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PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE**



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, MAY 21, 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 May 17, 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:
City Council Work Session: 04-04-2019
City Council Meeting: 04-16-2019

6) PRESENTATIONS

- A) Revitalize Ontario!

7) OLD BUSINESS

- A) Resolution 2019-115: Supplemental Budget to Receive and Expend Police Donations

8) NEW BUSINESS

- A) Resolution #2019-116: Support for the Treasure Valley Connector Trail Recreation Trail Program Grant Application and Approval of the Land Manager Approval Form
- B) Resolution #2019-117: Establishing Policies Related to Ending Fund Balances for 2018-2019
- C) Resolution #2019-120: Splash Park Operations
- D) Financing of BLM Improvements

9) PUBLIC HEARING

- A) Resolution #2019-118: Declare City's Intent to Receive State Revenues
- B) Resolution #2019-119: Adopt City of Ontario's Annual 2019-2020 Budget
- C) Ordinance # 2754-2019 an Ordinance Proclaiming the Annexation and Rezoning of Certain Territory to the City of Ontario, Being a Parcel Within the NW1/4 Section 33, Township 17 South, Range 47 East, W.M.; and Withdrawing said Territory from the Ontario Rural Fire Protection District 7-302 and the Ontario Rural Road Assessment District No. 3, on First Reading by Title Only
- D) Ordinance #2755-2019: An Ordinance Amending the City of Ontario Comprehensive Plan and Zoning Map from General Heavy Commercial (C-2H) to Heavy Industrial (I-2) Zone Classification for Properties on Tax Map 18S47E03CD Identified as Tax Lots 3800 and 8300; Being a Portion of Block 91 of the Original Townsite of Ontario, and Lots 9 and 10 in Block 190 of Wilson's Supplemental Plat, to the City of Ontario, on First Reading by Title Only

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

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

- 10) HAND-OUTS/DISCUSSION ITEMS**
 - A) Check Register: April 1 to May 14, 2019
- 11) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS**
- 12) ADJOURN**



CITY COUNCIL WORK SESSION MINUTES April 4, 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, April 4, 2019, in the Council Chambers of City Hall. Council members present were Riley Hill, Norm Crume, Dan Capron, Ramon Palomo, Michael Braden, Marty Justus, and Freddy Rodriguez.

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

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 April 2, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

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

PUBLIC COMMENT

Kim Paddock, Ontario, stated she had just moved to Ontario and noticed dogs running around free. While riding her motorcycle, she had been hit by a loose dog, throwing her down the road. She suffered a coma for 11 days, and the dog died. However, nothing happened to the owner of the dog, including being responsible for any bills associated with the accident. That occurred in Idaho. She was forced to sue Idaho to change dog laws, resulting in people being better protected. She would like to work with the City of Ontario on the loose dog problem rather than have to create a court action. She'd like to see more Code Enforcement involvement. Thank you.

Eddy Thiel, Ontario, stated she was representing the Citizen's Coalition of Ontario, a group that had been put together to work on issues with the city. Their first meeting would be April 17th, 6:00 p.m., at the Cultural Center. They planned to host two panels. She was seeking a commitment by members of the Council for their attendance at the meeting. There would be different panels each meeting, but they always wanted the Council there. This first meeting would be dealing with the Recreation District. There would be presentations, and then time for questions. She encouraged everyone to attend. They were hoping to achieve a better connection with the city. Had something like this occurred before, they would probably have passed the 1% sales tax measure.

NEW BUSINESS

Resolution #2019-113: A Supplemental Budget to Fund the Recreation Department for the Last Half of 2018-2019

Kari Ott, Finance Director, presented.

Will be under Consent Agenda at the April 16, 2019, meeting.



Resolution #2019-114: Support of HB2449 for Increasing the 911 Surcharge Fee from \$0.75 to \$1.50 per Line

Adam Brown, City Manager, presented

CAPRON moved, JUSTUS seconded, **THAT THE CITY COUNCIL ADOPT RESOLUTION #2019-114, A RESOLUTION IN SUPPORT OF HOUSE BILL 2449 TO INCREASE THE 9-1-1 TAX TO \$1.50 AND EXTEND THE SUNSET OF THE TAX.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

Housing Incentive Program: Thompson

Kari Ott, Finance Director, presented.

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE APPLICATION BY DAVID THOMPSON FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

Police Chief Salary

Adam Brown, City Manager, presented.

CRUME moved, RODRIGUEZ seconded, **THAT THE CITY COUNCIL AUTHORIZE THE POLICE CHIEF SALARY AT \$97,864.70.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC HEARING**Ordinance #2753-2019: Acceptance of Private Properties as Public Right of Ways for Public Streets – First/Second Reading and Declaring an Emergency**

It being the date advertised for public hearing on the matter of Ordinance #2753-2019, 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, CAPRON seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2753-2019, AN ORDINANCE ACCEPTING A PORTION OF THE SNAKE RIVER VENTURES, LLC, PROPERTY CURRENTLY DESIGNATED AS ASSESSOR'S MAP #18S4711BC, TAX LOT #1101, AND A PORTION OF THE HEVN, LLC, PROPERTY CURRENTLY DESIGNATED AS ASSESSOR'S MAP #17S4733C, TAX LOT #3001, AS CITY OF ONTARIO STREET RIGHT OF WAY AS PART OF THAT PUBLIC STREET KNOWN AS SE 13TH STREET AND NW 20TH AVENUE, ON FIRST READING BY TITLE ONLY, AS AN EMERGENCY PASSAGE.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

CRUME moved, JUSTUS seconded, **TO WAIVE THE SECOND READING OF ORDINANCE #2753-2019, AN ORDINANCE ACCEPTING CERTAIN TERRITORY AS CITY OF ONTARIO STREET RIGHT OF WAY AND AS A PUBLIC STREET, AND DECLARING AN EMERGENCY.** Roll call vote: Braden-yes; Justus-yes; Palomo-yes; Crume-yes; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES**Financial Report: Monthly**

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

Community Development: Quarterly

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

Police: Quarterly

Jason Cooper, Interim Police Chief, presented. (Report attached)



Code Enforcement: Status Update

Dallas Brockett, Code Enforcement Officer, presented. (Report attached)

HAND-OUTS/DISCUSSION ITEMS**No Smoking Downtown Ordinance**

Adam Brown stated this was a discussion to see if the Council wanted to move forward. He had been approached by the Health Department and Lifeways, asking that the city consider a no smoking policy downtown. He had been provided an example from Baker City. Currently, there was a 10-foot buffer between entrances, and it was only enforceable by the Health Department. The complaint would have to go to the state, and then back to the Health Department, who would then have to observe it. The Council could do a local ordinance, that would increase the buffer to maybe 20 feet, which could be locally enforced, or the Council could declare the downtown area as completely free. That had been the recommendation and ask of those parties who had spoken with him on the issue. He was seeking Council direction.

Mayor Hill asked if this was aimed at tobacco, or some other product.

Mr. Brown stated it would include whatever they wanted, but it would include smoking or vaping downtown.

Councilor Justus stated he would be for setting no-smoking boundaries. It would eliminate butts, second-hand smoke, etc. However, there were other issues downtown that needed looking into. There were individuals urinating and defecating in doorways. That was indicative of the type of person being attracted to the downtown area after hours. That needed to be addressed.

Mayor Hill stated before they took action, it should be advertised in the downtown area. There was going to be some pushback, and the people would want to be heard by the Council.

Councilor Crume questioned the city's authority to make those regulations against a property owner.

Mr. Sullivan stated state law read that if a place was open to the public, it could be regulated. If everyone had public access to the sidewalks, and the Council wanted to ban smoking in those public places, it could be done. However, there could still be private smoking clubs, and those would have to follow the state laws written for that type of establishment.

Mr. Brown stated the private smoking club had been brought up, and he believed it would be a zoning issue, not a downtown smoking prevention ordinance.

Council consensus to explore the action, but with caution.

Working with Revitalize Ontario on Elements of Downtown Plan

Councilor Justus stated they'd like to utilize some state funds for the expansion of the park around the Depot. Through a partnership with the city, Revitalize Ontario, and the downtown merchants, they'd like to develop a plan specifically for the Depot. He believed Charlotte (Fugate) had received a 20-15 grant for downtown, which included the Depot. They wanted to put that together as part of the overall plan for downtown. He agreed with Mayor Hill that if there was a focal point downtown, it would draw people down there. Revitalize was excited and happy to do whatever to make that happen. Mayor Hill was also working on a trail program.

Mayor Hill stated he spent three days in Salem recently, making the rounds to the Education Department about three times on things like Poverty to Prosperity and ESD, and also made four contacts with Parks and Recreation discussing the city's Parks and Rec plan we had here. They discussed the trail along the Snake River that was in the Master Plan. He was told not to waste time on that until the city had control of the land. The city would not receive any money from them. With regard to the Depot, they cheered him on, and then threw up some roadblocks. He was told it was a plan that they would probably fund. Steve Grasty, a former Harney County Judge, sat on the Commission, and after speaking with him about this, Mr. Grasty agreed to help push something through for Ontario.

Trash Receptacles on Serve Day

Mr. Brown stated this was a follow-up to a previous discussion with regard to placing dumpsters downtown on Serve Day. He had spoken with Scott Wilson at Ontario Sanitary, who was unable to attend that day, but could be at the Tuesday Council meeting. The question was whether the city wanted to pay for a dumpster for individuals to dispose of their trash on Serve Day. His concern was that someone would need to be present by the dumpster the entire time to ensure nothing hazardous was thrown in the dumpster, as any hazardous materials that were accepted would be the city's monetary obligation to dispose of.

Mayor Hill agreed with the placement, but it would take some notice by the city to get the word out. He had placed two dumpsters out on city streets – at his own expense – and they were there 10 days with not one thing thrown in them.

Councilor Justus stated maybe they could promote the dumpsters as yard waste only.

Council consensus to explore the options with Ontario Sanitary, with Dan Capron against.

Department Stats:

Ontario Fire & Rescue: Mar, 2019 (Attached)

Public Works: Mar, 2019 (Attached)

Ontario Police: Feb, 2019 (Attached)

Code Enforcement: Feb, 2019 (Attached)

Agenda

SREDA: Apr 3, 2019 (Attached)

Minutes

SREDA: Mar 13, 2019 (Attached)

County Court: Mar 6, 2019 (Attached)

County Court: Mar 13, 2019 (Attached)

County Court: Mar 20, 2019 (Attached)

Diversity Advisory: 08-14-2018 (Attached)

Diversity Advisory: 09-11-2018 (Attached)

Diversity Advisory: Oct 9, 2018 (Attached)

Diversity Advisory: Jan 8, 2019 (Attached)

Diversity Advisory: Feb 12, 2019 (Attached)

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

An executive session was called at 1:50 p.m. under provisions of ORS 192.660(2)(h) regarding current or potential litigation. The Council reconvened into regular session at 2:08 p.m.

NEW BUSINESS-CONTINUED

JUSTUS moved, RODRIGUEZ seconded, **THAT THE CITY COUNCIL AUTHORIZE THE MAYOR TO EXECUTE ANY DOCUMENTS NECESSARY TO REMOVE THE CITY'S REAL PROPERTY LIENS AGAINST THE PARCEL IDENTIFIED AS TAX LOT 4900 IN ONTARIO, OREGON, SO THAT THE PARCEL MAY BE SOLD FOR \$113,000, PROVIDED THAT THE CITY RECEIVE \$5,000 IN CONSIDERATION FOR THE RELEASE. THIS RELEASE WILL NOT RELEASE THE DEBTORS FROM THE MONEY JUDGEMENT THEY OWE TO THE CITY OF ONTARIO IN CASE NO. 18CV56426.** Roll call vote: Braden-no; Justus-yes; Palomo-yes; Crume-no; Rodriguez-yes; Capron-yes; Hill-yes. Motion carried 5/2/0.

Mr. Sullivan informed the Council that the second sentence would be different now, as once the city received the \$5,000, the debtor would receive a credit against their money judgement for that portion that exceeded the city's cost.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- ✓ Councilor Capron reminded everyone that the Fish Fry dinners were still going behind the Catholic Church, \$10 per person, \$30 per family.
- ✓ Mayor Hill stated he was a member of the Eastern Oregon Work Force Board, and there was \$6,000 per county for pet projects. No county out of eight possible applied, so there was \$48,000 available that would be put out. He had taken that to the college so they could make application either through the County, or the County could do it for them. They were preparing a proposal to get equipment for CTE training. He was seeking Council consensus or approval to support TVCC's application for that \$48,000 possible grant.

Councilor consensus to support the application.

- ✓ Mr. Brown shared with the Council that the Mayor had gone on his own time, and his own dime, from Sunday to Wednesday to knock on doors in Salem, and that was very commendable. He had quite the laser focus when he was onto something.
- ✓ Mr. Brown stated there was a fantastic grand opening/ribbon cutting at Marshall's. It was packed!

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 April 16, 2019

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 7:00 p.m. on Tuesday, April 16, 2019, in the Council Chambers of City Hall. Council members present were Riley Hill, Dan Capron, Norm Crume, Michael Braden, Marty Justus, and Ramon Palomo. Freddy Rodriguez arrived at 7:10 p.m.

Members of staff present were Adam Brown, Tori Barnett, Jason Cooper, Terry Leighton, Kari Ott, Dan Cummings, Larry Sullivan, Cliff Leeper, 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 April 12, 2019. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Staff requested to remove action 7A) Malheur County Economic Development, and to replace that section with a presentation from Scott Wilson, Ontario Sanitary Service.

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

PUBLIC COMMENTS

Mike Miller, Ontario, stated in driving down NW 2nd Avenue and NW 4th Avenue daily, he was tired of looking at the clutter. There was a burned out house at 225 NW 4th Avenue that had been there for years, and it was a public hazard. On NW 4th Avenue, a burned out motor home was sitting next to the house. At 56 NW 16th Street, that had been a framed house there for three or four years, but it was finally coming down. He was asking the Council to get the Enforcement Officer to be more proactive and clean up some of these poor-looking properties. There was clutter all around Ontario, Give them tickets, put liens on their properties, or whatever, but something needed to be done. Thank you.

Councilor Capron asked about 358 Reiter Drive. He had received a citizen complaint for that location, stating it was an out of town property owner.

Mr. Miller stated the town was disgusting and they needed to start giving tickets. If the fines weren't paid, lien the owner of the property. Just get something done!

