MISSION STATEMENT: TO CREATE A HEALTHY, SAFE, DIVERSE, AND PROSPEROUS CITY BY ENGAGING COMMUNITY MEMBERS TO DEVELOP AN ENRICHED QUALITY OF LIFE.

COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, JANUARY 19, 2021, 6:00 PM, MT
[Zoom Link]

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 _____ Sam Baker _____ John Kirby _____ Ken Hart _____
Michael Braden _____ Eddie Melendrez _____ Mayor Riley Hill _____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on January 15, 2021. 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: Work Session 12-03-2020; Council Meeting 12-15-2020
B) Housing Incentive Program: BK Construction, Inc. (20-2021)
C) Housing Incentive Program: BK Construction, Inc. (21-2021)
D) Housing Incentive Program: BK Construction, Inc. (22-2021)

6) PRESENTATIONS

A) Ontario Recreation District Pool Renovation Presentation
B) Introduction by the Chamber of Commerce and Visitors & Convention Bureau
C) Malheur County Health Department - Vaccination Distribution Update

7) OLD BUSINESS

A) Adoption of 2021 City Meetings Calendar
B) Committee/Council Liaison Appointments to City Boards

8) NEW BUSINESS

A) Lobbyist for Marijuana Bills
B) Addendum to the Commercial Land Lease EAA: #315 & 317 Golf

9) PUBLIC HEARING

A) Request to Table the Advertised Meeting on Planning Action 2020-01-02CPAMD-ZCA: A Request by the City of Ontario to Amend Title 10 of the Ontario Municipal Code, Addressing the State Requirements of Oregon House Bill 2001 Regarding Requirements on Duplexes, Accessory Dwelling Units, and Manufactured Homes
B) Ordinance #2784-2021: Planning Action 2020-11-41RZ amending the City of Ontario Comprehensive Plan and Zoning Map from General Commercial (C-2) to High Density Residential (RM-10) zone classification for a property being a part of tax map 18S47E09BA identified as tax lot 4202; being a portion Lots 29 through 32 of Block 6 of the Villa Park Addition to the City of Ontario

10) DISCUSSION ITEMS

A) Extend Contract with Merchant McIntyre

11) HAND-OUTS

A) SDC Annual Report

B) Check Register: December 1, 2020 - January 13, 2021

C) Minutes:
SREDA 01-05-2021
County Court 01-06-2021

12) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

13) ADJOURN

CITY COUNCIL MEETING MINUTES
December 3, 2020

The scheduled meeting of the Ontario City Council was called to order by special guest Mayor Riley Hill at 6:00 p.m. on Thursday, December 3, 2020, in the Council Chambers of City Hall. Council members present or attended via telephone were Riley Hill, Norm Crume, Freddy Rodriguez, and Ramon Palomo. Marty Justus was excused. Michael Braden joined via telephone for the Executive Session only.

Members of staff present in person or via telephone were Adam Brown, Tori Barnett, Peter Hall, Terry Leighton, Steven Romero, Kari Ott, Dan Cummings, Al Cablay, Larry Sullivan, Kevin Mullin.

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 December 1, 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, PALOMO seconded, **TO ADOPT THE AGENDA AS PRESENTED.** Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Hart-yes; Braden-out; Crume-yes; Hill-yes. Motion carried 5/0/2.

CONSENT AGENDA

CRUME moved, HART seconded, to adopt the Consent Agenda, which included Resolution #2020-145: Abstract of Votes, November 3, 2020 General Election. Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Hart-yes; Braden-out; Crume-yes; Hill-yes. Motion carried 5/0/2.

PUBLIC COMMENT

Jason Jungling, owner of Plaza Inn Restaurant, was asking for assistance from the Council regarding restaurants being open during the pandemic. Not all businesses were following the mandates and he wanted some type of enforcement that everyone had to abide by the rules, or no one should have to.

The Council voiced their concern and expressed sympathy for the businesses but was unsure what steps to take. No one was winning in this situation.

Larry Sullivan, City Attorney, stated the Covid testing sites wanted individuals who were not sick, who did NOT have Covid, to go and get tested, so their negative results would change the statistics in this area, so the state could obtain a truer picture of the actual infection rate in this county. Currently, it seemed the only testing was being done on those who were symptomatic and were testing positive. He encouraged everyone to get tested.

Adam Brown, City Manager, agreed. A person did not have to have symptoms be to be tested. They were being conducted weekly and there was no charge for the tests. Also, restaurants could do outdoor seating. While not ideal for this area in this season, jersey barriers, tents, and heaters, could be provided so there was the option of doing outside eating.

PRESENTATION

Kevin Mullin, Operations Specialist, Jacobs, presented a drone overview of the work being done at the sewer lagoons clean up.

OLD BUSINESS

Ordinance #2782-2020: Proposed Amendment to OMC 3-9-0: Aviation Fuel Provisions (Final Reading)
Adam Brown, City Manager, presented.

Mr. Sullivan stated there had been some changes since the first reading, and under the City Charter, he was obligated to point out those changes. First, on page one of the ordinance, there was a minor typo that had been corrected. In reference to Section 3-9-9, that was mistakenly listed as a parenthesis instead of a dash. There had been amendments in the attachment. Those amendments reordered the subparagraphs so there was a new subparagraph 2 under A that was intended to clarify who would be able to obtain delivery of their own fuel. That was made explicitly referencing the agricultural and chemical applicators, which was the language that was in the current ordinance. There was language that allowed the city to charge flowage fees, by resolution, which was not in the original ordinance. If the Council adopted this ordinance, a resolution for fees would need to be put before Council to set those fees. His suggestion was for staff to research to see how the initial fee schedule was established. If it was not done correctly, such as by a resolution, then that needed to be corrected. The fees needed to be set by resolution.

CRUME moved, HART seconded, **THE CITY COUNCIL APPROVE ORDINANCE #2782-2020, AN ORDINANCE AMENDING TITLE 3(9)(9) OF THE ONTARIO MUNICIPAL CODE FOR FUEL PROVISIONS ON THE ONTARIO MUNICIPAL AIRPORT, ON SECOND AND FINAL READING BY TITLE ONLY.** Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Hart-yes; Braden-out; Crume-yes; Hill-yes. Motion carried 5/0/2.

NEW BUSINESS

Resolution #2020-146: Budget Amendment to Water Fund to Cover Bench Reservoir Overflow System
Al Cablay, Public Works Director, presented.

CRUME moved, HART seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2020-145, A RESOLUTION APPROVING THE BID FROM STEVE'S BACKHOE AND TO APPROPRIATE $23,250 FOR THE INSTALLATION OF THE IMPROVED BENCH RESERVOIR OVERFLOW SYSTEM.** Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Hart-yes; Braden-out; Crume-yes; Hill-yes. Motion carried 5/0/2.

Resolution #2020-147: Additional Funding for SE 5th Avenue Transportation Enhancement Project
Adam Brown, City Manager, presented.

CRUME moved, PALOMO seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2020-147, A RESOLUTION REQUESTING THAT THE SOUTHEAST AREA COMMISSION ON TRANSPORTATION AND THE NORTHEAST AREA COMMISSION ON TRANSPORTATION APPROVE A REVISION TO THE SCOPE OF WORK OF THE SOUTHEAST 5TH AVENUE SIDEWALK PROJECT TO INCLUDE A PEDESTRIAN CROSSING OVER INTERSTATE 84.** Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Hart-yes; Braden-out; Crume-yes; Hill-yes. Motion carried 5/0/2.

DEPARTMENT HEAD UPDATES

Finance: Monthly Report *(Attached)*
Kari Ott, Finance Director, presented.

Human Resources: Annual Report *(Attached)*
Peter Hall, Assistant City Manager/HR Director, presented.

Community Development: Quarterly Report *(Attached)*
Dan Cummings, Community Development Director, presented.

Fire & Rescue: Quarterly Report *(Attached)*
Terry Leighton, Fire Chief, presented.

DISCUSSION ITEMS

Ontario Poker Room Social Gaming License
Adam Brown, City Manager, presented.

The Governor imposed restrictions by Executive Order 2020-2065 that prohibited social gatherings, among many other restrictions, beginning on November 18, 2020. One business in Ontario – the Ontario Poker Room - has chosen to not comply with the executive order. The Ontario Poker Rooms was one of two commercial social gaming businesses in the City of Ontario. Executive Order 2020-65 was made effective on November 18, 2020, which would, on appearance, require them to cease their operation. The Ontario Poker Room continued operations and the other commercial gaming operation business closed doors in compliance. Staff and elected officials have received calls from members of the community, other downtown businesses, and other businesses throughout the city complaining of the noncompliance. The Ontario Poker Room holds a social gaming license from the City of Ontario, and the ordinance requiring the business to comply with laws and regulations and can be revoked with a civil penalty under OMC 3-12-10 and 3-12-12. A business and its owners can also be closed under State Executive Order 2020-65 with up to $500 per day fine and a Class C misdemeanor punishable by $30 days in jail, or a fine of $1,250. Other business owners in the community would like every business to follow the same rules. It would be ideal for the state law enforcement to enforce the Governor's Executive Order; however local law enforcement will follow the direction of the council to either enforce or not enforce. Taking no action on this situation would allow other commercial social gaming rooms to pen without penalty; however, it was staff's recommendation that the city equally enforce the law of the land, which included the governor's executive orders.

Councilor Crume asked if this establishment fell under page 5, line 3 of the Executive Order. It read *"…venues that host or facilitate indoor or outdoor events is to be closed…."* It didn't specifically state social gaming establishments. If not there, then where did it dictate that social gaming businesses had to close.

Mr. Sullivan that statement also included indoor recreational activities, and that was what social gaming was. It was a form of recreation.

Chief Romero suggested section 4, sub b. *"…certain businesses and activities closed, prohibited during the freeze period…"*

Mr. Sullivan stated it was a food and drink establishments under number 1 that included the word "club". On page 4, number 4, subparagraph a, "…food and drink establishments…" and under that (1) included clubs.

Mr. Brown state the Poker Room had ceased serving alcohol.

Mr. Sullivan believed it would fall under the section dealing with indoor recreational activities on page 5, even though events were usually regarded as something that was a one-time only thing, it would also apply to any gathering in which people were engaging in a group activity. It would be difficult for the owners to argue that their establishment fell within any of the exemptions, or to argue that this rule did not apply to them.

Mayor Hill asked for the next steps, or what a possible remedy would be.

Mr. Sullivan stated the City Manager had the authority to do a suspension for up to 30 days, and once the license was lost, they wouldn't be able to operate because the city required that license. Once the suspension period was met, and the establishment was complying, they could get their license back.

Councilor Hart stated this was a slippery slope. If the city began enforcing rules that were not the city's, but were the state's, if the state were to fine this business and enforce their rules, then the City Manager should pull the license. But, if the Council directed staff to begin going to every business or facility in this community that was violating the Governor's order, that could be interpreted that it was happening in a lot of places all the time. He did not believe the city had the resources. It was unfortunate that the state would not enforce their own rules, or maybe it was good that they weren't, so business could have some flexibility. They needed to be careful. This business was making a business decision, taking a legal risk, but they were making that decision on their own. If the Council started having city staff policing, even though he wished this business would comply and be consistent with what they should be doing, he voiced caution.

Mayor Hill said the other option was telling the other poker establishments they could go ahead an open.

Councilor Hart stated they were not telling this establishment to open or close; it was not the city's rules or regulations. This was their own decision.

Mr. Sullivan stated if the Council passed a motion, it was going to have wide-spread ramifications. They were going to have headlines that the City of Ontario directed staff not to do any local enforcement or if the Council stated in this case to go ahead and shut the business down, the Council did not have to do either one of those. There was a particular complaint that had been made. There were provisions in the City Code to deal with that. The Council did not have to intervene. One of the options would be to do a license suspension that did not carry any immediate fine. If that suspension was issued, there was a right of appeal to the Circuit Court. If the business owner wanted to do that, he could appeal; if it wasn't appealed, the order became final, and was then enforceable. If it were appealed, the owner could ask to have the order staid until the appeal was heard. The Council would have to find the violation was of an especially serious nature to require the enforcement of it before the appeal was heard. Essentially, if the usual course of events were followed, without any direction from the Council, and the City Manager did a revocation, it would probably be a while before that business would be shut down.

Mayor Hill suggested issuing another warning, letting them know that unless there was compliance, their gaming license would be revoked.

Mr. Brown stated he would like to speak directly with OSHA to determine if there was an actual violation of the Governor's Executive Order.

Councilor Rodriguez stated he wasn't comfortable taking any action until he heard that answer to that.

Council direction to have the City Manager handle the issue.

Reallocation of Unspent CARES Act Funding

Mr. Brown stated he had spoken with Mr. Jungling and someone from Los Potrillos Restaurant, and asked them both that if the city were able to acquire some outdoor heating units and/or tents, would they think their patrons would utilize that option. The heating units were running about $500 each. Mackey's Restaurant or Second and Vine courtyards had those type of units, and they were effective. The response was maybe, it might help. The Plaza had an older patronage than Los Potrillos, or Fiesta, but that was an alternative. Staff could order some of those to test the waters. Regarding the funds, all the Department Heads had been working on this over the past two weeks to discuss the money. The funds had to be used – staff did not want to return it to the state. There was $136K, which was the primary amount of the overage which had been allocated towards the business grants. This was city Corona Virus Relief Fund money. That money didn't get used. All the Department Heads made calls to an organization in the community, to see if there were ways to assist. If the Council approved the plan being presented at this meeting, on the 15th staff would finalize the disbursements. Staff had spoken with, among others, were the American Legion, VFW; Community in Action; Meals on Wheels; Four Rivers Cultural Center; Veteran's Advocates; and Veteran's Memorial Hall. They were also looking at improving the training space for the Ontario Police Department.

Councilor Hart suggested holding off on disbursing any funds now, but to reach out to various restaurants and ask if they would avail themselves of the heaters and tents. On the 15th, bring a true accounting of how much remained.

Mayor Hill asked if it was possible to do any direct cash payments to the businesses, to help keep their doors open.

Kari Ott, Finance Director, stated the city currently had a grant program in place. If a business's revenues had been reduced by 30% or greater, they could apply for a grant up to $5K. The problem had been that the CARES Act was specific that a business could not reimburse expenses. If a business had already received CARES Act funding, it was hard to distribute further money. She had inquired from the state, who told her to look at the regulations, but the regulations were not clear. It read that they could not double-up their expenses on reimbursements, so it would be difficult to give a grant. But specific things like heaters, tents, or PPE, that could easily be done. Staff wanted to give this money to the small businesses but was struggling to get it to them without creating issues with the funds. It was proving to be very frustrating and there would definitely be a single audit on it this year.

John Kirby stated the need was now for the heaters, but there was a shortage across the United States.

Mr. Brown stated he'd like to get a few of these moving forward and bring the rest back on the 15th.

Councilor Crume asked if any of the businesses on the list were in desperate need for the funds now or could they all wait until the 15th.

Mr. Brown stated the challenge was that services had to be rendered and invoiced prior to the end of the year. The Veteran's Advocates request was for services already performed, so that could wait. The Meals on Wheels was for a shortage of revenue…

Ms. Ott stated regarding Meals on Wheels and Veteran's Advocates, both organizations had people on a waiting list that they could not afford to put on the program. Maybe the Council could authorize a small payment now, people could maybe come off the waiting list and get the help they needed.

Mayor Hill stated he could see providing funds to Meals on Wheels, but when they gave funds to private non-profits, shouldn't' the Council see how those funds were expended?

Ms. Ott stated staff had received a P&L statement from both entities, with an accompanying explanation. For example, with Veteran's Advocates, they listed how many food boxes had been distributed. Last year, it was 30, this year was already over 100. This was federal funding, so the city needed to ensure everything was done correctly and legally.

Mr. Brown stated regarding the Veteran's Memorial Hall, there were some services that would be needed that would be difficult to accomplish if they waited until the 15th. Four Rivers Cultural Center funding was for reimbursable expenses so that could wait until the 15th. The police training facility, they were cleaning that up so there would be an alternative training facility for staff and other local law enforcement. Meals on Wheels was another one he would ask them to okay now.

Council consensus to move forward with distributing the funds as addressed by the City Manager.

SE 4th Street Paving

Councilor Hart stated this was on the Agenda at his request. As he was driving home, he took a detour and found himself in the middle of Ontario, driving on a gravel road. He assumed it was a county road because the city wouldn't have a gravel road in the middle of the city, but after he contacted the City Manager, he learned it was indeed a half gravel road in town. How many of these types of roads were in Ontario, and was there anything that could be done about it? What was the process? Referencing the submitted picture, the right side was paved, but the left was gravel. It had a sidewalk, but nothing else. He was seeking the history of the issue. Where there plans and funds over time to try to get all the roads in Ontario paved in place?

Al Cablay, Public Works Director, stated it was rare to find publicly dedicated streets that were not paved and fully improved. They were usually either vacated or they were paved with some type of hard surface. There were eight streets currently, publicly dedicated, in town. Of those eight, five existed like the street in the photo. They were half paved and half gravel. Those areas were historically being graded, so they were not forgotten or ignored. The other three which were completely gravel had not ever been on any list to be paved. Over time when property owners existed prior to development, and a developer came along and developed their part of the street, the other side was asked if they wanted their half paved. Unfortunately, many property owners were not able to do that. On this particular street, development came in, developed, and stubbed right up to the line, finishing their half. In his experience, he was aware that there was some grant funding, CDBG funds, lien agreements, or deferred agreements. In his opinion, he believed staff could step up with the frequency of the grading on those half streets.

Councilor Crume stated the city had received complaints in the past from the property owners on the gravel side that the streets were not being taken care of. It was his recollection that the property owners on the left-hand side had not done their part that was mandated for them to do. That was why it was not finished.

Councilor Hart asked if this were something they could ask staff to over time get the rest of Ontario paved? How much would something like that one block cost?

Mr. Cablay stated it would probably be around $50K. If that was if the street only needed to be bladed, throw some base down. That might be high, and staff would take care of the design; however, it wouldn't just be the paving. It would also have to meet code with sidewalks, curbs, gutters, etc.

Mr. Brown stated in response to the second part of the question on how something like this occurred, mixing this in with all the other needs that were reviewed annually through the budget process and the strategic planning process. As part of the budget process, staff came before Council with their strategic plan, and that meeting would be taking place soon, and at the direction of the Council, whichever projects the Council selected were then added into the budget proposals.

HAND-OUTS

Monthly Department Stats *(Attached)*

Public Works
Fire & Rescue
Code Enforcement
Police

Minutes: *(Attached)*
County Court: 11-04-2020

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

Councilor Hart asked about the status of language translation on the city's website.

Peter Hall, Assistant City Manager/HR Manager, stated the newly upgraded website had the ability to translate, but it had to be done manually. There was currently a staff member going through all the documents and pages and verifying the translation. For now, he was running everything through Google translate and placing it in documents. However, staff wanted to make sure everything was accurate, so this staff member was going through line by line and checking everything. Once completed, he would be able to manually change everything from English to Spanish. Currently on the website, there was an icon that toggled between English and Spanish.

EXECUTIVE SESSION(S)

Councilor Braden joined the meeting via telephone. Councilor-elect John Kirby was invited to stay during the Executive Sessions.

Executive Session: ORS 192.660(2)(d)
An executive session was called at 8:27 p.m. under provisions of ORS 192.660(1)(d) to discuss labor negotiations. The Council entered a second executive session at 9:11 p.m.

Executive Session: ORS 192.660(2)(i)
An executive session was called at 9:12 p.m. under provisions of ORS 192.660(1)(i) to discuss the City Manager's evaluation. The Council reconvened into regular session at 9:21 p.m.

NEW BUSINESS FOLLOWING EXECUTIVE SESSION

City Manager Evaluation
HART moved, RODRIGUEZ seconded, **TO TABLE ACTION ON THIS ISSUE UNTIL THE DECEMBER 15, 2020, REGULAR COUNCIL MEETING.** Roll call vote: Rodriguez-yes; Justus-out; Palomo-no; Hart-yes; Braden-no; Crume-yes; Hill-yes. Motion carried 4/2/1.

ADJOURN

CRUME moved, HART seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Rodriguez-yes; Justus-out; Palomo-yes; Hart-yes; Braden-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

ACCEPTED:

____
Riley J. Hill, Mayor

ATTEST

____
Tori Barnett, MMC, City Recorder

CITY COUNCIL MEETING MINUTES
December 15, 2020

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Tuesday, December 15, 2020, in the Council Chambers of City Hall. Council members present in person or by call-in were Riley Hill, Freddy Rodriguez, Michael Braden, Norm Crume, Ken Hart, and Marty Justus. Ramon Palomo arrived at 6:41 p.m.

Members of staff present in person or by call-in were Adam Brown, Tori Barnett, Dan Cummings, Peter Hall, Terry Leighton, Steven Romero, Kari Ott, Larry Sullivan, Al Cablay, and Laura Reyes.

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 December 11, 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, BRADEN seconded, **TO ADOPT THE AGENDA AS PRESENTED.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-out; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

CONSENT AGENDA

CRUME moved, BRADEN seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED 11-05-2020 COUNCIL WORK SESSION MINUTES; 11-17-2020 COUNCIL MEETING MINUTES; AND 11-24-2020 COUNCIL MEETING MINUTES.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-out; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

PRESENTATION

John Breidenbach, CEO Ontario Chamber of Commerce, stated: *Thank you Mr. Mayor. I've been asked to come here tonight and speak to you on behalf of the businesses and try to give you an update on what's going on. Before I start, because I'm not sure I'm going to make it to any more meetings in 2020, and I don't want to do this by Zoom, I personally want to thank Councilman Palomo, Councilman Justus, and for your service not only on this board on the Council but for your service on Revitalize Ontario which I know you're staying on that, and to Councilman Norm Crume. Norm, thank you very much for that last many years that you've been on this Council. What many of you don't know is that after a Council meeting, the next day or the next week, Norm has often picked up the phone or picked up my phone call to kind of get a pulse on what's going on in the business community. Norm, I have really appreciated your support and your outreach to the business community to understand what's going on. That being said, if anybody new to the Council would like to pick up the phone and do that, I'd like to do it by phone, but I can start coming to Council meetings on a more regular basis, too. I just wanted to thank you Norm, and Marty, and pass that on if he's not on the phone to Ramon.*

During the last eight months of this pandemic and freezes and lockdowns and shutdowns and salons being shutdown and bars being shutdown and the restaurants being shut down, our businesses in Ontario, as you heard at your last City Council meeting, have really been suffering. So, what we have tried to do at the Ontario Area Chamber of Commerce for the last eight months is A-#1, keep our doors open. Keep our doors open. We have served many people who are looking for Community in Action, many people who are looking for help, not only businesses but just citizens in the area to try to give them guidance and where to go. Over the last eight months if you are a Chamber member or know somebody who is, you have probably been hit in your inbox by a ton of emails coming from my desk, me personally, trying to pass on to the businesses in Ontario and the whole area about grants that are available, rather than the federal grants with the PPE, the idle grants, the state grants, the Oregon Restaurant Association grants, the Travel Oregon grants, the last couple weeks the county grants, and as soon as I was made aware of the city's grant program, then that grant too. Many businesses have called me back over that time to get more details, and I try to be the liaison between the grantor and the grantee will tell you, it's not over, as I know you all follow the federal news there may be some more help coming federally and as of today, Governor Kate Brown has called our state legislators back into special session on Monday, one day only, and so I took advantage of that particular situation and passed on to Representative Mark Ownes and our great Senator Lynn Findley some information that we put together a few weeks ago via a survey to the Chamber membership. I had help on this, a lot of help, and I appreciate it, from City Manager Adam Brown. So, I just passed on so they would know on Monday that what our businesses are dealing with. I would highly encourage the City Council to reach out to them prior to Monday and ask them to remember the businesses that are in this because on her agenda, from what I read today, it is a vaccine distribution, funding to get schools back open, and one other thing, but nothing was mentioned that was business related directly. Oh, it was evictions and landlords that was the third item. I got the notice through Senator Findley's office is how I found out about it and I was able to dig a little deeper.

So, we sent out a survey to all the businesses about three weeks ago and we asked them what is your risk of going out of business because of this freeze. This was right when the freeze first started, not after it got extended. At that point, there were 15.3 businesses out of the 73 respondents that were on the verge of going out of business. There was 55.6 that said no, and there was 29 that said maybe. And I can tell you, in talking to, I don't know who answered this, but in the last week probably that 29 has grown quite a bit. People are really, business owners and general managers are really getting afraid that this isn't going to end soon enough that they can stay open. I will tell you that the ability that you guys did as a team to get some heaters and some propane and tried to help the restaurants out has been greatly appreciated and it's been greatly received by the community as something, basically the words were anything the city can do to help is not taken lightly. Also, passed on a couple businesses to the county with their grant right after that same conversation.

The next question was regardless of the harm done, do you believe the Governor's freeze order, as currently written, was the right thing to do. We had 73 respondents, but only 30% saying yes, it was the right thing to do. 54% said no, and 13% said some is right.

We asked the question would you like us to send a letter to the Governor on behalf of the businesses and yes it was said by 57.6% that we should do it. 32% said no, and 98 said yes. That was when we had 73 responses and then it jumped up to 144 responses and I had 77% say no, don't send a letter.

Adam Brown, City Manager, stated they had written the survey offering the business community a voice to the state. It was sent Tuesday morning of the Chamber meeting and had 73 responses. John suggested pushing it out one more time to try for more responses, and the count doubled very quickly. John picked up some conversation within the community that people outside the business community were upset about it. When he reviewed the results, it definitely looked like tampering. The pattern of responses changed 180^{o}, so they used the cutoff of 73.

Mr. Breidenbach continued: *I put the word out there that I have a board meeting coming up Tuesday morning and I want to present this to the board, so I wanted the answers by that, the board and myself that morning thought 73 out of 356 members was a little low, let's try it one more time, and that didn't work so well. On that, the responses were the biggest impact to our community by far was 42% saying that the order needed to adjust the bars and* *restaurants and those type of things. So, what I did was I shared this information with Senator Findley and asked him to take the advice. I did it again today when I had that. I did not write a letter directly to the Governor's office to say hey, change the freeze. Our businesses are dying because of it, although I know they are. I honestly believe what happened with that survey is we have 356 members, roughly, and out of that, we have many state agencies, many non-profits, and many businesses that are across the river and I really feel, as Adam just stated, I really feel like that first 73 were the people that it was affecting the most and the ones that understand were directly here in Ontario. The survey was a Google survey, it was anonymous. We did reach out to businesses. Some of the directly sent some comments back of ways they thought we could tell the Governor in a not so nice way to change things, and some of them had some really good ideas that I also shared with Senator Findley. That was one of the things that we've done over the year, or over the last eight months, was the survey.*

Other things we have worked on very hard, and Peter Hall and Adam Brown and myself and the great team over at SBDC at TVCC, Chris Holloway, Andrea Testi and Ronda Baines, have worked to put together what we're calling the Shop Four Rivers Gift Card. You many have heard of this already; you may have seen it. I was invited to a workshop along with the Nyssa Chamber and the Fruitland Chamber and the Payette Chamber and the Weiser Chamber, to work together and come up with this plan. It's a national company that does this and they showed up where they've done it in Eugene and some other cities in Oregon, but the one that really hit close to home for all of us is it's working in Burns, in the Shop Harney County, and they had over 40 cards signed up that first day. We're barely getting the 40 cards. We haven't launched the full program yet, but we're working on it. What this is, this is a digital Mastercard. You can print on paper, but it's a digital card that you can purchase and then you can give as a gift and they can only be redeemed at stores, businesses, restaurants, etc., City Hall, Chambers, that are signed up to take the card. So, you can't buy a Shop Four Rivers card and go shop in Eugene with it, or even shop Harney County. You have to use it here. The idea is, and we were trying really hard to get it pushed out prior to the holiday season, is we have some major employees here – Heinze, Woodgrain, etc., that have several thousand employees or right at that thousand employee mark, that could buy these as gifts for their employees and then their employees would move the money locally instead of shopping outside the area. It's still a work in progress we're working on all the time. They had 13,000 already of people buying cards. The program works like this: if you go in and you digitally buy a card, you have a percentage as the buyer to the card. I was able to reach out to the Malheur Enterprise and Les Zaitz and the Malheur Enterprise subsidized that up to $500, so all those people that are buying cards right now, until that $500 in fees is gone, which is going to last quite a while because it's only like a buck or two per card, are able to use that money. There's also if you sign up to use the program, and I know Kinney and Keele is one of the people who have signed up for it, and others, you can offer special offers that will go right onto the website. You can do like 20% off or buy one-get one and we're also working with Swire Coca-Cola and Heart & Home Hospice and some other businesses to do the buy-one, get-one, so if you buy a $25 card, you're going to get a $25 card to give away, and that's been all done by sponsors at this point. There is a website that I encourage you all to look at called ShopFourRivers.com and it takes you to the company site and it's called Yiftee. I feel, the Chamber Board feels, and the community partners feel that are involve din this, it's a wonderful program. We did invite the Nyssa Chamber to come on board with us; the Fruitland Chamber did come on board; Vale is looking at it; Wieser held off at this point; and then us. The reason we did it regionally is because we know that there's a lot of businesses that would give these cards and we would just as soon maybe everybody from the Fruitland places that would give a card to Walmart not that Walmart is the evil empire but maybe they would give them to the local stores. It was open to all businesses, restaurants, bars, bookstores, whatever. It was not just at this point done just for Chamber members. We may be doing some stuff down the road where we'd highlight the Chamber members a little bit more to make sure they're getting some extra return on investment and then offering special deals only to the ones that are Chamber members so only can put specials on their websites. But that's a recovery thing, after the pandemic, after the closures, after the freeze. Right now, it's about trying to come up with a program to get some local dollars moving locally. I'm pretty excited about it. Does anyone have any questions about it? I'm not the expert, believe me. Call Chris Holloway. It's a great program. Peter and Adam are on almost all the Zoom calls with me and everything, so hopefully it's something that we're going to continue see working. Right now, I'd say probably the biggest fish that has been signed up that will take the gift cards is Red Apple. So, you can buy your groceries or treat your employees to these give cards so they can use them there.

The next thing on my list to talk about is just something that I'm kind of excited about. It's coming together today thanks to again the help from Peter and the city with the Zoom account. We are going to have – this Saturday – from 1-3, a virtual visit with Santa and Mrs. Clause courtesy of the Ontario Area Chamber of Commerce, kids will be able to drive by, drop off a letter, Santa will read the letter, if they have the Zoom capabilities which most kids do because of the schools, they can Zoom in and talk to Mr. and Mrs. Clause. Myself, the Chamber Board, and the people who kind of came up with the idea really wanted to do something that was semi-normal, and Santa Clause is semi-normal, and to let the community know that we, the city, the area Chamber, is still here to support besides just sitting around and complaining about everything that is going on. That will be this Saturday from 1-3. I'd tell you to come in and see Santa, but you can't do that, but you can drop off a letter to Santa. Peter will be there to help with the Zoom technology part of it, thank you for that Peter.

Those were the things I wanted to highlight this evening, but as always, I am here to answer any questions that you might have. I really encourage you, if you are a Chamber member or the city or whoever, and you get those daily emails with the grants, share them with everybody. At this point, I will tell you that currently, when we sent out our dues staring in March, we send a letter that stated hey we know it's tough, if you can't make your full dues payment this year, whatever, reach out to us, let us help you get through this, I'm about $8K in past 90-days dues of what we would have normally collected here in December. Everybody's got their story about how it hurt, but I will tell you that we did not get to have our auction right away, and that's $24-25K usually every year. We didn't get to have our Global Village. We basically make about $2,500 which usually goes back into the next year's event, so it's not really a profit. Not having the parade is usually a $500 profit to the Chamber to cover the labor, so the way we've made this up is right when the pandemic started, one of our team members quit and we decided right then and there that we weren't going to fill that position until this was over and that salary that goes with that is kind of where we are at.

I also encourage you as you are out and about talking to businesses and trying to help them, to ask them, and I know it's a difficult thing, but ask them to be consistent. The first call I got Monday morning when I walked in the office was the restaurants want us to help them and do carry-out and I called a restaurant and I wanted to do carry-out and they told me it's been too slow and it's snowing and they're closing. The person went to fast food because fast food is open all the time. Customer service is still going to be key to recovery. We had a conference all the other day with Eastern Oregon Business Association. As you all know, or those of you who have been on the Council for a long time, we area a member of that. As we do the tourism for the area and the recovery plan that we're really trying to work on for next year had a lot more to do with soft skills than worldwide marketing. We're not going to reach out to Germany and Japan and try to get visitors here from them; we're going to try and get local people to shop local, stay local, those type of things, but we're also going to try to make sure that there is some training available for front-line staff at restaurants, hotels, gas stations, etc. most all employees, and I know you guys have heard this, and some of you have employees, most all employers are telling me right now their biggest issue is staffing and getting staff. As we do this recovery and roll out when we get new people, we want to get them trained right. I really don't like it when I go to a hotel and the front desk person doesn't know who I am, so I pretend that I'm not from here and then I ask what is there to do in this town and they say huh, or nothing. There's plenty to do and it's going to be our job to train them.

Thank you for your time and I will be back after the first of the year to get on the agenda to talked with the new councilors to talk about the Visitors and Conventions Center.

OLD BUSINESS

CARES Act Funding
Adam Brown, City Manager, presented.

HART moved, BRADEN seconded, **THE COUNCIL SIGN OFF ON THE REMAINING LINE ITEMS THE CITY IS PROPOSING TO UTILIZE THE CARES ACT FUINDING FOR BEFORE THE END OF THE CALENDAR YEAR.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-out; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

Approval of the Property Line Adjustment Deed between the City of Ontario and Iliad Media Boise, LLC, (Formerly FM Idaho Co., LLC) to Complete the Contract Requirements of the NW Washington Avenue Project
Dan Cummings, Community Development Director, presented.

HART moved, BRADEN seconded, **THAT THE COUNCIL APPROVE THE PROPERTY LINE ADJUSTMENT DEED BETWEEN THE CITY OF ONTARIO AND ILIAD MEDIA BOISE, LLC, TO COMPLETE THE CONTRACT REQUIREMENT OF THE NORTHWEST WASHINGTON STREET PROJECT AND AUTHORIZE THE MAYOR TO SIGN THE DEED.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-out; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 6/0/1.

City Manager Compensation
Adam Brown, City Manager, stated his appreciation for his evaluation and the constructive feedback going forward. But he was requesting the Council table this issue until March. After speaking with several Councilors, these were difficult times and he believed the city was going in a good direction and he didn't want to take away from that optic, so he asked for deferment to March.

Council consensus to table this issue until March, 2021.

NEW BUSINESS

Resolution #2020-148: Supplemental Budget for Carryover Projects
Kari Ott, Finance Director, presented.

CRUME moved, BRADEN seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2020-148: A SUPPLEMENTAL BUDGET TO APPROPRIATE FUNDS FOR CARRYOVER PROJECTS AND CORRECT SEWER ADMINISTRATIVE SERVICES.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

Resolution #2020-149: Prioritization of In-Person Education
Ken Hart, City Councilor, presented.

HART moved, BRADEN seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2020-149: REQUESTING THAT THE GOVERNOR STRONGLY CONSIDER HAVING IN-PERSON INSTRUCTION FOR AT LEAST PART OF THE KINDERGARTEN THROUGH 12TH GRADE PRIMARY EDUCATION.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

Request for City Council to Initiate a Vacation on Council's Own Motion – Requested by Community Development Director and Ray Miller, Representing Property Owners, Regarding a Portion of SE 1st Street
Dan Cummings, Community Development Director, presented.

CRUME moved, HART seconded, **THAT THE CITY COUNCIL APPROVE THE REQUEST OF THE COMMUNITY DEVELOPMENT DIRECTOR AND RAY MILLER FOR THE CITY COUNCIL TO INITIATE A VACATION PROCEEDING AUTHORIZED UNDER ORS 271.130 FOR VACATION OF A PORTION OF SE 1ST STREET AS SHOWN ON ATTACHMENT "1" IN THE REPORT.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

CRUME moved, RODRIGUEZ seconded**, THAT THE CITY COUNCIL REQUIRE THE ADJACENT PROPERTY OWNERS TO PAY THE CITY EXPENSES INCURRED FOR THIS ACTION WHICH ARE OUTLINED IN THIS REPORT AND ALSO HAVE A GATED FENCE INSTALLED WITHIN 30 DAYS OF THE VACATION OF THIS PROPERTY.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC HEARING(S)

Ordinance #2783-2020: Vacating all that Portion of SE 7th Avenue as shown on the Partition Plat 2009-06 filed under Malheur County Plat Records under Instrument #2009-4928, Dated June 25, 2009, on First/Second Reading by Title Only

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

Dan Cummings, Community Development Director, presented.

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

HART moved, JUSTUS seconded, **THE CITY COUNCIL APPROVE ORDINANCE #2783-2020 VACATING ALL THAT PORTION OF SE 7TH AVENUE AS SHOWN ON THE PARTITION PLAT 2009-06 FILED UNDER MALHEUR COUNTY PLAT RECORDS UNDER INSTRUMENT #2009-4928 DATED JUNE 25, 2009 AND AS SHOWN ON ATTACHMENT "2" OF THIS REPORT ON FIRST READING BY TITLE ONLY.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

HART moved, JUSTUS seconded, **THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2783-2020, AN ORDINANCE VACATING ALL THAT PORTION OF SE 7TH AVENUE AS SHOWN ON THE PARTITION PLAT 2009-06 FILED UNDER MALHEUR COUNTY PLAT RECORDS UNDER INSTRUMENT #2009-4928 DATED JUNE 25, 2009 AND AS SHOWN ON ATTACHMENT "2" OF THIS REPORT ON SECOND AND FINAL READING BY TITLE ONLY.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

Ordinance #2781-2020: Acceptance of Private Properties as Public Rights-of-Way for Public Streets, on First/Second Reading by Title Only

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

Dan Cummings, Community Development Director, presented.

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

CRUME moved, BRADEN seconded, **CITY COUNCIL ADOPT ORDINANCE #2781-2020, AN ORDINANCE ACCEPTING CERTAIN TERRITORY AS CITY OF ONTARIO STREET RIGHT OF WAYS AND AS PUBLIC STREETS, ON FIRST READING BY TITLE ONLY AND DECLARING AN EMERGENCY.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

CRUME moved, BRADEN seconded, **THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2781-2020, AN ORDINANCE ACCEPTING CERTAIN TERRITORY AS CITY OF ONTARIO STREET RIGHT OF WAYS AND AS PUBLIC STREETS AND DECLARING AN EMERGENCY.** Roll call vote: Rodriguez-yes; Justus-yes; Palomo-yes; Braden-yes; Hart-yes; Crume-yes; Hill-yes. Motion carried 7/0/0.

