

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



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, JUNE 16, 2020, 6:00 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 June 12, 2020. 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: 04-09-2020
City Council Work Session: 05-07-2020
City Council Meeting: 05-19-2020
- B) Housing Incentive Program: Rywest Homes (52 Sunset Drive)
- C) Housing Incentive Program: Rywest Homes (32 Sunset Drive)
- D) Housing Incentive Program: Reeser (848 Reiter Drive)

6) PRESENTATIONS

- A) Beck Kiwanis Park Bridge Improvement Options
- B) South Oregon Street Improvement Project
- C) Boys & Girls Club

7) OLD BUSINESS

- A) Resolution #2020-125: Waive Utility Fees for Businesses who Closed Due to COVID-19
- B) Lease Revision: Golf Course Club House

8) NEW BUSINESS

- A) Letter of Support: Treasure Valley Community College Grant
- B) Resolution #2020-126: Receive/Expend Unexpected Fire Grant
- C) Resolution #2020-127: A Resolution to Adopt a Supplemental Budget to Recognize Unexpected Revenues and to Transfer Budgeted Appropriations for Unexpected Items.
- D) Resolution #2020-128: Bid Award - Wastewater Treatment Plant pH Adjustment Construction Project and Budget Adjustment
- E) Ordinance #2776-2020: Idaho Power Franchise Agreement
- F) Ordinance #2777-2020: Repealing Ordinance #2769-2019 and Adopting Temporary Oregon Structural Specialty Code Provisions for the City of Ontario Building Regulations OMC 4-1-1 and Declaring an Emergency

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.

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9) PUBLIC HEARING

- A) Resolution #2020-129: Supplemental Budget for Skate Park Restrooms

10) DEPARTMENT HEAD UPDATES

- A) Finance Department: Monthly Report
- B) Fire & Rescue: Quarterly Report
- C) Community Development: Special Report

11) DISCUSSION ITEMS

- A) City of Ontario Founding vs. Established Date

12) HAND-OUTS

- A) Check Register: May 1 - June 12, 2020
- B) Department Stats:
 - Fire & Rescue: May 2020
 - Public Works: May 2020
 - Police: May 2020
 - Code Enforcement: May 2020
- C) Minutes:
 - County Court 05-13-2020
 - County Court 05-20-2020
 - County Court 06-03-202
 - County Budget 04-21-2020
 - County Budget 04-22-2020

13) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

14) ADJOURN



CITY COUNCIL WORK SESSION MINUTES APRIL 9, 2020

The scheduled Work Session of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Thursday, April 9, 2020, in the Council Chambers of City Hall. Council members present were Riley Hill, Marty Justus, Michael Braden, Norm Crume, Dan Capron, and Freddy Rodriguez. Ramon Palomo participated by phone.

Members of staff present were Adam Brown, Tori Barnett, Terry Leighton, Peter Hall, and Steven Romero. Participating by phone were Kari Ott, Dan Cummings, Larry Sullivan, and Betsy Roberts.

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 7, 2020. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

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

PUBLIC COMMENTS

Dustin: I'm here on behalf of The Nichols Accounting Group and they would like me to deliver a statement today. While, with the hopes of Nichols Accounting, who strongly wanted to be present tonight, the current package requires their attention and asked me to deliver their statement in their stead. The Nichols Accounting Group remains committed to helping find a solution for a more permanent placement for the homeless shelter in Ontario. That being said, there are rumors circulating that an extension of time allowed for the shelter to remain operational will soon be requested. The Nichols Group objects to an extension being granted. This program was granted with a temporary solution to assist the homeless through the winter months. With winter officially closing and warmer and nights now here, the need for the temporary facility has ended. Further, given the current pandemic, it is our understanding that Origins Faith Community has understandably found it necessary to close access to its support programs. The access to meals, restrooms, and showers is no longer present. Any circumstances elevate my client's concerns for the health and safety of their employees and clients and are worried that further interaction will blemish their business. In closing, it should be mentioned the Nichols Accounting Group has been a mainstay business of Ontario for 45 years; they've worked hard to support the community in many ways; employs upwards of 50 people; and contributes to numerous other endeavors to better the community. While they feel the homeless do need help, they do not feel an extension of this program will accomplish what it's intended to do without causing harm to others, including their own business. Before this Council acts if such a request is made, we would urge you, that if received, it not be approved until a review meeting has taken place with the concerned neighbors of this project. Thank you.



PRESENTATIONS**Shelter Pilot Project**

Adam Brown, City Manager, informed the Council he had been approached by Barb Higinbotham about wanting to extend the winter shelter project. They had just gotten people in the shelter last week, the first part of April, and they had secured funding through the end of May, if the Council would allow them to remain there. Otherwise, the agreement with them was that it would end on April 30th. This item was being presented for discussion, not for action.

Councilor Justus stated they had heard that there may no longer be restroom facilities and no access to a kitchen, so what was being done to ensure the people had food?

Mr. Brown stated there were restrooms at the shelters, and two hand-washing stations, located at the shelters. He was not aware of the food issue.

Councilor Rodriguez stated it was his understanding that sack lunches were available from the church.

Mr. Brown stated the day shelter was no longer open for coming in to sit down and socialize, due to Covid-19, but sack lunches were available. The shower and laundry facilities were closed.

Mayor Hill stated the conversations in the community were that it was for winter shelter, and would be temporary, and winter was over. What arrangements had been made for this to be more permanent? He didn't want to sacrifice the neighbors who were opposed to this location. The shelters didn't need any power during the summer. They could be located on the property next to the Community Development Center or across the alley from City Hall, for that month. Then they could keep their word to the people when they were told it would only be winter shelter through April.

Heather Echeveste, Housing Programs Manager, Community in Action, stated: *I have been trying to talk and I couldn't. I could hear everything that you said, but I was unable to respond. I just wanted to give an update on the shelter right now. So far, we have sheltered 17. In seven days that it's been actually occupied, we have been able to move two households into permanent housing and we are looking to house another one either tomorrow or Monday. We have been supplying water, so there are three porta-potties on site, one of them is handicapped accessible. There are two hand-washing stations, and the porta-potties and the hand-washing stations are serviced weekly. We have been providing extra food so they do go and get the meal from the meal site and then we have been providing extra food so that they can make, there's a microwave there that they have access to so that they can heat up food or we provided snacks that they have overnight or in the morning until they can go and get their warm meal from, or their bag lunch, at this point from the day shelter. So far, we have had very few issues. One issue was that someone was jumping over the back fence, so it looks like they were walking up the rock or the sand pile there that's close to the fence and then were able to jump over, but when those individuals were asked to leave, they gave no confrontation and they left willfully. Were there other questions? I was trying to listen and unmute at the same time.*

Mayor Hill asked if there was permanent, onsite management at the shelter location?

Ms. Echeveste: *We have, yes, we have Origins or New Hope Shelter has full-time, overnight coverage, and then they also provide, their oversight provides a few hours a day, and then we have volunteers that have stepped up and stepped in to provide oversight as needed when paid staff is unable to be there.*

Mayor Hill stated she mentioned in her statement "permanent housing". It was supposed to be just winter.

Ms. Echeveste: *We have, what I was trying to say, and I apologize, is that we have placed 15 people into the shelters since it opened seven days ago, and since then, we have found permanent housing for two of those families. And we will be placing others, as one more family into permanent housing either tomorrow or Monday.*

Mayor Hill asked how they were dealing with social distancing?



Ms. Echeveste: *When individuals or families enter into the shelter, we go over, we have a checklist that we go over with them and it asked very, very specific questions of whether or not they have an symptoms, and it gives them a list of symptoms and they can check yes or no, and then we also have them, we go over a very detailed list of recommendations from not only how our local health department, but also from the World Health Organization and all of the other information that we've received, so we go over that very specifically. We have them sign an agreement that they have received the information and that they understand it, and then we give them a copy of that.*

Mayor Hill stated things had changed since this was first presented to the Council, as they were now dealing with the Corona virus situation. The City Manager indicated they would be asking for an extension. Had they talked to all the surrounding residents and businesses about that?

Ms. Echeveste: *I have not personally. I couldn't speak for, to be honest, there had been so many conversations around it, I have not talked to anyone directly. I cannot speak for Barb or James. I know that James was in contact with Nichols, and he did give us an update on their conversation and questions that they had, but no, it hasn't, I think that this is step one and we didn't want to give out any information that wasn't accurate. We wanted to present it first.*

Mary Butler, Ontario: *I live across the street from everything, from the shelter. The onsite manager that they're supposed to have, people are out, they say there is supposed to be an onsite manager, but at 2 o'clock in the morning when people are like congregating out in the road and I've got people walking through my driveway, they're bugging the neighbors, there's not really any, it doesn't seem like there's any rules for the place that's supposed to be a shelter not a house where you come and go. It seems like there needs to be a little bit more rules. I'm not for it being extended, at all. I've bought cameras for my house, which I shouldn't have had to, my kids have asked me to move. Yesterday there was a trailer parked in the lot in front of the tiny houses with recliners and dirt, I mean, I took a picture of it. It's just ridiculous. There's supposed to be an onsite manager. How much more garbage is going to end up accumulating. Those are mainly my concerns, if she could address them. I don't want it extended, at all. That's my main thing.*

Councilor Capron stated they were told a date, and then to see how it went. Not only with the residents there, but with the whole program. Promises were made. The program sort of fell apart getting it going, and that was not the fault of the surrounding residents. He would like to hear from more residents before deciding what action to take.

Councilor Rodriguez stated they knew how the residents in the area felt. Since the beginning it had been stated it was temporary. He stood with the neighbors.

NEW BUSINESS

NPDES Required Mercury Minimization Plan

Betsy Roberts, City Engineer, presented.

BRADEN moved, CRUME seconded, **THAT THE CITY COUNCIL APPROVE THE TASK ORDER TO DEVELOP A MERCURY MINIMIZATION PLAN FOR A NOT TO EXCEED AMOUNT OF \$35,000 TO MEET THE NPDES REQUIREMENTS.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-no. Motion carried 6/1/0.

Resolution #2020-111: Wastewater Plant Biosolids Removal

Betsy Roberts, City Engineer, presented.

CRUME moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-111: A RESOLUTION TO APPROPRIATE FUNDING AND TO APPROVE THE TASK ORDER FOR \$77,400.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-no. Motion carried 6/1/0.

Resolution #2020-112: Definition of a Balanced Budget

Peter Hall, Human Resources Manager, presented.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-112, A RESOLUTION TO INCLUDE THE DEFINITION OF A BALANCED BUDGET TO THE FINANCIAL POLICIES AND PROCEDURES MANUAL.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES**Financial Monthly Report** *(Attached)*

Kari Ott, Finance Director, presented.

Police Department Quarterly Report *(Attached)*

Steven Romero, Police Chief, presented.

DISCUSSION ITEMS

CRUME moved, CAPRON seconded, **TO AMEND THE AGENDA TO ADD THE AMERESCO PRESENTATION.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

Ameresco Presentation

Adam Brown, City Manager, stated this was just a preview to the next step. All the time that had been invested by Ameresco this point was gratis, no financial obligation to the city. They had been to Ontario twice, visited the city facilities multiple times, and were now confident they had an energy savings project for the city that would save the city long-term.

Rob Haneline, Ameresco: Thank you for moving us in. We are very excited to be here. Lonn Inman is our leading energy engineer on the project and he's on the line as well. We're here tonight to discuss and share with you our energy audit proposal. We were awarded this December 5th and were on site January 23rd and February 5th. We've walked through all of the facilities, all the city facilities, and have evaluated all of their assets that consume electricity, gas, and water. We have come up with a list that has 16 energy conservation measures that we feel will save electricity, gas, and water in the area of 10-30% of energy savings. I can't see if you have the fee proposal in front of you or not, so...

Mr. Brown stated they did not, so it was just an oral report.

Mr. Haneline: In the interest of time, I can go through the detailed process and/or I can hand it over to Lonn, our energy engineer, and he can walk through some of the energy conservation measures that we have identified in collaboration with Jacobs, thank you for your support by the way, and the measures that we would like to propose our fee to study and complete the development and return with a, if you approve it, we would return with a energy services proposal that is a development of deliverable projects, guaranteed project costs, guaranteed energy savings, and performance. Can you tell me which version you want – the detailed version or you want to drop right into project line items?

Mr. Brown asked for an idea on some things that would be in the projects.

Mr. Inman: In the interest of time, I will try to keep it short and not get too detailed. Essentially, we've looked at utility bills, we've interviewed occupants and managers of the facilities throughout Ontario and we have identified four pages of potential energy conservation. (Couldn't hear him speaking) city wide projects.



Mr. Brown informed Lon that he wasn't being heard.

Mayor Hill suggested that he hit some of the high points and provided it all in writing because no one could hear him speaking.

Mr. Haneline: *I can take it from here, Lon. We went through all of the city facilities, City Hall, Fire Station, Public Works, Parks, we went through the Water and Wastewater Treatment Plants, we gathered a bunch of information on the lift stations, and decorative street lighting that was desired to be installed in the downtown area. We are going to evaluate the streetlights, the way they consume electricity and determine whether or not it made sense to try and take ownership of those streetlights. We know the city consumes a little over \$525K a year of just electricity, and so we broke it into a couple of different buckets of strategies so citywide we'll look at water conservation measures. Those measures would be in the facilities, such as aerators, toilets, urinals, we're also look at, we'd like to look at the irrigation management system at the parks, lighting conservation measure, interior and exterior. Do you have LED lights, are they first generation? There are some safety factors with that we'll evaluate. We'd like to evaluate the exterior lighting as well. At the Wastewater Treatment Plant, we....*

Mayor Hill stated he was going to summarize: they were going to offer some type of contract that stated they were going to save the city "x" amount of money, or the city owed nothing. Was that the essence of this deal?

Mr. Haneline: *Generally, yes, that's the case. What we're looking for right now is to perform what's called an investment grade audit where we would do a deep dive into your facilities. As Adam had said, the work we've done until now identifying these measures has been pro bono. The next phase has a fee attached to it, and at the end of that we'd come back to you with guaranteed maximum project costs and guaranteed savings.*

Mayor Hill asked them to explain that portion of the contract. If the city didn't save more money than the audit, the city would be reimbursed. Correct?

Mr. Haneline: *If we cannot develop a project that meets your financial criteria, then the number of years to pay back, then you don't pay anything for the audit. If we do come up with a project that meets your financial criteria, the audit fee then gets rolled into the actual construction costs to do the energy project.*

Mayor Hill asked how much the audit would cost.

Mr. Brown stated their fee proposal was \$35K for the investment grade audit. If the city went with the project, which they had a high confidence they would have one, that cost would be rolled into the return savings. If the city decided not to do a project, that's where the city would owe them the \$35K.

Mr. Inman: *If we cannot find a project that meets your financial criteria, then the audit fee is waived. I can tell you it's not very likely that we're not going to find a project that meets your financial criteria.*

Mayor Hill verified what was being stated. Ameresco would cover the project, that was going to cost "x" dollars, they'd add their \$35K to that, and then telling the city they'd save that money, the construction costs plus the audit fee, if the city followed the guidelines presented. It would end up costing nothing.

(Cannot hear the answer)

Mr. Brown stated Ameresco would pursue all the state incentive money, even grants from Idaho Power, for all the equipment, lighting, whatever, on behalf of the city. In answer to the Mayor's overall questions, it was yes.

Mayor Hill asked if any of the projects would be highly technical and require servicing by people that were not in the area?

Mr. Brown stated they used local firms.



Dispensary Updates

Adam Brown, City Manager, stated the Council gave him authority to enforce the business license on the dispensaries. He had inspected them five times each, as well as had done quite a bit of just driving around the community. Grocery stores and a lot of other stores with high-traffic, and this community had stepped up and taken measures to protect their employees and the public. He had not found, or observed, any violations. OPD had also gone by the dispensaries and had arrived at the same conclusion. He had a conference call with all the dispensaries last Tuesday and it had been good to connect with all of them, and to hear of the measures they had taken to protect their employees and public. All three had people outside of their doors that were enforcing the social distancing requirement. He wanted to present an unbiased report, but on the other side, their traffic was mostly from Idaho. If the city were to close the dispensaries, that would significantly reduce traffic in Ontario. The measures taken were good. They started earlier than most of the grocery stores. These facilities were complying with what the Governor had asked, but the fact was it was a lot of trips into Ontario that wouldn't occur that wouldn't be there otherwise.

Shawn McKay, Burnt River Farms: *This was something we've all talked about quite a bit. If the conversation goes back to you guys wanting to close us down then yeah, I'm going to have some things I want to say, but if we're going to move forward with the decisions that the Council has made and recognizing the effort that we're doing, then I don't have anything to say.*

Stephan Crow, Ontario: *Thank you Mayor. My biggest thing is I completely agree to the cannabis being in Ontario. I think it's great that it's here. My beef right now is about the social behavior. We've been closed down now for almost 17 days in my Boise business and in my Ontario business, and I did it because it was the right thing to do. If we want to curb this piece of the Corona virus right now, we need to stop social behavior and (unintelligible) Ontario needs to shut down for 14 days (unintelligible) and I do completely support cannabis and the money they bring to the city. Thank you.*

Councilor Rodriguez believed everyone was doing their best to adhere to state guidelines. Everyone was aware that he used for medical reasons but did not have a medical card for it. He had a compromised immune system, so it was important to not expose himself to locations that serviced a large portion of customers from other areas, such as Boise, Ada County, etc. There was an option to utilize curbside service; however, he was told he would need to remove his mask. He told them he did not feel comfortable touching his face or his mask after a trip to a dangerous location. The response he received was "too bad". He was told he was refusing service, refusing to adhere to the laws that were placed over the marijuana industry by the OLCC. He found that marijuana could not be sold to anyone who could not have their entire face verified, with an ID. That would occur three times per transaction: check in, the tender, then the purchase. He believed some locations had one person handling all the steps.

Mr. McKay: *We're only required to see an ID before we make the transaction.*

Councilor Rodriguez stated he was told by another individual that there were three checkpoints. At the location he was at, that was what occurred. The problem was that even the CDC said not to touch your face when applying a mask. That was a conflict. That issue was totally apart from the fact that they were bringing in people from places that had over 400 cases of the virus. The Council needed to look out for Ontario. It wasn't just about money, but they also needed to look at community. Stop them from coming in.

Councilor Crume stated speaking about the people coming from other areas was his issue. Malheur County, as of that day, had two known Covid cases. There were 30,725 people in Malheur County from the 2018 stats.

Councilor Rodriguez stated the only person without a mask was talking right now.

Councilor Crume continued with Malheur County had one case for every 15,362 people, known cases. Washington County had one case for every 10,161 people. That was 1.5x more cases than Malheur County, but no one was talking about Washington County being a problem. Another way to see it was they had 151% more cases than Malheur



County. Payette County, which was where many of the Ontario city employees lived, and employees throughout Ontario chose to live, had six cases, 23, 551 people. One case for every 3, 925 people, or 3.91x as many cases as Malheur County, or 391% more, just across the river in Payette County. Gem County, many came here to shop, to get service work done, to wherever, and there were 17,364 people with 8 cases. One case for every 2,170 people, 7.79x more than Malheur County, or 707% more. Canyon County, which most complaints were about, had 114 cases, 223,499 people, 1 case per 1,960 people, 7.8x more than Malheur County, or 783%. The question was how to keep the people out. Forget just the marijuana purchasing. Ontario was the retail hub of this area, and being geographically located along I-84, how could that possibly be changed. Many believed that Malheur County hadn't tested enough and there were more cases than currently known. The two of the known – one worked at a gas station, so did that mean they needed to close all the gas stations? The other was an employee of a construction company. No one knew where either case originated. There were probably more cases than just the two. Maybe it was the same as Payette. He agreed marijuana purchases wouldn't be here if not for the dispensaries, but customers came to shop in Ontario for all the other businesses offered. Were they going to blockade the Snake River Bridge and not allow employees into town, or blockade the freeway, to isolate Ontario? That was the only way to stop this. Talking about shutting down one particular business; he was opposed to the idea. They all had to deal with the public. Something no one brought up was that it was the pot shops getting the target because people were standing outside the building. From a distance it might appear people were standing too close. Truck stops were a petri dish, but no one even considered shutting those businesses down. Dispensaries were doing everything the state mandated, and probably even more.

Councilor Justus stated his issue wasn't about pot. He agreed with Councilor Crume. If they wanted to eradicate the virus, then take the steps to eradicate it. You don't have to go inside a gas station to get gas – pay at the pump. Make all grocery stores curbside service only. If the intent is to eradicate the virus, then do it, but if the intent was to single out one business that had the right to be open, per the Governor, then why was this even being discussed? They needed to treat all businesses the same or they were setting themselves up for a lawsuit. He did not think that was something defensible by the city. Dispensaries were doing all they were asked to do.

Mayor Hill stated he had no issue with the dispensaries being open. He viewed it as a health issue. He received multiple calls from both sides of the spectrum. There were a lot of known cases. The Governor of Idaho tightened things up. Now he could not let more than one subcontractor on the job site at one time. He did believe the city would be sued if they force closed the dispensaries. Nobody wanted a lawsuit. His main concern was the safety of the Ontario residents. He himself was compromised and the people on his street, it was like death row. Everyone on his street was compromised. It wasn't about shutting them down, or revenue for the city, it was about safety of the people of Ontario.

Councilor Braden stated today Norm, Marty, and Freddy were his neighbors, and tomorrow they still would be. He cared about them through this crisis, as much as before and after it. He didn't want to tell any business to shut down. Each business should look at themselves and evaluate what they were doing to the community and then make their own decision. What citizens could do was protect what was theirs by staying home, by protecting themselves, and their families, keeping themselves from being exposed to the truck stops and places at risk. Be kind even in a crisis.

Cats and Covid-19/Coronavirus

Mayor Hill stated in New York, a tiger caught the virus and passed it on to some other cats; however, no one has proven that cats can pass it to humans, but humans could pass it to cats. His research stated the virus could linger on the fur of a cat and be transmitted. His advice to the community was to keep cats indoors so they couldn't mix with other cats. He also suggested speaking with the Feral Cat Program about handling this issue.

Chief Romero had contacted his brother, who was the Medical Director at Michigan State University Medical Center, asking about this issue and wanted to share with the Council his brother's response to the question of "Do Feral Cats Pose a Threat to Humans"? The response was: *Feral cats pose very, very little risk. The poor animals in New York are being exposed to us and a reverse zoonosis is occurring where humans are infecting them. The feral cats are actually beneficial as they keep rodent populations in check. The virus is linked more specifically to bats.*



Contingency Plan for Homeless Population

Mayor Hill stated he had been contacted by Ken Hart, Saint Alphonsus Medical Center, about a contingency plan for the homeless population that might contract the Corona virus. If the hospital took someone in diagnosed with the virus, unless that person was sick and/or needed to be hospitalized, they were turned out. The resulted in homeless individuals positive for the virus walking around in the community. It had been stated earlier that the homeless population were congregating and not maintaining social distancing. That was a good way for the virus to spread. He wanted to see if the community could develop a contingency plan for that case that might occur. Since that was brought up to him, Saint Alphonsus had tried to create a plan in Boise and Nampa and were going to hold a community meeting on Monday. The virus could spread rapidly if the wrong contact took place. He was always open to suggestions on how to deal with this issue.

Mr. Brown stated Mayor Hill was a member of the city's Emergency Operations Center as the Chief Elected Officer of the city, so that issue was already being discussed with that group. A few places were being looked at for temporary housing, and the possibility of supplying meals.

HAND-OUTS**Department Stats:** *(Attached)*

Public Works: Mar 2020

Fire & Rescue: Mar 2020

Police: Mar 2020

Code Enforcement: Mar 2020

Minutes: *(Attached)*

County Court: 03-18-2020; 03-25-2020

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Crume stated he was aware that a letter had been sent out directly to the dispensaries.

Mr. Brown stated that was correct, but it was currently being revised.

Councilor Crume stated his concern was segregating one particular business. He felt it was wrong, if not illegal. The Governor stated what had to occur to stay open, but it appeared the city was telling businesses to tell their patrons what to do. That was going to offend customers, and he actually thought it offensive.

Mr. Brown asked for Council direction. The revised letter read that in the interest of public health during this pandemic, we hope that you will make as few stops as possible after your shopping experience here. He asked the ordinance officers to ask all businesses to post the statement. OLCC was contacted and he was told it was against the law for people from Idaho to take marijuana over the Oregon/Idaho border. However, that was exactly what was occurring. He revised the original letter and was now in line with the County Health Department, the Governor's orders, the CDC, and the Oregon Health Authority. OLCC okayed the amended language.

Councilor Capron stated with the new wording, if it was voluntary, if someone wanted to post it, fine, but not to make it mandatory.

Councilor Crume agreed. Voluntary, not mandatory.



- Mayor Hill stated he received a call from Tom Frazier, who indicated the negotiations with the Airport were going fairly smoothly. He was feeling there was good give and take in the contract and should reach a conclusion soon.
- Mayor Hill stated he did not know if anyone read the Wednesday edition of the Malheur Enterprise, but Les Zaitz had an editorial regarding getting through this and what kind of recovery plan could be worked out, what could be worked on with the county, and what could the community do to enhance the recovering and have it occur faster, to get everyone back to full speed. It was a good article and he encouraged everyone to read it.

ADJOURN

CAPRON moved, JUSTUS seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

ACCEPTED:

ATTEST

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder





CITY COUNCIL WORK SESSION MINUTES May 7, 2020

The scheduled Work Session of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Thursday, May 7, 2020, in the Council Chambers of City Hall. Council members present were Riley Hill, Dan Capron, Marty Justus, Michael Braden, and Ramon Palomo. Freddy Rodriguez arrived at 6:02; Norm Crume was excused, but joined the meeting for the Executive Session at 7:40 p.m. and remained on the line through the end of the meeting.

Members of staff present were Adam Brown, Tori Barnett, Dan Cummings, Terry Leighton, Peter Hall, Cliff Leeper, and Steven Romero. Kari Ott, Larry Sullivan, Betsy Roberts, and Dan Beaubien participated by phone.

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 May 5, 2020. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

CAPRON moved, PALOMO seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Rodriguez-out; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 5/0/2.

Councilor Rodriguez arrived at the meeting at 6:02 p.m.

OLD BUSINESS

Appointment to Planning Commission and Public Works Committee

Mayor Hill presented two names to the Council for appointment to city committees. There were no opposing comments from the Council about the Mayor's suggestions for the candidates.

Mayor Hill appointed Cydney Cooke to the Planning Commission and Jake Galeener to the Public Works Committee. Both appointments were effective immediately.

Ordinance #2774-2020: Amend OMC 6-1-6 re Noise Ordinance

Steven Romero, Police Chief, presented.

CAPRON moved, JUSTUS seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2774-2020, AN ORDINANCE REPEALING SECTION 6-6-6.1 OF THE OTNARIO MUNICIPAL CODE AND REPLACING THAT SECTION WITH SECTION 6-6-6.2 CONCERNING NOISE CONTROL, ON FIRST READING BY TITLE ONLY**. Roll call vote: Rodriguez-no; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-no. Motion carried 4/2/1.



NEW BUSINESS**Liquor License Application: HIE Ontario, LLC**

Steven Romero, Police Chief, presented.

CAPRON moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE LIMITED ON-PREMISES LIQUOR LICENSE APPLICATION FOR HIE ONTARIO, LLC.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1.

Housing Incentive Program: Greystone Builders (581 Hayden Drive)

Mayor Hill stepped down from the dais due to conflict of interest on the action. Council President Capron handled the action item.

Dan Cummings, Community Development Director, presented.

PALOMO moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE THE APPLICATION BY GREYSTONE BUILDERS AT 581 HAYDEN DRIVE FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-abstain. Motion carried 5/0/1/1.

Mayor Hill returned to the dais.

Housing Incentive Program: Agile Homes (1324 Jake's Drive)

Councilor Justus stepped down from the dais due to conflict of interest on the action.

Dan Cummings, Community Development Director, presented.

CAPRON moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE THE APPLICATION BY AGILE HOMES AT TAX LOT 4102 FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.** Roll call vote: Rodriguez-yes; Justus-abstain; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1/1.

Councilor Justus returned to the dais.

Resolution #2020-119: Council Support of DLCD Planning Assistance Grant

Dan Cummings, Community Development Director, presented.

JUSTUS moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-119, A RESOLUTION SUPPORTING THE APPLICATION FOR A DLCD PLANNING ASSISTANCE GRANT FOR HB 2001 AND HB 2003.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1.

Resolution #2020-120: Revising the Business Loan Fund for a COVID-19 Micro Loan Program

Kari Ott, Finance Director, presented.

BRADEN moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-120, A RESOLUTION REVISING THE CITY OF ONTARIO BUSINESS LOAN FUND AND LOAN ALLOCATION PROCEDURES MOST RECENTLY REVISED BY RESOLUTION #2018-111.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1.



Resolution #2020-121: South Oregon Project Funding

Kari Ott, Finance Director, presented.

CAPRON moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-121, A RESOLUTION APPROPRIATING FUNDS FOR SOUTH OREGON STREET IMPROVEMENTS.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1.

Resolution #2020-122: Ballistic Trauma Plates

Steven Romero, Police Chief, presented.

JUSTUS moved, PALOMO seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-122, A RESOLUTION APPROPRIATING FUNDING TO PURCHASE BALLISTIC TRAUMA PLATES.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1.

Resolution #2020-123: Appropriate Funding for Unanticipated Pivot Pump Repairs

Betsy Roberts, City Engineer, presented.

CAPRON moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-123, A RESOLUTION APPROPRIATING FUNDING FOR UNANTICIPATED PUMP REPAIRS AT SKYLINE AND MALHEUR FARMS.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1.

Production Well 6 and Well 15 Cleaning, Redevelopment, Video Survey, and Disinfection

Betsy Roberts, City Engineer, presented.

CAPRON moved, JUSTUS seconded, **THAT THE CITY COUNCIL APPROVE AWARD OF THE BID FOR THE WELL 6 AND WELL 15 CLEANING, REDEVELOPMENT, VIDEO SURVEY, AND DISINFECTION TO TREASURE VALLEY DRILLING FOR \$48,500.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-out; Hill-yes. Motion carried 6/0/1.

DEPARTMENT HEAD UPDATES**Financial Monthly Report** *(Attached)*

Kari Ott, Finance Director, presented.

Public Works Quarterly Report *(Attached)*

Cliff Leeper, Public Works Director, presented.

DISCUSSION ITEMS

- Councilor Justus stated regarding the financial data provided by Kari Ott, over the past three or four meetings, the Council had moved money around. He'd like to propose on the first page, moving forward with the new budget, that whenever money is moved, it is reflected on the first page and stayed there for the year. When the Council reviewed the budget, they'd know they had moved, for example, \$225K from "here" to "there". That would show a cumulative total of what they were doing, budget-wise, for dollars. Then it wasn't so much a shell game, but transparency. It was for the Council and the citizens to see.
- Mayor Hill stated the city had made an application to the Border Board for money to do the Airport Master Plan. The city was not successful in their application. He listened to the discussion by the Board, and he didn't feel they were completely ruling the city out in the future, but was the city going to begin the Master Plan, or what would the city do now? Did that need to be completed to receive the \$2.5M from BLM?



Mr. Brown stated no, that did not need to be completed because that Master Plan was for the entire airport, and the BLM would be located base in the plan where it was originally intended to be. The next step was to circle back with Business Oregon and talk with them about the design services grant they had to that part of the plan could be designed. There was \$2.5M the city could use on build out for that.

Mayor Hill asked if the city had a letter from the BLM, or was it all just verbal, the \$2.5M.

Mr. Brown stated he was unsure if there was a follow-up email, but it was a call originally. He would look into that.

- Mayor Hill stated he was not sure how many were aware, but they moved several COVID-19 people, and he was unsure of how many, from other institutions to SRCI. The state transferred people to our area that were from another area. He just wanted the public aware. The city was practicing the shelter in home, but then the state decides to shelter them over here where there wasn't much political liability.
- Mayor Hill stated the Council might want to consider, he received comments all the time about how many police cars were in the parking lot. He wanted to throw out that maybe police officers that lived in the Ontario city limits, take a car home. It put more of a presence in the community. It seemed that it would be a positive presence. He didn't know if it would be a good or bad idea. He wanted the Police Chief and the City Manager to give it some thought.
- Mayor Hill stated soon, even the committee that Councilor Braden was on, the city needed to prepare. The feds and the state were going to have some money that was going to be distributed directly to the cities. Ontario needed to prepare what our losses were and that had to include PERS, and he did not know how they accessed the actuarial tables or whatever, but the city was going to be hurting.
- Councilor Capron stated he couldn't recall the name of the study, but the study done regarding the police (ICMA Study), he believed it was suggested that the police take their cars home, as long as they lived in Ontario. Only about one-third of the cars would be taken home.

Mr. Brown stated they'd have to rearrange the scheduling of the vehicles. He agreed, conceptually, with the concept. He thought there were officer that shared cars for their shift, and then it flipped to another officer.

- Councilor Justus asked for consensus on having the transparency in the budget and having those monies shown every time Kari presented her report, showing the money transferred. He'd like to see when Kari presented her monthly financials, to have a total of budgetary transfers completed, where the money had gone, so the Council was aware and had a constant tally of where they were moving money. Today alone, the Council had moved \$300K.

Mr. Brown stated to be clear, they wanted to know of transfers, budget increases, budget decreases, or all? Much of what they had done, they hadn't done the \$150K cassette, they had done a much smaller contract, so the budget had not been increased. They were taking savings from one project and applying it to a different project.

Councilor Justus stated they had just completed the budget process and had placed all the monies into categories and then they were already starting to shift the categories around. He wanted to be transparent, and he didn't want the Mayor to say it was all a shell game.

Councilor Braden wanted to hear from Kari about using this document to track that information, and how clear it would be for the Council to understand.



Ms. Ott stated that was something that could be done. There were things done that weren't necessarily budget resolutions, and those could be listed. It could get to be a long list that might prove difficult to read. She was brainstorming on how to make that work. She would get something to work where the Council would receive that information.

Council consensus to have the document created.

HAND-OUTS

Department Stats: *(Attached)*

Fire & Rescue: Apr 2020

Public Works: Apr 2020

Police: Apr 2020

Code Enforcement: Apr 2020

Minutes: *(Attached)*

County Court: 04-01-2020; 04-15-2020

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(h)

Councilor Crume telephoned in to participate in the Executive Session.

An executive session was called at 7:40 p.m. under provisions of ORS 192.660(2)(h) to discuss current or potential litigation. The Council reconvened into regular session at 8:15 p.m.

ADJOURN

CAPRON moved, PALOMO seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Capron-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

ACCEPTED:

ATTEST

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder





CITY COUNCIL MEETING MINUTES May 19, 2020

THERE WERE AUDIO AND VISUAL DIFFICULTIES WITH THIS MEETING. MINUTES CREATED BY NOTES ONLY.

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Tuesday, May 19, 2020, in the Council Chambers of City Hall. Council members present were Riley Hill, Dan Capron, Norm Crume, Michael Braden, Freddy Rodriguez, and Marty Justus. Ramon Palomo participated by phone.

Members of staff present were Adam Brown, Tori Barnett, Peter Hall, Terry Leighton, Dan Cummings, and Steven Romero. Larry Sullivan, Kari Ott, Cliff Leeper, and Betsy Roberts participated by phone.

Mayor Hill led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on May 15, 2020. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

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

CONSENT AGENDA

CRUME moved, CAPRON seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED THE MINUTES FOR THE APRIL 21, 2020 COUNCIL MEETING AND THE APRIL 28, 2020 COUNCIL MEETING**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

PRESENTATION

Service Line Warranty Program (Attached)

Dennis Lyon presented.

OLD BUSINESS

Ordinance #2774-2020: Amend OMC 6-1-6 re Noise Issues (Final Reading)

Steven Romero, Police Chief, presented.

JUSTUS moved, CAPRON seconded, **THAT THE CITY COUNCIL ADOPT ORDINANCE #2774-2020, AN ORDINANCE REPEALING SECTION 6-6-6-.1 OF THE ONTARIO MUNICIPAL CODE AND REPLACING THAT SECTION WITH SECTION 6-6-6.2, CONCERNING NOISE CONTROL, ON SECOND AND FINAL READING BY TITLE ONLY**. Roll call vote: Crume-yes; Rodriguez-no; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-no. Motion carried 5/2/0.

Bid Award: Ontario Skate Park Restroom Project

Adam Brown, City Manager, presented.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL AWARD THE SKATE PARK RESTROOM PROJECT TO HOLCOMB CONSTRUCTION FOR \$100,000, IN PARTNERSHIP WITH THE ONTARIO RECREATION DISTRICT WHO WILL FUND THE REMAINING PORTION OF THE PROJECT FOR \$10,602.00**. Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.



NEW BUSINESS**Liquor License Application: The Devil's Playground, LLC**

Steven Romero, Police Chief, presented.

CRUME moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE THE LIMITED ON-PREMISES LIQUOR LICENSE APPLICATION FOR THE DEVIL'S PLAYGROUND, LLC.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

Resolution #2020-124: Revising Business Loan Fund COVID-19 Micro-Loan Program

Kari Ott, Finance Director, presented.

JUSTUS moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE RESOLUTION #2020-124, A RESOLUTION REVISING THE CITY OF ONTARIO BUSINESS LOAN FUND AND LOAN ALLOCATION PROCEDURES MOST RECENTLY REVISED BY RESOLUTION #2020-120.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC HEARING**CDBG Close-Out: Residential Housing Rehabilitation Project**

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

Kathy Markee, Residential Housing Rehabilitation, Community in Action, stated she was required by law to read the public notice into the record: *The City of Ontario is completing a Residential Housing Rehabilitation project funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the project was various residential locations within the city limits of Ontario. It is estimated that the project has benefited at least 57 persons of whom 100% are low or moderate income. A public hearing will be held by the Ontario City Council at 6 p.m. on May 19th at 444 SW 4th Street in the council chambers. The purpose of the hearing is for the City of Ontario to obtain citizens views about the project and to take comments about the local government's performance. Written comments are also welcome and must be received by May 18th at 444 SW 4th Street, Ontario, OR 97914. Both oral and written comments will be reviewed by the Ontario City Council. The location of the hearing is accessible to the disabled. Please let Tori Barnett at 541-881-3232 know if you need any special accommodations to attend or participate in the hearing. More information about the Oregon Community Development Block Grant program and the project is available for public review at Ontario City Hall during regular office hours. Advance notice is requested. This notice was published in the Argus Observer on May 10th in both English and Spanish.*

Further, a letter to Council was to be incorporated into the minutes: *CDBG #17012 – Report to Ontario City Council – Final: The City of Ontario CDBG #17012 grant has made improvements to 25 homes within the city limits. Of those 25 homes, there are 3 that will be completed this week and 1 in the next couple of weeks. Due to COVID19, contractors stopped working on interiors and concentrated on the exterior work and are now working the interior portions of the projects. Due to this set back the city did apply for a 30-day extension from May 30th and was granted a 90-day extension. Our intent is to have this grant administratively closed out by June 30th.*

Rehabilitation projects included: walk in showers, new tub and surrounds, walk in tub, plumbing repairs and upgrades, electrical repairs and upgrades, new roofs, repairing steps for entry and exits to home, upgrades to heating systems and repairs, windows, exterior doors, insulation, flooring replacement, rails for entry and exit of homes and basement stairs, handicap toilets and bathroom handles, exhaust fans in kitchen and bathrooms, smoke detectors and carbon monoxide detectors.

Statistical Information for City of Ontario CDBG Grant # H17012 – May 19, 2020

25 homes within the city limits of Ontario are rehabilitated with this grant.

38 adults and 18 children benefitted from the rehabilitation to their homes.

Males – 19 Females – 37 Disabled – 9 Veteran – 5 Seniors - 17

Head of Household Race/Ethnicity:

American Indian or Alaskan Native - Hispanic or Latino – 12 Asian or Pacific Islander

Multi race - White – 25 Not Hispanic - 13

Head of Household Gender:

Male – 10 Female - 15

Households Receiving Food Stamps – 10

Income of Households: Income Limits Based on Malheur County Median Income.

Persons in Family (effective June 1, 2019)

	1	2	3	4	5	6	7	8
Extremely Low Households	\$12,490 2	\$16,910 1	\$21,330 1	\$25,750 2	\$30,170 1	\$33,350	\$35,650	\$37,950
Very Low (50%) Households	\$20,150 4	\$23,000 6	\$25,900 2	\$28,750	\$31,050 1	\$33,350	\$35,650	\$37,950
Low (80%) Households	\$32,200 3	\$36,800	\$41,400	\$46,000 2	\$49,700	\$53,400	\$57,050	\$60,750

The Hearing was opened for public testimony. Opponents: None. Proponents: None. There being no Proponent and no Opponent testimony, the Hearing was closed.