Mike Castro-Shrader, Ontario, stated he asked that a copy of the letter provided to everyone (attached) and the statements he would be making be part of the meeting's public record. He was there to discuss the continued problems he and his neighbors in a cul-de-sac off SW 11th Street, behind TVCC, had in particular with certain neighbors. It had been going on for over five years. There was continued non-enforcement of various city ordinances and vehicle code violations. He had prepared an outline and would like to read it into the record. He also had numerous digital pictures and tape recordings of what he and his neighbors had been going through for five years at 1142 Pine Place. He had lived in the Ontario area 18 years, and had owned his home in Ontario for 29 years. Having worked for several county, state, and federal agencies, he knew it was not always easy to be a public servant, and most employees did the best they could with resources provided. They were not just faceless bureaucrats. He provided them all with a copy of a letter to the Editor, written on May 13, 2018, titled "An Open



Letter to the Citizens of Ontario, What's Wrong with this Picture? He recommended the Council read that letter later. Since written, absolutely no one from the city, ordinance, or police department had contacted him concerning this or any, or all of the issues and problems discussed in that letter. He and his neighbors continued to have problems with the situation. He was frustrated, and disappointed that the former Mayor Ron Verini and the former City Council members, with the exception of Dan Capron, had not taken their legal responsibility seriously with proper oversight and accountability when it came to the City of Ontario, Not enforcing the various ordinances and vehicle violations with repeat offenders. Most of the past Council and many who he voted for, promised, when they ran, to address the city's various problems and make this community a better place to live and work. Unfortunately, they have shown negligence in their response, or lack of, for these problems, and it's appalling. Like the current City Manager Adam Brown, former Police Chief Cal Kunz, City Attorney Larry Sullivan, most of the police department personnel, in answer to these specific problems chose to deny it, ignore it, or not address it, and the problems would go away. He was not the only citizen of Ontario who had expressed frustration about the city not enforcing its own ordinances and many vehicle code violations. All one had to do was read the local paper for the numerous letters to the Editor and the Thumbs Up or Down articles over the years. These specific problems had been allowed to continue no matter who the Mayor or City Council, Police Chief, City Manager, Ordinance or Patrol Officers had been since he purchased his home in the 1990s. He was a retired law enforcement officer/dispatcher with over 20 years of experience. He had worked and lived in six different states in numerous locations, including rural areas and very populated cities. All his jobs involved him working closely with other law enforcement jurisdictions, including city, county, state, and federal law enforcement officials and other personnel. In all those years, he had never seen or experienced a city refusing or not truly enforcing their own city ordinances and other violations and laws. Personnel and jurisdictions are just as liable for acts of omissions besides commissions. If they truly cared for the city and wanted to make it a better place to live and work, these behaviors and attitudes needed to change. If the current City Manager, City Attorney, and Police Officers who didn't want to perform or ensure the city's ordinances and their laws were truly enforced with repeat offenders, should not be rewarded with pay raises, or replaced if they were not going to perform their duties. Ask the current City Manager or the Police Chief for copies of all the correspondence, including all the documentation in writing, by phone, and in person, he and his neighbors had provided or complained about with these repeat offenders and their landlords, now going over five years. He recommended that they, either as individuals, or as a group, go see what he was talking about in his neighborhood, and specifically at 1142 Pine Place, to see the continued violations that were still occurring. At present, it was not as bad as it had been, but the problems continued.

Mayor Hill asked what his specific complaints were – cars, built up garbage, or?

Mr. Castro-Shrader stated it was a combination of all that. He had a quick run-down. He was talking about excessive noise from residences and vehicles, both day and night - a lot of people didn't know there was a daytime noise ordinance in the city, which had been in effect since 2007; excessive dog barking; dogs off leash; littering; weed problems; disorderly conduct; and various public nuisance ordinance violations, which Mr. Miller had also addressed. There were even more serious violations of laws that his neighbors at 1142 Pine Place continued to be allowed to occur, such as illegal drug use, domestic violence, and endangerment, abuse, and neglect of their five-year old son. Again, he would recommend that the Mayor and City Council to specifically ask City Manager Adam Brown to provide all the documentation that he had provided him, as well as the previous Police Chief, as well as some of the senior law enforcement officers that he had discussed, as well as information he had provided to the current full-time Ordinance Officer, and part-time previous Ordinance Officer Carter, to see to what extent and how long this problem had been going on, what documentation he provided them, and their total lack of response in not dealing with this. He thought the Council members and Mayor had an excellent opportunity to put a stop to this, to say no, this was totally unacceptable, and now, with the new Police Chief coming on board, there was a good opportunity to bring out all these problems and make sure they were resolved. He had some additional stuff he could share with them later if they wanted, or additional questions and answers besides sharing numerous digital photos and recordings to show them how bad this problem was, had been, and continued to be. Thanks for your time.

Councilor Capron asked what time the noise ordinance switched from day to night.

Mr. Castro-Shafer stated nighttime started at 10:00 p.m. until 7:00 a.m. Daytime would be after 7:00 a.m. until just before 10:00 p.m.

Councilor Capron stated he had called dispatch on neighbors before, and dispatch told him it was 11:00 p.m. or they had a waiver from the Chief. Secondly, how many times had he been to court before it was in house for a citation and they were dismissed?

Mr. Castro-Shrader stated this had been going on....he had gone to court twice, and that was another problem the city had. He hadn't been given notice back in the first go 'round where he had to file citizen's complaints, so the Judge, with him giving proper notice of when the hearing would be, figured the person making the complaint wasn't there, so it was dismissed. He found that after the fact. That was in the 1990s when Chief Kee was the Chief, and more recently, after waiting for almost a year for the Police Department and the Ordinance Officers to enforce these problems he and his neighbors had been having with that particular residence, and a few others, they finally threw up their hands and said they couldn't prove it, which to him was absurd because of the extent it had been going on. It was very visible; all the evidence he had produced; and other neighbor's complaints, it was not his word against theirs. It took months for them to even go talk to some of his neighbors, because one of the first things that came out of their mouths was that it was his word against theirs. No it wasn't. He gave the Ordinance Officer and discussed with Patrol Officers, as well as senior Officers, a list of people in that cul-de-sac and the nearby residences that they could prove and corroborate what he was saying, so it was not his word against theirs. It was totally appalling what the city had allowed to transpire and occur. To him, you heard about could they improve the city, how could they encourage families to come and live here and work here. The best thing they could do was enforce the ordinances, particularly with repeat offenders. He had no problem with giving someone a warning twice, maybe three times, but his personal experience over the years was there were people out there, and having been in law enforcement, that no matter how many warnings given, once they realized there wasn't going to be any enforcement and they weren't going to be held accountable, they were going to continue their actions. He knew that if that happened to any one of them, or any of the staff, or anybody significant to this community, that would've been nipped in the bud a long time ago. They probably could hear how frustrated he was, and if it was going to take a lawsuit for the city to change their policy and start enforcing the city ordinances besides vehicle codes, so be it. His patience was out the door. If they followed through on the documentation that he provided, and he'd met in person with Adam Brown on a number of occasions, and the former Police Chief, and to what extent he had attempted to try to get the city to enforce the ordinances, and the excuses that he had gotten, and he thought he had them on board in August, 2017, they had promised him a number of things, the Police Chief and the City Manager, but it was never followed through by the Ordinance Officer and the Patrol Officers. If they requested the documents, and they were significant, they could also discuss later with Dan, had had been provided, back in 2017, copies of things because he wasn't getting anywhere with the local police, whether it was Patrol Officers or senior Officers, or Ordinance Officers, to resolve these continual problems. At that point, he asked for him to share that with the past Mayor Ron Verini, and he had called Ron, initially said hey, this is what's been going on with he and his neighbors, this was how long it had been going on, and this was what he had attempted to do, he wasn't getting anywhere with the new City Manager or the new Police Chief. This was what he had attempted to do, this was how long it had been going on, so he now needed to get involved with the City Council, because they provided oversight with the City Manager and the city employees. That was their duty and their function, and unfortunately that hadn't occurred in the past. He was hoping that this City Council was going to take their duties seriously and hold people accountable if they weren't following through on enforcing these ordinances and vehicle code violations. If they really wanted to make this a better city to live and work in, just doing that alone would make a huge difference.

Councilor Crume stated he shared many of their frustrations. Having sat there for nearly 10 years, he and virtually every Councilor and Mayor that he had worked with had tried to deal with these issues. It boiled down to the lack of money the city had to hire enough personnel to do the work. Fruitland was one-third the size of Ontario, but had two full-time Code Enforcement Officers. Ontario had fluctuated between one, zero, one, one and a half, one, and now the proposed budget showed two, but we needed three. There was not enough money to deal with the problems. New software had been purchased, and a new fine levying procedure had been created and implemented. They, as Councilors, were very frustrated about the cases being dismissed. He took issue with the statement that they didn't care, or weren't doing their jobs, because they had been doing all they could to make this work. It was truly a money situation. The Police Department was at least five Officers short. He hoped it was understood that they were trying to do what they could to get this resolved.

Mr. Castro-Shrader stated he understood the need for more Officers, as did many other people. That was why there were a number of those who had supported the tax increase to get some revenue to fill in those spots. Citizens like himself who experienced these things over and over, back in the 1990s when the city was in a better situation with resources and Officers, but it was the same situation with the Officers refusing to enforce the laws, even after they'd been given one or two warnings, then to say it was a neighbor problem, work it out yourselves, or it was too hard to enforce.

Mayor Hill stated at the goal setting session, the Council took it seriously that the city needed more enforcement of ordinances. Money was placed in the budget to get a second Ordinance Officer. He bet attention would be given to Mr. Castro-Shrader's situation very soon.

Mr. Castro-Shrader stated he appreciated that, but that was why he would encourage the Council and the Mayor, when it was convenient, to discuss this further and provide them some examples. He was so passionate and upset because of how long this had been going on. He knew what was enforceable and what wasn't. The excuses given and the Officers not enforcing the laws. There was no excuse for that. He had explained this to Mr. Brown and the former Police Chief the problem was that the Patrol Officers commented that it was an Ordinance Officer duty. He reminded them that the Ordinance Officer wasn't working 24/7. People were out doing crazy things all the time, not just when the Ordinance Officer was around. It was not just lack of resources, it was because they'd been allowed to shine off and not deal with these things and then they had to keep responding to the same incidents. He'd explained that to Mr. Brown and Police Chief Kunz, who he initially thought with his background and knowledge that should have been a no-brainer to deal with this. They weren't dealing with felonies or misdemeanors, most of these were civil violations, which was a preponderance of evidence. With all his documentation with digital photos, tape recordings, notes, which he'd shared with the Officers, and still nothing. It was not just a resource issue. That was part of it, but their attitude and them not wanting to enforce the laws, and their excuses. Dan made a good point about a lot of the Officers didn't know, along with the dispatchers, that there was a daytime ordinance. He'd call and have to educate them. He explained that to Mr. Brown and Chief Kunz, and Kunz told him he was aware there were some problems, but it was going to take some time to deal with it. He asked how long, and was told three or four months. For things like this it would three or four months?

Mayor Hill expressed his appreciate for Mr. Castro-Shrader sharing his situation.

CONSENT AGENDA

Mayor Hill requested that item 5B) Resolution #2019-113 be removed from the Consent Agenda and placed for discussion.

Councilor Justus asked that item 5C) Liquor License Application for TC&T, be removed from the Consent Agenda and placed for discussion.

CRUME moved, CAPRON seconded, **TO ADOPT THE CONSENT AGENDA AS AMENDED, WHICH INCLUDED MARCH 7, 2019, COUNCIL WORK SESSION MINUTES; AND MARCH 12, 2019, COUNCIL MEETING MINUTES, AND REMOVAL OF ITEMS 5B AND 5C.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

NEW BUSINESS

Resolution #2019-113: A Supplemental Budget to Fund the Recreation Department for the Last Half of the 2018-2019 Fiscal Year

Adam Brown, City Manager, presented.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2019-113, A SUPPLEMENTAL BUDGET TO INCREASE REVENUES AND APPROPRIATE EXPENDITURES TO FUND THE RECREATION DEPARTMENT FOR THE LAST HALF OF 2018-2019.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Liquor License Application: TC&T, Inc. (Ogawa's)

Adam Brown, City Manager, presented.

Councilor Justus asked how many liquor licenses were currently on record in Ontario.

Mr. Brown replied he did not have that number.

CRUME moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE NEW OUTLET, LIMITED ON-PREMISES SALES LIQUOR LICENSE APPLICATION FOR TC&T, INC.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-no; Capron-yes; Braden-yes; Hill-yes. Motion carried 6/1/0.

Letter of Support for HB2402

Tom Frazier, Airport FBO, stated in 2015, HB2075 passed, which was a fuel tax for Jet-A and Hundred Low-Lead. The aviation community supported that bill because the money would be used in Oregon for CORE grants for municipalities like Ontario. When federal funds were applied for, and a grant was received for 90%, that money would be available and the city would need only come up with 1%. The last two airport projects were funded that way. With 2402, the taxes were increasing. There were two amendments for the original tax. One was from 9¢ a gallon on 100 low-lead, to 11¢; secondly was 9¢ to 13¢. On Jet-A, increasing from 1¢ to 3¢ or 1¢ to 5¢. His concern was the difficulty in competing with Idaho. He could purchase fuel at the pump in Idaho cheaper than he could in Oregon. That increase would make it difficult to be competitive. They were working with TVCC, working with Silver Hawk in Caldwell, and no one understood why the fuel was so much cheaper there than in Ontario. It was due to taxation. Looking at the carbon footprint tax, in conjunction with this bill, he probably shouldn't plan to sell any fuel. Some would purchase fuel in lesser quantity, say 100 gallons instead of 500 gallons, because they'd stop in Boise to fill up. He had spoken with Senator Bentz's office that day, and there were pros and cons to the bill.

Councilor Crume stated it was his understanding that if something wasn't voted on, or passed, that would sunset in 2020 and the tax would go away and they wouldn't have the CORE grants available.

Mr. Frazier replied that was the reason for the two amendments. They'd like to extend it beyond the 2022 deadline. If passed, it would be 91 days until active.

Mr. Brown suggesting amending the letter to state the city supported the CORE grants continued funding, but did not support the increase in the tax.

Council consensus to have Adam Brown rewrite the letter to voice the Council's support in sustaining the CORE grant taxing process, but to not increase the tax collection portion.

PRESENTATIONS**Ontario Sanitary Service**

Adam Brown, City Manager, opened.

There were two issues under discussion. First, did the city want to have a garage receptacle on Serve Day for anyone to use? Concerns raised at a previous meeting had to do with individuals dumping hazardous items. A staff member had volunteered to watch the dumpster. Secondly, staff had been asked to look into mandatory garbage service, which was the reason behind Mr. Wilson being in attendance.

Scott Wilson, Ontario Sanitary Service, stated regarding the dumpster, Serve Day was something over the past 30 years that his business had participated in. Instead of placing dumpsters around, there was a drive-through dump facility in town to utilize. The cost was the same as the landfill. If that worked for everyone, he would have staff there to monitor the garbage being brought in.