DISCUSSION ITEMS

Water and Sewer Waivers for Restaurants and Bars
Mayor Hill stated this had been added to the Agenda at his request.

Adam Brown, City Manager, stated the city had done this back in March, April, and May, and it wasn't restricted to restaurants and bars. It was for anyone required to close. The total forgiven for those three months was $15,285, which were mostly restaurants and bars.

Mayor Hill stated the city could afford that and believed this should be retroactive into November when the Governor shut them down again.

Mr. Brown stated staff was in support of this action, also.

Mayor Hill reminded the Council there were a couple businesses not observing the mandate and wasn't sure if they should be rewarded.

Councilor Hart stated they should use the same process used before. Businesses would have to apply for the relief.

Councilor Crume suggested changing the wording to read any business that had been closed by the Governor should qualify for this relief, retroactive to when the shutdown happened again.

Councilor Rodriguez stated he would support excluding businesses that did not comply.

Mayor Hill stated there would be no action taken on this tonight but was seeking a consensus to give direction to the City Manager on the type of resolution to develop.

Councilor Hart stated a restaurant that could still do carry-out, but was at 20% of normal, he hoped that restaurant could apply.

Councilor Rodriguez stated his comment was towards only the businesses that had not shut down at all.

Councilor Hart proposed November, December, January, and February, and then revisit.

Mr. Brown stated instead of aligning with the Governor's date of closure, it would need to line up with the city's meter reads and billing cycle.

Mayor Hill stated if a business was shut down or only doing take-out, maybe they could shorten the application, removing the P&L portion, simplify the process.

Mr. Brown stated because this was citizen money, it was not tied to any federal requirements. The city could make the requirements as simple as they wanted.

Councilor Crume stated for restaurants doing take-out only, but doing way less than usual, they needed to develop a guideline for the City Manager to allow those type of businesses to apply. He also agreed that if a business was supposed to shut down and opted not to follow the mandate, they would be ineligible for the benefit.

Mayor Hill summarized what the Council was saying was that they wanted to give water and sewer waivers, starting back in the billing cycle November to February for businesses that had been impacted or shut down, meaning no interior seating, and anyone who had not followed the Governor's order would not be eligible for the waiver.

Mr. Sullivan stated they could state the waiver would be effective for any business that could show a substantial loss of profit due to their compliance with the Governor's order.

Mayor Hill reiterated they did not want to have the businesses have to provide a P&L statement.

Councilor Justus wanted to ensure that the language included any business that failed to adhere by the Governor's guidelines was not eligible for the funds.

Council consensus to have the City manager develop a resolution based upon the language provided and bring it back to the Council for adoption at the next meeting.

Mr. Brown stated in the meantime, he had ceased shutoffs for now.

HAND-OUTS

Check Register: October-December, 2020 *(Attached)*

Councilor Hart asked if this batch was usual because it seemed rather large. It would be easier in smaller chunks.

Mr. Brown stated it was provided monthly, but the one before them had some carryover.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Crume stated regarding the COVID testing being done in our area, which he totally supported, the testing was being done during the day when people who were working could not participate. There needed to be some way to either be open earlier in the morning and/or stay later in the evenings. It would be a great help to the community and to maybe bring the overall numbers down.

- Mr. Sullivan stated he and Mr. Brown had been working with the Oregon Border Board to develop an agreement that would aid the Border Board in making sure that the grants that they approved, and they had been approving grants since May, that those grants were going to be administered properly as required by Biz Oregon, the Oregon agency that oversaw that grant funding. Many of the grants were going to be going through grant administration from the Oregon Community Foundation, but there were some grants that they were not able to handle because of legal requirements, so they asked the City of Ontario to act as a grant administrator for those particular grants. He and Shawna Peterson had been working on some language that would allow the city to act as a figurehead grant administrator even though the city would just be doing a pass-through of the money. The funding would go to the city, the city would distribute the grant, then Oregon Community Foundation would come back and make sure all the legal requirements were being met. Some contract language was traded back and forth that day, and it appeared to be good. He knew that Ms. Peterson was also alright with it. He just wanted to give the Council a briefing because that contract would be appearing before Council at the next meeting. The Border Board was anxious to get the contract approved because the businesses that they had given the grants to had been waiting since May for the money, and they finally received the various procedural steps to begin distributing the funds. This contract was the last piece of the puzzle that had to be completed to distribute money.

- Mayor Hill stated he had been contacted by the county to serve on a committee for negotiations between Americold and the transload facility. He had not accepted yet, and was not sure if he should, or if there were any conflicts to accepting.

  Mr. Sullivan stated there would not be a legal conflict because there was no financial interest in it. Whether or not it would create any political difficulties, he could not say. It was his personal decision.

- Councilor Justus stated this would be his last Council meeting and wanted to thank everyone for the wonderful experience. He'd been on Council for five years and he totally enjoyed working with the city and its staff, as well as this Council and the two previous Councils. It had been an honor and a privilege to serve his community, and he thanked the citizens of Ontario for the privilege.

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(e)
Mayor Hill stated for the record that Councilman-Elect John Kirby would be attending the Executive Session.

An executive session was called at 7:42 p.m. under provisions of ORS 192.660(1)(e) to discuss real property. The Council returned to regular session at 8:35 p.m.

ADJOURN

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

ACCEPTED:	**ATTEST**
______________________________	__________________________________
Riley J. Hill, Mayor	Tori Barnett, MMC, City Recorder

AGENDA REPORT
CONSENT AGENDA
January 19, 2021

TO: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: HOUSING INCENTIVE PROGRAM: BK CONSTRUCTION, INC. (20-2021)

DATE: January 13, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION BY BK CONSTRUCTION, INC AT 1564 SW 7TH AVENUE FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF $10,000.

SUMMARY:

BK Construction, Inc submitted an application for $10,000 from the housing incentive program.

The property is located at 1564 SW 7th Ave.

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:

BK Construction, Inc is requesting approval of the application for the $10,000.00 incentive on a new home to be located at 1564 SW 7th Avenue; tax lot 2 Brockside Subdivision. The proposed dwelling will be 1,674 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 January 14, 2021.

ANALYSIS:

A. **STRATEGIC PLAN** The Housing Incentive Program promotes growth and desirability goals of the Ontario Strategic Plan. It specifically addresses the activities to build a variety of housing options and add fill-in housing.

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 BK Construction, Inc in the amount of $10,000.00.

ATTACHMENTS:

1. Incentive Application 20-2021_BK Construction

City of Ontario, Oregon
Housing Incentive Program Checklist

Applicant: BK Construction Inc. Date: 01/08/2021

Site Address or Tax Lot: 1564 ~~1624~~ S.W. 7th Ave

Application Number: 20-2021 (City Use Only)

Application Information: (Applicant or Staff)

- ☑ Completed Application Signed & Dated: ______
- ☑ Documentation showing funding: ______
- ☑ Within City Limits
- ☐ In Urban Growth Boundary Annexation Application filed: N/A
- ☑ Floor Plan or description describing minimum square footage:
  1. House Square footage: 1674 Sq ft
  2. Number of Baths: 2
  3. Size of Garage: 602 Sq ft. (2 Car)
- ☑ Description of Property of Home:
  1. Tax Lot map & Number: 1854708 TL 1504
  2. Copy of Deed: LOT 2 BROOKSIDE SUBDIVISION
  3. Or written description: ~~1624~~ S.W. 7th Ave. Ontario.
- ☑ Completed W-9 Taxpayer Form. 1564

Process Completed: (Staff Use Only below)

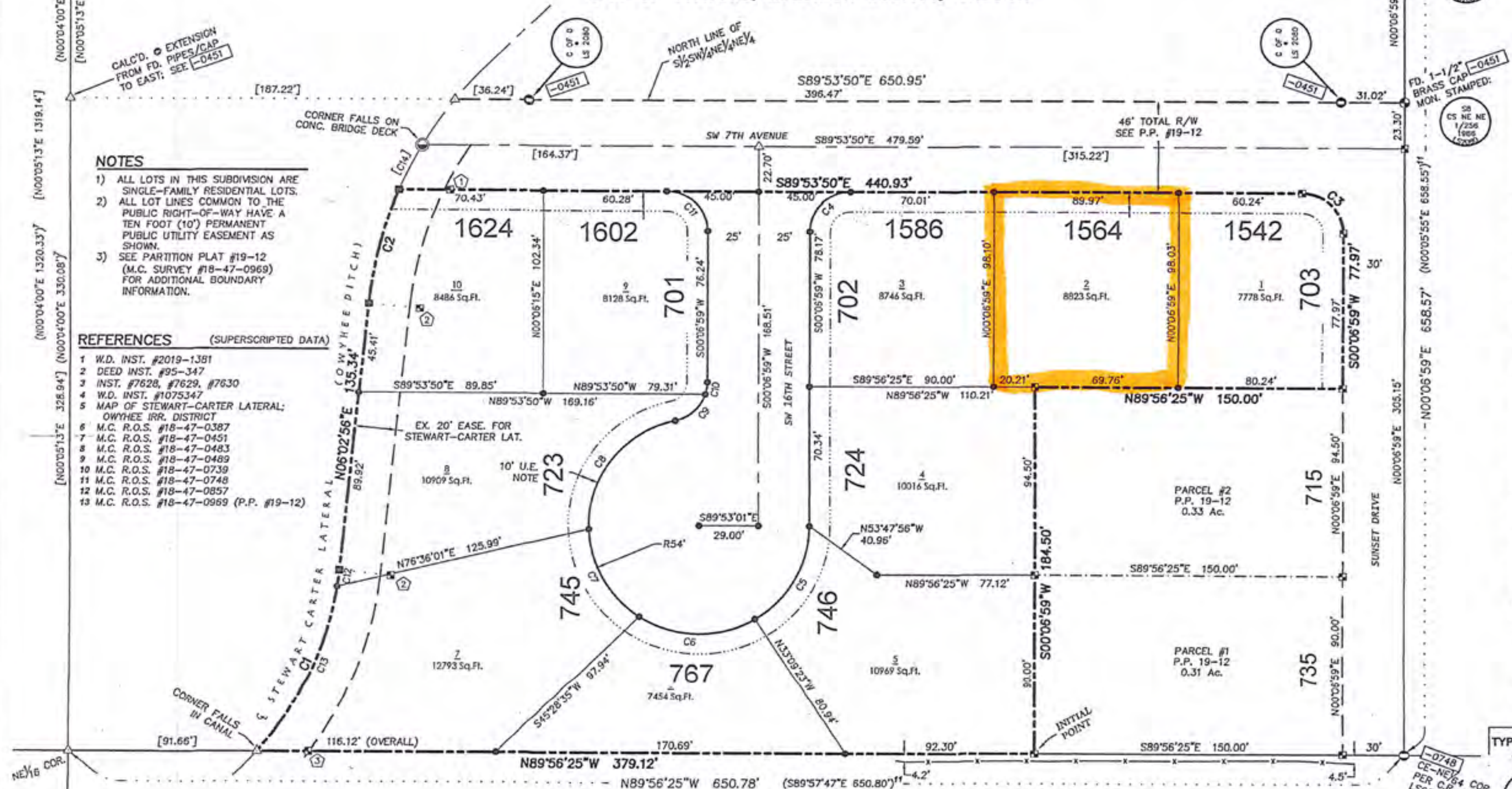
- ☑ PDAC (if Required) date Completed: N/A
- ☑ Community Development Director approval date: Dan Cummings 1-8-2021
- ☐ Forwarded to Business Loan Fund Committee: ______
- ☐ BLF Committee forwards recommendation to City Manager: ______
- ☐ City Council Approval or Denial: ______
- ☐ City Manager signs 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

Cab A Slide 46

BROCKSIDE SUBDIVISION

BEING A REPLAT OF PARCEL #3 OF PARTITION PLAT #19-12 WITHIN THE SW1/4NE1/4NE1/4 OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M. CITY OF ONTARIO, MALHEUR COUNTY, OREGON



NOTES

1) ALL LOTS IN THIS SUBDIVISION ARE SINGLE-FAMILY RESIDENTIAL LOTS.
2) ALL LOT LINES COMMON TO THE PUBLIC RIGHT-OF-WAY HAVE A TEN FOOT (10') PERMANENT PUBLIC UTILITY EASEMENT AS SHOWN.
3) SEE PARTITION PLAT #19-12 (M.C. SURVEY #18-47-0969) FOR ADDITIONAL BOUNDARY INFORMATION.

REFERENCES (SUPERSCRIPTED DATA)

1 W.D. INST. #2019-1381
2 DEED INST. #95-347
3 INST. #7628, #7629, #7630
4 W.D. INST. #1075347
5 MAP OF STEWART-CARTER LATERAL; OWYHEE IRR. DISTRICT
6 M.C. R.O.S. #18-47-0387
7 M.C. R.O.S. #18-47-0451
8 M.C. R.O.S. #18-47-0483
9 M.C. R.O.S. #18-47-0489
10 M.C. R.O.S. #18-47-0739
11 M.C. R.O.S. #18-47-0748
12 M.C. R.O.S. #18-47-0857
13 M.C. R.O.S. #18-47-0969 (P.P. #19-12)

LEGEND, ABBREVIATIONS

SUBDIVISION LINE
LOT LINE
SECTION LINE
1/4, 1/16 SECTIONAL LINE
EXISTING PROP. LINE
STREET R/W LINE
EASEMENT
CENTER LINE
CALCULATED/TIE LINE
FENCE
RECORD MEASUREMENT ( )
CALCULATED VALUE [ ]
FD. BRASS CAP
FD. #5 REBAR/PLASTIC CAP
FD. RAIL ROAD SPIKE
FD. AL. CAP
FD. PIPE/CAP
FD. #5 REBAR
FD. #4 REBAR/NO CAP
FD. MAG NAIL/WASHER
SET #5 REBAR/AL. CAP (SEE DETAIL)
SET #5 REBAR/RED PLASTIC CAP (SEE DETAIL)
CALCULATED POINT

AL. CAP — ALUMINUM CAP
B.&S.D. — BARGAIN & SALE DEED
C.R. — CORNER RECORD
C.O.O. — CITY OF ONTARIO
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R.O.S. — RECORD OF SURVEY
R/W — RIGHT-OF-WAY
SEC. — SECTION
U.E. — UTILITY EASEMENT
W.C. — WITNESS CORNER
-#### — M.C. R.O.S. NO. 18-47-####
(#) — MONUMENT #

TYP. DETAIL OF SET PLASTIC CAP

TYP. DETAIL OF SET 2" AL. CAP

CURVE TABLE

C#	LENGTH	RADIUS	DELTA	CH. BEARING	L.C.
C1	100.85'	165.00'	35°01'12"	N23°33'32"E	99.29'
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SCALE: 1 INCH = 40 U.S. FEET

BASIS OF BEARINGS
OREGON COORDINATE REFERENCE SYSTEM
ONTARIO ZONE (SEE NARRATIVE)

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REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 8, 2002
DEAN J. COON
65687LS
RENEWS: 12/31/21

RIGHT-OF-WAY ACCEPTANCE (ORS 92.014)

I HEREBY ACCEPT, ON BEHALF OF THE PUBLIC, THE ROADWAY DEDICATION FOR THE PUBLIC ROADS, AS SHOWN HEREON, FOR PUBLIC ROAD PURPOSES.

MAYOR, CITY OF ONTARIO — 10/26/2020 DATE

CERTIFICATE OF MALHEUR COUNTY RECORDER

STATE OF OREGON
COUNTY OF MALHEUR

MALHEUR COUNTY, OR 2020-4421
DSUBDIV 11/18/2020 11:34 AM
Cnt=1 Pgs=2 Total:$122.00
00085384202000044210020028
Gayle V. Trotter - County Clerk

Number of affidavits of vendor, mortgage or trust deed holder attached: 0

PLAT CAB. A SLIDE: 46

MALHEUR COUNTY SURVEYOR (ORS 209.250)

BY: [signature]
RECEIVED 10/15/2020
ACCEPTED 11/17/2020
SURVEY NO. 18-47-0984
DWG. NO. B-01792

PREPARED FOR:
CHELSEY & ANDREA WARRINGTON

ATLAS LAND SURVEYING
PROFESSIONAL LAND SURVEYING SERVICES
206 NW 9th Street • Fruitland, Idaho 83619
208-452-6462 (phone/fax) • 208-739-3802
atlas@atlas-survey.com

JOB NO: 19-033A-SU-WC	CADD FILE: 19-033A-SU.dwg	SHEET 1 OF 2	DATE/REVISIONS: 09/04/20-SUBMIT TO COUNTY; 09/09/20-ADD MON. NOTES; 10/23/20-FINAL PLOT
FIELD BOOK/PAGE: 18472-01, PG. 128-	DRAWING NO.: B-0261 / DRAWN BY: DJC	CHECKED BY: JTE	

SINGLE FAMILY GENERAL NOTES:

GENERAL

Minor changes can usually be noted on the blueprints. Please contact K-CAD, Inc. if a modification to the plans is requested or required.
Where local governing agencies require engineering calculations or require the seal of a licensed Architect or Engineer on the construction drawings, that service can be provided at additional cost.
Inspection and/or job supervision is not provided by K-CAD, Inc.
The contractor shall check and verify all dimensions and conditions on different drawings and in the field before proceeding with construction.
Contractor to provide all necessary temporary support for walls and floors prior to completion of vertical and lateral load systems.

DESIGN LOADS

Roof live load:	25 PSF
Floor live load:	40 PSF
Deck live load:	60 PSF
Soilbearing Pressure	1500 PSF (assumed)

FOUNDATIONS

All footings to bear on firm undisturbed soil, minimum 24" below final grade.

CONCRETE

Minimum concrete compression strength to be 3000 PSI at 28 days (all slabs to be 3500 PSI).
Provide keyed control joints in all interior slabs on grade at 25'-0" O.C. each way maximum. Provide heavy (3/4") tooled joints at 30'-0" O.C. in all exterior walks and slabs.

REINFORCING STEEL

Double bars in all walls around openings. Provide corner bars 2'-0" x 2'-0" to match horizontal reinforcing at all corners and wall intersections. Provide dowels in footings to match vertical wall reinforcing.

MISCELLANEOUS

Tub and shower enclosures to have waterproof gypsum board minimum 6'-0" high (not required at monolithic fiberglass units).
Exhaust fans, range hood, and clothes dryer to vent outside via metal ducts.
Water heaters on wood framed floors to rest on galvanized steel pan with floor drain.
Fireplaces and stoves shall be equipped with an outside air inlet(s) (net 6.5 square inches) closable from building interior. The inlet may enter directly into the chamber through wall (near floor) or floor within 24" of fireplace or stove. The assembly shall be capable of providing all combustion air from the exterior of the building, crawl space, attic, or approved vented space.
Guardrails shall be not less than 34" in height. Guardrails and handrails shall have intermediate rails such that an object 5" in diameter cannot pass through.
Verify framing (where applicable) with Heating and Plumbing Contractors to insure proper installation of ducting and plumbing.
Smoke detectors shall be connected to the residence power source (110V).

WOOD

All lumber species and grades to be as follows:
Joists, rafters and stringers: Douglas fir/larch #2 & Better.
Bucks, blocking, bridging, and misc.: Douglas fir or hem/fir #3 and Better.
Studs: Stud grade
Sills, sleepers, plates, and nailing blocks embedded in concrete: Pressure treated Douglas fir.
Post, beams, and headers: Douglas fir/larch #1 & Better.
Decking – not exposed: Select & Better grade.
Decking – exposed: Select & Better grade.
Glued – laminated beams: Douglas fir/larch 2400F/B per AITC
Plywood (see specifications) : CDX –EXT. – APA
All joist or beams framing into (not bearing on) beams, headers or girders shall be supported with "U" type "Simpson" or equal joist or beam hangers. All post/beam and post/footing connections to be made with "Simpson" post cap and base except where noted otherwise on drawings.
All exterior wall and interior bearing wall openings shall have (2) 2 X 12 headers, minimum or solid wood of equivalent section except where noted otherwise on drawings.
Block solid between joists and rafters at bearing walls. Crossbridge at 8'-0" O.C. maximum.
Beams, girders, and joists supporting bearing walls or other concentrated loads, shall not be notched except as specifically noted on drawings.
All joists shall have a minimum of 3" bearing at supports. Lapping joists shall have 6" laps centered over interior supports.
Ledgers and stud wall foundation sill plates shall be bolted to concrete with anchor bolts of size and minimum spacing as shown on the drawings. At least two bolts shall be provided for each piece with one bolt within 1'-0" of each end.

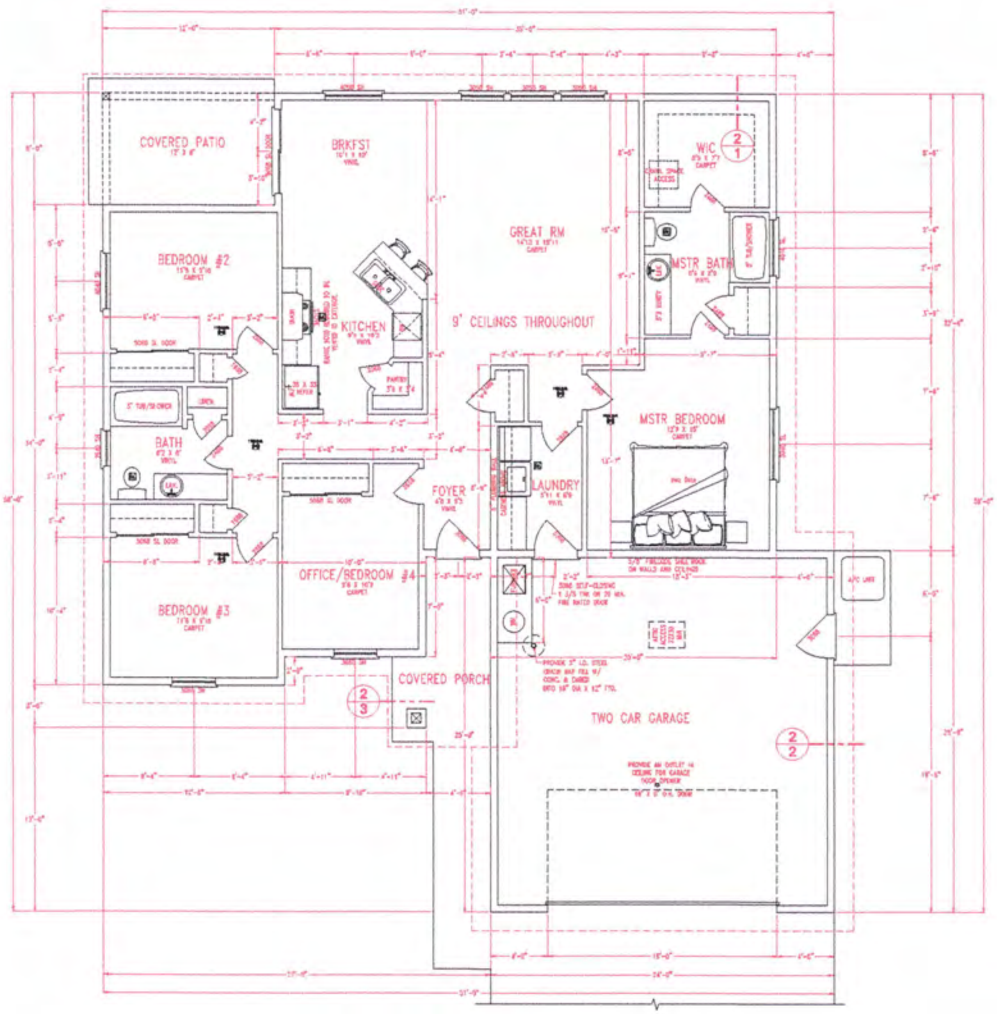
INSULATION

Ceilings, vaulted:	R-49
Ceilings, flat:	R-49
Walls:	R-21
Floors over unheated:	R-30
Basement walls:	R-21
Exterior perimeter slab:	R-15 (Rigid – 24" wide)

Ground cover: 6 mil black polyethylene, or under slab grade 55# rolled roofing with 12" lap.
Doors and windows to be weatherstripped
Vapor barrier walls: In all exterior walls an approved barrier having a 1 perm dry cup rating or less shall be installed on the warm side of the insulation.
The portion of the building between living space and an unheated garage, storage room, and the portion of the wall above the ceiling of an adjacent section of a split-level dwelling to be insulated the same as roof, walls or floor of dwelling.

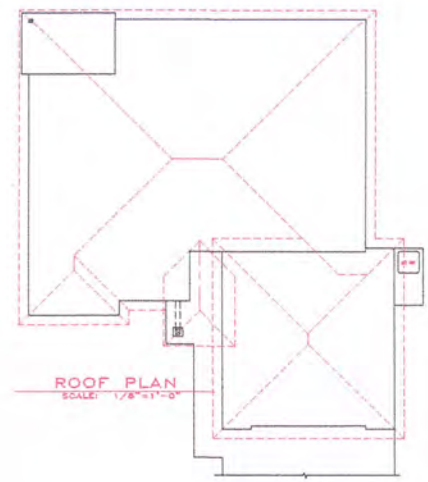
GLAZING

All windows shall be double glazed or insulating glass.
Minimum U-0 .35 (Verify w/ specific path design)
Bedroom window egress:
Provide minimum net clear opening of 5.7 sq. ft.
Provide minimum net clear opening of 20" wide x 24" high.
Maximum height of window from subfloor to finished window sill to be 44".
Verify window rough opening size with manufacturer.
Provide temp. glass panels in all hazardous locations such as: fixed & sliding glass doors.
Glazing in door & enclosures for hot tubs, whirlpools, saunas, bathtubs, & showers.
Glazing in fixed or operable panels adjacent to a door where the nearest exposed edge of glazing is within a 24 inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the walking surface.
Exposed bottom edge of the glazed panel is less than 18 inches to the floor.



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

1674 SQ. FT. LIVING
602 SQ. FT. GARAGE



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

WARRANTY DISCLAIMER

DRAWINGS & SPECIFICATIONS

THESE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO BE GUIDELINES FOR CONSTRUCTION.
THE CONTRACTOR IS RESPONSIBLE FOR RESOLVING ANY OMISSIONS AND MEANINGS IN THE DRAWINGS AND SPECIFICATIONS.
THE CONTRACTOR SHALL NOTIFY THE DESIGNER IN WRITING OF ANY ERRORS, OMISSIONS, OR UNSUITABLE DETAILING WHICH MAY CAUSE CONSTRUCTION PROBLEMS.
THE DESIGNER'S LIABILITY REGARDING ERRORS AND/OR OMISSIONS WILL BE LIMITED TO THE CORRECTION OF THE ORIGINAL DRAWINGS.
THE BRAND, TYPE AND QUALITY OF BUILDING MATERIALS SUCH AS FLOOR COVERING, WINDOWS, CROWN MOLDING, FIXTURES, CABINETS, ETC. ARE THE RESPONSIBILITY OF THE HOME OWNER AND CONTRACTOR.

APPROVED BY:

SAFETY GLAZING REQ'D FOR GLASS WITHIN 18" OF FLOOR GREATER THAN 9 SQ. FT. IN. SAFETY GLAZING REQ'D FOR GLASS WITHIN 24" ARC DOOR

ALL ANGLES 45 U.N.O.

CARBON MONOXIDE DETECTOR REQ'D. HARDWIRED 110V

BATH FANS ARE REQUIRED TO BE CONTROLLED BY A DEHUMIDISTAT TIMER OR SIMILAR DEVICE.

SOLID BLOCKING BETWEEN RAFTERS ATTACHED TO TOP PLATES WITH 8d @ 6" O.C. ALONG LENGTH OF BRACED WALL PANEL

NOTES:
ENERGY PATH

WINDOW HEADERS TO BE 4 X 10 #2 OR BETTER, TYP EA. WINDOW

SLIDING & SINGLE HUNG WINDOWS	.30 U-VALUE
FIXED WINDOWS	.30 U-VALUE
ENTRY DOOR – STEEL	.40 U-VALUE
ATRIUM DOOR	.40 U-VALUE

SMOKE DETECTORS
ALL INTERCONNECTED
CEILING FAN
BATHROOM FAN
AUTO CONTROLLED
KITCHEN FANS TO VENT TO OUTSIDE
SOLAR TUBE

Kathy Brittingham – K-CAD, Inc
Computer Aided Drafting Services
Oakridge, OR 97914–Phone: (541)889-3533

DRAWN BY:
DATE: 1-6-2021

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

FLOOR PLAN, ROOF PLAN

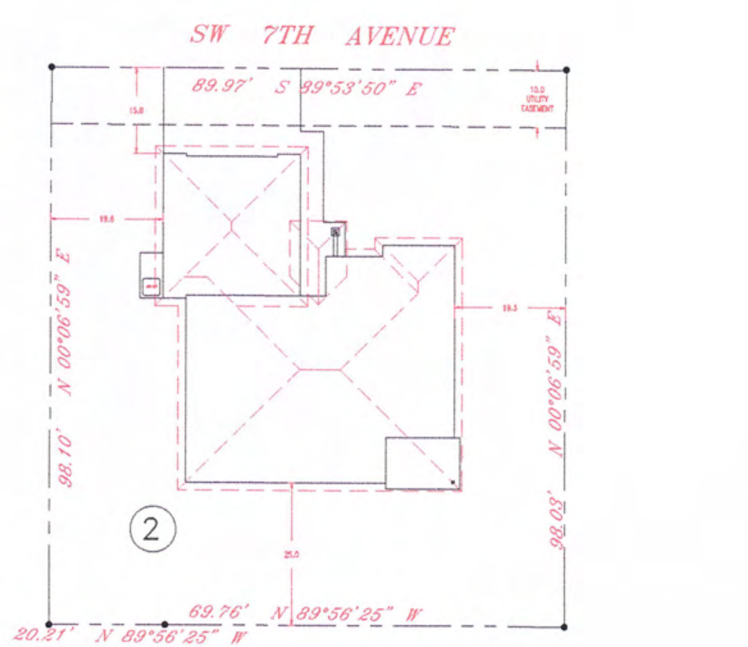
BEN MUSSER–PARADISE BLD. CO.
PO BOX 902, FRUITLAND, ID 83619
208-249-3050

FILE:
SPEC 2021

SHEET
1
OF
3

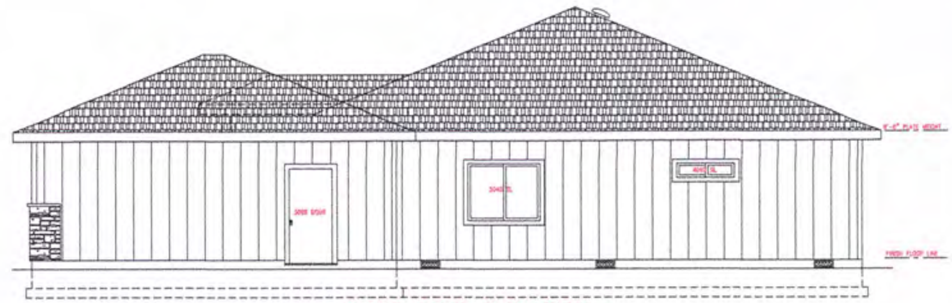
3	SHEET 2	FOR: BEN MUSSER-PARADISE BLD. CO. PO BOX 861, FRUITLAND, ID 83619 208-249-5850	SCALE: 1/4"=1'-0" OR AS NOTED	FOUNDATION PLAN, SECTIONS	DRAWN BY: Kathy Brittingham - K-CAD, Inc. Computer Aided Drafting Services Ontario, OR 97914-Phone: (541)889-3039 DATE: 1-6-2021

BROCKSIDE SUBDIVISION
BEING A REPLAT OF PARCEL #3 OF PARTITION PLAT #19-12
WITHIN THE SW1/4NE1/4NE1/4 OF SECTION 8,
TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M.
CITY OF ONTARIO, MALHEUR COUNTY, OREGON

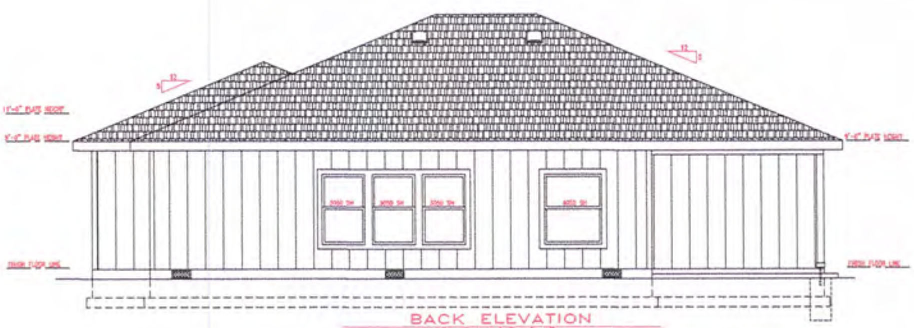


FOR: BEN MUSSER-PARADISE BLD. CO. PO BOX 802, FRUITLAND, ID 83619 208-249-5850 SPEC 2021	PLOT PLAN SCALE: 1"=10'	DRAWN BY: DATE: 1-6-2021	Kathy Brittingham - K-CAD, Inc. Computer Aided Drafting Services Ontario, OR 97914 - Phone: (541)889-3539	SHEET 1 OF 1

FRONT ELEVATION HUNG FLOOR JOISTS
SCALE: 1/4"=1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



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

LEFT SIDE ELEVATION
SCALE: 1/4"=1'-0"

BEN MUSSER-PARADISE BLD. CO.

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

ELEVATIONS

3

Agenda Report
CONSENT AGENDA
January 19, 2021

TO: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: HOUSING INCENTIVE PROGRAM: BK CONSTRUCTION, INC. (21-2021)

DATE: January 13, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION BY BK CONSTRUCTION, INC AT 1624 SW 7TH AVENUE FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF $10,000.

SUMMARY:

BK Construction, Inc submitted an application for $10,000 from the housing incentive program.

The property is located at 1624 SW 7th Ave.

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:

BK Construction, Inc is requesting approval of the application for the $10,000.00 incentive on a new home to be located at 1624 SW 7th Avenue; tax lot 10 Brockside Subdivision. The proposed dwelling will be 1,674 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 January 14, 2021.

ANALYSIS:

A. **STRATEGIC PLAN** The Housing Incentive Program promotes growth and desirability goals of the Ontario Strategic Plan. It specifically addresses the activities to build a variety of housing options and add fill-in housing.

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 BK Construction, Inc in the amount of $10,000.00.

ATTACHMENTS:

1. Incentive Application 21-2021_BK Construction

City of Ontario, Oregon

Housing Incentive Program Checklist

Applicant: 1624 ~~1682~~ SW 7th Ave **Date:** 1/12/2021

Site Address or Tax Lot: BK Construction Inc

Application Number: 21-2021 **(City Use Only)**

Application Information: (Applicant or Staff)

- ☑ Completed Application Signed & Dated: ______
- ☑ Documentation showing funding: N/A
- ☑ Within City Limits
- ☐ In Urban Growth Boundary Annexation Application filed: ______
- ☑ Floor Plan or description describing minimum square footage:
  1. House Square footage: 1674
  2. Number of Baths: 2
  3. Size of Garage: 2
- ☑ Description of Property of Home:
  1. Tax Lot map & Number: ______
  2. Copy of Deed: Lot 10 Brookside Sub
  3. Or written description: 1682 SW 7th Ave
- ☑ Completed W-9 Taxpayer Form.

Process Completed: (Staff Use Only below)

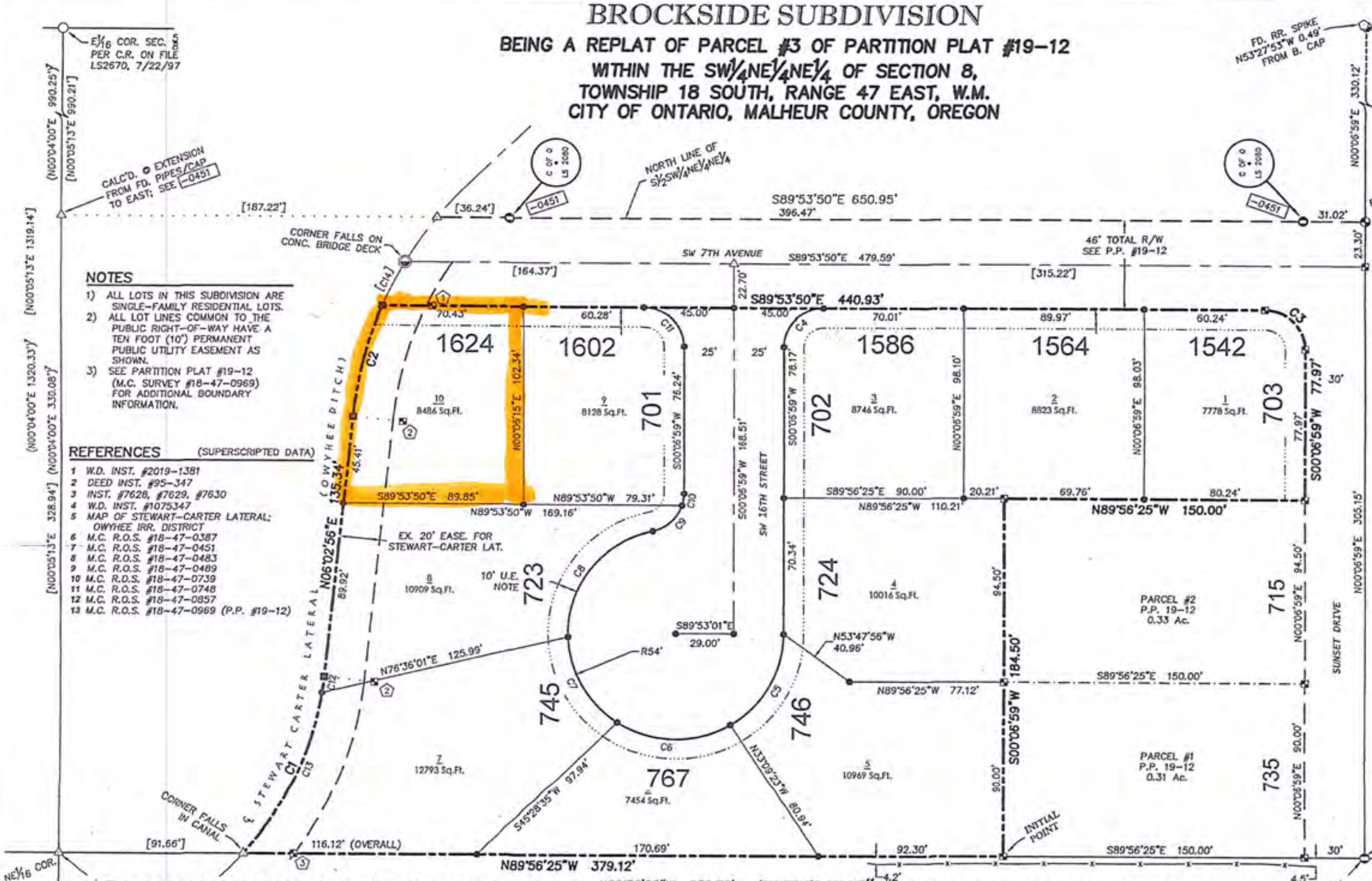
- ☐ PDAC (if Required) date Completed: N/A
- ☑ Community Development Director approval date: Dan Cummings 1-12-2021
- ☑ Forwarded to Business Loan Fund Committee: ______
- ☐ BLF Committee forwards recommendation to City Manager: ______
- ☐ City Council Approval or Denial: ______
- ☐ City Manager signs 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

Cab A Slide 46

BROCKSIDE SUBDIVISION

BEING A REPLAT OF PARCEL #3 OF PARTITION PLAT #19-12 WITHIN THE SW¼NE¼NE¼ OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M. CITY OF ONTARIO, MALHEUR COUNTY, OREGON



NOTES

1) ALL LOTS IN THIS SUBDIVISION ARE SINGLE-FAMILY RESIDENTIAL LOTS.
2) ALL LOT LINES COMMON TO THE PUBLIC RIGHT-OF-WAY HAVE A TEN FOOT (10') PERMANENT PUBLIC UTILITY EASEMENT AS SHOWN.
3) SEE PARTITION PLAT #19-12 (M.C. SURVEY #18-47-0969) FOR ADDITIONAL BOUNDARY INFORMATION.