No action required. There were no questions from the Council, and Ms. Markee was thanked for her work on this valuable project.

NEW BUSINESS**Grant Request Contract with Merchant McIntyre Associates with COVID Response Appropriation**

Adam Brown, City Manager, presented.

BRADEN moved, CAPRON seconded, **THAT THE CITY COUNCIL APPROVE THE CONTRACT WITH MERCHANT MCINTYRE ASSOCIATES.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

HAND-OUTS**Check Register:** *(Attached)*

April 1 → May 14, 2020

Minutes: *(Attached)*

County Court 04-29-2020; 05-06-2020

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

An executive session was called at 8:20 p.m. under provisions of ORS 192.660(1)(h) to discuss current or potential litigation. The Council reconvened into regular session at 8:43 p.m.

NEW BUSINESS

Councilor Crume voiced his objection to the Council approving the proposed action as he thought the city should have moved forward on the next steps because he believed the city would prevail.

CAPRON moved, JUSTUS seconded, **THAT THE COUNCIL APPROVE THE PROPOSED MEMORANDUM OF AGREEMENT BETWEEN CITY OF ONTARIO AND ONTARIO POLICE ASSOCIATION, OFFICER SAM D'ADDABBO, AND OFFICER TYLER BULLINGTON REGARDING CITY POLICY #2018-112 RESIDENCY REQUIREMENT AND THE SETTLEMENT AGREEMENT AND FULL RELEASE OF CLAIMS AGREEMENT.** Roll call vote: Crume-no; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 6/1/0.

Council consensus to hire a labor attorney to rewrite the city's current residency requirement resolution.

ADJOURN

BRADEN moved, RODRIGUEZ seconded, **THAT THE MEETING BE ADJOURNED.** Roll call vote: Crume-yes; Rodriguez-yes; Palomo-yes; Justus-yes; Capron-yes; Braden-yes; Hill-yes. Motion carried 7/0/0.

ACCEPTED:**ATTEST**_____
Riley J. Hill, Mayor_____
Tori Barnett, MMC, City Recorder



**AGENDA REPORT
CONSENT AGENDA
June 16, 2020**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: HOUSING INCENTIVE PROGRAM: RYWEST HOMES (52 SUNSET DRIVE)

DATE: June 12, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION BY RYWEST HOMES AT 52 SUNSET FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.

SUMMARY:

Rywest Homes submitted an application for \$10,000 from the housing incentive program.

The property is located at 52 Sunset.

The Business Loan Committee is the reviewing and recommending authority for the City of Ontario Business Loan Fund and as such the Committee is tasked with reviewing and providing a recommendation to the City Council on all applications submitted for loan requests and Housing Incentive payments. The City Council is the final authority for approval of the applications. The City Manager, Finance Director and Community Development Director are responsible for insuring all requirements are met prior to payment of the approved application.

BACKGROUND:

The City Council, under Resolution #2018-111, updated the City of Ontario Business Loan Fund codes under Section 11a Housing Incentive Program to promote new housing development with the city limits of Ontario.

CURRENT SITUATION:

Rywest Homes is requesting approval of their application for the \$10,000.00 Incentive on a new home to be located at 52 Sunset. The proposed dwelling will be 1,485 Square feet with two (2) bathrooms and a two (2) car garage. The application was deemed to be complete by the Community Development Director and meeting or exceeding the minimum requirements

of Section 11 of the Business Loan Fund code and was forwarded to the Committee for their review and recommendation. The Business Loan Fund Committee recommended approval of the application on June 10, 2020.

ANALYSIS:

- A. **STRATEGIC PLAN** The Housing Incentive Program promotes growth and desirability in Ontario.
- B. **FINANCIAL** If approved, the city would pay the funds from the Business Loan Fund. The \$10,000.00 would be paid back to the fund through the city portion of the property taxes collected on the property and dwelling approved under this application.
- C. **TIMING** Time is of the essence on this application as the applicant wants to pull a building permit and start construction as soon as they receive their approval.
- D. **POLICY/LEGAL** The Business Loan Fund Committee makes recommendations to the City Council. If the City Council approves the action, the City Manager will have the Agreement signed by all parties authorizing the Building Department to issue a permit under this Agreement.

ALTERNATIVES:

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

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

RECOMMENDATION:

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

ATTACHMENTS:

- 1. Incentive Application 16-2020_Rywest Homes



City of Ontario, Oregon Housing Incentive Program Checklist

Applicant: Ryquest Homes Inc Date: 6-1-2020
Site Address or Tax Lot: 52 Sunset Ontario Oregon
Application Number: 18-2020 (City Use Only)

Application Information: (Applicant or Staff)

- ☒ Completed Application Signed & Dated: _____
- ☒ Documentation showing funding: Past history
- ☒ Within City Limits
- ☐ In Urban Growth Boundary Annexation Application filed: N/A
- ☐ Floor Plan or description describing minimum square footage:
 - 1. House Square footage: 1485
 - 2. Number of Baths: 2
 - 3. Size of Garage: 2 Car - 435 sq. ft
- ☒ Description of Property of Home:
 - 1. Tax Lot map & Number: map# 184705DD
 - 2. Copy of Deed: ✓
 - 3. Or written description: Lot 5
- ☒ Completed W-9 Taxpayer Form. on file

Process Completed: (Staff Use Only below)

- ☒ PDAC (if Required) date Completed: N/A
- ☒ Community Development Director approval date: 6-9-2020
- ☒ Forwarded to Business Loan Fund Committee: 6-10-2020
- ☐ BLF Committee forwards recommendation to City Manager: _____
- ☐ City Council Approval or Denial: _____
- ☐ City Manager signs application signifying Council Approval: _____
- ☐ Application submitted to Finance for tracking: _____
- ☐ Certificate of Occupancy issued (within 2 yrs. of Council approval): _____
- ☐ Proof of Owner Occupancy (must be within 1 yr. of C of O): _____
- ☐ Payment made to Owner: _____

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

Minor changes can usually be noted on the blueprint. Please contact

K-COI Inc. If a modification to the plans is requested or required, When local governing agencies require modifications or require use of a licensed architect or engineer on the construction drawings, modifications can be provided at additional cost. Designation and/or job supervision is not provided by K-COI, Inc. The contractor shall direct and verify all dimensions and conditions on different drawings and in the field before proceeding with construction. Contractor is provide of necessary temporary support for walls and floors prior to completion of vertical and lateral load systems.

Soil live bait:	25 PPT
Flour live bait:	40 PPT
Grain live bait:	100 PPT
Soil live bait:	150 PPT (assumed)
Soil live bait:	1500 PPT (assumed)

POA: all baits to be used on firm well-drained soil, minimum 2" above hard ground.

CONCIT: Minimum concrete composition strength to be 3000 PSI or 25 days (at older 30 psi 2000 PSI).

Provides layered cavity joints in all finished slabs on grade at 25'-0" O.C. each way maximum. Provides heavy (3/4") hooked joints of 30'-0" O.C. in all exterior walls and slabs.

MISCELLANEOUS
Tub and elbow assemblies to brace weakened main beam

[illegible]

WOOD
All timber species and grades to be as follows:

10th, 11th and 12th: Douglas fir/10th #2 & 11th #1, 12th #1
13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211st, 212nd, 213rd, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 300th, 301st, 302nd, 303rd, 304th, 305th, 306th, 307th, 308th, 309th, 310th, 311st, 312nd, 313rd, 314th, 315th, 316th, 317th, 318th, 319th, 320th, 321st, 322nd, 323rd, 324th, 325th, 326th, 327th, 328th, 329th, 330th, 331st, 332nd, 333rd, 334th, 335th, 336th, 337th, 338th, 339th, 340th, 341st, 342nd, 343rd, 344th, 345th, 346th, 347th, 348th, 349th, 350th, 351st, 352nd, 353rd, 354th, 355th, 356th, 357th, 358th, 359th, 360th, 361st, 362nd, 363rd, 364th, 365th, 366th, 367th, 368th, 369th, 370th, 371st, 372nd, 373rd, 374th, 375th, 376th, 377th, 378th, 379th, 380th, 381st, 382nd, 383rd, 384th, 385th, 386th, 387th, 388th, 389th, 390th, 391st, 392nd, 393rd, 394th, 395th, 396th, 397th, 398th, 399th, 400th, 401st, 402nd, 403rd, 404th, 405th, 406th, 407th, 408th, 409th, 410th, 411st, 412nd, 413rd, 414th, 415th, 416th, 417th, 418th, 419th, 420th, 421st, 422nd, 423rd, 424th, 425th, 426th, 427th, 428th, 429th, 430th, 431st, 432nd, 433rd, 434th, 435th, 436th, 437th, 438th, 439th, 440th, 441st, 442nd, 443rd, 444th, 445th, 446th, 447th, 448th, 449th, 450th, 451st, 452nd, 453rd, 454th, 455th, 456th, 457th, 458th, 459th, 460th, 461st, 462nd, 463rd, 464th, 465th, 466th, 467th, 468th, 469th, 470th, 471st, 472nd, 473rd, 474th, 475th, 476th, 477th, 478th, 479th, 480th, 481st, 482nd, 483rd, 484th, 485th, 486th, 487th, 488th, 489th, 490th, 491st, 492nd, 493rd, 494th, 495th, 496th, 497th, 498th, 499th, 500th, 501st, 502nd, 503rd, 504th, 505th, 506th, 507th, 508th, 509th, 510th, 511st, 512nd, 513rd, 514th, 515th, 516th, 517th, 518th, 519th, 520th, 521st, 522nd, 523rd, 524th, 525th, 526th, 527th, 528th, 529th, 530th, 531st, 532nd, 533rd, 534th, 535th, 536th, 537th, 538th, 539th, 540th, 541st, 542nd, 543rd, 544th, 545th, 546th, 547th, 548th, 549th, 550th, 551st, 552nd, 553rd, 554th, 555th, 556th, 557th, 558th, 559th, 560th, 561st, 562nd, 563rd, 564th, 565th, 566th, 567th, 568th, 569th, 570th, 571st, 572nd, 573rd, 574th, 575th, 576th, 577th, 578th, 579th, 580th, 581st, 582nd, 583rd, 584th, 585th, 586th, 587th, 588th, 589th, 590th, 591st, 592nd, 593rd, 594th, 595th, 596th, 597th, 598th, 599th, 600th, 601st, 602nd, 603rd, 604th, 605th, 606th, 607th, 608th, 609th, 610th, 611st, 612nd, 613rd, 614th, 615th, 616th, 617th, 618th, 619th, 620th, 621st, 622nd, 623rd, 624th, 625th, 626th, 627th, 628th, 629th, 630th, 631st, 632nd, 633rd, 634th, 635th, 636th, 637th, 638th, 639th, 640th, 641st, 642nd, 643rd, 644th, 645th, 646th, 647th, 648th, 649th, 650th, 651st, 652nd, 653rd, 654th, 655th, 656th, 657th, 658th, 659th, 660th, 661st, 662nd, 663rd, 664th, 665th, 666th, 667th, 668th, 669th, 670th, 671st, 672nd, 673rd, 674th, 675th, 676th, 677th, 678th, 679th, 680th, 681st, 682nd, 683rd, 684th, 685th, 686th, 687th, 688th, 689th, 690th, 691st, 692nd, 693rd, 694th, 695th, 696th, 697th, 698th, 699th, 700th, 701st, 702nd, 7

Pyrexoid (see specifications) : 30X-DLT - 24A
All left or bearns (fronting little (not bearns) no bearns,
or gadders shall be supported with "U" type "Simpsen"
joist or bearns kamps. All post/beam and post/soffit
connections to be made with "Simpsen" post cap and
where noted alterations on drawings.

Afterwards, each insect feeding with openings (holes) 2 × 12 mm, maximum or solid wood of equivalent size, except when noted otherwise as drawings. Boats could between ports and others of bearing with. Considerable at 6-7 °C. maximum. Beans, grains, and nuts supporting bearing walls or other concentrated loads, shall not be notched except as specified on drawings.

All bolts shall have a minimum of 2" portion of unthreaded

Largers and tied wall foundations all places shall be located in accordance with another hole of size and minimum spacing as the drawings. At least two bolts shall be provided places with one bolt within 1'-0" of each end.

INSULATION	
Ceilings, wall:	R-49
Ceilings, flat:	R-49
Walls:	R-21
Floors over unheated:	R-30
Foamslab walls:	R-21
Exterior perimeter slab:	R-15 (Rigid - 2" wide)
Gravel cover & mill black polyurethane, or under slab as	

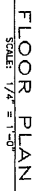
rolled with 12" top floors and windows to be weatherstripped. Vapor barrier walls: Is oil exterior walls on exposed ends having a 1" perm dry cap roofing or less shall be fastidious. The warm side of the insulation.

The portion of the building between living spaces and an unfinished garage, storage room, and the portion of the above the ceiling of an adjacent section of a split-level.

CLAZING
all windows shall be double glazed or unisulating glass.
Minimum U-0.35 (W81 m²/specific path design)
Minimum window egress:
Bedroom window 1.0 sq. ft.
Provide minimum net clear opening of 5.7 sq. ft.
Provide minimum net clear opening of 20' wide x 24" h.
Minimum height of window from subfloor to finished wall.

Verify window rough framing fits with manufacturer. Provide large glass panels in all horizontal louvers. Fix and seal glass doors. Fixing to door & sill/struts for hot licks, whipcords, screws, bolts, & shovels. Grouting in fixed or operable panels adjacent to a door or the nearest exposed edge of glazing is within a 24 inch

on either vertical edge of the unit in a cluster position where the bottom exposed edge of the glazing is less than 6 inches above the walking surface. Exposed bottom edge of the glazed panel is less than 18 inches to the floor.



WARRANTY DISCLAIMER
DRAWINGS & SPECIFICATIONS

THESE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO BE GUIDELINES FOR THE CONSTRUCTION RESPONSIBILITY OF THE CONTRACTOR. ANY QUESTIONS OR CONCERNS IN THE DRAWINGS AND SPECIFICATIONS, THE CONTRACTOR SHALL NOTIFY THE DESIGNER IN WRITING OF A RESPONSE, QUESTION, OR UNSURETY WITHIN WHICH MAY CAUSE CONSTRUCTION PROBLEMS.

THE DESIGNER'S LIABILITY REGARDING THESE AND/OR COMMENTS WILL BE LIMITED TO THE EXTENT OF HIS PROFESSIONAL DUTY AND NOT BE AN ASSURANCE OF ANY OTHER FINANCIAL RESULTS.

WE, THE OWNER, TYPE AND QUALITY OF MATERIALS, WORKMANSHIP, AS FLOOR COVERING, WINDOWS, CROWN MOLDING, PAINTERS, CARPENTERS ETC., ARE THE RESPONSIBILITY OF THE HOME OWNER AND CONTRACTOR.

APPROVED BY:

DATE: 5-15

Kobay, Brittingham - K&C.D., Inc.
Computer Aided Drafting Services
Ontario, OR 97814-Phone: (541)889-3511



FLOOR PLAN

SCALE: 1/4"=1'-0" OR AS NOTE


Rywest Homes Inc.
dream • design • build

1485 SQ. FT.
435 SQ. FT. GARAGE

NOTES:
ENERGY PATH

WINDOW HEADERS TO BE 4 X 10	
#2 OR BETTER, TOP EA. WINDOW,	20 1/4-IN. VALUE
SLIDING 6 SINGLE HUNG WINDOWS,	20 1/4-IN. VALUE
PAID WINDOWS,	40 1/4-IN. VALUE
ENTRY DOOR - STEEL	10 1/4-IN. VALUE
ATTIC DOOR	
SIDE DETACHMENTS	
ALL INTERCONNECTED	
CENTRAL FAN	
BATHROOM FAN	
AUTO CONTROLLED	
KITCHEN FANS TO VENT TO OUTSIDE	
SCALE THIS-	

5 of

FOR: TIM DAVIS-RYWEST CONSTRUCTION
52 Sunset 125 BEECH ST. FRUITLAND, ID 83619
FOR: 180-1022

Permit Use _____
 REVIEWED FOR CODE COMPLIANCE _____
 Building Permit No. _____
 Address _____
 By _____ Date _____

10



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FOUNDATION PLAN

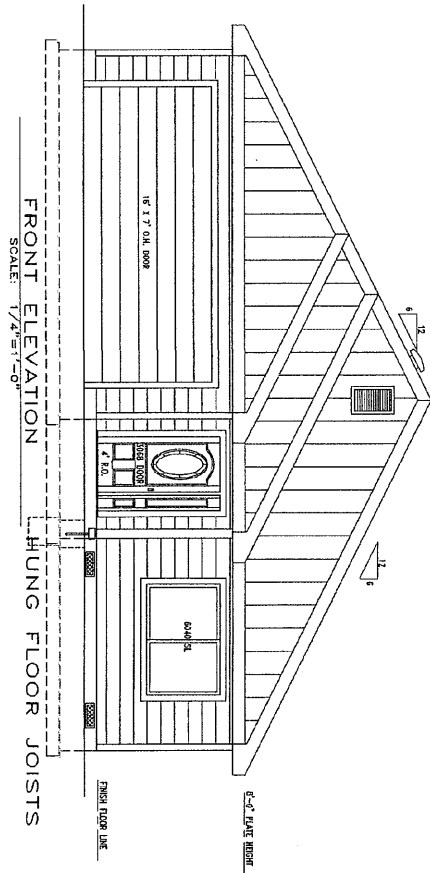
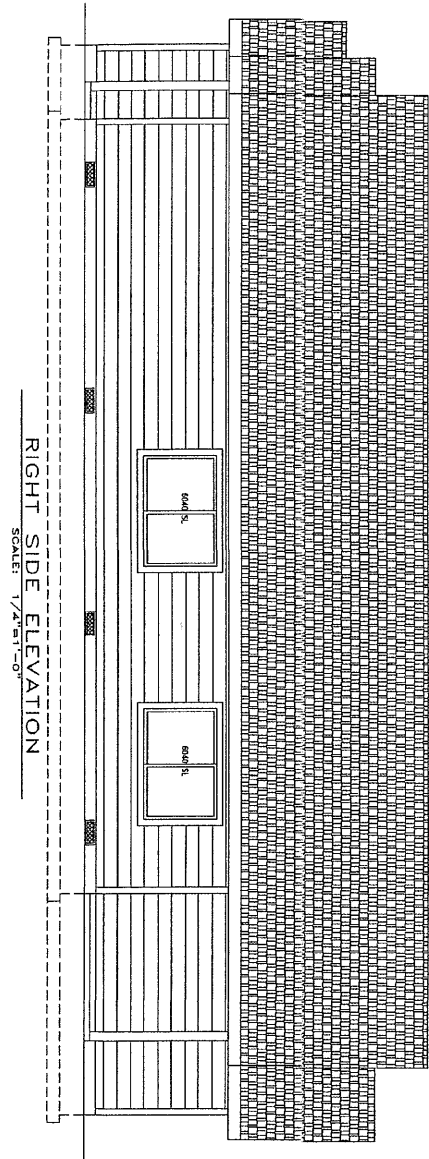
SCALE: 1/4"=1'-0" OR AS NOTED

DRAWN BY:

DATE: 5-15-2019

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





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5

4

FOR: TIM DAVIS-RYWEST CONSTRUCTION
225 BEECH ST, FRUITLAND, ID 83819
208-452-4922

SCALE: 1/4\"=1'-0\" OR AS NOTED

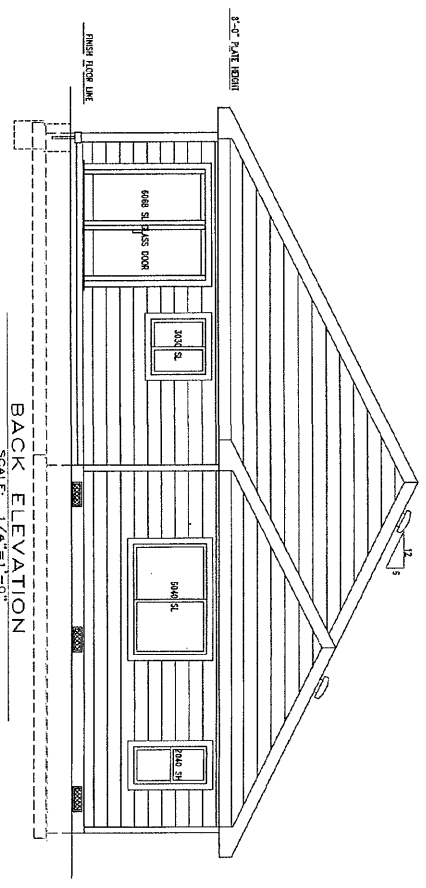
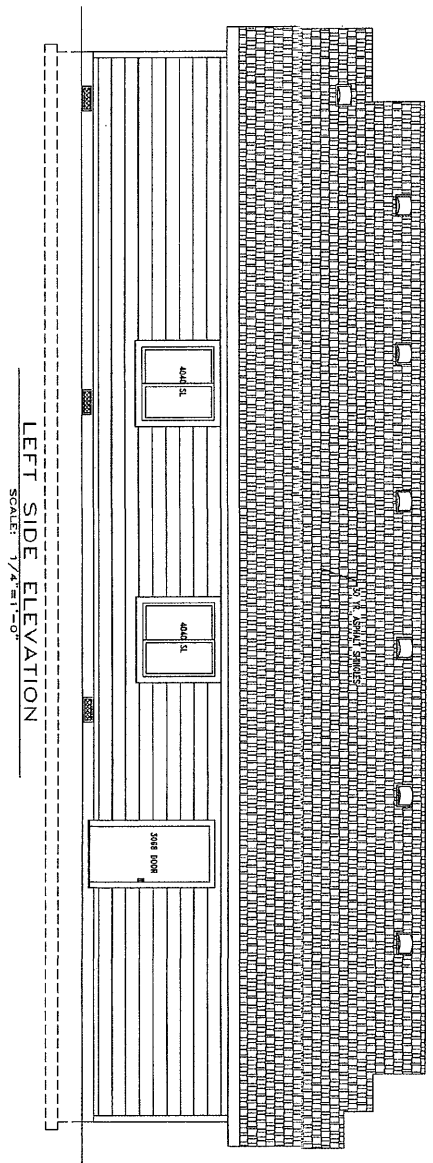
ELEVATIONS

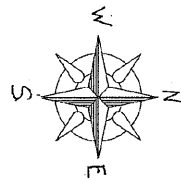
DRAWN BY:

DATE: 5-15-2010

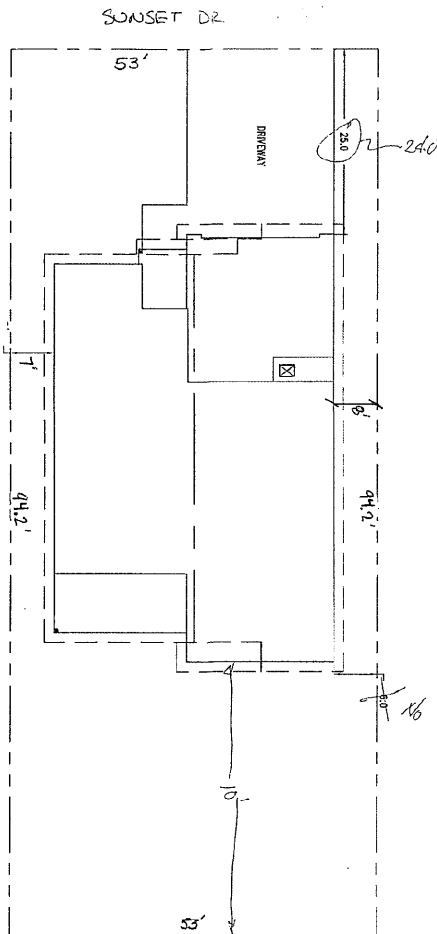
Kathy Brithgigham - K-CAD, Inc.
Computer Aided Drafting Services
Ontario, OR 97014-Phone: (541)860-5539







Sunset Dr.
ONTARIO, OREGON



Rywest Homes Inc.
dream • design • build

SHEET 5	S	FOR: TIM DAVIS--RYWEST CONSTRUCTION 125 BEECH ST. FRUITLAND, ID 83619 208-452-4822	PLOT PLAN SCALE: 1"=10'	DRAWN BY: DATE: 5-15-2019	Kathy Brittingham - K-CAD, Inc. Computer Aided Drafting Services Ontario, OR 97914 - Phone: (541)889-3539	
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**AGENDA REPORT
CONSENT AGENDA
June 16, 2020**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: HOUSING INCENTIVE PROGRAM: RYWEST HOMES (32 SUNSET DRIVE)

DATE: June 12, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION BY RYWEST HOMES AT 32 SUNSET DRIVE FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.

SUMMARY:

Rywest Homes submitted an application for \$10,000 from the housing incentive program.

The property is located at 32 Sunset Drive.

The Business Loan Committee is the reviewing and recommending authority for the City of Ontario Business Loan Fund and as such the Committee is tasked with reviewing and providing a recommendation to the City Council on all applications submitted for loan requests and Housing Incentive payments. The City Council is the final authority for approval of the applications. The City Manager, Finance Director and Community Development Director are responsible for insuring all requirements are met prior to payment of the approved application.

BACKGROUND:

The City Council, under Resolution #2018-111, updated the City of Ontario Business Loan Fund codes under Section 11a Housing Incentive Program to promote new housing development with the city limits of Ontario.

CURRENT SITUATION:

Rywest Homes is requesting approval of their application for the \$10,000.00 Incentive on a new home to be located at 32 Sunset Drive. The proposed dwelling will be 1,485 Square feet with two (2) bathrooms and a two (2) car garage. The application was deemed to be complete by the Community Development Director and meeting or exceeding the minimum

requirements of Section 11 of the Business Loan Fund code and was forwarded to the Committee for their review and recommendation. The Business Loan Fund Committee recommended approval of the application on June 10, 2020.

ANALYSIS:

- A. **STRATEGIC PLAN** The Housing Incentive Program promotes growth and desirability in Ontario.
- B. **FINANCIAL** If approved, the city would pay the funds from the Business Loan Fund. The \$10,000.00 would be paid back to the fund through the city portion of the property taxes collected on the property and dwelling approved under this application.
- C. **TIMING** Time is of the essence on this application as the applicant wants to pull a building permit and start construction as soon as they receive their approval.
- D. **POLICY/LEGAL** The Business Loan Fund Committee makes recommendations to the City Council. If the City Council approves the action, the City Manager will have the Agreement signed by all parties authorizing the Building Department to issue a permit under this Agreement.

ALTERNATIVES:

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

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

RECOMMENDATION:

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

ATTACHMENTS:

- 1. Incentive Application 17-2020_Rywest Homes



City of Ontario, Oregon Housing Incentive Program Checklist

Applicant: Ryleest Homes ³² Date: 6-10-2020
Site Address or Tax Lot: Block 1 Lot 4 TBD Sunset Drive
(4116 West Idaho)
Application Number: 17-2020 (City Use Only)

Application Information: (Applicant or Staff)

- ☒ Completed Application Signed & Dated: 6-10-2020
- ☒ Documentation showing funding: Previous History
- ☒ Within City Limits
- ☐ In Urban Growth Boundary Annexation Application filed: N/A
- ☒ Floor Plan or description describing minimum square footage:
 - 1. House Square footage: 1485
 - 2. Number of Baths: 2
 - 3. Size of Garage: 395
- ☒ Description of Property of Home:
 - 1. Tax Lot map & Number: 403 map# 18S4705DD
 - 2. Copy of Deed: ☒
 - 3. Or written description: LOT 4 VICTORIA SUBDIVISION
- ☒ Completed W-9 Taxpayer Form. ON FILE

Process Completed: (Staff Use Only below)

- ☒ PDAC (if Required) date Completed: N/A
- ☒ Community Development Director approval date: 6-10-2020
- ☒ Forwarded to Business Loan Fund Committee: 6-10-2020
- ☐ BLF Committee forwards recommendation to City Manager: _____
- ☐ City Council Approval or Denial: _____
- ☐ City Manager signs application signifying Council Approval: _____
- ☐ Application submitted to Finance for tracking: _____
- ☐ Certificate of Occupancy issued (within 2 yrs. of Council approval): _____
- ☐ Proof of Owner Occupancy (must be within 1 yr. of C of O): _____
- ☐ Payment made to Owner: _____

[illegible]

SINGLE FAMILY GENERAL NOTES:

GENERAL: All drawings are to be made on the drawings. Please consult the drawings for all details. If a modification to the plans is required, the owner must provide a written change order. The contractor shall be responsible for obtaining all necessary permits and for obtaining all necessary approvals from the local authorities. The contractor shall be responsible for obtaining all necessary approvals from the local authorities. The contractor shall be responsible for obtaining all necessary approvals from the local authorities.

FOUNDATION: All footings to be on firm undisturbed soil, minimum 24" below final grade. Minimum concrete compression strength to be 3000 PSI at 28 days. All walls to be on firm undisturbed soil, minimum 24" below final grade. All walls to be on firm undisturbed soil, minimum 24" below final grade.

MISCELLANEOUS: All windows and doors to be installed in accordance with the manufacturer's instructions. All windows and doors to be installed in accordance with the manufacturer's instructions. All windows and doors to be installed in accordance with the manufacturer's instructions. All windows and doors to be installed in accordance with the manufacturer's instructions.

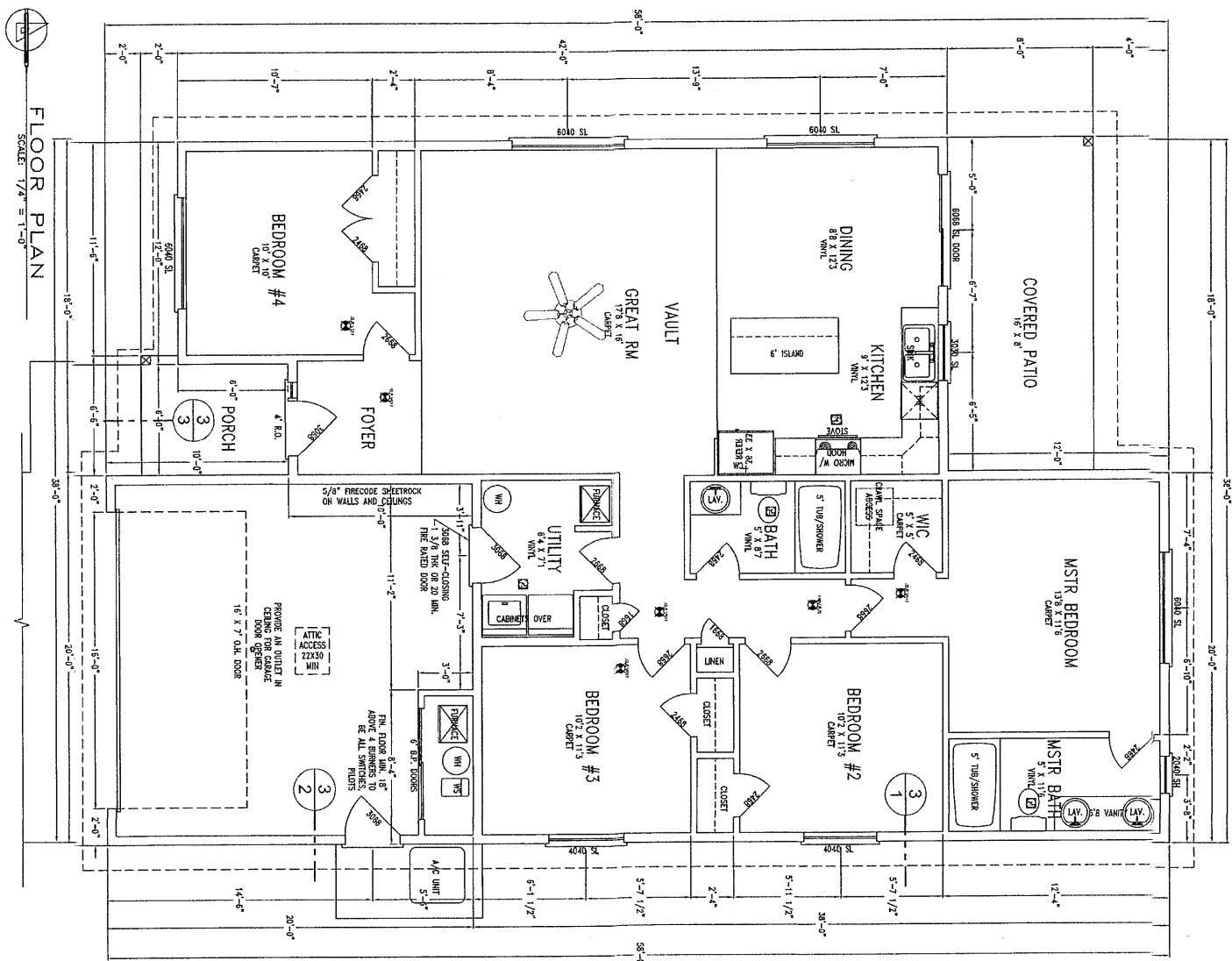
WALLS: All exterior walls to be constructed of 8" thick concrete block. All exterior walls to be constructed of 8" thick concrete block. All exterior walls to be constructed of 8" thick concrete block. All exterior walls to be constructed of 8" thick concrete block.

FLOORING: All interior floors to be constructed of 1/2" thick plywood. All interior floors to be constructed of 1/2" thick plywood. All interior floors to be constructed of 1/2" thick plywood. All interior floors to be constructed of 1/2" thick plywood.

CEILING: All interior ceilings to be constructed of 5/8" thick drywall. All interior ceilings to be constructed of 5/8" thick drywall. All interior ceilings to be constructed of 5/8" thick drywall. All interior ceilings to be constructed of 5/8" thick drywall.

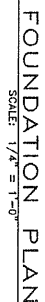
PAINT: All interior walls and ceilings to be painted with a high-quality interior paint. All interior walls and ceilings to be painted with a high-quality interior paint. All interior walls and ceilings to be painted with a high-quality interior paint. All interior walls and ceilings to be painted with a high-quality interior paint.

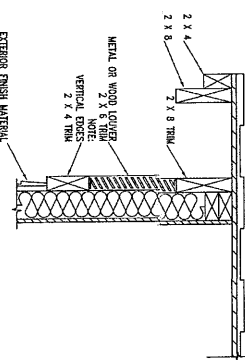
ROOFING: All exterior roofs to be constructed of asphalt/shingle. All exterior roofs to be constructed of asphalt/shingle. All exterior roofs to be constructed of asphalt/shingle. All exterior roofs to be constructed of asphalt/shingle.