Regarding mandatory garbage service, his company offered several different options, and a mandatory service would cause them to have to change to a one size fits all. As of the end of March, there were 3,184 residential customers; 2,153 were weekly service, 1,028 were every other week. 84 of those had more than one cart. 541 of those customers used yard carts; 49 of those residents were currently on temporary stop as they were gone. 18 of



those residential customers were on a temporary stop because they were using trash containers for clean-up. 210 of those carts were immobile carts, about 60% of those 3,100 customers participated in the weekly curbside recycling program. Services currently offered included monthly, every other month billing; weekly, or every other week service; weekly same day as garbage recycling; a voluntary yard debris cart service; extra pick-ups during the week; return trips if they missed; temporary stops to any customers who were gone three weeks or more; they had a drive-up window for payments, and they recently remodeled the office for their walk-in customers; there was online bill pay, ACH payments, credit card payments, cash payments, and a payment box at City Hall. There was staff available to answer questions about service, billing, recycling, and other general questions. They offered container and drop box services to residential customers that were doing remodels or yard clean up. There was also a transfer station designed to be convenient for those who like to self-haul. Questions to be considered would be: was mandatory service going to be one roll cart per residential property, emptied once a week? If so, the issues that Mike Miller has addressed earlier, wouldn't be solved by that option. Did the definition of residential include duplexes, triplexes, fourplexes, or multi-family dwellings? Several customers they served were in duplexes. What about those who opted to self-haul, shared with their neighbors, used multiple carts, or had containers for service. There were several business owners that had their business and residential service combined. If the city took over the billing, was the city going to raise the rates to cover the administrative costs associated, or would they ask his company to take a discount?

In addition, when this question was raised several years ago, they had developed an ordinance that the city could use to attach to any property that the Ordinance Officer deemed to be a problem property. After notice, that property could be put on mandatory service. The fee would be attached to their utility billing invoice, and the city would receive a \$15 monthly fee for doing that. After the property was cleaned up and the resident had paid their bill regularly to the city for several months, they could be released and they could go back to service directly with his company. In the eight years since its inception, only two residential and one business customer had been set up for that. Problem properties that needed to be placed on mandatory garbage service, the mechanism to do that was already there. However, if the city opted to go mandatory across the board, he was there to work with the city on that project.

Councilor Justus asked about the ability to require some commercial apartment units that had more than four units, to have "x" amount of dumpsters. One dumpster for a large unit was not enough.

Mr. Wilson stated there was no written format for determining how many dumpsters for how many units, but it would bear investigation.

Councilor Crume suggested that the City Manager arrange an agreement with Ontario Sanitary Service to have free garbage service on Serve Day, with proof of residency, and to put an ad in the media addressing the service.

Council consensus to have the City Manager comply with the suggestion.

Mayor Hill asked that staff return at the next meeting with an outline of how the mandatory service could be implemented on those who did not comply with keeping their areas cleaned up.

Classification and Compensation Plan (Attached)

Peter Hall, HR Manager, presented. In summary, this Plan would be looking at the specific policies of salary increases, merit increases, and performance evaluations. It would move to step increases instead of lump sum, and moving the performance evaluation from a scale of 1-3 grading, to 1-5.

Mayor Hill stated with regard to performance, he preferred the term "accomplishments". He had never seen anyone get a poor performance rating. When discussing the pay benefit, there were incremental increases. He hadn't seen anything for benefits that added on to that. The City Council really had very little control; the City Manager had the absolute authority to hire and/or fire without any interruption from the Council. With a downturn in the economy, everywhere else was taking a hit, but government employees were going to get a pay increase. It seemed there should be some outside group, maybe public sector mixed with private sector people, to review the proposed Plan before moving forward with it.

Councilor Justus voiced his appreciation for the Plan that Mr. Hall had developed, but also appreciated the comments by the Mayor regarding accomplishments. The City Manager would know how much a raise would be fully-burdened. But, he did agree with having someone “outside” review the Plan, to ensure they were not just arbitrarily instituting a system that wasn’t financially responsible. They were accountable to the citizens, not responsible for the employees.

Councilor Capron stated he understood about being in a position where no raises were given, even to someone doing an outstanding job. Doing your job should result in compensation. Being stagnant, even those in the public sector, would be hard. It was the Council’s job to retain quality employees.

Councilor Crume asked how much the Council wanted to micromanage the City Manager. He understood where the Mayor was coming from, but he had some concerns about micromanaging where they didn’t need to.

Mayor Hill stated they tended to personalize the situation, and they should not be doing that. It should be about the position itself.

Mr. Brown stated the Plan had some controls in it. There was only a 25% bandwidth. It had a minimum, but it also reflected a cap. It provided a non-personal way of evaluating a job. It wasn’t based on the person; it was based on the minimum job qualifications required for the position. Then the award for accomplishments was done through the performance evaluation. A three would see no increase because an employee was doing what they were supposed to. Each Department Head would perform the evaluation for their staff, and the Council would do the evaluation for the City Manager.

Mayor Hill still felt very strongly that there should be an outside review by an independent committee.

Council consensus to develop a plan on how to analyze the plan with a committee comprised of both public and private sector people.

HAND-OUTS/DISCUSSION ITEMS

Housing Incentive Program

Councilor Justus asked the Council to consider, with regard to the \$10K initiative, to educate the public on how, if they came to build in Ontario, they’d get that \$10K in their pocket. Currently, for example, Agile would build and give the buyer a \$10K credit on the bottom. He’d like to allow the buyer to get the check for that \$10K.

Mayor Hill agreed, and even suggested meeting with the school district and asking them to participate. If the city would give a teacher that money, let the school kick in another \$4,000 or \$5,000 to get teachers to sign contracts that will have them stay for three or five years, and also live in Ontario.

Mr. Brown stated staff had developed a flyer for the program, and it was also on the city’s social media outlets.

Banning Outdoor Marijuana Grows

Councilor Justus stated they needed to look into banning outdoor marijuana grows. The smell was a deterrent from people looking to move to Ontario. No one wanted to live in a neighborhood that stunk.

Councilor Capron stated the city had an Ad-Hoc Committee for marijuana related issues, and he believed this should be sent to them first for discussion. Let them bring back some ideas to the city.

Consensus to send it to the Ad-Hoc Committee.

Check Register: Through April 12, 2019 (Attached)

No comments.

CORRESPONDENCE/COMMENTS

- Mayor Hill stated he had received a letter from a 5th grader in Arkansas, asking if the City of Ontario was better off since President Trump was elected, and what the city's plans were for Ontario.
- Councilor Rodriguez reminded everyone of the Town Hall meeting tomorrow, 6:00 p.m., in the Collins Room, Four Rivers Cultural Center. There would be individuals from the City Council, the Recreation District, and the School Board.
- Mayor Hill stated he had been attending meetings where they were working on putting a parks plan and trail plan together.
- Councilor Justus reminded everyone of the Chocolate and Wine Walk on May 4th, \$25 a person, 25 total stops, with eight wine stops.

ADJOURN

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

ACCEPTED:

ATTEST

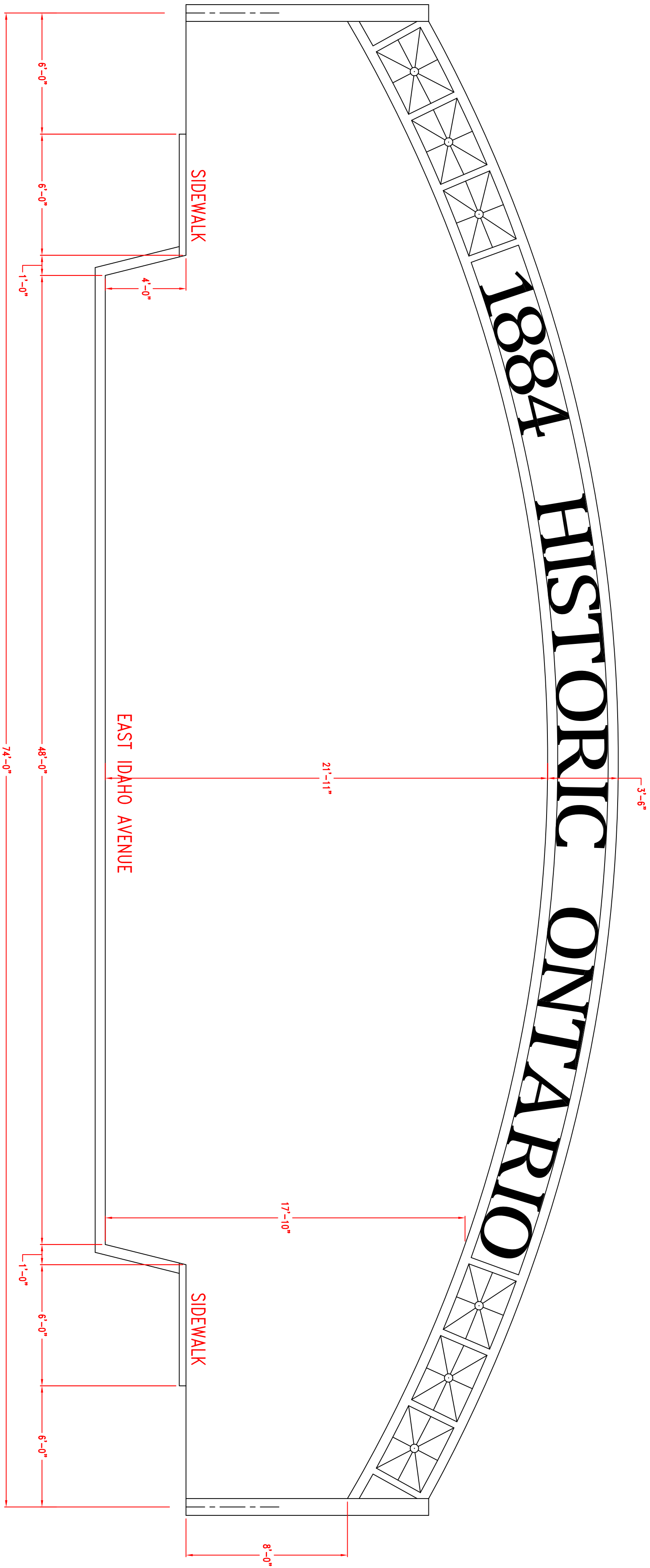
Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



[illegible]

LEGS AT GROUND
ELEV: 2150.0



Kathy Brittingham - K-CAD, Inc.
Computer Aided Drafting Services
Ontario, OR 97914-Phone: (541)889-3539

DRAWN BY:
DATE: 5-14-2019

HISTORICAL ARCH
ONTARIO, OREGON

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

FOR:
PROPOSED EAST IDAHO AVE. ARCH
ONTARIO, OR

SHEET



OF
1



**AGENDA REPORT
OLD BUSINESS
May 21, 2019**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION 2019-115: SUPPLEMENTAL BUDGET TO RECEIVE AND EXPEND
POLICE DONATIONS**

DATE: May 14, 2019

PROPOSED MOTION:

I MOVE TO APPROVE RESOLUTION #2019-115, A RESOLUTION APPROVING A SUPPLEMENTAL BUDGET TO RECEIVE AND EXPEND POLICE DONATIONS.

SUMMARY:

Attached is Resolution #2019-115 for City Council approval.

BACKGROUND:

The Police Department has recently received the following donations for police projects:

- \$250 Ontario VFW
- \$100 Ontario American Legion

A supplemental budget change is required for the Police Department to expend these donations.

CURRENT SITUATION:

The Police Department comes into contact with numerous children in the course of its duties. This could be a regular contact where someone in the child's family had something stolen or it could be something traumatic for the child such as witnessing a domestic violence incident. The Police Department would like to use these donations to purchase items such as plastic police badges and stickers to be given to children. This can help to develop a rapport with children to help them not to be afraid of police officers. The plastic badges can also be handed out to school children that tour the Police Department.

ANALYSIS:

- A. **FINANCIAL** The Police Department did not budget to receive and expend these funds and would like to receive and expend the \$350.
- B. **TIMING** The supplemental budget has been advertised for greater than the four days required. Staff recommends approval as soon as possible in order to order to purchase the items for children.
- C. **POLICY/LEGAL** A formal resolution approving the supplemental budget by the City Council is required to expend the funds per ORS 294.

ALTERNATIVES:

A. Take no action - The Council could take no action on this matter; this would allow the city to keep the donations, but not allow the expenditure of the donations.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution #2019-115.

ATTACHMENTS:

- 1. OPD Donations Resolution 2019-115



RESOLUTION 2019-115

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET AUTHORIZING THE APPROPRIATIONS TO RECEIVE AND EXPEND POLICE DONATIONS

- WHEREAS,** The Ontario Police Department occasionally receives unexpected revenue from donations; and
- WHEREAS,** The Ontario Police Department received \$350 and would like to spend the donations to purchase plastic police badges and stickers to give to children; and
- WHEREAS,** The General Fund Police Department Budget for Fiscal Year 2018-2019 was adopted without the knowledge of such funds; and
- WHEREAS,** The City desires to modify the 2018-2019 budget to receive and 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
GENERAL FUND				
001-000-469210	Misc. Police Revenue	\$3,846	\$350	\$4,196
001-024-613500	General Supplies & Maintenance	\$4,723	\$350	\$5,073

EFFECTIVE DATE: Effective immediately upon passage.

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

AYES:

NAYES:

ABSENT:

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

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
May 21, 2019**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2019-116: SUPPORT FOR THE TREASURE VALLEY CONNECTOR TRAIL RECREATION TRAIL PROGRAM GRANT APPLICATION AND APPROVAL OF THE LAND MANAGER APPROVAL FORM**

DATE: May 10, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2019-116, A RESOLUTION SUPPORTING THE TREASURE VALLEY CONNECTOR TRAIL RECREATION TRAIL PROGRAM (RTP) GRANT APPLICATION AND AUTHORIZE THE MAYOR TO EXECUTE THE LAND MANAGER APPROVAL DOCUMENT.

SUMMARY:

A resolution of support and signature of the Land Manager Approval Form is needed to complete the application for the Recreation Trail Program (RTP) which is due on June 15, 2019.

BACKGROUND:

The city approved use of trail funds in 2018 for to design the Treasure Valley Connector Project. Additional funds to build the trail were included in the 2019-2020 budget. Staff is writing a grant for the Recreation Trail Program, which is federal money that runs through the Oregon Parks & Recreation Department.

CURRENT SITUATION:

Staff is writing a grant for the Recreation Trail Program (RTP), which is federal money that runs through the Oregon Parks & Recreation Department.

A resolution of support from the governing body of the city requesting funds demonstrates support to the grant reviewers. The state also needs to have a signed document from the land manager (owner) that the project has permission to built on the proposed land. The only land owners for this project are the City of Ontario and Treasure Valley Community College.

ANALYSIS:

- A. **FINANCIAL** Staff expects the cost to be \$220,000. The city's match proposal is \$100,000, which has already been budgeted. Funds used for design over the past year will be eligible for match if the grant is awarded. The grant request will be for \$125,000, which is the average RTP grant amount awarded last year. Staff believes this and our readiness to move on the project will make us competitive in the application procedure.
- B. **TIMING** The grant deadline is June 15, 2019. We must have all of the required approvals finished by that time. The Council has two meetings left to approve a resolution of support and the land manager approval form.
- C. **POLICY/LEGAL** The state administrative regulations require letters of support and a signed land manager approval form.

ALTERNATIVES:

Take No Action - Our application will be incomplete.

