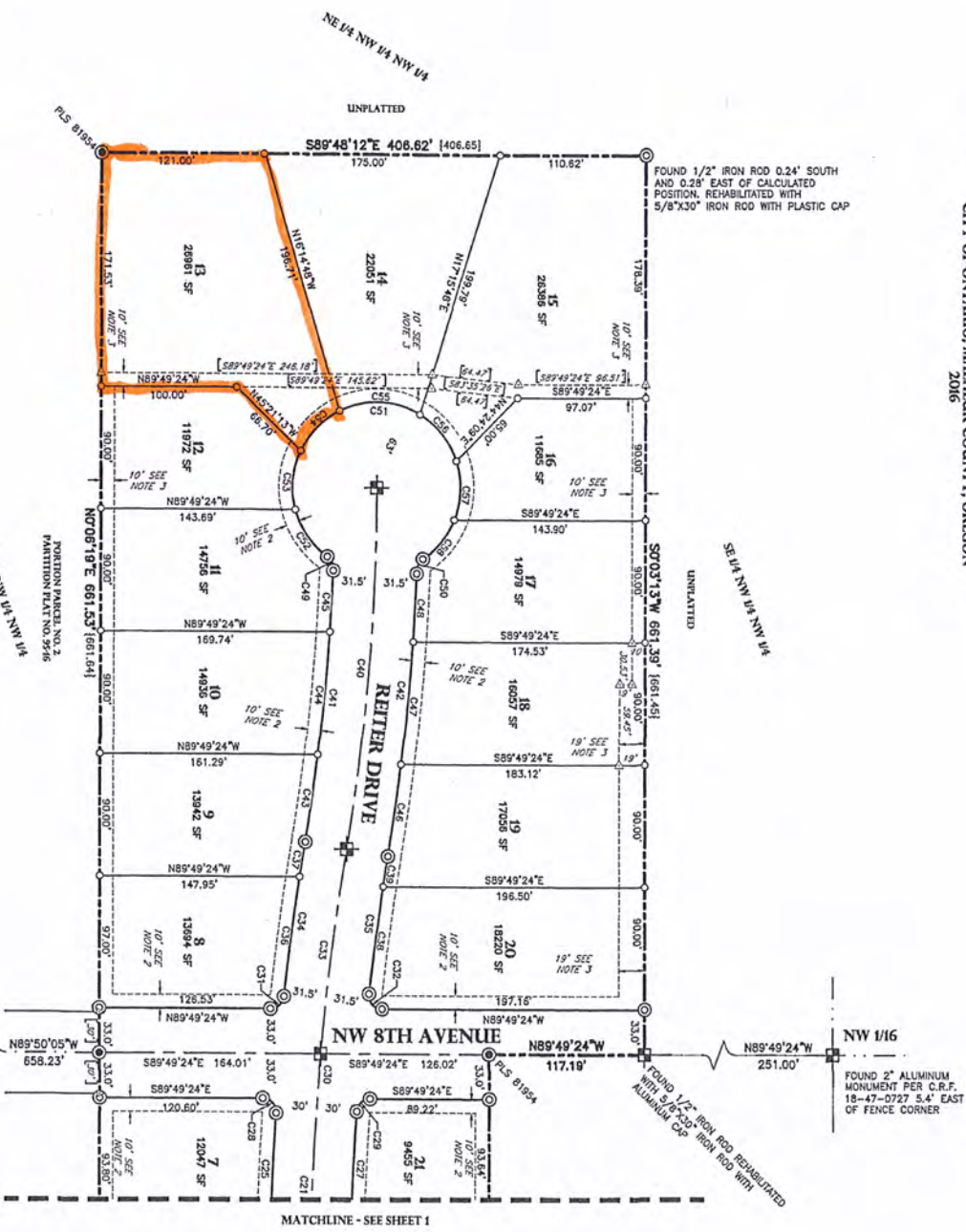
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C21	193.02'	2010.00'	5.9307°	S22°30'06"W	192.94'
C25	83.24'	2040.00'	2.2016°	S27°41'51"W	83.23'
C27	84.41'	1980.00'	2.2633°	N27°47'43"E	84.40'
C28	16.35'	10.00'	93°41'23"	S42°58'42"E	14.59'
C29	15.04'	10.00'	86°09'37"	N47°05'48"E	13.66'
C30	344.75'	2010.00'	9°40'38"	S42°52'27"W	344.33'
C31	14.64'	10.00'	83°46'08"	S48°13'33"W	13.37'
C32	16.82'	10.00'	96°21'22"	N41°18'43"W	14.90'
C33	151.74'	2010.00'	4°19'31"	S71°56'56"W	151.70'
C34	114.73'	2041.50'	3°13'12"	S73°50'57"W	114.72'
C35	102.28'	1978.50'	2°57'43"	S80°50'50"W	102.27'
C36	88.80'	2041.50'	2°23'32"	S73°15'15"W	88.79'
C37	25.94'	2041.50'	0°43'41"	S80°51'51"W	25.94'
C38	79.88'	1978.50'	2°18'17"	N74°10'06"E	79.88'
C39	22.70'	1978.50'	0°39'26"	N80°58'58"E	22.70'
C40	267.10'	1600.00'	9°33'53"	N42°45'45"E	266.79'
C41	202.18'	1588.50'	7°23'08"	N5°48'07"E	202.04'
C42	211.88'	1631.50'	7°28'39"	N5°46'27"E	211.74'
C43	60.04'	1568.50'	2°22'33"	S8°18'25"W	60.03'
C44	90.40'	1568.50'	3°18'08"	S8°28'05"W	90.39'
C45	46.75'	1568.50'	1°42'27"	S2°57'47"W	46.75'
C46	68.27'	1631.50'	2°23'51"	N8°17'46"E	68.26'
C47	90.40'	1631.50'	3°10'29"	N8°30'55"E	90.39'
C48	53.22'	1631.50'	1°52'08"	N2°59'17"E	53.22'
C49	9.85'	16.00'	56°27'06"	S26°06'59"E	9.46'
C50	9.46'	16.00'	54°18'00"	N28°12'12"E	9.13'
C51	319.30'	63.00'	280°23'07"	N88°50'41"W	71.02'
C52	43.28'	63.00'	39°21'44"	S34°38'40"E	42.43'
C53	44.35'	63.00'	40°20'01"	S5°11'13"W	43.44'
C54	42.03'	63.00'	38°13'13"	S44°27'50"W	41.25'
C55	63.37'	63.00'	57°37'41"	N8°26'44"W	60.73'
C56	44.55'	63.00'	40°21'00"	N35°22'23"W	43.83'
C57	44.55'	63.00'	40°19'57"	N1°53'05"E	43.44'
C58	37.72'	63.00'	34°18'08"	N38°12'08"E	37.16'