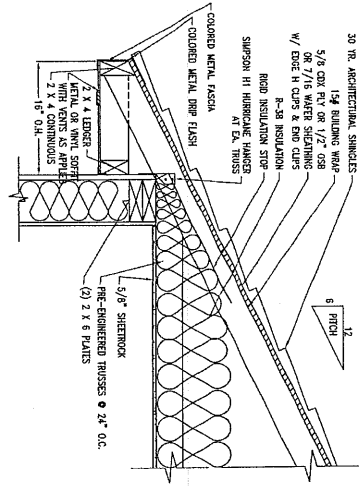
WARRANTY DISCLAIMER
THESE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO BE COORDINATED WITH THE CONTRACTOR'S RESPONSIBILITY FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

NOTES:
1. ENERGY PATH
2. 20 U-WALL
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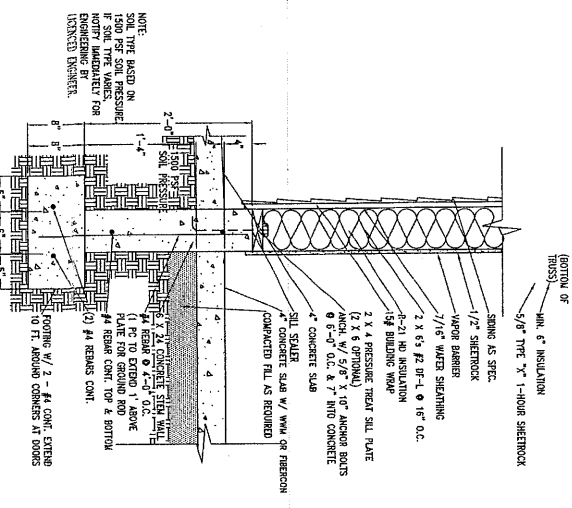




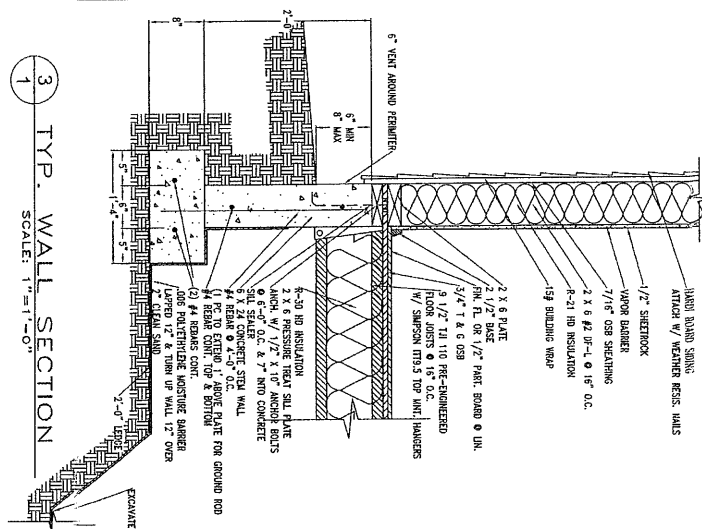
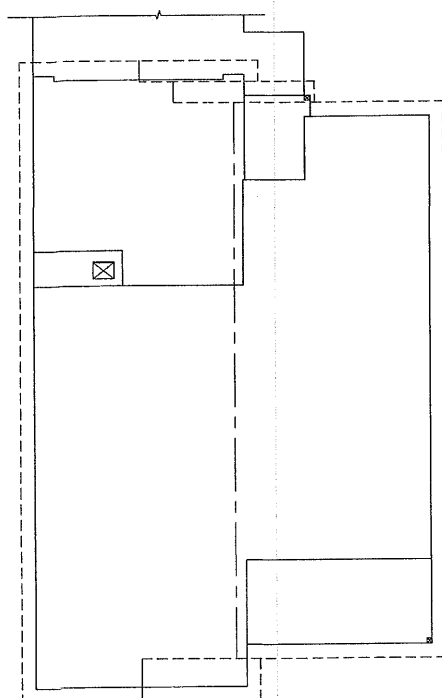
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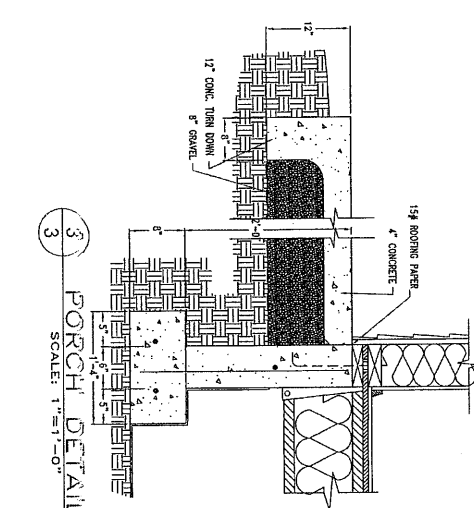
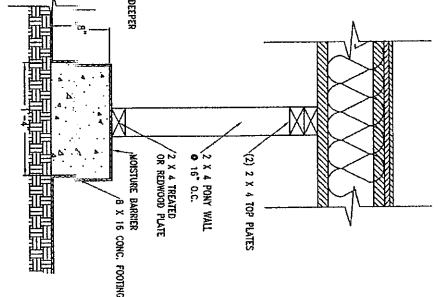
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ROOF PLAN
SCALE: 1/8"=1'-0"

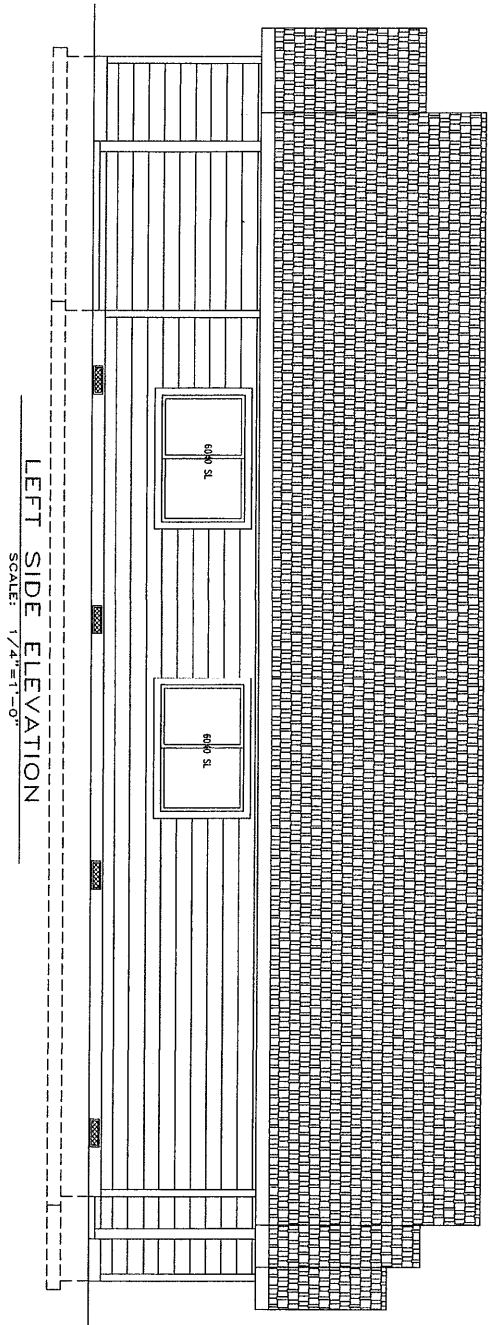


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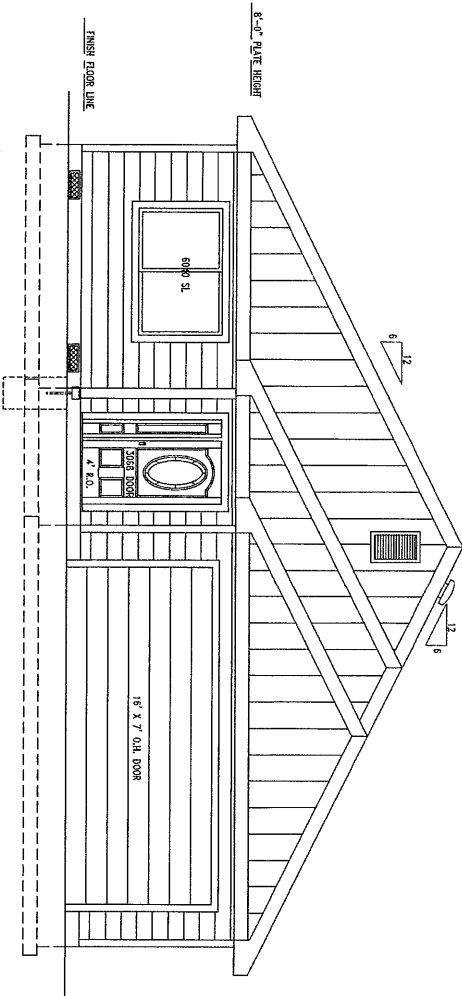
3 PORCH DETAIL
SCALE: 1"=1'-0"





LEFT SIDE ELEVATION

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

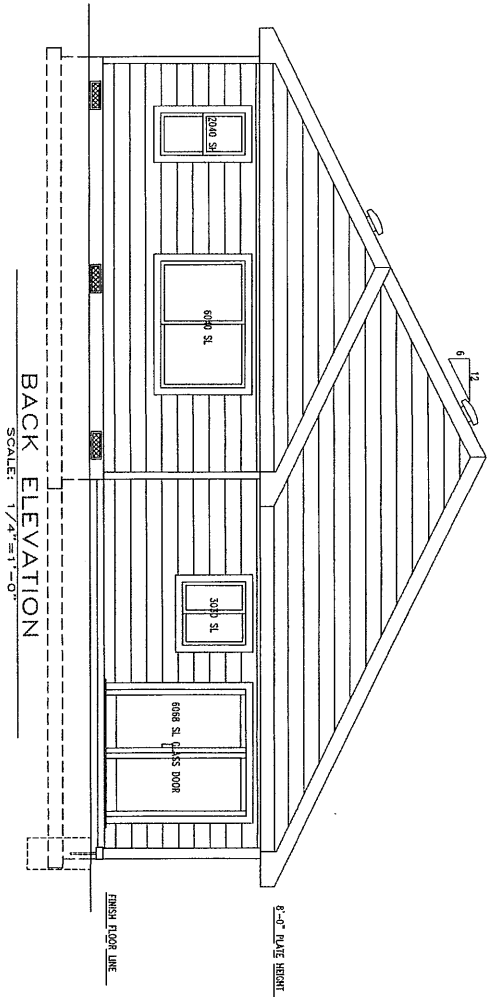
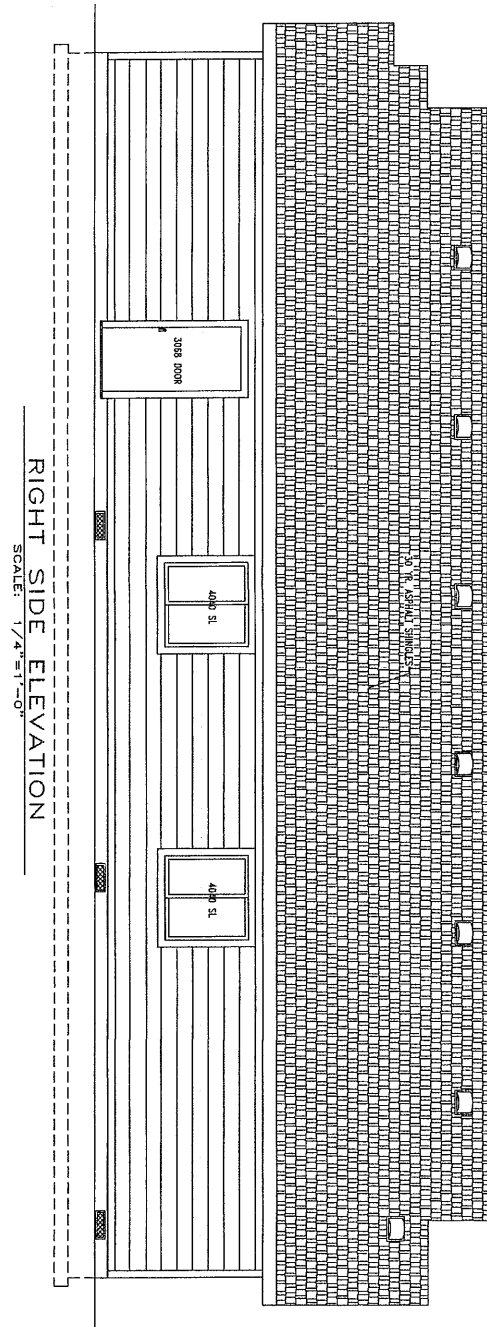


FRONT ELEVATION

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

HUNG FLOOR JOISTS





ELEVATIONS

DRAWN BY:
DATE: 8-29-2019

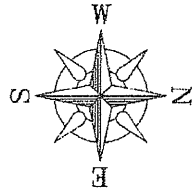
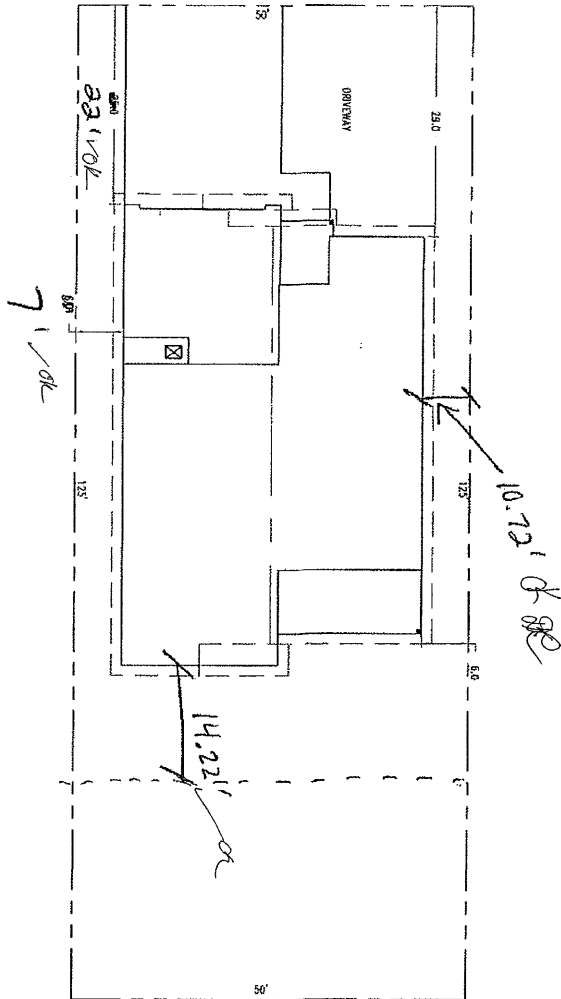
Kathy Brittingham - K-CAD, Inc.
Computer Aided Drafting Services
Ontario, OR 97914-Phone: (541)889-3539



FOR: TIM DAVIS-RYWEST CONSTRUCTION
125 BEECH ST, FRUITLAND, ID 83619
MIRRORED PLAN 208-452-4922

SCALE: 1/4"=1'-0" OR AS NOTED

SUNSET DRIVE



Sunset drive
ONTARIO, OREGON

Rywest Homes Inc
dream • design • build



**AGENDA REPORT
CONSENT AGENDA
June 16, 2020**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: HOUSING INCENTIVE PROGRAM: REESER (848 REITER DRIVE)

DATE: June 12, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION BY RYAN & LISA REESER AT 848 REITER DRIVE FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF \$10,000.

SUMMARY:

Ryan & Lisa Reeser submitted an application for \$10,000 from the housing incentive program.

The property is located at 848 Reiter Drive.

The Business Loan Committee is the reviewing and recommending authority for the City of Ontario Business Loan Fund and as such the Committee is tasked with reviewing and providing a recommendation to the City Council on all applications submitted for loan requests and Housing Incentive payments. The City Council is the final authority for approval of the applications. The City Manager, Finance Director and Community Development Director are responsible for insuring all requirements are met prior to payment of the approved application.

BACKGROUND:

The City Council, under Resolution #2018-111, updated the City of Ontario Business Loan Fund codes under Section 11a Housing Incentive Program to promote new housing development with the city limits of Ontario.

CURRENT SITUATION:

Ryan & Lisa Reeser are requesting approval of their application for the \$10,000.00 Incentive on a new home to be located at 848 Reiter Drive. The proposed dwelling will be 2800 Square feet with three (3) bathrooms and a three (3) car garage. The application was deemed to be

complete by the Community Development Director and meeting or exceeding the minimum requirements of Section 11 of the Business Loan Fund code and was forwarded to the Committee for their review and recommendation. The Business Loan Fund Committee recommended approval of the application on June 10, 2020.

ANALYSIS:

- A. **STRATEGIC PLAN** The Housing Incentive Program promotes growth and desirability in Ontario.
- B. **FINANCIAL** If approved, the city would pay the funds from the Business Loan Fund. The \$10,000.00 would be paid back to the fund through the city portion of the property taxes collected on the property and dwelling approved under this application.
- C. **TIMING** Time is of the essence on this application as the applicant wants to pull a building permit and start construction as soon as they receive their approval.
- D. **POLICY/LEGAL** The Business Loan Fund Committee makes recommendations to the City Council. If the City Council approves the action, the City Manager will have the Agreement signed by all parties authorizing the Building Department to issue a permit under this Agreement.

ALTERNATIVES:

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

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

RECOMMENDATION:

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

ATTACHMENTS:

1. Application Housing Incentive_15-2020_Ryan & Lisa Reese



City of Ontario, Oregon
Housing Incentive Program Checklist

Applicant: Ryan & Lisa Reeser Date: 4/25/2020
Site Address or Tax Lot: LOT 19 / 848 REITER DR, ONTARIO, OR 97914
Application Number: 15-2020 (City Use Only)

Application Information: (Applicant or Staff)

- ☒ Completed Application Signed & Dated: _____
- ☒ Documentation showing funding: Preapproval Letter
- ☒ Within City Limits
- ☐ In Urban Growth Boundary Annexation Application filed: _____
- ☒ Floor Plan or description describing minimum square footage:
 - 1. House Square footage: 2800
 - 2. Number of Baths: 3
 - 3. Size of Garage: 900
- ☒ Description of Property of Home: Map No: 18474 TAX LOT No: 1614
 - 1. Tax Lot map & Number: LOT 19 - Sage Ridge
 - 2. Copy of Deed: 2019-0948
 - 3. Or written description: _____
- ☒ Completed W-9 Taxpayer Form.

Process Completed: (Staff Use Only below)

- ☒ PDAC (if Required) date Completed: N/A
- ☒ Community Development Director approval date: 6/2/2020 DKC
- ☒ Forwarded to Business Loan Fund Committee: 6/2/2020
- ☐ BLF Committee forwards recommendation to City Manager: _____
- ☐ City Council Approval or Denial: _____
- ☐ City Manager signs application signifying Council Approval: _____
- ☐ Application submitted to Finance for tracking: _____
- ☐ Certificate of Occupancy issued (within 2 yrs. of Council approval): _____
- ☐ Proof of Owner Occupancy (must be within 1 yr. of C of O): _____
- ☐ Payment made to Owner: _____

WINDOW SIZES

NO.	WIDTH	HEIGHT	REMARKS
A	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
B	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
C	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
D	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
E	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
F	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
G	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
H	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
I	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
J	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
K	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
L	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
M	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.
N	5'-4"	4'-6"	FIXED OPERABLE, MILLION PATTERNS, ETC.

**DENOTES HEIGHT OF TOP OF WINDOW ABOVE FINISHED FLOOR

NOTE: BONUS ROOM DIMENSIONS SHOWN BY TRUSS ENGINEER

DOOR SIZES

NO.	WIDTH	HEIGHT	REMARKS
1	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
2	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
3	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
4	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
5	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
6	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
7	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
8	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
9	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
10	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
11	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
12	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
13	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
14	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
15	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
16	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
17	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
18	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
19	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
20	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
21	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
22	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
23	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
24	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT
25	3'-0"	8'-0"	W/1-6" SIDELIGHT & OVERLIGHT

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

BI-FOLD CLOSET DOOR
FRENCH DOORS, FIXED LEAF

DIMENSIONED FLOOR PLAN

GENERAL NOTES:
1. THIS IS A CONCEPTUAL SET. ARCHITECTURAL FEATURES SHOWN ARE FOR GUIDANCE IN DETERMINING INTERIOR FINISHES, DOORS, WINDOWS, CLOSET-DOORS, ETC. DIMENSIONS ARE SHOWN FOR INFORMATION ONLY. THE OWNER WILL BE SELECTING ALL SUCH ITEMS.
2. CONFORM TO ALL LOCAL AND NATIONAL BUILDING CODES AND ALL LOCAL ZONING ORDINANCES.
3. ALL WALL FINISHING IS AT 1/2" OC. ALL EXTERIOR WALL FINISHING IS 2X6 INTERIOR WALL FINISHING SIZES AS NOTED.



6/4/2020

Beck Kiwanis Park

Bridge Improvement
Options





Beck Kiwanis Park Presentation

Agenda



- Review Problem
 - Initial situation
 - On-going damage
- Consider Improvement Options
- Review Funding

Problem – Initial Damage Fall 2019



- Initial damage included one segment of railing broken off



Structural Assessment



- September 11, 2019 - site review
- October 4, 2019 – report completion
- Findings:
 - Glulam beam damaged where rail was broken and bolts pulled out
 - Some dry rot on glulams, but overall in good shape



Structural Assessment



- Findings:
 - Planks in fair condition, but weathered
 - Most rail posts are loose
 - Concrete abutments are in good condition, though the slope/drop without rail could cause a safety issue



Plank condition



Steep slope

Insurance Assessment



- Receiving an actual quote for the insurance assessment took well into the spring of 2020.
- Insurance covers only damage not normal wear and tear.



Beck Kiwanis Park Presentation

Spring 2020 – Additional Damage

- Additional damage has occurred to the railing and posts



More rail damage



Beck Kiwanis Park Presentation



Improvement Options



- **Option 1**

- *Replace Bridge in its entirety now*
 - *Life span 50 – 75 years*

- **Option 2**

- *Provide minor repairs now with intent to replace in 3 to 5 years*
- *Remaining life span 3 – 5 years*

Improvement Option 1



- ***Replace Bridge in its entirety***
 - Life Span – 50 to 75 years, depending upon materials (steel vs wood)
- Construct on site
 - Initial Estimates
 - Idaho Transportation Dept. Avg. cost = \$65,000
 - Forest Service Avg. cost = \$113,000

Improvement Option 1



- ◉ ***Replace Bridge in its entirety***
 - ◉ Additional replacement option
 - ◉ Prefab Bridge (Contech/Steadfast or other) Estimate = \$42,000* (delivered to site)
 - ◉ Installation & new abutments would add another \$38,000*
 - ◉ Engineering (design & construction management) \$8,000 - \$10,000



Beck Kiwanis Park Presentation

*2020 dollars, with nonstandard features

Improvement Option 2



- Minor Bridge Repairs
 - Life span = 3 to 5 years
 - Repair scope
 - Repair damaged planks and rail
 - Tighten loose railing posts
 - Grout/repair glulam beam
 - No repairs to abutments considered
- Cost Estimate Range < \$14k

Funding Availability



- Budget – \$14,000
 - Insurance - \$4k coverage
 - Insurance deductible (City insurance reserve fund) - \$10k

Recommendations



- Conduct improvements in-house ASAP
- Begin setting aside funding annually to support design/construction of a new steel replacement bridge in 5 years.



JACOBS®

South Oregon Street Improvement Project

Project Funding Update
June 16, 2020

S Oregon Street Contract



- Low Bid – Warrington Construction - \$716,225

Potential Contract Overruns



- Unanticipated subsurface conditions
 - No base course – sand under side streets
- Traffic control measures requiring additional patching
- Quantity bust

Recommendations for Additional Funding



- NEED: Unanticipated subsurface conditions and quantity modifications - \$91k
- RESOURCES:
 - Use additional FY20 chip seal funds: \$60k
 - Use additional FY21 Stormwater funds - \$12k
 - Use FY21 crackfill funds - \$19k

Additional Funding - IMPACTS



- Impacts
 - FY20 chip seal funds: \$60k
 - Means we do NW 8th Ave ONLY
 - Eliminates both Verde and NW 9th Street
 - FY21 Stormwater Fund - \$12k
 - Available project budgets
 - Mainline repairs
 - 24-in on SW 14th
 - Use FY21 crackfill funds - \$19k
 - 27 pallets left from FY20 to be carried to FY21
 - Need about that many more for FY21
 - No significant impact on this \$60k budget

NEXT STEPS



- June 16 Council
 - Agree to proposed funding plan
- June 23 Council
 - Approve Resolution transferring funds



QUESTIONS?



**AGENDA REPORT
OLD BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2020-125: WAIVE UTILITY FEES FOR BUSINESSES WHO CLOSED DUE TO COVID-19**

DATE: June 8, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2020-125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO TO WAIVE UTILITY BILLS FOR THE MONTHS OF APRIL, MAY, AND JUNE FOR BUSINESSES THAT CLOSED OR HAD THEIR REVENUE REDUCED BY MORE THAN 50%.

SUMMARY:

Executive Orders from the Governor required many businesses to close and others to have significant loss. On May 19, 2020 the City Council requested that the City Manager write a resolution for their approval to waive utility fees for businesses that closed due to COVID-19.

BACKGROUND:

Governor Kate Brown issued Executive Order 2020-12 which became effective on March 24, 2020 prohibiting the operation of certain businesses. Those businesses were closed until restrictions were lifted on May 15, 2020. Openings did not return businesses back to normal because of new restrictions on occupancy, distancing, and sanitation. Many businesses are facing extreme challenges to keep up with expenses without a revenue stream.

CURRENT SITUATION:

At the City Council's May 19, 2020 meeting, the Council directed the City Manager to write a resolution forgiving the utility bills for businesses that closed due to COVID-19 for the periods of time in which their businesses were heavily impacted.

I believe the easiest way to accomplish this would be to forgive three months of water billing cycles by adding a credit to their account for that amount. Two of the water bills will be low because of reduced bills or closure.

The full closing was for just under two months. For ease of calculation, it would be easiest to use the billing cycles. The months of greatest benefit would probably be March and May. April would have been low if they were closed. Given that the mandated closures began on March 24, they probably carried close to a normal water cycle in March. Their usage would have picked up in May with the re-opening on May 15.

The forgiveness could be programmed using the same criteria as the city microloan program with businesses who had up to 25 employees and either closed or experienced a 50% drop in revenues for the period quarantine period.

The utility forgiveness would include storm water, utility capitalization fee, and the public safety and street fees. Businesses can make an application for the utility forgiveness with a simple form.

ANALYSIS:

- A. **STRATEGIC PLAN** The Council's strategic plan includes a primary strategy of Growth. Coming back from the quarantine is financially challenging for our business community. This will be an added way we can assist our business community with a vibrant return to business.
- B. **FINANCIAL** The water, wastewater, storm, and utility capitalization fees can handle this adjustment. Some projects may have to be pushed back, however, we have fund balance to meet cash flow needs. The Executive Order was effective on March 24th and went through May 15th at which point most businesses were only able to open back up partially.

Using a sampling of businesses and extrapolating out, I'm estimating this could be as much as \$30,000 in foregone revenue between the multiple funds.

- C. **TIMING** Financial relief for businesses trying to recover from closures is extremely timely. Upon approval, we will notify the business community and accept applications for the utility bill relief.
- D. **POLICY/LEGAL** The City Council has the authority to take this action.

ALTERNATIVES:

Take No Action: We have not enforced shutoffs for commercial or residential customers at this time. Some may be in a negative account position.

Forgive Two Months: We could forgive utility bills for only two of the months.

RECOMMENDATION:

The City Manager recommends that the council approve Resolution #2020-125, a resolution of the city council of the City of Ontario to Waive Utility Bills for the months of April, May, and June for businesses that closed or had their revenue reduced by more than 50%.

ATTACHMENTS:

1. Res #2020-125 CC_COVID water business relief_4 29 2020
2. Utility Forgiveness Application Draft



RESOLUTION #2020-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, APPROVING AN AGREEMENT FOR THE CITY OF ONTARIO TO WAIVE UTILITY BILLS FOR THE MONTHS OF APRIL, MAY, AND JUNE FOR BUSINESSES THAT CLOSED OR HAD THEIR REVENUE REDUCED BY MORE THAN 50%

- WHEREAS,** Executive Orders from the Governor required many businesses to close and others to have significant loss; and
- WHEREAS,** Many businesses were not allowed to reopen until May 15th and many opened at half of capacity or less; and
- WHEREAS,** Utility bills for the quarantine period were lower because of reduced use so adding a third month would be of greater assistance to small businesses; and
- WHEREAS,** On May 19, 2020 the City Council requested that the City Manager prepare a resolution for their approval to waive utility fees for businesses that closed due to COVID-19.

NOW THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Ontario authorizes the finance department to accept applications for utility bill forgiveness for the 2020 months of April, May, and June.

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the Common Council of the City of Ontario this 16th day of June, 2020, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 16th day of June, 2020.

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



CITY OF ONTARIO UTILITY FORGIVENESS APPLICATION

Business Legal Name	Business TIN (EIN, SSN)
Business Address	Business Phone
Business Owner	Number of Employees

(As of February 29, 2020)

Questions	Yes	No
1. Has the Business been affected by Covid 19?	☐	☐
A. Was the business prohibited by Executive Order 20-12? <i>(If yes, go to question 2)</i>	☐	☐
B. Did the business have a decline in revenue greater than 50%? <i>(If yes, please submit proof)</i>	☐	☐
2. Is the business headquartered with principal operations in Oregon?	☐	☐
3. Does the business have a physical location within the City of Ontario?	☐	☐
4. Does the business have a current City of Ontario Business Registration?	☐	☐

Certifications

☐ I certify that the business and its operations are, and will, remain compliant with all local, state and federal laws.

Attachments

- ☐ Copy of Driver's License
- ☐ Profit & Loss Statements (or tax returns) for previous two years
- ☐ Brief description and history of the business, including the year started
- ☐ Proof of 60 day expenses January - February 2020 *(optional)*

Business Owner Signature

Date

Please return application to Kari Ott, 444 SW 4th Street, Ontario, OR 97914 or email kott@opgcpa.com



**AGENDA REPORT
OLD BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: LEASE REVISION: GOLF COURSE CLUB HOUSE

DATE: May 29, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE A LEASE MODIFICATION TO THE LEASE AGREEMENT FOR THE FORMER GOLF COURSE CLUB HOUSE BETWEEN THE CITY AND SHADOW BUTTE ENTERPRISES, LLC, DBA TREASURE VALLEY EXTRACTION.

SUMMARY:

Shadow Butte Enterprises has requested an amendment to their lease to reduce the amount of space included in the current lease entered into in August of 2018.

BACKGROUND:

The city worked with Shadow Butte Enterprises, LLC, to develop a 20-year lease agreement which was approved August 28, 2018. The lease included the former golf course clubhouse and 10 acres of land. The business planned to build greenhouses for seeding plants, which would then be grown by local farmers and extracted by Shadow Butte Enterprises.

CURRENT SITUATION:

After being under production for almost two years, Shadow Butte Enterprises has changed their business model and decided not to do the seeding production. Consequently they do not need the 10 acres of land. The company has requested to release 8 acres of the original lease back to the city. They have agreed not to change the lease amount.

This land can be put back into future availability for development of the west side of the airport into more industrial business.

ANALYSIS:

- A. **STRATEGIC PLAN** The Strategic Plan has a specific activity to develop the west side of the airport as an industrial center under the growth goal. Untying this property will allow for additional opportunities on the west side, particularly if it is not going to be used there will be a higher and better use.
- B. **FINANCIAL** The tenant has agreed to keep the lease amount the same. The city will see a reduction in property taxes, as some of the property will return to non-taxable land until it is returned to use.

The current lease requires the tenant to put aside \$300 annually for long term maintenance of the Hollingsworth well. Shadow Butte Enterprises intended to use the well for their greenhouses. Since they are not using the well, they are asking to be relieved of this cost.

- C. **TIMING** Upon approval of the lease, the business can be relieved of some of the tax burden. They will continue to be taxed for all 10 acres until the city notifies Malheur County that it is no longer privately leased.
- D. **POLICY/LEGAL** The City Council is required to approve leases and amendments to leases.

ALTERNATIVES:

Take No Action: The existing lease is a 20-year lease and will still be in force.

RECOMMENDATION:

Staff recommends that the City Council approves the lease amendment with Shadow Butte Enterprise LLC.

ATTACHMENTS:

- 1. Lease_CC_TVE-LAS
- 2. 2020-Club House Lease Exhibit A
- 3. 2020 CLUB HOUSE EXIBIT B_final



LEASE AGREEMENT
Former Golf Course Club House Revised

THIS AGREEMENT made and entered into this ____ day of ~~June~~August, ~~2018~~2020, by and between the **City of Ontario, Oregon, a municipal corporation**, hereinafter referred to as "Landlord" and Shadow Butte Enterprises, LLC, an Oregon limited liability company doing business as Treasure Valley Extractors Extraction, LLC, an Oregon limited liability company, hereinafter referred to as "Tenant."

WITNESSETH:

WHEREAS, Landlord is the owner of certain real property known and operated as the Ontario Municipal Airport; and

WHEREAS, Tenant desires to lease certain real property and improvements for commercial and agricultural use.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein it is agreed as follows:

1) Landlord leases to Tenant and Tenant leases from Landlord the real property described in Exhibit "A," attached hereto and by this reference incorporated herein (the "Property"), for a period of **TWENTY (20) years**, commencing on the ____ **day of August, 2018**. If the lease is not in default, unless either party shall give written notice prior to each anniversary date of this lease, and subject to Landlord's receipt from Tenant of the annual lease payment, the lease term will automatically renew for a successive twenty-year term. A decision by Landlord to give Tenant written notice that Landlord does not intend to extend the twenty year term of this lease shall be based upon Landlord's need to utilize the Property for other airport uses.

2) Tenant shall pay to the Landlord yearly a Base Rent of \$2,500 for the club house (10,000 square feet clubhouse and approximately one (1) acre, plus \$225 per month for the additional nine (9) acres for the Property, subject to the rights of Landlord to escalate said rental amount as more specifically provided for hereinafter. The parties hereto covenant and agree that the total area of the Property is ten (~~102~~) **acres** for the purposes of determining the annual rent herein. The annual rental amount shall be paid on or before the **1st day of each month**. Notwithstanding, the Tenant will have 90 days from the execution of this contract free of cost before the Tenants lease obligation begins.

3) Concurrently with the execution of this Lease by Landlord and Tenant, Tenant will deliver to Landlord a Security Deposit in the amount of \$1,000. Landlord may apply the Security Deposit to pay the cost of performing any obligation that Tenant fails to perform within the time required by this Lease, but such application by Landlord will not waive Landlord's other remedies nor be the exclusive remedy for Tenant's default.

a) If Landlord applies the Security Deposit as set forth herein, Tenant will pay Landlord, on demand, all sums necessary to restore the Security Deposit to its original amount. Tenant will not

have the right to apply the Security Deposit or any part thereof to any Rent or other sums due under this Lease.

b) If Tenant is not in default of this Lease at the expiration or termination hereof, Landlord will return the unapplied portion of the Security Deposit to Tenant. Landlord will not be obligated to pay interest on the Security Deposit.

4) It is mutually understood and agreed between the parties hereto that the Base Rent increases by 3% upward annually until it hits market value in the sole discretion of the Common Council of the City of Ontario. Such adjustment may be made each year and shall be effective for the balance of the lease term or until further adjustment, if any. Any increase in rent shall not exceed the percentage increase in the Consumer Price Index for Oregon for the previous year. Adjustments to the rent shall not be made more frequently than one adjustment per year and each yearly adjustment shall not be greater than the market value of the land and improvements.

5) Tenant shall have the right to install industrial green houses and expand as necessary. All plans for new construction or improvements made on the Property are to be submitted to Landlord in writing for its approval prior to commencement of either, and the same to be constructed and operated in conformity with all ordinances and regulations of the City. Any construction shall be completed solely with Tenant's labor and at Tenant's expense.

6) The Tenant will keep and maintain all structures on the Property in a constant state of good repair, and will refrain from storing any equipment or debris outside buildings and will keep the premises in a clean and sightly condition. It is mutually understood and agreed between the parties hereto that the building inspector of the City of Ontario shall have the right to inspect the premises periodically. In the event the building inspector of the City of Ontario deems any structure upon the leased premises not to be in compliance with any applicable statute, ordinance, rules or regulation or this agreement the Tenant agrees to correct such non-complying item at the Tenant's sole expense.

~~7) There is an irrigation water retention pond on the Property which is served by an irrigation well and pump referred to as the Hollingsworth Well, that the City has an easement to use. Landlord shall be responsible for providing irrigation water to the retention pond from the Hollingsworth Well for Tenant's use. Tenant shall be responsible for all power costs for the operation of the pump and well. In addition, Tenant shall pay as additional rent the sum of \$300 per year as a contribution to the City's cost to maintain the Hollingsworth Well and pump in a condition of good repair.~~

87) The Tenant covenants and agrees to:

- a) Maintain the landscaping immediately around the facility and manage weeds within the ~~102~~ acre lease boundary;
- b) Clean, epoxy, and prepare the basement for product manufacturing;
- c) Update the existing electronic security system;
- d) Install security bars over the windows;
- e) Make modifications to the interior to accommodate business needs;
- f) Install a sprinkler system;
- g) Pay all real and personal property taxes levied against the Property and improvements and Tenant's personal property;
- h) Be responsible for all utility charges for water and power, including power charges for the use of the Hollingsworth well and pump for irrigation water applied to the

- Property, as set forth in Paragraph 7 above;
- i) Maintain and repair the septic system on the Property.

~~98~~) The Landlord covenants and agrees to:

- a) Improve the building to be ADA compliant.
b) Improve the parking lot to be ADA compliant.
c) Provide three phase electrical service.

↔

- d) Upgrade the electrical service on the Property to meet the Tenant's needs. Landlord shall initially pay all of Landlord's out of pocket cost for that upgrade, and shall provide Tenant with documents showing that cost. As additional rent, Tenant shall reimburse Landlord for 50% of that cost within two years of the date of this Lease.

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~~109~~) The color of paint used in all new construction and in the painting of any and all structures shall conform to the airport color scheme as adopted by the Airport Committee.

~~1110~~) The Landlord reserves the right to further develop the airport or landing area of the airport as it sees fit.

~~1112~~) The Landlord reserves the right, but not the obligation to maintain and keep in repair the landing area of the airport and all public facilities of the airport.

~~1312~~) This lease shall be subordinate to the provisions of any existing or future agreement between the Landlord and the United States relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

~~1413~~) During the time of war or national emergency, the Landlord shall have the right to lease the landing area or any part thereof to the United States government for military or naval use, and if such lease is executed, the provisions of this instrument insofar as they are inconsistent with the provisions of the lease to the government shall be suspended.

~~1514~~) Except with respect to activities for which the Landlord is responsible, the Tenant shall pay as due all claims for work done on and for services rendered or material furnished to the leased premises and shall keep the premises free from any liens. If Tenant fails to pay such claims or to discharge any lien, Landlord may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of 12% per annum from the date expended by Landlord and shall be payable on demand. Such action by Landlord shall not constitute a waiver of any right or remedy which Landlord may have on account of Tenant's default.

~~1615~~) Tenant may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, so long as Landlord's property interests are not jeopardized. If a lien is filed as a result of non-payment, Tenant shall, within ten days after knowledge of the filing, secure the discharge of the lien or deposit with Landlord cash or a sufficient corporate surety bond or other security satisfactory to Landlord in an amount sufficient to discharge the lien plus any costs, attorney fees and other charges that could accrue as a result of a foreclosure or sale under the lien.

~~1716~~) The Tenant shall obtain Commercial General Liability Insurance in a responsible company,

with limits of \$1,000,000 each occurrence with a \$2,000,000 General Aggregate, naming Landlord as an additional insured. Such insurance shall cover all risks arising directly or indirectly out of Tenant's activities on or any condition of the leased premises whether or not related to an occurrence caused or contributed to by Landlord's negligence, shall protect Tenant against the claims of Landlord on account of the obligations assumed by Tenant under the provisions of the indemnification paragraph contained herein, and shall protect Landlord and Tenant against any and all claims of third persons.

Tenant is required to provide a copy of current insurance coverage to the city. If Tenant fails to provide such coverage or allows it to lapse, Landlord may provide such coverage for its own protection. In that event, Landlord makes no representations, warranties or assurances that said coverage is adequate for the purposes of protecting Tenant. The purpose of said insurance is solely for the protection of Landlord and nothing in this paragraph is intended to waive the limits as established in the Oregon Tort Claims Act, ORS 30.260 et seq., as it applies to Landlord.

1817) No part of the Property may be assigned to any third person without the prior written consent of the Landlord. This provision shall apply to all transfers by operation of law and to transfers to and by trustees in bankruptcy, receivers, administrators, executors and legatees. No consent in one instance shall prevent the provision from applying to a subsequent instance. The Landlord shall consent to a transaction covered by this provision when withholding such consent would be unreasonable in the circumstances.

1918) The following shall be events of default:

a) Failure of Tenant to pay any rent or other charge within thirty (30) days after it is due.
b) Failure of Tenant to comply with any term or condition or fulfill any obligation of the lease (other than the payment of rent or other charges) within fifteen (15) days after written notice by Landlord specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied with the fifteen (15) day period, this provision shall be complied with if Tenant begins correction of the default within the fifteen (15) day period and thereafter proceeds with reasonable diligence and in good-faith to effect the remedy as soon as practicable.

c) Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; and adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of an involuntary petition of bankruptcy and failure of the Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levy of execution on the leasehold interest and failure of the Tenant to secure discharge of the attachment or release of the levy of execution within thirty (30) days. If Tenant consists of two (2) or more individuals or business entities, the events of default specified in this paragraph shall apply to each individual unless within thirty (30) days after an event of default occurs the remaining individuals produce evidence satisfactory to Landlord that they have unconditionally acquired the interest of the one causing the default. If the lease has been assigned, the events of default so specified shall apply only with respect to the one then exercising the rights of Tenant under the lease.

2019) In the event of a default, the lease may be terminated at the option of the Landlord by notice in writing to Tenant. The notice may be given before or within thirty (30) days after the running of the grace period for default and may be included in a notice of failure of compliance given under the provisions of paragraph 17(b) above set forth. If the Property is abandoned by Tenant in connection with a default, termination shall be automatic and without notice.

~~2120~~) If the lease is not terminated by election of Landlord or otherwise, Landlord shall be entitled to recover damages from Tenant for the default.

~~2221~~) If the lease is terminated for any reason, Tenant's liability for damages shall survive such termination, and Tenant shall vacate the Property immediately and shall remove all improvements and buildings constructed on the leased premises and shall perform any necessary clean-up or other work required to lease the Property in its original condition. Any improvements not removed within ninety (90) days after the termination of this agreement shall become the property of the Landlord. Landlord may re-enter, take possession of the premises and remove any persons or property by legal action or by self-help with the use of reasonable force and without the liability for damages.

~~2322~~) The foregoing remedies shall be in addition to and shall not exclude any other remedy available to Landlord under applicable law.

~~243~~) Waiver by either party of strict performance of any provision of this lease shall not be a waiver of or prejudice the party's right to require strict performance of the same provision in the future or of any other provision.

~~254~~) If suit or action is instituted in connection with any controversy arising out of this lease, the prevailing party shall be entitled to recover in addition to the costs such sum as the court may adjudge reasonable as attorney fees, including attorney fees upon appeal.

~~265~~) Any notice required or permitted under this lease shall be given when actually delivered or when deposited in the United States mail as certified mail, addressed as follows:

To Landlord: _____City of Ontario
444 SW 4th Street
Ontario, Oregon -97914

To Tenant: ~~Treasure Valley Extractors~~Shadow Butte Enterprises, Inc.Extraction
LLC

or to such other address as may be specified from time to time by either of the parties in writing.

~~2726~~) Subject to the above-stated limitation on transfer of Tenant's interest, this lease shall be binding upon and inure to the benefit of the parties, their respective successors and assigns.

~~2827~~) If the Tenant fails to perform any obligation under this lease, the Landlord shall have the option to do so after fifteen (15) day's written notice to the Tenant. All of the Landlord's expenditures to correct the default shall be reimbursed by the Tenant on demand with interest at the rate of 12% per annum from the date of expenditure by the Landlord.