REFERENCES (SUPERSCRIPTED DATA)

1 W.D. INST. #2019-1381
2 DEED INST. #95-347
3 INST. #7628, #7629, #7630
4 W.D. INST. #1075347
5 MAP OF STEWART-CARTER LATERAL: OWYHEE IRR. DISTRICT
6 M.C. R.O.S. #18-47-0387
7 M.C. R.O.S. #18-47-0451
8 M.C. R.O.S. #18-47-0483
9 M.C. R.O.S. #18-47-0489
10 M.C. R.O.S. #18-47-0739
11 M.C. R.O.S. #18-47-0748
12 M.C. R.O.S. #18-47-0857
13 M.C. R.O.S. #18-47-0969 (P.P. #19-12)

LEGEND, ABBREVIATIONS

SUBDIVISION LINE
LOT LINE
SECTION LINE
¼, 1/16 SECTIONAL LINE
EXISTING PROP. LINE
STREET R/W LINE
EASEMENT
CENTER LINE
CALCULATED/TIE LINE
FENCE
RECORD MEASUREMENT
CALCULATED VALUE
FD. BRASS CAP
FD. #5 REBAR/PLASTIC CAP
FD. RAIL ROAD SPIKE
FD. AL. CAP
FD. PIPE/CAP
FD. #5 REBAR
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FD. MAG NAIL/WASHER
SET #5 REBAR/AL. CAP (SEE DETAIL)
SET #5 REBAR/RED PLASTIC CAP (SEE DETAIL)
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ONTARIO ZONE (SEE NARRATIVE)

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MAYOR, CITY OF ONTARIO — 10/26/2020 DATE

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BY: Tom Edwards
RECEIVED 10/15/2020
ACCEPTED 11/17/2020
SURVEY NO. 18-47-0984
DWG. NO. B-01792

CERTIFICATE OF MALHEUR COUNTY RECORDER
STATE OF OREGON
COUNTY OF MALHEUR

MALHEUR COUNTY, OR 2020-4421
DSUBDIV
11/18/2020 11:34 AM
Cnt=1 Pgs=2 Total:$122.00
00065384202000044210020028
I, Gayle V. Trotter, County Clerk for Malheur County, Oregon certify that the instrument identified herein was recorded in the Clerk records.
Gayle V. Trotter - County Clerk

Number of affidavits of vendor, mortgage or trust deed holder attached: Ø

PLAT CAB. A SLIDE: 46

PREPARED FOR:
CHELSEY & ANDREA WARRINGTON

ATLAS LAND SURVEYING
PROFESSIONAL LAND SURVEYING SERVICES
206 NW 9th Street • Fruitland, Idaho 83619
208-452-6462 (phone/fax) • 208-739-3802
atlas@atlas-survey.com

JOB NO.: 19-033A-SU-WC	CADD FILE: 19-033A-SU.dwg	SHEET 1 OF 2	DATE/REVISIONS: 09/04/20-SUBMIT TO COUNTY; 09/09/20-ADD MON. NOTES; 10/23/20-FINAL PLOT
FIELD BOOK/PAGE: 18472-01, PG. 128-	DRAWING NO.: B-0261 / DRAWN BY: DJC	CHECKED BY: JTE	

SINGLE FAMILY GENERAL NOTES:

GENERAL
Minor changes can usually be noted on the blueprints. Please contact K-CAD, Inc. if a modification to the plans is requested or required.
Where local governing agencies require engineering calculations or require the seal of a licensed Architect or Engineer on the construction drawings, that service can be provided at additional cost.
Inspection and/or job supervision is not provided by K-CAD, Inc.
The contractor shall check and verify all dimensions and conditions on different drawings and in the field before proceeding with construction.
Contractor to provide all necessary temporary support for walls and floors prior to completion of vertical and lateral load systems.

DESIGN LOADS

Roof live load:	25 PSF
Floor live load:	40 PSF
Deck live load:	60 PSF
Soilbearing Pressure	1500 PSF (assumed)

FOUNDATIONS
All footings to bear on firm undisturbed soil, minimum 24" below final grade.

CONCRETE
Minimum concrete compression strength to be 3000 PSI at 28 days (all slabs to be 3500 PSI).
Provide keyed control joints in all interior slabs on grade at 25'-0" O.C. each way maximum. Provide heavy (3/4") tooled joints at 30'-0" O.C. in all exterior walks and slabs.

REINFORCING STEEL
Double bars in all walls around openings. Provide corner bars 2'-0" x 2'-0" to match horizontal reinforcing at all corners and wall intersections. Provide dowels in footings to match vertical wall reinforcing.

MISCELLANEOUS
Tub and shower enclosures to have waterproof gypsum board minimum 6'-0" high (not required at monolithic fiberglass units).
Exhaust fans, range hood, and clothes dryer to vent outside via metal ducts.
Water heaters on wood framed floors to rest on galvanized steel pan with floor drain.
Fireplaces and stoves shall be equipped with an outside air inlet(s) (net 6.5 square inches) closable from building interior. The inlet may enter directly into fire chamber through wall (near floor) or floor within 24" of fireplace of stove. The assembly shall be capable of providing all combustion air from the exterior of the building, crawl space, attic, or approved vented space.
Guardrails shall be not less than 34" in height. Guardrails and handrails shall have intermediate rails such that an object 5" in diameter cannot pass through.
Verify framing (where applicable) with Heating and Plumbing Contractors to insure proper installation of ducting and plumbing.
Smoke detectors shall be connected to the residence power source (110V).

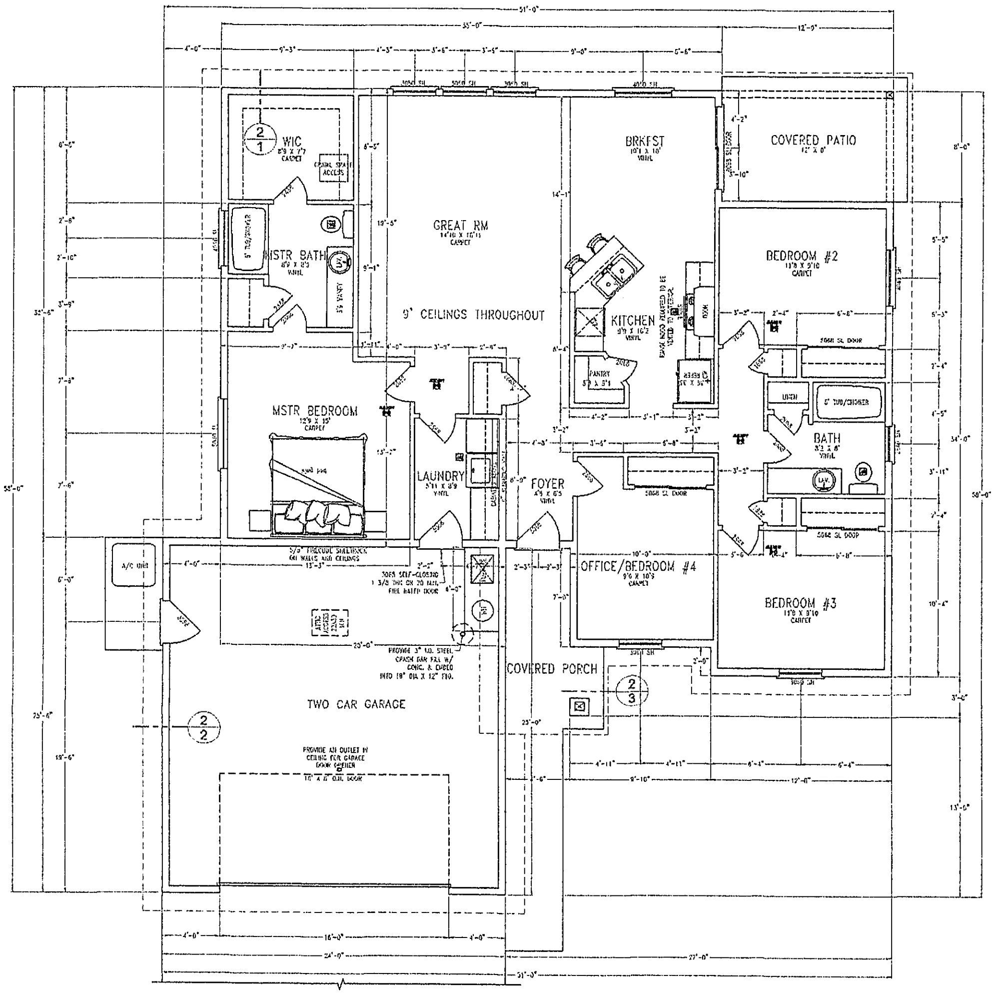
WOOD
All lumber species and grades to be as follows:
Joists, rafters and stringers: Douglas fir/larch #2 & Better
Blocks, blocking, bridging, and misc.: Douglas fir or hem/fir #3 and Better.
Studs: Stud grade
Sills, sleepers, plates, and nailing blocks embedded in concrete: Pressure treated Douglas fir.
Post, beams, and headers: Douglas fir/larch #1 & Better.
Decking – not exposed: Select & Better grade.
Decking – exposed: Select & Better grade.
Glued – laminated beams: Douglas fir/larch 2400F/B per AITC
Plywood (see specifications) : CDX –EXT. – APA
All joist or beams framing into (not bearing on) beams, headers or girders shall be supported with "U" type "Simpson" or equal joist or beam hangers. All post/beam and post/footing connections to be made with "Simpson" post cap and base except where noted otherwise on drawings.
All exterior wall and interior bearing wall openings shall have (2) 2 X 12 headers, minimum or solid wood of equivalent section except where noted otherwise on drawings.
Block solid between joists and rafters at bearing walls. Crossbridge at 8'-0" O.C. maximum.
Beams, girders, and joists supporting bearing walls or other concentrated loads, shall not be notched except as specifically noted on drawings.
All joists shall have a minimum of 2" bearing at supports. Lapping joists shall have 6" laps centered over interior supports.
Ledgers and stud wall foundation sill plates shall be bolted to concrete with anchor bolts of size and minimum spacing as shown on the drawings. At least two bolts shall be provided for each piece with one bolt within 1'-0" of each end.

INSULATION

Ceilings, vaulted:	R-49
Ceilings, flat:	R-49
Walls:	R-21
Floors over unheated:	R-30
Basement walls:	R-21
Exterior perimeter slab:	R-15 (Rigid - 24" wide)

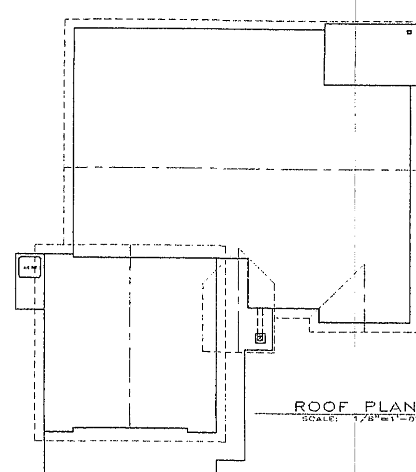
Ground cover: 6 mil black polyethylene, or under slab grade 55# rolled roofing with 12" lap
Doors and windows to be weatherstripped
Vapor barrier walls: In all exterior walls an approved barrier having a 1 perm dry cup rating or less shall be installed on the warm side of the insulation.
The portion of the building between living space and an unheated garage, storage room, and the portion of the wall above the ceiling of an adjacent section of a split-level dwelling to be insulated the same as roof, walls or floor of dwelling.

GLAZING
All windows shall be double glazed or insulating glass.
Minimum U-0 .35 (Verify w/ specific path design)
Bedroom window egress:
Provide minimum net clear opening of 5.7 sq. ft.
Provide minimum net clear opening of 20" wide x 24" high.
Maximum height of window from subfloor to finished window sill to be 44".
Verify window rough opening size with manufacturer.
Provide temp. glass panels in all hazardous locations such as: fixed & sliding glass doors.
Glazing in door & enclosures for hot tubs, whirlpools, saunas, bathtubs, & showers.
Glazing in fixed or operable panels adjacent to a door where the nearest exposed edge of glazing is within a 24 inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the walking surface.
Exposed bottom edge of the glazed panel is less than 18 inches to the floor.



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

1674 SQ. FT. LIVING
602 SQ. FT. GARAGE



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

SAFETY GLAZING REQ'D FOR GLASS WITHIN 18" OF FLOOR GREATER THAN 9 SQ. FT. IN. SAFETY GLAZING REQ'D FOR GLASS WITHIN 24" ARC DOOR

ALL ANGLES 45 U.N.O.

CARBON MONOXIDE DETECTOR REQ'D, HARDWIRED R315

BATH FANS ARE REQUIRED TO BE CONTROLLED BY A DEHUMIDISTAT TIMER OR SIMILAR DEVICE.

SOLID BLOCKING BETWEEN RAFTERS ATTACHED TO TOP PLATES WITH 8d @ 6" O.C. ALONG LENGTH OF BRACED WALL PANEL

NOTES:
ENERGY PATH

WINDOW HEADERS TO BE 4 X 10 #2 OR BETTER, TYP. EA. WINDOW.

SLIDING & SINGLE HUNG WINDOWS:	.30 U-VALUE
FIXED WINDOWS	.30 U-VALUE
ENTRY DOOR – STEEL	.40 U-VALUE
ATRIUM DOOR	.40 U-VALUE

SMOKE DETECTORS
ALL INTERCONNECTED
CEILING FAN
BATHROOM FAN
AUTO CONTROLLED
KITCHEN FANS TO VENT TO OUTSIDE

SOLAR TUBE

WARRANTY DISCLAIMER
DRAWINGS & SPECIFICATIONS

THESE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO BE GUIDELINES FOR CONSTRUCTION.
THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING ANY QUESTIONS AND MEANINGS IN THE DRAWINGS AND SPECIFICATIONS.
THE CONTRACTOR SHALL NOTIFY THE DESIGNER IN WRITING OF ANY ERRORS, OMISSIONS, OR UNSUITABLE DETAILING WHICH MAY CAUSE CONSTRUCTION PROBLEMS.
THE DESIGNER'S LIABILITY REGARDING ERRORS AND/OR OMISSIONS WILL BE LIMITED TO THE CORRECTION OF THE ORIGINAL DRAWINGS.
THE BRAND, TYPE AND QUALITY OF BUILDING MATERIALS SUCH AS FLOOR COVERING, WINDOWS, CROWN MOLDING, FIXTURES, CABINETS, ETC. ARE THE RESPONSIBILITY OF THE HOME OWNER AND CONTRACTOR.

APPROVED BY:

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

DRAWN BY:
DATE: 1-9-2021

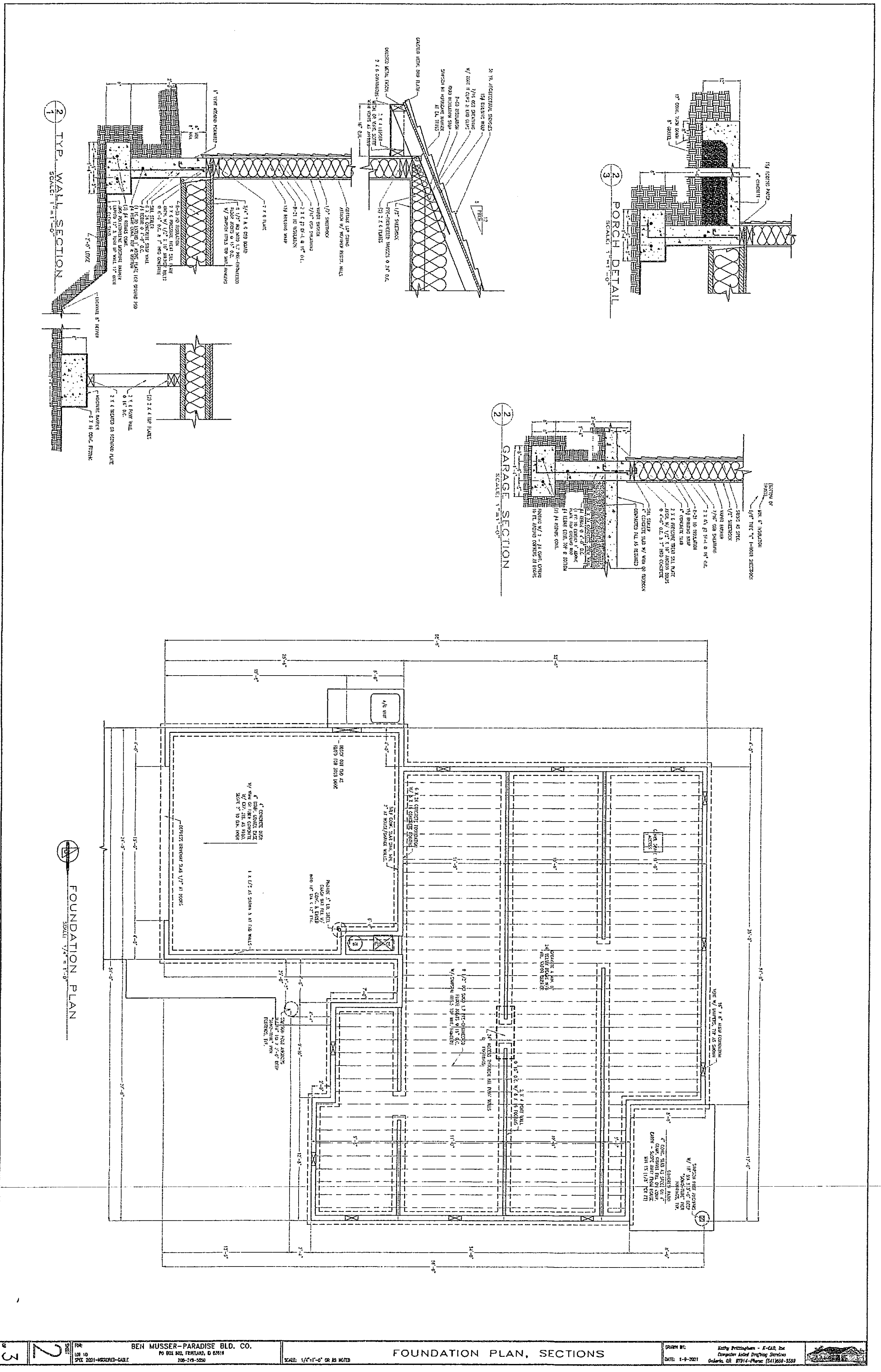
FLOOR PLAN, ROOF PLAN

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

BEN MUSSER–PARADISE BLD. CO.
PO BOX 802, FRUITLAND, ID 83619
208-249-3850

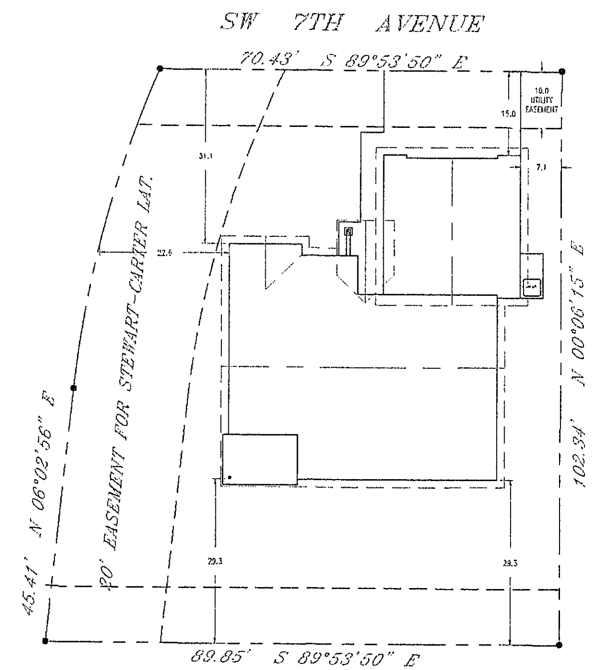
FOR:
LOT 10–BROOKSIDE SUB.
SPEC 2021–MIRRORED–GABLE

SHEET 1 OF 3



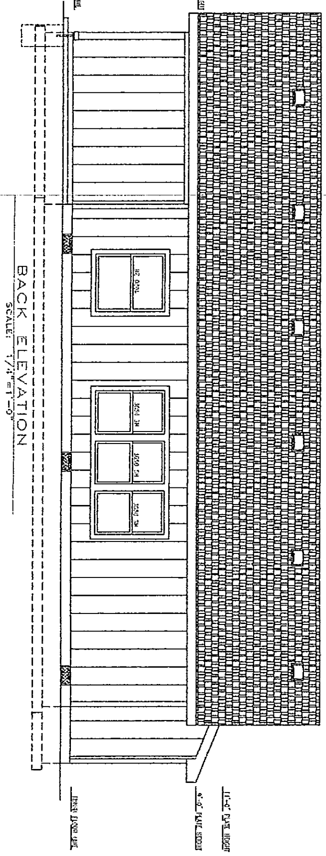
OF 3	SHEET 2	FOR: BEN MUSSER-PARADISE BLD. CO. LOT 10 SPEC 2021-MIRRORED-GABLE PO BOX 802, FRUITLAND, ID 83619 208-249-5550	SCALE: 1/4"=1'-0" OR AS NOTED FOUNDATION PLAN, SECTIONS	DRAWN BY: Kathy Brittingham - K-CAD, Inc Computer Aided Drafting Services Ontario, OR 97914-Phone: (541)889-5589 DATE: 1-9-2021

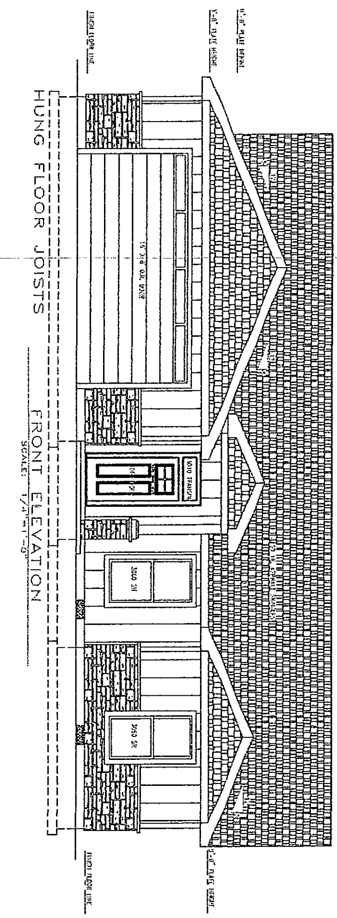
BROCKSIDE SUBDIVISION
BEING A REPLAT OF PARCEL #3 OF PARTITION PLAT #19-12
WITHIN THE SW1/4NE1/4NE1/4 OF SECTION 8,
TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M.
CITY OF ONTARIO, MALHEUR COUNTY, OREGON

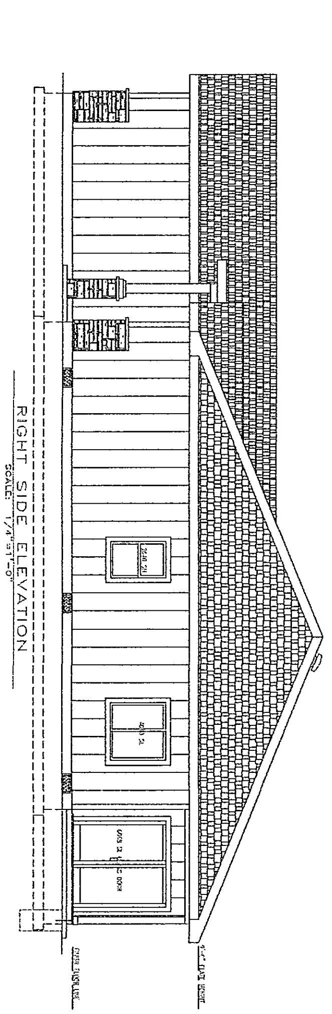


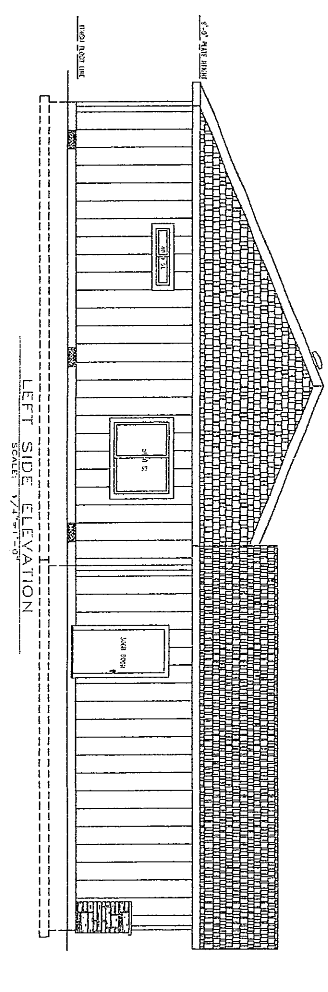
FOR: BEN MUSSER-PARADISE BLD. CO. PO BOX 802, FRUITLAND, ID 83619 SPEC 2021-MIRRORED-GABLE-LOT 10 208-249-5650	PLOT PLAN SCALE: 1"=15'	DRAWN BY: Kathy Brillingham - K-CAD, Inc. Computer Aided Drafting Services Ontario, OR 97914 - Phone: (541)889-3539 DATE: 1-6-2021

SHEET 1 of 1









OF 3	SHEET 3	FOR: BEN MUSSER-PARADISE BLD. CO. LOT 10 PO BOX 802, FRUITLAND, ID 83619 SPEC 2021-MISSGREG-GABLE 208-249-3350	SCALE: 1/4"=1'-0" OR AS NOTED ELEVATIONS	DRAWN BY: Kathy Brittingham - K-CAD, Inc. Computer Aided Drafting Services DATE: 1-9-2021 Ontario, OR 97914-Phone: (541)889-3532	

AGENDA REPORT
CONSENT AGENDA
January 19, 2021

TO: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: HOUSING INCENTIVE PROGRAM: BK CONSTRUCTION, INC. (22-2021)

DATE: January 13, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE APPLICATION BY BK CONSTRUCTION, INC AT 745 SW 16TH STREET FOR THE ONTARIO HOUSING INCENTIVE PROGRAM IN THE AMOUNT OF $10,000.

SUMMARY:

BK Construction, Inc submitted an application for $10,000 from the housing incentive program.

The property is located at 745 SW 16th Street.

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:

BK Construction, Inc is requesting approval of the application for the $10,000.00 incentive on a new home to be located at 745 SW 16th Street; tax lot 7 Brockside Subdivision. The proposed dwelling will be 1,975 Square feet with two and a half (2 1/2) 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 January 14, 2021.

ANALYSIS:

A. **STRATEGIC PLAN** The Housing Incentive Program promotes growth and desirability goals of the Ontario Strategic Plan. It specifically addresses the activities to build a variety of housing options and add fill-in housing.

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 BK Construction, Inc in the amount of $10,000.00.

ATTACHMENTS:

1. Incentive Application 22-2021_BK Construction

City of Ontario, Oregon
Housing Incentive Program Checklist

Applicant: BK Construction Inc **Date:** 1/12/2021

Site Address or Tax Lot: 745 S.W. 16th St.

Application Number: 22-2021 **(City Use Only)**

Application Information: (Applicant or Staff)

- [x] Completed Application Signed & Dated: ______
- [ ] Documentation showing funding: ______
- [x] Within City Limits
- [ ] In Urban Growth Boundary Annexation Application filed: ______
- [ ] Floor Plan or description describing minimum square footage:
  1. House Square footage: 1975
  2. Number of Baths: 2 1/2
  3. Size of Garage: 2
- [x] Description of Property of Home:
  1. Tax Lot map & Number: ______
  2. Copy of Deed: LOT 7 BROOKSIDE SUB
  3. Or written description: 745 SW 16th St.
- [x] Completed W-9 Taxpayer Form.

Process Completed: (Staff Use Only below)

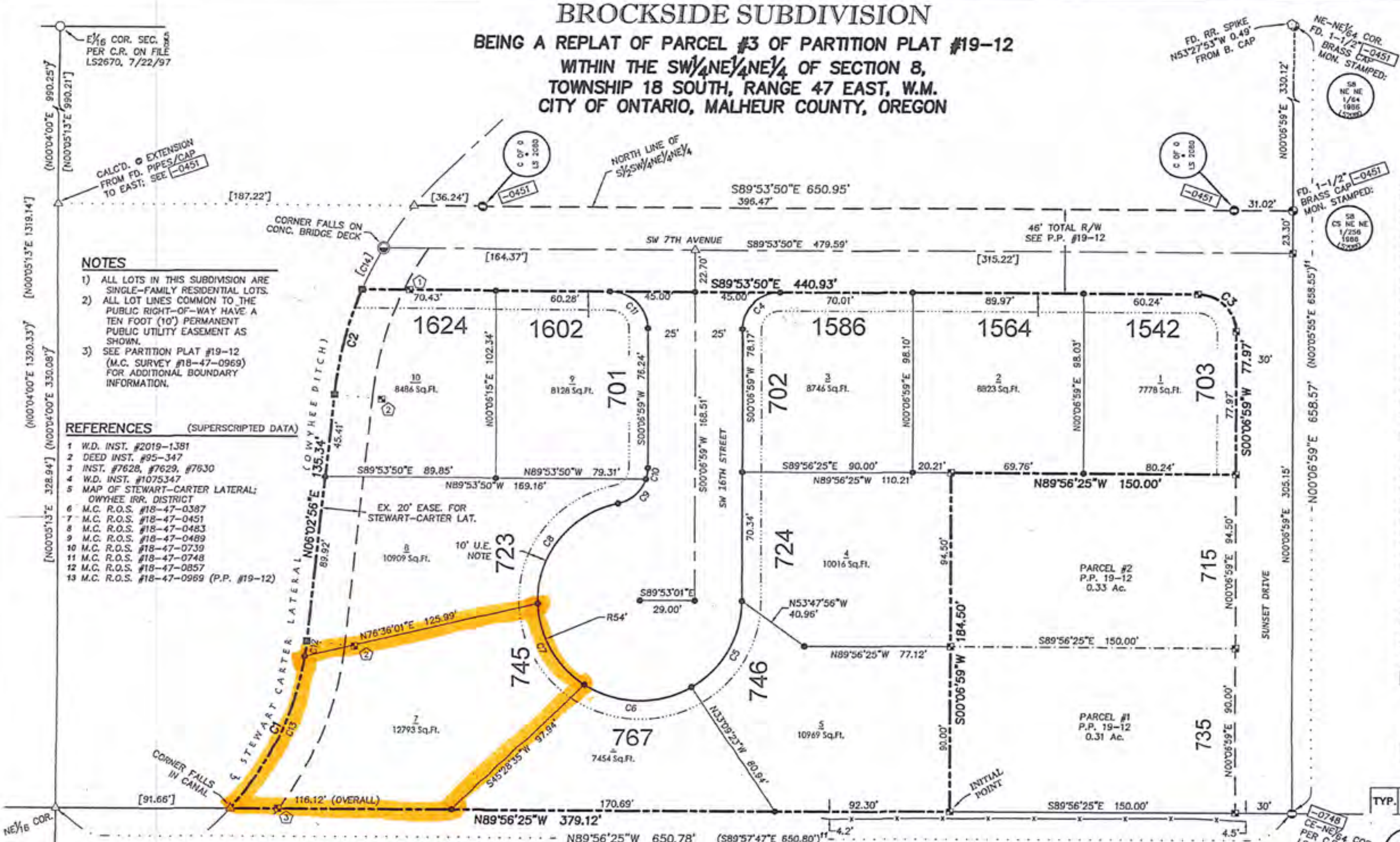
- [ ] PDAC (if Required) date Completed: N/A
- [x] Community Development Director approval date: Dan Cummings 1-12-2021
- [ ] Forwarded to Business Loan Fund Committee: ______
- [ ] BLF Committee forwards recommendation to City Manager: ______
- [ ] City Council Approval or Denial: ______
- [ ] City 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

Cab A Slide 46

BROCKSIDE SUBDIVISION

BEING A REPLAT OF PARCEL #3 OF PARTITION PLAT #19-12
WITHIN THE SW¼NE¼NE¼ OF SECTION 8, TOWNSHIP 18 SOUTH, RANGE 47 EAST, W.M. CITY OF ONTARIO, MALHEUR COUNTY, OREGON



NOTES

1) ALL LOTS IN THIS SUBDIVISION ARE SINGLE-FAMILY RESIDENTIAL LOTS.
2) ALL LOT LINES COMMON TO THE PUBLIC RIGHT-OF-WAY HAVE A TEN FOOT (10') PERMANENT PUBLIC UTILITY EASEMENT AS SHOWN.
3) SEE PARTITION PLAT #19-12 (M.C. SURVEY #18-47-0969) FOR ADDITIONAL BOUNDARY INFORMATION.

REFERENCES (SUPERSCRIPTED DATA)

1 W.D. INST. #2019-1381
2 DEED INST. #95-347
3 INST. #7628, #7629, #7630
4 W.D. INST. #1075347
5 MAP OF STEWART-CARTER LATERAL; OWYHEE IRR. DISTRICT
6 M.C. R.O.S. #18-47-0387
7 M.C. R.O.S. #18-47-0451
8 M.C. R.O.S. #18-47-0483
9 M.C. R.O.S. #18-47-0489
10 M.C. R.O.S. #18-47-0739
11 M.C. R.O.S. #18-47-0748
12 M.C. R.O.S. #18-47-0857
13 M.C. R.O.S. #18-47-0969 (P.P. #19-12)

LEGEND, ABBREVIATIONS

SUBDIVISION LINE
LOT LINE
SECTION LINE
¼, 1/16 SECTIONAL LINE
EXISTING PROP. LINE
STREET R/W LINE
EASEMENT
CENTER LINE
CALCULATED/TIE LINE
FENCE
RECORD MEASUREMENT ( )
CALCULATED VALUE [ ]
FD. BRASS CAP
FD. #5 REBAR/PLASTIC CAP
FD. RAIL ROAD SPIKE
FD. AL. CAP
FD. PIPE/CAP
FD. #5 REBAR
FD. #4 REBAR/NO CAP
FD. MAG NAIL/WASHER
SET #5 REBAR/AL. CAP (SEE DETAIL)
SET #5 REBAR/RED PLASTIC CAP (SEE DETAIL)
CALCULATED POINT
AL. CAP — ALUMINUM CAP
B.&S.D. — BARGAIN & SALE DEED
C.R. — CORNER RECORD
C.O.O. — CITY OF ONTARIO
COR. — CORNER
DESC. — DESCRIPTION
EX. — EXISTING
FD. — FOUND
G.L.O. — GENERAL LAND OFFICE
LAT. — LATERAL
M.C. — MALHEUR COUNTY
MON. — MONUMENT
P.P. — PARTITION PLAT
PROP. — PROPERTY
R.O.S. — RECORD OF SURVEY
R/W — RIGHT-OF-WAY
SEC. — SECTION
U.E. — UTILITY EASEMENT
W.C. — WITNESS CORNER
-#### — M.C. R.O.S. NO. 18-47-####
— MONUMENT

TYP. DETAIL OF SET PLASTIC CAP — ATLAS LS PLS 65687
TYP. DETAIL OF SET 2" AL. CAP — ATLAS LAND SURVEYING PLS 65687

CURVE TABLE					
C#	LENGTH	RADIUS	DELTA	CH. BEARING	L.C.
C1	100.85'	165.00'	35°01'12"	N23°33'32"E	99.29'
C2	59.26'	200.00'	16°58'34"	N14°32'12"E	59.04'
C3	31.42'	20.00'	90°00'49"	N44°53'26"W	28.29'
C4	31.41'	20.00'	89°59'11"	S45°06'34"W	28.28'
C5	55.96'	54.00'	59°22'32"	S29°48'15"W	53.49'
C6	59.59'	54.00'	63°13'36"	N88°53'41"W	56.61'
C7	52.03'	54.00'	55°12'27"	N29°40'39"W	50.04'
C8	75.12'	54.00'	79°42'11"	N37°46'40"E	69.21'
C9	20.86'	20.00'	59°46'06"	N47°44'43"E	19.93'
C10	6.19'	20.00'	17°44'41"	S08°59'19"W	6.17'
C11	[illegible]	20.00'	90°00'49"	S44°53'26"E	28.29'
C12	[illegible]	165.00'	[illegible]	S07°28'52"W	8.25'
C13	92.60'	165.00'	32°09'19"	S24°59'29"W	91.39'
C14	25.40'	200.00'	7°16'31"	S26°39'44"W	25.38'

N

SCALE: 1 INCH = 40 U.S. FEET

BASIS OF BEARINGS
OREGON COORDINATE REFERENCE SYSTEM
ONTARIO ZONE (SEE NARRATIVE)

MONUMENT NOTES

1. FOUND W.C. S89°53'50"E 25.00' FROM NW CORNER OF LOT 10 (IN CENTER OF CANAL); STAMPED "25' WC"
2. FOUND W.C. S83°57'04"E 25.00' FROM CENTER LINE CANAL PC; STAMPED "25' WC"
3. FOUND W.C. S89°56'25"E 25.00' FROM SW CORNER OF LOT 7 (IN CENTER OF CANAL); STAMPED "25' WC"

I CERTIFY THAT THIS COPY WAS MADE IN COMPLIANCE WITH ORS 92.130 AND IS A TRUE AND EXACT COPY OF THE ORIGINAL RECORD.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 8, 2002
DEAN J. COON
65687LS
RENEWS: 12/31/21

RIGHT-OF-WAY ACCEPTANCE (ORS 92.014)

I HEREBY ACCEPT, ON BEHALF OF THE PUBLIC, THE ROADWAY DEDICATION FOR THE PUBLIC ROADS, AS SHOWN HEREON, FOR PUBLIC ROAD PURPOSES.