LEGEND

- SECTION, 1/4 OR 1/16 LINE
- PROPERTY LINE
- ORIGINAL PROPERTY LINE
- EXISTING PARCEL/LOT LINE
- EXISTING EASEMENT LINE
- EXISTING RIGHT OF WAY LINE
- EXISTING RIGHT OF WAY CENTRELINE
- EXISTING FENCE
- SET 1/2" IRON ROD WITH PLASTIC CAP MARKED T-O ENGINEERS PLS 81954
- FOUND 5/8" IRON ROD AS NOTED
- FOUND ALUMINUM MONUMENT AS NOTED
- SET ALUMINUM MONUMENT MARKED T-O ENGINEERS PLS 81954
- FOUND BRASS MONUMENT AS NOTED
- SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED T-O ENGINEERS PLS 81954
- CALCULATED POINT, NOTHING SET OR FOUND
- RECORD DATA PER PARCELS NO. 18-47-0854
- CALCULATED DATA

T 17 S 32 33
 MALHEUR DRIVE T 18 S 5 4

FOUND 5/8" IRON ROD WITH PLASTIC CAP MARKED T-O ENGINEERS PLS 81954
 L.S. 2596 IN MONUMENT BOX PER C.R.F. 18-47-0797



FOUND 1/2" IRON ROD 0.24" SOUTH AND 0.28" EAST OF CALCULATED POSITION, REHABILITATED WITH 5/8"x30" IRON ROD WITH PLASTIC CAP

FOUND 2" ALUMINUM MONUMENT PER C.R.F. 18-47-0727 5.4' EAST OF FENCE CORNER

I, Fritz Brownell, hereby certify that this plot is an exact and true copy of the original record as having been submitted for county recording.