RECOMMENDATION:

The City Manager recommends that the Ontario City Council approve Resolution 2019-116 Supporting the Treasure Valley Connector Trail Recreation Trail Program (RTP) Grant Application and Authorize the Mayor to Execute the Land Manager approval document.

ATTACHMENTS:

- 1. RTP_Land_Manager_City of Ontario Approval_Form_5 10 2019
- 2. Reso #2019-116 TV Connector Trail Support
- 3. TVCC_020-Exhibitt-000

APPROVAL BY LAND MANAGER

As the official responsible for management of the land on which the project is located, I agree to the following:

1. The proposed trail project or facility will remain accessible for public use.
2. The project as described in this application has my approval.
3. The project as described is in compliance with Section 1302 (e)(2)© of the Recreational Trails Program that prohibits the use of grant funds to accommodate motorized use on trails that have been predominately used by non-motorized trail users prior to May 1, 1991.
4. If this project is located on federal lands:
 - (a) The project is in compliance with all applicable laws, including the National Environmental Policy Act, the Forest and Rangeland Renewable Resources Planning Act, the Federal Land Policy and Management Act, and the Wilderness Act.
 - (b) The project is in conformance with the appropriate Forest Management Plan or BLM Resource Area Management Plan titled:

Title:	Date:
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- (c) A decision has been issued as part of the NEPA environmental review process. Attach copy of decision notice/finding of no significant impact.
- (d) If a decision has not been issued, please state when a decision is expected.

--

Signature:	Date: 5 10 2019
Print or Type Name: Riley J. Hill	
Title: Mayor	
Phone Number: 541-212-2310	
Email: ontariooregonmayor@gmail.com	



RESOLUTION #2019-116

A RESOLUTION SUPPORTING THE TREASURE VALLEY CONNECTOR TRAIL RECREATION TRAIL PROGRAM (RTP) GRANT APPLICATION AND AUTHORIZING THE MAYOR TO EXECUTE THE LAND MANAGER APPROVAL DOCUMENT

- WHEREAS,** The City of Ontario has no bike and pedestrian trails; and
- WHEREAS,** the City Council of the City of Ontario understand the importance of quality of life issues and have established a strategic goal to work with community partners to enhance the quality of life in Ontario by providing amenities; and
- WHEREAS,** the City of Ontario has worked collaboratively with Treasure Valley Community College as the other land owner to partner on this project; and
- WHEREAS,** the Treasure Valley Connector Trail project is identified in Ontario's Parks Master Plan; and
- WHEREAS,** The City Council of Ontario has budgeted matching funds to move forward with this project in fiscal year 2019-2020; and
- WHEREAS,** The Treasure Valley Connector Trail is the ideal spot to begin a community trail system because of the collaborative use of publicly owned lands and its connection to the city's flagship Lion's Park.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Ontario, Oregon expresses their support for the RTP grant application to complete the Treasure Valley Connector Trail.

BE IT FURTHER RESOLVED that the Ontario City Mayor is authorized to execute the land manager approval form required for submission of the grant.

EFFECTIVE DATE: Immediately upon passage.

PASSED AND ADOPTED by the Ontario City Council this 21st day of May, 2019, by the following vote:

Ayes:

Nays:

Absent:

APPROVED by the Mayor this 21st day of May, 2019.

ATTESTED:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



TREASURE VALLEY COMMUNITY COLLEGE
MULTI-USE TRAIL EASEMENT INFORMATION
4-19-19

NOTES: Easement information provided is for discussion purposes. Licensed surveyor needed to provide recordable easement. Areas identified as "Slope Work Zone" indicate areas where initial construction effort will require earthwork and surface repair beyond the easement to construct path. This is a temporary disturbance and does not need to be covered by easement in the future.

LEGEND

-  Presumed City Easement
 City Right of Way
 Pathway Easement
 Pathway Centerline

SW 14th Ave

SW 11th Ave

Park Blvd

Park Blvd

Evergreen Cemetery

- Presumed City Easement for Road

TVCC

City Right of Way

Pathway Easement
455 SQ FT

Pathway Easement -
860 SQ FT

Slope Work Zone —

City Right of Way ↘

PRELIMINARY
NOT FOR
CONSTRUCTION

[illegible]

•	TVCC PATHWAY CITY OF ONTARIO ONTARIO, OREGON
•	
•	

DOCUMENTS: THIS DOCUMENT, AND THE IDEAS AND DESIGNS

JACOBS	
	REUSE OF

VERIFY SCALE		PRELIMINARY DESIGN
BAR IS ONE INCH ON ORIGINAL DRAWING. 0  1"		
DATE	FEBRUARY 2019	
PROJ	676717	
DWG		
SHEET	of	

PLOT TIME: 5:01 PM OTTIME

REUSE OF DOCUMENTS: THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF

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719 PRELIMINARY DESIGN



**AGENDA REPORT
NEW BUSINESS
May 21, 2019**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2019-117: ESTABLISHING POLICIES RELATED TO ENDING FUND BALANCES FOR 2018-2019**

DATE: May 14, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ADOPT RESOLUTION #2019-117, A RESOLUTION ESTABLISHING POLICIES RELATED TO ENDING FUND BALANCES FOR 2018-2019.

SUMMARY:

Attached is the following document:

Resolution 2019-117, A Resolution Establishing Policies Related to Ending Fund Balances of 2018-2019.

BACKGROUND:

Government Accounting Standards Board (GASB) No. 54 was adopted by the city for the fiscal year ended June 30, 2011. The City Council is required to formally establish spending policies for ending fund balances annually by formal resolution.

CURRENT SITUATION:

The city needs to commit the 2018-2019 ending fund balances in the Revolving Loan Fund, Capital Projects Fund, Trust Fund, and Reserve Fund for use in the 2019-2020 fiscal year. All commitments of ending fund balance are required to be approved on or before the end of the fiscal year.

ANALYSIS:

- A. **FINANCIAL** No financial impact.
- B. **TIMING** The resolution is required to be approved on or before June 30, 2019.

C. **POLICY/LEGAL** An ending fund balance resolution is required per GASB No. 54.

ALTERNATIVES:

A. Take No Action--The Council could take no action on this matter; this would cause a finding in the audit.

RECOMMENDATION:

Staff recommends the City Council approved Resolution #2019-117.

ATTACHMENTS:

1. RES_CC_Resolution GASB 54_5 2019



RESOLUTION 2019-1117

A RESOLUTION ESTABLISHING POLICIES RELATED TO ENDING FUND BALANCES FOR 2018-2019

WHEREAS, The City of Ontario promotes accounting practices in compliance with the Governmental Accounting Standards Board (GASB); and

WHEREAS, The City Council desires to establish fund balance policies to comply with GASB Pronouncement No. 54; and

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following policies as it relates to ending fund balances for 2018-2019 pursuant to GASB 54:

Authority

The Ontario City Council reserves the authority to establish and modify commitments of ending fund balance.

Commitments

In compliance with GASB 54, the Ontario City Council hereby makes the following commitments of 2018-2019 ending fund balance for specific uses in 2018-2019:

Special Revenue Funds

1. The unrestricted ending fund balance of the Trust Fund is committed to use for activities related to the specific department priorities as established by those who provided the monies held in trust.
2. The ending fund balance of the Revolving Loan Fund is committed to use for activities related to the specific activities defined by Council Resolution governing the revolving loan fund program and the grant program established through the collection of interest payments on outstanding loans.

Capital Project Funds

- 1 The unrestricted ending fund balance of the Capital Projects Fund is committed to use for capital project activities as defined by each individual department, including fees collected that are required to be spent on defined activities.
- 2 The unrestricted ending fund balance of the Reserve Fund is committed to use for capital projects and equipment replacement related to the specific department priorities as established by those who provided the monies.

Assignments

Authority to classify portions of ending fund balance as Assigned is hereby granted to the Ontario City Council, or their designee.

Spending as it Relates to Ending Fund Balance Policy

The Ontario City Council considers the spending of the restricted classification of fund balance in the following order:

1. Restricted Uses
2. Committed Uses
3. Unrestricted Uses



EFFECTIVE DATE: Effective immediately upon passage.

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

AYES:

NAYES:

ABSENT:

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

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
May 21, 2019**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: RESOLUTION #2019-120: SPLASH PARK OPERATIONS

DATE: May 15, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION 2019-120, A RESOLUTION COVERING OPERATIONS OF THE SPLASH PARK FOR THE MONTH OF JUNE 2019.

SUMMARY:

City staff have been working with members of the Recreation District to coordinate the long-term plan for operation of the splash park since it is anticipated that it will only be in the hands of the city for a short period of time.

BACKGROUND:

The splash park was the vision of a grassroots group known as the Friends of the Aquatic Center. Their stated purpose was to build a quality Aquatic/Recreation Center that will improve the Community Pride and serve our community for generations.

The city allocated more than 3 years of Transient Occupancy Tax funds towards the splash park for a total of \$352,670. We received \$185,012 in cash donations and over \$45,800 in in-kind donations.

We received \$298,200 from a state local government grant program. There is still \$100,000 remaining from the state grant for an additional restroom at the skate park and for a shade structure.

With a cornucopia of people involved and working through many challenges we have delivered on this promise to our community. The grand opening for the splash park is scheduled for May 30, 2019.

CURRENT SITUATION:

When the Friends of the Aquatic Center developed the splash park plan it was submitted with the intent to charge \$2 for entrance. The Recreation District formed in the middle of the construction of the park and requested that the splash park be conveyed to them with the Aquatic Center.

In my most recent communication with a board member of the Ontario Recreation District he indicated to me that their Board had discussed their intent not to charge for entrance. In an effort to work together with the Recreation District, we have put together a budget for operating it without cost so that the transition will be seamless. The Recreation District will be meeting on May 20, 2019. I pledged to take this discussion to the City Council on May 21, 2019, after which we could hopefully finalize a decision.

Staff have worked through a maintenance and staffing plan with Jacobs. Jacobs will take care of the preventative maintenance of the park as well as be on-call for mechanical needs. They have a full understanding of the splash park mechanical operation.

Water sampling has to be done regularly, so we have included a budget for staff to sample at regular intervals. Chemical treatment of the re-circulating water system will be made as a result of the testing. Staff will monitor bathroom supplies and general maintenance when not testing. We have included costs estimates for chemicals and supplies.

We are asking the Council to budget \$7,000 for operation of the splash park through the end of June, which will allow for free entrance for users. The cost breakdowns are as follows:

PW Maintenance	\$821
Staffing	\$5,200
Chemicals and Supplies	\$979
Total	\$7,000

ANALYSIS:

- A. **FINANCIAL** We are asking that the Council appropriate \$7,000 from contingency to operate the splash park without needing to charge admission until the city hands over operation in July to the Recreation District. We are working on a potential collaboration with the Boys and Girls Club of Western Treasure Valley for the staffing needs; however, we are prepared to operate directly if needed.

There is still \$85,352 remaining in the contingency budget for FY 2018-2019. The new balance in contingency will be \$78,352.

- B. **TIMING** This will potentially be the final meeting of the Council before the park opens. We would appreciate approval from the Council at this time to move forward with the operations plan.
- C. **POLICY/LEGAL** Only the City Council has the authority to transfer and appropriate expenses from contingency.

ALTERNATIVES:

Transfer of Operation Directly to Recreation District - Since the city has been managing the construction of the project and has been more involved with knowing what is needed to operate the facility, we have put together the operating budget. We believe it would be best for us to operate it the first month, which will allow for a transition period with the Recreation District and create a more seamless transition.

RECOMMENDATION:

Staff recommends the Council approve Resolution #2019-120 to transfer and appropriate \$7,000 to operate the splash park from the grand opening on May 30, 2019, to the end of June.

ATTACHMENTS:

1. Reso-2019-120



RESOLUTION 2019-120

A RESOLUTION TO APPROPRIATE EXPENDITURES FOR SPLASH PAD OPERATIONS

- WHEREAS,** The City of Ontario will open the Ontario Splash Pad on May 30, 2019, and will operate it until the Ontario Recreation District takes over July 1, 2019; and
- WHEREAS,** The City of Ontario will not charge an admission fee at the splash pad; and
- WHEREAS,** The City desires to fund operation costs for 31 days from the General Fund and will use contingency budget balances; and
- WHEREAS,** The City desires to modify the 2018-2019 General Fund budget to expend the funds.

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

Line Item	Item Description	FY 18-19 Budget	Amount of Change	Adjusted Budget
GENERAL FUND				
001-008-613600	Splash Pad Operations	\$ -	\$7,000	\$7,000
001-004-871000	Contingency	\$85,352	(\$7,000)	\$78,352

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the Common Council City Council of the City of Ontario this 21st day of May, 2019, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 21st day of May, 2019.

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
May 21, 2019**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: FINANCING OF BLM IMPROVEMENTS

DATE: May 16, 2019

PROPOSED MOTION:

CONSENSUS NEEDED TO AUTHORIZE THE CITY MANAGER TO PAY FOR COSTS UP FRONT AND RECOUP COSTS FOR IMPROVEMENTS FROM THE BLM THROUGH A REVISED LEASE.

SUMMARY:

The Bureau of Land Management is being forbidden by other federal regulatory agencies to wash fire-retardant from Single Engine Aircraft Tanker (SEAT) planes down storm drains following fire fighting trips. Federal regulation is requiring the BLM to collect and dispose of all wash from these planes.

BACKGROUND:

SEAT planes used for air combat of wild land fires are typically washed into the storm system near the BLM leased site. That wash enters our storm collection system and eventually ends up in the tributaries and rivers.

Regulations from federal agencies is now requiring them to collect, contain, and dispose of that water and fire retardant mixture. The BLM staff have designed an insert into the storm drain so that they can capture and pump out the mix. To pump out the mixture, they need electric power for a sump pump.

In addition to the sump pump they intend to put a trailer inside the fenced area already leased to the BLM for seasonal use. This trailer will go through the conditional use permit process through the planning department.

CURRENT SITUATION:

The BLM has requested that the city cover the costs for extending electrical service across the property for the trailer and sump pump. They are requesting that the cost be refunded by an increase to the BLM lease rate. These improvements will be permanent and stay with the property with or without the BLM Lease.

If the city were to do this we would charge the federal mid-term interest rate, which is around 4.09% right now. The Storm Fund would pay for the cost and we would transfer the cost recouped in the lease rate over a two year period.

Operations for wild-land fire fighting are expecting to begin within the next month. The BLM would like permission to move on with the improvements so that operations do not have to cease at the Ontario airport.

ANALYSIS:

- A. **FINANCIAL** Financing \$7,000 over two years would increase the lease by approximately \$305 per month. We would collect \$302 in interest over the 24 months. There is existing budget in the storm fund that will not be spent this calendar year. No formal action is needed to authorize additional budget.

The BLM will bring in an additional \$500 for tie down fees of a SEAT plane and another \$120 for the temporary permit for the mobile office.

- B. **TIMING** Operations are to begin the second week of June. The work is not extensive, but it does need to begin now to be ready for the wild-fire season. Since there are no budget changes needed, I would like the Council aware of what is being requested and general consensus to move forward.
- C. **POLICY/LEGAL** The City Council will need to approve the lease amendment.