~~2928~~) In construing this lease, it is understood that the Landlord or Tenant may be more than one person; that if the context so requires, the singular pronoun shall be taken to mean and include the

Exhibit "A"

Lease Area

Land within the S1/2 of Section 7, Township 18 South, Range 47 East, W.M., City of Ontario, Malheur County, Oregon, more particularly described as follows:

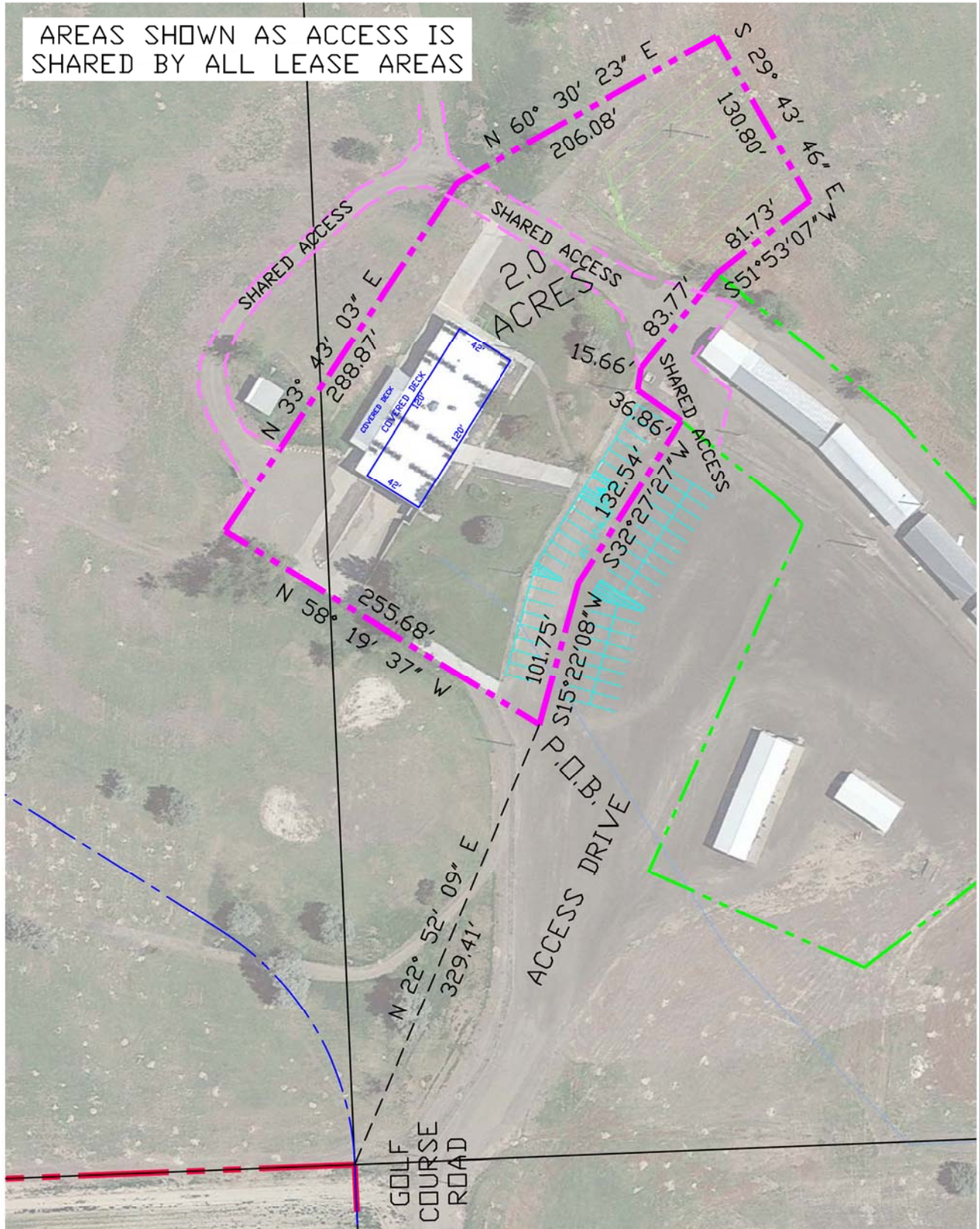
Commencing at the 1/4 corner common to said Section 7 and Section 18, from which the E1/16 corner of said Sections 7 and 18 bears N. 87° 35' 48" E., 1319.93 feet;
thence N. 02° 31' 14" W., 1314.63 feet;
thence N. 22° 52' 09" E., 329.41 feet, to the **Point of Beginning**;
thence N. 58° 19' 37" W., 255.68 feet;
thence N. 33° 43' 03" E 288.87 feet;
thence N. 60° 30' 23" E., 206.08 feet;
thence S. 29° 43' 46" E., 130.80 feet;
thence S. 51° 53' 07" W., 81.73 feet;
thence S. 38° 47' 27" W., 83.77 feet;
thence S. 08° 15' 58" W., 15.66 feet;
thence S. 54° 51' 45" E., 36.86 feet;
thence S. 32° 27' 27" W., 132.54 feet;
thence S. 15° 22' 08" W., 101.75 feet to the **Point of Beginning**.

Containing 2.00 acres.

The Bearings and distances are Grid and are based on the Bearing and Distance as noted herein between the 1/4 corner of Sections 7 & 18 and the E1/16 corner Sections 7 & 18.

EXHIBIT "B"
2020 CLUB HOUSE LEASE

AREAS SHOWN AS ACCESS IS
SHARED BY ALL LEASE AREAS



Ontario Airport Property,
City of Ontario, Malheur
County, Oregon





**AGENDA REPORT
NEW BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Peter Hall, Human Resources Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: LETTER OF SUPPORT: TREASURE VALLEY COMMUNITY COLLEGE GRANT

DATE: June 8, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL SIGN A LETTER OF SUPPORT FOR TREASURE VALLEY COMMUNITY COLLEGE'S APPLICATION FOR THE USDA DISTANCE LEARNING AND TELEMEDICINE PROGRAM GRANT.

SUMMARY:

Treasure Valley Community College is applying for the USDA Distance Learning and Telemedicine Program Grant which will be used to address challenges that have come from the COVID-19 pandemic. The grant is designed to help rural communities acquire distance learning and telemedical technologies so they can link to other teachers, medical professionals and other experts located at a distance.

The grant will be used for laptops, classroom equipment, additional servers, and virtual laboratory courses. TVCC is preparing to contribute \$5,000 in matching funds to leverage a \$10,000 request.

BACKGROUND:

At the outset of the COVID-19 outbreak in mid-March 2020, TVCC immediately began making plans to shift its instructional activity to an online setting. Within two weeks, all TVCC faculty transitioned their in-person classes to virtual and online instruction. The changes created many challenges that were addressed, but the college identified concerns and opportunities for improvement.

CURRENT SITUATION:

The college is preparing their application for the grant and is asking for letters of support. A letter of support has been drafted and must be approved and signed by the Council before it is submitted.

ANALYSIS:

- A. **STRATEGIC PLAN** This action would fall under the City Council's Education goal, specifically Strategy 3: strengthen our relationships with our schools. The city recently partnered with TVCC to initiate the Treasure Valley Connector Trail.
- B. **FINANCIAL** There are no financial impact for the City of Ontario. Treasure Valley Community College would provide any required matching funds.
- C. **TIMING** As the grant deadline is approaching, the letter would need to be signed and sent at the Council Work Session on June 4, 2020.
- D. **POLICY/LEGAL** There are no policy or legal impacts. The letter must be signed and sent as part of the college's application.

ALTERNATIVES:

The Council may decide not to sign a letter of support for Treasure Valley Community College's application for the USDA Distance Learning and Telemedicine Program Grant.

RECOMMENDATION:

Staff recommends signing the letter of support for Treasure Valley Community College.

ATTACHMENTS:

- 1. Grant Narrative Brief
- 2. Letter of Support_TVCC Grant_6 2 20

USDA DISTANCE LEARNING AND TELEMEDICINE PROGRAM GRANT PROPOSAL

TREASURE VALLEY COMMUNITY COLLEGE

The USDA Distance Learning and Telemedicine Program Grant provides a critical and timely opportunity for Treasure Valley Community College to address significant challenges in meeting student and faculty needs. The COVID-19 pandemic has created a new landscape for education across the country. From K-12 to post-secondary, educational institutions have had to migrate to online and virtual instruction almost overnight. For small schools in repressed communities the challenge of continuing educational and training services with faculty and staff and providing equitable access to students and the public have been great. The USDA Grant will assist Treasure Valley Community College in meeting one of the key target outcomes which is accelerating the growth and shift to online and remote education for our rural students by enhancing faculty training and access to technology.

Overview

Treasure Valley Community College (TVCC) is making the following proposal for the USDA Distance Learning and Telemedicine (DLT) Grant Program. This grant is designed to help rural communities acquire distance learning and telemedical technologies so that they can link to other teachers, medical professionals and other experts located at a distance.

At the outset of the COVID-19 outbreak in mid-March 2020, TVCC immediately began making plans to shift its instructional activity to an online setting. Within two weeks, all TVCC faculty transitioned their in-person classes to virtual and online instruction. This was a heavy lift, especially for our faculty in Career & Technical Education fields and those whose instruction also includes laboratory experience. Despite these challenges, our Information Services staff, Instructional Designer and several lead faculty, were able to upload and transition everyone to the virtual format. While we are confident we can get through this initial crisis for the quarter, our experience has highlighted several areas of concern and opportunities for improvement.

Technology Challenges

Laptops

A primary challenge for our faculty has been accessing technology at home that is compatible with the College's current LMS, Canvas. Specifically, TVCC has relied on desktop computers or virtual machines (VPN) for faculty use on campus. With limited computer funds, few faculty have their own laptop machines and we have identified a significant need to deploy additional, high quality laptop computers for faculty use off campus

The first component of this program calls for the purchase of 20 HP Laptops (specifications attached). This purchase would cost \$26,524.40, and these laptops would become the pool of machines used for checkout as needed for faculty use.

Classroom Equipment

While many of our faculty are teaching from home, many are still coming to campus to present and lecture from an onsite classroom. While they are the only person in the room, accessing this technology in the classroom provides them with the full range of instructional tools including the ability to better manage class interactions, share course materials, view presentations and record their instruction. Equipping 19 additional classrooms with “smart podiums” would expand our ability to offer these classrooms for additional instructor use. At the same time, we have identified the need for improved microphone systems in three key classrooms which would improve the ability for students to hear instruction and other students in the virtual classroom. In addition to the classrooms in Ontario, we have an immediate need to improve the technology in our center located in Harney County. Adding this technology will not only help with class instruction and improve interaction within the courses, but it will allow TVCC to expand access for additional community training in Harney County as well.

Cisco UCS Server Blade

While providing laptops for students who do not have their own technology is one approach to addressing technology issues, providing secure access off campus for faculty and staff who need to login remotely to College services is also critical. Adding additional servers provides a scalable and flexible architecture for current and future data center needs to address the increased demand created by offsite logins. Purchasing two Cisco UCS Server Blades would greatly increase access and capacity to accommodate faculty’s ability to logon to virtual desktops to access a wide range of College services including advising, testing, tutoring and materials for online courses. Each server costs \$12,825.69 for a total request of \$25,651.38

Virtual lab development – TVCC matching funds

The final component will allow TVCC to transform our instruction by developing innovative virtual laboratory courses. Specifically, science and healthcare courses would be targeted to implement virtual labs. While purchasing online lab software is one need, training and assisting our faculty in this development is also critical. TVCC has an experienced and skilled Instructional Designer on staff who can support faculty in this transition, but the significant time involved in developing new curriculum and integrating these new technologies into current classes will require additional costs and professional development time for faculty. We are hopeful this can be done during summer term and we can provide stipends for faculty to continue this work in preparation for the next academic term. While specific costs are still be developed, the total cost is estimated at \$15,000 for this planning effort. TVCC is prepared to contribute \$5,000 in matching funds toward our request of \$10,000 in this grant.

Service area overview

TVCC serves a general rural population of residents who live in Eastern Oregon, predominantly in Malheur County and in the neighboring Southwest Idaho. The region has culturally diverse demographics with a large Hispanic/Latinx population. A total of 40% of the county population are identified as Hispanic, compared to 12.2% overall in Oregon. The county's poverty rate is higher than about 95% of all the counties in the U.S. Per capita income for Malheur County is \$16,703 compared to Oregon at \$25,561. Our frontier region is most vulnerable during this current crisis. TVCC meets the minimum Rurality Score with 40 points for our Harney County location and 20 points for our Ontario Campus. We score 10 points on the Economic Need scale.

Conclusion

COVID-19 may have a lasting impact on the way we do business in the future; in particular, the way we utilize technology to educate our many diverse student populations. We are grateful to USDA for the quick response to how this crisis has impacted our educational space and for providing resources and support to help in the transition.



City of Ontario

444 SW 4th Street
Ontario, OR 97914
Voice (541)881-3223
Fax (541)889-7121

June 2, 2020

John Holman
1220 SW 3rd Avenue
Suite 1801
Portland, OR 97204

Mr. Holman:

The Ontario City Council would like to express its support for the USDA Distance Learning and Telemedicine Program Grant.

Treasure Valley Community College is located in a very diverse community, servicing not only students within Malheur County, but also through an outreach center in Harney County. There is a large population, with approximately 40% Hispanic, who utilize the services offered by TVCC. With the outbreak of COVID-19 and the need to teach virtually, it became evident the college lacked the level of technology necessary to provide the instruction the students need and deserve.

The Grant would provide vital equipment which would ensure the college and instructors were able to conduct online classes, which includes the ability to interact with the students and virtually discuss the subjects with the students in real time. The Grant would also be utilized towards the creation and implementation of virtual labs for the science and health care courses.

Treasure Valley Community College is a vital entity in the Ontario community, and awarding the Grant to the school would guarantee the continuation and growth of this valuable asset.

Sincerely,

Riley J. Hill
Mayor



**AGENDA REPORT
NEW BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2020-126: RECEIVE/EXPEND UNEXPECTED FIRE GRANT**

DATE: June 11, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2020-126: A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO RECOGNIZE AND EXPEND AN UNEXPECTED FIRE GRANT.

SUMMARY:

Attached is Resolution #2020-126.

BACKGROUND:

The Ontario Fire Department applied for a grant from the Randy Carpenter Memorial Foundation in order to purchase drone software.

CURRENT SITUATION:

The Ontario Fire Department received notification that the grant for \$1,350 was approved. The department would like to purchase the software as soon as possible.

ANALYSIS:

- A. **STRATEGIC PLAN** This would strengthen the desirability plan by keeping public safety employees equipped.
- B. **FINANCIAL** \$1,350 will be received and expended through the Fire Department. There is no match required.
- C. **TIMING** The Ontario Fire Department would like to purchase the software in the current fiscal year.
- D. **POLICY/LEGAL** A supplemental budget approved by the City Council is required to expend the funds as per ORS 294.

ALTERNATIVES:

A. Take No Action - The Fire Department would have to turn down the grant and the software wouldn't be purchased.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2020-126.

ATTACHMENTS:

1. Reso #2020-126 Unexpected Fire Grant



RESOLUTION #2020-126

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO RECOGNIZE AND EXPEND AN UNEXPECTED FIRE GRANT

WHEREAS, The Ontario Fire Department received a grant from the Randy Carpenter Memorial Foundation in the amount of \$1,350; and

WHEREAS, The grant is to be used for Drone Flight Simulator Software; and

WHEREAS, The budget for fiscal year 2019-2020 was adopted without the knowledge of such funds; and

WHEREAS, The City desires to modify the 2019-2020 budget to receive and expend the funds.

NOW THEREFORE, THE CITY OF ONTARIO RESOLVES to approve the adjustments to the fiscal year 2019-2020 budget:

Line Item	Item Description	FY 19-20 Budget	Amount of Change	Adjusted Budget
GENERAL FUND				
001-000-469100	Miscellaneous Fire Revenue	\$1,000	\$1,350	\$2,350
001-016-611900	Data Processing	\$7,187	\$1,350	\$8,537

PASSED AND ADOPTED by the Common Council of the City of Ontario this 16th day of June, 2020, by the following vote:

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED by the Mayor this 16th day of June, 2020.

ATTEST:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2020-127: A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO RECOGNIZE UNEXPECTED REVENUES AND TO TRANSFER BUDGETED APPROPRIATIONS FOR UNEXPECTED ITEMS.**

DATE: June 11, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2020-127: A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO RECOGNIZE UNEXPECTED REVENUES AND TO TRANSFER BUDGETED APPROPRIATIONS FOR UNEXPECTED ITEMS.

SUMMARY:

Attached is Resolution #2020-127.

BACKGROUND:

At the time the 2019-2020 budget was approved, there were some items that were unknown. Since these items are now known, a budget resolution is necessary to prevent overexpenditures in various departments.

CURRENT SITUATION:

The following items need to be adjusted within the budget to prevent overexpenditures of budget appropriations:

- Local marijuana tax money came in higher than expected
- Less state marijuana tax was received than expected
- Police salaries had higher overtime and also two retirements
- Public safety may need additional overtime in June
- Cemetery department had PERS from past years and refund of fees
- Legal services higher than budgeted
- Police car needs transferred from debt to capital outlay

- Springbrook costs a little higher than budgeted
- Fire had one retirement
- Building received higher revenues than budgeted; accordingly more will need paid to the state
- City had to pay for pivot repairs

ANALYSIS:

- A. **STRATEGIC PLAN** No direct impact on strategic plan.
- B. **FINANCIAL** An additional \$233,800 will be appropriated and the remaining budget changes are transfers between items already appropriated.
- C. **TIMING** Per Oregon Budget Law, the proposed resolution must be approved on or before June 30, 2020.
- D. **POLICY/LEGAL** A formal resolution approved by the City Council is required to expend funds per ORS 294.

ALTERNATIVES:

A. Take No Action - The Council could take no action on this matter; this would cause budget overexpenditures.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2020-127.

ATTACHMENTS:

1. Reso #2020-127 Clean Up End of Year Budget_Jun 2020



RESOLUTION 2020-127

A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO RECOGNIZE UNEXPECTED REVENUES AND TO TRANSFER BUDGETED APPROPRIATIONS FOR UNEXPECTED ITEMS

- WHEREAS,** The 2019-2020 budget was adopted without the knowledge of the fiscal impact on a few different items; and
- WHEREAS,** Local marijuana tax and building fees came in higher than expected; and
- WHEREAS,** There were some unexpected expenses that came up such as retirements, pivot repairs, and higher software costs; and
- WHEREAS,** The city desires to modify the 2019-2020 budget to receive and expend the unexpected items.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2019-2020 budget:

Line Item	Item Description	FY 19-20 Budget	Amount of Change	Adjusted Budget
GENERAL FUND				
001-000-455901	Local Marijuana Tax	\$750,000	\$220,000	\$150,000
001-024-511000	Wages & Salaries	\$1,548,166	\$220,000	\$1,768,166
001-011-516000	Retirement	\$ -	\$1,200	\$1,200
001-011-616300	Refund	\$ -	\$500	\$500
001-011-615550	Contract Services	\$112,195	\$600	\$112,795
001-004-615600	Legal Services	\$35,000	\$18,000	\$53,000
001-024-813000	Car Lease	\$38,909	(\$38,909)	\$ -
001-024-711200	Automotive Equip	\$ -	\$38,909	\$38,909
001-014-611900	Data Processing	\$18,244	\$2,500	\$20,744
001-016-511000	Wages & Salaries	\$723,544	\$20,000	\$743,544
001-021-511000	Wages & Salaries	\$93,090	(\$20,000)	\$73,090
001-012-615551	Contract Labor	\$15,000	(\$5,000)	\$10,000
001-020-714122	Tennis Court Resurface	\$45,000	(\$17,800)	\$27,200
BUILDING FUND				
027-000-424000	Building Permits & Fees	\$125,000	\$13,800	\$138,800
027-010-617000	State Assessment	\$15,000	\$13,800	\$28,800
SEWER FUND				
110-165-613500	General Supplies & Maintenance	\$ -	\$9,121	\$9,121
110-165-871000	Contingency	\$3,297,235	(\$9,121)	\$3,288,114
STORM SEWER FUND				
115-170-615550	Contract Services	\$81,034	\$170	\$81,204
115-170-611900	Data Processing	\$450	\$250	\$700
115-170-871000	Contingency	\$354,883	(\$420)	\$354,463

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 16th day of June, 2020, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 16th day of June, 2020.

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2020-128: BID AWARD - WASTEWATER TREATMENT PLANT PH ADJUSTMENT CONSTRUCTION PROJECT AND BUDGET ADJUSTMENT**

DATE: June 10, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2020-128: A RESOLUTION TO AWARD THE CONSTRUCTION OF WASTEWATER PH ADJUSTMENT PROJECT TO JLCC INC FOR \$62,780, AND APPROPRIATE AN ADDITIONAL \$45,100 OF EXPENDITURES.

SUMMARY:

Jacobs developed contract documents for bidding purposes to fulfill the requirements of the new National Pollutant Discharge Elimination System (NPDES) permit for pH adjustment of wastewater effluent before entering the Snake River. The project was put out to bid and a bid was received. The contractor's bid is in front of Council with a recommendation of award.

BACKGROUND:

The NPDES permit requires the City of Ontario have a pH adjustment system in place by September 1, 2020. Earlier this year, the city approved a task order for Jacobs to develop the design for this system. That was completed and the contract documents developed. The bidding process followed.

CURRENT SITUATION:

The project was estimated to be of intermediate size according to Public Works law and so was put out to four licensed contractors through the informal process. One contractor provided a bid: JLCC Inc. for an updated amount of \$62,780. The original bid was higher than expected so Public Works staff worked with the Contractor to negotiate scope and cost modifications to be more in-line with anticipated costs. The requested motion includes a 10% contingency.

ANALYSIS:

- A. **STRATEGIC PLAN** This project meets the goals and intent of the strategic plan. By staying in compliance with the city's NPDES permit, the city can continue to grow and remains a livable community. Ensuring the city's effluent is within recommended pH range is good for the health of the environment and contributes to a more robust Snake River - a great amenity to this community.
- B. **FINANCIAL** The available budget in the remaining current fiscal year is \$35,100. There is an additional \$10,000 that has been budgeted for the coming fiscal year, for a total of \$45,100. With a 10% contingency, the project will need an additional \$23,900.
- C. **TIMING** Project timing is critical to meet DEQ NPDES permit schedule of September 1, 2020.
- D. **POLICY/LEGAL** Council approval of the award and the adjustment of budget is required.

ALTERNATIVES:

- 1. Award the project and adjust the budget as recommended. This will allow the city to complete the project as required by the DEQ.
- 2. Do not award the project or adjust the budget. The city would be out of compliance with their NPDES permit.

RECOMMENDATION:

Staff recommends awarding the project to JLCC Inc. for a budget of \$69,000 including contingency and adjusting the budget to accommodate the project cost.

ATTACHMENTS:

- 1. J4126 Rev 1 Quote
- 2. RES 2020-128_CC_PH ADJUSTMENT CONSTRUCTION



Date: June 5, 2019

JOB REFERENCE# J4126 REV 1

Ontario Public Works

1551 NW 9th Street

Ontario, Oregon 97914

Tel: [Phone]

Email: Al.Haun@jacobs.com

JLCC Inc Oregon License number: 213166

Josh@jlccinc.com

JLCC Inc Mailing address:

PO Box 446

Greenleaf Id, 83626

JLCC Inc Physical address:

4822 HWY 20-26

Caldwell Id, 83605

JLCC Inc Contact Information:

josh@jlccinc.com

Brian@jlccinc.com

Josh Williams (President) 208-477-4882

Brian Gagliano 208-971-3301

Attn: Al Haun

Project: WWTP pH Adjustment System

Refer to the details of this project based off of our site visit on June 1 2020

1. JLCC will propose to tie into existing power that is currently in the existing shed.





2. Remove unneeded piping existing in the room. Demo will be done with Jacobs employee verifying what piping can be demoed before we start this work
3. JLCC will keep the existing heater in place in the shed and will not demo old shed. We will keep the new install within the confines of the existing shed.
4. Demo old unneeded conduits and perform the needed electrical installations needed based off of our site visit discussions
5. Build and install a small awning cover for the barrel of chemical outside and plumb into the shed
6. Install 1 Peristaltic pump and a stand for it to mount. Account for a catch basin under the pump and plumb it to the existing floor drain
7. Provide and install PH sensors in the effluent and affluent locations discussed during our site visit. Both sensors will have isolation valves so that the sensor can be removed and cleaned while operational
8. Install and plumb in 2 eye wash/ shower systems. 1 inside of the shed and the other under the new awning outside. Tie the water into the existing supply line in the shed.
9. Install a new instant water heater rated at minimum 20GMP for the eye wash stations
10. Daily cleanup of the jobsite and a final clean up upon completion.

The original scope of work has been modified to meet the needed budget. There will be no trenching and new conduit runs made, no asphalt work, no need to run new power out to the area, demo and installation of a larger shed will not happen as well.

TOTAL PRICE: \$62,780.00

Payments: 30% down upon receipt of invoice. Remaining invoicing is net 30 days from JLCC, Inc. Invoice date. A late charge of \$25.00 will be added to Balance due with a \$5.00 per day penalty.

BID Exclusions for each of the above items:





- 1. Natural gas piping and tie in at the new pH testing shed**
- 2. Excavation of any kind**
- 3. New conduit runs for power**
- 4. PH Shed demo and reconstruction**
- 5. Unforeseen issues in the building during the electrical tie in process**

Sincerely,

Josh Williams

Authorized Signature: _____

Date: _____ Purchase Order Number _____





RESOLUTION #2020-128

A RESOLUTION TO AWARD THE CONSTRUCTION OF WASTEWATER PH ADJUSTMENT PROJECT TO JLCC, INC, FOR \$62,780, AND APPROPRIATE AN ADDITIONAL \$45,100 OF EXPENDITURES

- WHEREAS,** The City of Ontario is required by the NPDES permit to have a pH adjustment system in place by September 1, 2020; and
- WHEREAS,** The City wishes to award the construction of the pH adjustment system to the sole bidder JLCC Inc. for \$62,780; and
- WHEREAS,** The bid came in higher than the available budget and with a 10% contingency, a budget adjustment of \$45,100; and
- WHEREAS,** The City desires to modify the 2020-2021 Sewer Fund budget in order to fund the project.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2020-2021 budget:

Line Item	Item Description	FY 20-21 Budget	Amount of Change	Adjusted Budget
SEWER FUND				
110-165-719321	pH Adjustment	\$10,000	\$45,100	\$55,100
110-165-871000	Contingency	\$2,860,608	(\$45,100)	\$2,815,508

EFFECTIVE DATE: Effective on July 1, 2020.

PASSED AND ADOPTED by the Common Council City Council of the City of Ontario this 16th day of June, 2020, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 16th day of June, 2020.

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Larry Sullivan, City Attorney

THROUGH: Adam J. Brown, City Manager

SUBJECT: ORDINANCE #2776-2020: IDAHO POWER FRANCHISE AGREEMENT

DATE: June 5, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE ORDINANCE #2776-2020, AN ORDINANCE GRANTING A NON-EXCLUSIVE ELECTRIC UTILITY FRANCHISE TO IDAHO POWER COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE, AND DECLARING AN EMERGENCY, ON FIRST READING BY TITLE ONLY.

IF THE COUNCIL UNANIMOUSLY APPROVES THE FIRST READING:

I MOVE THAT THE CITY COUNCIL WAIVE A SECOND READING OF ORDINANCE 2776-2020, AN ORDINANCE GRANTING A NON-EXCLUSIVE ELECTRIC UTILITY FRANCHISE TO IDAHO POWER COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE, AND DECLARING AN EMERGENCY.

SUMMARY:

The purpose of this agenda item is for the Council to review a proposed new ten-year franchise agreement with the Idaho Power Company. The current agreement expires on June 30, 2020.

BACKGROUND:

The City has a ten-year franchise agreement with Idaho Power Company authorizing the company to provide utility services in the City for a franchise fee of 7% of Idaho Power's gross revenues earned within the city limits from its utility customers. As noted, that agreement expires on June 30, 2020. Staff has prepared a new agreement that is virtually identical to the current agreement, including the 7% franchise fee that the City Council increased from 5% in the 2010 version of the franchise agreement.

Under the rules of the Oregon Public Utility Commission, an electric power franchisee must pay the first 3.5% of any franchise fee and must bill any additional amount to its customers

within the jurisdiction. Therefore, the Idaho Power customers in the Ontario city limits will continue to pay 3.5% of the franchise fee through their utility bills, as they have since 2010.

CURRENT SITUATION:

The current Idaho Power franchise agreement appears to have worked well. There have been no issues between the City and Idaho Power under the current franchise agreement that would require modification of that agreement.

ANALYSIS:

- A. **STRATEGIC PLAN** This agreement has no strategic impact.
- B. **FINANCIAL** The City receives significant revenue from the Idaho Power franchise agreement. In the ten months of the current fiscal year that expires on June 30, 2020, the City has received \$976,280.58 from Idaho Power. In the last fiscal year of 2018-2019, the City received \$1,286,083.14.
- C. **TIMING** The City's procedure for franchise agreements is to enact them as ordinances, which normally do not go into effect for 30 days after they are approved by the City Council. Because the 2015 Idaho Power franchise agreement expires on June 30, 2020, the new agreement includes an emergency clause allowing it to go into effect immediately, to avoid any gap in the City's receipt of franchise revenues from Idaho Power.
- D. **POLICY/LEGAL** Proposed Ordinance No. 2776-2020 complies with Oregon law. It is generally the city's policy to require all businesses that use city rights of way for the infrastructure of that business to have a formal franchise agreement with the city, including utility and telecommunications companies.

ALTERNATIVES:

- 1. Disapprove Ordinance No. 2776-2020 and allow Idaho Power to operate without a franchise agreement. This would eliminate all electrical utility franchise revenues under the current franchise arrangement.
- 2. Revise the ordinance to make changes in the current draft, if the Council identifies issues that are not adequately addressed in the current franchise agreement.

RECOMMENDATION:

Staff recommends that the City Council approve a first reading of Ordinance No. 2776-2020, and if the ordinance is approved unanimously, to waive a second reading so that the ordinance can go into effect immediately.

ATTACHMENTS:

- 1. Ord #2776-2020 Franchise Agmt Idaho Power Company-LAS06.10.2020



ORDINANCE NO. 2776-2020

AN ORDINANCE GRANTING A NON-EXCLUSIVE ELECTRIC UTILITY FRANCHISE TO IDAHO POWER COMPANY, AND FIXING TERMS, CONDITIONS AND COMPENSATION OF SUCH FRANCHISE, AND DECLARING AN EMERGENCY

WHEREAS, the City of Ontario (“City”) is authorized by state statutes, its charter, and ordinances to grant non-exclusive franchises to occupy its Rights-of-Way and public places within the City; and

WHEREAS, Idaho Power Company, an Idaho corporation (“Grantee”), owns, maintains, and operates, in accordance with regulations promulgated by the Public Utility Commission of Oregon (“PUC”), an electric energy utility system and desires to install, operate, and maintain its facilities in the Rights-of-Way in the City; and

WHEREAS, the City agrees to grant a franchise to Grantee under the terms and conditions provided in this ordinance; and

WHEREAS, the existing franchise as set forth in Ordinance No. 2646 expires June 30, 2020, and this ordinance being necessary for the immediate preservation of the public health, safety and welfare, this ordinance shall be effective immediately upon its passage.

NOW, THEREFORE, The Common Council for The City of Ontario Ordains as Follows:

Section 1. DEFINITIONS AND EXPLANATIONS.

- (1) As used in this ordinance:
 - (a) “City” means the City of Ontario, Oregon.
 - (b) “City Council” means the legislative body of the City.
 - (c) “Grantee” means the corporation referred to in Section 2 of this ordinance.
- (2) Unless otherwise specified in this ordinance, any action authorized or required to be taken by the City may be taken by the City Council or by such official, officials, agent or agents as the City Council may designate.

Section 2. GRANTING CLAUSE.

Subject to the conditions and reservations contained in this ordinance, the City hereby grants to Idaho Power Company, an Idaho corporation, for a period of ten (10) years from July 1, 2020, unless sooner terminated as provided in this ordinance, the right and privilege to:

- (1) construct, maintain and operate within the corporate limits of the City an electric utility system; and
- (2) construct, erect, operate and maintain, in, upon, along, across, above, over and under the streets, alleys, public ways and public places now laid out or dedicated, and all extensions thereof and additions thereto, in the City (“Rights-of-Way”), poles, wires, cables, underground conduits, manholes and other electric fixtures necessary or proper for the maintenance and operation in the City of an electric transmission and distribution system and wires connected therewith. All such electric utility property and facilities now maintained by the Grantee within the corporate limits of the City shall be deemed covered by this ordinance, and the present location thereof hereby is ratified and approved.

Section 3. USE OF STREETS, PUBLIC PLACES.

The right to use and occupy said streets, alleys, public ways and places for the purposes herein set forth shall not be exclusive, and the City reserves the right, subject to Section 18 hereof, to grant a similar use of said streets, alleys and other public ways and places, to any other person or corporation at any other time during the period of this franchise.

Section 4. COMPLIANCE WITH APPLICABLE LAWS AND ORDINANCES.

The Grantee shall, at all times during the life of this right and privilege, be subject to all lawful exercise of the police power by the City, and to such reasonable regulation as the City shall hereafter by resolution or ordinance provide.

Section 5. SPECIFICATIONS.

All of the Grantee’s electric property and facilities (including poles, wires, conductors, transformers and other appliances) shall be constructed and at all times maintained in good order and conditions and in accordance with standard engineering practices and all applicable safety codes and lawful governmental regulations. Grantee is subject to and shall comply with the provisions of the Ontario City Code pertaining to nuisance abatement, including but not limited to Section 7-4-5 and 7-4-6 of the Ontario City Code requiring removal of graffiti. The City shall have authority at all times, in furtherance of the safety, convenience and welfare of the public, to control by appropriate regulations the location, elevation and manner of construction and maintenance of the Grantee’s electric property and facilities on the City streets, alleys, highways and other public places, subject to the provisions of any state or federal law applicable thereto, and the Grantee shall at all times and promptly conform with all such regulations.

Section 6. CONTINUOUS SERVICE; UNAVOIDABLE SHUTDOWNS.

Grantee shall maintain and operate a system for the distribution of electricity in the City so as to provide 24-hour a day service. The Grantee shall use due diligence to maintain continuous and uninterrupted service which shall at all times be up to standards common in the business. However, the Grantee does not guarantee continuous and uninterrupted service and under no circumstances is the Grantee liable to the City for any interruption or failure of service caused in whole or in part by any cause beyond the reasonable control of the Grantee, including but not limited to acts of God or the public enemy, fires, floods, earthquakes or other catastrophes, severe weather, strikes or failure or breakdown of generating, transmission or distribution facilities. The Grantee shall maintain emergency repair service available on call.

Section 7. CONDITIONS ON STREET OCCUPANCY.

- (1) All transmission and distribution structures, lines and equipment erected by the Grantee within the City shall be so located as to cause minimum interference with the proper use of streets, alley and other public ways and place, and to cause minimum interference with the rights or reasonable convenience of property owners who adjoin any of the said streets, alleys or other public ways and places.
- (2) In the even that at any time during the period of this franchise the City shall lawfully elect to alter or change the grade of any street, alley or other public way, the Grantee, upon reasonable notice by the City shall remove, relay and relocate its poles, wires, cables and other fixtures at its own expense, unless the facilities are to be relocated for the benefit of a third party, in which case the third party shall pay the costs of relocation.
- (3) **PLACEMENT OF FIXTURES.** The Grantee shall not place poles or other fixtures where the same will interfere with any telephone wire or conduit, sewer line, water hydrant or water main, and all such poles or other fixtures shall, wherever practicable, be placed close to the line of the lot abutting on said alley, and then in such a manner as not to interfere with the usual travel on said streets, alley and public ways.
- (4) **TEMPORARY REMOVAL OF WIRE FOR BUILDING MOVING.** The Grantee shall, on request of any person holding a building moving permit issued by the City, temporarily raise or lower its wires where practicable to permit the moving of buildings. The expense of such temporary removal, raising or lowering of wires shall be paid by the person requesting the same, and the Grantee shall be given reasonable advance notice to arrange for such temporary wire changes.

Section 8. COVENANT TO SAVE CITY HARMLESS FROM DAMAGES.

The grantee hereby agrees and covenants to save the City, its officers and employees, harmless from all loss or expense sustained by the City on account of any suit, judgment, execution, claim or demand whatsoever, and to indemnify the City against any such loss or expense arising from any casualty or accident to person or property, by reason of any negligent construction, excavation or any other negligent construction, excavation or any other negligent act done under this

privilege and permit by or for the Grantee, its agents or employees, or by reason of any neglect or omission of the Grantee to keep said poles, wires, pipes, conduits or facilities in a safe condition, or by reason of its operation of said system.

Section 9. SERVICE STANDARDS.

The Grantee shall maintain and operate its plant and system and render efficient service in accordance with the rules and regulations as are, or may be, set forth by the Council as provided for in Section 4 of this Ordinance, subject to the authority of the PUC. During the term of this franchise, Grantee shall at all times assure that customers within the City have access to customer service from the Grantee as required by the PUC.

Section 10. CONSTRUCTION AND LOCATION OF FACILITIES.

Subject to the authority of the PUC, Grantee shall comply with the requirements of Chapter 8 of Title 8 (Right-of-Way) of the Ontario City Code in connection with any construction, installation, extension, removal, relocation, or maintenance of any facilities in the City Rights-of-Way or any public place.

Section 11. PERMISSION TO CONSTRUCT.

Except in emergencies, prior to the commencement of any construction or relocation of any of the Grantee's underground wires or of the Grantee's poles and lines in the Streets, alleys or other public places within the City, the Grantee shall notify the City of such work and upon request shall furnish a map showing the location of such construction or relocation. The location of all such poles and lines and underground wires shall be at place approved by the City. The provisions of this paragraph shall not apply to the construction or relocation of service wires from poles to dwellings or buildings.

Section 12. RECORD KEEPING.

The Grantee shall keep an accurate record of all accounts pertaining to the sale of electricity within the City for a period not to exceed three years. For the purpose of determining the amounts due under Section 13 of this ordinance, the City may inspect the books of account and other data and records of the Grantee at any time during business hours and may audit them from time to time and may require the Grantee to make available to it all records for such purpose.

Section 13. COMPENSATION.

- (1) As compensation for the rights and privileges herein granted, the Grantee shall pay to the City during the term hereof an amount equivalent to seven (7.00) percent of the Grantee's "Gross Revenue" on all sales of electrical service within the City, such compensation to be due and payable quarterly, within thirty (30) days from and after the close of each quarter during the term hereof. Within sixty (60) days after the termination of this franchise, compensation shall be paid for the period elapsing since the close of the last quarter for which compensation has been paid through the franchise agreement termination date.

- (2) “Gross Revenue” shall be defined as set forth in Oregon Administrative Rule 860-022-0040.
- (3) Compensation required by this Section 13 of this ordinance to be paid and rendered by the Grantee to the City shall be a credit against all license, occupation, business or other fees or taxes which the City now is or may hereafter be empowered to levy or assess against the Grantee.
- (4) Nothing herein contained shall be deemed to give to the Grantee any credit against any ad valorem property tax now or hereafter levied against the real and personal property of Grantee located within the City or against any improvement assessment, permit or inspection fee.
- (5) The City shall provide appropriate information to the Grantee to allow the Grantee to identify which of its customers are located within the corporate limits of the City for purposes of paying franchise fees. Grantee shall not be responsible for any failure to pay franchise fees which results from deficiencies in such information provided by the City. In the event the City annexes a new area into its corporate limits, the terms of this Section 13 regarding franchiser fees shall not apply to the annexed area until sixty (60) days after the City has supplied the Grantee with appropriate information for the identification of the Grantee’s customers within the annexed area.
- (6) If direct access is implemented by Grantee in accordance with Oregon law and regulations adopted by the PUC, the City and Grantee will mutually determine whether, instead of calculating the franchise fee in accordance with subsection (1) of this Section 13, the franchise fee should be calculated using volume-based methodologies in accordance with PUC regulations.

Section 14. REMOVAL OF EQUIPMENT FOLLOWING EXPIRATION OR REVOCATION.

Upon expiration or revocation (pursuant to Section 19) of this privilege and permit, the Grantee shall, within one year or such further time as may be allowed by the City, remove from the streets, alleys and other public places all its property and equipment, and forthwith replace and restore the streets, alleys and other public places to their former condition. If the Grantee fails to remove its property and equipment within such time, the City may take such steps as may be necessary to forcibly remove the same at the expense of the Grantee and the Grantee shall promptly pay the full cost and expense thereof on demand by the City.

Section 15. TREE TRIMMING.

The Grantee shall have the right and privilege, insofar as the City is able to grant the same, in accordance with National Arborist Association standards, of the pruning of all trees which overhang the present and future streets, alleys, highways and other public places within the corporate limits of the City, in such a manner and to such extent as will prevent the branches or limbs or other parts of such trees from touching or interfering with its wires, poles and other fixtures and equipment. However, except in an emergency, no pruning shall be undertaken without giving the occupant of the adjacent property written or oral notice that such pruning will be performed.

Section 16. CO-LOCATION.

In consideration for granting this franchise, Grantee grants the right and privilege without payment or charge to the City, but at the City's expense, with prior notice and approval of Grantee, to place and maintain wires, control boxes, and any other necessary equipment as the City may require for fire, police, emergency or other internal municipal purposes, on Grantee's facilities placed by Grantee in the City's Rights-of-Way or public places, whether above or underground. All such installation shall be made in a manner so as not to interfere with Grantee's electric energy service and in conformance with good electrical practice, Grantee's standards, and local, states and federal regulations. When safety is an issue, Grantee shall not be required to allow such installations of City equipment on Grantee's facilities. The City shall not sell or lease its rights under this Section 16 to any third parties. The City shall hold Grantee harmless from all claims or liability for damage that arises out of City's use of Grantee's facilities under this Section 16.