5-16-16
 REGISTERED PROFESSIONAL LAND SURVEYOR
 OCTOBER 25, 2008
 FRITZ BROWNELL
 81954
 EXPIRES 12-31-17

Received 12/21/2015
 Accepted 1/12/2016
 SURVEY NO. 18-47-0921
 DRAWING NO. B-01555

FOUND 5/8" IRON ROD WITH PLASTIC CAP MARKED L.S. 2316 IN MONUMENT BOX PER C.R.F. 18-47-0785

SEE SHEET 3 OF 3 FOR DESCRIPTION, DECLARATION, AND APPROVALS

DRAWING NO. 130099-1-FP-DWG
T-O ENGINEERS
 333 N. BROADMORE WAY
 NAPP, IDAHO 83867-8123
 PHONE: (208) 445-6300
 FAX: (208) 445-0044
SHEET NO. 2 OF 3

After recording return to:
Malheur County Title Company, Inc.
81 South Oregon Street
Ontario, OR 97914

Until a change is requested all tax statements shall be sent
to the following address:

Andrew Mollahan & Barbara Mollahan
127 SW 19th St
ONTARIO, OR 97914

File No.: 32801 E
Date: May 31, 2018

THIS SPACE RESERVED FOR RECORDER'S USE

MALHEUR COUNTY, OR **2018-2117**
D-ST WD **05/31/2018 03:28:00 PM**
Cnt=1 Pgs=1 **\$52.00**

I, Gayle V. Trotter, County Clerk for Malheur County, Oregon certify
that the instrument identified herein was recorded in the Clerk
records.

Gayle V. Trotter - County Clerk

STATUTORY WARRANTY DEED

SAGE RIDGE PLACE, LLC, an Oregon limited liability company, Grantor, conveys and warrants to, **ANDREW MOLLAHAN AND BARBARA MOLLAHAN**, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Land in **SAGE RIDGE PLACE SUBDIVISION**, City of Ontario, Malheur County, Oregon, according to the Official Plat thereof, as follows:

Lot 13.

Account No.: 20648 Code No.: 1 Map No.: 184704 Tax Lot No.: 1608

This property is free from liens and encumbrances, EXCEPT:

Current general taxes, easements, restrictions and rights of way, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is \$64,000.00 Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 31 day of May, 2018.

Sage Ridge Place, LLC

By Ralph Poole
Ralph Poole, member

STATE OF OREGON County of Malheur)ss

On May 31, 2018, personally appeared before me, Ralph Poole as member of Sage Ridge Place, LLC, an Oregon limited liability company, who acknowledged to me that he executed the same as his voluntary act and deed.



Deborah L. Jerman
Notary Public for Oregon
My Commission Expires: 6-5-20

Accounts Payable

Checks by Date - Summary by Check Date

User: kari.ott
Printed: 3/13/2019 2:43 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
124222	&525	American Staffing, Inc.	02/01/2019	678.11
124223	364000	Clarion Inn	02/01/2019	51.00
124224	879247	Day Wireless Systems	02/01/2019	470.00
124225	408200	J-U-B Engineers, Inc.	02/01/2019	10,224.16
124227	879145	Silver Signet, LLC	02/01/2019	400.00
124228	879212	Uniforms 2 Gear	02/01/2019	1,001.16
124229	130624	B & W Car Wash	02/01/2019	12.00
124230	878960	B.P.O.E. Ontario Lodge No. 1690	02/01/2019	850.00
124231	660908	BAE Systems, Inc.	02/01/2019	895.00
124232	206557	Creative Product Source, Inc.	02/01/2019	204.51
124233	253897	Dustbusters, Inc.	02/01/2019	5,113.47
124234	408200	J-U-B Engineers, Inc.	02/01/2019	10,062.16
124235	413204	Kenworth Sales Company, Inc.	02/01/2019	103.25
124236	451750	Malheur County Sheriff's Office	02/01/2019	56,707.50
124237	456002	Malheur Utility Coordinating Council	02/01/2019	35.00
124238	582200	Oregon Association Chiefs of Police	02/01/2019	67.00
124239	&690	Oregon City/County Management Associati	02/01/2019	283.54
124240	582152	State of Oregon Department of Aviation	02/01/2019	75.00
124241	718000	State of Oregon Employment Department	02/01/2019	284.00
124242	618100	Physicians Primary Care Center, Inc.	02/01/2019	261.00
124243	626654	The Police and Sheriffs Press, Inc.	02/01/2019	32.50
124244	642093	Red's Automotive Repair, Inc.	02/01/2019	108.96
124245	689005	Chad Sombke, Ph.D., PC	02/01/2019	400.00
124246	738002	Symbol Arts, LLC	02/01/2019	268.00
124247	879212	Uniforms 2 Gear	02/01/2019	820.80
124248	774001	Wtechlink	02/01/2019	300.00
124249	&260	Four Rivers Cultural Center	02/01/2019	7,218.62
124250	539200	Ontario Area Chamber of Commerce	02/01/2019	4,039.01
124251	642080	Petty Cash	02/01/2019	221.61
Total for 2/1/2019:				101,187.36
124257	516494	State of Oregon Department of Transportati	02/04/2019	11,894.69
Total for 2/4/2019:				11,894.69
ACH	PRFED	PAYROLL TAXES	02/05/2019	1,787.94
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	02/05/2019	10.21
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	02/05/2019	220.99
ACH	PRPERS	OREGON PERS	02/05/2019	3,361.41
Total for 2/5/2019:				5,380.55
ACH	PRCCIS	E B S TRUST	02/08/2019	0.67
ACH	PRFED	PAYROLL TAXES	02/08/2019	10.34
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	02/08/2019	0.07
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	02/08/2019	0.12