ALTERNATIVES:

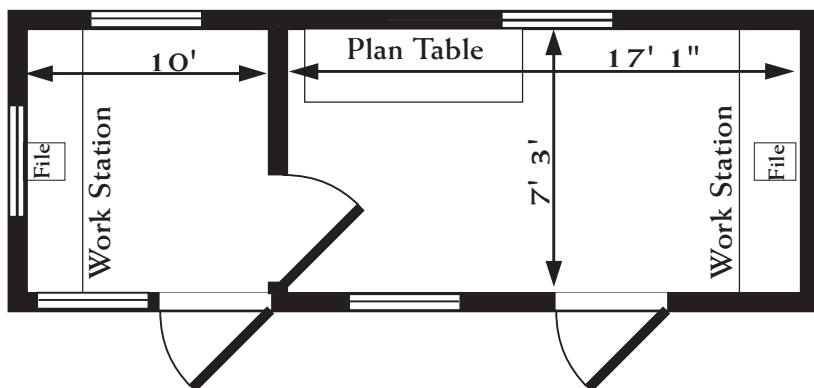
Take No Action - The City appreciates having the BLM airbase in Ontario. We benefit by fuel consumption tax and leased property. We are looking at a long-term facility for the BLM combined with other federal agencies and consolidation of operations, but it is necessary to keep them here to see that future benefit. This may jeopardize their ability to fly from Ontario if not approved.

RECOMMENDATION:

The City Manager recommends that we move forward with financing the improvements for the BLM with and adjusted lease rate.

ATTACHMENTS:

1. 8 x 28 Feature Factor Sheet
2. SumpPlan6-Profile
3. SumpPlan6-Plan



8' x 28' Mobile Office Building:

- 224 square feet of office space, which includes one private office, enough space for three to four people.
- Two integrated workstations include; a built in desktop and a two drawer file cabinet, one built in plan table is also included.
- Buildings are completely insulated and come with a heating and air conditioning system to provide a comfortable work environment.
- Vinyl floors offer an almost maintenance free office building.
- Upgraded interior wall coverings and decorative wood siding, provides for a professional appearance.

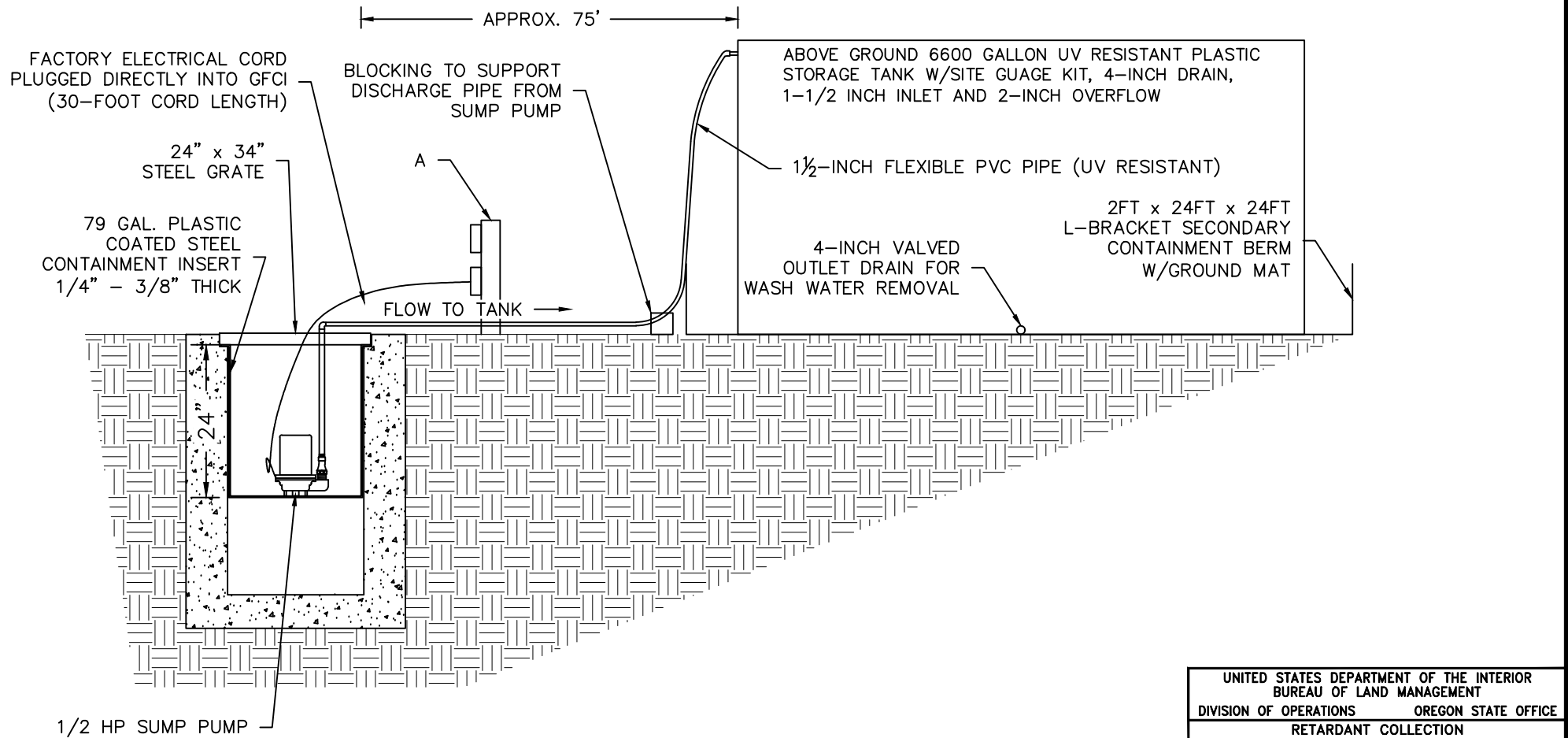
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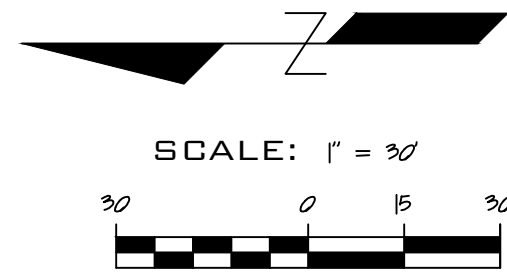
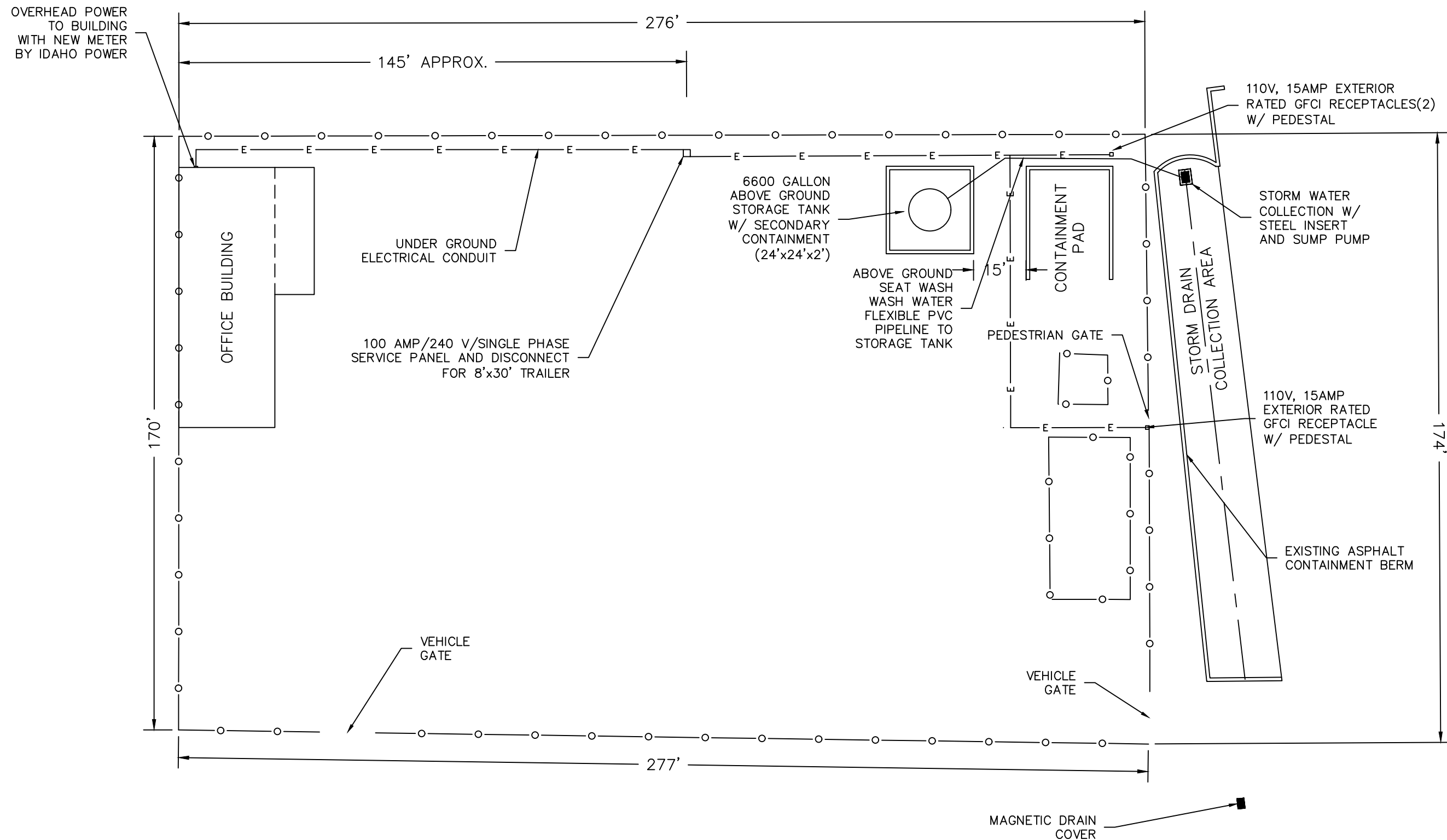
GENERAL NOTES:

- A (110V, 15AMP GFCI BREAKERS (2 EA.)) INSTALLED ON 4'x4' PEDESTAL. POWER FROM ELECTRICAL SERVICE PANEL
INSTALLED FOR OFFICE TRAILER (SEE PLAN).
- B STEEL CONTAINMENT INSERT TO SEAL THE EXISTING STORM DRAIN OPENING



1 STORM DRAIN BOX AND SUMP PUMP
D1 NOT TO SCALE

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT	
DIVISION OF OPERATIONS	OREGON STATE OFFICE
RETARDANT COLLECTION ONTARIO SEAT BASE	
SUMP PUMP PROFILE	
DESIGNED	
REVIEWED	
APPROVED	
CHIEF, BRANCH OF ENGINEERING OR DISTRICT ENGINEER	
DRAWN: DEM	SCALE: none
DATE: 11/29/18	SHEET 1 OF 1
DRAWING NO.	



UNITED STATES DEPARTMENT OF THE INTERIOR	
BUREAU OF LAND MANAGEMENT	
DIVISION OF OPERATIONS	OREGON STATE OFFICE
RETARDANT COLLECTION	
ONTARIO SEAT BASE	
SUMP PUMP PLAN	
DESIGNED	
REVIEWED	
APPROVED	
CHIEF, BRANCH OF ENGINEERING OR DISTRICT ENGINEER	
DRAWN: DEM	SCALE: 1" = 30'
DATE: 03/06/19	SHEET 1 OF 1
DRAWING NO.	



**AGENDA REPORT
PUBLIC HEARING
May 21, 2019**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2019-118: DECLARE CITY'S INTENT TO RECEIVE STATE REVENUES**

DATE: May 14, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ADOPT RESOLUTION #2019-118, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR THE FISCAL YEAR 2019-2020.

SUMMARY:

Attached is the following document:

Resolution 2019-118, A Resolution Declaring the City's Election to Receive State Revenues for the Fiscal Year 2019-2020.

BACKGROUND:

The City Council is required to annually approve a formal resolution in order to elect to receive state revenues.

CURRENT SITUATION:

The City of Ontario Budget Committee held public hearings on April, 23, 24 and 25, 2019, discussing the 2019-2020 budget which contains revenue sharing from the State of Oregon. The City Council held a public hearing on May 21, 2019, giving the citizens an opportunity to comment on the use of State Revenue Sharing, pursuant to ORS 221.770.

ANALYSIS:

- A. **FINANCIAL** The City will be able to receive State Revenues that are shared with cities throughout Oregon.
- B. **TIMING** The resolution is required to be approved on or before June 30, 2019.

C. **POLICY/LEGAL** An election to receive state revenues is required per ORS 221.770.

ALTERNATIVES:

A. Take No Action.

The Council could take no action on this matter; this would mean the city would not be able to receive state revenues in the 2019-2020 fiscal year.

RECOMMENDATION:

Staff recommend the City Council approve Resolution 2019-118.

ATTACHMENTS:

1. Reso #2019-118 Receive State Revenues



RESOLUTION 2019-118

A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

WHEREAS, The City of Ontario Budget Committee held public hearings on April 23, 24 and 25, 2019; and

WHEREAS, The City Council held a public hearing on May 21, 2019 giving citizens an opportunity to comment on the use of State Revenue Sharing; and

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council:

Pursuant to ORS 221.770, the city hereby elects to receive state revenues for fiscal year 2019-2020.

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 21st day of May, 2019, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 21st day of May, 2019.

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder

I certify that a public hearing before the Budget Committee was held on April 23, 24 and 25, 2019 and a public hearing before the City Council was held on May 21, 2019, giving citizens an opportunity to comment on use of State Revenue Sharing.

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
PUBLIC HEARING
May 21, 2019**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2019-119: ADOPT CITY OF ONTARIO'S ANNUAL 2019-2020 BUDGET**

DATE: May 14, 2019

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ADOPT RESOLUTION #2019-119, A RESOLUTION TO ADOPT AND APPROPRIATE THE ANNUAL BUDGET FOR 2019-2020, IMPOSE THE TAXES UPON TAXABLE PROPERTY, AND CATEGORIZE THE TAXES IMPOSED FOR THE FISCAL YEAR 2019-2020.

SUMMARY:

Resolution 2019-119 is a resolution to adopt and appropriate the Annual Budget for 2019-2020, impose the taxes upon taxable property, and categorize the taxes imposed for the Fiscal Year 2019-2020.

BACKGROUND:

The purpose of this agenda item is to adopt and appropriate the budget, impose taxes upon taxable property, and categorize the taxes imposed.

CURRENT SITUATION:

The City of Ontario Budget Committee held public hearings on April 23, 24 and 25, 2019, and approved the 2019-2020 annual budget. The budget presented had no changes from the Budget Committee recommendations. The City Council held a public hearing on May 21, 2019, giving the citizens an opportunity to comment on the annual budget for 2019-2020.