Section 17. PUBLIC WORKS AND IMPROVEMENTS NOT AFFECTED BY FRANCHISE.

- (1) The City reserves the right to:
 - (a) Construct, install, maintain and operate any public improvement, work or facility in, over or under any Right-of-Way or public place;
 - (b) Perform or authorize or direct the performance of any work that the City may find desirable or convenient in, over or under any Right-of-Way or public place;
 - (c) Vacate, alter or close any Right-of-Way or public place, provided that the City shall make available to Grantee with alternative Right-of-Way for the location of its facilities or provide for the preservation of Grantee's rights of use, replacement and maintenance. If Grantee's facilities must be relocated from a vacated Right-of-Way, the petitioners of the vacation shall bear the cost of relocation of the facilities;
 - (d) Control or prevent the use of any public place by Grantee;
 - (e) Exercise any non-regulatory power that the City currently holds, or may hereafter be authorized or granted by the laws of the state of Oregon or the City Charter, except where that power may be preempted or superseded by the constitutions of the United States or the state of Oregon or other laws or regulations of the state of Oregon;
 - (f) Exercise any regulatory power that is abandoned by the PUC, not vested exclusively by law in any other state regulatory body, and that can be lawfully exercised by the City.
- (2) Whenever the City shall perform or cause or permit to be performed any work in any Right-of-Way where such work may disturb or interfere with Grantee's facilities, the City shall, or require its permittee, to notify, in writing, Grantee sufficiently in advance of the contemplated work to enable Grantee to take those measures,

including relocation or removal, as may be deemed necessary to protect its facilities, at its own expense.

Section 18. EMINENT DOMAIN; OTHER FRANCHISES.

In consideration of Grantee's undertaking hereunder as evidenced by its acceptance hereof, the City agrees not to engage in the business of providing electric service during the life of this franchise or any extension thereof in competition with the Grantee, its successors and assigns; but nothing herein contained shall be construed or deemed to prevent the City from exercising at any time any power of eminent domain granted to it under the laws of the state of Oregon. The City shall not grant a franchise to another electric service provider during the term of this franchise agreement unless the electric service provider has received approval to provide electrical service within the City from the PUC, and the City has imposed the same franchise fee on the electric service provider as paid by the Grantee.

Section 19. ACCEPTANCE.

The Grantee shall within thirty days from the effective date of this ordinance to file with the City its written unconditional acceptance of this privilege, retroactive to July 1, 2020; and if the Grantee fails so to do, this ordinance shall be void.

Section 20. REVOCATION AND MUTUAL MODIFICATION.

The franchise hereby granted may be revoked and forfeited by the City, by duly enacted ordinance therefor, and following a hearing at which the Grantee has an opportunity to be present and to be heard, in the event that the Grantee shall fail after reasonable notice or demand to comply with any of the terms, conditions, and obligations imposed upon the Grantee hereunder.

The terms of this franchise and the rights and privileges hereby conferred may be changed, altered, or amended or modified at any time upon mutual agreement between the City and the Grantee, and this franchise will be subject to renegotiation at any time by service by either the City or the Grantee upon the other of notice in writing for a period of sixty (60) days and following such renegotiations and mutual agreement, this ordinance may be amended by a majority vote of the City Council and execution by the Grantee and the terms of such amended ordinance will in all respects supersede any terms hereof with which said amended ordinance is in conflict.

Section 21. RESERVATION OF STATUTORY AND CHARTER AUTHORITY.

The City reserves the right to exercise, with regard to this privilege and permit the Grantee, all authority now or hereafter granted to the City by state statute or City Charter.

Section 22. TRANSFER OF FRANCHISE.

Grantee shall not transfer, assign, or dispose of this franchise agreement without the prior consent of the City, which consent shall not be unreasonably withheld or delayed, and then only on such reasonable conditions as may be prescribed in such consent, unless the transferee or assignee acquires a majority interest in the Grantee's facilities within the City in a transaction approved by the PUC, in which case Grantee shall provide advance written notice of such transfer or assignment.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this _____ day of _____, 2020,

ATTEST:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder

Franchise Ordinance No. 2776-2020, accepted this _____ day of _____, 2020.

IDAHO POWER COMPANY

By: _____

ATTEST:

Secretary



**AGENDA REPORT
NEW BUSINESS
June 16, 2020**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2777-2020: REPEALING ORDINANCE #2769-2019 AND ADOPTING TEMPORARY OREGON STRUCTURAL SPECIALTY CODE PROVISIONS FOR THE CITY OF ONTARIO BUILDING REGULATIONS OMC 4-1-1 AND DECLARING AN EMERGENCY**

DATE: June 12, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE ORDINANCE #2777-2020, AN ORDINANCE REPEALING ORDINANCE #2769-2019 AND ADOPTING TEMPORARY OREGON STRUCTURAL SPECIALTY CODE PROVISIONS FOR THE CITY OF ONTARIO BUILDING REGULATIONS OMC 4-1-1 AND DECLARING AN EMERGENCY, ON FIRST READING BY TITLE ONLY.

IF THE COUNCIL UNANIMOUSLY APPROVES THE FIRST READING:

I MOVE THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2777-2020, AN ORDINANCE REPEALING ORDINANCE #2769-2019 AND ADOPTING TEMPORARY OREGON STRUCTURAL SPECIALTY CODE PROVISIONS FOR THE CITY OF ONTARIO BUILDING REGULATIONS OMC 4-1-1.

SUMMARY:

Oregon Building Code Division (BCD) has interpreted the statutory authority of ORS 455.020, which sets forth the adoption of a statewide set of construction codes, to mean the statewide codes only apply to buildings or structures used by human occupants. In doing so, BCD has articulated a number of 26 specific items that are not included in the scope of the statutory authority of the state codes. BCD has also indicated that jurisdictions who wish to regulate these items are free to do so through local adoption. Since the adoption of a statewide code in 1974, local jurisdictions previously relied on a much broader interpretation of ORS 455.020.

Oregon Building Officials Association (OBOA) is very concerned with this change in interpretation. OBOA views this as a significant departure for local jurisdictions from past

practice and one that causes major internal ripple effects for local programs. While it may provide local flexibility, it is also seen as a major hit on the consistency in administration of the statewide construction codes where each jurisdiction will potentially adopt different codes for those items now excluded from the scope. Statewide consistency and uniformity of construction codes has always been a primary purpose for having a state wide code.

As of June 2020 the state and local jurisdictions are still in discussions on what changes cities and counties can or should make; however, the current adoption of the 2014 Oregon Structural Specialty Code (OSSC) Chapter 1 Scope and Administration authorized under city Ordinance#2769-2019 sunsets on June 30, 2020.

BACKGROUND:

The OBOA Board assembled a task force to review the recent BCD changes to Chapter 1, Scope and Administration, of the Oregon Structural Specialty Codes (OSSC).

On September 20, 2019, the OBOA Legislative Committee, in response to notice of public hearings, sent BCD a letter objecting to the proposed change in rules dealing with the scope of the code, along with reasons for the objection. This action did not change the rule making. The long list of 26 items no longer included in the scope of the code was published in the 2019 OSSC Chapter 1, Scope and Administration.

On October 11, 2019, the OBOA Board appointed a task force to begin addressing this issue.

Extension Request - Because of the significant changes and extremely short timeline to adopt local provisions before January 1, 2020, the first step of the task force was to request that BCD allow an extension of time until July 1, 2020, for local jurisdictions to continue using the previous Chapter 1, Scope and Administration section of the OSSC and ORSC (Oregon Residential Specialty Code).

BCD denied this request. The rationale given for denial was that this is a scoping and statutory authority problem. Per BCD, jurisdictions (unbeknownst to many) should not have previously been using Chapter 1 of the Specialty Codes to cover the administration of permit programs for the 26 items that BCD has interpreted were not statutorily included in the scope of the statewide code unless jurisdictions locally adopted those provisions separately.

SUMMARY OF CHANGES

The ripple effects of this change are many and the task force has summed up the changes into three main categories:

Category 1: Technical items proposed to be excluded from the code (e.g.: Regulation on construction of new communication towers, retaining walls, and tanks not supported by buildings);

Category 2: Changes that revise the authority of the building code when addressing code enforcement actions on building code violations; and

Category 3: Removal of the reference to "other ordinances of the municipality" when reviewing a development proposal for issuance of permits or certificates of occupancy (e.g., land use conditions, engineering standards).

MOVING FORWARD

This is a very challenging and fluid topic with a lot of angles to consider. At this point the task force is providing four options for local municipalities to consider until we have clarification from BCD as to application of the new rules:

- 1). Adopt the 2014 OSSC Chapter 1 Scope and Administration as a temporary fix to address the scoping provisions until we have more details about the changes municipalities are allowed to make.
- 2). Amend your local ordinances to reflect the scoping and administrative provisions not included in the 2017 ORSC and the 2019 OSSC.
- 3). Rewrite and adopt into your local ordinances the amended Chapter 1 of the OSSC and ORSC.
- 4). The forth option is to do nothing and hope no one challenges the new provisions (The OBOA task force does not recommend this option).

OBOA has requested additional written clarification from BCD regarding what can and cannot be locally regulated, and as of June 1, 2020 these discussions are continuing and no definite decisions have been made.

CURRENT SITUATION:

Ordinance #2769-2019, which adopted temporary code provisions, sunsets on June 30, 2020. In order to continue the Building Department at status quo, the temporary code provisions must be extended and adopted. This will allow the city to continue effectively and efficiently administering its building permit program until the city determines how to permanently implement current changes to the Oregon Structural Specialty Code (OSSC) effective January 1, 2020.

ANALYSIS:

- A. **STRATEGIC PLAN** Adoption of this action will allow the city to continuing the Desirability of living in Ontario, as well as protect the current Lifestyle and provide for continued Growth in an orderly and safe manner.
- B. **FINANCIAL** Without the adoption of these regulations, it could result in a loss of current revenue on building permit fees.

- C. **TIMING** An emergency exists as it is necessary to adopt the specialty codes and standards necessary to administer a complete building inspection program, and to ensure that proper authority exists for enforcement and implementation of the program before the existing Ordinance #2769-2019 expires on June 30, 2020.
- D. **POLICY/LEGAL** This action is legally needed to continue to enforce current regulations and allow permits to be issued for structures as authorized in the past.

ALTERNATIVES:

Council could chose not to implement this code change and only issue permits to structures used by human occupants as established under the 2019 Oregon Structural Specialty Code.

RECOMMENDATION:

Staff recommends the City Council approve Ordinance #2777-2020.

ATTACHMENTS:

1. Ord #2777-2020 OMC 4-1-1 Building Codes
2. Ord #2769-2019 OMC 4-1-1 Temporary Specialty Code Provisions 12-17-2019



ORDINANCE #2777-2020

ORDINANCE #2777-2020 AN ORDINANCE REPEALING ORDINANCE # 2769-2019 AND ADOPTING TEMPORARY OREGON STRUCTURAL SPECIALTY CODE PROVISIONS FOR THE CITY OF ONTARIO BUILDING REGULATIONS OMC 4-1-1, AND DECLARING AN EMERGENCY

- WHEREAS,** The Oregon Building Code Division has interpreted the statutory authority of ORS 455.020, which sets forth the adoption of a statewide set of construction codes, to mean the statewide codes only apply to buildings or structures used by human occupants; and
- WHEREAS,** In so doing, BCD has articulated a number of 26 specific items that are not included in the scope of the statutory authority of the state codes; and
- WHEREAS,** Oregon Building Code Division has also indicated that jurisdictions who wish to regulate these items are free to do so through local adoption; and
- WHEREAS,** Temporary code provisions must be adopted in order for the City of Ontario to continue to effectively and efficiently administer its building permit program until the city determines how to permanently implement current changes to the Oregon Structural Specialty Code (OSSC) effective January 1, 2020; and
- WHEREAS,** The adoption of temporary provisions to the city's building code is recommended by the Oregon Building Officials Association; and
- WHEREAS,** On December 17, 2019 the City Council approved Ordinance 2769-2019 Temporarily adopting the 2014 Oregon Structural Specialty Code (OSSC) Chapter 1 Scope and Administration and enforced as part of the Ontario Building Code OMC 4-1-1, which has a Sunset clause of June 31, 2020.
- WHEREAS,** As of June 2020 the State and Local Jurisdictions are still in discussions on what changes Cities and Counties can or should make.
- WHEREAS,** This ordinance will allow the City of Ontario Building Department to temporarily operate at status quo.

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. That Ordinance #2769-2019 is hereby repealed in its entirety and replaced with Ordinance #2777-2020.

2. The *2014 Oregon Structural Specialty Code (OSSC) Chapter 1 Scope and Administration* is adopted and enforced as part of the Ontario County Building Code OMC 4-1-1. This adoption shall be temporary and will automatically sunset on December 31, 2020, if not earlier repealed by the Ontario City Council. These provisions are in addition to the 2019 OSSC as adopted by OAR 918-460-0010 through 918-460-0015, effective January 1, 2020.
3. An emergency is hereby declared to exist as it is necessary to adopt the specialty codes and standards necessary to administer a complete building inspection program, and to ensure that proper authority exists for enforcement and implementation of the program effective on June 16, 2020 upon its passage.
4. This ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2020, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this _____ day of _____, 2020.

ATTEST:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



FILED
_____M

JAN 02 ~~2020~~ 2020

ORDINANCE #2769-2019

GAYLE V. TROTTER, County Clerk
By Deputy

**ORDINANCE #2769-2019 ADOPTING TEMPORARY OREGON STRUCTURAL SPECIALTY CODE
PROVISIONS FOR THE CITY OF ONTARIO BUILDING REGULATIONS OMC 4-1-1,
AND DECLARING AN EMERGENCY**

- WHEREAS,** The Oregon Building Code Division has interpreted the statutory authority of ORS 455.020, which sets forth the adoption of a statewide set of construction codes, to mean the statewide codes only apply to buildings or structures used by human occupants; and
- WHEREAS,** In so doing, BCD has articulated a number of 26 specific items that are not included in the scope of the statutory authority of the state codes; and
- WHEREAS,** Oregon Building Code Division has also indicated that jurisdictions who wish to regulate these items are free to do so through local adoption; and
- WHEREAS,** Temporary code provisions must be adopted in order for the City of Ontario to continue to effectively and efficiently administer its building permit program until the city determines how to permanently implement current changes to the Oregon Structural Specialty Code (OSSC) effective January 1, 2020; and
- WHEREAS,** The adoption of temporary provisions to the city's building code is recommended by the Oregon Building Officials Association; and
- WHEREAS,** This ordinance will allow the City of Ontario Building Department to temporarily operate at status quo.

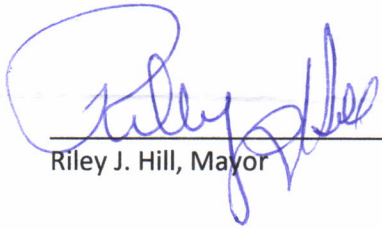
NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. The *2014 Oregon Structural Specialty Code (OSSC) Chapter 1 Scope and Administration* is adopted and enforced as part of the Ontario County Building Code OMC 4-1-1. This adoption shall be temporary and will automatically sunset on June 31, 2020, if not earlier repealed by the Ontario City Council. These provisions are in addition to the 2019 OSSC as adopted by OAR 918-460-0010 through 918-460-0015, effective January 1, 2020.
2. An emergency is hereby declared to exist as it is necessary to adopt the specialty codes and standards necessary to administer a complete building inspection program, and to ensure that proper authority exists for enforcement and implementation of the program effective on or before January 1, 2020.
3. This ordinance shall become effective on January 1, 2020.

PASSED AND ADOPTED by the Common Council of the City of Ontario this 17th day of December, 2019,
by the following vote:

AYES: CRUME, RODRIGUEZ, CAPRON, JUSTUS, BRADEN
NAYS: NONE
ABSENT: HILL, PALOMO

APPROVED by the Mayor this 17th day of December, 2019.



Riley J. Hill, Mayor

ATTEST:



Tori Barnett, MMC, City Recorder



**AGENDA REPORT
PUBLIC HEARING
June 16, 2020**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2020-129: SUPPLEMENTAL BUDGET FOR SKATE PARK
RESTROOMS**

DATE: June 9, 2020

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2020-129: A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO APPROPRIATE REVENUES AND EXPENDITURES FOR SKATE PARK RESTROOMS.

SUMMARY:

Attached is Resolution #2020-129.

BACKGROUND:

The City Council approved a bid on the skate park restrooms with Holcomb Construction on May 19, 2020.

CURRENT SITUATION:

The skate park restrooms were not budgeted in 2019-2020. A supplemental budget hearing is required to be held, and the required publication in the newspaper was made.

This resolution will appropriate the donations and grants for expenditure at the skate park restroom.

ANALYSIS:

- A. **STRATEGIC PLAN** The skate park restroom project meets the goals of the strategic plan for livability, desirability and beautification. Adding a nice, neat restroom structure will fill in the corner of the skate park and add a touch of class, beautifying the area. It supports livability by providing full service park facilities, a very desirable feature in any community.

- B. **FINANCIAL** This resolution will appropriate grant and donation funding to spend on the skate park of \$116,000.
- C. **TIMING** The grant funding runs through October 2020 and the construction needs to be complete at this point. The resolution needs to be approved before June 30, 2020 to adjust the 2019-2020 budget.
- D. **POLICY/LEGAL** A formal supplemental budget approved by the City Council is required to expend funds per ORS 294.

ALTERNATIVES:

Take No Action: The city would end up with a budget violation on this project.

RECOMMENDATION:

Staff recommends the approval of Resolution #2020-129.

ATTACHMENTS:

1. Reso #2020-129 Supplemental Budget Skate Park Restrooms



RESOLUTION #2020-129

A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET TO APPROPRIATE REVENUES AND EXPENDITURES FOR SKATE PARK RESTROOMS

- WHEREAS,** The skate park restroom was not completed before June 30, 2019; and
- WHEREAS,** A grant and donations from various sources, including the Recreation District, will fund the project; and
- WHEREAS,** A Supplemental Budget Hearing was held on June 16, 2020; and
- WHEREAS,** The budget for fiscal year 2019-2020 was adopted without the knowledge of such funds; and
- WHEREAS,** The City desires to modify the 2019-2020 budget to receive and expend the funds.

NOW THEREFORE, THE CITY OF ONTARIO RESOLVES to approve the adjustments to the fiscal year 2019-2020 budget:

Line Item	Item Description	FY 19-20 Budget	Amount of Change	Adjusted Budget
AQUATIC FUND				
125-000-406000	Available Cash on Hand	\$ -	\$57,973	\$57,973
125-000-456100	Grants & Donations	\$ -	\$58,027	\$58,027
125-008-714121	Skate Park Restroom	\$ -	\$116,000	\$116,000

PASSED AND ADOPTED by the Common Council of the City of Ontario this 16th day of June, 2020, by the following vote:

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED by the Mayor this 16th day of June, 2020

ATTEST:

Riley J. Hill, Mayor

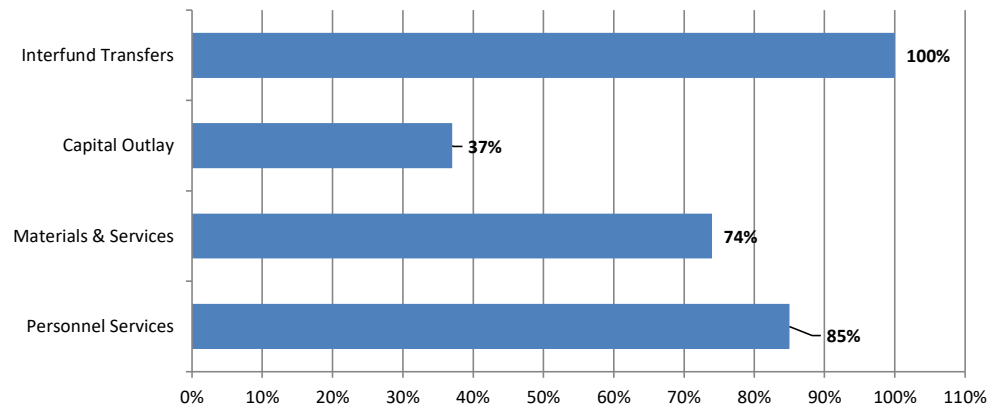
Tori Barnett, MMC, City Recorder

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
APRIL 30, 2020**

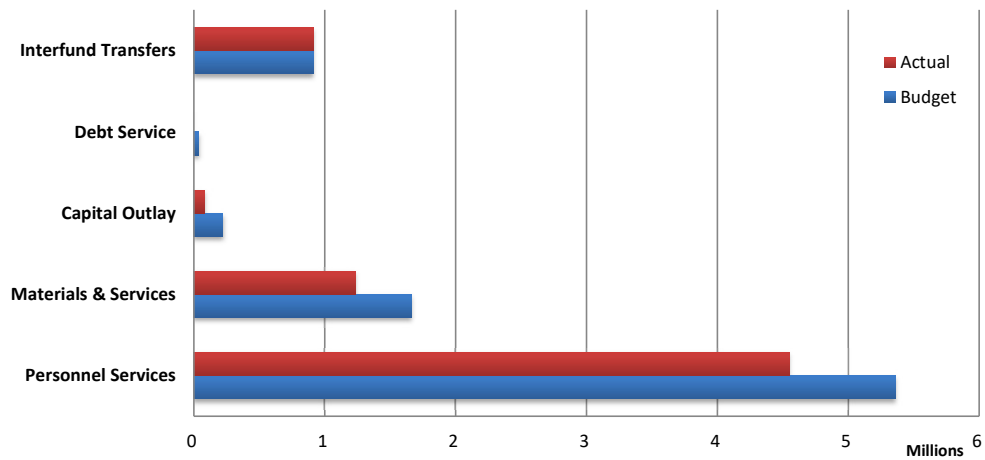
DEPARTMENT	BUDGET	ACTUAL	% EXPENDED	COMMENTS
Parks	270,562	142,652	52.7%	Tennis court & Beck bathroom to carryover
Parks & Recreation	270,562	142,652	52.7%	
Fire	1,621,332	1,339,200	82.6%	
Code Enforcement	213,764	129,734	60.7%	
Police	3,626,681	3,091,357	85.2%	overtime & sick/vacation buyouts, vehicle repair
Police reserves	7,000	2,847	40.7%	
Emergency operations	-	186	#DIV/0!	
Public Safety Total	5,468,777	4,563,325	83.4%	
Administration	487,088	382,585	78.5%	
City Council	25,569	10,335	40.4%	
Business Registration	1,100	479	43.5%	
Cemetery	143,470	135,919	94.7%	Contract timing, PERS
Finance	239,123	186,843	78.1%	Software
Technology	129,220	96,266	74.5%	
General Government Total	1,025,570	812,427	79.2%	
Community development	212,791	137,987	64.8%	
Community Development	212,791	137,987	64.8%	
Administrative Overhead	373,054	293,625	78.7%	
Non-Departmental Contributions	30,000	15,000	50.0%	
Other Total	403,054	308,625	76.6%	
Operating Transfers Out	815,334	815,334	100.0%	
GENERAL FUND TOTALS	\$ 8,196,088	\$ 6,780,349	82.7%	
YTD BUDGET BENCHMARK			83.3333%	 0.6%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
APRIL 30, 2020**

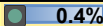
% Expended by Category



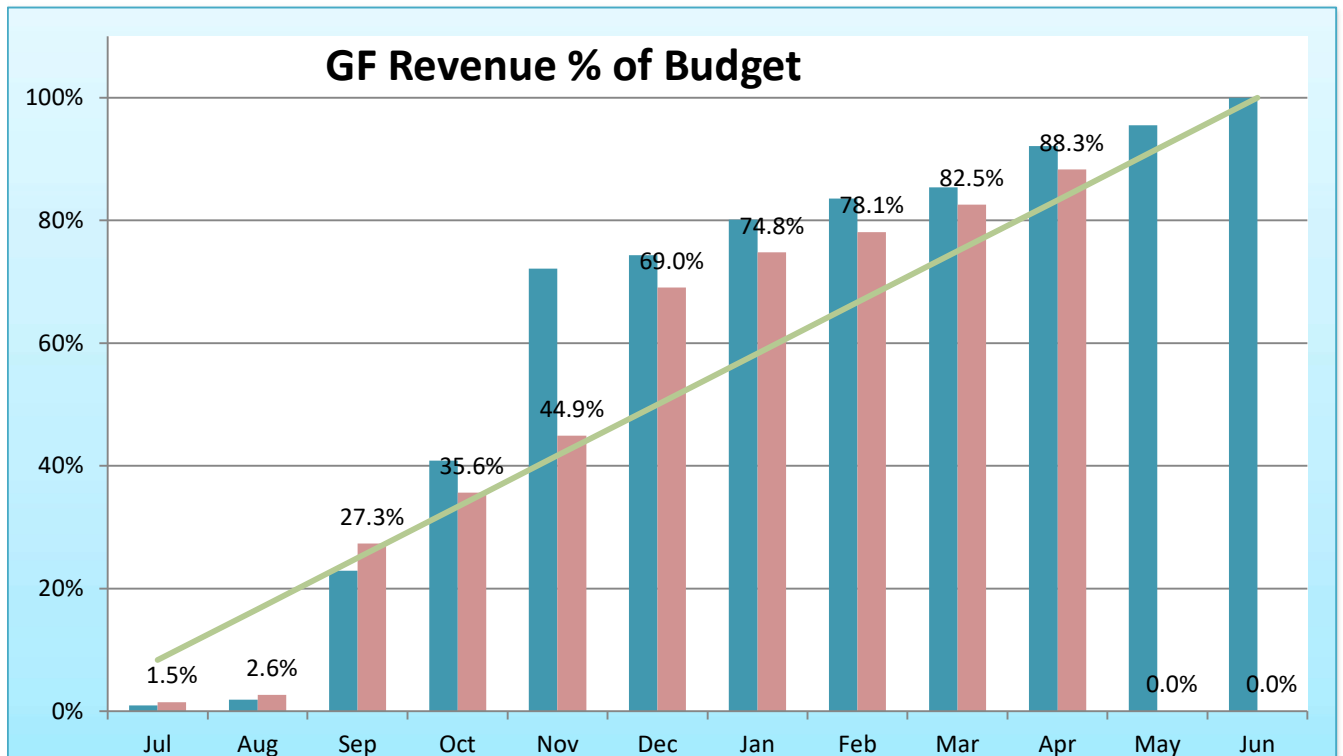
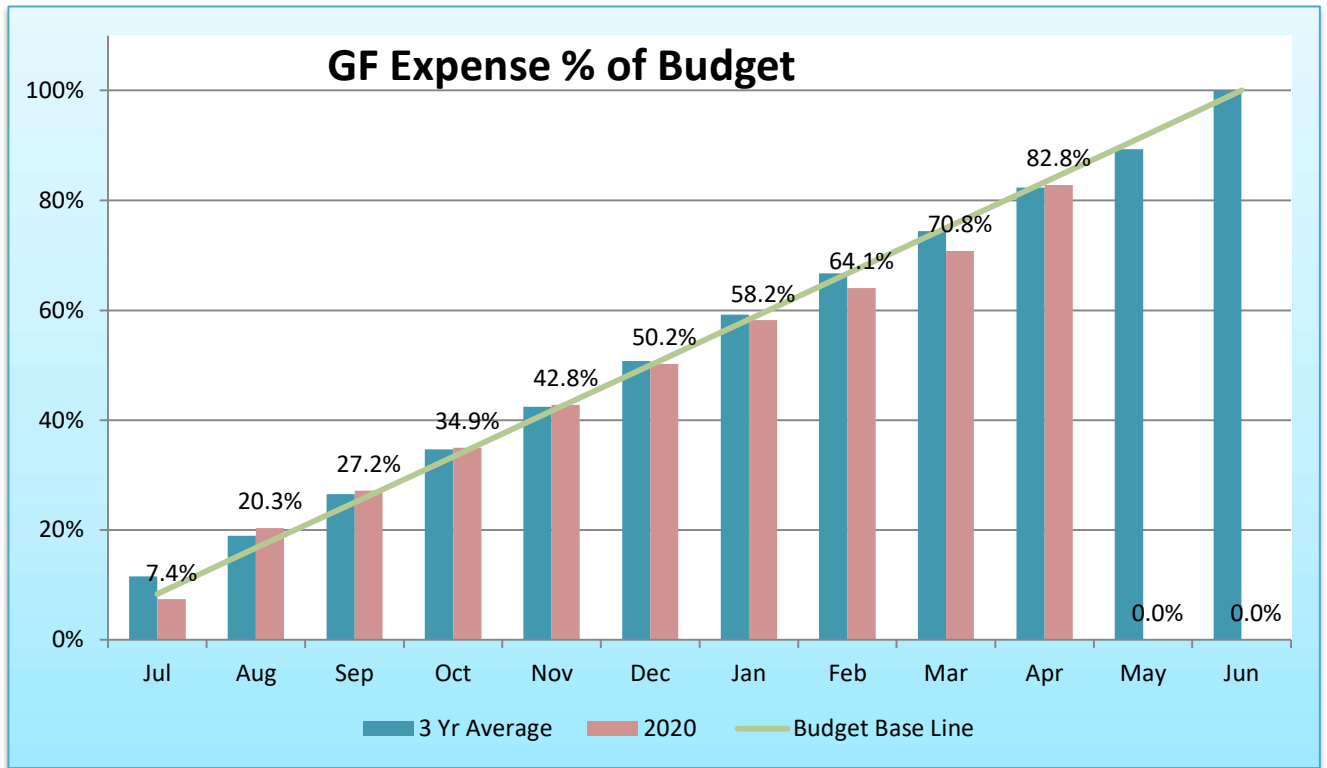
Budget to Actual by Category



**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT REVENUE
FOR THE PERIOD ENDED
APRIL 30, 2020**

DEPARTMENT	BUDGET	ACTUAL	% REALIZED	COMMENTS
GENERAL FUND BEGINNING FUND BALANCE	2,122,655	2,234,162	105.3%	(not calculated in totals)
Parks	1,900	710	37.4%	
Parks & Recreation	1,900	710	37.4%	
Fire	134,372	92,265	68.7%	
Code Enforcement	18,735	162,802	869.0%	Civil Penalties Income High school contract, court income less
Police	489,893	427,614	87.3%	
Dispensary Business License	144,000	31,000	21.5%	
Public Safety Total	787,000	713,681	90.7%	
Interest	65,700	52,316	79.6%	Interest rate decreases
State Revenue Sharing	132,656	71,085	53.6%	
Administrative Services	497,148	414,290	83.3%	
Other General Revenues	8,575	13,190	153.8%	
Property Taxes	3,688,265	3,570,027	96.8%	
Alcohol Bvg License & Fee	196,838	136,294	69.2%	
Cigarette tax	13,535	9,470	70.0%	
Marijuana tax	750,000	329,490	43.9%	two months collection
Franchise Fees	1,638,121	1,229,722	75.1%	
Business Registration	2,000	2,230	111.5%	
Cemetery	36,000	19,850	55.1%	
General Government Total	7,028,838	5,847,964	83.2%	
Planning & Zoning	4,450	8,289	186.3%	
Wayfinding Grant	25,000	-	0.0%	
Community development	29,450	8,289	28.1%	
GENERAL FUND REVENUE TOTALS	\$ 7,847,188	\$ 6,570,644	83.7%	
YTD CURRENT YEAR PROFIT(LOSS)	\$ (209,705)			
YTD BUDGET BENCHMARK	83.3%			 0.4%

**CITY OF ONTARIO
GENERAL FUND
FOR THE PERIOD ENDED
APRIL 30, 2020**



**CITY OF ONTARIO
OTHER FUNDS - DEPARTMENT EXPENSES AND REVENUE
FOR THE PERIOD ENDED
APRIL 30, 2020**

DEPARTMENT/FUND	EXPENDITURES				REVENUES		
	BUDGET	ACTUAL	% EXPENDED		BUDGET	ACTUAL	% REALIZED
002 Marijuana Enforcement Fund	250,000	34,705	13.9%		250,000	34,705	13.9%
010 Grant Fund	725,367	334,084	46.1%		725,367	256,420	35.4%
027 Building Fund	189,469	126,002	66.5%		218,747	446,927	204.3%
030 Capital Projects Fund	2,804,082	222,713	7.9%		3,214,902	3,259,046	101.4%
031 SDC Fund	430,000	10,676	2.5%		430,000	431,759	100.4%
035 Debt Service Fund	29,027	27,943	96.3%		29,027	27,943	96.3%
045 Street Fund	3,431,544	1,883,474	54.9%		3,431,544	2,344,627	68.3%
050 Trust Funds	633,756	289,841	45.7%		797,728	684,630	85.8%
055 Reserve Funds	2,728,894	1,685,435	61.8%		4,125,313	3,979,891	96.5%
060 Revolving Loan Fund	494,022	164,553	33.3%		494,022	611,220	123.7%
105 Water Fund	3,635,932	3,009,809	82.8%		4,512,615	4,509,417	99.9%
110 Sewer Fund	3,222,168	2,600,010	80.7%		6,519,403	6,432,832	98.7%
115 Storm Sewer Fund	205,678	128,465	62.5%		560,561	581,867	103.8%
120 Airport Fund	116,877	86,161	73.7%		116,877	126,083	107.9%
125 Aquatic Fund **	-	1,405	#DIV/0!		-	57,975	#DIV/0!

Comments: ** Will do supplemental budget for aquatic fund

YTD BUDGET BENCHMARK

83.3%



END OF YEAR PROJECTIONS

GENERAL FUND

- Revenues Higher than Budget
 - o Property Taxes estimated to be \$51,500 higher than budget.
 - o Miscellaneous Police Revenue \$20,721
 - o Public Safety Utility Fee \$20,000
 - o Civil Penalties \$150,000
- Revenues Under Budget
 - o Franchise fees conservatively estimated \$47,000 under budget (COVID-19)
 - o School Resource Officer Contract \$27,885 (COVID-19)
 - o Court Contract \$12,000
 - o Cemetery opening & closing \$11,725
- Overall, should end \$140,000 over 2020-2021 budgeted beginning balance

STREET FUND

- State Tax Street Revenues – Estimated \$67,000 under budget
- TOT tax - \$24,700 under budget
- Beginning balance was \$50,700 over budget
- Overall, may need a higher transfer from the General Fund in 2020-2021 of about \$25k



6/4/2020

Fire Department

Second Quarter
March-May 2020
Spring Report
Fire Chief
Terry Leighton

30 Outstanding Years Of Service



ALOHA



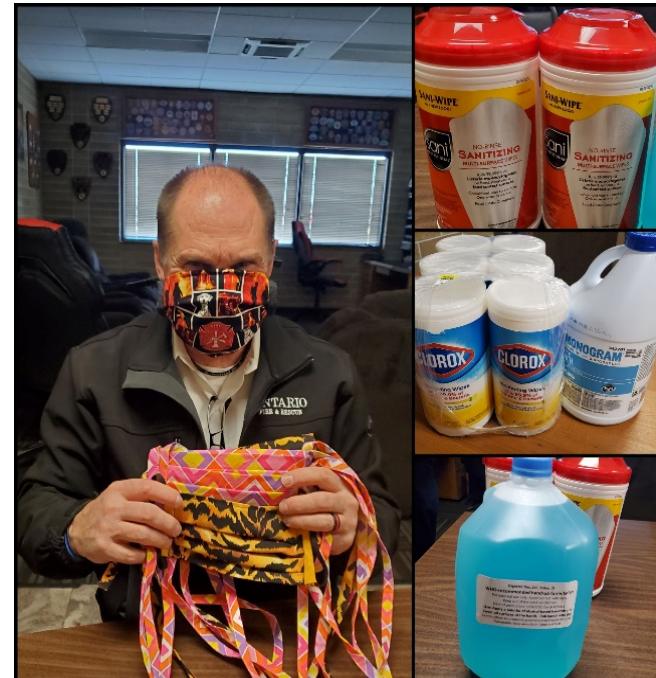
Station Tours



Spring 2020

Enhancing
Lifestyles

Working With Community Partners



Spring 2020

Enhancing
Lifestyles

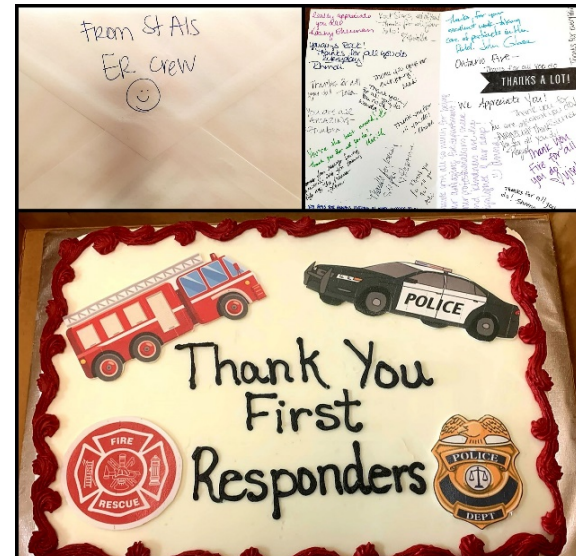
Working With Community Partners



Spring 2020

Enhancing
Lifestyles

OF&R Supports Local Law Enforcement



Spring 2020

Just Another Day At The Office



Helping Our Brothers



Vale Mutual Aid

Spring 2020

Inspections



St. Al's Pharmacy



Zion Dispensary



Top Crop Dispensary



Treasure Valley Cannabis
Co. Disp.



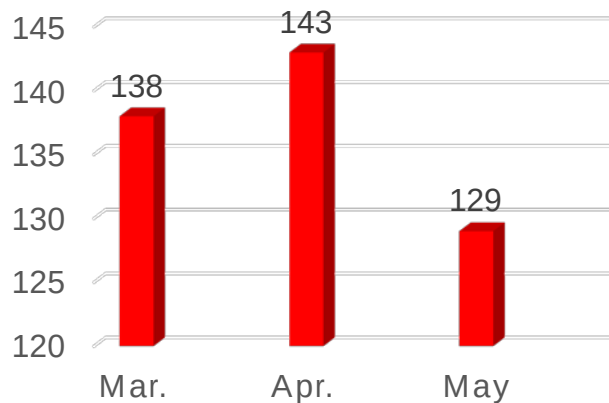
Ontario Mini Market

Treasure Valley Tech. Learning Center

MEDICAL & FIRE CALLS

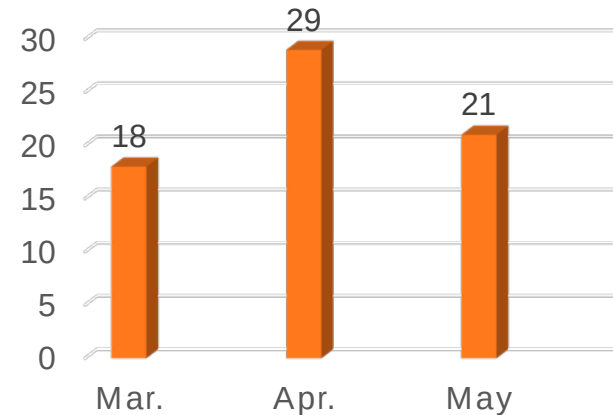


MEDICAL



Total 410

FIRE



Total 68





City of Ontario Community Development Special Report

Presentation by
Dan K. Cummings
June 4, 2020

Community Development Department



I was asked to prepare a presentation on the Position of the Community Development Director and the Rules and Regulations that are required to be followed while administering this position and oversight of the Community Development Department.

PURPOSE OF POSITION: Position includes the job duties of Planning and Zoning Director, Flood Plain Administrator, Building Department Director, Economic Development Director and City Surveyor.

The position is responsible for the planning, building oversight, and economic development of the City. This includes development review, land use action processing, zoning ordinance enforcement, and comprehensive plan and zoning ordinance review and updates.

Planning and Zoning Director

Meet with prospective developers and businesses, outlining the development codes and assisting in assuring that new and existing development meet the standards set by the community.



Maintain accurate records of all planning activities of the Hearings Officer, Planning Commission and/or City Council regarding violations and enforcement actions.

Develop and implement operating procedures necessary for the Planning and Zoning functions of the City.

Conduct or coordinate special studies relating to Planning and Zoning.

Planning and Zoning Director - Continued

Assist the City Council, Planning Commission, residents, developers, contractors, business owners and other public agencies with land-use actions, planning policies, planning and zoning codes, permits and procedures.



Educate the public in matters related to planning, zoning, urban design and transportation planning.

Advise and cooperate with municipal officials, residents, business owners and developers in connection with projects in the community.