MAYOR, CITY OF ONTARIO — 10/26/2020 DATE

CERTIFICATE OF MALHEUR COUNTY RECORDER

STATE OF OREGON
COUNTY OF MALHEUR

MALHEUR COUNTY, OR 2020-4421
DSUBDIV 11/18/2020 11:34 AM
Cnt=1 Pgs=2 Total:$122.00
000653842020000442100200028
I, Gayle V. Trotter, County Clerk for Malheur County, Oregon certify that the instrument identified herein was recorded in the Clerk records.
Gayle V. Trotter - County Clerk

Number of affidavits of vendor, mortgage or trust deed holder attached: Ø
PLAT CAB. A SLIDE 46

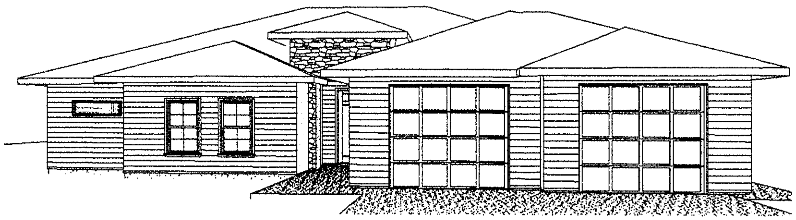
MALHEUR COUNTY SURVEYOR (ORS 209.250)

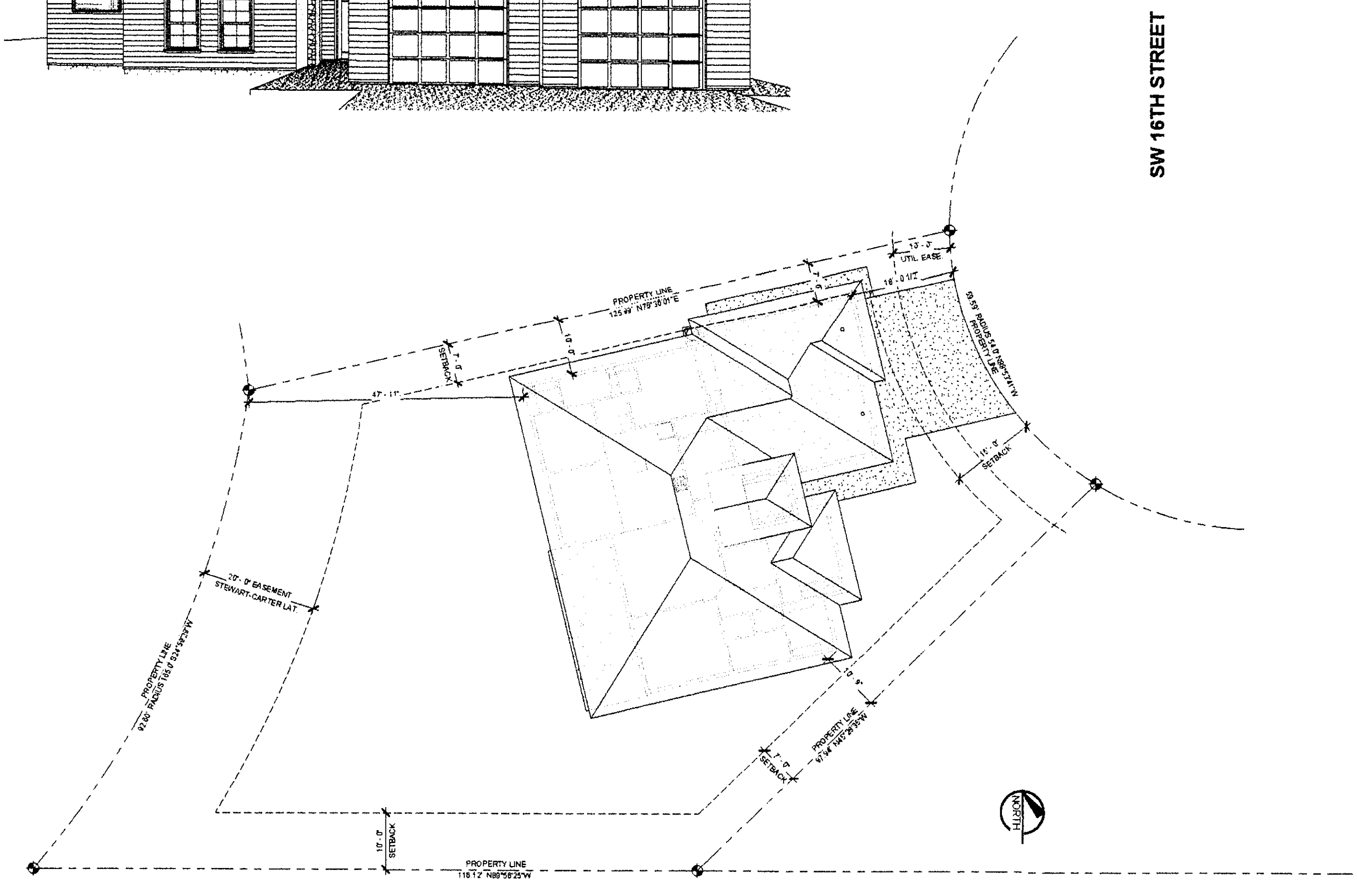
BY: Lon Eland
RECEIVED 10/15/2020
ACCEPTED 11/17/2020
SURVEY NO. 18-47-0984
DWG. NO. B-01792

PREPARED FOR:
CHELSEY & ANDREA WARRINGTON

ATLAS LAND SURVEYING
PROFESSIONAL LAND SURVEYING SERVICES
206 NW 9th Street • Fruitland, Idaho 83619
208-452-6462 (phone/fax) • 208-739-3802
atlas@atlas-survey.com

JOB NO:	CADD FILE:		SHEET 1 OF 2	DATE/REVISIONS:
19-033A-SU-WC	19-033A-SU.dwg			09/04/20-SUBMIT TO COUNTY 09/09/20-ADD MON. NOTES 10/23/20-FINAL PLOT
FIELD BOOK/PAGE: 18472-01, PG. 128-	DRAWING NO.: B-0261	DRAWN BY: DJC	CHECKED BY: JTE	





1 SITE PLAN
scale: 1" = 10'-0"

SHEET SCHEDULE

A1.0	COVER
A2.1	FLOOR PLAN
A3.1	ELEVATIONS
A4.1	FOUNDATION & FLOOR FRAMING PLAN
A4.2	ROOF FRAMING PLAN
A5.1	SECTIONS
A6.1	WALL BRACING PLAN
A7.1	SCHEMATIC ELECTRICAL PLAN

GENERAL SITE NOTES

A. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND SITE REQUIREMENTS. RESOLVE ALL DISCREPANCIES PRIOR TO CONSTRUCTION.
B. FIELD VERIFY ALL BUILDING SETBACKS AND EASEMENTS ARE MET PRIOR TO FOUNDATION POUR.
C. ALL PUBLIC UTILITIES EXISTING OR AVAILABLE PER SUBDIVISION PLAT WITHIN UTILITY EASEMENT
D. SEE GENERAL NOTES FOR CONSTRUCTION.
E. ALL EXISTING TREES AND LANDSCAPING SCHEDULED TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION.

LEGAL DESCRIPTION

LOT 7, BROCKSIDE SUBDIVISION, CITY OF ONTARIO, MALHUER COUNTY, OREGON

BUILDING CODES

2017 OREGON RESIDENTIAL SPECIALTY CODE (ORSC)
2019 OREGON ZERO READY COMMERCIAL CODE
2019 OREGON MECHANICAL SPECIALTY CODE
2017 OREGON PLUMBING SPECIALTY CODE
2017 OREGON ELECTRICAL SPECIALTY CODE
2019 OREGON FIRE CODE

PROJECT DESCRIPTION

NEW 1975 SQUARE FOOT 1-STORY SINGLE FAMILY HOUSE WITH 775 SQUARE FOOT GARAGE WITHIN ONTARIO CITY LIMITS.

ENERGY CODE REQUIREMENTS

INSULATION AND FENESTRATION PRECRIPTIVE VALUES:

FENESTRATION U-FACTOR	0.32
GLAZED FENESTRATION SHGC	NR
CEILING R-VALUE	49
WOOD FRAME WALL R-VALUE	20 or 13+5ci
FLOOR R-VALUE	30
SLAB R-VALUE / DEPTH	10 / 2 ft

GENERAL NOTES

A. ASSUME SOIL BEARING VALUE OF 1500 PSF SANDY LOAM & CLAY. OTHER CONDITIONS MAY REQUIRE SPECIAL PROVISIONS IN FOUNDATION DESIGN AND CONSTRUCTION. CONTRACTOR TO VERIFY AS REQUIRED PRIOR TO CONSTRUCTION.
B. CONCRETE SLAB ON GRADE SHALL BE 4" MINIMUM OVER 4" MINIMUM COMPACTED GRAVEL BASE OVER 95% COMPACTED NATIVE SOIL. 1/2" PERIMETER EXPANSION JOINTS AND 1/4" MINIMUM SAWCUT CONTROL JOINTS AT 10'-0" EACH WAY MAXIMUM.
C. 15 MIL VAPOR BARRIER TYPICAL, UNDER 4" REINFORCED CONCRETE SLAB.
D. ALL FOUNDATION WALLS AND FOOTINGS TO BE CONTINUOUS. STEM WALLS TO BE 6"x24" ON 16"x8" FOOTINGS EXCEPT WHERE GRADE CHANGES REQUIRE DEEPER STEMWALL. MINIMUM FINISH GRADE COVERAGE OF FOOTINGS SHALL BE 24". REINFORCE FOOTINGS WITH (2) NO. 4 BARS, TYP. IN ADDITION, STEM WALLS OVER 24", REINFORCE STEM WALL WITH (2) NO. 4 BARS AT 12" O.C. WHERE SITE CONDITIONS REQUIRE
E. PROVIDE 5% SLOPE FIRST 10'-0" AWAY FROM FOUNDATION AND 2% THEREAFTER. FOUNDATION PERIMETER SHALL BE CONSTRUCTED WITH GRAVEL BED AND BURIED 3" PERFORATED PIPE FOR POSITIVE DRAINAGE AWAY FROM FOUNDATION WHERE SOIL AND WATER CONDITIONS REQUIRE.
F. FOUNDATION WALLS TO BE CAPPED WITH 2x6 APPROVED TREATED WOOD OR HRT REDWOOD SILL PLATE. ANCHOR BOLTS SHALL BE 1/2" DIA. x 10" AT 48" O.C. AND 12" MAX. OF ALL PLATE JOINTS. SILL PLATE SHALL BE SET INTO APPROVED SILL SEALER.
G. ROOF FRAMING - PRE-ENGINEERED WOOD TRUSS SYSTEM PER TRUSS MANUFACTURER AS SHOWN WITH 7/16" SHEATHING. PROVIDE SOFFIT VENTILATION WITH 8"x16" VENTS AT 8'-0" O.C. OR EQUIVALENT PER IRC REQUIREMENTS. ATTIC INSULATION SHALL MAINTAIN A MINIMUM OF 2" AIR SPACE ABOVE BATT.
H. WALL FRAMING SHALL BE 2x6 AT 16" O.C. WITH 1/2" EXTERIOR SHEATHING AT EXTERIOR WALLS AND 2x4 AT 16" O.C. WITH 1/2" GYP. BOARD AT INTERIOR WALLS. INTERIOR PLUMBING WALLS SHALL BE 2x6 AT 16" O.C.
I. INTERIOR STAIR CONSTRUCTION - VERIFY VERTICAL DISTANCE IN FIELD. MAXIMUM RISE SHALL NOT EXCEED 7.75" AND MINIMUM TREAD SHALL NOT BE LESS THAN 11". HANDRAILS AS REQUIRED. CLEAR VERTICAL HEAD HEIGHT SHALL BE 6'-8" MINIMUM.
J. SHEAR WALLS AS SHOWN ON WALL BRACING FLOOR PLAN.
K. STANDARD DOOR FRAMING SHALL OCCUR 4" FROM RETURN WALL UNLESS OTHERWISE NOTED. HARDWARE PER OWNER.
L. ALL WINDOWS IN BEDROOMS SHALL MEET EGRESS REQUIREMENTS. ALL OTHER WINDOWS SHALL BE OPERABLE UNLESS OTHERWISE SPECIFIED.

BENINTENDI DESIGNS
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COVER

COSTELLO HOUSE
SHANDRA MUSSER
PARADISE BUILDING COMPANY
541-212-5489

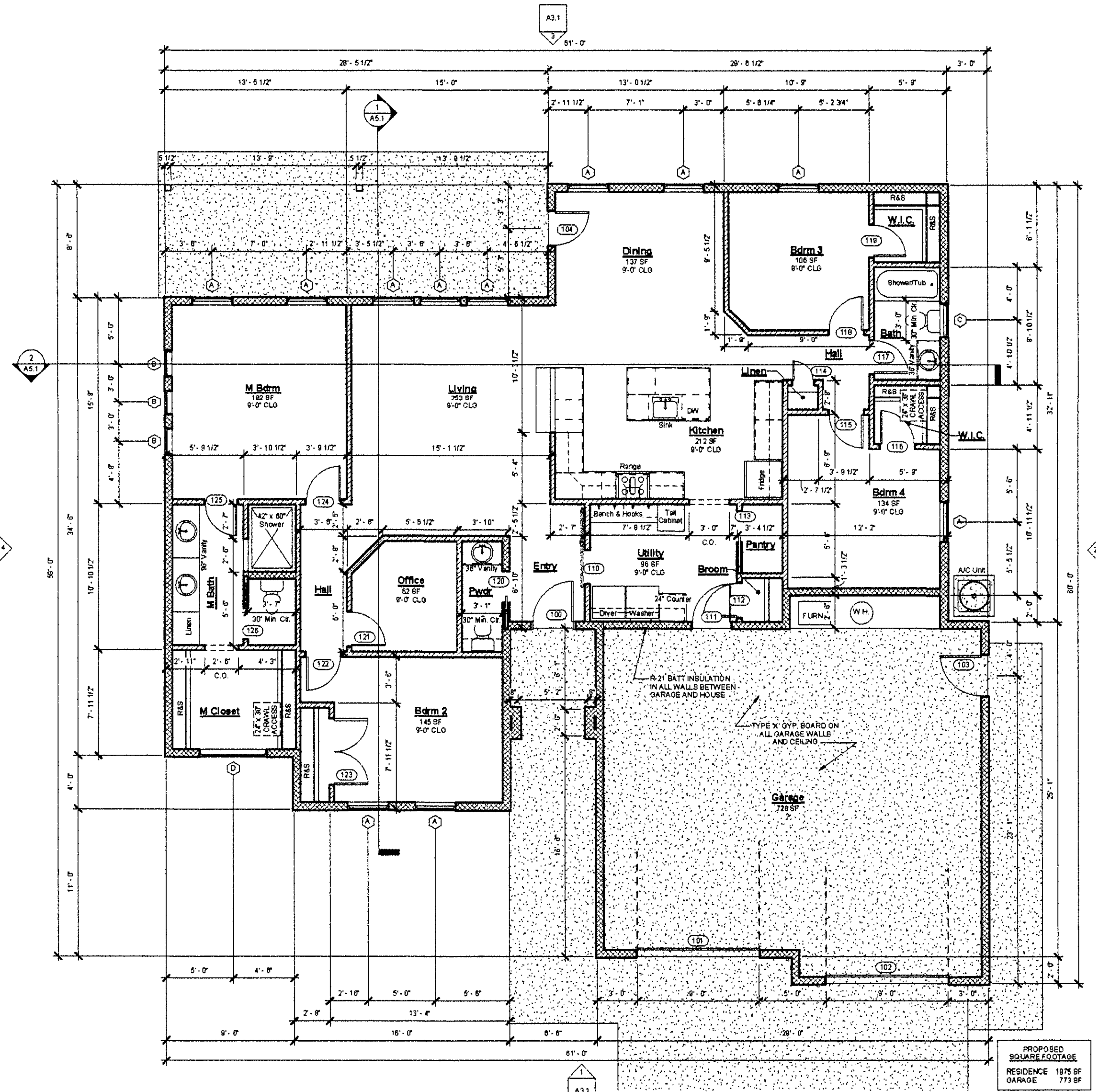
REVISIONS:

Date:	1/10/2021
Scale:	1" = 10'-0"
Drawn By:	JAB
Checked By:	-
Job:	20016
Sheet:	A1.0

PERMIT PLANS

DOOR SCHEDULE							
			SIZE				
NO.	OPERATION	NOTES	WIDTH	HEIGHT	NEW/EXISTING	RATED	COMMENTS
100	SWING	EXTERIOR, S.C.	3' - 0"	8' - 0"	New Construction		
101	OVERHEAD		9' - 0"	8' - 0"	New Construction		
102	OVERHEAD		9' - 0"	8' - 0"	New Construction		
103	SWING	EXTERIOR, S.C.	3' - 0"	6' - 8"	New Construction		
104	ATRIUM DOOR	EXTERIOR, S.C.	2' - 8"	6' - 8"	New Construction		
110	BARN DOOR	INTERIOR, H.C.	2' - 8"	7' - 0"	New Construction		
111	SWING	INTERIOR, S.C.	2' - 10"	6' - 8"	New Construction	20 MIN.	SELF-CLOSING
112	SWING	INTERIOR, H.C	2' - 6"	6' - 8"	New Construction		
113	POCKET DOOR	INTERIOR, H.C.	2' - 4"	6' - 8"	New Construction		
114	SWING	INTERIOR, H.C.	1' - 6"	6' - 8"	New Construction		
115	SWING	INTERIOR, H.C.	2' - 6"	6' - 8"	New Construction		
116	POCKET DOOR	INTERIOR, H.C	2' - 6"	6' - 8"	New Construction		
117	SWING	INTERIOR, H.C.	2' - 6"	6' - 8"	New Construction		
118	SWING	INTERIOR, H.C.	2' - 8"	6' - 8"	New Construction		
119	SWING	INTERIOR, H.C.	2' - 4"	6' - 8"	New Construction		
120	POCKET DOOR	INTERIOR, H.C.	2' - 4"	6' - 8"	New Construction		
121	SWING	INTERIOR, H.C.	2' - 8"	6' - 8"	New Construction		
122	SWING	INTERIOR, H.C.	2' - 6"	6' - 8"	New Construction		
123	SLIDER	INTERIOR, H.C.	5' - 0"	6' - 8"	New Construction		
124	SWING	INTERIOR, H.C.	2' - 6"	6' - 8"	New Construction		
125	SWING	INTERIOR, H.C.	2' - 4"	6' - 8"	New Construction		
126	POCKET DOOR	INTERIOR, H.C.	2' - 4"	6' - 8"	New Construction		

WINDOW SCHEDULE							
TYPE	COUNT	OPERATION	WIDTH x HEIGHT	HEAD HEIGHT	TEMPERED	EGRESS	COMMENTS
A	11	SINGLE HUNG	3' - 0" x 5' - 0"	6' - 8"		*EGRESS	
B	3	FIXED	2' - 0" x 2' - 0"	6' - 8"			
C	1	SINGLE HUNG	2' - 6" x 3' - 6"	6' - 8"	TEMPERED		OPAQUE
D	1	SINGLE HUNG	5' - 0" x 1' - 6"	6' - 8"			



PROPOSED SQUARE FOOTAGE

RESIDENCE 1875 SF
GARAGE 773 SF

1 MAIN FLOOR PLAN
scale: 1/4" = 1'-0"

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FLOOR PLAN

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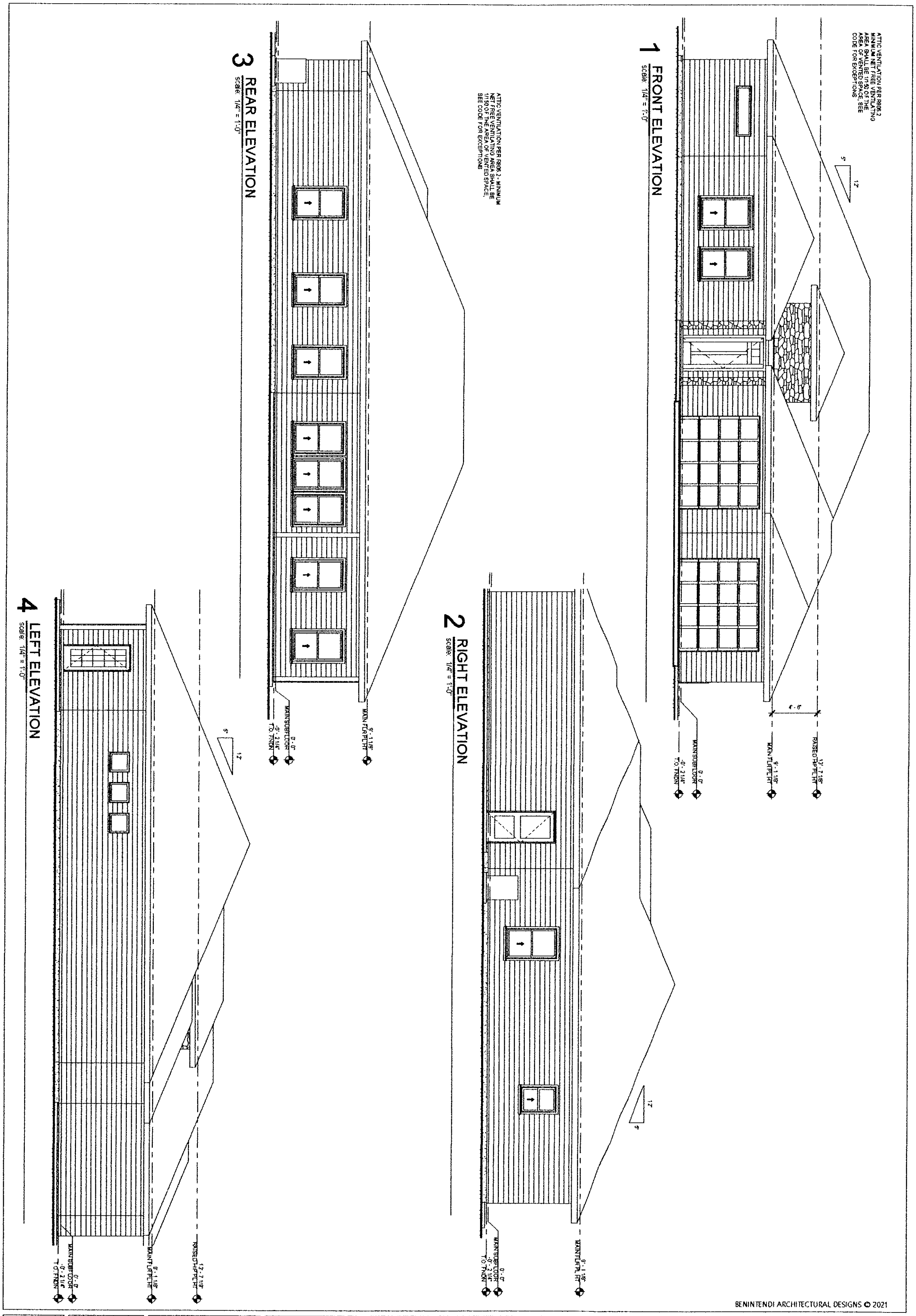
Date: 1/10/2021
Scale: 1/4" = 1'-0"
Drawn By: JAB
Checked By: -
Job: 20016

Sheet: A2.1

PERMIT PLANS



Date	1/10/2021
Scale	1/4" = 1'-0"
Drawn By	JAB
Checked By	-
Job	20016
Sheet	A3.1

REVISIONS

COSTELLO HOUSE

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ELEVATIONS

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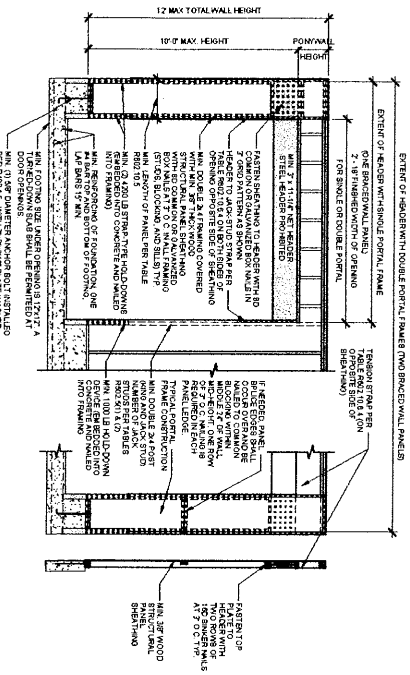
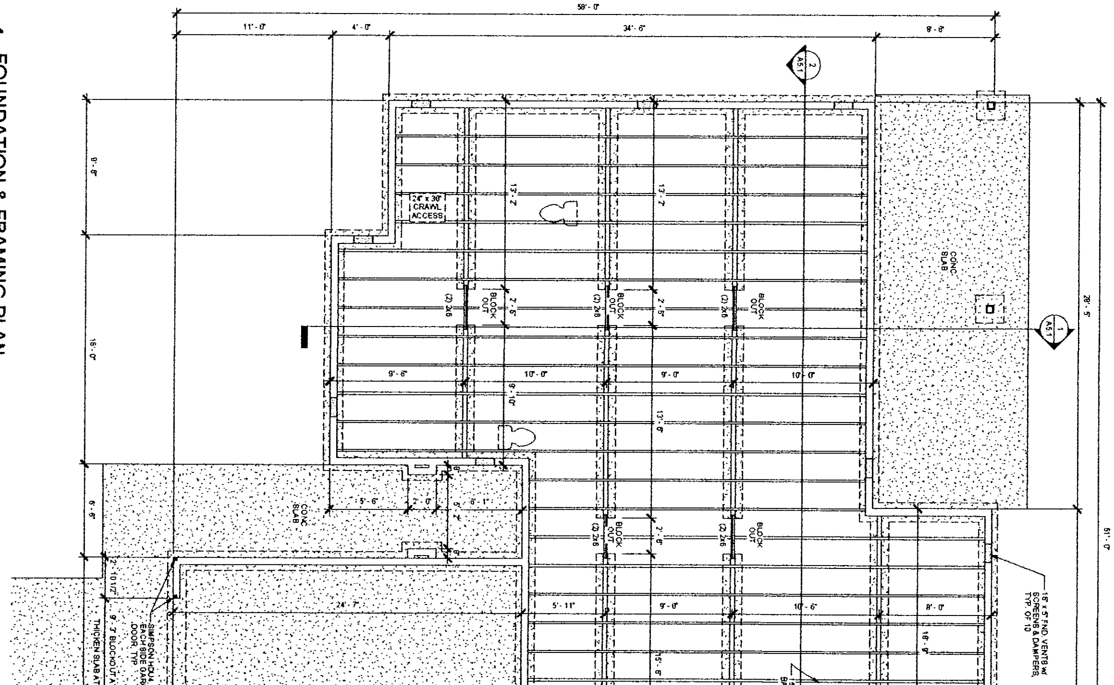
PERMIT PLANS



2 PORTAL FRAME WITH HOLD-DOWNS (PFH)
scale: 3/8" = 1'-0"

FRONT ELEVATION
FIGURE R602.10.6.2
METHOD PFH - PORTAL FRAME WITH HOLD-DOWNS

SECTION



1 FOUNDATION & FRAMING PLAN
scale: 1/4" = 1'-0"

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FOUNDATION & FLOOR FRAMING PLAN

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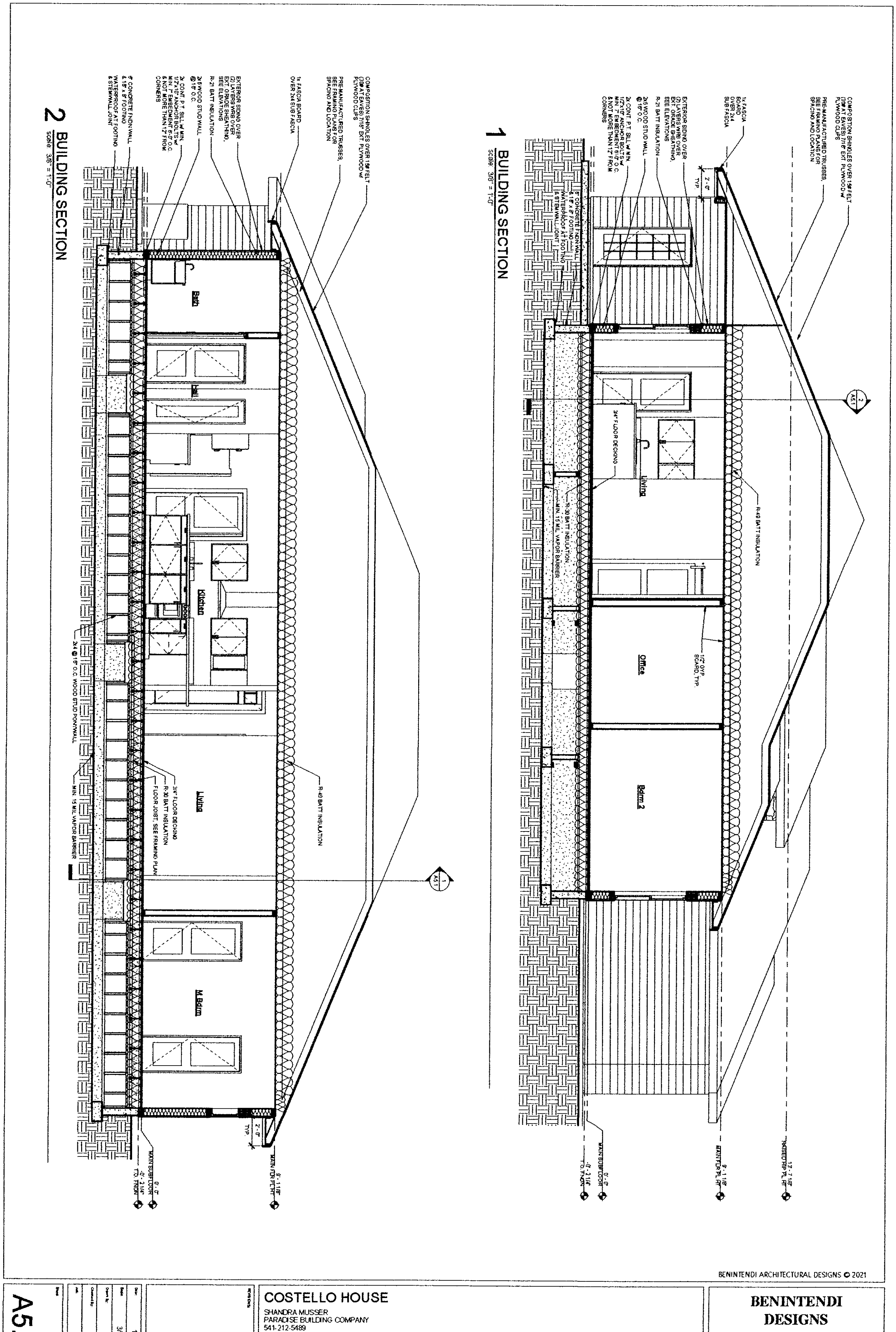
1/10/2021
As indicated
JAB
20016

A4.1

PERMIT PLANS



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SECTIONS

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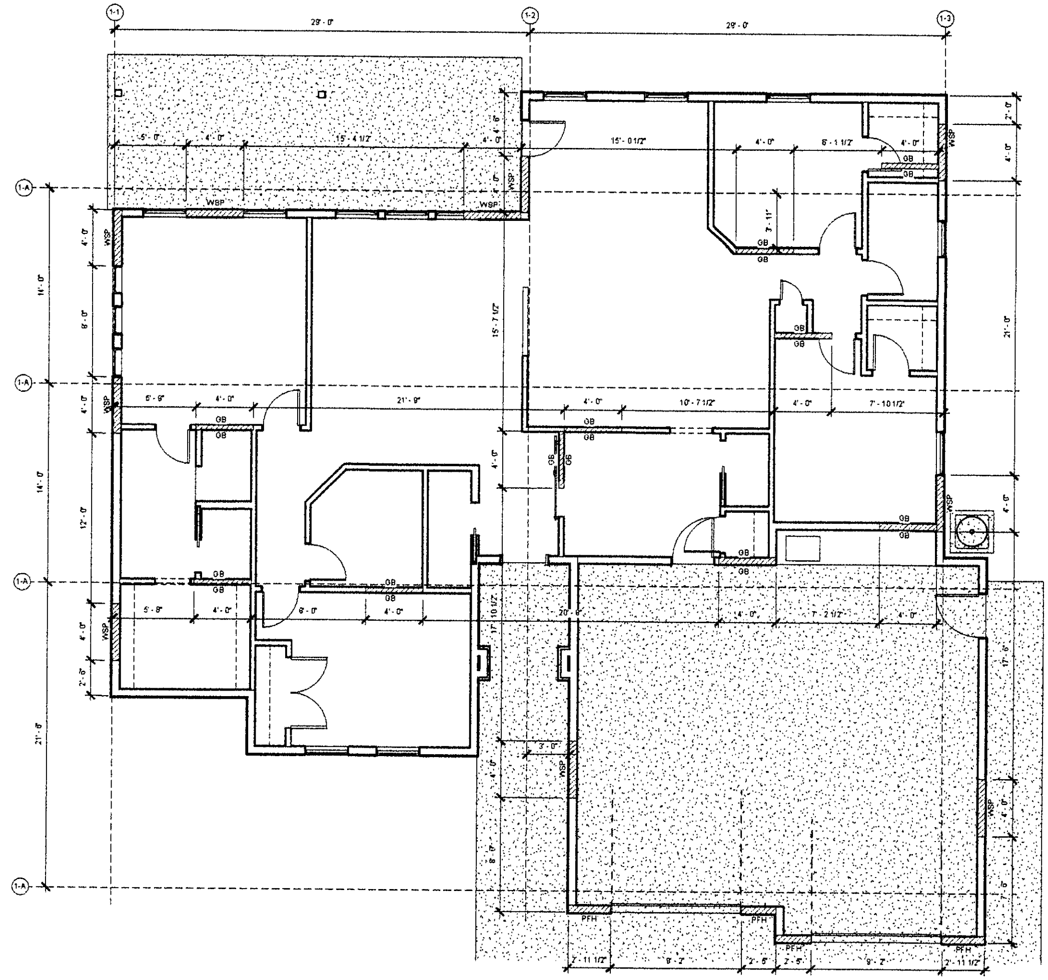
Date	1/10/2021
Scale	3/8" = 1'-0"
Drawn by	JAB
Checked by	-
Job	20016
Sheet	A5.1

PERMIT PLANS

BRACED PANEL LENGTH TABLE
BASED ON WIND SPEED (<115 mph)
(SEE CALCULATION SHEETS FROM SIMPSONSTRONGTIE.COM)

BRACED WALL LINE	BRACING METHOD TABLE R602.10.2	BRACED WALL LINE SPACING	REQ'D BRACING LENGTH (FEET)	EXPOSURE FACTOR FTNT: b	ROOF TO EAVE TOTAL FTNT: c	WALL HEIGHT TOTAL FTNT: d	NUMBER BRACED LINES FTNT: e	REQ'D BRACING LENGTH (FEET)	PROVIDED BRACING LENGTH (FEET)
1-1	WSP	29.0	5.3	1.0	1.0	0.95	1.3	6.55	12.0
1-2	WSP	28.0	5.3	1.0	1.0	0.95	1.3	6.55	12.0
1-3	WSP	29.0	5.3	1.0	1.0	0.95	1.3	6.55	12.0
1-A	WSP	14.0	2.6	1.0	0.95	0.9	1.45	3.56	16.0
1-B	GB	20.0	6.5	1.0	0.95	0.9	1.45	6.27	12.0
1-C	GB	20.5	6.5	1.0	0.95	0.9	1.45	6.27	16.0
1-D	PFH	20.5	3.5	1.0	0.95	0.9	1.45	3.88	16.125



1 WALL BRACING PLAN
scale: 1/4" = 1'-0"

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WALL BRACING PLAN

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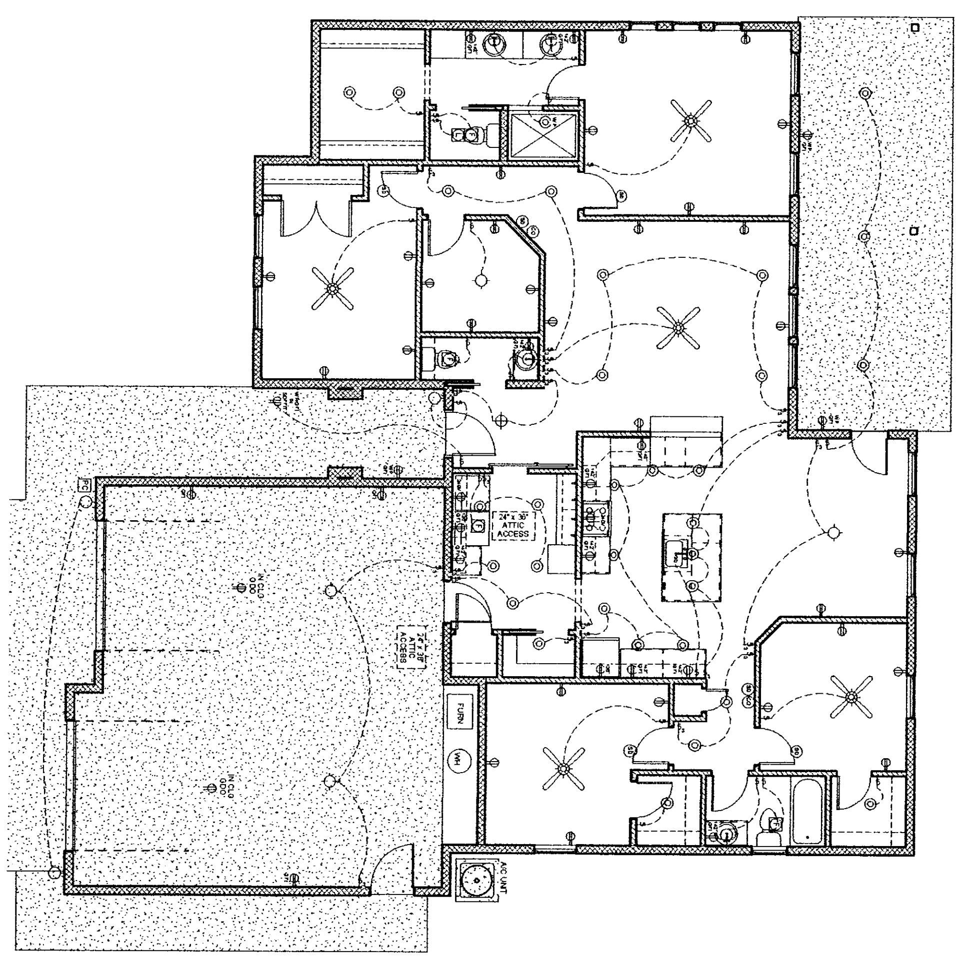
REVISIONS:

Date	1/10/2021
Scale	1/4" = 1'-0"
Drawn By	JAB
Checked By	-
Job	20016
Sheet	A6.1

PERMIT PLANS

1 ELECTRICAL FLOOR PLAN

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



ELECTRICAL-MECHANICAL LEGEND

- SINGLE POLE
- THREE-WAY
- DUPLEX OUTLET
- GFI — GFI OUTLET
- WP — WATERPROOF OUTLET
- GDO — GARAGE DOOR OPENER
- DW — DISHWASHER
- GD — GARBAGE DISPOSAL
- TV — TELEVISION
- SD — SMOKE DETECTOR
- RECESSED
- DIRECTED SURFACE OR PENDANT
- SURFACE MOUNT (CEILING)
- WALL MOUNT
- UNDERCABINET LIGHTING
- TV — TV HOOK UP
- SURFACE OR PENDANT FLUORESCENT
- F/L — LIGHT/FAN
- HVAC
- CEILING FAN
- PC — PHOTO CELL

NOTE:
MECHANICAL-ELECTRICAL DESIGN IS SCHEMATIC. FINAL LOCATIONS TO BE DETERMINED BY LICENSED PROFESSIONALS.