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124258	&525	American Staffing, Inc.	02/08/2019	1,011.93
124259	028000	Anderson Perry & Associates, Inc.	02/08/2019	15,000.00
124260	033300	Argus Observer	02/08/2019	123.84
124261	037600	AT&T	02/08/2019	21.50
124262	626400	Campo & Poole Distributing, LLC	02/08/2019	2,673.92
124263	637828	Century Link Communications, LLC	02/08/2019	66.29
124264	878915	CH2M Hill OMI	02/08/2019	23,372.24
124265	520400	Dorman's, Inc.	02/08/2019	39.35
124266	360015	Home Depot Credit Services	02/08/2019	42.94
124267	879346	Hughey & Phillips	02/08/2019	157.85
124268	879191	Kristy's Custom Sewing	02/08/2019	30.00
124269	440000	L.N. Curtis and Sons	02/08/2019	57.50
124270	436000	Lindsay Eco Water	02/08/2019	12.00
124271	461829	Minert & Associates, Inc.	02/08/2019	50.00
124272	879301	Net Assets Corporation	02/08/2019	204.00
124273	500400	Norco, Inc.	02/08/2019	211.65
124274	572000	Ontario Sanitary Service, Inc.	02/08/2019	306.94
124275	626654	The Police and Sheriffs Press, Inc.	02/08/2019	17.55
124276	642093	Red's Automotive Repair, Inc.	02/08/2019	53.57
124277	368050	Robb Enterprises	02/08/2019	41.43
124278	702008	Staples Business Credit	02/08/2019	84.62
124279	702100	Staples Credit Plan	02/08/2019	111.57
124280	&357	Larry A. Sullivan	02/08/2019	1,704.05
124281	788402	TransUnion Risk & Alternative Data Soluti	02/08/2019	140.00
124282	824690	Viking Automatic Sprinkler Company	02/08/2019	1,082.22
124283	879151	Waste-Pro	02/08/2019	30.00
124284	UB*11599	CITLALLI RAMIREZ	02/08/2019	79.92
124285	UB*11600	CONSTANCE REISE	02/08/2019	126.80
124286	072400	Dave Walters	02/08/2019	101.70
124287	UB*11601	CAMERON WHARTON	02/08/2019	113.31
Total for 2/8/2019:				47,079.89
124288	879135	Jonathan Rico	02/13/2019	151.25
Total for 2/13/2019:				151.25
ACH	PRFED	PAYROLL TAXES	02/15/2019	564.57
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTIO	02/15/2019	50.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	02/15/2019	215.00
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	02/15/2019	2.24
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	02/15/2019	162.51
ACH	PRPERS	OREGON PERS	02/15/2019	799.14
124289	&525	American Staffing, Inc.	02/15/2019	797.42
124290	130950	Cable One	02/15/2019	368.51
124291	144000	Cascade Natural Gas Corporation	02/15/2019	2,068.49
124292	637830	Century Link	02/15/2019	513.44
124293	878932	Four Rivers Community School	02/15/2019	100.00
124294	634311	Frazier Aviation, LLC	02/15/2019	425.00
124295	879346	Hughey & Phillips	02/15/2019	54.70
124296	440000	L.N. Curtis and Sons	02/15/2019	1,151.00
124297	516494	State of Oregon Department of Transportati	02/15/2019	429.63
124298	528405	Oster Professional Group, LLC	02/15/2019	23,812.00
124299	702008	Staples Business Credit	02/15/2019	180.83
124300	832697	Virtual Graffiti, Inc.	02/15/2019	1,907.85
124301	UB*11603	SHAWNA ARMENTA	02/15/2019	70.38
124302	UB*11602	CALDWELL BLDG LLC	02/15/2019	79.28