ANALYSIS:

- A. **FINANCIAL** The City Council will adopt and appropriate the annual budget in the amount of \$33,716,683; the budget also includes \$1,663,972 of unappropriated ending balance.
- B. **TIMING** The resolution is required to be approved on or before June 30, 2019.

C. **POLICY/LEGAL** A budget is required to be approved per ORS 294.

ALTERNATIVES:

A. Take No Action--The Council could take no action on this matter, this would mean the city would not be able to spend money as of July 1, 2019.

RECOMMENDATION:

Staff recommends the City Council approve Resolution 2019-119.

ATTACHMENTS:

1. RES_CC_Resolution Approve 19-20 Budget_5 2019



RESOLUTION 2019-119

A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2019-2020

- WHEREAS,** The City of Ontario Budget Committee held advertised public hearings on April 23, 24, and 25, 2019 to review the proposed budget; and
- WHEREAS,** The Budget Committee approved a revised budget to review by the Ontario City Council; and
- WHEREAS,** The City Council having held an advertised public hearing on May 21, 2019, wishes to adopt the approved budget as recommended.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Ontario City Council hereby adopts the annual budget for Fiscal Year 2019-2020 in the total of \$33,716,683 now on file at Ontario City Hall.

BE IT RESOLVED that amounts for the annual budget for the fiscal year beginning July 1, 2019, and for the purposes shown below are hereby appropriated as follows:

001 - GENERAL FUND	Appropriated Budget 2019-2020
Personnel Services	\$5,361,739
Materials & Services	1,658,839
Capital Outlay	213,622
Interfund Transfers	912,327
Debt Service	39,086
Contingencies	282,930
TOTAL REQUIREMENTS.....	\$8,468,543
* <i>Unappropriated Ending Fund Balance</i>	<i>\$1,500,000</i>

002 – MARIJUANA ENFORCEMENT FUND	Appropriated Budget 2019-2020
Personnel Services	\$237,055
Materials & Services	\$10,000
Interfund Transfers	\$2,945
TOTAL REQUIREMENTS.....	\$250,000

010 - GRANT FUNDS	Appropriated Budget 2019-2020
Capital Outlay	\$721,373
TOTAL REQUIREMENTS.....	\$721,373

027 – BUILDING FUND	Appropriated Budget 2019-2020
Personnel Services	\$156,145
Materials & Services	31,373
Interfund Transfers	1,951
Contingencies	29,278
TOTAL REQUIREMENTS.....	\$218,747
030 - CAPITAL PROJECTS FUND	Appropriated Budget 2019-2020
Materials & Services	\$2,000
Capital Outlay	898,704
Contingencies	2,304,198
TOTAL REQUIREMENTS.....	\$3,204,902
031 - SDC FUND	Appropriated Budget 2019-2020
Capital Outlay	\$430,000
TOTAL REQUIREMENTS.....	\$430,000
035 - DEBT SERVICE FUND	Appropriated Budget 2019-2020
Debt Service	\$29,027
TOTAL REQUIREMENTS.....	\$29,027
045 - STREET FUND	Appropriated Budget 2019-2020
Materials & Services	\$1,765,730
Capital Outlay	1,602,638
Debt Service	63,176
TOTAL REQUIREMENTS.....	\$3,431,544
050 - TRUST FUNDS	Appropriated Budget 2019-2020
Materials & Services	\$633,756
TOTAL REQUIREMENTS.....	\$633,756
* <i>Unappropriated Ending Balance</i>	<i>\$163,972</i>
055 - RESERVE FUNDS	Appropriated Budget 2019-2020
Personnel Services	\$125,707
Materials & Services	1,326,152
Capital Outlay	961,864
Interfund Transfers	123,175
Contingencies	1,588,415
TOTAL REQUIREMENTS.....	\$4,125,313

060 - REVOLVING LOAN FUND	Appropriated Budget 2019-2020
Materials & Services	\$494,022
TOTAL REQUIREMENTS.....	\$494,022

105 - WATER FUND	Appropriated Budget 2019-2020
Personnel Services	\$600
Materials & Services	2,132,876
Capital Outlay	537,000
Debt Service	272,775
Interfund Transfers	681,094
Contingencies	888,270
TOTAL REQUIREMENTS.....	\$4,512,615

110 - SEWER FUND	Appropriated Budget 2019-2020
Personnel Services	\$600
Materials & Services	2,155,546
Capital Outlay	180,000
Debt Service	247,480
Interfund Transfers	489,208
Contingencies	3,446,569
TOTAL REQUIREMENTS.....	\$6,519,403

115 - STORM SEWER FUND	Appropriated Budget 2019-2020
Personnel Services	\$25
Materials & Services	88,868
Capital Outlay	80,000
Interfund Transfers	22,785
Contingencies	368,883
TOTAL REQUIREMENTS.....	\$560,561

120 – AIRPORT FUND	Appropriated Budget 2019-2020
Personnel Services	\$53,358
Materials & Services	\$61,834
Transfers	1,685
TOTAL REQUIREMENTS.....	\$116,877

Total Appropriations, All Funds	\$33,716,683
*Total Unappropriated and Reserve Amounts, All Funds	\$1,663,972
TOTAL ADOPTED BUDGET	\$35,380,655

IMPOSING THE TAX

BE IT RESOLVED THAT THE Ontario City Council hereby imposes the taxes provided for in the adopted budget at the of \$4.8347 per \$1,000 of assessed value for operations, and that these taxes are hereby imposed and categorized for tax year 2019-2020 upon the assessed value of all taxable property within the district.

CATEGORIZING THE TAX

BE IT FURTHER RESOLVED that the Ontario City Council categorizes the taxes as follows:

General Government Limitation		Excluded from Limitation
General Fund	\$4.8347 / \$1,000	\$0.00

EFFECTIVE DATE: Effective July 1, 2019.

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

AYES:

NAYES:

ABSENT:

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

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
PUBLIC HEARING
May 21, 2019**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE # 2754-2019 AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE NW1/4 SECTION 33, TOWNSHIP 17 SOUTH, RANGE 47 EAST, W.M.; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302 AND THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT NO. 3, ON FIRST READING BY TITLE ONLY**

DATE: May 16, 2019

PROPOSED MOTION:

A. APPROVAL:

1. I MOVE THE CITY COUNCIL ACCEPTS THE FINDINGS OF FACTS AND RECOMMENDATION OF THE PLANNING COMMISSION ON PLANNING ACTION 2019-03-24AZ A REQUEST FOR ANNEXATION AND REZONE OF A PARCEL OF LAND FROM URBAN GROWTH AREA INDUSTRIAL (UGA I-1) TO THE CITY LIGHT INDUSTRIAL (I-1) ZONE AND APPROVE ORDINANCE #2054-2019 AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE NW1/4 SECTION 33, TOWNSHIP 17 SOUTH RANGE 47 EAST, W.M.; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302 AND THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT NO. 3 ON FIRST READING BY TITLE ONLY.

B. DENIAL:

1. I MOVE THAT THE CITY COUNCIL DENY THE REQUEST FOR ANNEXATION AND REZONE OF THE SUBJECT PROPERTY AS SET FORTH IN ACTION 2019-03-24AZ AND ORDINANCE #2754-2019, BASED ON THE FOLLOWING REASONING AND FINDINGS OF FACTS: (STATE REASONS AND FINDINGS)

SUMMARY:

The applicant owns a parcel of land, known as 17S4733B, tax lot 3400. 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 1.33 Acres plus the right of way for NW 11th Street and NW 24th 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.

The hearings Office approved a Condition Use Permit (CUP) on February 22, 2019 under Planning Action 2019-01-08CUP for a Marijuana Retail Facility with conditions of Annexation and Partitioning of the lands.

On May 13, 2019 at a Public Hearing the Planning Commission heard testimony on Planning Action 2019-03-24AZ and made a motion to approve the Findings of Facts as presented and sent a recommendation for the City Council to Approve the request for the Annexation into the city and Rezone from Urban Growth Area Industrial (UGA I-1) to City Light Industrial (I-1) zone.

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 (I-1) to City I-1 Light Industrial, as the property far exceeds the minimum lot size of 7,500 square feet. As a further note, the preliminary site plan for the proposed development under the Conditional Use Permit shows the parcel meets and exceeds the area required.

f. The property owner of tax lot 3400 proposes future development and is requesting annexation and rezoning for timely redevelopment of the property in the near future. The applicant has indicated that City Sewer and Water mains will be extended to the site. Applicant will connect existing building and future structures to these services. City fire and police services will be available upon annexation for the property.

Additional right of way for NW 11th Street and NW 24th Avenue will be a requirement of this annexation process and will be granted to the City under the proposed Partition application under Planning Action 2019-03-26PTN.

City streets, including curb, gutter, sidewalks and public utilities will be constructed prior to Final Plat approval and recording, along the street frontage of this property as per City development codes.

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 Light Industrial 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 with a shoe string connection along the right of way of NW 11th Avenue.
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.

A request for annexation and rezone of property may be recommended for approval or denial by the Planning Commission to the City Council if all applicable decision criteria and standards are found to be met, or are able to be met through appropriate conditions of approval. In this case, findings must be made by the Planning Commission that the specific criteria are either met, able to be met through conditions of approval, or not met; options and discussion are provided under “**Findings:**” and “**Conclusion:**” for each criterion. All of the criteria and standards must be met in order for the request to be recommended for approval.

CONDITIONS OF APPROVAL:

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 at its Public Hearing.
2. The owner of the property dedicated to the City of Ontario the required additional 18 feet of Right of Way for NW 11th Street and 15.50 feet of right of way along NW 24th Avenue along the frontages of this property.
3. The owner shall extend all City Sewer and Water main to and along the frontage of the property and connect existing and future building to these services. The owner shall construct NW 11th Street and NW 24th Avenue to city standards along the frontages of this property prior to Final Partition Plat approval.
4. The owner will sign a lien causing any unpaid Utility bill to be a lien against the property.
5. The existing garage will have to be removed (it's with the road right of way) and the existing house will be allowed to remain if the Variance for front yard setback is granted under Planning Action 2019-03-25V.
6. The above Public improvement conditions (2) and (3) shall be accomplished at time of the required Partition being performed under Planning Action 2019-03-26PTN and shall be completed prior to the recording of the Final Plat on the action.

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 has had a Conditional Use permit approved for a Retail Marijuana Facility and as part of that approval the property is required to be annexed and cannot move forward with their development until the Annexation and rezoning is approved.
- 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:

Staff recommends that the City Council accepts the recommendation and Conditions of Approval from the Planning Commission on Planning Action 2019-03-24AZ and Approve Ordinance #2754-2019

ATTACHMENTS:

1. Ord #2754-2019



ORDINANCE #2754-2019

AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO, BEING A PARCEL WITHIN THE NW1/4 SECTION 33, TOWNSHIP 17 SOUTH RANGE 47 EAST, W.M.; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302 AND THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT NO. 3.

- 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
- 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;
- WHEREAS,** The City desires to withdraw the land to be annexed from the ONTARIO RURAL ROAD ASSESSMENT DISTRICT No. 3, 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 in Planning Action 2019-03-24AZ, 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. 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. Withdrawing above described area from Ontario Rural Road Assessment District No. 3. 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 Road Assessment District No. 3 on the effective date of this annexation pursuant to ORS 222.120(5).
5. 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 J. Hill, Mayor

Tori Barnett, MMC, City Recorder

Exhibit “A”
Property Description for Annexation/Rezone
City Action No. 2019-03-24AZ

Land in Malheur County, Oregon, as follows:

Land in OREGON AND WESTERN COLONIZATION SUBDIVISION SECOND ADDITION, in Section 33, Township 17 South, Range 47 East of the Willamette Meridian, Malheur County, Oregon, according to the Corrected Plat thereof, as follows:

In Block 5: The North 140 feet of Lot 10.

TOGETHER WITH all the Public Right of Way more particularly described as follows”

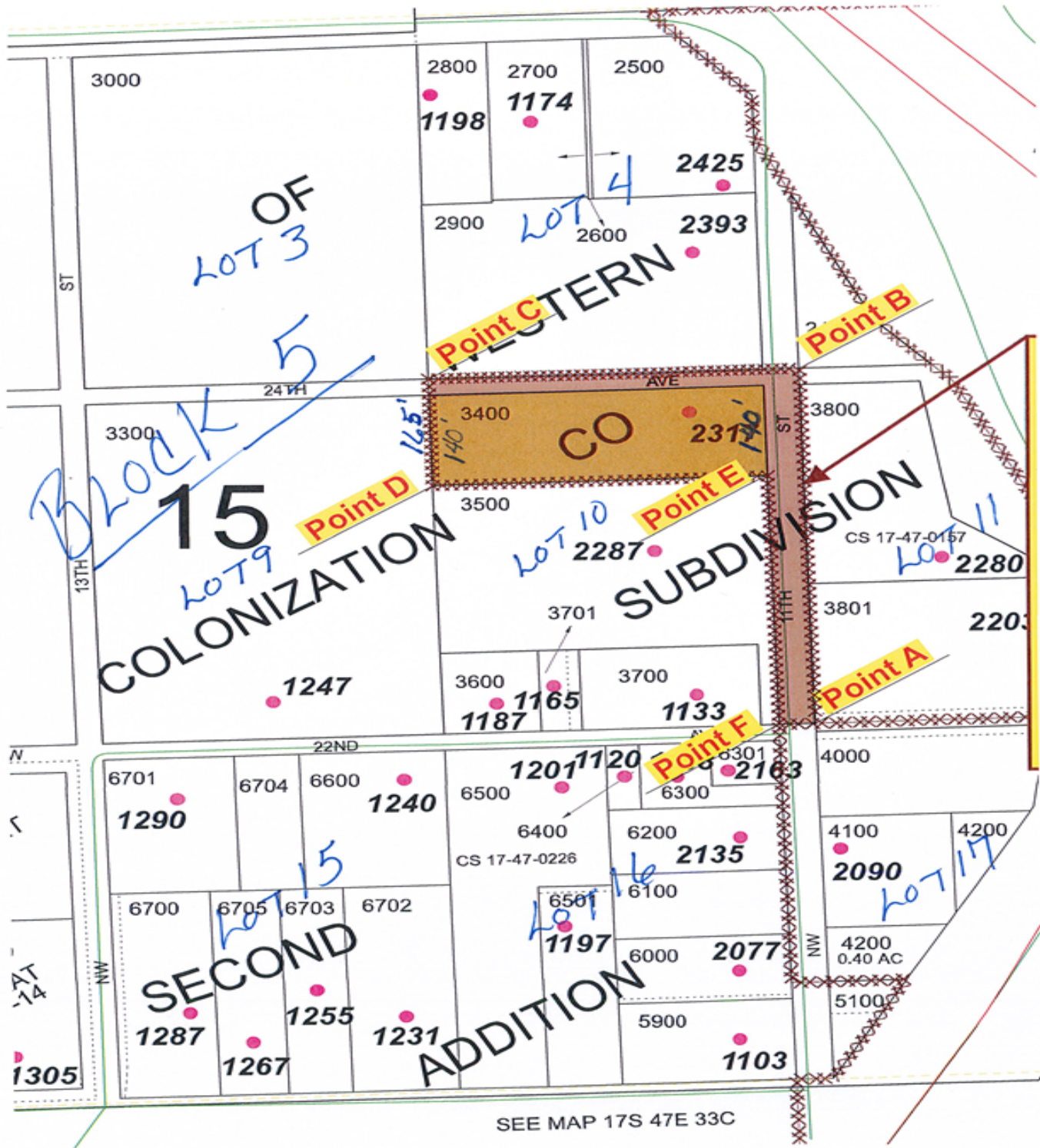
Beginning at the Southeast corner of said Lot 10; thence north coincident with the east boundary of said Lot 10 and the westerly boundary of NW 11th Street, to the Northeast corner of said Lot 10; thence west coincident with the north boundary of said Lot 10 and the southerly boundary of NW 24th Avenue, to the Northwest corner of said Lot 10;; thence north 25 feet to the Southwest corner of Lot 4, said Block 5; thence east coincident to the south boundary of said Lot 4 and northerly boundary of said NW 24th Avenue to the Southwest corner of Lot 5, said Block 5; thence south coincident with the easterly boundary of said NW 11th Street as Platted by said Corrected Plat, and the westerly boundary of Lot 11, said Block 5, to the Southwest corner of said Lot 11; thence west 30 feet to the said Southeast corner of said Lot 10 and the Point of Beginning.