Date	1/10/2021
Scale	1/4" = 1'-0"
Drawn By	JAB
Checked By	-
Job	20016
Sheet	A7.1

REVISIONS

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SCHEMATIC ELECTRICAL PLAN

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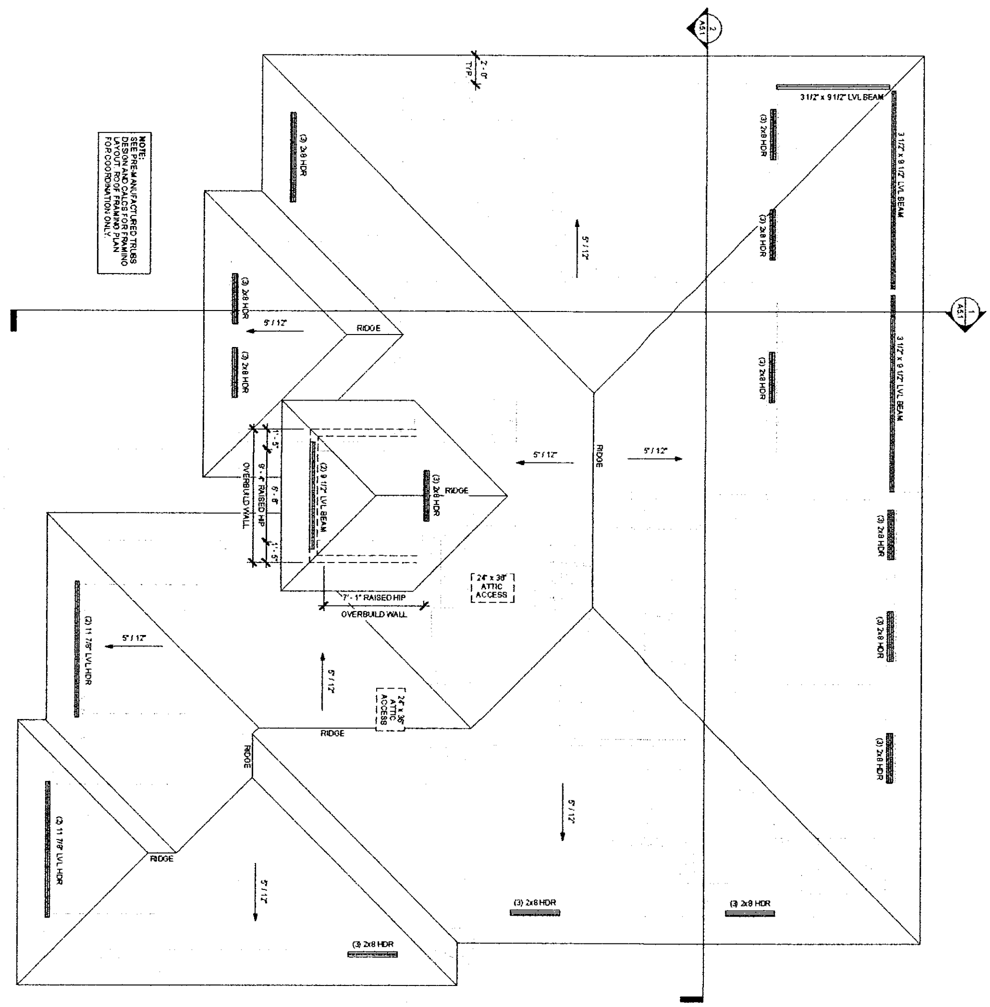
PERMIT PLANS

1 ROOF FRAMING PLAN

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

NOTE:
SEE PRE-MANUFACTURED TRUSS DESIGN AND CALCS FOR FRAMING LAYOUT. ROOF FRAMING PLAN FOR COORDINATION ONLY.



ROOF VENTILATION CALCULATIONS

REQUIRED VENTILATION
AREA / 150
1975 SQ FT / 150 = 13.17 SQ FT

13.58 SQ FT TOTAL VENTILATION REQ'D

50% INTAKE - 50% EXHAUST VENTS
13.17 / 2 = 6.59 SQ FT
6.79 SQ FT x 144 = 949 SQ IN

PROVIDED VENTILATION
(18) 16x8 SOFFIT VENTS
50 SQ IN EACH
(7) HIGH CAPACITY DOME VENTS
144 SQ IN EACH

Date:	1/10/2021
Scale:	1/4" = 1'-0"
Drawn By:	JAB
Checked By:	-
Job:	20016
Sheet:	A4.2

REVISIONS:

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ROOF FRAMING PLAN

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PERMIT PLANS

Ontario Recreation District
Presents:
Ontario Aquatic Center 2022

GREAT NEWS!

A brief history of the Ontario Aquatic Center

1. Opened to the community of Ontario in 1983 as a state-of-the-art indoor swimming pool, kids pool, and spa.
2. Provided decades of recreational and competitive programs to seniors, adults, and youth.
3. Included additional weight room and aerobics room for guests.
4. Closed in 2013 following inspection…..

OAC Renovation

The Benefits…

1. Essential Life Skill
2. Water & Swim Safety
3. Entry Level & Life Saving Job Skills
4. Health and Wellness Benefits
5. County Obesity/Heart Disease
6. Psychological/Emotional Wellness
7. Opportunities/Experiences
8. Future Healthy Lifestyles
9. Reduces Youth Crime
10. Community/City Asset
11. Encourages population growth
12. Distinguishes this community
13. Accommodation for our residents

The Benefits…

1. Desirability:
2. Create more things to do
3. Lifestyle
4. Create more amenities
5. Growth
6. Prepare for city expansion
7. Improve existing infrastructure
8. Beautification
9. Bring more art and culture to Ontario

10. Create more things to do
11. Education
12. Strengthen relationship with schools
13. Prevent death due to accidental drowning

The Need…

1. Health & Social Benefits of Community Swimming Pools
2. Wen et al. (2007)
3. Social Inclusion & Social Benefits
4. Yang et al. (2004)
5. Safe and Secure Community Spaces.
6. Mooeny and Fyfe (2006)
7. Water/Swim Safety
8. About 91 million people over the age of 16 swim in oceans, lakes, and rivers each year in the United States.

City of Ontario
Parks Master Plan

1. Over half of survey respondents mention the pool.
2. A functioning pool was voted on three times more than any other option.

YMCA Survey Results

1. Importance & Satisfaction Determined Need:
2. Service Engaging Entire Family
3. Practice Positive Health Habits
4. Safe and Secure Community Spaces
5. Convenient Access to Structured Activities
6. Engage Senior Populations
7. Develop Connections with Others
8. Learning Opportunities for Adults
9. Receive Support from Groups

ORD Pool Survey Results

a. Question #4: Should the Ontario Recreation District receive funding from the City of Ontario for this project?
b. Over 200 Respondents
c. 83% of respondents believe ORD should receive funding for this project.
d. 7% of respondents do NOT believe ORD should receive funding for this project.
e. 10% of respondents do NOT believe ORD should receive funding for this project.
f. DUE TO A FEAR OF MISMANAGEMENT OF FUNDS OR OPERATIONS.

What are we asking for?

a. 3 Year Commitment of $900,000.00
    i. $300,000.00 a year for 3 years.
b. Annual Commitment of $50,000.00
    i. To begin following initial 3-year commitment
c. Successful partnership between City and Rec District
d. Improvement of public perception with City of Ontario

The Next Steps…

1. $140,000.00
2. Water Trail, Downtown Attraction, Wayfinding Signs
3. $20,000.00
4. Poverty to Prosperity, Marijuana Education, School Grant
5. $170,000.00
6. Homeless, SR Transit, Playgrounds, Beck Park Restroom, Downtown Beautification
7. $80,000.00
8. Park Trash Cans, Façade Grant, Downtown Parking
9. $65,000.00
10. SREDA, Americold Pre-Design, FT Airport Manager

The Next Steps…

1. Reduced Cardiovascular Disease
2. Improved Health Education
3. Improved youth opportunities
4. Improved central park and city
5. Improved relationship with the citizens of Ontario, OR.
6. Improved Education
7. Improved Economic Development
8. Potential for YMCA growth.

At the end of the day…It's the right thing to do!

January 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 CITY HALL CLOSED	2
3	4 AIRPORT 6PM CITY HALL	5	6	7 V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	8	9
10	11 PLANNING 6PM CITY HALL	12 ~~PUBLIC WORKS~~ ~~3PM~~ ~~CITY HALL~~ Cancelled	13	14	15	16
17	18 CITY HALL CLOSED	19 COUNCIL 6PM CITY HALL	20 DIVERSITY 5:30PM CITY HALL	21 PARKS 5:30PM CITY HALL	22	23
24	25	26 COUNCIL 6PM CITY HALL	27	28	29	30
31						

February 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 AIRPORT 6PM CITY HALL	2 PUBLIC WORKS 3PM CITY HALL New Date	3	4 V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	5	6
7	8 PLANNING 6PM CITY HALL	9 ~~PUBLIC WORKS~~ ~~3PM~~ ~~CITY HALL~~ Cancelled	10	11	12	13
14	15 CITY HALL CLOSED	16 COUNCIL 6PM CITY HALL	17 DIVERSITY 5:30PM CITY HALL	18 PARKS 5:30PM CITY HALL	19	20
21	22	23 COUNCIL 6PM CITY HALL	24	25	26	27
28						

March 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 AIRPORT 6PM CITY HALL	2	3	4 V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	5	6
7	8 PLANNING 6PM CITY HALL	9 PUBLIC WORKS 3PM CITY HALL BUDGET 6PM PLACE: TBD	10 BUDGET 6PM PLACE: TBD	11 BUDGET 6PM PLACE: TBD	12	13
14	15	16 COUNCIL 6PM CITY HALL	17 DIVERSITY 5:30PM CITY HALL	18 PARKS 5:30PM CITY HALL	19	20
21	22	23 COUNCIL 6PM CITY HALL	24	25	26	27
28	29	30	31			

April 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 V&C 7AM CHAMBER OFFICE	**2**	**3**
4	**5** AIRPORT 6PM CITY HALL	**6**	**7**	**8** WORK SESSION 6PM CITY HALL	**9**	**10**
11	**12** PLANNING 6PM CITY HALL	**13** PUBLIC WORKS 3PM CITY HALL	**14**	**15** PARKS 5:30PM CITY HALL	**16**	**17**
18	**19**	**20** COUNCIL 6PM CITY HALL	**21** DIVERSITY 5:30PM CITY HALL	**22**	**23**	**24**
25	**26**	**27** COUNCIL 6PM CITY HALL	**28**	**29**	**30**	

May 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 AIRPORT 6PM CITY HALL	4	5	6 V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	7	8
9	10 PLANNING 6PM CITY HALL	11 PUBLIC WORKS 3PM CITY HALL	12	13	14	15
16	17	18 COUNCIL 6PM CITY HALL	19 DIVERSITY 5:30PM CITY HALL	20 PARKS 5:30PM CITY HALL	21	22
23	24	25 COUNCIL 6PM CITY HALL	26	27	28	29
30	31 CITY HALL CLOSED					

June 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3 V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	4	5
6	7 AIRPORT 6PM CITY HALL	8 PUBLIC WORKS 3PM CITY HALL	9	10	11	12
13	14 PLANNING 6PM CITY HALL	15 COUNCIL 6PM CITY HALL	16 DIVERSITY 5:30PM CITY HALL	17 PARKS 5:30PM CITY HALL	18	19
20	21	22 COUNCIL 6PM CITY HALL	23	24	25	26
27	28	29	30			

July 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 V&C 7AM CHAMBER OFFICE	**2**	**3**
4	**5** CITY HALL CLOSED	**6** AIRPORT 6PM CITY HALL	**7**	**8** WORK SESSION 6PM CITY HALL	**9**	**10**
11	**12** PLANNING 6PM CITY HALL	**13** PUBLIC WORKS 3PM CITY HALL	**14**	**15** PARKS 5:30PM CITY HALL	**16**	**17**
18	**19**	**20** COUNCIL 6PM CITY HALL	**21** DIVERSITY 5:30PM CITY HALL	**22**	**23**	**24**
25	**26**	**27** COUNCIL 6PM CITY HALL	**28**	**29**	**30**	**31**

August 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 AIRPORT 6PM CITY HALL	3	4	5 V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	6	7
8	9 PLANNING 6PM CITY HALL	10 PUBLIC WORKS 3PM CITY HALL	11	12	13	14
15	16	17 COUNCIL 6PM CITY HALL	18 DIVERSITY 5:30PM CITY HALL	19 PARKS 5:30PM CITY HALL	20	21
22	23	24 COUNCIL 6PM CITY HALL	25	26	27	28
29	30	31				

September 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 V&C 7AM CHAMBER OFFICE	3	4
5	6 CITY HALL CLOSED	7 AIRPORT 6PM CITY HALL	8	9 WORK SESSION 6PM CITY HALL	10	11
12	13 PLANNING 6PM CITY HALL	14 PUBLIC WORKS 3PM CITY HALL	15 DIVERSITY 5:30PM CITY HALL	16 PARKS 5:30PM CITY HALL	17	18
19	20	21 COUNCIL 6PM CITY HALL	22	23	24	25
26	27	28 COUNCIL 6PM CITY HALL	29	30		

October 2021

Sunday	Monday	Tuesday	Wednesda	Thursday	Friday	Saturday
					1	2
3	4 AIRPORT 6PM CITY HALL	5	6	7 V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	8	9
10	11 PLANNING 6PM CITY HALL	12 PUBLIC WORKS 3PM CITY HALL	13	14	15	16
17	18	19 COUNCIL 6PM CITY HALL	20 DIVERSITY 5:30PM CITY HALL	21 PARKS 5:30PM CITY HALL	22	23
24	25	26 COUNCIL 6PM CITY HALL	27	28	29	30
31						

November 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 AIRPORT 6PM CITY HALL	**2**	**3**	**4** V&C 7AM CHAMBER OFFICE WORK SESSION 6PM CITY HALL	**5**	**6**
7	**8** PLANNING 6PM CITY HALL	**9** PUBLIC WORKS 3PM CITY HALL	**10**	**11** CITY HALL CLOSED	**12**	**13**
14	**15**	**16** COUNCIL 6PM CITY HALL	**17** DIVERSITY 5:30PM CITY HALL	**18** PARKS 5:30PM CITY HALL	**19**	**20**
21	**22**	**23** COUNCIL 6PM CITY HALL	**24**	**25** CITY HALL CLOSED	**26** CITY HALL CLOSED	**27**
28	**29**	**30**				

December 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 V&C 7AM CHAMBER OFFICE	3	4
5	6 AIRPORT 6PM CITY HALL	7	8	9 WORK SESSION 6PM CITY HALL	10	11
12	13 PLANNING 6PM CITY HALL	14 PUBLIC WORKS 3PM CITY HALL	15 DIVERSITY 5:30PM CITY HALL	16 PARKS 5:30PM CITY HALL	17	18
19	20	21 COUNCIL 6PM CITY HALL	22	23	24 CITY HALL CLOSED	25
26	27	28 COUNCIL 6PM CITY HALL	29	30	31 CITY HALL CLOSED	

Committee/Council Liaison Appointments - 2021

Committee	Term Expires	Current Member	Applicant-Interested	Appointed
Airport [4 year term]				
Public Member	12/20	Jerry Trolard		
Public Member (Alternate)	12/23	Vacant		
Budget [4 year term]				
Public Member	12/22	Mary Jo Evers	Janet Komoto	
			Lee Newman	
			Marty Justus	
Diversity Advisory [3 year term]				
Public Member	12/20	Angela Machuca		
Marijuana Ad-Hoc				
Public Member	No date	Member moved to Liaison		
Planning Commission [4 year term]				
Public Member	12/20	Cindy McCleran		
Liaison/City Counilor				
Public Works [3 year term]				
Public Member	12/20	Pat Woodcock		
V&C [3 year term]				
Public Member - Agriculture Rep	12/20	John Hall		
Council Representative				

Airport: 1st Monday each month, 6:00 p.m. @ City Hall
Audit: As needed @ City Hall
Budget: As needed @ City Hall
Business Loan Fund: As needed @ City Hall
Diversity Advisory: 3rd Wedneday each month, 5:30 p.m., @ City Hall
Marijuana Ad-Hoc: As needed, Evenings @ City Hall
Parks: 3rd Thursday each month, 5:30 p.m. @ City Hall
Planning: 2nd Monday each month, 6:00 p.m. @ City Hall
Public Works: 2nd Tuesday each month, 3:00 p.m. @ City Hall
V&C: 1st Thursday each month, 7:00 a.m. @ Chamber Office

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CITY OF ONTARIO
REQUEST FOR BOARD OR COMMISSION APPOINTMENT

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

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

NAME: Komoto (Last) | Janet (First,) | D. (Middle Initial)

HOME ADDRESS: P O Box 143 (Street) | Ontario (City) | 97914 (Zip Code)

TELEPHONE: 208-739-2777 (Home, Work, Cell, or Business (Include Area Code)) | janetkomoto@gmail.com (E-mail Address)

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

1. Budget Committee
2.
3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
Business Loan Fund Committee	10 years	
Community Concerts of Treasure Valley	5 years	President
St. Luke's Fruitland Advisory Council	6 years	Chair

Employment:

Current Employer:	Position:	Dates of Employment:
Retired		

Education:

MSW in Organization, Planning & Administration, BS in Bus Admin/Accounting, BA in Sociology

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

I'm interested in how the city budget is funded & where/how those revenues are spent.

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

I enjoy working with figures.

Janet Komoto
Signature:

January 14, 2021
Date:

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received
01/14/21 LR

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

NAME: Newman (Last) Lee (First,) M (Middle Initial)

HOME ADDRESS: 1130 SW 1st Ave (Street) Ontario (City) 97914 (Zip Code)

TELEPHONE: 503-798-7952 (Home, Work, Cell, or Business (Include Area Code)) 337newman@gmail.com (E-mail Address)

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

1. Budget Committee
2.
3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
Chief's Advisory Council	3 months	Advisory Board Member

Employment:

Current Employer:	Position:	Dates of Employment:
Waldo Agencies Insurance	Chief Administrative Officer	Nov. 2019 - Current

Education:

BA - Buisness Administration, Linfield College 1991. MBE - Masters of Business and Engineering, Oregon State 2010

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

Community Service

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

Many years of prepartion of budgets for construction projects. Interested in the budgeting process for local government.

Lee Newman - Lee New
Signature:

January 14, 2021
Date:

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LEE NEWMAN
1130 SW 1st Ave.
Ontario, OR 97914
337newman@gmail.com
503.798.7952

EDUCATION

OREGON STATE UNIVERSITY — **Corvallis, Oregon**
Master of Business and Engineering (MBE) — 2010
LINFIELD COLLEGE — **McMinnville, Oregon**
Business, Marketing (BA) — 1991

SUMMARY OF QUALIFICATIONS

- 15+ years project/program manager
- Complex international project delivery
- Practiced in organizing/tracking/installing large piece-count deliveries
- Accustomed to a fast pace work environment
- Practiced in directing teams of diverse individuals
- Effective communicator and negotiator
- Team oriented/Team leader
- Excellent organization and planning skills
- Coordination of customer relations with outside sales team
- Preparation of detailed cost forecasts
- Broad background of experience
- Creative/Flexible/Calm
- Interested in helping others be successful
- Naturally able to share mission/vision
- Dispositioned to seek the best result for all

PMP Certified 2010-2015, TWIC cardholder, Global Entry, OSHA 30, MSHA part 48

EXPERIENCE

CHIEF ADMINISTRATIVE OFFICER — **Ontario, Oregon**
Waldo Agencies Insurance — 2010-Present

- Strategic oversight of business activities including, establishing budget and organizational development.
- Review and implement policies and procedures for departments.
- Oversee the evaluation of all business unit managers' performance.

SENIOR PROJECT MANAGER — **VANCOUVER, WASHINGTON**
PHOENIX INDUSTRIAL — 2018-2019

- Completed planning and initial delivery of a Copper Processing Plant for Nevada Copper in Yerington, NV.
- Project leader and responsible individual for the delivery of a Gold Refinery for McEwen Mining, Eureka, Nevada. Oversaw technical construction using research to identify and apply obscure technical specifications as well as compiling complex equipment installation packages.
- Highly involved the training and review of the Phoenix Industrial construction safety program. Certified OSHA 30 and MSHA 48 (Mine Safety and Health Administration.)

MANAGER, PROJECTS GROUP — **EUGENE, OREGON**
BULK HANDLING SYSTEMS — 2015-2018

- Key contributor in a monthly management team comprised of departmental leaders that evaluated company performance, identified business risks and strategic opportunities.
- Responsible for over $150 million per year in business including the delivery of several large complex international projects.
- Initiated a leadership team within the projects group. Through collaboration we developed our mission statement, purpose and guiding values.
- Reputable for steady, calming influence during demanding project delivery efforts and rapid business growth. The project group included project managers and electrical controls technicians, many of whom were remotely located throughout the US and Europe.
- Served as communication hub for executive leaders, customers, public officials, vendors, contractors Etc.
- Initiated regular review of cost estimates for personnel, equipment, and sub-contracts.

LEAD PROJECT MANAGER **EUGENE, OREGON**
BULK HANDLING SYSTEMS 2014-2015

- Assessed program needs and allocated appropriate resources for individual projects while continuing to manage ongoing projects myself.
- Established both tactical and strategic priorities for longer-tenured team members in areas of safety, customer relations, negotiation and budgets.
- Acted as a communication facilitator between the project delivery, engineering and manufacturing departments. Conducted a weekly program review meeting and provided updates to stakeholders.
- Led hiring, promotion and termination of employees, as well as annual performance reviews.

PROJECT MANAGER **EUGENE, OREGON**
BULK HANDLING SYSTEMS 2013-2014

- Drawn to the recycling and renewables industry because of an interest in environmental stewardship
- Responsible for the delivery of Material Recover Facilities projects, values ranging from $500,000 to $14 Million
- Conducted contract reviews, technical review of material processing designs and equipment selection. Selected sub-contractors, performed physical onsite construction supervision, as well as equipment commissioning, operator training, performance testing, project closeout and handoff to the service group.

CONSTRUCTION MANAGER **Newport, Oregon**
THE WOODSIDE GROUP LLC 2010-2013

- Construction Management for the Primary Developer of the Wilder Community in South Beach, OR
- Highly involved with requests for zoning variations, land use planning and permitting efforts
- Oversaw the day to day production of all phases of residential construction
- Responsible for Schedule, Budget, Safety and Quality Control
- Team builder. Built a cohesive team of employees and subcontractors

GENERAL CONTRACTOR **Central Oregon Coast**
Owner – WoodWest Construction Co. 2003-2009

- Residential and light commercial remodel and new-construction contractor.
- Strong entrepreneurial drive and willingness to grow and learn.
- Continual interaction with inspections by building officials utilizing a working knowledge of building and land use codes.

INTERESTS

- Organizational Development
- Enterprise Management
- Energy efficiency
- Mentorship
- Environmental Stewardship
- Personal Development
- Architectural Beauty
- Real estate investment
- Outdoor Activities
- Learning to play and perform music

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(541) 889-3232 *FAX (541) 889-7121*

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NAME: Justus (Last) Martin (First,) W (Middle Initial)

HOME ADDRESS: 1164 SW 14th Ave (Street) Ontario (City) 97914 (Zip Code)

TELEPHONE: 541-709-7744 541-889-8801 (Home, Work, Cell, or Business (Include Area Code)) martyj@4starrealestatewtv.com (E-mail Address)

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

1.
2.
3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
Ontario City Council Member	5 years	Councilmember

Employment:

Current Employer:	Position:	Dates of Employment:
Four Star Real Estate	Owner/ Broker	01/01/2010 to Present

Education:

High School and Associates Degree Johnson and Wells Univeristy

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

On going involvement with city

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

Signature: Martin W. [signature]

Date: 01/15/2021

Submit Reset

AGENDA REPORT
NEW BUSINESS
January 19, 2021

TO: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: LOBBYIST FOR MARIJUANA BILLS

DATE: January 12, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL DIRECT STAFF TO PURSUE PARTNERSHIPS FROM OTHER CITIES WHO WOULD BENEFIT BY HB2014 AND HB2015 TO SHARE THE COST OF HAVING A LOBBYIST AT THE STATE LEGISLATURE AND DIRECT THEM TO BRING BACK A BUDGET AMENDMENT FOR UP TO $30,000 TO SUPPORT LOBBYING EFFORTS.

SUMMARY:

Representative Mark Owens has introduced and sponsored two bills that would improve the marijuana revenue to the City of Ontario. HB2014 which changes the state revenue sharing formula to more accurately reflect the taxes collected here and paid back to other local governments, would dramatically change the city's tiny share of what we are sending across the State. HB 2015 would authorize all cities which allow dispensaries to increase the local option tax from 3% to 10%.

BACKGROUND:

House Bill 2014 and House Bill 2015 have been submitted by Representative Mark Owens. House Bill 2014 changes the distribution formula for the state revenue sharing to allow the taxes collected in Ontario and Portland to be based on actual sales, not on the current state formula which is based on population and the number of dispensaries. House Bill 2015 gives cities the option to increase the local option tax up to 10%.

CURRENT SITUATION:

Our state elected representatives have recommended that we have a lobbyist to ensure that these bills get the attention needed to be successful in the legislative session and not get dropped. A lobbyist can make one on one contacts with other state legislators. They can communicate the benefit communities would see across the state, including investment in capital and paying down of PERS debt.

We have some potential partners in these legislative priorities. Staff has reached out to other cities across the state to see if they are interested in joining with Ontario to pay for a lobbyist for HB2015, and have engaged in some discussion with other cities.

We also have potential partners for HB 2014. The legislations cover all cities within Metropolitan Statistical Areas (MSA's) over 600,000, which would include the Portland Vancouver Salem MSA.

ANALYSIS:

A. **STRATEGIC PLAN** Additional revenue would allow the city to pursue the goals of Desirability, Growth, and Beautification at a more aggressive pace.

B. **FINANCIAL** The city is collecting approximately $1 million for every 1% of local tax. So any increase would increase revenue from $3 million to $10 million. The white paper written last year, and attached, concluded that there was additional tax capture room in comparison with other legalized states and that the tax on marijuana had very little change on the consumption.

   HB2014 would allow our State Revenue Sharing to better reflect what the city is actually collecting and sending across the state. Based on our current revenue, Ontario is sending about $1.7 million to Salem that is being redistributed to cities across the state based on population and the number of dispensaries. Of that $1.7, being redistributed across the state, Ontario is receiving approximately $55,000.

   Staff estimates for working with a lobbyist is between $40,000 to $50,000.

C. **TIMING** The session is going on now. These bills have been introduced and could be thrown out at any time. There is an urgency if we wish to have someone specifically backing these bills and making contact with legislative staff.

D. **POLICY/LEGAL** This is a policy issue that only the City Council can direct. First, the Council needs to decide if this issue is supported by the new Council cohort. Second, if the new Council supports the legislation, does it support it enough to pay for a lobbyist in Salem.

ALTERNATIVES:

Do Not Hire a Lobbyist - If we do not hire a lobbyist we will be on our own. The Mayor and myself were invited to speak to the committee where the bill was referred to. The bill was ultimately not successful. The Council could still direct that staff support the legislation with the help of City Councilors during the hearings process.

Recommendation:

Staff recommends that the city pursue partnerships from other cities who would benefit by HB2014 and HB2015 to share the cost of having a lobbyist in Salem.

Attachments:

1. White Paper_CC_Marijuana Taxation Policy Final_1 15 2019 R4

1/15/2019

Economic Impacts of Marijuana Taxation

A White Paper Summarizing Contemporary Research and Related Factors

City of Ontario, Oregon
Authored by: City Manager Adam Brown, MPA and Assistant to the City Manager Peter Hall, MPA

City of Ontario, Oregon

Economic Impacts of Marijuana Taxation Policy

A White Paper Summarizing Contemporary Research and Related Factors

City Manager Adam Brown, MPA and Assistant to the City Manager Peter Hall, MPA

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Executive Summary

Findings

The research shows that Oregon's tax policy on marijuana is very generous compared to other legalized states nearby. The research shows that there is room to capture additional revenues without impacting the illicit sales market.

The research shows that marijuana is very inelastic at this point in the market. Price changes do not significantly impact the quantity demanded by customers and will therefore not decrease the number of sales or revenue.

Eighty percent (80%) of marijuana sold is used by daily users. An effective tax policy similar to cigarette taxation should eventually make up the majority of the cost of marijuana.

Legalization has shown to increase consumption. Consumers are willing to pay more to consume marijuana legally.

Most experts calculate price elasticity of demand, a measurement of how sensitive purchasing is to price, at -.3. To put that in perspective, the price elasticity of demand for cigarettes is generally expected to be at -.4.

The Washington case study shows that in reducing a 25% excise tax on each of the 3 phases in the supply chain to a flat sales tax on dispensaries, that growers, producers, and retailers pocketed much of the reduction in taxation (i.e. it was not passed on to consumers). This makes a case that there is additional room for taxation in Oregon's market.

The real question of whether Ontario's taxation capacity is higher than currently constituted is a question about location. The Treasure Valley of Eastern Idaho has a population of over 700,000 people who do not have access to legalized marijuana. A considerable amount of current sales 30 miles from the border in Huntington, Oregon comes from Idaho buyers. Given the convenience of being directly on Interstate 84 and being right on the border, it is expected that most of that traffic will stop in Ontario to purchase marijuana. Additional users will also come with the closer proximity.

Societies have a way of accepting things they once objected to. Normalization and acceptance can reasonably be expected over time. Consequently, Ontario will not enjoy this market capture permanently. At some point, it can be reasonably assumed that all states will legalize marijuana at which point, Ontario, will see a significant loss to their revenue. Tax policies will have to be flexible to adapt. Ontario should use the revenue it receives not to add new programs, but to improve the community before this advantage is lost.

Black Markets should not be looked at as a dichotomous choice. In other words, we should not be talking about the choice between whether a black market thrives or whether we keep prices down to eliminate the black market. The city should tax marijuana at a level that mitigates externalities, internalities, and improves the tax base and black markets should be shut down by law enforcement.

Recommendations

1. Ontario has a limited amount of time in which we will receive a significant boon of revenues. We must wisely invest this in our community to better ourselves for the future when acceptance is the norm across states and Ontario loses its current advantage.
2. After review of the economic studies, we recommend that the council approve a resolution requesting the State Legislature to allow a local option tax on marijuana up to 18% for the City of Ontario.
3. Approve Proposal 3 – The City Manager recommends proposal 3 which represents a combination of ideas and concessions from members of the city council.
4. Law enforcement should continue to focus on the elimination of black market sales of marijuana.

Purpose:

The purpose of this white paper is to summarize contemporary research of the economic impacts of taxation policy on the marijuana industry. The City of Ontario is debating tax policy on marijuana and would like to know the economic impact of such policy alternatives.

None of the City of Ontario staff, including law enforcement, have had personal experience working in a community where an illegal drug was made legal. Consequently, we cannot speak credibly from a point of experience on this matter. We found that much of the early literature on the subject was significantly biased coming from extreme positions on both sides of the issue. Since marijuana legalization and multiple taxation strategies have now been tried over a period of time, academic longitudinal studies are now available, which were not previously available. We intend to summarize the research of neutral writers, calculate the elasticity of demand, and identify other contributing factors to this complex question.

The proposal being considered by Ontario is to request special legislation to increase a local option tax above the current state restricted limit of 3% to as much as 18%.

Contemporary Research

For this study, we have relied heavily on research conducted by academic institutions and unbiased research parties including the National Institutes of Health. Notwithstanding, all of these research studies, our location along the state border, makes our situation unique.

Up until the most recent years, there has not been reliable longitudinal data available given the newness of the legalized marijuana market. Most early studies were heavily persuaded by proponents or opponents of marijuana.

Outline

I will review different taxation policies in states where cannabis is legalized. The varying taxation policies have impacted the industry based upon the tax incidence (which point of the supply chain is taxed). I will review the price elasticity of demand studies, which is the impact price (including taxation) effects on the purchase of product. Then I will discuss the unique factors of the Ontario market. I will go over several different proposals some of which have been recommended by the mayor and members of the Ontario City Council.

Taxation Policies in States with Legalized Marijuana

State Taxation Policies

An ad valorem (sales) tax is the current tax allowed in Oregon and in all other states where marijuana is legal. Oregon taxes marijuana at 17% with a 3% local option tax. Out of the 17% taxed by the State of Oregon, 10% is shared back with cities where marijuana is legal. Up until the November 2018 election, Ontario has not been eligible for this money. The distribution formula is made up of the population of your city and the number of dispensaries in your city. The State of Oregon's revenue sharing distribution formula is problematic for Ontario because we abut a state with a Metropolitan Statistical Area population of over 700,000 people where marijuana is not legal. Undoubtedly, that population will penetrate the Ontario market which is the closest legalized cannabis available. Consequently, the taxes paid to the state will not be proportional to the taxes paid back to the City of Ontario.

> *The State of Oregon's revenue sharing distribution formula is problematic for Ontario because we border a state with a Metropolitan Statistical Area population of over 700,000 people where marijuana is not legal.*

Let's review other states. California imposes marijuana taxation at 3 different occurrences. According to the California Department of Taxation, the first tax is a cultivation tax of $2.75 per oz. on dried cannabis leaves or $9.25 per ounce on dried cannabis flowers. Second is an excise tax of 15% assessed on all marijuana products purchase by the retailer. Third is an ad valorem (sales) tax on retail sales by both the state and local governments. The minimum state tax is 7.25% but the average is between 8-10%. Local government sales tax ranges from 5% to 15%. The effective rate of taxation in California is between 28% and 40%. (Taxation, 2018)

Nevada and Colorado employ a similar taxation policy. Both have a 15% excise tax. Nevada has a 10% sales tax versus Colorado's 15% sales tax. Colorado also has another 8% sales tax and another 2.9% special sales tax. Local governments add on average another 4.6% on sales and another 3.5% excise tax (from processor to retailer). (Scarboro, 2017)

Colorado is the earliest adopter of marijuana taxation having passed in November of 2012. Oregon followed Colorado's legalization policy by allowing jurisdictions (cities and counties) to ban medical and/or recreational dispensaries.

California taxes all phases of the supply chain. A Cultivation Tax is charged at $2.75 per ounce on dried cannabis leaves or $9.25 per ounce on dried flowers. An excise tax is paid by the retailer from the processor of 15%. The state sales tax is a minimum of 7.25% but varies by area. Most areas average between 8-10%. Lastly, local governments can impose sales taxes between 5% and 15%. As far reaching as California's tax marijuana tax is, Washington is still higher. "All of these taxes lead to a lower effective rate than Washington's implying that if

Washington is on the left side of the Laffer curve, these other states likely are as well." (Hansen, Nukker, & Weber, 2017)

Washington State has an ad valorem tax of 37%, but a transition from a 25% grower's tax, 25% production tax, and 25% retail sales tax gives us a great insight into the impact of taxation policy. (Taxation, 2018) The State of Washington employed a unique tracking record for the entire supply chain. Washington's marijuana tax policy change really provides good insight into the change of taxation on marijuana.

In a study conducted by the University of Oregon, they say that data from Washington gives them "the unique ability to observe the prices, quality, and variety of marijuana products in the marketplace." (Hansen, Nukker, & Weber, 2017) Oregon still struggles to control production of marijuana, which makes black market sales ideal. In 2018 the state put a moratorium on some licensing because they recognized the over-production of cannabis in the state.

Washington's change also had unique impacts on the supply chain. The previous tax policy encouraged integration of the supply chain. The new tax structure dis-integrated marijuana sold to retailers by 42%. (Hansen, Nukker, & Weber, 2017) Suppliers were incentivized to combine the growing and production to eliminate part of the taxation. Switching to a flat sales tax rate broke up the supply chain.