Meet with and advise developers, architects, builders, contractors, engineers and the public regarding development policies.

Ensure local compliance with statewide planning goals in a manner appropriate for rural communities.

Planning and Zoning Director - Continued



Prepare and/or supervise the preparation of technical planning reports, master plans, park and recreation plans, capital improvement plans, and other planning documents.

Administer, analyze and enforce City planning ordinances.

Interpret the Comprehensive Plan and local planning ordinances.

Coordinates with other departments and agencies the development of short and long-range economic development plans.

Research, prepare, and present amendments to zoning ordinances, development regulations, and the comprehensive plan.

Conduct field inspections of signs, landscaping, buildings, and related uses to ensure compliance with city zoning regulations.

Planning and Zoning Director - Continued

Translate objectives outlined by the Planning Commission into specific policies or suggested ordinances.



Provide long-range policy recommendations to the City Council and Planning Commission.

Research, prepare, evaluate, process applications, and present staff reports to the Hearings Officer, Planning Commission, and City Council.

Serve as Technical Advisor to the Planning Commission, City Manager, City Council and Department Heads on planning and zoning matters. Coordinate planning input from other department heads and consultants.

Planning and Zoning Director - Continued



Coordinate planning programs with Malheur County, particularly in the Urban Growth Area, and with other governmental agencies or community organizations.

As lead City representative, attend Preliminary Development Advisory Committee (PDAC) meetings and Technical Review Committee (TRC) meetings to provide assistance to potential developers.

Work with developers, engineers, surveyors, architects, or project managers, and recommend design solutions for development projects.

In the performance of these functions the Community Development Director is required to follow many Rules and Regulations as Follows:

Planning and Zoning Director - Continued

City of Ontario Municipal Code Title 2, Title 3, Title 4, Title 5, Title 7, Title 8, Title 9, and Title 10.



Malheur County Development Code while administering development with the City Urban Growth Boundary



Oregon Revised Statutes regulating Land Use and Development.



Oregon Department of Land Conservation and Development. (DLCD) Rules and regulation regarding Land Use.



Oregon Department of Environmental Quality (DEQ)



Planning and Zoning Director - Continued



State of Oregon Flood Plain Administration
regulated through the Oregon Department of Land
Conservation and Development. (DLCD)



Federal Emergency Management Administration
(FEMA) Flood Plain Regulations and Rules.



Flood Plain Administrator

Promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions.



Administrate the City, State, and Federal regulations' dealing with development within the areas established as flood hazards by the Federal Emergency Management Agency (FEMA) and maintains the records for these areas.

Ensure potential buyers are aware property is in an area of a designated area of special flood hazard.

Ensure those who occupy areas within a special flood hazard assume responsibility for compliance with regulations and rules for their occupied area.

.

Flood Plain Administrator - Continued

Ensure all development within a special flood hazard obtains a development permit and follows the rules established at the local and federal level.



Maintain records of all development within the special flood hazard zones.

In the performance of these functions the Flood Plain Administrator is required to follow many Rules and Regulations as Follows:

City of Ontario Municipal Code Title 2, Title 3, Title 4, Title 5, Title 7, Title 8, Title 9, and Title 10. Specifically Title 10A-47 FHO, Flood Hazard Overlay Zone.



Flood Plain Administrator - Continued



State of Oregon Flood Plain Administration Rules and Regulation administered through the Oregon Department of Land Conservation and Development. (DLCD)



Federal Emergency Management Administration (FEMA) Flood Plain Regulations and Rules and the Flood Insurance Program administered through FEMA.



Building Department Director



Oversee the Building Department functions, which include answering public questions regarding building within the City and Urban Growth Area and assist in the preparation of the Building Department budget and Regulations.

Oversee the functions of the Ontario Building Department to ensure that new or prospective businesses and developers get fast, efficient city services, and that permits are being processed in a timely manner.

Manage the Building Department Staff which includes the City Building Official (BO) and City Inspectors.

Coordinate Work with the Malheur County Building Department which performs the Electrical & Plumbing Permits with the City of Ontario.

Ensure City and State regulations are being followed as follows:

Building Department Director - Continued

City of Ontario Municipal Code Specifically Title 4
Building Code Regulations;



Malheur County Development Code while
administering development with the City Urban
Growth Boundary;



Oregon Structural Specialty Code (Commercial);

Oregon Residential Specialty Code;



Oregon Fire Code;

Oregon Mechanical Specialty Code;

Building Department Director - Continued

Oregon Energy Efficiency Specialty Code;

Oregon Solar Codes;

Oregon Fire Code;

Oregon Mechanical Specialty Code;

Oregon Administrative Rules (OAR);

Oregon Revised Statutes (ORS)

Accessible and Usable Buildings and Facilities ICC-117.1-2017;

Americans with Disabilities Act (ADA)



Economic Development Director



Meet with prospective developers and businesses, outlining the advantages of becoming a part of the Ontario community, and working with other Economic Development Agencies within the Treasure Valley to promote a healthy community.

Assist in the preparation and administration of the Community Development/Planning Division budget.

Research and apply for financial and technical assistance programs available from state and federal agencies.

Become efficient in understanding and promoting concepts of customer service and effective citizen communications.

Direct and assist in Economic Development and business recruitment.

Economic Development Director

Coordinate and write grant applications for federal, state and other grant programs that are available to the city.



Coordinates marketing efforts with the Malheur County Economic Development Department, Snake River Economic Development Alliance (SREDA), Ontario Chamber of Commerce, and other organizations as requested, required, or directed.

The Economic Development Director works with all Departments in the development and redevelopment of properties within the City of Ontario to ensure compliance with all Rules, Regulation and Codes of City, County State and Federal.

Over sees the smooth operations of the Cities Preliminary Design Advisory Committee (PDAC) meetings for Development.

Planning & Zoning Department Stats-

January-March 2020 17 Land Use Actions

- 3 Site Development Permits
- 2 Partitions
- 3 Zone Code Amendments
- 1 Variance
- 1 Vacation
- 2 Comp Plan Amend
- 1 Annexation
- 2 Conditional Use Permits
- 1 Grant
- 1 Rezone



Building Department

Stats

Mechanical & Structural
Permit Amounts & Fees



2020 Jan-Mar Structural Permits and Fees Issued

Structural Permits Issued	36
Structural Valuation Totals	\$4,623,426
Total Structural Fees	\$54,989

2020 Jan-Mar Mechanical Permits and Fees Issued

Mechanical Permits Issued	32
Mechanical Valuation Totals	\$1,164,563
Total Mechanical Fees	\$7,581

Total Permits and Fees Issued

Structural Permits Issued	68
Structural Valuation Totals	\$5,878,989
Total Structural Fees	\$62,570

New Homes This Quarter

2

New Commercial This Quarter

2

(-E Lane Dispensary, Aspen Dental)

Economic activity in Ontario



TVCC Building Addition	\$6,072,955
OMC Alteration	\$445,000
St Alphonsus Pharmacy Remodel	\$795,415
Poole Oil New Office Building	\$888,344
1 New Single Family home	\$226,927





QUESTIONS AND COMMENTS



Accounts Payable

Checks by Date - Summary by Check Date

User: kari.ott
Printed: 6/12/2020 10:31 AM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
125991	879455	Carquest Auto Parts	05/01/2020	160.52
125992	637828	Century Link Communications, LLC	05/01/2020	151.71
125993	879408	Sam D'Addabbo	05/01/2020	125.00
125994	270205	Emergency Responder Services, Inc.	05/01/2020	226.00
125995	270201	Emergency Services Marketing Corp., Inc.	05/01/2020	735.00
125996	303800	Frank's Extinguisher Service	05/01/2020	147.48
125997	376000	Idaho Power	05/01/2020	1,587.12
125998	408200	J-U-B Engineers, Inc.	05/01/2020	3,325.00
125999	602320	NAPA Auto Parts	05/01/2020	83.88
126000	878978	National Hose Testing, Specialties, Inc.	05/01/2020	4,188.90
126001	572000	Ontario Sanitary Service, Inc.	05/01/2020	313.06
126002	582530	Oregon Corrections Enterprises	05/01/2020	25.00
126003	642093	Red's Automotive Repair, Inc.	05/01/2020	126.34
126004	288897	Verizon	05/01/2020	1,976.90
126005	774001	Wtechlink	05/01/2020	300.00
Total for 5/1/2020:				13,471.91
126008	037600	AT&T	05/08/2020	21.52
126009	130624	B & W Car Wash	05/08/2020	12.00
126010	879449	Baum Smith, LLC	05/08/2020	1,125.00
126011	626400	Campo & Poole Distributing, LLC	05/08/2020	2,119.36
126012	879451	CDR Labor Law, LLC	05/08/2020	5,978.00
126013	152005	Century West Engineering Corp	05/08/2020	3,000.00
126014	216000	D & B Supply Company	05/08/2020	434.02
126015	230001	Daily Journal of Commerce	05/08/2020	254.10
126016	&260	Four Rivers Cultural Center	05/08/2020	12,691.82
126017	634311	Frazier Aviation, LLC	05/08/2020	425.00
126018	333852	Graphic Impressions	05/08/2020	150.00
126019	376000	Idaho Power	05/08/2020	1,413.02
126020	716050	The Idaho Statesman	05/08/2020	123.36
126021	392200	Interstate Business Forms	05/08/2020	525.85
126022	436000	Lindsay Eco Water	05/08/2020	7.00
126023	456402	Malheur County Clerk	05/08/2020	112.00
126024	879301	Net Assets Corporation	05/08/2020	324.00
126025	539200	Ontario Area Chamber of Commerce	05/08/2020	8,997.67
126026	879163	Ontario Auto Ranch	05/08/2020	2,835.80
126027	242083	State of Oregon Department of Transportati	05/08/2020	1.15
126028	642093	Red's Automotive Repair, Inc.	05/08/2020	236.77
126029	130950	Sparklight Business	05/08/2020	375.92
126030	879425	Springbrook Software, LLC	05/08/2020	979.00
126031	702008	Staples Business Credit	05/08/2020	114.34
126032	&357	Larry A. Sullivan	05/08/2020	6,184.20
126033	UB*11724	THE PROSPECTORS INC	05/08/2020	98.89
126034	878931	Tire Factory of Ontario	05/08/2020	132.00
126035	788402	TransUnion Risk & Alternative Data Soluti	05/08/2020	50.00
126036	879400	Treetop Products, Inc.	05/08/2020	5,380.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
126037	842040	Warrington Irrigation, Inc.	05/08/2020	20.00
126038	863995	White Cloud Communications-Boise, Inc.	05/08/2020	325.50
Total for 5/8/2020:				54,447.29
126039	879130	Ani-Care Animal Shelter, Inc.	05/15/2020	1,520.08
126040	144000	Cascade Natural Gas Corporation	05/15/2020	93.41
126041	637830	Century Link	05/15/2020	478.12
126042	879247	Day Wireless Systems	05/15/2020	28,980.29
126043	520400	Dorman's, Inc.	05/15/2020	30.48
126044	878915	Jacobs	05/15/2020	448,909.86
126045	451350	Malheur County Fair Board	05/15/2020	5,000.00
126046	501200	Norm's Auto Electric	05/15/2020	311.90
126047	879163	Ontario Auto Ranch	05/15/2020	131.20
126048	583401	State of Oregon Department of Environmen	05/15/2020	840.00
126049	242083	State of Oregon Department of Transportati	05/15/2020	3.00
126050	516494	State of Oregon Department of Transportati	05/15/2020	2,660.95
126051	879393	PortaPros, LLC	05/15/2020	50.00
126052	641142	The Radar Shop, Inc.	05/15/2020	241.00
126053	666052	SAIF Corporation	05/15/2020	113,240.12
126054	682495	SBE Oregon, LLC	05/15/2020	1,261.33
126055	879146	Toshiba Financial Services	05/15/2020	1,721.89
126056	842030	Warrington Construction	05/15/2020	278,065.22
126057	879151	Waste-Pro	05/15/2020	40.05
Total for 5/15/2020:				883,578.90
126058	832852	Wells Fargo Business Elite Card	05/20/2020	5,523.06
126059	005800	Action Medical, Inc.	05/20/2020	208.25
126060	033300	Argus Observer	05/20/2020	380.16
126061	626400	Campo & Poole Distributing, LLC	05/20/2020	2,530.12
126062	879247	Day Wireless Systems	05/20/2020	83,785.00
126063	376000	Idaho Power	05/20/2020	2,340.68
126064	879138	Stantec Consulting Services, Inc.	05/20/2020	14,572.98
126065	UB*11711	BOSTON DOCKTER / BRANDON MACI	05/20/2020	62.95
126066	BROCKDAI	Dallas Brockett	05/20/2020	119.00
126067	UB*11751	ANGELA NORMAN / JAMES FORREST	05/20/2020	31.19
126068	UB*11753	DAVID & GRACE KIM	05/20/2020	61.13
126069	UB*11752	DANIELLE TAYLOR	05/20/2020	108.00
Total for 5/20/2020:				109,722.52
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	05/29/2020	774.22
ACH	PRAMERF	AMERICAN FUNDS GROUP	05/29/2020	225.00
ACH	PRCCIS	E B S TRUST	05/29/2020	71,968.54
ACH	PRCOLONI	COLONIAL LIFE	05/29/2020	1,263.38
ACH	PRFED	PAYROLL TAXES	05/29/2020	68,725.68
ACH	PRICMA	I C M A RETIREMENT TRUST 457	05/29/2020	300.00
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTIO	05/29/2020	400.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	05/29/2020	732.00
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	05/29/2020	274.11
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	05/29/2020	20,407.03
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	05/29/2020	2,200.00
ACH	PRPERS	OREGON PERS	05/29/2020	92,960.56
ACH	PRFED	PAYROLL TAXES	05/29/2020	353.20
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	05/29/2020	2.17

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	PRPERS	OREGON PERS	05/29/2020	896.20
126070	PRLINC	LINCOLN NATIONAL LIFE INS CO	05/29/2020	600.00
126071	PRSFIRE	UMPQUA BANK	05/29/2020	360.00
126072	637830	Century Link	05/29/2020	754.05
126073	183201	CK3, LLC	05/29/2020	567.50
126074	270205	Emergency Responder Services, Inc.	05/29/2020	1,469.00
126075	376000	Idaho Power	05/29/2020	1,431.52
126076	878915	Jacobs	05/29/2020	78,311.38
126077	412500	Keller Associates, Inc.	05/29/2020	66,230.00
126078	879191	Kristy's Custom Sewing	05/29/2020	36.00
126079	879464	Merchant McIntyre Associates, LLC	05/29/2020	6,500.00
126080	22427	Murrysmith, Inc.	05/29/2020	6,697.50
126081	716380	State of Oregon Corporate Division-Notary	05/29/2020	40.00
126082	879423	Romans Precision Irrigation	05/29/2020	8,937.35
126083	774300	T-N-T Signs & Graphics	05/29/2020	4,954.00
126084	288897	Verizon	05/29/2020	1,976.65
126085	COOPJ	Jason Cooper	05/29/2020	92.50
126086	879408	Sam D'Addabbo	05/29/2020	6,000.00
126087	&260	Four Rivers Cultural Center	05/29/2020	6,653.73
126088	405945	Jeremy Jones	05/29/2020	240.91
126089	539200	Ontario Area Chamber of Commerce	05/29/2020	3,527.44
126090	738001	James Swank	05/29/2020	102.50
Total for 5/29/2020:				456,964.12
126091	818000	U.S. Postmaster	06/02/2020	1,000.00
Total for 6/2/2020:				1,000.00
126092	032000	Andrews Seed Co., Inc.	06/05/2020	287.63
126093	037600	AT&T	06/05/2020	21.52
126094	130624	B & W Car Wash	06/05/2020	3.00
126095	879449	Baum Smith, LLC	06/05/2020	50.00
126096	626400	Campo & Poole Distributing, LLC	06/05/2020	3,393.27
126097	637828	Century Link Communications, LLC	06/05/2020	146.69
126098	634311	Frazier Aviation, LLC	06/05/2020	425.00
126099	477523	Municipal Code Corporation	06/05/2020	907.56
126100	879301	Net Assets Corporation	06/05/2020	336.00
126101	879358	Nutrien Ag Solutions	06/05/2020	419.80
126102	572000	Ontario Sanitary Service, Inc.	06/05/2020	313.06
126103	528405	Oster Professional Group, LLC	06/05/2020	24,264.33
126104	879406	Rywest Homes, Inc.	06/05/2020	10,000.00
126105	878931	Tire Factory of Ontario	06/05/2020	396.00
126106	788402	TransUnion Risk & Alternative Data Soluti	06/05/2020	50.00
126107	842030	Warrington Construction	06/05/2020	280,745.90
126108	774001	Wtechlink	06/05/2020	300.00
126109	BENSON	Clint Benson	06/05/2020	99.97
Total for 6/5/2020:				322,159.73
126110	879211	Imaging Center of Idaho	06/09/2020	385.00
Total for 6/9/2020:				385.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
Report Total (133 checks):				1,841,729.47



May 2020 ACTIVITY REPORT



April 2020



Emergency Medical:

(Types of medical calls responded to: Falls with injury, fall lift assists, medical emergencies, medical alarms, assaults, etc.)

CITY	123
RURAL	6

1 of these emergency calls required back-up crews to be called in to respond to 2nd call.

Hazmat Team Calls:

0

Fire Related Emergency Calls:

(Types of fire related calls responded to: Rescue calls, building fires, vehicle fires, smoke detector/fire alarm activation, unauthorized burning, etc.)

	TOTAL	General	Mutual Aid
CITY	17	3	1
RURAL	4	2	2

2 of these emergency calls required back-up crews to be called in to respond to 2nd call.

TOTAL CALLS FOR MONTH

CITY	140
RURAL	10

FIREFIGHTER TRAINING:

4/30/20 – Emotional care for First Responders.

4/30/20 – Teleconference on Covid -19 Personal Protective Equipment.

5/5/20 – Heat Emergencies.

5/12/20 – Utility Terrain Vehicle operations on zoom, teleconference.

5/13/20 – Forcible entry and driver skills.

5/19-22/20 -UTV Field Trials.



April 2020



PERMITS ISSUED:

City Open Burns 2

City Burn Barrels 1

Rural Open Burns 40

Rural Burn Barrels 4

INSPECTIONS:

5/1- 4/20 -Multiple finals at Sunset Lanes/Zion Dispensary.

5/8/20 – DHS remodel fire sprinkler final.

5/8/20 – Treasure Valley Cannabis Co. fire sprinkler water supply SE 12th Ave.

5/12,13/20 – Dispensary and Hemp processing plant follow ups.

COMMUNITY INVOLVEMENT:

4/29 – Some staff assisted with Malheur County Covid-19 drive through testing at fair grounds.



5/8 - Health Care Workers Appreciation Day. OFD took donuts to St. Al's Emergency Room staff,

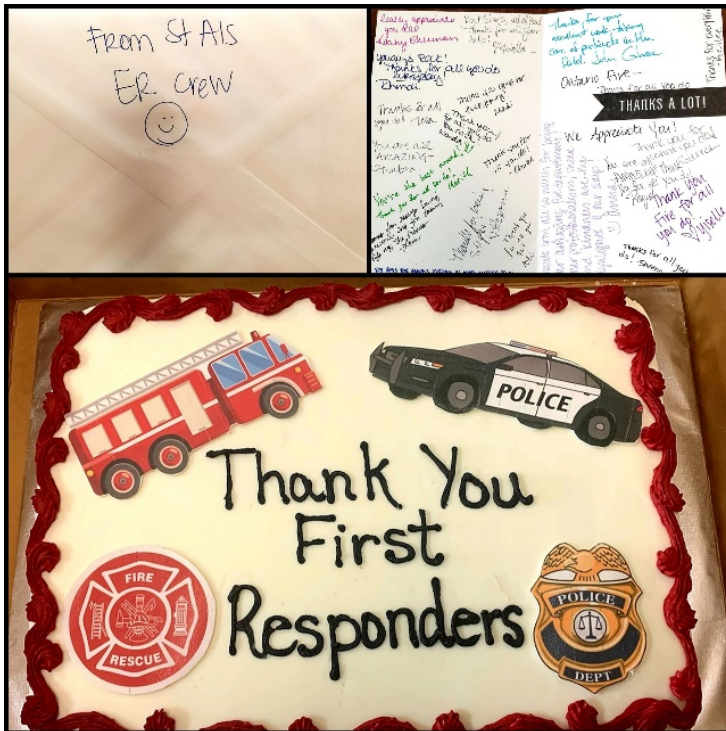


and watched during the Oregon National Guard appreciation fly over.

April 2020

5/15 – National Peace Officer’s Week-

Emergency Room staff brought a cake for OFD and OPD to show appreciation. Ontario Fire Department bought our brothers in blue (OPD) lunch on May 15th.



5/22 - EMS workers recognition. –

We showed our appreciation by buying TVP cinnamon rolls.

Unfortunately, we didn’t get a picture with the crew, but this is the cake that we received along with a very heartfelt thank you card from St. Alphonse emergency room staff.



April 2020

Summary of Calls of Interest:

City Incidents:

5/1 - 3130 Court Ave Rescue 1 was called out to a kitchen fire. Arrived on scene with a single wide manufactured home with smoke coming out of the front door. The crew made entry and determined fire was out on arrival. Occupant had put the fire out prior to our arrival. 100 was on scene as fire Command. The crew pulled the range away from the wall and unplugged it. The adult occupant had left a pan full of oil on the stove and it caught part of the cabinet /range/ and blender on fire. Staff then continued to investigate and check for hot spots, and placed a positive pressure fan at the front door to ventilate the house.

5/8 - 105 NW. 4th St. R-1 was called to scene of possible illegal burn. On scene a small fire was being attended to by occupant. Fire was not in a safe area. Occupant advised of burn regulations and was asked to extinguish fire. Occupant complied and stated they were not aware of regulations. Fire was extinguished with garden hose. It appeared there was no safe place to burn at this address.

5/10 - I-84 MP 374 Rescue 1 responded to a small grass fire along the Interstate. The fire was put out by a passerby and the crew mopped up the hot spots around the fire.

5/10 - 1166 SE.10th Ave. R-1 responded for smoke detectors activating with no sign of smoke. The crew checked out the scene and then replaced 4 detector batteries.

5/15 - NW. 10th Pl. and NW. 4th Ave. Rescue 1 responded to the smell of gas in the area and it was just someone using lighter fluid to light their BBQ.

5/17 - 180 East LN. R-1 was called to scene of gas smell and a hissing sound behind the Pet Sense store. On scene Cascade gas was able to find a leaking relief valve. Cascade Gas was going to fix issue.

5/19 - 160 N. Iowa Payette 155 and 100 were called to mutual aid with Payette City Fire. Upon arrival the staff found a single-family residence with active fire in the garage area. We were assigned to open up the garage door using our saw and then transition to vent the roof over the main house to check for extension in the attic space. Before we could transition to the roof the roof over the garage collapsed and self-vented. Our crew then proceeded to pull the ceiling in the garage area for the hand line to be able to reach the seat of the fire. Our crew then later on during the fire operation performed a roof vent over the living area of the house to once again check for extension into that area of the building. Upon completion of the vent no active fire was noted in that part of the building. although there had been fire in that area earlier. We were then sent to rehab and released from the scene.



April 2020



5/21 - 1709 Pennington R-1 dispatched to a gas smell and a ticking sound. Upon arrival R-1 found an electric fencer ticking that was grounding out. R-1 never smelled or monitored any gas.

5/21 - SE 8th Ave and S. Oregon R1 called to the scene of a smoldering pile of rubbish with white smoke at ground level with no one around it. After trying to extinguish the fire R1 hose reel broke so the staff called for 155 to respond to scene. 155 remained on scene to finish extinguishment and overhaul. Most of the material that was smoldering and burning was vegetable pomace (bagged pulp).

5/23 - 158 NW. 18th St. Rescue 1 responded to a possible illegal burn and the party was burning leaves without a permit.

5/24 - 175 NE. 6th Ave Heinz R1 called for fire alarm showing water flow at Heinz. The facility was scheduled for fumigation due to the plant being shut down over the weekend, but this had not started yet. The water flow was eventually found in fryer tunnel #3 flowing freely with no fire. For some unknown reason system was tripped. The facilities staff arrived on scene and was directed to the fryer, they silenced and reset the alarm water system was shut off and R1 was able to clear the scene. Staff states they had not begun to fumigate yet but as a note R1 staff had sore throat symptoms for several minutes after the call.

Rural Incidents:

4/28 - 9000 Washoe Rd Payette Ontario Rural Fire was dispatched for mutual aid to Payette County for a large thick brush fire. Upon arrival to the scene 157 crew was assigned to help finish containment of the south flank and work to the head of the fire. Once containment was finished on the south flank 157's crew met up with the Payette Rural fire crew that was containing the north flank. Once the fire was contained both crews worked to strengthen the fire containment line and extinguish smokers in the black.

4/30 - 568 Foothill Dr and Canyon 2 R1 called for a possible illegal burn, Bystanders state they are seeing active flames. Upon arriving on scene R1 calls for a rural general alarm and establishes command. Requests 156 and 155 first units with 157, 102 responding secondary. 100 responding, upon arrival 100 took B sector or Community Rd and advised of top area not visible from Foothill Dr. Dispatch was advised there was a blue van parked on Foothill Dr near area of fire entrance, it appeared out of place. This vehicle did belong to the individual responsible for burning and cleaning up the brush on this property. RP has no burn permit and was told he was not in compliance with his unauthorized burning. 102 launched drone for visual access of fires and teams to give a better idea of any possible new flare ups Crews were able to trunk line from 155 then use forestry lines to the burning fingers. Fire was not affected by winds and stayed in place and moved very little. Ground crews were able to extinguish all fire and mop up hot spots.



April 2020

5/11 - 434 Foothill Dr. Rescue 1 was called to scene of fence on fire. They found some of the boards burning. Owner of home was not around, and neighbor noticed the fire and began extinguishing it. It appeared the possible ignition source was an electric fence that was not insulated on a railroad tie being used as a post. The fire was extinguished with some boards and old railroad ties damaged but not destroyed.

5/14 - 3894 Alameda R-1 dispatched to gas leak from a propane tank at Farmers Supply Co-op propane site. Upon arrival R-1 could smell and hear gas leaking from a small propane tank. The crew and Co-op employee found the bleeder valve open on the tank. Valve was closed and stopped the leak.

Jacobs

April 21 - May 20

2020 Report



May
2020

Prepared by Jacobs for
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

Monthly Business Review

PUBLIC WORKS DEPARTMENT

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FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

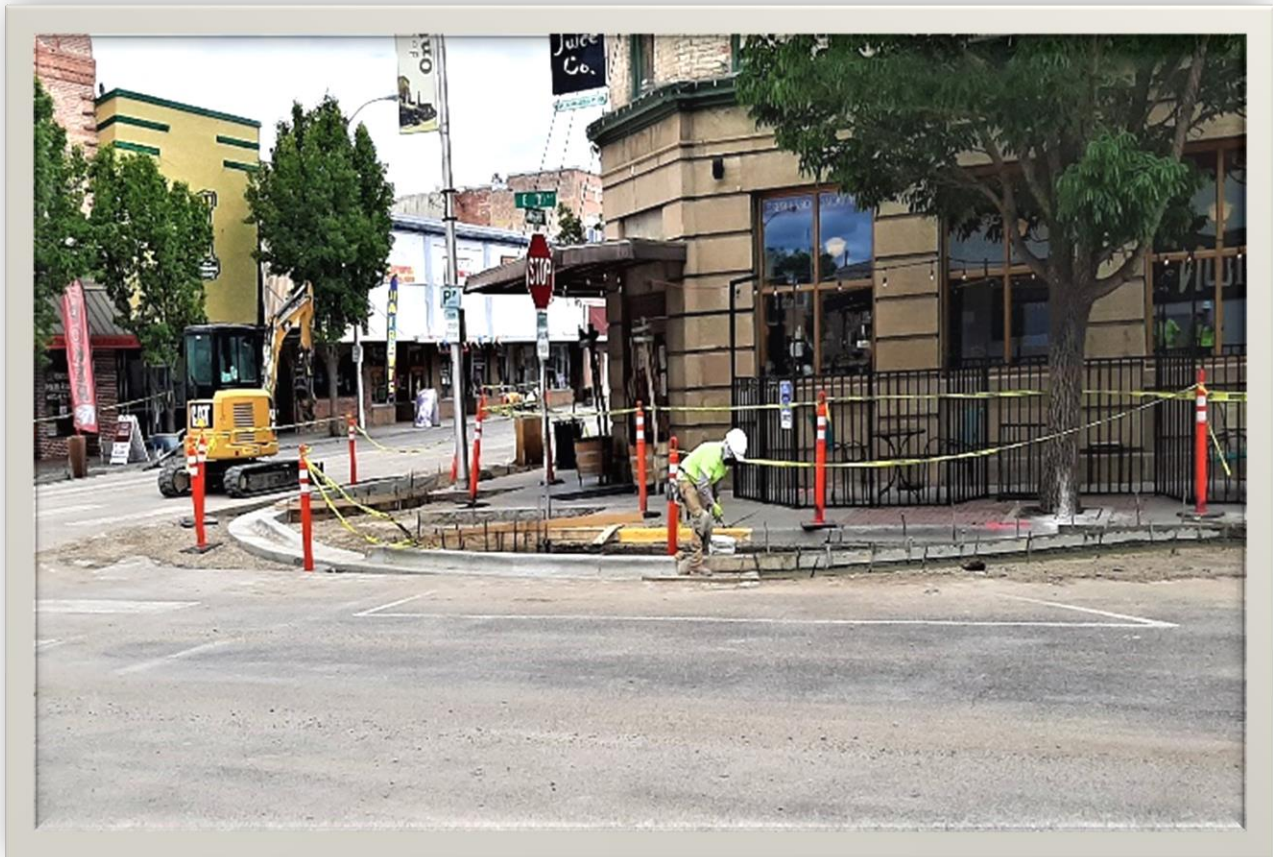
- We have changed schedules for all crews in response to COVID 19, as much work is being done remotely and other operations are being modified to limit exposure to those that must be in the field. Weekly checks on staff and operations related to the pandemic are in place.
- Sign maintenance throughout town as needed.
- Lift station and building inspections.
- Problem sewer checks and cleaning as needed throughout the community.
- Water system maintenance as need to repair leaks and broken boxes.
- Crews finished up the filter system at Skyline.
- Trimmed weeds behind the sidewalk along E. Idaho and Washington St.
- Picked up trash on E. Idaho Ave.
- Customer service on an as needed basis.
- MC inspections for vehicles, lift stations and buildings.
- Downtown area and underpass were swept Friday am.
- Finished the entire town sweeping.
- Installed a new 2" water service for Aspen Dental.
- The TVCC Trail continues to move forward and is almost complete.
- Built a template for painting the TVCC trail crossings.
- Installed thermo plastic cross walk for the TVCC trail.
- Poured concrete for the benches and places trashcans along the TVCC Trail.
- Install 11 sign bases on the TVCC Trail.
- Staff focused on installation of protective bollards on the new TVCC trail. Concrete was poured to facilitate the removable bollards.
- Changed out the backwash valve at the Water Treatment Plant.
- Crews assisted in trimming the head stones in both City owned Cemeteries.
- Removed concrete and filled a void under the sidewalk on S. Oregon and SE 3rd Ave for the S. Oregon ADA project.
- Unplugged W. Idaho lift station pump #2 twice, plugged with adult wipes and material.
- Cleared catch basins during the heavy rain events.
- Filled in the 1' strip between the curb and the TVCC Trail along S. Park Blvd.
- Cleared a large block of concrete on the SE 2nd St. ODOT job for the pipe laying crew.
- Staff provided cones for the COVID 19 testing at the fairgrounds.
- Play structure at Lions Park was completed and is available for use.
- Pea gravel was added at the play structure at Lions Park.
- Staff worked at securing the railing on the bridge at Beck Park. The bridge was blocked off, but vandalism is still taking place. We currently are looking for contractors who will be able to effect repairs on the bridge structure.
- The energy audit team began the initial inspection of all city facilities, including lighting, energy, water and wastewater evaluations. A detailed report will be generated and reviewed by staff and City Council.



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

- Crews worked on preparation of equipment used in crack fill and chip seal operations which will begin shortly.
- Painted over 2 graffiti spots that we received property owner approval.
- 26 water services were turned on customer request.
- 15 water services were shut off customer request.
- 17 water services were turned on/off read only customer request.
- 18 water meters were changed out due to not functioning.
- 11 water services were checked for consumption issues.
- 4 water services were shut off for leaks.
- 4 water services were turned on and checked to verify the leaks were repaired by the customer.
- 84 utility locates were completed.



Jacobs Staff: Working on S. Oregon Street project.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

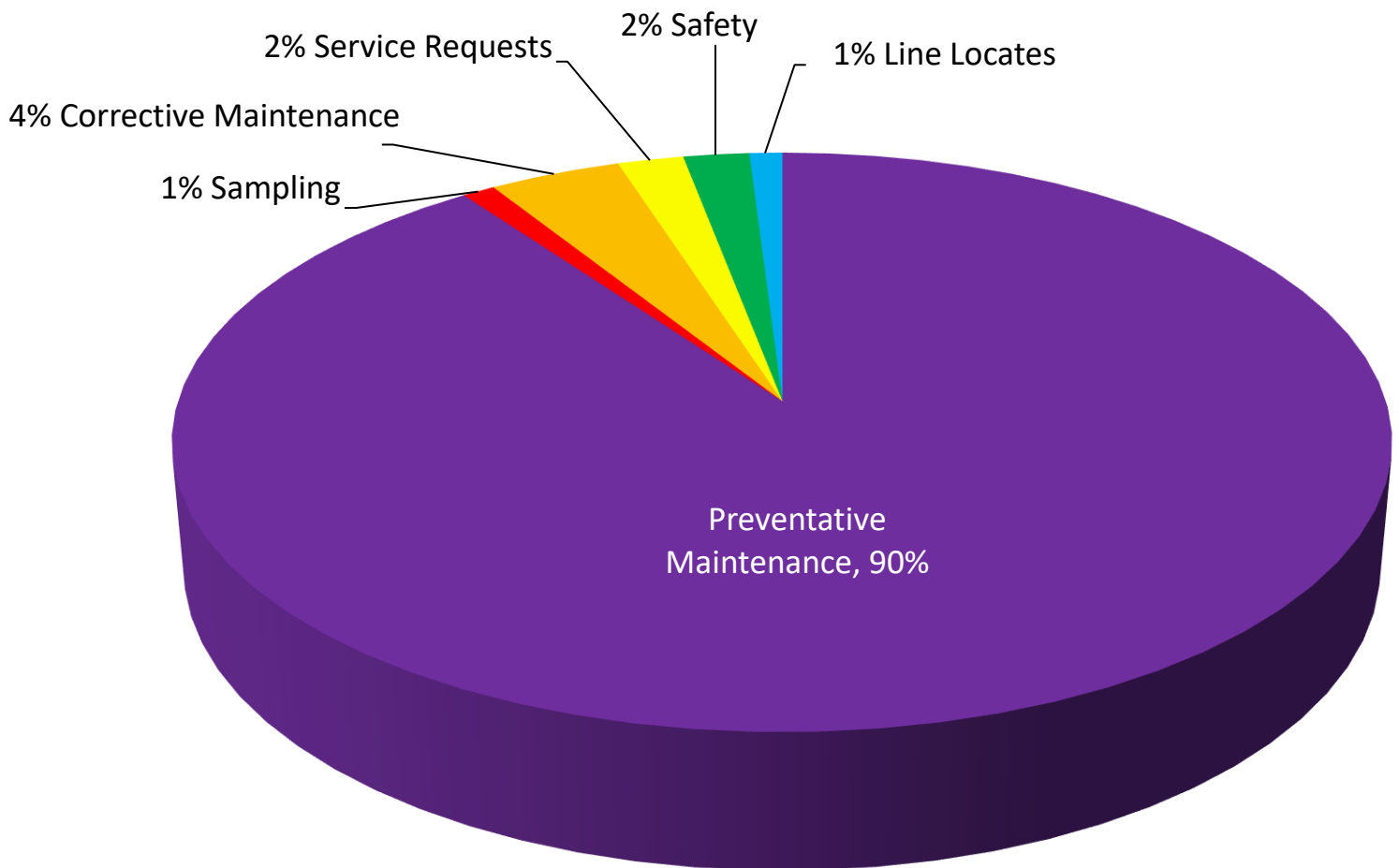
ACTIVITIES APRIL 21 – MAY 20:

Installation of playground equipment at Lions Park has been completed.



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

**Work Orders
April 21 – May 20
Actual Hours by Work Order Type**

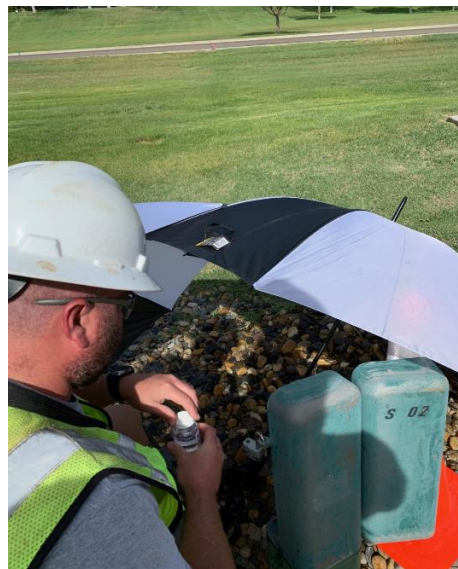


WATER TREATMENT PLANT SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

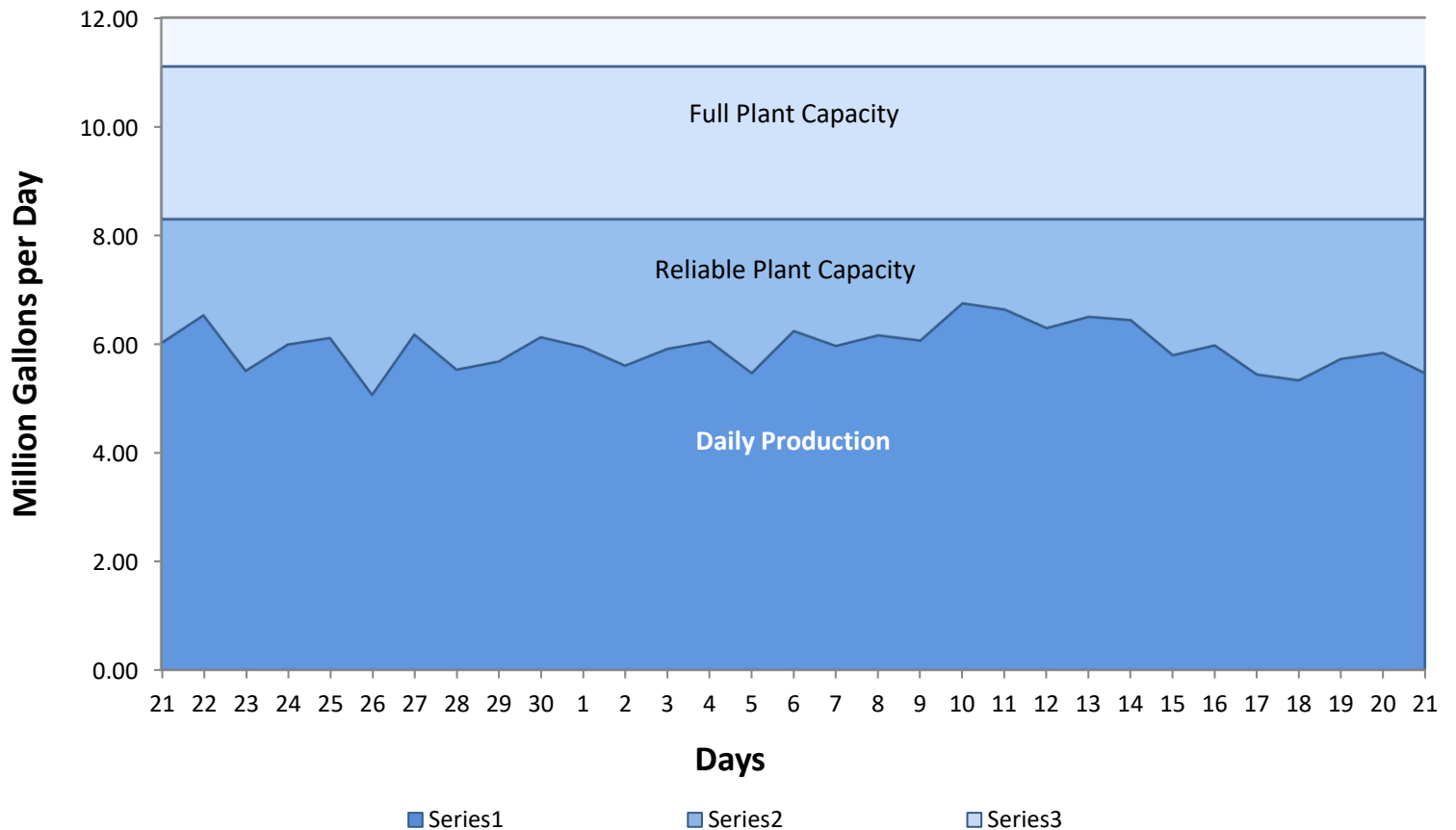
- Minimized staff due to COVID-19 operation requirements.
- The water treatment plant is running well after recent modifications to SCADA programming.
- Water treatment staff run diagnostic checks (jar testing) weekly to ensure that the chemical dosing is correct for the river water quality.
- Water inventories are target levels.
- Normal system demands for this time of the year.
- Weekly bacterial sampling performed.
- Preparation for backwash valve replacement, activity is schedule for early next week.
- Painting of the pump/filter gallery is in process.
- VFD repair pump #3 eastside booster station.
- A backwash valve was replaced, it entailed a great deal of effort to do the job safely and efficiently. A special tool was fabricated to help in the task. Staff completed the job in 1.5 hours. Good job team!
- A head loss indicator was repaired and is now functional.
- Chemical delivery of required chemical from external suppliers.
- Crews inspected the flocculator paddles, primary and secondary drives, chains and baffle walls on both primary plant clarifiers.
- Well #6 and #15 rehabilitation projects have begun.
- Drying beds have been cleaned out in preparation for semi-annual cleaning out of the wash water recovery basins.
- Staff focused on a plugged caustic soda line. The repairs were implemented and systems are back to normal.
- Met with energy audit company and staff took them to the sites for the information that was needed.
- Chlorine generator serviced.
- Weed control around the Water Treatment plant and the booster stations has begun and will continue throughout the weed growing season.
- Well rehabilitation crews were on site for initial inspections, well rehabbing will begin next week.