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124303	879347	Dorsey Music	02/15/2019	5,000.00
Total for 2/15/2019:				38,751.99
124305	879349	State of Oregon Public Retirement System	02/20/2019	949,445.00
Total for 2/20/2019:				949,445.00
124306	832852	Wells Fargo Business Elite Card	02/21/2019	9,836.64
Total for 2/21/2019:				9,836.64
124307	UB*11485	Christie Reeves	02/22/2019	57.82
124308	684622	Marcy Siriwardene	02/22/2019	901.74
124309	UB*11604	SPRINTER SHUTTLE SERVICE	02/22/2019	95.62
124310	UB*11605	MARK YOUNG	02/22/2019	3.70
124311	&525	American Staffing, Inc.	02/22/2019	667.29
124312	879130	Ani-Care Animal Shelter, Inc.	02/22/2019	1,470.08
124313	034240	Art's Service, Inc.	02/22/2019	75.00
124314	816597	Bank of Eastern Oregon	02/22/2019	29,030.38
124315	879336	Boise River Fence, Inc.	02/22/2019	67,833.10
124316	192000	CDW Government	02/22/2019	394.00
124317	878915	CH2M Hill OMI	02/22/2019	426,851.33
124318	190220	Commercial Tire, Inc.	02/22/2019	794.80
124319	270285	Enhanced Telecommunications & Data, Inc	02/22/2019	297.25
124320	879350	Ryan Larsen	02/22/2019	1,300.00
124321	470102	Motorola Solutions, Inc.	02/22/2019	480.00
124322	539200	Ontario Area Chamber of Commerce	02/22/2019	120.00
124323	572210	Ontario School District 8C	02/22/2019	230.00
124324	598220	Owyhee Irrigatioin District	02/22/2019	3,510.00
124325	879339	PSI Water Technologies, Inc.	02/22/2019	20,074.66
124326	642093	Red's Automotive Repair, Inc.	02/22/2019	108.96
124327	682406	Sister Cities International	02/22/2019	440.00
124328	878977	Snake River Valley Chief's Associaton	02/22/2019	284.00
124329	879138	Stantec Consulting Services, Inc.	02/22/2019	3,855.03
124330	774300	T-N-T Signs & Graphics	02/22/2019	134.90
Total for 2/22/2019:				559,009.66
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	02/28/2019	774.22
ACH	PRAMERF	AMERICAN FUNDS GROUP	02/28/2019	400.00
ACH	PRCCIS	E B S TRUST	02/28/2019	65,604.02
ACH	PRFED	PAYROLL TAXES	02/28/2019	59,039.52
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTION	02/28/2019	400.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	02/28/2019	732.00
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	02/28/2019	242.78
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	02/28/2019	16,405.97
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	02/28/2019	2,950.00
ACH	PRPERS	OREGON PERS	02/28/2019	73,372.27
124331	PRCOLONI	COLONIAL LIFE	02/28/2019	1,005.62
124332	PRICMA	I C M A RETIREMENT TRUST 457	02/28/2019	150.00
124333	PRIDCHIL	IDAHO CHILD SUPPORT RECEIPTING	02/28/2019	411.00
124334	PRLINC	LINCOLN NATIONAL LIFE INS CO	02/28/2019	350.00
124335	PRSFIRE	UMPQUA BANK	02/28/2019	360.00
Total for 2/28/2019:				222,197.40