Washington's tax policy change resulted in the production of lower quality products. (Hansen, Nukker, & Weber, 2017) The Caulkins study says that taxes based on weight encourage sales of high THC cannabis. Flowers in Washington State's legal market average over 20% THC. Illegal cannabis confiscated by law enforcement did not rise above 5% until 2001. (Caulkins, 2017) "In Washington marijuana concentrates used for vaping, dabbing, or mixing into edibles now average over 60% THC. These concentrates should bear more tax than $5 per gram." (Caulkins, 2017)

Alaska has an entirely different taxation policy, but one that many researchers believe is going to be the most logical in the long run. The tax incidence is at the production part of the supply chain. Alaska marijuana taxes are as follows (State of Alaska, 2019):

1. Mature bud/flower taxed at $50 per ounce
2. Trim taxed at $15 per ounce
3. $25 per ounce for immature or abnormal bud/flower
4. $1 per Clone

Ideal Tax Policies

An ad valorem tax is not an ideal tax policy for the future as acceptance grows and prices fall. The current average price in Huntington is $11.66 per gram. With a 20% tax, the total cost would be $13.99. The tax benefit is $2.33. If prices fall, as they are expected to with wider acceptance, market consolidation, and reductions in production costs, the tax benefit will drop. As legalization spreads, prices will fall and revenue will decrease proportionally. This is why Alaska's tax per ounce at cultivation may work better than all other states that tax based on price. [1]

Consumption

Breaking out consumption of marijuana is essential to figuring out the price elasticity of demand. Pacula et al suggest that there are multiple groups and the elasticity depends on the group. (Pacula & Lundberg, 2015)"While marijuana has tens of millions of happy occasional users, they account for a trivial share of industry sales. Consumption is concentrated among the smaller number of high-frequency users; half of marijuana is consumed by people with a medically diagnosable substance-use disorder, and these individuals are disproportionately poor and less educated. Policy – including tax policy – should be designed to protect these problem users from exploitation by industry and from their own bad choices, rather than cater to the convenience of occasional users." (Caulkins, 2017) Pacula and Lundberg state that "like alcohol, the casual user of marijuana represents a relatively large share of the proportion of people who report using any marijuana in the past year, but they represent a very small proportion of the total amount consumed." (Pacula & Lundberg, 2015)

"Eighty percent of marijuana is consumed by daily and near-daily users; 60% by people with a high-school education or less." (Caulkins, 2017) Caulkins proposes that "taxes will eventually account for most of the cost to consumers, as they already do for cigarettes in many European countries." Cigarette taxes in the United States vary from $.50 to over $4.00 per pack.

Pacula et al broke out users into four groups who all have varying price elasticities of demand. (Pacula & Lundberg, 2015)

1. <u>Initiators and light users</u> – new users who are experimenting with marijuana or consuming small doses on a very infrequent basis. Price Elasticity of Demand -.30
2. <u>Regular Users</u> – individuals who consume in relatively small and moderate doses on a more frequent basis. Price Elasticity of Demand -.33
3. <u>Heavy Users</u> – individuals who consume on a near daily basis or who meet Diagnostic and Statistical Manual of Mental Health (DSM-IV) criteria for dependence or abuse. Price Elasticity of Demand -.26 to -1.18 or -2.65 to -2.79

[1] Prices were taken directly from the retailers price as listed on Leafly.com

4. Quitters – individuals who are deciding to no longer use marijuana. There is very little data on this group, but it is price sensitive, but amongst this group, it had a greater impact on delaying initiation rather than enticing the user to quit.

Legalization

One of the goals of legalization is to eliminate the black market for marijuana. This creates multiple impacts on use and price. "Legalization would bring more than just a potential reduction in the price of the substance; it will also bring a reduction in the legal risks of using the drug and the perceived harm, which we have demonstrated here have their own independent effects on demand." (Pacula & Lundberg, 2015) Pacula et al postulate that new users will enter the market because of the reduction in legal risk and other users are willing to pay a higher price for eliminating the legal risk of going to a black market. The impact is surprising "A 10 percent decrease in the perceived harm of marijuana would generate a 28.7 percent increase in annual prevalence of marijuana use among youth." (Pacula & Lundberg, 2015)

From a revenue-seeking perspective, "The marijuana industry is currently at a strategic disadvantage. Interested players want legalization more than they want low taxes." That puts governments in a strong position. (Caulkins, 2017) Ontario witnessed this directly with the removal of the ban on marijuana dispensaries.

Elasticity of Demand

Definitions

Elasticity is a measure of, in this case, the quantity of marijuana legally sold and its sensitivity to change in price. In other words, if I raise the price of 1 gram of marijuana, what is the impact on how much marijuana I sell? When items are very elastic, it means that they are very price sensitive. If they are inelastic, they are not sensitive to price.

Tax Burden is used synonymously with tax incidence and is the term to describe the amount of tax levied on an individual or business. The attached chart shows how a change in price changes the quantity sold and also who bears the burden.

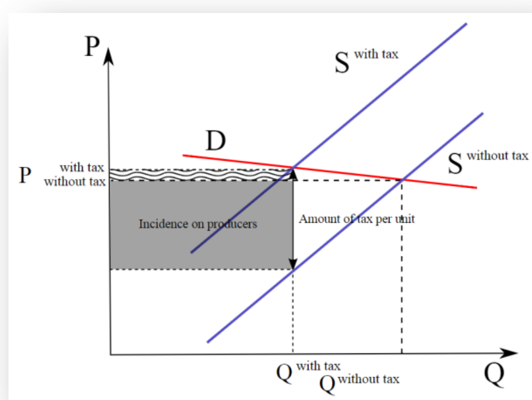


Figure 1 Elasticity and Tax Burden

Tax burden is germane to the discussion of the economic impact of taxation policy because the elasticity is the greatest contributing factor that determines how much of the tax burden falls on the buyer or seller. For instance, the study done by the University of Oregon, analyzing the Washington marijuana tax reform determined the buyer tax burden was 44% of the total tax burden. The other 66% would be borne by other entities in the supply chain. (Hansen, Nukker, & Weber, 2017)

Price Point

As more states legalize marijuana, there will be more opportunities for production. Because of the ease of growing marijuana, production costs will move to the states with low production costs. The low production costs will drive prices downward. Production costs will be driven more by regulation and taxes, than by fertilizer, land, or labor. (Caulkins, 2017)

With marijuana not legalized by the federal government and still many states, the production of marijuana is mostly in state the same state or within abutting states that are also legalized. All borders of Oregon, including California, Washington, and Nevada are legal with the exception of Idaho. Ontario sits on the Idaho border in a large, fast-growing metropolitan area where Idahoans have no legal access to marijuana. Although it is illegal to take it across state lines, it would be naïve to assert that this will not happen. Sales in Huntington, Oregon, more than 30 miles from the Idaho border already demonstrate the selling power of legal marijuana in Oregon. Even with the travel cost which some would argue would incentivize a black market, sales are extraordinarily high.

Now that marijuana is legal in Ontario, the City is responsible for wisely using the income boon until marijuana is legalized everywhere and revenue drops. “Propping up prices with excise taxes…would achieve the public-health goal of discouraging excessive marijuana use, while relieving the public of having to finance less-popular and more-counterproductive taxes.” (Caulkins, 2017) At the same time we want to be cautious about the effects of over-taxing marijuana and the perverse incentives that may create.

Current price levels for legal marijuana in the area range from $6.00 per gram to over $21.00 per gram. The average price per gram is around $11.66. As production costs fall, the amount of taxes received by governments will drop with price.

Price Elasticity of Demand

The University of Oregon study determined that “Consumer marijuana demand is price-inelastic in the short run, but becomes price-elastic within a few week.” (Hansen, Nukker, & Weber, 2017) Following the taxation policy change in Washington, it was estimated that the price elasticity of demand was -1 and near the peak of the Laffer curve, which means that further tax increases may not increase revenue. (Hansen, Nukker, & Weber, 2017) We will show that there are many studies calculating price elasticity of demand; most come close together, and there are a few outliers.

Washington's change in tax policy gives us a good glimpse at elasticity. When the state changed its taxation policy from 25% growing tax, 25% production tax, and 25% retail tax to a flat sales tax of 37%. "Processors took advantage of a unique opportunity to increase margins." (Caulkins, 2017) The University of Oregon study on Washington found that list prices fell by 8%. At the same time, the after-tax price increased by 21%. Their study showed that the quantity of sales transactions, total weight of marijuana sold, and THC levels were unchanged. Because the after-tax price for processors increased dramatically following the tax change, it appears that the elimination of the 25% tax was a huge boon to processors, while it simultaneously decreased the marginal costs faced by retailers. (Hansen, Nukker, & Weber, 2017)

Figure 2 below shows the tax burden before and after the tax. While the tax yield went down, prices rose slightly and those in the supply chain took the profit.

Figure 10: The Average Price of One Gram of Marijuana and Tax Incidence across Markets

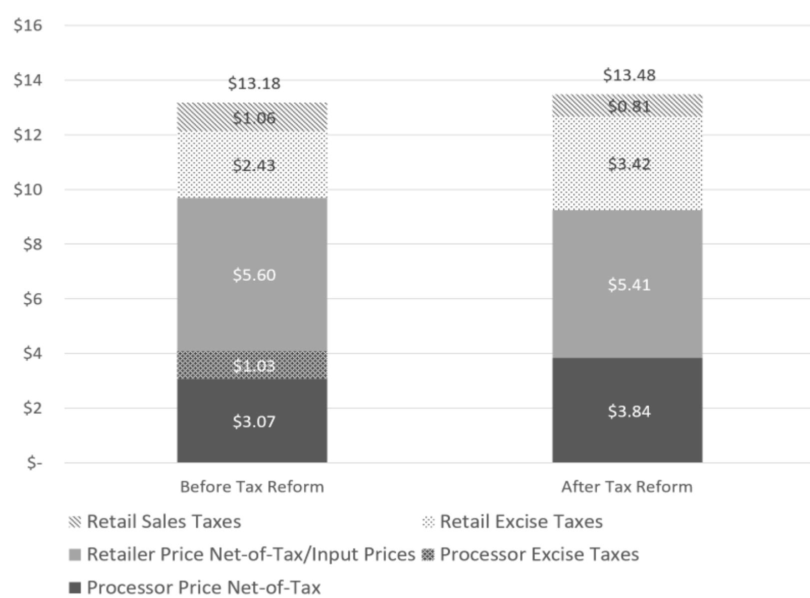


Figure 2 (Hansen, Nukker, & Weber, 2017)

The chart above shows that the retailers benefited by the tax policy change from paying $6.63 to $5.41 per gram of marijuana. Processors price dipped from $4.10 to $3.84 per gram. Even though the supply chain was getting more money, price to the consumer increased from $13.18 to $13.48 per gram. The total taxes collected before the change was $4.51 and $4.23 afterwards. This demonstrates that there is more room for taxation. "Our results suggest that significant state revenue may be left on the table in these other states" (states with smaller tax levies). (Hansen, Nukker, & Weber, 2017)

Another study conducted by California State University Northridge agrees, suggesting that legalizing and taxing recreational cannabis would be lucrative for governments. This study calculated the Price Elasticity of Demand at -.418. (Halcoussis, Lowenberg, & Roof, 2017)

Although Washington disallowed the integration from processor to retailer, they allowed integration from grower to processor. In Washington, vertical integration was incentivized between the grower and processor because the 25% excise tax could be avoided.

Location

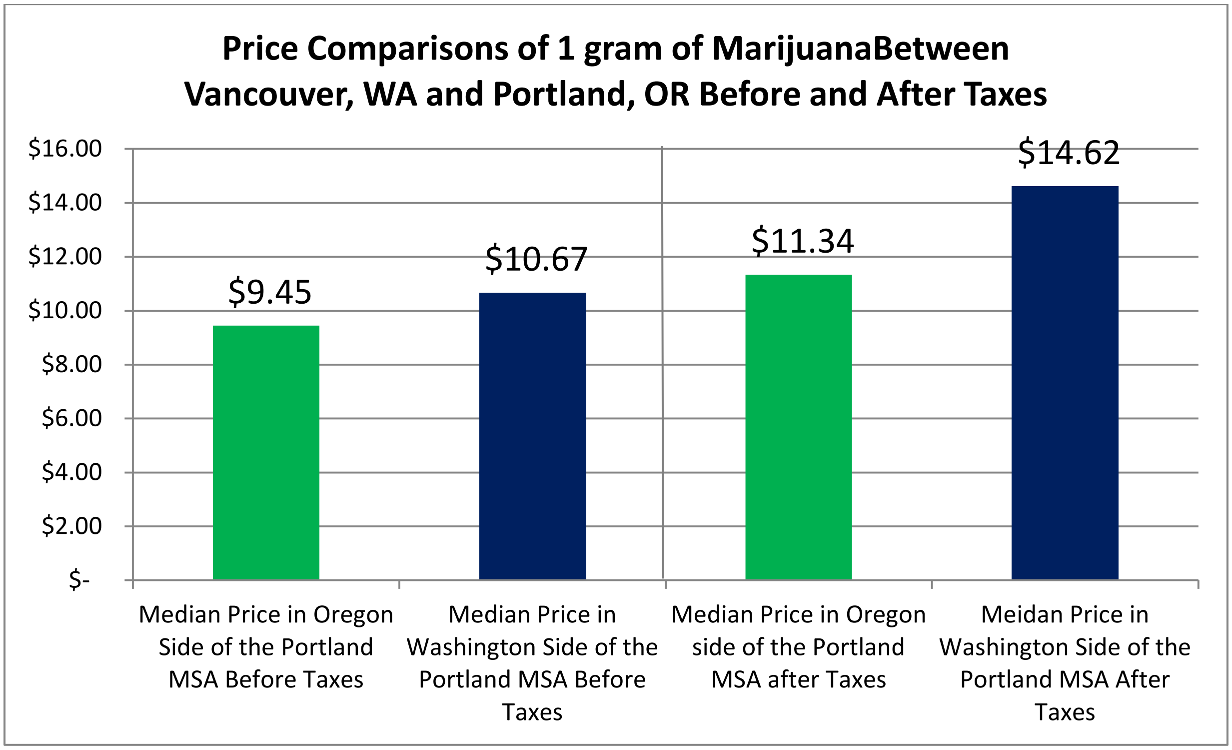
Price elasticity of demand is the very test used to determine the sensitivity to price. It is not a test of whether someone will purchase marijuana or not, it is a test of whether someone will seek other options too, including location. Huntington, Oregon is now the closest place to purchase marijuana and presumably will still have a taxation rate of 3%. Huntington, Oregon is 29.5 miles from Ontario and the border of Idaho. An argument could be made that buyers will pass Ontario to go to Huntington and purchase marijuana.

To prove the point about elasticity and its sensitivity to price regardless of distance, we performed a study using Portland Oregon and Vancouver, Washington. We used a statistical test of means known as a t-test to measure the difference in product between Portland, Oregon and Vancouver, WA. Both cities have legalized marijuana, however Washington taxes marijuana at the retail level at a rate of 37% while Oregon taxes marijuana at a rate of 20% as mentioned earlier in the report.

We took a random sample of stores on the Oregon side of the Columbia River. The number of stores sampled in Oregon is 11. Vancouver had 8 stores but one owner held three of the stores. So, the sample size in Vancouver is 5, which is nearly a census of all the stores on the Washington side of the river.

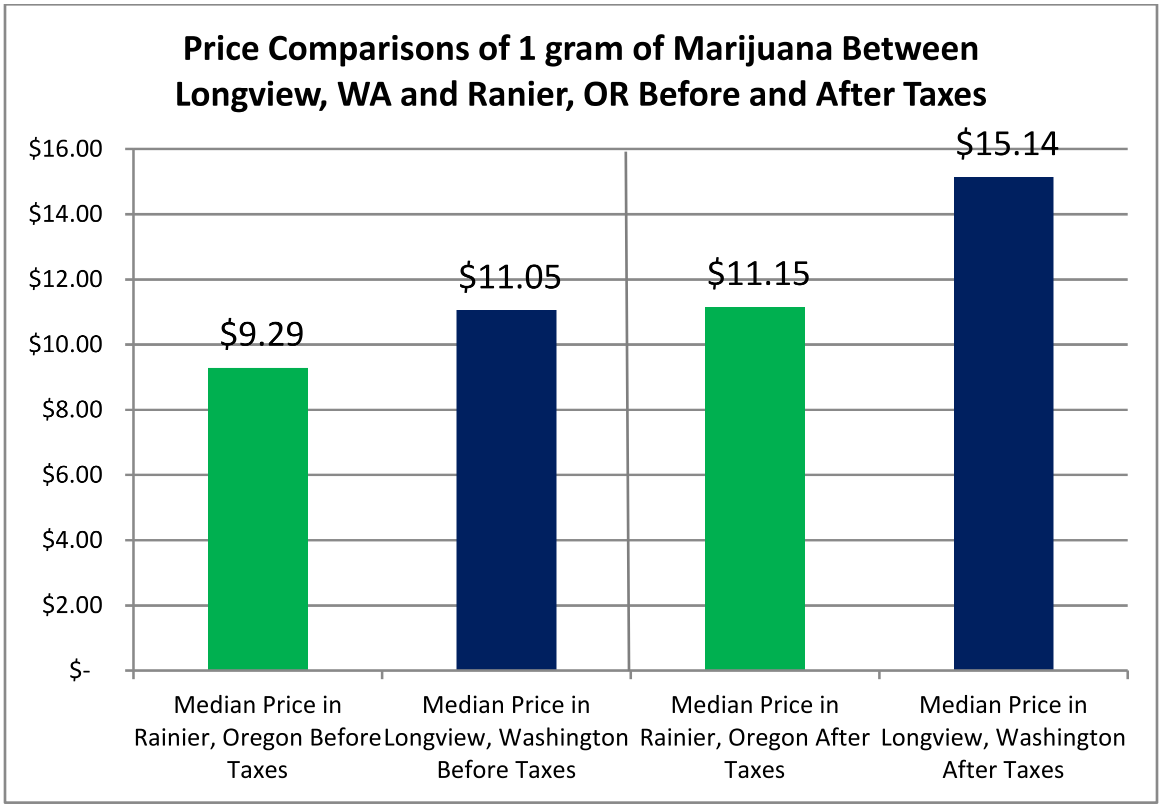
The metropolitan statistical area (MSA) includes both cities and adjoining communities. There are 1,789,580 million people on the Oregon side of the MSA and 434,429 on the Washington side of the MSA. Given the tax difference between Washington and Oregon, one might expect the price to be less on the Washington side of the river versus the Oregon side of the river.

The data showed that the median offering at each store in Washington was $10.67 before taxes while it was $9.45 in Oregon. There was a 13% difference in cost between Oregon marijuana offerings and Washington marijuana offerings. After taxes the price is $14.62 in Washington versus $11.34 in Portland, a difference of $3.28 per gram. The distance between these stores was within a 7.5 mile radius. We performed a t-test that showed there was not a statistically significant difference between the median prices in Washington and Oregon before or after taxes at the .05 or .01 levels.



Transporting marijuana across state lines is a federal offense, which makes comparing brands and strains across state lines difficult. We found many product names that were the same, but there was little overlap in brand most likely because producers are formed under separate limited liability corporations, (LLC's) or because the producer market has historically "been dominated by small, local players." (Cowee, 2019) Only recently has the industry started to merge and acquire across state boundaries, and some have even gone public on the Canadian Stock Exchange.

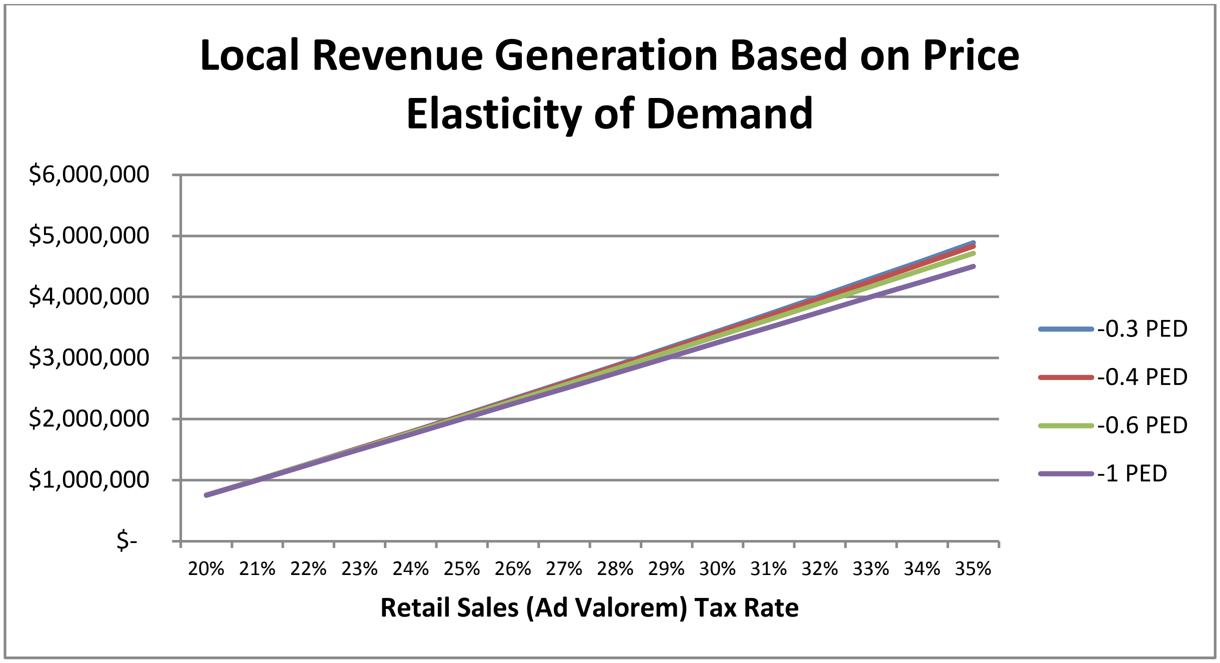
To verify our findings in the Vancouver and Portland Market, we looked at another border town with legalized dispensaries on both sides of the river. The bordering towns of Rainier, Oregon and Longview, Washington both have dispensaries with the same tax burden as Vancouver and Portland, 37% and 20% respectively. In compiling the data the average cost per gram of marijuana before taxes was still higher in Washington than in Oregon. Longview is the larger of the towns with 36,648 residents and 9 dispensaries. There was only one dispensary in Rainier which has a population of 1,195 residents. A theory that says marijuana is elastic, meaning very sensitive to price, might suggest that there would be more dispensaries on the Oregon side of the river because of the smaller taxation. The retail price per gram in Rainier was 19% cheaper before taxes and 36% cheaper after taxes. Yet, there is only one dispensary in Rainier and prices do not show responsiveness to taxation.



Applying the Elasticity of Demand

Most studies reviewed showed elasticity between -.3 to -.6. The outlier was -1. If the marijuana price elasticity of demand were -.3, what this means it that a 10% increase in price would lead to a 3% reduction in the level of demand. If marijuana tax increases by 15% a reduction of 4.5% in quantity demanded could be expected.

Any elasticity under 1 is considered not price sensitive, which means an increase in price will not change the amount purchased significantly. Once you go above 1, there is a point at which revenues will be maximized. By using the range of price elasticity of demands (price sensitivity) we can generate revenue models based on the proposed tax policy of increasing the local tax option to a maximum of 18%. The model below starts at the current taxation rate of 17% for the state and 3% for the City of Ontario. The amount above 20% represents the proposed local option tax of up to 15 more percentage points.



As can be observed by the chart, the difference between a low elasticity rate of -.3 to a rate that is most likely higher than expected at -1, the difference in revenue is just under $500,000. We expect Ontario to get $750,000 in local tax at the 3% rate. If price had no impact on sales, we could expect a total of $5,000,000 if the city was granted permission to tax at 18%. Price does have an impact on sales though, so the following table shows the change in revenue by each percentage point up to 35%.

Table 1: Revenues at 4 Price Elasticity of Demand Levels

	-0.3	-0.4	-0.6	-1.0
20%	$ 750,000	$ 750,000	$ 750,000	$ 750,000
21%	$ 1,005,819	$ 1,004,983	$ 1,003,317	$ 1,000,000
22%	$ 1,264,529	$ 1,262,438	$ 1,258,271	$ 1,250,000
23%	$ 1,526,120	$ 1,522,352	$ 1,514,852	$ 1,500,000
24%	$ 1,790,581	$ 1,784,713	$ 1,773,047	$ 1,750,000
25%	$ 2,057,903	$ 2,049,509	$ 2,032,844	$ 2,000,000
26%	$ 2,328,075	$ 2,316,730	$ 2,294,233	$ 2,250,000
27%	$ 2,601,086	$ 2,586,363	$ 2,557,202	$ 2,500,000
28%	$ 2,876,928	$ 2,858,398	$ 2,821,740	$ 2,750,000
29%	$ 3,155,590	$ 3,132,824	$ 3,087,837	$ 3,000,000
30%	$ 3,437,064	$ 3,409,630	$ 3,355,481	$ 3,250,000
31%	$ 3,721,338	$ 3,688,804	$ 3,624,663	$ 3,500,000
32%	$ 4,008,405	$ 3,970,337	$ 3,895,371	$ 3,750,000
33%	$ 4,298,254	$ 4,254,218	$ 4,167,597	$ 4,000,000
34%	$ 4,590,877	$ 4,540,437	$ 4,441,330	$ 4,250,000
35%	$ 4,886,265	$ 4,828,984	$ 4,716,559	$ 4,500,000

Even at the highest elasticity, the revenue would be around $4.5 million. As with other budget strategies, we recommend being conservative and using the higher elasticity. Seeing the inelastic nature of retail marijuana and looking at Washington's experience changing the tax incidence and burden, the University of Oregon's study suggests "that significant state revenue may be left on the table." (Hansen, Nukker, & Weber, 2017)

Unique Factors

Idaho

Forbes Magazine identified the Boise, Idaho Metropolitan Statistical Area (MSA) as America's fastest growing city. (Sharf, 2019) According to the US Census, the 2017 estimate for the Boise City-Nampa Idaho MSA was 709,845. The closest access up until now for the Boise MSA population for legal cannabis is 30 miles from the Idaho Border. Whitney Economics did a study of the impact of sales in Washington before and after Oregon legalized in border towns. They show how prices in Washington border cities reacted significantly to the difference in taxation rates. In most cases, it was 37% in Washington and 20% in Oregon. (Whitney, 2017) He calculated a much higher rate of elasticity at -10 that I could find no other studies to substantiate. No other research from the volumes of studies I read, calculated a price elasticity of demand much higher than 1. Most were between -.3 and -.6.

Normalization and Acceptance

Caulkins theorizes that once people can easily obtain marijuana next door, more states will legalize. (Caulkins, 2017) There are many examples of how populations learn to accept things over time that were once not accepted. If that is true, Ontario has a limited amount of time in which we will receive a significant boon of revenues. We must wisely invest this in our community to better ourselves for the future when acceptance is the norm across states.

We have no way to estimate the amount of time in which our border state will legalize marijuana. It may be 5 years or it may be 10 years. We must realize though that we will lose a significant portion of that revenue at the time it is legalized. Our spending choices must be wise.

Complex Systems

We stated before the difference in marijuana users and how the price elasticity of demand may change based on those users. "…Many who draw on this [discussion of the price elasticity of demand for marijuana] literature to substantiate a particular position regarding legalization do so naively, unaware that the responsiveness of consumption to price can depend on where in the distribution of marijuana users the sample is drawn." (Pacula & Lundberg, 2015) The following table breaks out users by age and looks at the impact of elasticity based on complex factors including price, decriminalization, penalties, and enforcement.

Findings from the Literature of the Effects of Price on Regular (Past Month) Use

Policy	Summary Estimates	Studies	Age of sample
Monetary price	−1.01 to −1.51 (full demand elasticity); −0.7 to −1.0 (30 day participation elasticity).	Nisbet and Vakil (1972)	College students – own sample
	−0.24 (30 day participation elasticity)	Williams et al (2004)	College students – Harvard College Alcohol Study (HCAS)
	−0.26 (30 day participation elasticity)	Williams et al (2006)	College students - HCAS
	−.40 (full demand elasticity)	Clements and Zhao (2009)	Full population
	−0.28 – 0.31 (30 day participation elasticity)	Gallet (2013)	Mixed populations
Decriminalization	No effect on prevalence or frequency of use	Thies & Register (1993) ; Pacula (1998)	NLSY79 Young adults (ages 19-30)
	Past month use participation elasticity: 0.07-0.09.	Saffer and Chaloupka (1999).	1988, 1990, 1991 NHSDA (includes illicit drug prices)
Penalties	−0.008 effect of median fine on thirty day use. No effect on frequency of use	Farrelly et al (1999) *controls for enforcement too	1991-1994, 1996 NSDUH (ages 21 to 30)
	Median fine insignificant	Williams et al (2004)	College students – HCAS
Enforcement	Crime per officer ratio positive and significant (elasticity not specified)	Pacula (1998)	NLSY79 (young adults ages 19-26)
	Past month participation elasticity for MJ arrests to users: −0.157 to −0.176	Farrelly et al (1999) *Monetary price included	1991-1994, 1996 NHSDA (ages 21 to 30)

Figure 3 (Pacula & Lundberg, 2015)

Black Markets

The University of Oregon study made the point that “there is little evidence on how industry participants may respond to alternative policies – particularly given the available substitutes in the form of black-market goods and legal or quasi-legal medical marijuana. (Hansen, Nukker, & Weber, 2017)

One strategy for eliminating black markets is legalization. It is highly unlikely that a black market will be totally eliminated. Price will factor on the existence of a black market though. A survey conducted by the Rand Corporation said “that most wouldn’t pay more than a few dollars per gram over the black market price. People who said they would buy whatever was cheapest accounted for fully one-third of consumption.” (Caulkins, 2017)

As referred to earlier, one study done by Whitney Economics proposed a much stronger relationship between the price of cannabis in the legal market and in the illicit market. They propose that the Price Elasticity of Demand is as high as -10, which would be very price sensitive. (Whitney, 2017) I was not able to find any other studies, references, or data to back up these findings. The closest data to Whitney’s findings in the study done by the National

Institutes of Health where they broke out a segment of heavy users and projected that population PED could be as high as -2.79. (Pacula & Lundberg, 2015)

Even at an elasticity of -10, taxation would not be counterproductive until going above 32% although revenues would be significantly less and lost business would likely go to the illicit market. This study is not substantiated by any academic studies. For purposes of demonstrating the impact of higher elasticities we have shown the price elasticity of demand at -10 and -2.6 on the chart below.

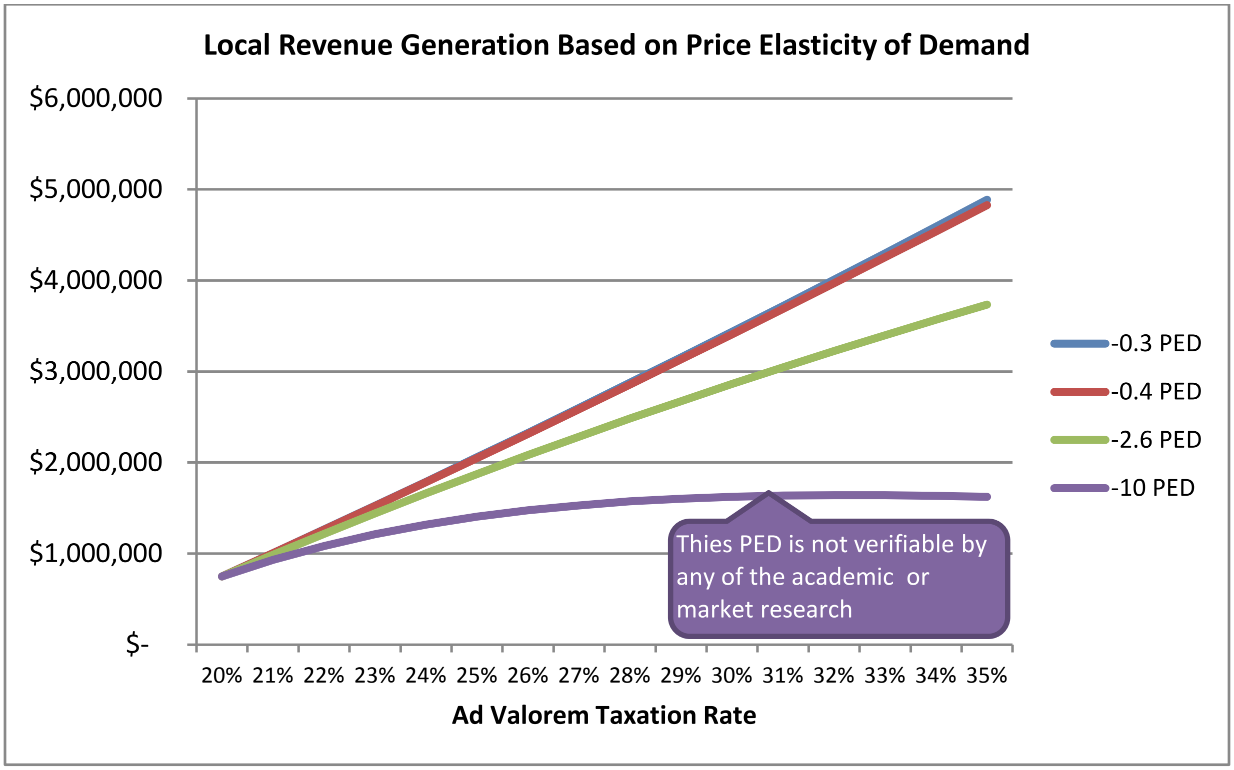


Figure 4 Calculation of PED at -10

Oregon has had problems with the production side of marijuana, that is to say, they have produced more than can be used within the state, and it is being illegally moved out of state. Washington's seed to sale tracking system seems to be the most practical way to account for the production of marijuana throughout the supply chain. Without a good tracking system and a known oversupply, a black market is very likely. Still, researchers on the subject say that we need to shut down black markets through law enforcement and keep prices on marijuana high enough to discourage abuse, and low enough to discourage black markets.

We believe also, that it should not be looked at as a binomial question with one alternative to keep prices low to eliminate black markets or the second alternative to raise taxes and accept the presence of black markets. Black markets should be dealt with and taxes should be collected to cover the externalities caused by the consumption of the manufactured goods, in this case marijuana.

Communal Impacts

Ontario has had marijuana in our community legally possessed when the state legislatively legalized the drug. We cannot point specifically to any observable impacts at the current level of presence in our community. With many new merchants, however, there is undoubtedly going to be, at the very least, increased traffic. There will be more people in our retail areas which brings more police and rescue calls.

There will be societal impacts for having cannabis in our community. “An early study after the adoption of decimalization policies experienced a 56% to 64% increase in marijuana involved emergency department episodes compared to states who did not adopt these policies.” Additionally, this study showed a decline in the number of episodes for other illicit drugs. (Pacula & Lundberg, 2015) Caulkins makes an argument about the internalities of excessive marijuana use, that is to say the impact on the user’s lives. “Marijuana is a dependence-inducing intoxicant that leads many users to systematically make bad decisions that harm themselves as well as third parties.” “The phrase ‘drugs hijack the brain’ is sensationalistic, but not altogether wrong.” (Caulkins, 2017)

Conclusions

It is difficult to tell precisely what the impact on consumer purchase will be. Nearly all of the studies indicate a elasticity between -.3 and -.6. A conservative estimate across the board would be -1 in our view.

Tax policies will need to be changed as acceptance broadens. Right now, though, the research shows that there is an opportunity to increase taxes without a significant impact on sales. The research indicates that an effective tax rate under 40% is within the area that consumers will absorb. Proof of this comes from Washington where the reduction in tax was largely not passed on to the consumers.

We have a limited amount of time to enjoy this boon in revenue. Normalization and acceptance are expected over time. The city should avoid programs or ongoing expenses that cannot be sustained after legalization across state lines. We do not have an estimate of how much of the revenue will remain after acceptance across state lines.

Proposals for Revenue

Council has discussed several proposals for the tax revenue generated by additional taxes. They are outlined in a numbered list below for the purpose of this presentation.

1. Dedication of all marijuana tax revenue specifically by purpose and percentage.
2. Dedicate marijuana tax revenue beyond the approved 3% rate by purpose but not by percentage.
3. Dedicate marijuana tax revenue beyond the approved 3% rate specifically by purpose and only payments to the Public Employee Retirement System debt by minimum percentage.
4. No specific dedication of revenues in the enabling legislation. The budget committee, including the city council, will formulate the priorities together.

Proposal 1

The original idea and resolution proposed by Mayor Hill recommends that all revenue be dedicated by percentages. The associated revenue from a tax rate of 18% broken out by the proposed percentages would be as follows:

Purpose		$	4,500,000
Roads, Water, Sewer, and Storm Drain	10%	$	450,000
Homeless, Veteran Housing, and Community Kitchens	10%	$	450,000
Detectives for the Ontario Police Department	10%	$	450,000
Pay down PERS Obligation	70%	$	3,150,000

At this funding level, PERS could be paid off in less than 4 years.

Proposal 2

An amended resolution has been proposed by Councilors Crume, Capron, and Polomo proposes that revenue above and beyond the currently passed 3% be dedicated by purpose but not specifically by percentage.

Proposal 3

A proposal using multiple concepts from the city council could be to leave the first 3% unrestricted as it is now. The budget committee demonstrated its priority to pay down PERS in last year's budget cycle. A resolution suggested by council members would be to commit at least 50% of the additional revenue to pay down the City's PERS obligation. The additional 50% of the new revenue would be used for the priorities previously mentioned by the council. The budget committee will make recommendations for the use of the additional revenue.

After first 3% Revenues of $750,000	Percentage	Total Revenue
Purpose	Breakdown	$3,750,000
Roads, Water, Sewer, Storm Drain, Homeless Services, Veteran Housing, Community Kitchens, Police Detectives, Code Enforcement and Marijuana Education for kids.	50%	$1,874,000
Pay down PERS Obligation	>50%	$1,876,000

The most recent PERS obligation for the city was valued at $10.9 million. This estimation was done prior to the City setting up a side account, so we can expect the valuation to be just under $10 million, assuming state investments recover from the weak beginning of the current year. As the council is well aware, from past budget discussions, being 100% funded with PERS would bring in an additional $1 million to the general fund operating budget.

Proposal 4

Lastly, it has been discussed that it should be the role of the budget committee, which includes the City Council, to designate priorities through the normal budget process for the entire amount. The proposed percentages have not been vetted by the city council or budget committee. This fits with past practice of re-convening the budget committee to make decisions together on the priorities of the City. The disadvantage is that the bill must be submitted by next week to be considered in this state legislative session. It is entirely likely though that the bill will be reworded, reworked, and will look very different as it goes through the process. Comments on the bill can be considered throughout the legislative session. The budget committee will meet on January 29, 2019.

Recommendations

1. Ontario has a limited amount of time in which we will receive a significant boon of revenues. We must wisely invest this in our community to better ourselves for the future when acceptance is the norm across states.
2. After review of the economic studies, the City Manager recommends that the council approve a resolution requesting the State Legislature to allow a local option tax on marijuana up to 18%.
3. Approve Proposal 3 – The City Manager recommends proposal 3 which represents a combination of ideas and concessions from members of the city council.
4. Law enforcement should continue to focus on the elimination of black market sales of marijuana.