Jacobs staff: Taking bacterial water samples using umbrellas to shield the sample from the wind.



WATER TREATMENT PLANT SUMMARY

Demand vs. Availability Apr 21 - May 21 , 2020



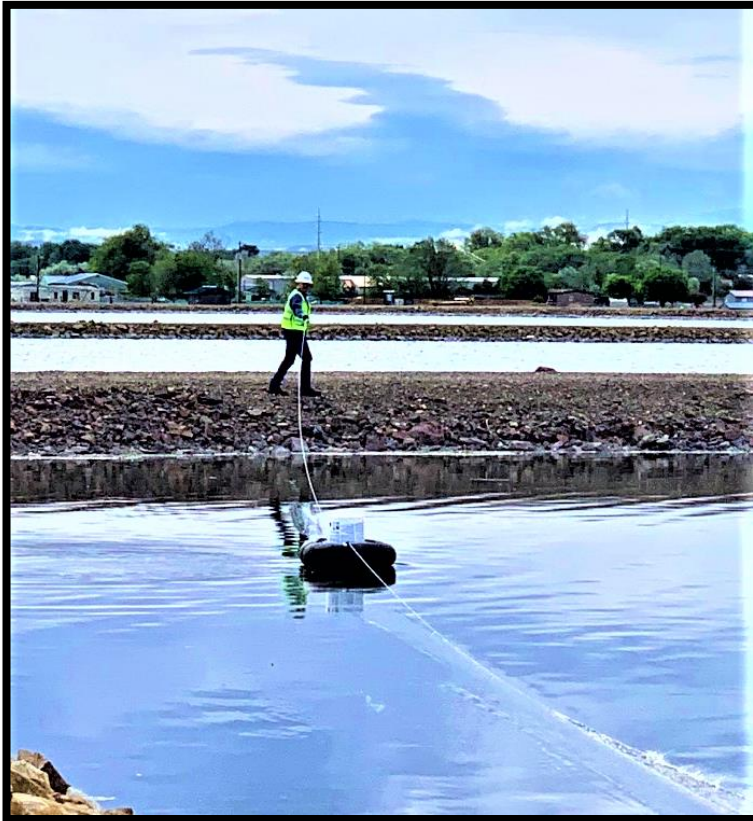
WASTEWATER TREATMENT PLANT SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

- Minimized staff due to COVID-19 operation requirements.
- We implemented another flow process change to the lagoon system, we are diverting prison influent to the secondary lagoon and continuing to recirculate water back through the influent lagoons in an effort to address odor issues. The odor issues still persist and we are working to address the smells.
- Equipment is enroute to us that will quantify gas levels coming off the lagoons.
- We met with one of Jacobs odor mitigation experts to help generate a plan to address odor issues, sampling equipment has been ordered and is on the way. This obviously is a work in progress. Ultimately the removal of solids is the final solution to this problem.
- NPDES permit sampling continues as per DEQ requirements.
- Installation of Skyline booster pump.
- Lagoon boat preparation for operation inspection and maintenance of aerators. The new equipment arrived for solids mapping, that is scheduled for early next week.
- Met with contract Farmer to discuss and demonstrate the proper startup of Skyline pivots.
- Cleaned shop, labeled equipment and reorganized spare parts storage area.
- Priest Electric to install Malheur Farm pivot river pump.
- Lawn maintenance/pivot buffer zone mowing.
- Staff began the mapping of the solids in the 5 lagoons of the wastewater treatment plant. The task is roughly 40 % complete. We will move forward with this job and then calculate the volume of solids in each basin.
- Recirculation from lagoon #5 into the city influent of Lagoon #1 continues to assist with the reduction of odors.
- Fresh water is being added to lagoon #1 to reduce the odors.
- Aerators in Lagoon #1, #2 and #3 have been serviced.
- Odors are still present, but they seem to be diminishing, obviously this is a subject thing. We appreciate the publics patience during this time. Solids mining will begin later this year and will address the root of this problem.
- We will begin sending water to Skyline reservoir early next week as per discharge permit requirements.
- Staff have been working to address some on the deficiencies in the Skyline and Malheur irrigation system.
- Staff began the mapping of the solids in lagoon #1, the influent lagoon. Work is underway developing a plan to put solids mining out to bid. This is a work in progress. We will keep all apprised as to status.
- Odor monitoring equipment arrived this week and we will place the equipment on the lagoon early next week to try and get a level of H2S gas coming off the pond.
- Weed control around the Wastewater Treatment Plant, Skyline Farm Reservoir and pump building has begun and will continue throughout the weed growing season.
- Aerator #8 and Blower #26 in lagoon #1 has been removed for service.
- Met with energy audit company, staff took them to the sites for the information that was needed.
- Samples for COVID-19 have been gathered and shipped to Arizona State University.

WASTEWATER TREATMENT PLANT SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

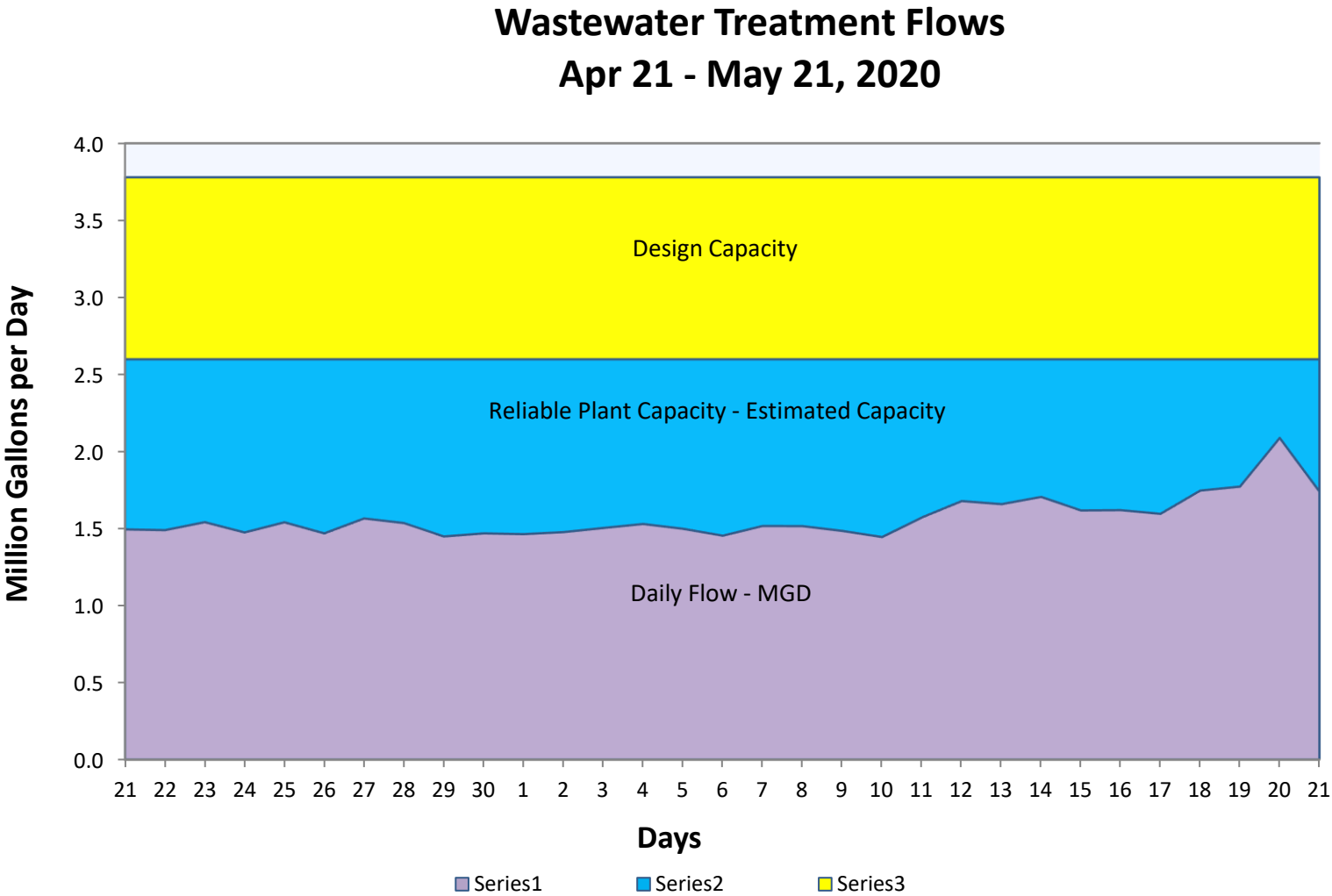


Left: Jacobs staff using data logger to measure the Hydrogen Sulfide (H_2S) that is gassing off of the Lagoons at the Waste Water Treatment Plant

Right: Jacobs staff performing services to aerators in lagoon #1.



WASTEWATER TREATMENT PLANT FLOWS



PARKS AND CEMETERY SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

- Downtown flowerpots being are watered and trash receptacles are being emptied throughout town.
- The chemical toilets at Beck Park have been closed and Lions Park units are being cleaned 5 times per week. This will remain in effect until the COVID crisis is deemed over.
- The new playground structure construction continues, the structures were anchored in place with concrete and pea gravel will be added early next week to complete the task.
- Irrigation systems in both parks and cemeteries has begun. We are repairing sprinkler heads as needed, due to winter season.
- Spring cleanup at the cemeteries continues.
- Cemetery has been detailed for Memorial Day, with the assistance of the field service crew.
- There were 4 funerals at Evergreen Cemetery and 1 funeral at Sunset Cemetery.
- Focus is on lawn mowing and trimming trees at all City Parks.

FACILITIES SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

- Carpets on the Fire Department side of City Hall has been cleaned.
- Cleaned out the roof drains at City Hall, they were getting plugged with dirt.



Hydro-seeding along the TV Connector Path.

ENGINEERING SUMMARY

ACTIVITIES APRIL 21 – MAY 20:

- Issued 5 ROW Permits.
- Issued 0 New Addresses to new residential lots.
- Issued 0 New Address to commercial lot.
- Attended 0 PDAC meetings to discuss the expansion of a business.
- Attended 0 PDAC meeting to discuss the relocation of a business.
- Attended 0 PDAC meeting to discuss new businesses.
- Attended 0 PDAC meetings to discuss the addition of residential housing.
- Attended the Jacobs monthly safety meeting. No meeting this month due to Covid-19.
- Inspected the abandonment of 0 Backflow devices on irrigation systems.
- Multiple plan reviews for new construction.
- Multiply construction inspections.
- Skate Park Bathroom bid was awarded to Holcomb Construction.
- WWTP pH Adjustment System Bid Opening.

NPDES Activities:

CDBG application – Completed the environmental work and the application after a number of reviews with Biz Oregon. The application ended up having 63 attachments! Applications are being evaluated now and information on whether or not the grant will be awarded will be available in July.

pH Adjustment Design – This process is required by the NPDES permit to ensure the City has better tools at hand to adjust the pH of the wastewater stream as it leaves the WWTP. The DEQ completed their review with very few comments. The contract documents were bundled and informally bid. Bids are due May 28th. This project needs to be completed to meet the NPDES requirements by September 1, 2020.

Mercury Minimization – Initial information gathering is occurring at this time. This plan is due to DEQ by August 31, 2020.

Biosolids Removal –Solids mapping is completed. Analytical analysis of the solids is completed. The design team has its first draft estimate of solids to be removed (estimated at 30,000 wet tons). The tipping fees at the landfill are significant for this volume of material. The team is working closely with the DEQ to review alternative locations for the solids. One would be to land apply them at the Skyline Farm. This will require a Biosolids Management Plan; the City was not able to develop a Biosolids Management Plan under the administratively extended NPDES Permit. We can now develop that plan. The plan must be in place prior to land applying the solids. To achieve a final plan requires plan development, a public hearing with 30 day notice, and review and approval by the DEQ. PW staff believes this effort is necessary to provide the City with a significantly more cost effective method of disposal of the solids.

ENGINEERING SUMMARY

ACTIVITIES APRIL 21 – MAY 20

Skyline Farms – Repairs identified by the new contract farmer are topping over a \$60k. However, these repairs should have been identified by the previous farmer and Jacobs and addressed over time. A report was taken to council requesting Capital Funding for the Skyline/Malheur farm repairs. It was approved. The majority of the work has been completed. Skyline is running well. A walk through will be conducted with the farmer as soon as the last bit of work for Malheur is completed so that the City can totally release this to the farmer's responsibility for the season.

WWT Facility Farm Lease for Land Application – Staff have been working closely with DEQ on the planting plan, nutrient requirements, etc. We are also working to improve and plan for our year end process of review of the system.

Odor Complaints – WW staff and engineering team have been working closely to develop improvements in the odor problem at the lagoon. The removal of biosolids will likely provide the biggest improvement, but this will not be recognized until next spring. Modifications to aeration and flow are done and continuing to evolve. The team has secured testing instruments to detect the source of the odor. Very high levels of H₂S have been found. This is a safety as well as odor issue. The high levels seem to be coming from the prison effluent and will be investigated further.

Water System:

WTP Lab – Staff have been reviewing applicable products for lab (countertops, cabinets, etc.) and are working creating very simple performance spec type package to get out to several contractors for an informal bid. No significant progress.

Well Rehab – Engineering staff completed the bid package for cleaning and disinfection of Wells 6 and 15. Have communicated with Adam and Kari that this will go over the anticipated budget. It is a time and materials project and is dependent on how “dirty” the well screens appear. The informal bids will be opened May 1. One bid was received. The contractor should finish the work this week (May 26). The team presented a report to the Council seeking additional funds to support the anticipated increased cost in this project.

Water Master Plan – The report was delivered 5/22. A presentation to Public Works has been requested (June 9th), followed by a presentation to the City Council. The report will be distributed internally for review.

Energy Team (Ameresco) – Kevin Mullin has taken on the lead role as point of contact for the Ameresco team. Kevin has been through many similar reviews and can quickly understand and support the process.

CIP – Betsy developed a plan for splitting and achieving capital projects for FY21. Adam, Betsy and Cliff met to discuss the proposed plan. Betsy will be calling SRCI to review options for SRCI Lower Lift Station design. She will also be creating a break-out of FY20 work for information and to help direct the consultant splits for FY21.

Water Master Plan – John Wiskus/Jacobs is continuing to work closely with Anderson Perry and to review small packets of work as they bring them forth. Next step will be to conduct a team meeting which will include Adam Brown. At the meeting, we'll work to determine what items should be presented to the Council for decision making purposes.

ENGINEERING SUMMARY

ACTIVITIES APRIL 21 – MAY 20

Bids/Construction

- pH Adjustment bid – This bid will open May 28th. See notes above.
- Skate Park RR – One bid was received from Holcomb Construction. It was \$133k – approximately \$33k over the available grant funding. ORD agreed to fund up to \$16k while the PW staff worked closely with the contractor to take on some work and reduce effort in other areas. The effort resulted in a final negotiated estimate of \$110k. This project was brought to council with the negotiated price and the partnership with ORD. It was approved. The contract is being completed and signed now.
- TV Connector Path – Construction is complete – the final remaining activities include striping and flexible delineators. The path has been well-received with many users daily. These final items completed by PW staff could take up to 2 weeks to complete as the team is tied up with S Oregon midblock crossings, crackfill and chip seal work.
- SE 2nd Street Construction – Jacobs staff have been working closely with ODOT and Dan Cummings to communicate with between 4 and 5 property owners who have features within the R/W. The majority of the owner issues have been resolved with the exception of one homeowner who has not returned calls, emails, etc. A certified letter has been sent informing this person of the work that is being done in the right of way. This work will impact features that the owner has installed on the property but within the right of way.
- S. Oregon Design – The project was presented to the Council and approved using funding from a variety of sources. Construction began May 18th. The start was rather rough with respect to traffic control, but lots of communication has ensued and it appears the adjustments made (such as completely opening up for Memorial Day weekend) have been helpful. Updates are being sent on a weekly basis to a list of owners/renters and the website is updated as well.

WTP Slough – The State approved our work in the slough; this will happen when staff gets back to full numbers after COVID19.

TSP – The first community on-line meetings occur this week. The TAC and Stakeholder meetings have been solidified (or nearly so!), and the basic information gathering phase is nearly complete.

SE 5th – Still on hold.

Beck Park Bridge – PW staff boarded off the bridge for safety reasons. More damage has occurred over the past couple of months. Staff will present several options for the bridge at the June 4th Council.

Tennis Courts – Bill Fittje provided an estimate for \$185k; Adam is working with the funding team to see if they can come up with additional capital campaign funds.

TV Connector Path.



APPENDIX

FIELD SERVICES

Collection and Distribution staff is responsible for Sewer Collection and Water Distribution throughout the City. Water distribution duties include maintenance and repair of approximately 97 miles of water lines and 3,625 services that include service installations, mainline installation, meter reading, maintenance of more than 600 fire hydrants, and valve exercising of more than 1,700 water valves.

Sewer collection duties include maintenance and repair of approximately 78 miles of sanitary sewer lines within the city. Responsibilities include constructing new pipelines, cleaning all gravity sanitary sewer lines, repairing or replacing sanitary sewer lines as needed, providing line locations for all water and sewer lines, and maintaining eight lift stations plus a barscreen and one lift station from SRCL. The city has approximately 56 miles of storm drain collection lines and 1,450 catch basins throughout city limits. Duties include storm drain maintenance and repair, cleaning of approximately 11 miles of storm drain lines, and cleaning the catch basins.

*COLLECTION AND DISTRIBUTION STAFF MAINTAINS
78 MILES OF SANITARY SEWER LINES
56 MILES OF STORM DRAIN COLLECTION LINES,
AND 1,450 CATCH BASINS THROUGHOUT
CITY LIMITS*

The Street Maintenance Division maintains more than 122 lane miles of improved streets and more than 9 miles of alleys. The Street Division is responsible for resurfacing, repairing and maintaining the streets, installing and maintaining street signs and markings, tree trimming, and repairing all established pavement markings. The division also completes excavation and repair of deteriorating streets, gravel road grading, street sweeping, crack sealing, chipsealing, snow removal and sanding during the winter months, and weed control along the alleys. Street Maintenance staff assists the Chamber of Commerce by putting decorations on street lights during the Christmas season and replacing them with regular decorations when the season is over.

*STREET MAINTENANCE DIVISION MAINTAINS MORE THAN
122 LANE MILES OF IMPROVED STREETS
9 MILES OF ALLEYS*

*CHIPSEALS LAST A MINIMUM OF 8 YEARS,
AND PUBLIC WORKS CHIPSEALS 7 MILES PER YEAR*

As part of the Street Division's maintenance program, crews chipseal street surfaces in the summer months to protect them from water and weather damage and to keep them in good condition. A chipseal maintains the existing pavement, delaying further aging resulting from water and sun, provides a moisture barrier, and corrects existing pavement problems by sealing cracks. A chipseal application provides substantial savings to taxpayers and should last a minimum of 8 years with minimal maintenance

required. The city chipseals approximately 7 miles of streets per year.

APPENDIX CONTINUED

Water treatment plant staff is responsible for treatment of the city's drinking water supply. They must reliably produce high-quality water in adequate volume to meet city needs. Besides the daily laboratory checks, there are monthly, quarterly and yearly reports.

There are two sources of water for Ontario's estimated 11,090 residents: 80 percent comes from the Snake River and 20 percent comes from wells. Two plants treat the City's water. One is a conventional filtration plant and the other is an upflow clarifier. The steps for treatment are flocculation, sedimentation, filtration and disinfection, which meet the compliance of the Oregon Health Authority.

The Oregon Health Authority requires an operator be on duty 365 days a year. Ontario customers account for 3,845 water services, not including SRCl.

The water treatment plant has a reliable capacity (capacity with the largest pump out of service) of 8.3 mgd and a maximum capacity of 11 mgd. The water treatment plant average production is 6 mgd and the City's largest industrial user, Heinz Frozen Foods, uses an average of 2.2 million gallons (MG) of that water.

THE WATER TREATMENT PLANT HAS A RELIABLE CAPACITY OF 8.3 MGD AND A MAXIMUM CAPACITY OF 11 MGD.

APPROXIMATELY 80 PERCENT OF WATER COMES FROM THE SNAKE RIVER, THE OTHER 20 PERCENT FROM WELLS.

The City retains surface and groundwater rights permits for a combined total of 38.23 cubic feet per second (cfs), 24.71 mgd for municipal use.

All of the City's potable water is treated and disinfected at the water treatment plant. The plant has an original 8-mgd design capacity based on the optimum filter loading rates. The City expanded its treatment capacity in 2006, through the addition of two adsorption clarification and filtration tanks.

WASTEWATER TREATMENT PLANT

The wastewater treatment plant collects wastewater from the entire city and SRCl. The prison accounts for approximately 16 percent of the flow to the plant.

Wastewater treatment plant operators use a conventional treatment system of aerated lagoons and secondary chlorination treatment. Effluent from the treatment process is used to irrigate forage crops during the growing season. Nine lift stations transport sanitary sewer waste to the Wastewater Treatment Plant. Wastewater is screened and the flow measured at the headworks. Five cells (lagoons) with 25 mechanical aerators assist with biological treatment. Onsite generation of chlorine is used for disinfection.

Average discharge volume is approximately 1.5 mgd. Winter discharge is to the Snake River from November through March. Summer discharge is land applied to approximately 353 acres of cropland at the Skyline Farm.

APPENDIX CONTINUED

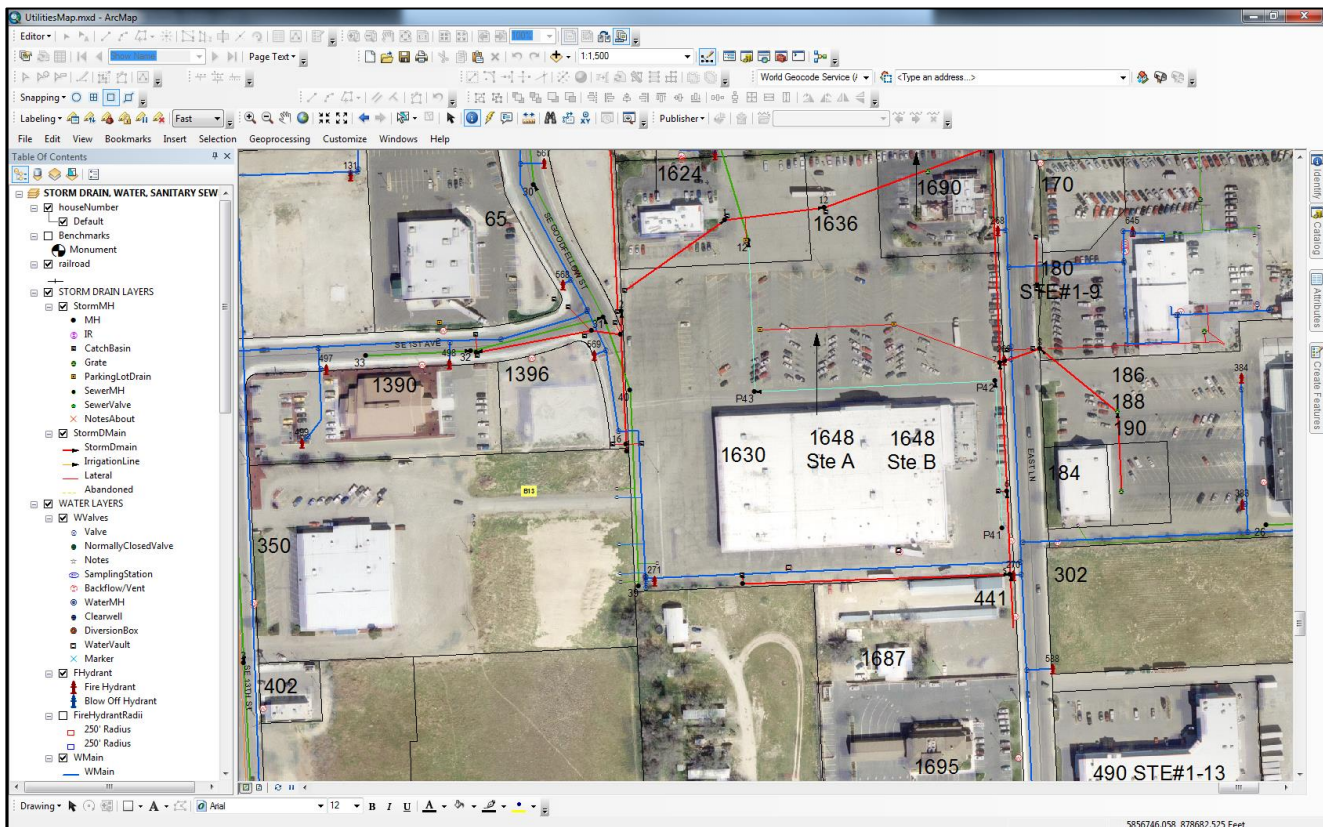
PARKS DEPARTMENT

The Ontario park system consists of both active and passive recreational areas. There are four neighborhood parks, one community park, one large urban park, and numerous special use sites in the park system. In total, the City owns 13 park and recreational areas representing more than 1,012 acres of land. The city also owns the Wayne King Skateboard Park.

ENGINEERING DIVISION

The Engineering Division reviews plans for construction of public improvements, maintains the city's mapping system, and manages the engineering projects within both the Capital Improvements and Maintenance Programs. The department provides technical support to residents, developers, builders, other city departments, consulting engineers, and surveyors. The staff reviews and approves construction plans for subdivisions, partitions, streets, sanitary sewer, water lines, and storm drainage construction projects. They also design projects, prepare bid documents for public works maintenance projects, and provide project management for public improvements.

The Geographic Information System (GIS) database is maintained by Engineering Department staff. The department also provides support to the city by creating, analyzing, and maintaining the city's geographical digital data. They provide updates to the record maps for all city utilities, right-of-way, easements, land division plots, and city base maps.





Lt. Jason Cooper
Ontario Police Department

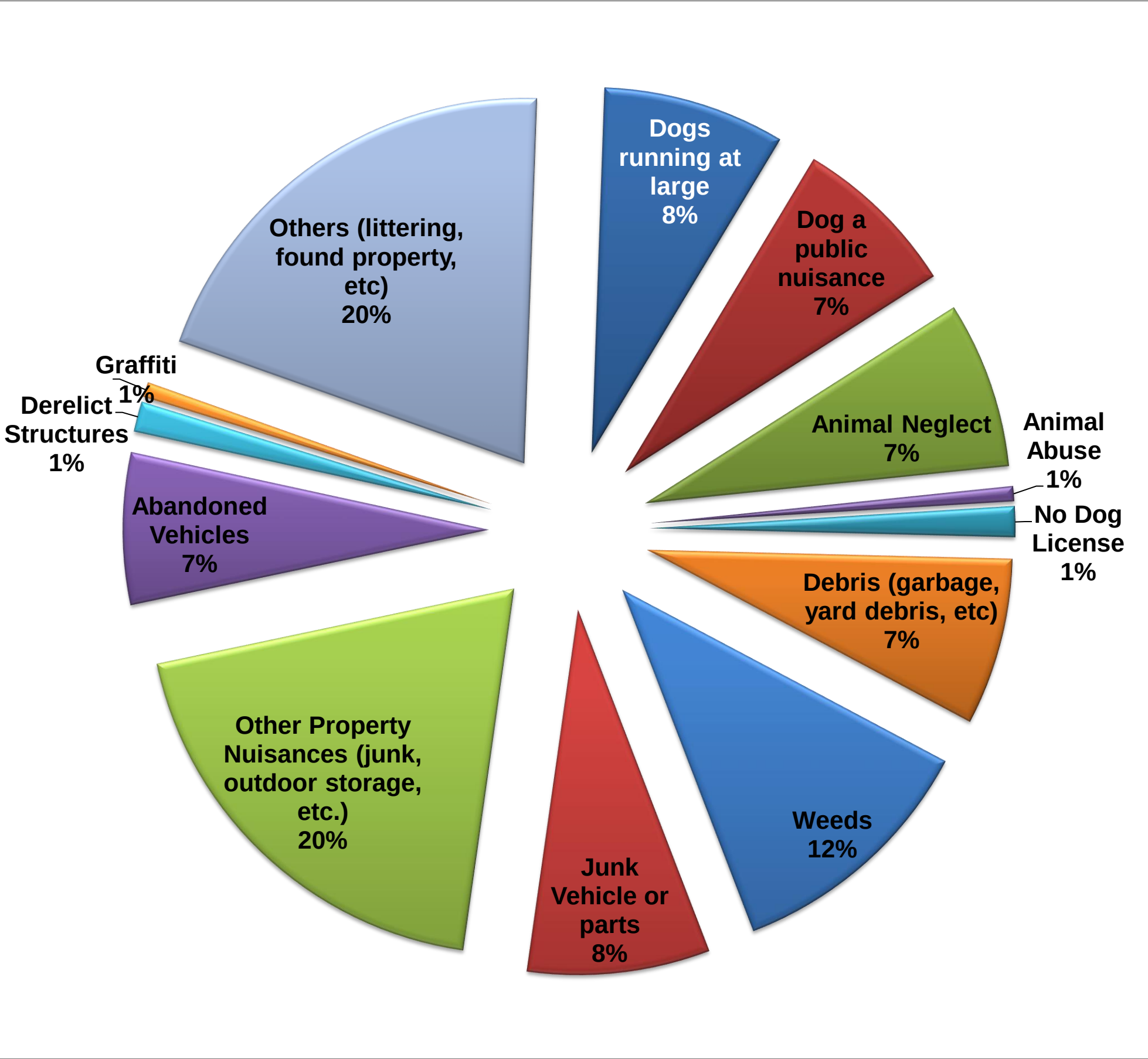
Police Stat Report 2020

Activity	Month of April	Month of May	YTD 2020	Previous YTD (2019)
Calls for Service	740	831	3398	4276
Traffic Stops	215	199	818	700
Cited Traffic/Parking	72	155	384	387
Motor vehicle Crashes	27	41	129	222
Arrests	65	70	343	433
Arrests w/Use of Force	1	0	4	6
SRO Cases	0	0	68	147
Gang Related Cases	3	0	9	21
Graffiti	5	1	19	20
Death Investigations	2	1	6	3
Burglary	4	14	44	80
Robbery	0	1	3	7
Thefts	64	63	270	300
Assault	11	18	54	62
Homicide	0	0	0	3
Sex Crimes	2	4	20	27
Alarms	28	30	98	98

CODE ENFORCEMENT

MAY 2020 STATS

Violation	2020	2019
Dogs running at large	12	34
Dog a public nuisance	11	5
Animal Neglect	11	6
Animal Abuse	1	0
No Dog License	2	0
Debris (garbage, yard debris, etc)	11	3
Weeds	17	23
Junk Vehicle or parts	12	7
Other Property Nuisances (ju	29	11
Abandoned Vehicles	10	15
Derelict Structures	2	3
Graffiti	1	0
Others (littering, found property, etc)	30	40
Dogs taken to AniCare	0	15
Civil Penalties Issued	3	2
C.P. Amount Sent	\$202,900	\$1,600
Total Parking Citations	1	7
Total Violations	168	178
Total Cases	120	136



Notes:

Some cases have multiple violations; for example if a case has weeds,debris, junk, there are 3 violations, but only one case.

Due to COVID 19 - AniCare is closed so dogs are being transported; as a result, officers can be more proactive

MALHEUR COUNTY COURT MINUTES

May 13, 2020

The regularly scheduled meeting of the County Court was called to order by Commissioner Larry Wilson at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Don Hodge present telephonically. Judge Joyce was not present. Staff present was Administrative Officer Lorinda DuBois and County Counsel Stephanie Williams. Various members of the public, media, and staff were present at various times of the meeting electronically. Notice of the meeting was posted on the County website and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument #[2020-1684](#)

PROCLAMATION - OLDER AMERICANS MONTH

MCOA&CS Executive Director Sandy Shelton presented the Older Americans Month proclamation:

Proclamation of 2020

Malheur Council on Aging & Community Services strives to raise community awareness about Older Americans Month. Malheur Council on Aging & Community Services assist older Americans of Malheur County of Oregon by serving home delivered & congregate meals, family caregiver support, transportation & much more.

Older Americans Month 2020

Whereas, Malheur County of Oregon includes a growing number of older Americans who enrich our community through their diverse life experiences; and

Whereas, Malheur County of Oregon is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

Whereas, Malheur County of Oregon recognizes the importance of bringing together all generations and engaging in activities that promote physical, mental, and emotional well-being for the benefit of all; and

Whereas, Malheur County of Oregon can enhance the lives of older Americans in our community by:

- promoting home and community based services that support independent living;
- involving older adults in community events and other activities; and
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor.

Now, therefore, we of Malheur County of Oregon do hereby proclaim May 2020 to be Older Americans Month. We urge every resident to take time during this month to recognize older adults and the people who serve them as essential and valuable members of our community.

Dated this 13th day of May 2020. Commissioner Wilson signed the proclamation.

Ms. Shelton explained that a free drive in hot lunch event will be held on Friday, May 15th for clients with a focus on the veteran population over the age of 60; approximately 50 individuals will be served.

POVERTY TO PROSPERITY (P2P) REQUEST

The Court again tabled the request from Poverty to Prosperity to contribute \$40,000 to support a county-wide COVID-19 recovery response development program/position as Judge Joyce was not present and they wanted all three members to be present to discuss the request.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of May 6, 2020 as written. Commissioner Wilson seconded and the motion passed.

ODOT AGREEMENT - CARES 5311 FORMULA FUNDING

Commissioner Hodge moved to approve Rail and Public Transit Division Oregon Department of Transportation Agreement No. 34237, Operating 5311. Commissioner Wilson seconded and the motion passed. Funding is in the amount of \$217,106 to provide relief from expenses incurred in response to the COVID-19 pandemic. A subcontract will be drafted with Malheur Council on Aging and Community Services. A copy of the agreement will be returned for recording.

CORNER PRESERVATION FUND POLICY

Commissioner Wilson moved to adopt the 2020 Policy of the Malheur County Surveyor: Use of Public Land Corner Preservation Fund for Monumentation of Public Land Survey Corners in the Course of Performing Survey Work with a review in one year and request that the county surveyor keep track of his time and activity with corners. Commissioner Wilson seconded and the motion passed. (This policy replaces the 2018 policy recorded with the County Clerk as instrument # [2018-1928](#))

Commissioner Wilson read written comments submitted by Dan Cummings thanking the Court for consideration of the policy.

See instrument #[2020-1686](#) for the 2020 policy.

CROSSING PERMIT

Commissioner Hodge moved to approve Crossing Permit #21-20 to Track Utilities LLC for work on Sunset Drive #891. Commissioner Wilson seconded and the motion passed.

BUSINESS OREGON STATE OF OREGON COVID-19 EMERGENCY BUSINESS ASSISTANCE MATCHING FUND REC FOR PROPOSALS

Ms. Williams explained that Business Oregon announced a State of Oregon COVID-19 Emergency Business Assistance Matching Fund Request for Proposals (RFP) last week. County staff is working with Eastern Oregon Border Board to possibly partner and prepare a response to the request for proposal. A robust marketing program is a requirement of the program; Border Board will put up the match funds; the County will provide fiscal oversight; and County will provide staff time and resources. The RFP is due May 18th. Consensus of the Court was to move forward with the proposed partnership with Border Board; and Commissioner Wilson moved to authorize County Judge Dan Joyce to sign the necessary documents to submit the RFP by May 18th. Commissioner Hodge seconded and the motion passed.

ROAD ACCEPTANCE

Commissioner Hodge moved to accept road dedication of a portion of Vale View Road Road on Kent and Shirley Vandewall's Partition Plat # 20-07. Commissioner Wilson seconded and the motion passed. See instrument # [2020-1687](#)

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Hodge moved to approve Resolution No. R20-19: In the Matter of Fiscal Year 2019/2020 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed. The purpose of the supplemental budget resolution is to allocate additional HB 3194 Reinvestment Grant funds in the amount of \$37,551 from the Department of Corrections that were not anticipated when the adopted budget was prepared; the funds are to be used per the agreement between the State of Oregon and Malheur County. \$25,000 will then be transferred to be used to eventually purchase a new Jail control board. See instrument # [2020-1685](#)

COURT ADJOURNMENT

The meeting was adjourned.

Updated Plan for Reopening Malheur County, dated May 13, 2020 recorded as instrument # ***

MALHEUR COUNTY COURT MINUTES

May 20, 2020

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois and Surveyor/Engineer Tom Edwards. Various members of the public, media and staff were present at various times of the meeting electronically. Notice of the meeting was posted on the County website and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument #[2020-1778](#)

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of May 13, 2020 as written. Commissioner Wilson seconded and the motion passed. (Judge Joyce was not present on May 13, 2020.)

SUBAGREEMENT WITH MCOA&CS

Commissioner Hodge moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) for CARES 5311 Operating Funds *Relief from expenses incurred in response to COVID-19 pandemic* Pursuant to State Agreement Number 34237. Commissioner Wilson seconded and the motion passed unanimously.

FEDERAL FUNDING CERTIFICATION

Commissioner Hodge moved to authorize Judge Joyce sign the Federal Funding Certification to request payment from the State of Oregon from the allocation of the Coronavirus Relief Fund as created in section 5001 of H.R. 748, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for reimbursement of expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19). The request is due May 22, 2020. Approximately \$100,000 of COVID-19 related expenses have been incurred during the time-period of March 1 - May 15, 2020.