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124336	005800	Action Medical, Inc.	03/01/2019	61.20
124337	&525	American Staffing, Inc.	03/01/2019	728.20
124338	130624	B & W Car Wash	03/01/2019	6.00
124339	626400	Campo & Poole Distributing, LLC	03/01/2019	2,750.82
124340	144000	Cascade Natural Gas Corporation	03/01/2019	280.23
124341	637830	Century Link	03/01/2019	722.01
124342	364000	Clarion Inn	03/01/2019	137.62
124343	879247	Day Wireless Systems	03/01/2019	470.00
124344	237002	Dell Marketing,L.P.	03/01/2019	5,851.56
124346	376000	Idaho Power	03/01/2019	5,518.05
124347	420000	John Deere Financial	03/01/2019	52.32
124348	879191	Kristy's Custom Sewing	03/01/2019	6.00
124349	441140	Looks Nu, Inc.	03/01/2019	70.00
124350	583450	State of Oregon Dept of Corrections	03/01/2019	2,950.00
124351	716553	Saint Luke's	03/01/2019	206.00
124352	686822	Sprint	03/01/2019	52.31
124353	702008	Staples Business Credit	03/01/2019	1,033.71
124354	879146	Toshiba Financial Services	03/01/2019	1,638.95
124355	879212	Uniforms 2 Gear	03/01/2019	815.40
124356	878957	Valli Information Systems, Inc.	03/01/2019	2,119.00
124357	288897	Verizon	03/01/2019	2,200.68
124358	774001	Wtechlink	03/01/2019	300.00
124359	&260	Four Rivers Cultural Center	03/01/2019	9,538.79
124360	UB*11606	KGB PROPERTIES, LLC *	03/01/2019	16.15
124361	539200	Ontario Area Chamber of Commerce	03/01/2019	6,140.49
124362	879351	The Parents of Adrian & Anthony Ramirez	03/01/2019	20.00
Total for 3/1/2019:				43,685.49
124363	&525	American Staffing, Inc.	03/08/2019	673.91
124364	037600	AT&T	03/08/2019	21.50
124365	21409	Big Sky Sportswear	03/08/2019	1,603.82
124366	626400	Campo & Poole Distributing, LLC	03/08/2019	1,925.31
124367	637828	Century Link Communications, LLC	03/08/2019	98.20
124368	270285	Enhanced Telecommunications & Data, Inc	03/08/2019	97.00
124369	634311	Frazier Aviation, LLC	03/08/2019	425.00
124370	436000	Lindsay Eco Water	03/08/2019	7.00
124371	879301	Net Assets Corporation	03/08/2019	204.00
124372	572000	Ontario Sanitary Service, Inc.	03/08/2019	313.06
124373	878923	Oregon Volunteer Firefighters Association	03/08/2019	686.00
124374	602520	Payette County Recreation District	03/08/2019	1,200.00
124375	666192	Savvy Software, Inc.	03/08/2019	240.00
124376	702008	Staples Business Credit	03/08/2019	399.96
124377	&357	Larry A. Sullivan	03/08/2019	1,947.50
124378	878931	Tire Factory of Ontario	03/08/2019	40.00
124379	788402	TransUnion Risk & Alternative Data Soluti	03/08/2019	140.00
124380	879122	Uline	03/08/2019	100.06
124381	841600	Warmsprings Irrigation District	03/08/2019	4,633.00
124382	842030	Warrington Construction	03/08/2019	141,625.86
124383	879151	Waste-Pro	03/08/2019	30.00
124384	007140	Liz Amason	03/08/2019	167.75
124385	879353	Bluebird Ontario, LLC	03/08/2019	5,815.56
124386	114239	Chris Bolyard	03/08/2019	215.50
124387	UB*11610	FIRST INTERSTATE BANK	03/08/2019	64.22
124388	&260	Four Rivers Cultural Center	03/08/2019	4,000.00
124389	879352	The Parents of Salvador & Isaac Herrera Ci	03/08/2019	88.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124390	UB*11607	KGB PROPERTIES, LLC *	03/08/2019	116.90
124391	UB*11609	KGB PROPERTIES, LLC *	03/08/2019	103.39
124392	451350	Malheur County Fair Board	03/08/2019	5,000.00
124393	539200	Ontario Area Chamber of Commerce	03/08/2019	5,000.00
124394	PARK	Ronald Park	03/08/2019	55.29
124395	UB*11608	REYNETT REYES	03/08/2019	45.51
124396	738001	James Swank	03/08/2019	48.99
124397	T770949	David Thompson	03/08/2019	10,000.00
Total for 3/8/2019:				187,132.29
Report Total (192 checks):				2,175,752.21