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AGENDA REPORT
NEW BUSINESS
January 19, 2021

TO: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: ADDENDUM TO THE COMMERCIAL LAND LEASE EAA: #315 & 317 GOLF

DATE: January 14, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE ADDENDUM TO THE LEASE AS PRESENTED FOR EAA AT #315 & 317 GOLF AT THE ONTARIO MUNICIPAL AIRPORT.

SUMMARY:

EAA (Snake River Valley Experimental Association #937) leases land on the Ontario Airport as a Commercial Operation under a lease dated October 1, 2017. In getting all commercial property under the rules and regulation of the airport, the land lease is required to include the land necessary for parking based on City Code.

This Addendum will bring the land lease into compliance for the use of the property.

BACKGROUND:

Commercial leases are granted by the City of Ontario to businesses at the Ontario Municipal Airport that are considered an appropriate airport use.

The EAA has operated on the airport for many years as a Experimental Aircraft Association but recently started renting space to Treasure Valley Community College for flight training and aircraft hanger space.

The City Council renewed their lease on October 1, 2017, but the original ground least only covered the area of the building foot prints.

City Code and Airport regulations require Commercial operations to also lease the lands that is need to operate their commercial uses.

<u>CURRENT SITUATION:</u>

In the approval of the building permit for the remodel for the TVCC Flight School the EAA agreed to amend their lease to meet City Code to cover the area needed for parking to cover the use of the building at this time.
It is noted and agreed upon that if they use their hangers for other commercial type operation that the lease may have to be amended again to meet the land needs for the commercial use proposed at that time.

<u>ANALYSIS:</u>

A. **<u>STRATEGIC PLAN</u>** Improvements to the Ontario Municipal Airport fall under the growth strategy. The airport provides a significant economic impact to the community.

B. **<u>FINANCIAL</u>** Land leases at the airport are one of the ways in which the Ontario Municipal Airport sustains itself financially.

C. **<u>TIMING</u>** The lease addendum is required to allow for the use by Treasure Valley Community College Flight Training School.

D. **<u>POLICY/LEGAL</u>** The City Council is required to approve leases to the City of Ontario, and normally does so under the consent agenda. This lease, however, adds an additional component leasing an area for parking, which is not a standard hanger lease.

<u>ALTERNATIVES:</u>

Take No Action: Allow EAA to continue it's lease as is.

<u>RECOMMENDATION:</u>

Staff recommends approval of the lease to EAA - Snake River Valley Experimental Association #837.

<u>ATTACHMENTS:</u>

1. EAA Hangar Lease 315-317 Golf Addendum Dec 2020_EAA Signed

ADDENDUM TO THE
LEASE AGREEMENT FOR
Hanger 315 and 317 Golf

THE AGREEMENT was entered into on the **1st day of October 2017**, by and between the **City of Ontario, Oregon, a municipal corporation**, hereinafter referred to as "Landlord" and **Snake River Valley Experimental Association, #837**, 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, The Tenant leased certain real property for airplane storage and hangar use for 20 years by a lease dated October 1, 2017.

WHEREAS, The Tenant desires to use the property as a commercial hanger operation and a Student Training facility.

WHEREAS, A Commercial operation by City Code requires the Tenant to meet the parking requirements and land lease requirements of the City Code and therefore requires the land lease area to be updated to meet this requirement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein it is agreed to amend sections of the Agreement dated October 1, 2017 as follows:

1) **No Change**.

2) **Starting October 1, 2020**, Tenant shall pay to the Landlord as yearly rent the sum of **fifteen point six four cent (15.64)** cents per square foot of the property **shown** in **Exhibit "A"**, 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 described in Exhibit "A" is **(14,444) square feet** for the purposes of determining the annual rent herein. The annual rental amount shall be paid on or before the **1st day of October each year and is payable each year in advance**.

3) **No Change**

4) The property shall be used **as airplane hangars both private and commercial as well as allow for part of the office building to be used by student training facility**.

5) **No Change**

6) **No Change**

7) **No Change**

8) **No Change**

9) **No Change**

10) **No Change**

11) **No Change**

12) **No Change**

13) **No Change**

14) **No Change**

15) **No Change**

16) **No Change**

17) **No Change**

18) **No Change**

19) **No Change**

20) **No Change**

21) **No Change**

22) **No Change**

23) **No Change**

24) 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:	Snake River Valley Experimental Aircraft Association #837 **c/o Steven Long or** **1289 SW 6th Avenue** **Ontario, OR 97914** **541-889-7249**	 **Dale Cruson** **375 outlook drive** **Ontario, Oregon 97914** **541-881-6168**

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

25) Subject to the above-stated limitation on transfer of Tenant's interest, this **Addendum as**

well as all unchanged (No Change) terms of the Original lease shall be binding upon and inure to the benefit of the parties, their respective successors and assigns.

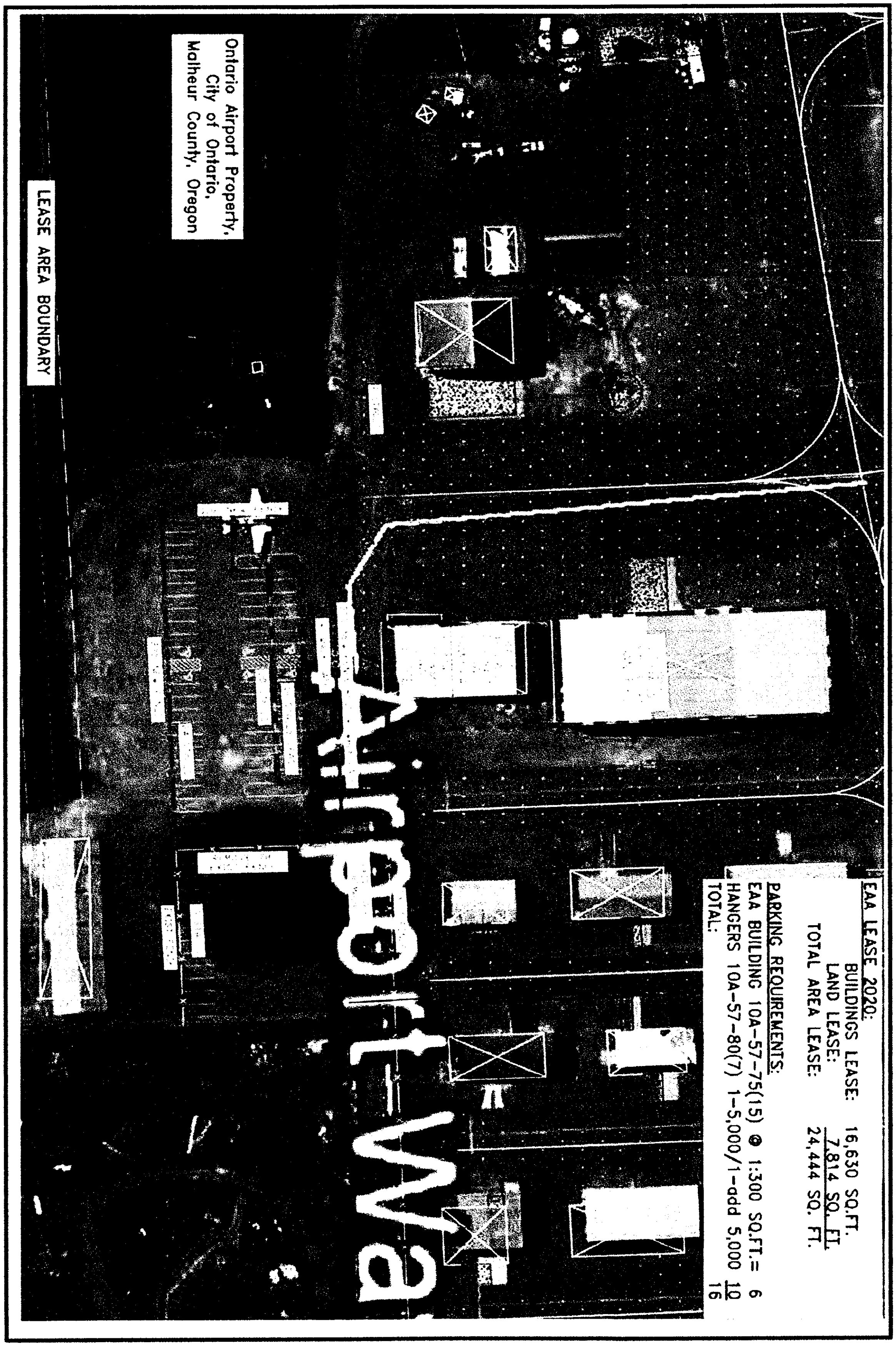
26) **No Change**

27) **No Change**.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed and the effective Date of this Addendum is October 1, 2020.

CITY OF ONTARIO, OREGON	ATTEST
______________________________	______________________________
Riley J. Hill, Mayor	Tori Barnett, MMC, City Recorder
TENANT	TENANT
Steve Long	Dale Cruson
Steve Long, President	Dale Cruson, ~~Secretary~~ Property Manager

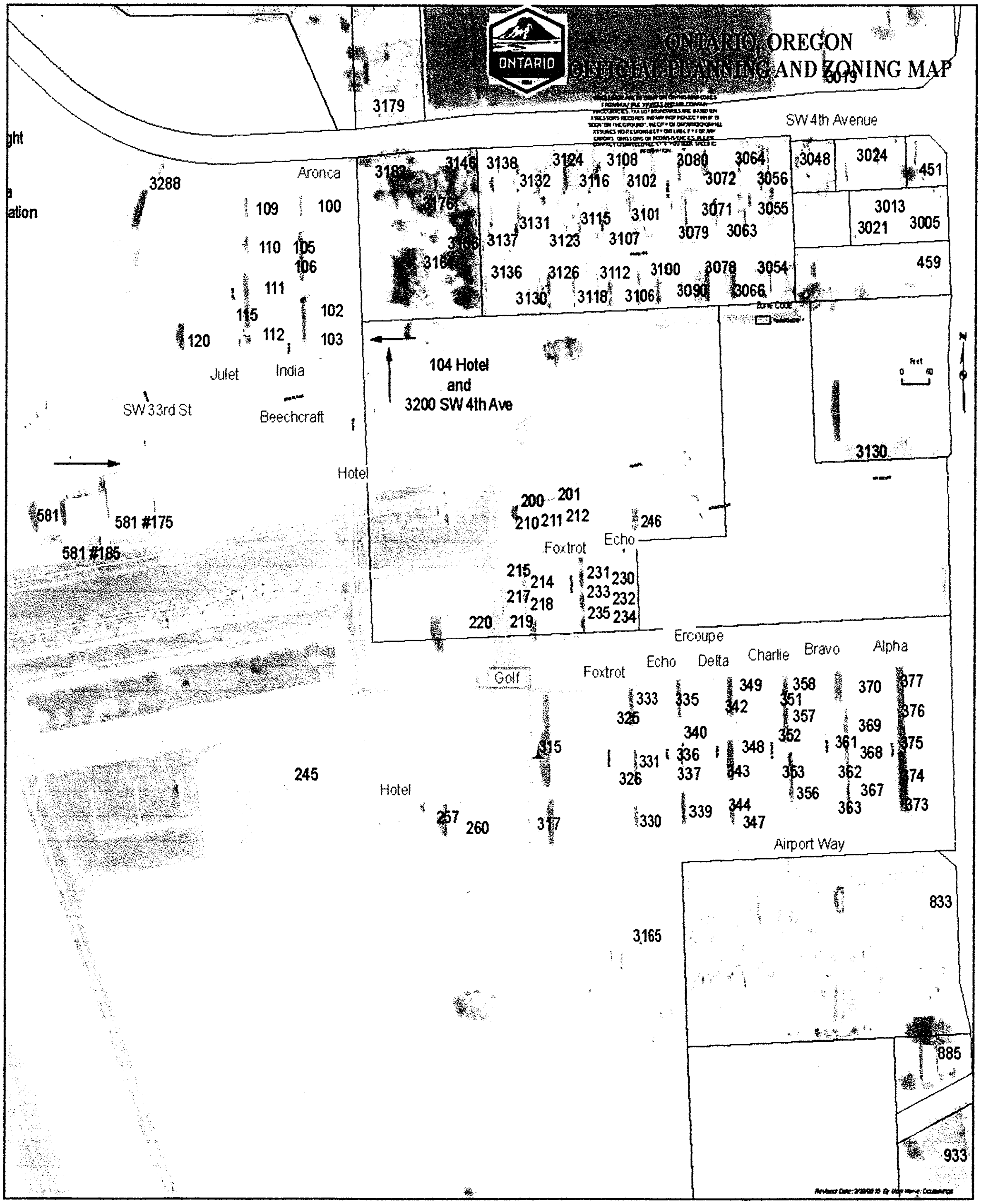
Exhibit "A"



EAA OFFICE SPACE HANGERS + PARKING
315, 317 GOLF

Exhibit "B"

Hanger Lease
315 & 317 Golf



City of Ontario
Municipal Airport,
Malheur County,
Oregon

AGENDA REPORT
PUBLIC HEARING
January 19, 2021

TO: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: REQUEST TO TABLE THE ADVERTISED MEETING ON PLANNING ACTION 2020-01-02CPAMD-ZCA: A REQUEST BY THE CITY OF ONTARIO TO AMEND TITLE 10 OF THE ONTARIO MUNICIPAL CODE, ADDRESSING THE STATE REQUIREMENTS OF OREGON HOUSE BILL 2001 REGARDING REQUIREMENTS ON DUPLEXES, ACCESSORY DWELLING UNITS, AND MANUFACTURED HOMES

DATE: January 12, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL TABLE THE THE ADVERTISED MEETING ON PLANNING ACTION 2020-01-02CPAMD-ZCA: A REQUEST BY THE CITY OF ONTARIO TO AMEND TITLE 10A OF THE ONTARIO MUNICIPAL CODE, WHICH ADDRESSES THE STATE REQUIREMENTS WITHIN OREGON HOUSE BILL 2001. CHANGES WILL COMPLY WITH REQUIREMENTS ON DUPLEX PROVISIONS, ACCESSORY DWELLING UNITS, AND OF MANUFACTURED HOMES TO A TIME UNCERTAIN.

SUMMARY:

After the first Public Hearing in front of the Planning Commission on January 11, 2021 staff was contacted and discussions were made that a portion of the proposed code may not meet State requirements.

Staff, as well as city legal staff, are reviewing the codes and laws to ensure all are in compliance with State Law and request that the City Council table the item until the review is completed.

BACKGROUND:

N/A

CURRENT SITUATION:

N/A

ANALYSIS:

A. **STRATEGIC PLAN** N/A

B. **FINANCIAL** N/A

C. **TIMING** N/A

D. **POLICY/LEGAL** N/A

ALTERNATIVES:

N/A

RECOMMENDATION:

Staff recommends the City Council table this action until a date uncertain.

ATTACHMENTS:

None

AGENDA REPORT
PUBLIC HEARING
January 19, 2021

TO: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2784-2021: PLANNING ACTION 2020-11-41RZ AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM GENERAL COMMERCIAL (C-2) TO HIGH DENSITY RESIDENTIAL (RM-10) ZONE CLASSIFICATION FOR A PROPERTY BEING A PART OF TAX MAP 18S47E09BA IDENTIFIED AS TAX LOT 4202; BEING A PORTION LOTS 29 THROUGH 32 OF BLOCK 6 OF THE VILLA PARK ADDITION TO THE CITY OF ONTARIO**

DATE: January 14, 2021

PROPOSED MOTION:

A. APPROVAL:

1. I MOVE THAT THE CITY COUNCIL ACCEPTS THE RECOMMENDATION OF THE PLANNING COMMISSION AND THE FINDS OF FACTS AS SET FORTH IN ACTION 2020-11-41 RZ, AND THE CITY COUNCIL APPROVE ORDINANCE #2784-2021 APPROVING SAID REZONE, ON FIRST READING BY TITLE ONLY.

IF THE COUNCIL UNANIMOUSLY APPROVES THE FIRST READING:

2. I MOVE THAT THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2784-2021 A REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM GENERAL COMMERCIAL (C-2) TO HIGH DENSITY RESIDENTIAL (RM-10), AS SET FORTH IN PLANNING ACTION 2020-11-41 RZ.

B. DENIAL:
I MOVE THAT THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM GENERAL COMMERCIAL (C-2) TO HIGH DENSITY RESIDENTIAL (RM-10), AS SET FORTH IN ACTION 2020-11-41 RZ BE DENIED, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS STATED BELOW:

SUMMARY:

The applicants/owner owns a parcel, known as Tax Map 18S4709BA, tax lot 4202 AND 4203, which SAID Tax Lot 4202 is currently zoned in the City under High Density Residential (RM-10) and Tax Lot 4203 is zoned General Commercial (C-2) of which a portion of Tax Lot 4203 under Planning Action 2020-09-38PLA was adjusted into Tax Lot 4202 for the purpose of allowing for more parking lot needed for the existing Dental Practice on Tax lot 4202. This action is to rezone that portion adjusted into Tax Lot 4202 to the same RM-10 zoning of the original parcel Tax Lot 4202

BACKGROUND:

The Ontario Municipal Code (OMC) designates the Planning Commission as the decision making body for a request for rezone, without City Council participation. State Law requires an ordinance be adopted by the local governing body to accomplish a rezone. The city's governing body is the City Council, and they are the only body that may adopt an ordinance; therefore, a request for rezone should go before the Council for a final decision. Staff feels that the best procedure is consistency with state law; therefore, this matter needs a recommendation from the Planning Commission, and then will be forwarded to the City Council for their decision.

The Applicant are also the owners of the two tax lots known as Tax Lot 4202 and 4203 and under Planning Action 2020-09-38PLA adjusted a portion of Tax Lot 4203 (zoned C-2) into Tax Lot 4202 (zoned RM-10) both on Assessor's map 18S4709BA to add the area that is being used as parking area for the Dental Practice on Tax Lot 4202 into the property of Tax Lot 4202.

This requests for rezone need a recommendation for approval or rejection from the Planning Commission to the City Council, who will be the decision maker for this request. This action specifically seeks approval for rezone from C-2 to RM-10 for the adjusted parcel of land and adjacent street right of way, within the City Limits of the City of Ontario.

There have been no recent Planning Commission actions on this property in the past 20 plus years that could be found in the planning records other than a City-wide Comprehensive Plan update in 2007 and the Hearings Officer approval of the Property line adjustment under Planning Action 2020-09-38PLA.

On January 11, 2021, the Planning Commission sent a favorable recommendation to the City Council to approve this action.

CURRENT SITUATION:

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

A. Rezone

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

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

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

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

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

e. The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

f. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.

g. The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

Findings:

1. Explain how the proposed zoning map amendment is in conformance with statewide planning goals and guidelines.

The rezoning is in conformance with the statewide planning goals and the City Comprehensive plan as the rezone is still for a commercial use it just brings the property into more compliance for the zoning of the parent adjusted parcel.
There is a neutral effect to State Wide Planning Goal 10 (Housing) as the property is already developed which adds no net gain to the Buildable Land Inventory (BLI) nor does it add any dwelling units to the Housing Needs Analysis (HNA). The change has no effect on the Housing needs to Ontario.

2. Explain how the proposed zoning map amendment is in conformance with the

Acknowledged Comprehensive Plan.

The rezone is in conformance with the acknowledged plan as the property commercial use of the property in the RM-10 is an allowed commercial use and the proposed rezone is a is not changing the use of the land and is providing for better use of the land.

3. As applicant, you must explain how there has been a mistake or error in the original zone designation or a change in physical, social or market conditions generally affecting the area, which makes this proposed zone change appropriate.

The current use is an allowed use as it would be in the adjacent C-2 commercial zone, but the business needed more parking due to the growth of the business and must allow more parking on the adjacent land. The rezone will help correct this issue for future development.

4. As applicant, you must show a public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.

There is a need for this rezone to be able to allow the existing business growth and need for additional parking and have the parking on the same piece of property. Other properties in the area have enjoyed the reclassification of land in the area due to growth so this would not be granting a special privilege.

5. Explain how the property affected by the change, if approved, is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

With the change of the zone it will allow for the lands needed for the parking lot be the same zoning as the parent parcel and not have a crossed zoned parcel. The adjustment was needed to allow for growth of the business.

6. Explain how the property affected by the proposed change of zone is properly related to streets and other public facilities and with services adequate to meet the demands of the uses allowed in the new zone. This shall explain how this proposal will not absorb a disproportionate share of public facilities, utilities and general assets.

The property is currently developed and is serviced by City streets and Public utilities and there are no changes required with the rezone.

7. Explain how the proposed change in zoning will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

There will be no change in use of the property therefore there will be no adverse effects upon the surrounding properties.

Summary Conclusions: Based on the findings above:

a. The City of Ontario Municipal Code Implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; generally, if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. As this proposal meets the criteria in the above section, this proposal is consistent with Statewide Planning Goals. CRITERION IS MET

b. The finding 2 above, show that the request is within goals and conformance of the Acknowledged Comprehensive plan. Therefore, this proposal has demonstrated to be consistent with the Comprehensive Plan. CRITERION IS MET

c. The applicant states in finding 3, that there has been a change in the property due to growth of the Dental Practice and the need for more parking. Therefore, there is a change in a physical condition, and demonstrates that this criterion is met. CRITERION IS MET

d. The proposed re-zone would bring the applicant's existing use of the property in this manner into conformance with the City Zoning Code and allow for growth. Rezoning to a zone to match the parent property would not be considered as the granting of a special privilege for a single property or group of property owners. CRITERION IS MET

e. As noted in the findings 5, the subject properties sizes are now adequate to demonstrate consistency with this criterion and the existing business will be required to meet all off-street parking and landscape requirements in future development. CRITERION IS MET

f. As noted in the finding 6 above, the properties are properly related to streets and public facilities within the public streets and the existing uses and services demonstrate that uses allowed in the proposed zone are provided. CRITERION IS MET

g. The applicant states in the finding 7 above, that while the impact on surrounding properties will be low, with the proposed change in zoning, compliance with present City of Ontario ordinances will be essential in eliminating these issues. The permitted uses are related to low volume traffic and uses which do not lend themselves to the creation to significant amounts of noise or other discharges of dust or odor into the air is uncommon in a commercial zone. CRITERION IS MET

Final Conclusion: ALL CRITERIA ARE MET

SUMMARY CONCLUSIONS AND PLANNING COMMISSION DECISION

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

ANALYSIS:

A. **STRATEGIC PLAN** This action is in alignment with the City Council Strategic Plan for desirability of the property to be used as a commercial use as well as allowing for future development of the city meeting it potential for future growth of the community.

B. **FINANCIAL** This is no financial impact to the city currently.

C. **TIMING** This action is needed as soon as possible so that the adjusted parcel can be shown on the tax roll as the same zoning.

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

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

   A rezone must be done by an Ordinance and the City Council is the Final Authority for approving a City Ordinance.

ALTERNATIVES:

1. The City Council could table and continue this item to a future date certain, to obtain clarification on issues raised at this Public Hearing

2. The City Council could deny the action by determining it is not in the best interest of the public to rezone this property. (Applicant would have the ability to appeal this decision to the City Council).

RECOMMENDATION:

Staff recommends the City Council approve Ordinance #2784-2021.

ATTACHMENTS:

1. Ord #2784-2021 (2)
2. 2020-11-41RZ_Dahle-Wettstein_RezoneSRpt_PLANNING COMMISSION

ORDINANCE #2784-2021

AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM GENERAL COMMERCIAL (C-2) TO HIGH DENSITY RESIDENTIAL (CRM-10) ZONE CLASSIFICATION FOR A PROPERTY BEING A PART OF TAX MAP 18S47E09BA IDENTIFIED AS TAX LOT 4202; BEING A PORTION LOTS 29 THROUGH 32 OF BLOCK 6 OF THE VILLA PARK ADDITION TO THE CITY OF ONTARIO

WHEREAS, Sutherland Enterprises, Inc as Applicant has initiated a zone change request for the property in the City for rezoning of the property from "General Commercial (C-2)" to "High Density Residential (RM-10)", which property is described in Exhibit "A" and designated on Exhibit "B" being part of Tax Lot 4202 on Assessor's Map 18S47E04CD after a property line adjustment approved under Planning Action 2020-09-38PLS on November 20, 2020; and

WHEREAS, After giving the notice required by law, the City Planning Commission held a public hearing on Planning Action 2020-11-41RZ a request for a zone change on January 11, 2021, after which the Ontario Planning Commission made findings of fact and conclusions of law and recommended that the Ontario City Council approve the zone change request for the subject property; and

WHEREAS, After giving the notice required by law, the Ontario City Council held a public hearing on the zone change request on January 19, 2021, and having reviewed all evidence and testimony submitted therein, makes the following findings of fact and conclusions of law with respect to the subject property:

A. The City of Ontario Municipal Code policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; generally, if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. The applicant has demonstrated in their application that this request is consistent with Statewide Planning Goals.
B. The findings show that the request is within goals and conformance of the acknowledged Comprehensive Plan. Therefore, this proposal has demonstrated to be consistent with the Comprehensive Plan.
C. The applicant states that there has been a change in the property use due to growth of the business and need for more parking area. The impact to the City's overall Comprehensive Plan is minimal due to the requested RM-10 zone allows for the same type of use but cross zoning is not recommended. Therefore, there is a change in a physical condition, and demonstrates that this criterion is met.

D. The proposed re-zone would bring the applicant's existing use of the property in this manner into conformance with the City Zoning Code a to not allow cross zoning parcels. Rezoning to a zone to match the adjacent properties to the south would not be considered as the granting of a special privilege for a single property or group of property owners.
E. The subject property size is more than adequate to demonstrate consistency with this criterion and the existing business will be required to meet all off-street parking and landscape requirements in future development under the new zone.
F. The properties are properly related to streets and public facilities within the public streets and the existing uses and services demonstrate that uses allowed in the proposed zone can be provided.
G. The findings show that the conditions of the neighborhood are such that the subject property and surrounding area are zoned for Mixed uses. The proposed use that while the impact on surrounding properties will be low, with the proposed change in zoning, compliance with present City of Ontario ordinances will be essential in eliminating these issues. The permitted uses are related to low volume traffic and uses which do not lend themselves to the creation to significant amounts of noise or other discharges of dust or odor into the air is uncommon in a commercial zone.

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

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. The Ontario Comprehensive Plan and Zoning Map are amended by changing the zone from "General Commercial (C-2)" to "High Density Residential (RM-10)" for the property described on Exhibit "A" designated on Exhibit "B".

PASSED AND ADOPTED by the Common Council of the City of Ontario this ______ day of ____________, 2021 by the following vote:

AYES:
NAYS:
ABSENT:

APPROVED by the Mayor this _______day of _______________, 2021.

ATTEST:

________________________________ ____________________________

Riley J. Hill, Mayor Tori Barnett, MMC, City Recorder

Exhibit "A"
Property Description for Rezone

Land in ALAMEDA HEIGHTS ADDITION, City of Ontario, Malheur County, Oregon, according to the official plat thereof, as follows:

In Block 2: That portion of Lots 12-17, inclusive, more particularly described as follows:

BEGINNING at the southwest corner of said Lot 17;

thence along the west lines of said Lots 17 and 16, N. 00° 00' 19" W. 49.22 feet, to a set #5 rebar with red plastic cap stamped "ATLAS LS PLS 65687", hereinafter referred to as "capped rebar";

thence S. 86° 55' 34" E. 125.21 feet, to a point on the east line of said Lot 12, being monumented by a capped rebar;

thence along the east line of said Lot 12 and its southerly extension, S. 00° 00' 05" E. 42.52 feet, to the south line of said Lot 17;

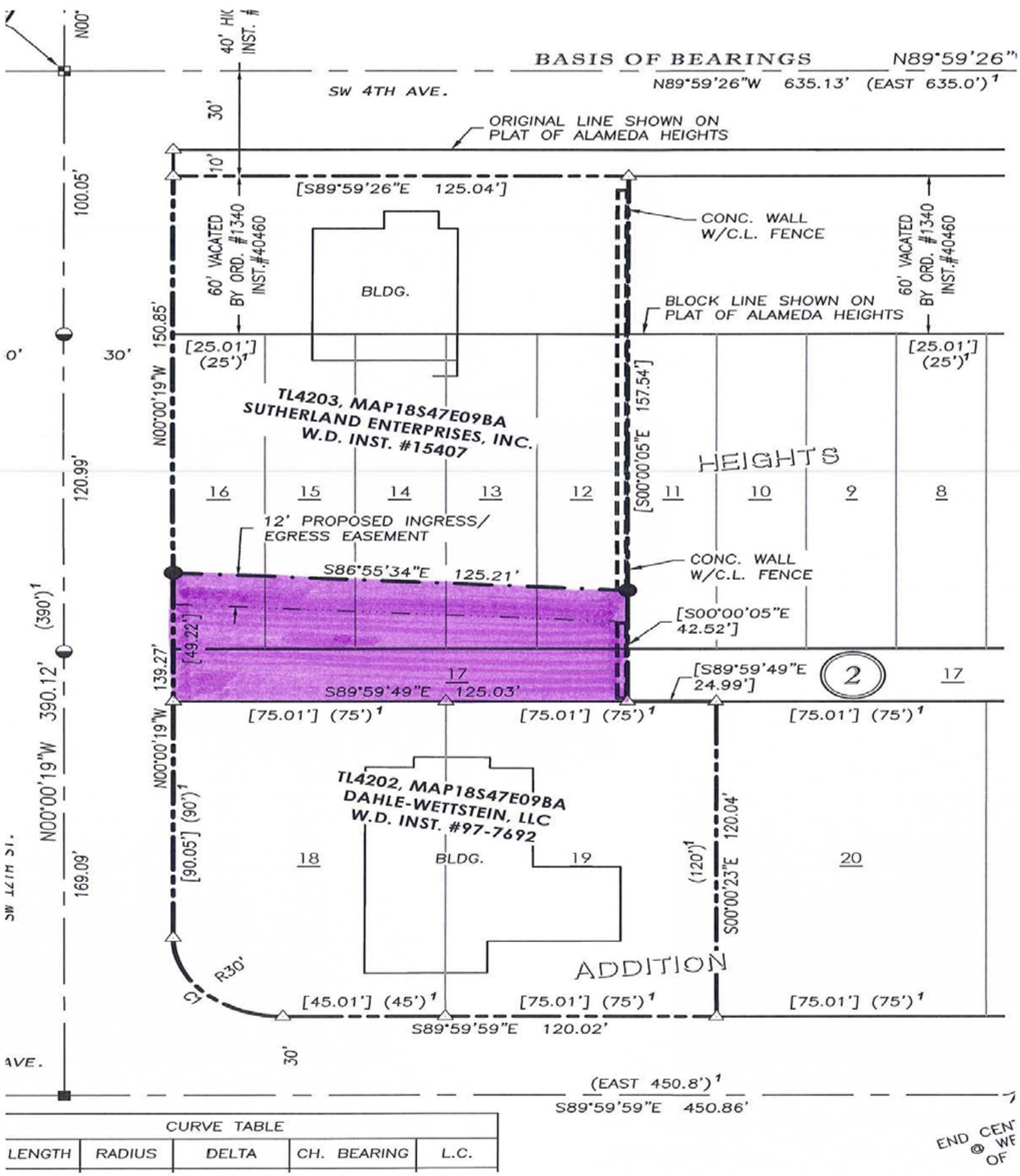
thence along the south line of said Lot 17, N. 89° 59' 49" W. 125.03 feet, to the **POINT OF BEGINNING**.

END OF DESCRIPTION

Exhibit "B"

City Action No. 2020-11-41RZ

Rezoned Parcel



Agenda Report
PUBLIC HEARING
January 11, 2021

TO: Planning Commission

FROM: Dan Cummings, Community Development Director

SUBJECT: ACTION 2020-11-41RZ: A REQUEST BY SUTHERLAND ENTERPRISES, INC FOR A REZONE OF PROPERTY FROM GENERAL COMMERCIAL (C-2). TO RM-10 TO MATCH THE LAND OF THE PARCEL IT WAS ADJUSTED INTO.

DATE: December 7, 2020

PROPOSED MOTION:

A. APPROVAL:

1. **I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINDING OF FACTS FOR THE REZONE OF THE SUBJECT PROPERTY FROM C-2 TO RM-10, AS SET FORTH IN ACTION 2020-11-41RZ BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH IN SECTIONS I THROUGH IV OF THIS REPORT.**

2. **I MOVE THAT THE REQUEST FOR REZONE OF THE SUBJECT PROPERTY FROM C-2 TO RM-10, AS SET FORTH IN ACTION 2020-11-41RZ BE RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH IN SECTIONS I THROUGH IV OF THIS REPORT.**

B. DENIAL:

1. **I MOVE THAT THE REQUEST FOR REZONE OF THE SUBJECT PROPERTY FROM C-2 TO RM-10, AS SET FORTH IN ACTION 2020-11-41RZ BE RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH IN SECTIONS I THROUGH IV OF THIS REPORT. (NEED TO CHANGE STAFF FINDINGS).**

SUMMARY:

The applicants/owner owns a parcel, known as Tax Map 18S4709BA, tax lot 4202 AND 4203, which SAID Tax Lot 4202 is currently zoned in the City under High Density Residential (RM-10) and Tax Lot 4203 is zoned General Commercial (C-2) of which a portion of Tax Lot 4203 under Planning Action 2020-09-38PLA was adjusted into Tax Lot 4202 for the purpose of allowing for more parking lot needed for the existing Dental Practice on Tax lot 4202. This action is to rezone that portion adjusted into Tax Lot 4202 to the same RM-10 zoning of the original parcel Tax Lot 4202.

BACKGROUND:

The Applicant are also the owners of the two tax lots known as Tax Lot 4202 and 4203 and under Planning Action 2020-09-38PLA adjusted a portion of Tax Lot 4203 (zoned C-2) into Tax Lot 4202 (zoned RM-10) both on Assessor's map 18S4709BA to add the area that is being used as parking area for the Dental Practice on Tax Lot 4202 into the property of Tax Lot 4202.

This requests for rezone need a recommendation for approval or rejection from the Planning Commission to the City Council, who will be the decision maker for this request. This action specifically seeks approval for rezone from C-2 to RM-10 for the adjusted parcel of land and adjacent street right of way, within the City Limits of the City of Ontario.

There have been no recent Planning Commission actions on this property in the past 20 plus years that could be found in the planning records other than a City-wide Comprehensive Plan update in 2007 and the Hearings Officer approval of the Property line adjustment under Planning Action 2020-09-38PLA.

CURRENT SITUATION:

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

A. Rezone

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

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

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

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

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

e. The property affected by the change is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.

f. The property affected by the proposed change of zone is properly related to streets and public facilities and with services adequate to meet the demands of the uses allowed in the new zone.

g. The proposed zoning map change will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.

Findings:

1. **Explain how the proposed zoning map amendment is in conformance with statewide planning goals and guidelines.**

   The rezoning is in conformance with the statewide planning goals and the City Comprehensive plan as the rezone is still for a commercial use it just brings the property into more compliance for the zoning of the parent adjusted parcel.
   There is a neutral effect to State Wide Planning Goal 10 (Housing) as the property is already developed which adds no net gain to the Buildable Land Inventory (BLI) nor does it add any dwelling units to the Housing Needs Analysis (HNA). The change has no effect on the Housing needs to Ontario.

2. **Explain how the proposed zoning map amendment is in conformance with the Acknowledged Comprehensive Plan.**

   The rezone is in conformance with the acknowledged plan as the property commercial use of the property in the RM-10 is an allowed commercial use and the proposed rezone is a is not changing the use of the land and is providing for better use of the land.

3. **As applicant, you must explain how there has been a mistake or error in the original zone designation or a change in physical, social or market conditions generally affecting the area, which makes this proposed zone change appropriate.**

   The current use is an allowed use as it would be in the adjacent C-2 commercial zone, but the business needed more parking due to the growth of the business and must allow more parking on the adjacent land. The rezone will help correct this issue for future development.

4. **As applicant, you must show a public need is demonstrated for this zoning at this location and is not the granting of a special privilege for a single property or small group of properties.**

There is a need for this rezone to be able to allow the existing business growth and need for additional parking and have the parking on the same piece of property. Other properties in the area have enjoyed the reclassification of land in the area due to growth so this would not be granting a special privilege.

5. **Explain how the property affected by the change, if approved, is adequate in size and shape to facilitate its use and development as permitted under the new zoning classification.**

   With the change of the zone it will allow for the lands needed for the parking lot be the same zoning as the parent parcel and not have a crossed zoned parcel. The adjustment was needed to allow for growth of the business.

6. **Explain how the property affected by the proposed change of zone is properly related to streets and other public facilities and with services adequate to meet the demands of the uses allowed in the new zone. This shall explain how this proposal will not absorb a disproportionate share of public facilities, utilities and general assets.**

   The property is currently developed and is serviced by City streets and Public utilities and there are no changes required with the rezone.

7. **Explain how the proposed change in zoning will not result in adverse effects upon surrounding properties or surrounding uses from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land.**

   There will be no change in use of the property therefore there will be no adverse effects upon the surrounding properties.

<u>**Summary Conclusions:** Based on the findings above:</u>

a. The City of Ontario Municipal Code Implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; generally, if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. As this proposal meets the criteria in the above section, this proposal is consistent with Statewide Planning Goals. **CRITERION IS MET**

b. The finding 2 above, show that the request is within goals and conformance of the Acknowledged Comprehensive plan. Therefore, this proposal has demonstrated to be consistent with the Comprehensive Plan. **CRITERION IS MET**

c. The applicant states in finding 3, that there has been a change in the property due to growth of the Dental Practice and the need for more parking. Therefore, there is a change in a physical condition, and demonstrates that this criterion is met. **CRITERION IS MET**

d. The proposed re-zone would bring the applicant's existing use of the property in this manner into conformance with the City Zoning Code and allow for growth. Rezoning to a zone to match the parent property would not be considered as the granting of a special privilege for a single property or group of property owners. **CRITERION IS MET**

e. As noted in the findings 5, the subject properties sizes are now adequate to demonstrate consistency with this criterion and the existing business will be required to meet all off-street parking and landscape requirements in future development. **CRITERION IS MET**

f. As noted in the finding 6 above, the properties are properly related to streets and public facilities within the public streets and the existing uses and services demonstrate that uses allowed in the proposed zone are provided. **CRITERION IS MET**

g. The applicant states in the finding 7 above, that while the impact on surrounding properties will be low, with the proposed change in zoning, compliance with present City of Ontario ordinances will be essential in eliminating these issues. The permitted uses are related to low volume traffic and uses which do not lend themselves to the creation to significant amounts of noise or other discharges of dust or odor into the air is uncommon in a commercial zone. **CRITERION IS MET**

Final Conclusion: ALL CRITERIA ARE MET

SUMMARY CONCLUSIONS AND PLANNING COMMISSION DECISION

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

ANALYSIS:

A. **STRATEGIC PLAN** This action is in alignment with the City Council Strategic Plan for desirability of the property to be used as a commercial use as well as allowing for future development of the city meeting it potential for future growth of the community.