END OF DESCRIPTION

Exhibit "B"

Subject property

MAP 17S4733B Tax Lot 3400





**AGENDA REPORT
PUBLIC HEARING
May 21, 2019**

TO: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2755-2019: AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM GENERAL HEAVY COMMERCIAL (C-2H) TO HEAVY INDUSTRIAL (I-2) ZONE CLASSIFICATION FOR PROPERTIES ON TAX MAP 18S47E03CD IDENTIFIED AS TAX LOTS 3800 AND 8300; BEING A PORTION OF BLOCK 91 OF THE ORIGINAL TOWNSITE OF ONTARIO, AND LOTS 9 AND 10 IN BOCK 190 OF WILSON'S SUPPLEMENTAL PLAT, TO THE CITY OF ONTARIO, ON FIRST READING BY TITLE ONLY**

DATE: May 16, 2019

PROPOSED MOTION:

A. APPROVAL:

1. I MOVE THAT THE CITY COUNCIL ACCEPTS THE FINDINGS OF FACTS AND RECOMMENDATION OF THE PLANNING COMMISSION ON THE REQUEST FOR REZONE OF THE SUBJECT PROPERTY FROM C-2H TO I-2, AS SET FORTH IN ACTION 2019-01-19RZ AND APPROVE ORDINANCE #2755-2019 AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM GENERAL HEAVY COMMERCIAL (C-2H) TO HEAVY INDUSTRIAL (I-2) ZONE CLASSIFICATION FOR A PROPERTIES ON TAX MAP 18S47E03CD IDENTIFIED AS TAX LOTS 3800 AND 8300; BEING A PORTION OF BLOCK 91 OF THE ORIGINAL TOWNSITE OF ONTARIO AND LOTS 9 AND 10 IN BLOCK 190 OF WILSON'S SUPPLEMENTAL PLAT TO THE CITY OF ONTARIO ON FIRST READING BY TITLE ONLY.

B. DENIAL:

1. I MOVE THAT THE CITY COUNCIL DENY THE REQUEST FOR REZONE OF THE SUBJECT PROPERTY FROM C-2H TO I-2, AS SET FORTH IN ACTION 2019-01-19RZ AND ORDINANCE #2755-2019, BASED ON THE FOLLOWING REASONING AND FINDINGS OF FACTS: (STATE REASONS AND FINDINGS)

SUMMARY:

The applicants/owners owns two parcels, known as Tax Map 18S4703CD, tax lots #3800 and 8300, which property is currently zoned in the City under General Heavy Commercial (C-2H), and is requesting that these property be rezoned to Heavy Industrial (I-2) to allow for better use and development of the properties and make proposed and existing uses more compatible with adjacent zoned property to the North.

BACKGROUND:

These requests for rezone needs a recommendation for approval or rejection from the Planning Commission to the City Council, who will be the decision maker for this request. This action specifically seeks approval for rezone from C-2H to I-2 for two parcels of land and adjacent street right of way, within the City Limits of the City of Ontario.

There have been no recent Planning Commission actions on this property in the past 20 plus years that could be found in the planning records other than a city wide Comprehensive Plan update in 2007.

One of the existing buildings has a Medical Marijuana Card holder grow site and would like to convert this to a Commercial grow which is allowed in the City Industrial zones.

CURRENT SITUATION:

A request for a rezone of property may be recommended for approval or denial by the Planning Commission to the City Council if all applicable decision criteria and standards are found met, or able to be met through appropriate conditions of approval. In this case, findings must be made by the Planning Commission that the specific criteria are either met, able to be met through conditions of approval, or not met; options and discussion are provided under "Findings:" and "Conclusion:" for each criterion. All of the criteria and standards must be met in order for the request to be recommended for approval.

On May 13, 2019, at a Public Hearing the Planning Commission heard testimony on Planning Action 2019-01-19RZ and made a motion to approve the Findings of Facts as presented and sent a recommendation for the City Council to Approve the request for the rezone from General Heavy Commercial (C-2H) to Heavy Industrial (I-2) zone.

Ordinance #2755-2019 establishes this request.

ANALYSIS:

- A. **FINANCIAL** There are no direct costs to the city for this action as no additional requirements are being made of the city.

The benefit to the city for this change of use can be increased development value on the City Tax Base.

- B. **TIMING** The applicants are waiting on this rezone to start a new business in one of the buildings which is a Commercial Marijuana grow, an allowed use approved by the voters of Ontario in the November 2018 election, which can only be in an Industrial zone.
- 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:

Staff recommends that the City Council accept the recommendation from the Planning Commission on Planning Action 2019-01-19RZ and Approve Ordinance#2755-2019.

ATTACHMENTS:

1. Ord #2755-2019



ORDINANCE #2755-2019

AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM GENERAL HEAVY COMMERCIAL (C-2H) TO HEAVY INDUSTRIAL (I-2) ZONE CLASSIFICATION FOR A PROPERTIES ON TAX MAP 18S47E03CD IDENTIFIED AS TAX LOTS 3800 AND 8300; BEING A PORTION OF BLOCK 91 OF THE ORIGINAL TOWNSITE OF ONTARIO AND LOTS 9 AND 10 IN BLOCK 190 OF WILSON'S SUPPLEMENTAL PLAT TO THE CITY OF ONTARIO;

WHEREAS, Applicants have initiated a zone change request for the property in the City for rezoning of those properties from "General Heavy Commercial (C-2H)" to "Heavy Industrial (I-2)", which property are described in Exhibit "A" and designated on Exhibit "B" Assessor's Map 18S47E03CD, as Tax Lots 3800 and 8300; and

WHEREAS, After giving the notice required by law, the City Planning Commission held a public hearing on Planning Action 2019-01-19RZ a request for a zone change on May 13, 2019, after which the Ontario Planning Commission made findings of fact and conclusions of law and recommended that the Ontario City Council approve the zone change request for the subject property; and

WHEREAS, After giving the notice required by law, the Ontario City Council held a public hearing on the zone change request on May 21, 2019, and having reviewed all evidence and testimony submitted therein, makes the following findings of fact and conclusions of law with respect to the subject property:

- A. The City of Ontario Municipal Code policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; generally, 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 applicant has demonstrated in their application that this request is consistent with Statewide Planning Goals.
- B. The findings show that the request is within goals and conformance of the acknowledged Comprehensive Plan. Therefore, this proposal has demonstrated to be consistent with the Comprehensive Plan.
- C. The applicant states that the surrounding area is zoned General Heavy Commercial (C-2H) and Heavy Industrial (I-2). With the change in the development of the City, rezoning these properties to allow for new types of businesses would help entice new businesses to move or develop in this portion of town. Therefore, there is a change in social condition, and demonstrates that this criterion is met.
- D. The applicant states that there is a lack of industrial property in the city, as is referenced by the findings in the city comprehensive plan. While this request is for two properties, the request still meets the requirements of the Ontario's goal to increase the industrial area over the next 20 years. Rezoning to a zone to provide new services to the area would not be considered as the granting of a special privilege for a single property or group of property owners.
- E. The subject property size is more than adequate to demonstrate consistency with this criterion.

- F. The properties are properly related to streets and public facilities and the existing uses and services demonstrate that uses allowed in the proposed zone can be provided.
- G. The findings show that the conditions of the neighborhood are such that the subject property and surrounding area are zoned for Industrial uses. The proposed use will not change the conditions of the neighborhood except to provide needed Industrial lands. There is a defensible argument that any chance of impacts will be minimal, if any. In any case, requirements in the OMC applicable to uses in the Industrial zone will ensure that impacts from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land are minimized.

WHEREAS, the above findings have met the Criteria's of the City code Section 10B-20-30 REQUIRED FINDING, DECISION CRITERIA;

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. The Ontario Comprehensive Plan and Zoning Map are amended by changing the zone from "General Heavy Commercial (C-2H)" to "Heavy Industrial (I-2)" for the property described on Exhibit "A" designated on Exhibit "B" Assessor's Map 18S47E03CD, as Tax Lots 3800 and 8300.

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 J. Hill, Mayor

Tori Barnett, MMC, City Recorder

Exhibit “A”
Property Description for Rezone
City Action No. 2019-01-19RZ

Land in Malheur County, Oregon, as follows:

Land in the ORIGINAL TOWNSITE CITY OF ONTARIO, Malheur County, Oregon according to the Original Plat thereof, as follows:

In Block 91: Lots 1, 2 3, 4 and 5.

ALSO beginning at the Northwest corner of said Lot 1;

Thence Westerly, coincident with the South boundary of said NE 2nd Avenue, 80 feet to the right of way of the Oregon Short Line Railroad Company;

Thence Southerly, coincident with said right of way, 125 feet;

Thence Easterly 80 feet to the Southwest corner of said Lot 5;

Thence Northerly, parallel with said right of way, 125 feet to the Point of Beginning.

TOGETHER WITH the West Half of the Public Right of Way of NE 1st Street and the South Half of the Public Right of Way of NE 2nd Avenue adjacent to the above described lands.

AND:

Land in Malheur County, Oregon, as follows:

Land in the WILSON’S SUPPLEMENTAL PLAT TO THE CITY OF ONTARIO, Malheur County, Oregon according to the Original Plat thereof, as follows:

In Block 190: Lots 9 and 10.

TOGETHER WITH the West Half of the Public Right of Way of NE 1st Street and the North Half of the Public Right of Way of NE 2nd Avenue adjacent to the above described lands.

END OF DESCRIPTION

Exhibit "B"

Subject property

ONTARIO
18S47E03CD

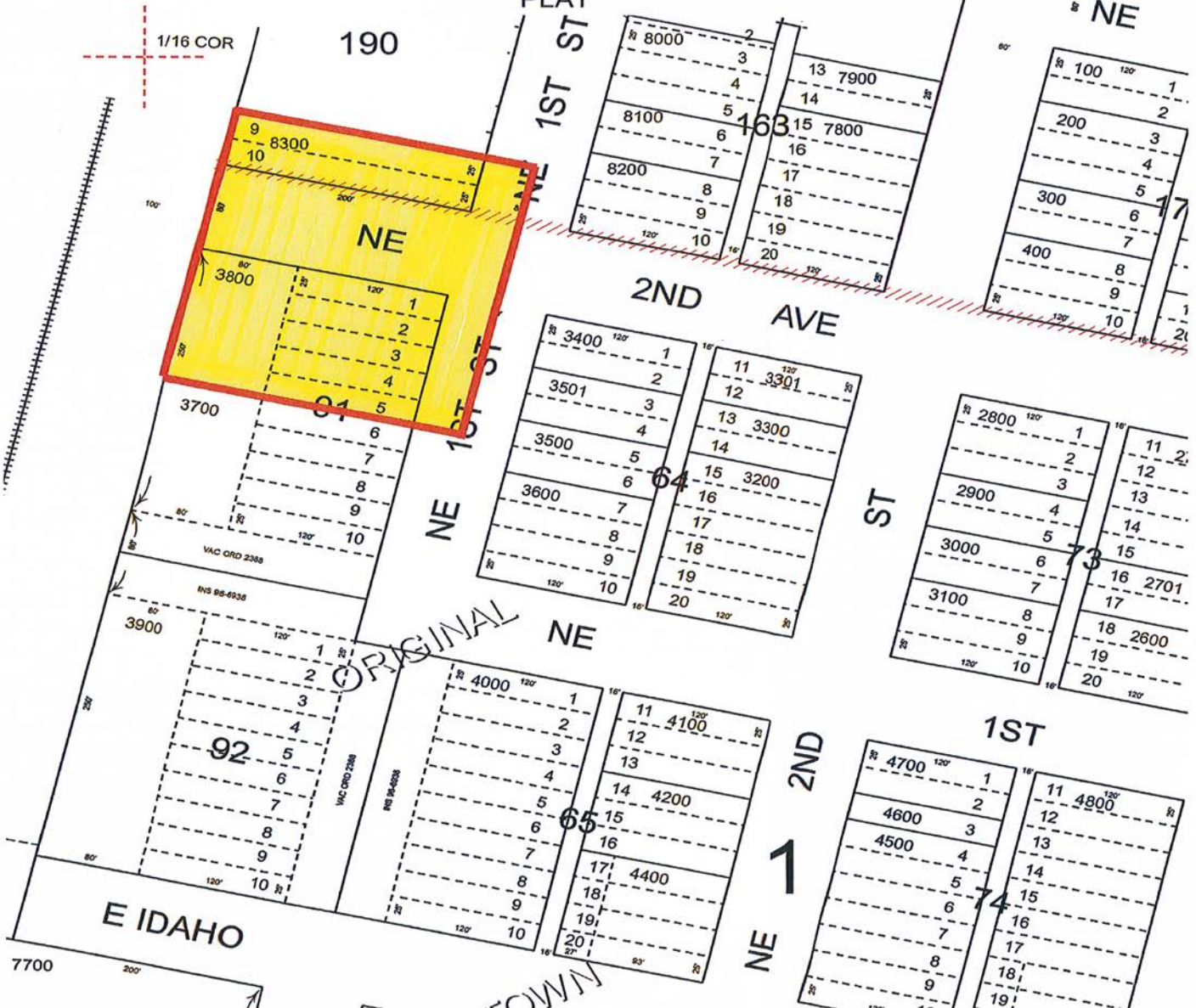
OR
ILY

0 50 100 150 200 Feet

S.E.1/4 S.W.1/4 SEC.3 T.18S. R.47E. W.M.
MALHEUR COUNTY

1" = 100'