ROAD ACCEPTANCE

Surveyor/Engineer Tom Edwards presented a road dedication on a partition plat. Commissioner Wilson moved to accept road dedication of a portion of Desert Glen Road and a portion of Stateline Road on Harold and Debbie Bruning's Partition Plat # 20-09. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2020-1796](#)

POVERTY TO PROSPERITY (P2P) REQUEST

The Court discussed the request from Poverty to Prosperity to contribute \$40,000 to support a county-wide COVID-19 recovery response development program/position; Ontario City Manager Adam Brown participated in the discussion and answered various questions. The City of Ontario approved financial support in the amount of \$30,000 to go towards a coordinated effort to seek funding and legislative remedies for recovering the community. The economic recovery team/committee includes the Small Business Development Center (Andrea Testi and Michael Braden); Poverty to Prosperity (Ken Hart, Bill Johnson, and Riley Hill); City of Ontario staff (Dan Cummings, Adam Brown, and Peter Paul); Kit Kamo from Snake River Economic Development Alliance (SREDA); and Malheur County Economic Development contractor Greg Smith has been invited to the meetings but not in attendance at most. Merchant McIntyre Associates was recently interviewed; they are a grant writing firm with a long-term presence in Washington DC and are already working with Oregon entities in obtaining federal COVID-19 stimulus dollars. Their normal retainer is \$7,500 a month but has offered their services for this project for \$6,500 a month (\$78,000 a year); there is also a 90-day audition period and the agreement can terminate after 90 days if it doesn't appear that it is going to be beneficial to continue the services of Merchant McIntyre. Poverty to Prosperity is willing to contribute at least \$15,000; and Bill Johnson has said he would be willing to ask Border Board to contribute funds. It is hoped that the County Court will contribute funds - either now, or during the three month audition period. Commissioner Hodge stated he wanted to sit down and discuss the matter with Mr. Brown before making a decision. Commissioner Wilson questioned why a member of the Court was not asked to participate on the committee and explained that he would rather contribute funding to things that would have direct effect for businesses and individuals county-wide, not just Ontario (as referenced in the May 5, 2020 correspondence from Mr. Brown; *Question 7. What "milestones" will be achieved? The primary objective is to bring money back to Ontario..*) Mr. Brown explained that was not the intent but understood how it could be interpreted that way. Mr. Brown requested the Court send their "wish list" to him and it would be shared with Merchant McIntyre to assist with development of their plan to pursue grants to benefit the entire community.

Additionally, the Ontario City Council has asked for a resolution to waive utility bills (water/sewer) for businesses that were closed due to COVID-19 restrictions. A micro-loan program is also available and an application for a State matching fund program was submitted by the City.

Consensus of the Court was that \$30,000 (same amount allocated by City of Ontario) could be appropriated from the Economic Development Technical Assistance line-item if the Court chose to contribute funds to the project at a later date.

COURT ADJOURNMENT

The meeting was adjourned

MALHEUR COUNTY COURT MINUTES

June 3, 2020

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:02 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois. Various members of the public, media and staff were present at various times of the meeting electronically. Notice of the meeting was posted on the County website and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument #[2020-1913](#)

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of May 20, 2020 as written. Commissioner Wilson seconded and the motion passed unanimously.

BUDGET BOARD MINUTES

Commissioner Hodge moved to approve Budget Board Minutes of April 21-22, 2020 as written. Commissioner Wilson seconded and the motion passed unanimously.

CONTRACT - ANI-CARE

Commissioner Hodge moved to approve Contract with Ani-Care Animal Shelter, Inc. Commissioner Wilson seconded and the motion passed unanimously. Ani-Care will accept delivery, custody, and responsibility of care and disposition for abandoned or stray canines located within the confines of Malheur County (not city limits); Ani-Care is not responsible for the initial capture and transportation of the abandoned or stray canines. Financial consideration is \$3083.33 per month; the contract expires June 30, 2021. See instrument #[2020-1914](#)

ASSESSOR'S OFFICE - IGA WITH BUILDING CODES - MHODS

Commissioner Wilson moved to approve Intergovernmental Agreement (2020-2023), Agent Agreement No. 90G000353, with Building Codes Division for the Manufactured Home Ownership Document System (MHODS) software system for the Assessor's Office to process manufactured home ownership applications on behalf of Building Codes Division. Commissioner Hodge seconded and the motion passed unanimously. The agreement expires June 30, 2021. A copy will be returned for recording.

COMMUNICATIONS USE LEASE - SOUTH MOUNTAIN

Commissioner Wilson moved to approve United States Department of the Interior Bureau of Land Management Communications Use Lease, South Mountain, Serial Number IDI 03586. Commissioner Hodge seconded and the motion passed unanimously. The communication site is within a BLM-owned structure on South Mountain, Owyhee County, Idaho. The Lease agreement expires December 31, 2071. A copy will be returned for recording.

COMMUNICATIONS USE LEASE - SOUTH MOUNTAIN - ASD

Acting as the governing board of the Ambulance Service District, Commissioner Hodge moved to approve United States Department of the Interior Bureau of Land Management Communications Use Lease, South Mountain, Serial Number IDI 035855. Commissioner Wilson seconded and the motion passed unanimously. The communication site is within a BLM-owned structure on South Mountain, Owyhee County, Idaho. The Lease agreement expires December 31, 2071. A copy will be returned for recording.

REQUEST FOR PHASE II FOR REOPENING OREGON

Commissioner Wilson moved to approve the County submit its Request to Enter Phase II for Reopening Oregon during the COVID-19 Pandemic, nunc pro tunc to June 1, 2020. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2020-1915](#)

COURT ADJOURNMENT

The meeting was adjourned.

MALHEUR COUNTY BUDGET BOARD MEETING MINUTES

April 21-22, 2020

The Malheur County Budget Board convened on April 21, 2020 at 9:00 a.m. in the County Court Office of the Malheur County Courthouse to consider the 2020/2021 budget with Judge Dan Joyce, Commissioner Don Hodge and Commissioner Larry Wilson present; and Budget Board Members Richard Eiguren, Ron Haidle and Rod Price present. Budget Officer Lorinda DuBois was present either electronically or in-person. Those persons discussing the budget with the Budget Board were present electronically or telephonically as were any members of the media and public. Notice of the meeting was published in the Argus Observer and on the County website and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument #[2020-1441](#)

BUDGET MESSAGE & APPOINTMENT OF CHAIRMAN

Judge Joyce: Welcome all, I normally have a really short message and it's probably going to be as short this year. The way we're setup in here was obviously caused by the situation we're in with the COVID-19 so there will be no one show up here in person but they will be on the phone and it probably should go relatively smooth the way Kim's got this set up. So I want to thank Lorinda for her work on this budget; its been trying obviously. Any comments from the other board members – whether your budget or county commissioners at this time?

Ron Haidle: Lorinda's summary is very well done.

Judge Joyce: Oh yes, she does a great job.

By consensus Mr. Eiguren was appointed Chair; and Judge Joyce thanked Mr. Eiguren for his six years of service on the Budget Board.

INFORMATION SERVICES (IS) DEPARTMENT

IS Director Frank Goble discussed Page 3 – Information Services; and Page 81 – IS Tech Fund. Mr. Goble noted that the travel/training line-item could be reduced by \$2700 as the training was cancelled due to COVID-19; and explained the need for the requested new Computer Tech position (included in the proposed budget).

Page 3 – Information Services; and Page 81 – IS Tech Fund were approved with travel/training reduced \$2700.

COURT SECURITY; DRUG COURT; MEDIATION

Ms. DuBois reviewed Page 60 – Court Facilities Security; Page 61 – State Drug Court Fund; and Page 62 – State Mediation Fund. These are special fund budgets and can only be used for specific uses designated for the fund.

Page 60 – Court Facilities Security; Page 61 – State Drug Court Fund; and Page 62 – State Mediation Fund were approved.

DISTRICT ATTORNEY'S OFFICE

District Attorney Dave Goldthorpe discussed Pages 9-10 – District Attorney and the various grant budgets. Mr. Goldthorpe explained the request for \$12,000 in the DA Supplement line-item; the proposed budget is for \$10,000; and the current supplement is \$8,000. The Office Supplies line-item request was increased as each year this line-item is exceeded; Discovery Costs was reduced; and the Small Equipment request is for software, new chairs, and a standup desk. See instrument #[2020-1458](#)

The grants are secure; the grant-funded positions will continue and the grant monies will be received as expected. (Page 11 – VOCA Grant/DA; Page 12 – CAMI Grant/DA; Page 14 – CFA/DA)

A successful homicide prosecution was completed in December; the trial was completed in a week. The DeFrank case was set over again, this time due to COVID-19; the Witness Fees line-item is needed for that case as well as Montwheeler. There is currently a vacant Deputy D.A. position and it is hoped to fill that position in possibly a month.

Mr. Goldthorpe discussed Page 74 – 45th Parallel Fund and explained his willingness to have the funds moved to the General Fund if needed to support public safety or other County functions. (Use of these funds must be mutually agreed upon between the Court and District Attorney.)

Page 51 – D.A. Enforcement funds are transferred to the District Attorney General Fund budget.

ASSESSOR

Assessor Dave Ingram discussed Page 6 – Assessor and Page 67 – GIS Maintenance Fund. Small Equipment request is for two (2) office chairs, three (3) printers and software licenses. Department of Revenue has approved the County Assessment Function Funding Assessment (CAFFA) grant application. The GIS Specialist is currently working from home; appraisers are staggering their time working from home, in the field, and in the office.

Page 6 – Assessor; and Page 67 – GIS Maintenance Fund were approved.

ENVIRONMENTAL HEALTH

Environmental Health Director Craig Geddes discussed Page 18 – Solid Waste; and Page 30 – Environmental Health. Solid Waste is for Lytle Boulevard Landfill. Small Equipment request is for a desk, desk dividers, and new carpet in the office. Travel was slightly increased for training of a new Environmental Health (EH) Specialist staff member. Currently the new EH Specialist is mainly working from home studying for her REHS examine; and the Clerk is working from home.

Judge Joyce requested Mr. Geddes update the group on the local ICS (Incident Command System) COVID-19 efforts. County Incident Commander Rich Harriman secured 100 tests; and a drive-thru point of testing will take place possibly next week.

Meetings are held weekly with health care providers; and work and education continues daily with the public.

Page 18 – Solid Waste; and Page 30 – Environmental Health were approved.

JUVENILE DEPARTMENT

Juvenile Department Director Susan Gregory discussed Page 15 – Juvenile Department; Page 57 – Juvenile Crime Prevention; and Page 72 – MS 11 Detention Fund. Ms. Gregory requested a Senior Counselor position to assist with decisions and supervision in her absence; this would not be a new position as a current staff member would be promoted to the position (3 counselors have over 15 years of experience and there currently is not an assistant director position or senior counselor position in the department); the increase to the budget would be approximately \$2,100 for the fiscal year. (The request is not in the proposed budget.) Ms. Gregory also requested that the CSW (Community Service Worker)/Tracker position be reinstated in the budget (this position was eliminated in the 2017/18 budget); and this position is in the proposed budget. Approximately 1643 hours are currently owed by youth and this position is a great asset and helps to achieve consistency for the juvenile work crew. A Work Crew Expenses line-item was added in the budget to pay for meals for the youth during work crew activities; this was a request of the juvenile counselors with the support of Judge Joyce.

Page 57 - Juvenile Crime Prevention budget is grant funds from the state. There is a lot of drug use and mental health issues with the youth. There are a lot of prevention efforts taking place; presentations have taken place in various schools throughout the County.

Page 72 – MS 11 Detention Fund. In January 2020 changes were made and Measure 11 youth are no longer automatically handled by the adult system; it is unknown at this time how the new changes will affect the juvenile department. It is hoped that more guidance on the changes will be forthcoming.

BUILDING DEPARTMENT

Building Official Adele Schaffeld discussed Pages 75-76 – Building Department. The Building Department is a special fund and operates solely from revenue received from permit fees that cover the cost of service; there is a 12% State surcharge on all permits of which 4% is used for software. The building program is a State program that is administered locally; the proposed budget does comply with state statutes and rules. Miscellaneous Revenue received this current fiscal year is reimbursement from the State for some software licensing. Building Permit fees and Electrical Permit fees are tracked separately as electrical fees must be spent only on the electrical program. The Baker Contract revenue is for Baker County commercial plan review work Ms. Schaffeld does in addition to her Malheur County work; this is a temporary contract. There are three (3) full-time employees (FTE) in the department. The Extra Clerical line-item is for scanning of records. The Travel line-item was changed to Fuel/Vehicle Maintenance. Capital Outlay is for the purchase of a vehicle for the electrical program. Contracted Inspections is for the services performed by Richard Smith.

Pages 75-76 – Building Department were approved.

PLANNING DEPARTMENT

Planner Eric Evans discussed Page 17 – Planning/Zoning. Planning Commission Expenses was lowered. As much training as possible will be completed by Mr. Evans and the Management Assistant.

Page 17 – Planning/Zoning was approved.

GENERAL FUND NON-DEPARTMENTAL REVENUES

Page 1 – General Fund Non-Departmental Revenues was reviewed and approved. These are revenue sources not tied to a specific department.

COUNTY COURT

Page 2 – County Court was reviewed; the Telephone line-item needs increased to allow for long-distance charges; that line-item was increased to \$1500.

Page 2 – County Court was approved with the Telephone line-item increased to \$1500.

COUNTY COUNSEL

Page 4 – County Counsel was reviewed and approved.

ADMINISTRATIVE OFFICE

Page 7- Administrative Office was reviewed and approved.

WATERMASTER

Page 34 – Watermaster was reviewed and approved. The State Watermaster office is in the Courthouse; the budget is \$1,000.

LAW LIBRARY

Page 48 – Law Library was reviewed and approved.

MENTAL HEALTH FUND

Page 63 – Mental Health Fund was reviewed and approved. Funds are from the State and passed thru to Lifeways for mental health services.

WOLF DEPREDATION FUND

Page 70 – Wolf Depredation Fund was reviewed and approved. These are grant funds from Oregon Department of Agriculture.

45TH PARALLEL FUND

Page 74 – 45th Parallel Fund was reviewed and approved; consensus was to leave the fund as is.

The meeting recessed for lunch.

Budget meetings resumed after lunch.

EXTENSION SERVICE

Present for the Extension Service budget discussion and the Extension Tax Service District budget discussion were: OSU Eastern Region Regional Director Natalie Kinion; OSU Malheur Experiment Station Director Stuart Reitz; and Extension District Advisory Board Members Jeff Burkhardt and Bob Komoto. Extension Office operations are supported through a combination of County General Funds and Tax Service District funding. The County provides an Office Manager at the Extension Office. \$8,000 total for Materials and Services is proposed for the fiscal year; this is a 50% reduction from last year.

Page 35 – Extension Service was approved.

The County Budget meeting was closed and the Malheur County Agricultural Educational Extension Service District budget meeting was opened.

EXTENSION TAX SERVICE DISTRICT

Notice of the Malheur County Agricultural Educational Extension Service District budget meeting was published in the Argus Observer. Ms. Kinion reviewed the budget for the Malheur County Agricultural Educational Extension Service District. The budget is to support extension oriented programs conducted by OSU Extension Service and OSU Experiment Station in Malheur County. Tax Service District funds are split between Extension Service and Experiment Station. The Experiment Station uses the funds for personnel costs. The Extension Service uses the funds for personnel costs and other materials and services. The 4H Program Assistant position was increased to ten (10) weeks. The Extension Office & Admin Supplies line-item was increased for the purchase of security cameras. There may be a need to purchase a vehicle.

The Extension Service District budget was approved.

The Extension Service District session was closed and the County budget session was reopened.

COMMUNITY IN ACTION

Community in Action Housing, Homeless Services, and Youth Programs Manager Heather Echeveste discussed a request for funding to support homeless services; \$15,000 was requested. Approximately 397 meals are served monthly; and 156 bags of shelf stable, easily accessible food are distributed. See instrument [#2020-1444](#)

SNAKE RIVER ECONOMIC DEVELOPMENT ALLIANCE (SREDA)

SREDA Executive Director Kit Kamo discussed a request for funding support from the lottery dollars the County receives for economic development uses; \$5,000 was requested. SREDA is a non-profit, investor supported organization dedicated to diversifying the economy by attracting new investment and jobs; it is a public-private partnership that covers three counties in two states. See instrument [#2020-1442](#) for the written request and other documents.

SOIL AND WATER CONSERVATION DISTRICT (SWCD)

SWCD Director Linda Rowe discussed a request to maintain financial support in the amount of \$10,000. See instrument [#2020-1443](#) for the written request and other documents.

The Budget Board approved the request for \$10,000 to be appropriated from the Technical Assistance line-item in the Economic Development budget on Page 38.

DOG CONTROL/ANI-CARE ANIMAL SHELTER

Amanda Grosdidier submitted a request for funding to continue contract services with Ani-Care Animal Shelter for the 2020/2021 fiscal year at a monthly rate of \$3,083.33. The contract is for the maintenance, care and disposal according to law, of abandoned or stray canines located within the confines of Malheur County; not city limits.

The Budget Board approved the request; it is reflected on Page 20 – Non Program in the Dog Control line-item.

COURTHOUSE

Maintenance Supervisor Don Dalton discussed Page 16 – Courthouse. Several projects were completed this current fiscal year; no large projects are planned this next fiscal year.

The Budget Board approved Page 16 – Courthouse.

Commissioner Don Hodge left the meeting for the remainder of the day to attend an ESD board meeting.

FAIRGROUNDS

Fairgrounds Manager Lynelle Christiani discussed Pages 54-55 – County Fair Fund. Ms. Christiani explained that the Fair Board is requesting that \$40,000 be removed from the Insurance Proceeds revenue line-item (insurance proceeds funds will be received this current fiscal year and the Fair Board plans to deposit them in a separate account to be used towards improvements of the facility itself – not daily expenses) and that an additional \$10,000 from the Economic Development budget be added into the County Fair Fund revenue budget to fund an additional \$1,545 in the Caretaker line-item; \$2,000 in Water; \$1,000 in Power; \$455 in Travel; \$2,000 in Gas & Oil; \$1,000 in Advertising; \$1,000 in Judges; and \$1,000 in Fair Contracted Services in the Expenses section of the budget. Ms. DuBois explained that the reductions to the expense line-items were due to the proposed budget having a \$20,000 transfer from the Economic Development budget rather than \$30,000 as was requested. Due to COVID-19 and the Governor's shutdown of video lottery machines revenue for Economic Development will be lower (an estimated \$75,000 shortfall). Ms. Christiani explained that if the additional \$10,000 is not added back into the Fair budget then the Repairs,

Maintenance line-item should be reduced \$10,000 and those other mentioned expense line-items reinstated as requested. See instrument #[2020-1445](#)

Mr. Price complemented Ms. Christiani and the Fair Board on the improvements they've made and expressed appreciation for their work. Mr. Price inquired of the Board's long-term projects; Ms. Christiani explained there is a 5-10 year project plan and offered to send that to the Budget Board (that plan was received and shared with the Budget Board the next day).

The meeting recessed for the day.

MALHEUR COUNTY BUDGET BOARD MEETINGS

April 21 -22, 2020

The Malheur County Budget Board continued its meeting on April 22, 2020 with Judge Dan Joyce, Commissioner Don Hodge and Commissioner Larry Wilson present; Budget Board Members present were Richard Eiguren, Ron Haidle, and Rod Price; and Budget Officer Lorinda DuBois. Those persons discussing the budget with the Budget Board were present electronically or telephonically as were any members of the media and public.

VETERANS SERVICE

Veterans Service Officer Connie Tanaka discussed Page 31 – Veterans Service; and Page 65 – CVSO Expansion Fund. Approximately \$10,000 is received from the State to help support personnel and office expenses. The CVSO Expansion Fund is funding from Oregon Department of Veterans Affairs and is used to support personal services expenses, advertising, travel, and office supplies. A part-time staff member was hired (0.4 FTE).

Page 31 – Veterans Service; and Page 65 – CVSO Expansion Fund were approved.

ROAD DEPARTMENT

Road Supervisor Dave Tiffany met with the Budget Board and discussed Page 32 – Marine & Park; Pages 39-41 – Road Fund; Page 42 – Major Bridge Fund; Page 43 – Road Equipment Fund; and Page 44 – Road Improvement Fund.

A grader needs replaced in Jordan Valley; Commissioner Hodge offered to secure financing for the purchase of a replacement.

Page 32 – Marine & Park. A Small Equipment line-item was added; a new air conditioning unit is needed for the Bully Creek Caretaker's house as well as a printer.

Pages 39-41 – Road Fund. No funding in the BLM Co-op Agreement as work will not be performed in those areas this next fiscal year. Motor Fuels/Fluids line-item was increased. It was discussed if an additional fuel storage tank should be purchased. JV Weed Control line-item was also increased; and JV Other Materials was reduced.

Page 42 – Major Bridge Fund. A portion of the State Highway Tax Apportionment is transferred to this fund each year.

Page 43 – Road Equipment Fund. Need to purchase a grader for Jordan Valley.

Page 44 – Road Improvement Fund.

Page 32 – Marine & Park; Pages 39-41 – Road Fund; Page 42 – Major Bridge Fund; Page 43 – Road Equipment Fund; and Page 44 – Road Improvement Fund were approved.

CLERK'S OFFICE

Clerk Gayle Trotter met with the Budget Board and discussed Page 5 – County Clerk; and Page 68 – Clerk Records Fund. There will be two elections in the next fiscal year; the presidential election in November 2020 and the special district election in May 2021. Small Equipment request is for a printer and blinds for the office windows. Permanent records are digitized/archived with funds in the Clerk Records Fund.

Page 5 – County Clerk; and Page 68 – Clerk Records Fund were approved.

RELOAD/INDUSTRIAL PARK PROJECT

Page 77 – Reload/Industrial Park Project was reviewed and approved. The interest payment of the Special Public Works Fund loan is budgeted in this fund. (The funds will be transferred from the Economic Development Fund.)

INSURANCE RESERVE

Page 79 – Insurance Reserve was reviewed and approved.

CAR POOL FUND

Page 80 – Car Pool Fund was reviewed and approved. Vehicles assigned to Juvenile Department and Health Department need to be replaced.

GENERAL COUNTY EQUIPMENT FUND

Pages 82-83 – General County Equipment Fund was reviewed and approved. Funds are being set aside to replace the jail control board and the project should take place in the next fiscal year.

POVERTY TO PROSPERITY (P2P)

Dirk DeBoer requested financial support in the amount of \$10,000 to support the continued efforts of Poverty to Prosperity; this year there were 230 students involved in the P2P programs. Mr. DeBoer also requested \$40,000 be set aside to support a possible study and research effort.

A written request was received from Poverty to Prosperity requesting \$40,000 to support a county-wide COVID-19 recovery response development program/position. Commissioner Wilson noted that the City of Ontario had agreed to contribute \$30,000; Poverty to Prosperity may contribute \$15,000; and the cities of Vale and Nyssa will be asked to contribute. Commissioner Wilson asked that Greg Smith phone into the meeting regarding the request; after discussion with Mr. Smith the Court asked that answers to several questions be sought.

SNAKE RIVER TRANSIT

Malheur Council on Aging (MCOA) Executive Director Sandy Shelton and Transportation Project Manager Brittany White requested funding in the amount of \$15,000 to help support public transportation services. Ms. Shelton gave a brief update of their agency. MCOA is following all recommendations related to the COVID-19 pandemic recommended by the Oregon Health

Authority. Buses are sanitized daily from top to bottom. Ceilings, walls, seats, and floors receive a thorough sanitizing with approved agents. Drivers are well trained and equipped to keep themselves and riders safe. A Plexiglas barrier has been installed around the driver in one vehicle, similar to those on commercial buses, in order to transport symptomatic people when and if needed. Bus stops are also sanitized daily. As ridership decreases flexibility must increase. A free grocery pickup service for Malheur County residents needing assistance is now available; groceries can be ordered from Walmart, Albertsons or Red Apple and MCOA will deliver to their home. A delivery was made in Brogan last week to an 83 year-old gentleman. These are difficult times and MCOA is meeting the needs of County residents in a number of ways.

Ms. White reviewed the transportation services offered through MCOA. SRT-Malheur Express currently provides accessible transportation services such as fixed route services around the city of Ontario; paratransit services for those who are unable to utilize a fixed route system; commuter route services to the outlying areas of Vale and Nyssa; general public door to door services; non-emergent medical transportation services; and veteran medical transportation services. The funding requested is used as match funds for transportation grants; it is anticipated that approximately \$1.3 million in formula and discretionary grant funding will be generated for the 2019-2020 fiscal year which flows back into the local economy. MCOA is currently the only general public transit service operating and servicing Malheur County. Individuals use the services to get to work, the store, medical appointments, supportive services, loved ones and so much more. Without local support and funding MCOA could not provide these services. These services not only support the general public, but also the low-income, elderly and disabled populations. MCOA uses funds to provide voucher programs to Lifeways and EOCIL and connects individuals to DHS resources to provide needed transportation services. This current year 23,745 individuals have been transported and of those riders 15,436 were senior or disabled; these individuals would not have been able to access needed services without these transportation services. Malheur County recently received the formula award for the Statewide Transportation Improvement Funds (STIF); this funding helps with improved and expanded services, however the funding cannot be used to supplant funds used to maintain current services. Ms. White expressed appreciation for the support the County provides for the benefit of public transportation services.

ONTARIO COMMUNITY LIBRARY

Ontario Community Library Director Darlyne Johnson discussed Page 33 – Ontario Community Library. The library is requesting funding for Bookmobile services in the amount of \$6,000 for Bookmobile services outside the district's boundaries. The funds are transferred from the Economic Development budget to the Library budget.

HEALTH DEPARTMENT

Health Department Director Sarah Poe discussed Pages 27-28 – Health Department; and Page 29 – Medical Investigation. The Healthy Start program and budget ended September 2019 (Page 64 – Healthy Start). Home visits through the Healthy Families program are now done through the Babies First program. In the last year, over \$485,000 of competitive funding has been awarded; these funds are split over the current and next fiscal years. The department is committed to securing new funding for additional revenue. A large grant for an Opioid Peer Project was received; funding will be for the current fiscal year and the 2020/21 fiscal year. Funds for COVID-19 response were received recently and another allocation of funding is expected. It is hoped that the Family Connects program will start July 2020; to qualify for this home visiting program you must live in Malheur County and have a new baby; the reimbursement rate for these visits has increased with this new program. A crucial need for two Office Managers has been identified; it is proposed to reclassify one Accounting Specialist to an Office Manager and hire a grant funded Clinic Manager for one year; these changes will improve quality assurance, procedural flow and efficiency. It was also requested to hire a second Nurse Practitioner for one day a week to increase the availability of provider-level services; this will also allow for the establishment of more patients and to bill at a higher rate for visits. (This request is not in the proposed budget.) The Capital Outlay request is for repair of a portion of the sidewalk in front of the Health Department building. (This request is not in the proposed budget.)

Judge Joyce requested Ms. Poe speak to the current COVID-19 pandemic. Malheur County currently has five (5) positive cases; neither Harney County nor Malheur County has done a ton of testing; and Harney County is much more isolated than Malheur County. Ms. Poe explained she would be in support of trying to reopen a little sooner than the State if it was truly shown that new positive cases were not coming in and testing capacity was increasing.

PREDATORY ANIMAL CONTROL

USDA APHIS/Wildlife Services Acting District Supervisor Brian Thomas and Wildlife Specialist Scott Phillips discussed Page 20 – line-item 5-20-8020 Predatory Animal Control; public member Tom McElroy also participated in the discussion. Wildlife Services is requesting \$68,488.50 for the wildlife services program. The County budget for Predatory Animal Control also includes the County's landowner match helicopter fly program/cost share program and Mr. McElroy requested that an additional \$5,000 be added to the program; he also requested an additional \$5,000 for the current fiscal year. Mr. Phillips noted he was notified only one time that a landowner was in need of assistance and inquired who and where the assistance was provided through the fly program. Mr. Thomas explained that Wildlife Services' airplane should be available soon and \$3,800 will be available for its airtime in Malheur County (the plane is based in La Grande.) See instrument [#2020-1446](#)

The meeting recessed for lunch.

Budget meetings resumed after lunch.

ONTARIO JUSTICE COURT

Judge Mahoney discussed Page 13 – Ontario Justice Court and requested a \$50,000 reduction in the Justice Court Fines line-item. Page 13 – Ontario Justice Court was approved with the revenue reduction requested.

WEED DEPARTMENT

Weed Inspector Gary Page discussed Page 36 – Weed Control. The BLM grant agreement is on a reimbursement basis; efforts are made to treat public ground that is adjacent to private ground. Taylor Grazing consistently contributes funding to the Weed Department for range and weed control projects. The Capital Outlay request was for a Kubota RTV-900; the request is not in the proposed budget, however, BLM has now offered to pay half the cost of the Kubota.

Page 36 – Weed Control was approved with \$7,600 added to the Capital Outlay line-item to be used towards the purchase of a Kubota RTV-900.

TREASURER/TAX OFFICE

Treasurer/Tax Collector Jennifer Forsyth discussed Page 8 – County Treasurer/Tax. Small Equipment request is for a tax statement printer and a cash counter/authenticator.

Page 8 – County Treasurer/Tax was approved.

SHERIFF'S OFFICE

Sheriff Brian Wolf discussed Pages 21-22 – Sheriff; Pages 23-24 – Jail; Page 25 – MCSO Communication Center; Page 26 – Emergency Management; Pages 46-47 – Community Corrections; Page 49 – Boat License Fund; Page 50 – Corrections Assessment; Page 53 – Task Force Fund; Page 58 – 911 Fund; Page 59 – Traffic Safety Fund; Page 66 – Search and Rescue Fund; Page 71 – Federal Forfeiture Fund; and Page 78 – Work Release Construction Fund.

Pages 21-22 – Sheriff. New position for a School Resource Deputy with the Vale School District; the school district will fund the position all but the summer months. Investigation Expenses and Crime Prevention line-items were increased \$500; Small Equipment request is for body (deceased) transport equipment for transport to the State Medical Examiner; and for replacement of some body cameras. Capital Outlay request is for three vehicles and cameras; the proposed budget includes two vehicles and cameras.

Pages 23-24 – Jail. Valley Family is now providing jail medical services; Sheriff Wolfe expressed appreciation to Malheur Memorial for their years of providing the service. Small Equipment request is for the purchase of a gun; ballistic vests; and the copier lease. Equipment Reserve Transfer is to build a savings for unexpected facility costs.

Page 25 – MCSO Communication Center. The center provides dispatch services for 17 entities.

Page 26 – Emergency Management. Majority of revenue is from state funding; the Emergency Manager is currently spending many hours on COVID-19.

Pages 46-47 – Community Corrections. State funding is for the County to provide supervision services to individuals on parole or probation.

Page 49 – Boat License Fund. Majority of revenue is from the Marine Board grant; funds a full-time deputy and 5 months of another deputy.

Page 50 – Corrections Assessment. Funds a portion of the Program Coordinator position.

Page 53 – Task Force Fund.

Page 58 – 911 Fund. Revenue is from 911 tax on phones that is distributed to 911 centers.

Page 59 – Traffic Safety Fund. The local traffic safety commission is actively meeting again.

Page 66 – Search and Rescue Fund. Small amount of funds that the Search & Rescue volunteer members raised.

Page 71 – Federal Forfeiture Fund. Seizure laws have changed and there is not a lot of this type of activity anymore.

Page 78 – Work Release Construction Fund. Funds can only be used on the facility.

Pages 23-24 – Jail; Page 25 – MCSO Communication Center; Page 26 – Emergency Management; Pages 46-47 – Community Corrections; Page 49 – Boat License Fund; Page 50 – Corrections Assessment; Page 53 – Task Force Fund; Page 58 – 911 Fund; Page 59 – Traffic Safety Fund; Page 66 – Search and Rescue Fund; Page 71 – Federal Forfeiture Fund; and Page 78 – Work Release Construction Fund were approved.

DISTRICT ATTORNEY

Consensus was to increase the DA Supplement to \$10,000 as reflected in the proposed budget.

Pages 9-10 District Attorney; Page 11 – VOCA Grant/DA; Page 12 – CAMI Grant/DA; Page 14 – CFA/DA; and Page 51 – DA Enforcement were approved.

JUVENILE DEPARTMENT

Consensus was to approve the Juvenile Department budget as proposed; the request for an existing staff member to be made a senior counselor was not approved.

Page 15 – Juvenile Department; Page 57 – Juvenile Crime Prevention; and Page 72 – MS 11 Detention Fund were approved.

COMMUNITY IN ACTION

\$1500 was approved for Community in Action for homeless services; Commissioner Hodge noted he is on their Board and abstained from the discussion.

SREDA

\$1000 was approved for SREDA.

POVERTY TO PROSPERITY

\$10,000 was approved for Poverty to Prosperity as requested.

COUNTY FAIR

No additional funding was allocated to the Fair Fund. The insurance proceeds line-item was adjusted as requested; and the repairs/maintenance line-item was reduced \$10,000 and that \$10,000 was allocated into the various expense line-items as was requested.

Pages 54-55 – County Fair Fund were approved.

The County budget meeting was closed and the ASD session was opened.

AMBULANCE SERVICE DISTRICT (ASD)

ASD Director Bob Dickinson presented the ASD Budget Message; notice of the budget meeting was published in the Argus Observer. ASD Budget Message *I am pleased to submit to you the proposed budget for FY 2020-2021. I am excited to report that we are celebrating 30 years as an Ambulance District, and I have been blessed to be the Director for the last 20 of those years. As I sat in preparation for this budget message I thought about how far we have come in Emergency Medicine. Stagnation is the opposite of innovation. Keeping things the same or the idea of "if it isn't broke don't fix it" leads to crumbling systems that don't serve anyone in the community. A lack of innovation affects public and private system's alike. It is seen in outdated equipment, poor management techniques, and field providers that long for the "good ole days". Frankly, our industry is mired in traditional practices. It's time to move on.*

Who would have guessed that our world would be in a virtual lockdown? Unlike any of has ever experienced, and hopefully will never experience again. Malheur County EMS remains strong in readiness and response preparedness to COVID-19. We continue to address information sharing and coordination internally and with partner first responders. Information and guidance on COVID-19 continues to grow and change as more is learned. Our Medical Director Dr. Brian Kitamura is working with other physicians locally and across Oregon and Idaho to learn from what is being seen, and what measures we need to develop and adopt here should we see growth in our exposure. So far very few of our staff has been "exposed" to COVID-19, due to readiness and appropriate use of personal protective equipment on COVID-19 calls. Continuous monitoring of the current COVID-19 situation is showing some positive trends, but the threat of increase and additional "waves" loom, and are taken into consideration for our continued preparedness and response. I've trained my entire career to prepare for and handle emergencies. But I can't see the enemy on this one to worry about my people. I worry about it constantly. One of the biggest adjustments to all of this is the mental strain it has on our EMS personnel. After 30 plus years as a Paramedic, this has been one of the hardest things to deal with. To help with this, I have secured several mental health counselors to assist our EMS personnel should they need someone to talk too, not only during this crisis, but after any traumatic event.

I have sent several directives to dispatch in the past several weeks as new information surfaces about the Virus. Dispatchers screen calls in advance so that we can use the equipment we have more strategically. When we first encountered the news of this virus, I gambled on a hunch, and started shopping for Personal Protective Equipment (PPE). Dr. Kitamura, Lt. Rich Harriman and I discussed the possibilities of a depleted supply of Personal Protective Equipment nationwide if this should get worse. The gamble paid off. I started receiving supplies, gloves, masks, gowns, safety glasses etc., I am pleased to say we are in a really good position, to keep our providers safe.

Treasure Valley Paramedics has had contact with several COVID -19 patients, and thus have designated one ambulance as a COVID-19 transport vehicle. Our staff are using surgical face masks on every call, as well as placing a surgical mask on the patient, regardless of potential of COVID-19. This is to provide a higher level of safety for our staff, to better ensure continued EMS response to our community. Malheur County EMS is learning many things from our response, and identifying gaps in preparation to COVID-19. To which we are planning for better routine practices beyond this pandemic as budget and grant opportunities allow.

In our County most agencies are supported entirely via reimbursements from Medicaid, Medicare, and private insurers. The problem is that reimbursements represent a fraction of the actual costs. A majority of Insurers, meanwhile send the checks directly to patients who often fail to pass them along.

Compounding the financial strain are long-standing recruitment and retention issues. I predict these problems will worsen as the pandemic reaches rural EMS agencies. But as a whole the ASD is financially sound. We have been good stewards of the taxpayer's money and the PPE's that we have purchased will have little if any impact on our current budget.

I believe that we will have to hunker down this next year and that our revenue will certainly be affected, but it is my belief that this budget allows us to continue to deliver outstanding medical services to our citizens in a fiscally conservative and prudent manner. It's a pleasure serving you!!

Mr. Dickinson reviewed the ASD budget and answered questions.

The Budget Board approved the Ambulance Service District budget.

The ASD session was closed and the County Budget meeting was reopened.

HEALTH DEPARTMENT

Consensus was not to approve the request to add another 1 day a week Nurse Practitioner; and not to approve the request for \$25,000 for repair of the sidewalk.

Pages 27-28 – Health Department; and Page 29 – Medical Investigation were approved.

PREDATORY ANIMAL CONTROL

Consensus was to allocate an additional \$5,000 to the County's landowner match helicopter fly program/cost share program as

requested by Mr. McElroy.

SURVEYOR/ENGINEER

Surveyor/Engineer Tom Edwards reviewed Page 37 – County Surveyor; and Page 45 – Surveyor Corner Preservation Fund. No changes from last year's budget in the County Surveyor budget.

Mr. Edwards referred to ORS 203.148(1): *The county governing body may establish by ordinance a fund to be known as the Public Land Corner Preservation Fund. Moneys in the Public Land Corner Preservation Fund shall be used only to pay expenses incurred and authorized by the county surveyor in the establishment, reestablishment and maintenance of corners of government surveys under ORS 209.070.* Mr. Edwards explained that the County established this fund many years ago and emphasized the maintenance portion of the statute. Mr. Edwards requested that the Contracted Work line-item be increased from \$2,000 to \$12,000. Mr. Edwards said he will be meeting with private surveyors and discuss what will be the best bang for their buck on what should be monumented, remonumented or maybe receive some maintenance. Mr. Edwards also explained that he has been trying to build this fund in order to hire someone seasonally to do additional work.

Public member Lance King from CK3 explained that a proposed policy on the usage of the corner preservation fund was submitted to County staff and inquired if it had been considered. Staff explained that the Court had not reviewed/discussed that proposed policy yet and that it would be a topic for a future County Court meeting rather than the budget meeting; changes could be made to the budget before its adoption in June if needed.

Public member Dan Cummings thanked Mr. Edwards for putting more funds in the Contracted Work line-item and for his willingness to meet with the surveyors to review/update the corner preservation fund policy.

Page 37 – County Surveyor; and Page 45 – Surveyor Corner Preservation Fund were approved with the \$10,000 increase to the Contracted Work line-item.

SHERIFF'S OFFICE

Consensus was to approve the purchase of two vehicles with cameras not three as requested; and Pages 21-22 – Sheriff was approved.

NON-PROGRAM

Page 20 – Non-Program was reviewed and approved; this budget includes \$1,500 in the Aid to Indigent line-item for Community in Action's request to support homeless services; an additional \$5,000 to the Predatory Animal Control line-item; and the Dog Control line-item includes Ani-Care Animal Shelter's funding request to continue their contract for the next fiscal year.

ECONOMIC DEVELOPMENT FUND

Page 38 – Economic Development Fund was reviewed and approved. A new line-item for Public/Media Relations was added; this would be for professional contracted services on an as needed basis. The transfers in this budget were reviewed – County Fair, Extension Service, Special Transportation Fund, Bookmobile, Reload/Industrial Park Project. The Technical Assistance line-item includes funds for SWCD, SREDA, and P2P.

TAYLOR GRAZING FUND

Page 52 – Taylor Grazing Fund was reviewed and approved; funding is used for range improvement projects.

SPECIAL TRANSPORTATION FUND (STF)

Page 56 – Special Transportation Fund was reviewed and approved. Revenue is ODOT grant funds for transportation purposes and the County subcontract with MCOA to provide the services. The "5311 Match" for Snake River Transit is in this budget.

GENERAL COUNTY CONTINGENCY

Page 19 – General County Contingency was approved at the amount calculated by Ms. DuBois after all agreed upon changes were made to the budget. Agreed upon changes can be found on instrument #[2020-1459](#)

APPROVALS

Mr. Eiguren moved to approve the budget for the Malheur County Ambulance Service District for the 2020-2021 fiscal year in the amount of \$342,010. Mr. Haidle seconded and the motion passed unanimously.

Mr. Price moved to approve the budget for the Malheur County Agricultural Extension Service District for the 2020-2021 fiscal year in the amount of \$1,209,334; and moved to approve property taxes for the 2020-2021 fiscal year at the rate of \$0.23 per \$1,000 of assessed value for operating purposes in the District Special Fund. Mr. Eiguren seconded and the motion passed unanimously.

Mr. Haidle moved to approve the budget for the 2020-2021 fiscal year in the amount of \$33,505,464; and moved to approve property taxes for the 2020-2021 fiscal year at the rate of \$2.5823 per \$1,000 of assessed value for operating purposes in the General Fund. Mr. Eiguren seconded and the motion passed unanimously.

ADJOURNMENT

The meeting was adjourned.