WILSON'S SUPPLEMENTAL
PLAT



Accounts Payable

Checks by Date - Summary by Check Date

User: kari.ott
Printed: 5/14/2019 6:58 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
124487	&525	American Staffing, Inc.	04/05/2019	1,189.75
124488	033300	Argus Observer	04/05/2019	192.40
124489	130624	B & W Car Wash	04/05/2019	24.00
124490	626400	Campo & Poole Distributing, LLC	04/05/2019	3,638.75
124491	336725	Core & Main	04/05/2019	45,024.00
124492	879247	Day Wireless Systems	04/05/2019	470.00
124493	520400	Dorman's, Inc.	04/05/2019	48.60
124494	634311	Frazier Aviation, LLC	04/05/2019	425.00
124495	408200	J-U-B Engineers, Inc.	04/05/2019	10,376.45
124496	602320	NAPA Auto Parts	04/05/2019	36.29
124497	486245	National Pen Co., LLC	04/05/2019	112.64
124498	879301	Net Assets Corporation	04/05/2019	168.00
124499	501200	Norm's Auto Electric	04/05/2019	149.95
124500	532000	Ontario Bearing & Hydraulic, Inc.	04/05/2019	2.92
124501	614087	Peace Officers Research Association of Cal	04/05/2019	301.50
124502	368050	Robb Enterprises	04/05/2019	29.97
124503	682495	SBE Oregon, LLC	04/05/2019	1,123.47
124504	702008	Staples Business Credit	04/05/2019	290.17
124505	878931	Tire Factory of Ontario	04/05/2019	2,460.00
124506	788402	TransUnion Risk & Alternative Data Soluti	04/05/2019	140.25
124507	842030	Warrington Construction	04/05/2019	30,687.00
124508	879151	Waste-Pro	04/05/2019	30.00
124509	774001	Wtechlink	04/05/2019	300.00
124510	BENSON	Clint Benson	04/05/2019	15.00
124511	114239	Chris Bolyard	04/05/2019	66.98
Total for 4/5/2019:				97,303.09
124512	&260	Four Rivers Cultural Center	04/09/2019	4,013.92
124513	539200	Ontario Area Chamber of Commerce	04/09/2019	3,636.14
Total for 4/9/2019:				7,650.06
124514	&525	American Staffing, Inc.	04/12/2019	1,483.74
124515	037600	AT&T	04/12/2019	21.50
124516	130624	B & W Car Wash	04/12/2019	9.00
124517	21409	Big Sky Sportswear	04/12/2019	8,772.00
124518	130950	Cable One	04/12/2019	317.91
124519	144000	Cascade Natural Gas Corporation	04/12/2019	1,146.93
124520	637830	Century Link	04/12/2019	514.10
124521	637828	Century Link Communications, LLC	04/12/2019	75.22
124522	879191	Kristy's Custom Sewing	04/12/2019	24.00
124523	440000	L.N. Curtis and Sons	04/12/2019	50.00
124524	436000	Lindsay Eco Water	04/12/2019	12.00
124525	456402	Malheur County Clerk	04/12/2019	5.00
124526	516494	State of Oregon Department of Transportati	04/12/2019	223.18
124527	601808	Pacific Steel	04/12/2019	8,467.20

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124528	618100	Physicians Primary Care Center, Inc.	04/12/2019	224.00
124529	642093	Red's Automotive Repair, Inc.	04/12/2019	104.84
124530	716553	Saint Luke's	04/12/2019	494.00
124531	&357	Larry A. Sullivan	04/12/2019	1,625.00
124532	879146	Toshiba Financial Services	04/12/2019	3,443.78
124533	879364	UltraPlay	04/12/2019	19,187.80
124534	879212	Uniforms 2 Gear	04/12/2019	194.08
124535	878992	Wolfcom Enterprises	04/12/2019	319.00
124536	UB*11610	FIRST INTERSTATE BANK	04/12/2019	85.75
124537	UB*11629	HICKORY FARMS	04/12/2019	54.50
124538	UB*11625	ROD & SHELIA HUTCHINSON	04/12/2019	80.50
124539	UB*11626	ROCKY KERNS	04/12/2019	5.61
124540	UB*11627	BRAD KUSHLAN	04/12/2019	40.46
124541	879363	Danielle Llamas	04/12/2019	125.00
124542	UB*11621	XOCHITL MENDOZA	04/12/2019	170.00
124543	UB*11628	BILLY MONTOYA	04/12/2019	44.52
124544	UB*11624	CEFERINO PERALTA \$	04/12/2019	75.53
124545	879135	Jonathan Rico	04/12/2019	18.78
124547	UB*11623	DAVID THOMPSON	04/12/2019	8.30
124548	UB*11622	MANDY TRAVIS	04/12/2019	34.30
Total for 4/12/2019:				47,457.53
124549	&260	Four Rivers Cultural Center	04/15/2019	663.59
124550	539200	Ontario Area Chamber of Commerce	04/15/2019	601.13
Total for 4/15/2019:				1,264.72
124551	&525	American Staffing, Inc.	04/17/2019	2,483.98
124552	879130	Ani-Care Animal Shelter, Inc.	04/17/2019	1,370.08
124553	033300	Argus Observer	04/17/2019	335.25
124554	130950	Cable One	04/17/2019	63.75
124555	336725	Core & Main	04/17/2019	7,309.70
124556	270201	Emergency Services Marketing Corp., Inc.	04/17/2019	735.00
124557	879324	Merri Gammage	04/17/2019	30.98
124558	376000	Idaho Power	04/17/2019	385.48
124559	428200	League of Oregon Cities	04/17/2019	1,136.00
124560	441140	Looks Nu, Inc.	04/17/2019	15.00
124561	451750	Malheur County Sheriff's Office	04/17/2019	56,707.50
124562	572000	Ontario Sanitary Service, Inc.	04/17/2019	12.50
124563	582530	Oregon Corrections Enterprises	04/17/2019	14.30
124564	718000	State of Oregon Employment Department	04/17/2019	229.15
124565	642093	Red's Automotive Repair, Inc.	04/17/2019	460.71
124566	879145	Silver Signet, LLC	04/17/2019	733.10
124567	738002	Symbol Arts, LLC	04/17/2019	550.00
124568	774300	T-N-T Signs & Graphics	04/17/2019	85.00
124569	878957	Valli Information Systems, Inc.	04/17/2019	2,116.53
124570	832852	Wells Fargo Business Elite Card	04/17/2019	6,236.05
124571	684622	Marcy Siriwardene	04/17/2019	962.50
Total for 4/17/2019:				81,972.56
124572	879276	The Anderson Group, Inc.	04/26/2019	73,242.68
124573	&525	American Staffing, Inc.	04/26/2019	2,804.29
124574	033300	Argus Observer	04/26/2019	181.44
124575	626400	Campo & Poole Distributing, LLC	04/26/2019	3,239.16

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124576	144000	Cascade Natural Gas Corporation	04/26/2019	146.58
124577	637830	Century Link	04/26/2019	714.27
124578	878915	CH2M Hill OMI	04/26/2019	378,382.44
124579	183201	CK3, LLC	04/26/2019	18,025.50
124580	364000	Clarion Inn	04/26/2019	76.50
124581	336725	Core & Main	04/26/2019	17,168.00
124582	879247	Day Wireless Systems	04/26/2019	219.00
124583	215300	DCS Technologies, LLC	04/26/2019	53.55
124584	879372	Stephanie Gourley	04/26/2019	4,918.65
124585	363999	Holcomb Construction, Inc.	04/26/2019	46,733.50
124586	376000	Idaho Power	04/26/2019	2,575.80
124587	376002	Idaho Power - Payette Operations Center	04/26/2019	5,727.00
124588	382005	Interpath Laboratory, Inc.	04/26/2019	30.00
124589	879191	Kristy's Custom Sewing	04/26/2019	27.00
124590	879358	Nutrien Ag Solutions	04/26/2019	950.84
124591	879371	Oregon Pump Company	04/26/2019	5,731.28
124592	528405	Oster Professional Group, LLC	04/26/2019	23,812.00
124593	626654	The Police and Sheriffs Press, Inc.	04/26/2019	17.55
124594	879362	Pool Furniture Supply	04/26/2019	2,633.70
124595	&537	Michael Pratt	04/26/2019	100.00
124596	879145	Silver Signet, LLC	04/26/2019	113.75
124597	686822	Sprint	04/26/2019	52.26
124598	879138	Stantec Consulting Services, Inc.	04/26/2019	2,901.75
124599	702008	Staples Business Credit	04/26/2019	774.59
124600	738002	Symbol Arts, LLC	04/26/2019	490.00
124601	288897	Verizon	04/26/2019	2,058.36
124602	863995	White Cloud Communications-Boise, Inc.	04/26/2019	30.00
124603	879365	The Parents of Morgan Churchill	04/26/2019	54.00
124604	UB*11630	BRENDA GAMBOA	04/26/2019	20.99
124605	879366	The Parents of Boone, Duke, Grit & Hoss J	04/26/2019	216.00
124606	879367	The Parents of Wayde Ketchum	04/26/2019	54.00
124607	879368	The Parents of Aspen Monroe	04/26/2019	44.00
124608	362285	Oregon Trail Motel	04/26/2019	15.40
124609	879373	Aaron Phillips	04/26/2019	2,896.00
124610	879280	The Parents of Conner Salsgiver	04/26/2019	54.00
124611	UB*11620	Silvercreek Realty Group	04/26/2019	156.02
124612	UB*11631	LON & MARY THOMAS	04/26/2019	16.84
124613	879369	The Parents of Vincent Voigt	04/26/2019	54.00
124614	879370	The Parents of Mark Wrenfrow	04/26/2019	44.00
Total for 4/26/2019:				597,556.69
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	04/30/2019	774.22
ACH	PRAMERF	AMERICAN FUNDS GROUP	04/30/2019	400.00
ACH	PRCCIS	E B S TRUST	04/30/2019	65,621.84
ACH	PRFED	PAYROLL TAXES	04/30/2019	62,269.81
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTIONS	04/30/2019	400.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	04/30/2019	732.00
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	04/30/2019	249.81
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	04/30/2019	17,046.58
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	04/30/2019	1,950.00
ACH	PRPERS	OREGON PERS	04/30/2019	76,765.96
124615	879087	Adam Brown	04/30/2019	82.50
124616	879318	Peter Hall	04/30/2019	217.70
124617	879374	Andrea Bonadiman	04/30/2019	959.61
124618	PRCOLONI	COLONIAL LIFE	04/30/2019	1,010.19
124619	PRICMA	I C M A RETIREMENT TRUST 457	04/30/2019	1,350.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124620	PRLINC	LINCOLN NATIONAL LIFE INS CO	04/30/2019	350.00
124621	PRSFIRE	UMPQUA BANK	04/30/2019	360.00
Total for 4/30/2019:				230,540.22
124622	&525	American Staffing, Inc.	05/03/2019	2,775.31
124623	033300	Argus Observer	05/03/2019	74.88
124624	130624	B & W Car Wash	05/03/2019	9.00
124625	660908	Safariland, LLC	05/03/2019	495.00
124626	21409	Big Sky Sportswear	05/03/2019	10.00
124627	626400	Campo & Poole Distributing, LLC	05/03/2019	3,784.35
124628	364000	Clarion Inn	05/03/2019	8.50
124629	879247	Day Wireless Systems	05/03/2019	470.00
124630	363999	Holcomb Construction, Inc.	05/03/2019	48,835.00
124631	376000	Idaho Power	05/03/2019	1,817.08
124632	879211	Imaging Center of Idaho	05/03/2019	220.00
124633	481000	Nampa Fire Department	05/03/2019	16,898.00
124634	602320	NAPA Auto Parts	05/03/2019	383.44
124635	879358	Nutrien Ag Solutions	05/03/2019	914.76
124636	572000	Ontario Sanitary Service, Inc.	05/03/2019	313.06
124637	642093	Red's Automotive Repair, Inc.	05/03/2019	188.10
124638	716553	Saint Luke's	05/03/2019	160.00
124639	879145	Silver Signet, LLC	05/03/2019	260.00
124640	&357	Larry A. Sullivan	05/03/2019	2,522.50
124641	&275	Sun Guard Window Tinting	05/03/2019	120.00
124642	878931	Tire Factory of Ontario	05/03/2019	788.00
124643	788402	TransUnion Risk & Alternative Data Soluti	05/03/2019	140.00
124644	863995	White Cloud Communications-Boise, Inc.	05/03/2019	457.50
124645	774001	Wtechlink	05/03/2019	300.00
124646	032000	Andrews Seed Co., Inc.	05/03/2019	5,000.00
124647	&260	Four Rivers Cultural Center	05/03/2019	15,295.41
124648	UB*11633	ELISEO LOZA MEJIA	05/03/2019	148.73
124649	539200	Ontario Area Chamber of Commerce	05/03/2019	11,354.35
124650	UB*11632	WAYNE & MARIAN ROBB	05/03/2019	25.93
124651	854205	Veteran Advocates of Ore-Ida	05/03/2019	100.00
Total for 5/3/2019:				113,868.90
124652	BROCKDAL	DALLAS BROCKETT	05/07/2019	107.75
Total for 5/7/2019:				107.75
124653	&525	American Staffing, Inc.	05/10/2019	2,631.01
124654	032180	Anytime Septic Service, LLC	05/10/2019	500.00
124655	037600	AT&T	05/10/2019	21.29
124656	879361	Belson Outdoors	05/10/2019	1,738.07
124657	130950	Cable One	05/10/2019	312.17
124658	637830	Century Link	05/10/2019	514.10
124659	520400	Dorman's, Inc.	05/10/2019	33.60
124660	634311	Frazier Aviation, LLC	05/10/2019	425.00
124661	440000	L.N. Curtis and Sons	05/10/2019	261.17
124662	436000	Lindsay Eco Water	05/10/2019	7.00
124663	441140	Looks Nu, Inc.	05/10/2019	50.00
124664	456402	Malheur County Clerk	05/10/2019	102.00
124665	457760	Malheur County Environmental Health	05/10/2019	137.00
124666	879301	Net Assets Corporation	05/10/2019	348.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
124667	500400	Norco, Inc.	05/10/2019	298.00
124668	879358	Nutrien Ag Solutions	05/10/2019	141.58
124669	702008	Staples Business Credit	05/10/2019	42.96
124670	879376	Vortex Optics	05/10/2019	779.99
124672	879151	Waste-Pro	05/10/2019	30.00
124673	863995	White Cloud Communications-Boise, Inc.	05/10/2019	510.00
124674	010500	Tori Barnett	05/10/2019	229.00
124675	879375	The Parents of Bristol Coley	05/10/2019	54.00
124676	879133	Community in Action	05/10/2019	26,228.00
124677	&260	Four Rivers Cultural Center	05/10/2019	853.84
124678	879318	Peter Hall	05/10/2019	55.88
124679	539200	Ontario Area Chamber of Commerce	05/10/2019	773.47
124680	21014	Snake River Economic Development Allian	05/10/2019	10,000.00
Total for 5/10/2019:				47,077.13
Report Total (202 checks):				1,224,798.65