B. **FINANCIAL** This is no financial impact to the city currently.

C. **TIMING** This action is needed as soon as possible so that the adjusted parcel can be shown on the tax roll as the same zoning.

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

A rezone must be done by an Ordinance and the City Council is the Final Authority for approving a City Ordinance.

ALTERNATIVES:

The Planning Commission could table the action until a time certain if more information is needed to make a decision.

RECOMMENDATION:

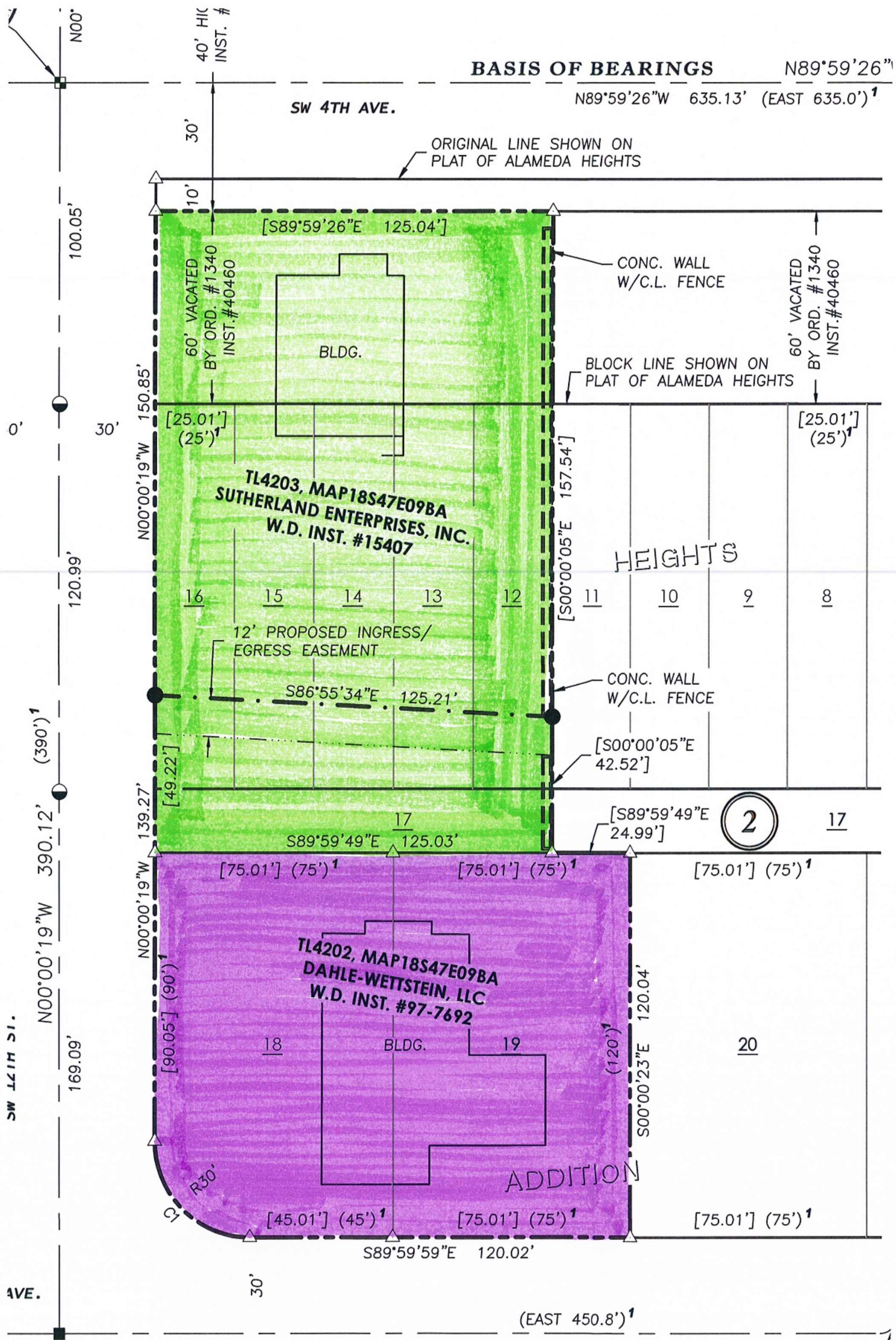
Staff recommends that the Planning Commission approve and adopt the findings of facts and send a recommendation to the City Council to approve the rezone from C-1 to C-2 of the subject property.

ATTACHMENTS:

1. Attachment 1 Property Before Rezone
2. Attachment 2 Property After Rezone
3. Attachment 3 Area map
4. Attachment 4 Rezone Description
5. Attachment 5 Parcel being rezoned to RM-10

Attachment "1"

Parcels Before Rezoning



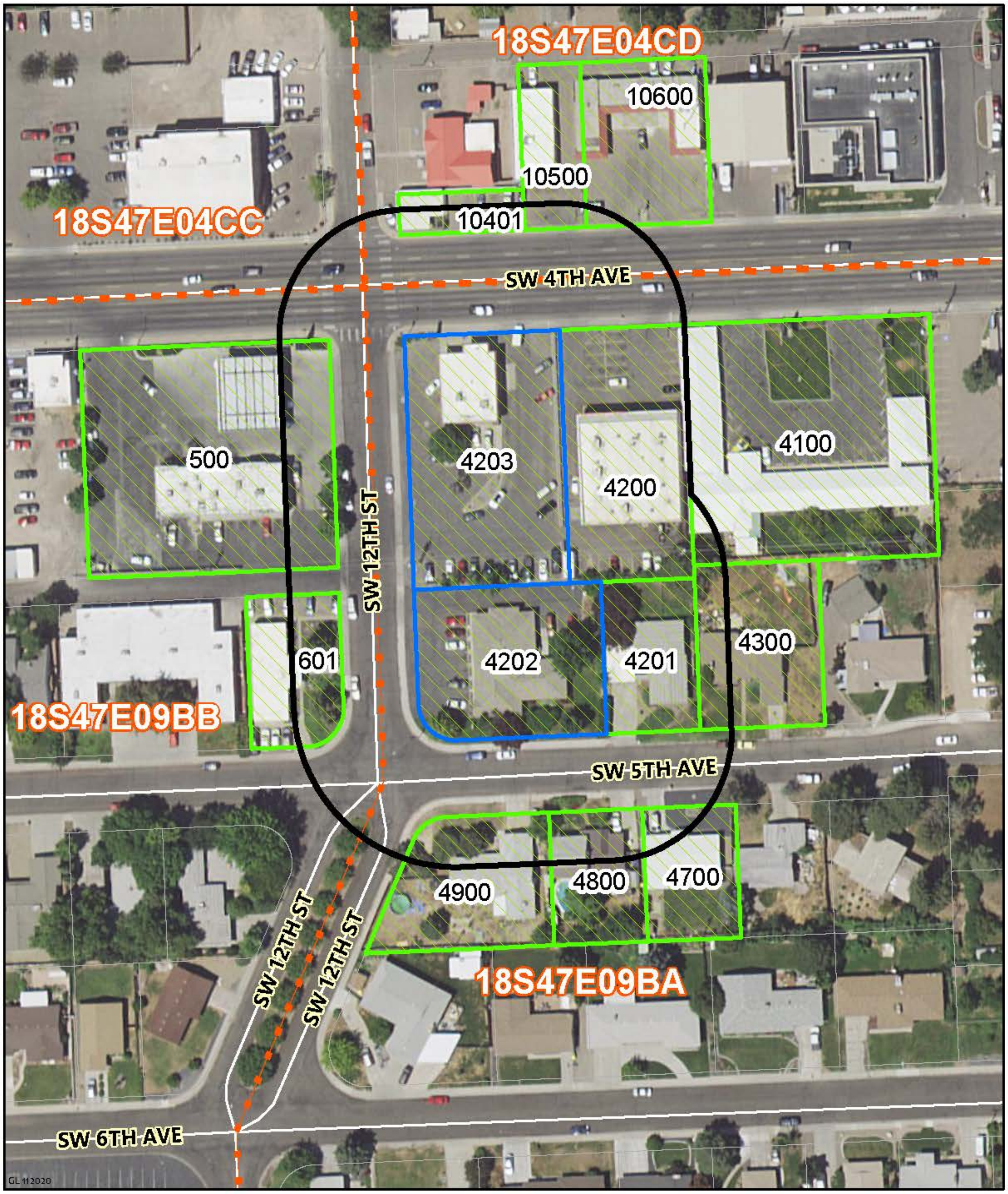
CURVE TABLE				
LENGTH	RADIUS	DELTA	CH. BEARING	L.C.

Attachment “2”

Parcels After Rezoning

CURVE TABLE				
LENGTH	RADIUS	DELTA	CH. BEARING	L.C.

Attachment “3”



Legend

100 ft radius

Map Index

Sutherland_DahleWettstein

TL wn 100' rad fr Sutherland_DahleWettstein

100 Feet Radius Map

Sutherland_DahleWettstein

Ref # 2399_2398

0 100

Feet

Map is prepared for assessment purposes only

Attachment "4"

Rezone Parcel Description

Land in ALAMEDA HEIGHTS ADDITION, City of Ontario, Malheur County, Oregon, according to the official plat thereof, as follows:

In Block 2: That portion of Lots 12-17, inclusive, more particularly described as follows:

BEGINNING at the southwest corner of said Lot 17;

thence along the west lines of said Lots 17 and 16, N. 00° 00' 19" W. 49.22 feet, to a set #5 rebar with red plastic cap stamped "ATLAS LS PLS 65687", hereinafter referred to as "capped rebar";

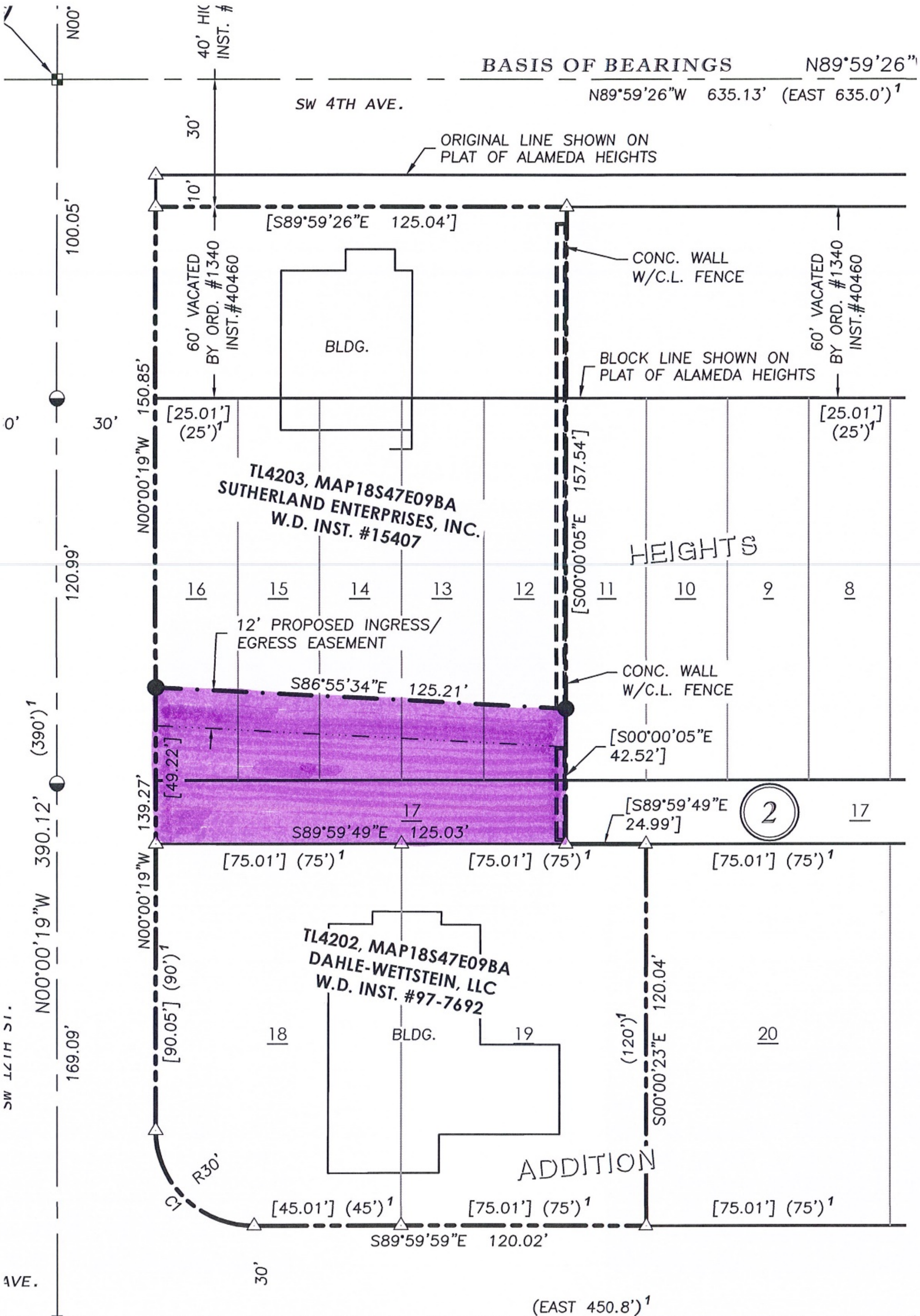
thence S. 86° 55' 34" E. 125.21 feet, to a point on the east line of said Lot 12, being monumented by a capped rebar;

thence along the east line of said Lot 12 and its southerly extension, S. 00° 00' 05" E. 42.52 feet, to the south line of said Lot 17;

thence along the south line of said Lot 17, N. 89° 59' 49" W. 125.03 feet, to the **POINT OF BEGINNING**.

Attachment "5"

Rezoned Parcel



CURVE TABLE				
LENGTH	RADIUS	DELTA	CH. BEARING	L.C.

SDC INFORMATION SUMMARY

	WATER	SEWER	TRANSPORTATION	TOTAL
TOTAL 2008-2009 REVENUE	$ 7,707.00	$ 3,790.00	$ 24,603.67	$ 36,100.67
2008-2009 PROJECT EXPENSES	-	-	-	-
NET 2008-2009	**7,707.00**	**3,790.00**	**24,603.67**	**36,100.67**
TOTAL 2009-2010 REVENUE	3,900.00	1,924.00	8,238.00	14,062.00
2009-2010 PROJECT EXPENSES				
WAT-4 % River Intake Screens	(705.82)	-	-	(705.82)
NET 2009-2010	3,194.18	1,924.00	8,238.00	13,356.18
FUND BALANCES AT 6/30/2010	**10,901.18**	**5,714.00**	**32,841.67**	**49,456.85**
TOTAL 2010-2011 REVENUE	10,725.00	5,291.00	36,560.07	52,576.07
2010-2011 PROJECT EXPENSES				
STR-7 % SE 2nd St Freight RTE	-	-	(18,750.00)	(18,750.00)
WAT-4 % River Intake Screens	(320.00)	-	-	(320.00)
NET 2010-2011	10,405.00	5,291.00	17,810.07	33,506.07
FUND BALANCES AT 6/30/2011	**21,306.18**	**11,005.00**	**50,651.74**	**82,962.92**
TOTAL 2011-2012 REVENUE	14,625.00	8,177.00	36,452.23	59,254.23
2011-2012 PROJECT EXPENSES				
STR-7 % SE 2nd St Freight RTE	-	-	(12,500.00)	(12,500.00)
WAT-4 % River Intake Screens	-	-	-	-
NET 2011-2012	14,625.00	8,177.00	23,952.23	46,754.23
FUND BALANCES AT 6/30/2012	**35,931.18**	**19,182.00**	**74,603.97**	**129,717.15**
TOTAL 2012-2013 REVENUE	6,825.00	3,367.00	68,900.53	79,092.53
2012-2013 PROJECT EXPENSES				
STR-7 % SE 2nd St Freight RTE	-	-	-	-
WAT-4 % River Intake Screens	(5,000.00)	-	-	(5,000.00)
NET 2012-2013	1,825.00	3,367.00	68,900.53	74,092.53
FUND BALANCES AT 6/30/2013	**37,756.18**	**22,549.00**	**143,504.50**	**203,809.68**
TOTAL 2013-2014 REVENUE	4,875.00	2,886.00	8,661.27	16,422.27
2013-2014 PROJECT EXPENSES				
14STR-06 N Park Blvd	-	-	(64,395.14)	(64,395.14)
14WAT-10 Chlorine Dosing Pump	(9,208.83)	-	-	(9,208.83)
14SEW-12 SCADA User Upgrade	-	(11,961.75)	-	(11,961.75)
WAT-4 % River Intake Screens	-	-	-	-
NET 2013-2014	(4,333.83)	(9,075.75)	(55,733.87)	(69,143.45)
FUND BALANCES AT 6/30/2014	**33,422.35**	**13,473.25**	**87,770.63**	**134,666.23**

SDC INFORMATION SUMMARY

	WATER	SEWER	TRANSPORTATION	TOTAL
TOTAL 2014-2015 REVENUE	-	-	-	-
2014-2015 PROJECT EXPENSES	-	-	-	-
NET 2014-2015	-	-	-	-
FUND BALANCES AT 6/30/2015	**33,422.35**	**13,473.25**	**87,770.63**	**134,666.23**
TOTAL 2015-2016 REVENUE	-	-	-	-
2015-2016 PROJECT EXPENSES	-	-	-	-
NET 2015-2016	-	-	-	-
FUND BALANCES AT 6/30/2016	**33,422.35**	**13,473.25**	**87,770.63**	**134,666.23**
TOTAL 2016-2017 REVENUE	27,300.00	8,658.00	48,491.77	84,449.77
2016-2017 PROJECT EXPENSES	-	-	-	-
NET 2016-2017	27,300.00	8,658.00	48,491.77	84,449.77
FUND BALANCES AT 6/30/2017	**60,722.35**	**22,131.25**	**136,262.40**	**219,116.00**
TOTAL 2017-2018 REVENUE	12,142.00	10,673.00	42,971.46	65,786.46
2017-2018 PROJECT EXPENSES	-	-	-	-
NET 2017-2018	12,142.00	10,673.00	42,971.46	65,786.46
FUND BALANCES AT 6/30/2018	**72,864.35**	**32,804.25**	**179,233.86**	**284,902.46**
TOTAL 2018-2019 REVENUE	29,284.44	17,317.00	39,804.08	86,405.52
2018-2019 PROJECT EXPENSES	-	-	-	-
NET 2018-2019	29,284.44	17,317.00	39,804.08	86,405.52
FUND BALANCES AT 6/30/2019	**102,148.79**	**50,121.25**	**219,037.94**	**371,307.98**
TOTAL 2019-2020 REVENUE	16,575.00	8,177.00	58,649.75	83,401.75
2019-2020 PROJECT EXPENSES	-	-	(10,675.61)	(10,675.61)
NET 2019-2020	16,575.00	8,177.00	47,974.14	72,726.14
FUND BALANCES AT 6/30/2020	**118,723.79**	**58,298.25**	**267,012.08**	**444,034.12**
TOTAL 2020-2021 REVENUE	-	-	13,808.48	13,808.48
2020-2021 PROJECT EXPENSES	-	-	(6,425.00)	(6,425.00)
NET 2020-2021	-	-	7,383.48	7,383.48
FUND BALANCES AT 1/13/2021	**118,723.79**	**58,298.25**	**274,395.56**	**451,417.60**

* Water amount of $7,097.35 will need spent this year.

** Sewer amount of $7,220.25 will need spent next year

Accounts Payable

Checks by Date - Summary by Check Date

User: kari.ott
Printed: 1/13/2021 12:19 PM

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	PRFED	PAYROLL TAXES	12/01/2020	182.94
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	12/01/2020	1.19
ACH	PRPERS	OREGON PERS	12/01/2020	397.32
			Total for 12/1/2020:	581.45
126727	879506	Lawn Express	12/03/2020	19,750.00
			Total for 12/3/2020:	19,750.00
126728	UB*11823	ROGER ALLEN DC*	12/04/2020	54.21
126729	&525	American Staffing, Inc.	12/04/2020	535.59
126730	879449	Baum Smith, LLC	12/04/2020	750.00
126731	626400	Campo & Poole Distributing, LLC	12/04/2020	3,648.99
126732	UB*11799	TAMIE CAPRON	12/04/2020	63.74
126733	UB*11809	JOSE CARDOZO	12/04/2020	95.99
126734	637830	Century Link	12/04/2020	722.19
126735	190220	Commercial Tire, Inc.	12/04/2020	2,356.24
126736	879062	Compass Minerals America, Inc.	12/04/2020	2,480.53
126737	UB*11824	GLEN CROSBY	12/04/2020	40.59
126738	UB*11810	ECHANIS DISTRIBUTING	12/04/2020	136.73
126739	UB*11817	MARK & KATHY ENYEART	12/04/2020	42.24
126740	UB*11811	BRUCE ERLEBACH	12/04/2020	80.45
126741	UB*11791	FOUR RIVERS AUCTION	12/04/2020	44.26
126742	UB*11822	EVELYN GALLAHER	12/04/2020	18.23
126743	UB*11813	TYLER GASSIN	12/04/2020	84.83
126744	360015	Home Depot Credit Services	12/04/2020	169.00
126745	UB*11552	HOMELAND FIREWORKS INC	12/04/2020	49.70
126746	368200	Hughes Fire Equipment, Inc.	12/04/2020	122.98
126747	376000	Idaho Power	12/04/2020	1,590.32
126748	UB*11814	IDLE WHEELS VILLAGE	12/04/2020	1,510.06
126749	UB*11816	MIKE JARAMILLO	12/04/2020	60.02
126750	413204	Kenworth Sales Company, Inc.	12/04/2020	223.96
126751	UB*11737	MERAKI SPA	12/04/2020	70.00
126752	879464	Merchant McIntyre Associates, LLC	12/04/2020	6,500.00
126753	UB*11820	OWNITX	12/04/2020	114.29
126754	UB*11812	RED LION INN & SUITES	12/04/2020	97.20
126755	UB*11815	RYWEST HOMES	12/04/2020	2.14
126756	UB*11821	WILLIAM SINCLAIR	12/04/2020	9.61
126757	UB*11819	STEVE'S HOMETOWN TOYOTA	12/04/2020	91.80
126758	UB*11818	BRUCE TUTTLE	12/04/2020	130.90
126759	288897	Verizon	12/04/2020	1,955.36
			Total for 12/4/2020:	23,852.15
126760	480000	911 Supply	12/08/2020	1,126.00
126761	559200	Allied Business Solutions, Inc.	12/08/2020	7,349.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
126762	&525	American Staffing, Inc.	12/08/2020	324.60
126763	037600	AT&T	12/08/2020	23.05
126764	130624	B & W Car Wash	12/08/2020	6.00
126765	879326	The Biz Zone	12/08/2020	142.62
126766	626400	Campo & Poole Distributing, LLC	12/08/2020	3,042.20
126767	637828	Century Link Communications, LLC	12/08/2020	146.72
126768	247940	Dooley Enterprises, Inc.	12/08/2020	772.00
126769	520400	Dorman's, Inc.	12/08/2020	14.41
126770	01503	Riley Hill	12/08/2020	1.00
126771	716050	The Idaho Statesman	12/08/2020	920.00
126772	879191	Kristy Lynn Janti	12/08/2020	6.00
126773	408200	J-U-B Engineers, Inc.	12/08/2020	22,023.82
126774	21847	Vernon L. Keffer	12/08/2020	700.00
126775	436000	Lindsay Eco Water	12/08/2020	7.00
126776	879417	LS Networks	12/08/2020	1,130.16
126777	&088	Memorial Monuments, Inc.	12/08/2020	7,000.00
126778	879173	Tonia Montgomery	12/08/2020	434.00
126779	572000	Ontario Sanitary Service, Inc.	12/08/2020	313.06
126780	516780	Oregon Building Officials Association	12/08/2020	395.00
126781	642093	Red's Automotive Repair, Inc.	12/08/2020	585.95
126782	716553	Saint Luke's	12/08/2020	506.00
126783	879425	Springbrook Holding Co.,LLC	12/08/2020	1,109.00
126784	738001	James Swank	12/08/2020	50.99
126785	738002	Symbol Arts, LLC	12/08/2020	135.00
126786	788402	TransUnion Risk & Alternative Data Soluti	12/08/2020	50.00
126787	879007	Weidner Fire	12/08/2020	169.92
126788	879470	Western Treasure Valley Rotary Club	12/08/2020	513.00
126789	774001	Wtechlink	12/08/2020	300.00
			Total for 12/8/2020:	49,296.50
126790	033300	Argus Observer	12/09/2020	60.00
126791	626400	Campo & Poole Distributing, LLC	12/09/2020	1,156.64
126792	637830	Century Link	12/09/2020	480.73
126793	634311	Frazier Aviation, LLC	12/09/2020	425.00
126794	413204	Kenworth Sales Company, Inc.	12/09/2020	255.92
126795	422140	Kinney Industries, Inc.	12/09/2020	1,528.54
126796	22427	Murrysmith, Inc.	12/09/2020	5,841.00
126797	602320	NAPA Auto Parts	12/09/2020	65.96
126798	879301	Net Assets Corporation	12/09/2020	432.00
126799	500400	Norco, Inc.	12/09/2020	2,013.58
126800	516780	Oregon Building Officials Association	12/09/2020	300.00
126801	879166	Pitney Bowes Global Financial Services, Ll	12/09/2020	953.25
126802	130950	Sparklight Business	12/09/2020	96.44
126803	879138	Stantec Consulting Services, Inc.	12/09/2020	925.00
126804	&357	Larry A. Sullivan	12/09/2020	2,835.00
126805	879507	Synagro Technologies, Inc.	12/09/2020	184,425.40
126806	879151	Waste-Pro	12/09/2020	40.05
126807	451593	Malheur Council on Aging & Community S	12/09/2020	17,029.44
			Total for 12/9/2020:	218,863.95
126809	832852	Wells Fargo Business Elite Card	12/21/2020	3,550.28
126810	879133	Community in Action	12/21/2020	10,000.00
126811	854205	Veteran Advocates of Ore-Ida	12/21/2020	10,000.00
			Total for 12/21/2020:	23,550.28

Check No	Vendor No	Vendor Name	Check Date	Check Amount
126812	879509	Ontario Veterans Memorial Hall	12/22/2020	2,836.31
			Total for 12/22/2020:	2,836.31
126813	698800	Stan's Heating	12/23/2020	1,865.25
126814	&260	Four Rivers Cultural Center	12/23/2020	22,964.73
126815	539200	Ontario Area Chamber of Commerce	12/23/2020	18,303.17
			Total for 12/23/2020:	43,133.15
126816	&525	American Staffing, Inc.	12/24/2020	1,704.15
126817	033300	Argus Observer	12/24/2020	268.50
126818	879494	Bruneel, LLC	12/24/2020	30.00
126819	879511	Billy Carter	12/24/2020	120.00
126820	144000	Cascade Natural Gas Corporation	12/24/2020	1,174.49
126821	637830	Century Link	12/24/2020	981.88
126822	879327	Coastline Equipment Company	12/24/2020	560.36
126823	UB*11825	ISAAC CRUZ MARTINEZ	12/24/2020	43.57
126824	879247	Day Wireless Systems	12/24/2020	7,031.47
126825	UB*11826	JAIME HERRERA	12/24/2020	27.98
126826	879486	David Geoffrey Hill	12/24/2020	12,380.00
126827	376000	Idaho Power	12/24/2020	3,365.99
126828	420000	John Deere Financial	12/24/2020	9.58
126829	441140	Looks Nu, Inc.	12/24/2020	70.00
126830	879417	LS Networks	12/24/2020	1,130.16
126831	456402	Malheur County Clerk	12/24/2020	229.00
126832	454410	Malheur Enterprise	12/24/2020	150.00
126833	879464	Merchant McIntyre Associates, LLC	12/24/2020	6,500.00
126834	22427	Murrysmith, Inc.	12/24/2020	5,162.50
126835	539200	Ontario Area Chamber of Commerce	12/24/2020	125.00
126836	242083	State of Oregon Department of Transportati	12/24/2020	1.85
126837	516494	State of Oregon Department of Transportati	12/24/2020	486.87
126838	879500	State of Oregon Department of Transportati	12/24/2020	16,388.30
126839	642093	Red's Automotive Repair, Inc.	12/24/2020	602.05
126840	UB*11827	MARCOS & MARYSOL RODRIGUEZ	12/24/2020	112.81
126841	879146	Toshiba Financial Services	12/24/2020	2,173.39
126842	879510	Tractor Supply Co.	12/24/2020	2,031.19
126843	879400	Treetop Products, Inc.	12/24/2020	20,013.03
126844	UB*11828	FRANK WALLING	12/24/2020	53.65
			Total for 12/24/2020:	82,927.77
ACH	878915	Jacobs	12/29/2020	6,269.47
126845	879513	Phil Long Ford of Denver	12/29/2020	34,581.00
			Total for 12/29/2020:	40,850.47
ACH	PRAFLAC	AMERICAN FAMILY LIFE ASSURANCE	12/31/2020	774.22
ACH	PRAMERF	AMERICAN FUNDS GROUP	12/31/2020	225.00
ACH	PRCCIS	E B S TRUST	12/31/2020	69,068.63
ACH	PRCOLONI	COLONIAL LIFE	12/31/2020	1,210.25
ACH	PRFED	PAYROLL TAXES	12/31/2020	68,762.26
ACH	PRICMA	I C M A RETIREMENT TRUST 457	12/31/2020	300.00
ACH	PRNATW	NATIONWIDE RETIREMENT SOLUTIO	12/31/2020	400.00
ACH	PRORJU	OREGON DEPARTMENT OF JUSTICE	12/31/2020	732.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	PRORTAX2	OREGON DEPARTMENT OF REVENUE	12/31/2020	275.63
ACH	PRORTAXE	OREGON DEPARTMENT OF REVENUE	12/31/2020	19,894.56
ACH	PROSGP	OREGON SAVINGS & GROWTH PLAN	12/31/2020	7,416.49
ACH	PRPERS	OREGON PERS	12/31/2020	99,514.77
ACH	878915	Jacobs	12/31/2020	448,078.55
126846	PRLINC	LINCOLN NATIONAL LIFE INS CO	12/31/2020	600.00
126847	PRSFIRE	UMPQUA BANK	12/31/2020	360.00
126848	879512	Acorn to Oaks, Inc.	12/31/2020	2,185.95
126849	&525	American Staffing, Inc.	12/31/2020	324.60
126850	033300	Argus Observer	12/31/2020	112.24
126851	626400	Campo & Poole Distributing, LLC	12/31/2020	3,143.68
126852	303800	Frank's Extinguisher Service	12/31/2020	109.91
126853	308040	Fruitland Electric, Inc.	12/31/2020	17,457.00
126854	376000	Idaho Power	12/31/2020	1,924.08
126855	546502	Ontario Floor Covering	12/31/2020	17,459.83
126856	572000	Ontario Sanitary Service, Inc.	12/31/2020	313.06
126857	583401	State of Oregon Department of Environmer	12/31/2020	10,548.00
126858	879514	Brandon Ragsdale	12/31/2020	1,450.00
126859	644210	Roadrunner Towing, Inc.	12/31/2020	586.96
126860	672453	SeaWestern Fire Fighting Equipment	12/31/2020	666.60
126861	130950	Sparklight Business	12/31/2020	41.13
126862	725000	Steve's Backhoe Service, Inc.	12/31/2020	21,250.00
126863	288897	Verizon	12/31/2020	1,955.36
			Total for 12/31/2020:	797,140.76
126864	879211	Imaging Center of Idaho	01/05/2021	330.00
			Total for 1/5/2021:	330.00
ACH	&260	Four Rivers Cultural Center	01/08/2021	13,274.83
ACH	539200	Ontario Area Chamber of Commerce	01/08/2021	9,529.24
126865	879516	Absolulte Exhibits	01/08/2021	515.00
126866	033300	Argus Observer	01/08/2021	197.60
126867	037600	AT&T	01/08/2021	23.00
126868	130624	B & W Car Wash	01/08/2021	15.00
126869	879449	Baum Smith, LLC	01/08/2021	4,850.00
126870	879515	Beus Excavation, LLC	01/08/2021	312,531.76
126871	626400	Campo & Poole Distributing, LLC	01/08/2021	2,236.34
126872	879451	CDR Labor Law, LLC	01/08/2021	152.50
126873	637828	Century Link Communications, LLC	01/08/2021	120.40
126874	879247	Day Wireless Systems	01/08/2021	470.00
126875	520400	Dorman's, Inc.	01/08/2021	88.95
126876	UB*11832	LUIS DURAN	01/08/2021	201.73
126877	UB*11829	RHYAN GARDNER	01/08/2021	96.86
126878	360015	Home Depot Credit Services	01/08/2021	151.90
126879	879346	Hughey & Phillips	01/08/2021	178.55
126880	UB*11830	BRITTANY JONES	01/08/2021	7.97
126881	440000	L.N. Curtis and Sons	01/08/2021	218.33
126882	UB*11833	MALHEUR CO FAIRBOARD	01/08/2021	10.69
126883	602320	NAPA Auto Parts	01/08/2021	44.49
126884	151001	City of Ontario	01/08/2021	10.00
126885	UB*11831	JAMES PEELER	01/08/2021	42.97
126886	642093	Red's Automotive Repair, Inc.	01/08/2021	132.32
126887	666190	Sassy Softeware Solutions, LLC	01/08/2021	468.00
126888	130950	Sparklight Business	01/08/2021	112.89
126889	879425	Springbrook Holding Co.,LLC	01/08/2021	1,149.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
126890	702008	Staples Business Credit	01/08/2021	539.89
126891	788402	TransUnion Risk & Alternative Data Soluti	01/08/2021	50.00
126892	774001	Wtechlink	01/08/2021	300.00
126893	879518	Adrian 2040	01/08/2021	3,000.00
126894	879520	Nyssa Chamber Of Commerce and Ag	01/08/2021	25,000.00
126895	879519	Red Rock Ag Products, LLC	01/08/2021	25,000.00
126896	879517	Wiggles & Giggles Childcare	01/08/2021	100,000.00
			Total for 1/8/2021:	500,720.21
126899	879521	Wal-Mart Stores, Inc.	01/11/2021	10,000.00
			Total for 1/11/2021:	10,000.00
			Report Total (189 checks):	1,813,833.00

SREDA Board Meeting
January 5, 2021 7 am
FMTC Conference Center, Fruitland, Idaho

Directors, Members & Guests present: Sandy Hemenway, Ken Bishop, Patrick Nauman, Dan Greig, John Breidenbach, Larry Hogg, Craig Smith, Mike Smith, Cathy Yasuda, Andy Creech, Ron Rembelski, and Alex Chavarria

ZOOM Directors, Members & Guests: Adam Brown, Mike Kee, Andy Oyervides, Alicia Cavazos, Rick Watkins, Dan Cummings, Bob Komoto, Dina Ellwanger, Georgia Hanigan, Abby Hook, Rebecca Morgan, Norma Ramirez, Ken Hart, Kristen Nieskens, Irene Gonzales, Dave Kohler, Carrie Boyle, Krista King, Jann Bell, Tobin Dixon, Allison Field, Jenny Hemly, Ron Amarel and Brenda

Staff: Kit Kamo, Executive Director

1. Chairman Patrick Nauman called the meeting to order at 7:02 a.m. Patrick welcomed everyone to the Tuesday morning meeting.

2. Introductions of Attendees: Chairman Nauman asked everyone present to introduce themselves and the business or entity they were representing. Chairman Nauman started with the in-person attendees, then the members joining the meeting by Zoom. This month's meeting was held at the FMTC Conference Center in Fruitland, Idaho. Chairman Nauman thanked FMTC for providing the room. He also thanked Payette County Sheriff Andy Creech for providing access to Zoom for those who could not make the meeting.

3. Annual meeting update: Chairman Nauman stated that our Annual Meeting and Dinner were held just outside of Middleton at Ron Amarel and the Friends of our Community facility. Ron not only hosted the meeting, but provided the meal and facility as well. Nauman expressed his appreciation on behalf of SREDA for the very generous donation of the facility and meal. This was the ten-year anniversary of SREDA and presentations were made to those members who had been with us for the full ten years. The annual housing report was given by Payette Mayor Jeff Williams. The report tracks the progress of dollar values of homes and time on market in each of our communities. A raffle was held for some nice gift baskets that had been donated by different organizations and groups in SREDA.

4. Approval of Minutes: Nauman asked for a motion to approve the minutes of the October 6 meeting that had been emailed out. Dan Greig made a motion to approve the minutes as presented, seconded by Ken Bishop. The motion passed unanimously.

5. Chairman Nauman then asked for the Financial Report which was presented by Sandy Hemenway. Sandy gave the October and November balances as well as end of year balances. In November and December, we received private income from Red Apple, Weiser Classic Candy, and Alicia Cavazos from Select Properties. Motion by Larry Hogg and second by Ken Bishop to approve the financials, motion carried.

Chairman Nauman then asked Kit to present the 2021 budget and work plan. Kit presented details of the 2021 budget, including reduced marketing dollars for trade shows that have been cancelled due to Covid and slightly increased personnel dollars to accommodate the transition of Kit's plan to retire later in the year. The overall budget is smaller than the previous few years due to the limitations from Covid for fund raising events. The chairman asked for a motion to approve the 2021 budget as presented. Motion was made by Larry Hogg and seconded by Ken Hart. Motion Carried.

Kit then spoke on the 2021 work plan as presented to the board. The plan basically mirrors the previous plan with changes reflecting Covid protocols and Covid affected events, etc. She reported that one of our directors suggested a subcommittee be assigned to help with membership and fund raising. Chairman Nauman agreed that we need three or four people that might be interested in serving on that subcommittee. Their responsibilities would be to get together once a month to develop a list of those businesses that may have been past dues paying members, and/or to also to identify some of those businesses that have not joined us in the past that we could contact. The subcommittee would make that list and then also make those contacts. The chairman stated that he will continue to be in contact with businesses and encouraged all current members to make contacts also. We want to make sure that we stay a viable organization to assist those businesses expanding or coming into the valley. Nauman then called for volunteers, also mentioning that those out there in zoom land could volunteer as well. Adam Brown, Sandy Hemenway, Andy Oyervides, Alicia Cavazos, and Larry Hogg all indicated a willingness to serve.

Adam Brown asked, "How old is our target market analysis?" Kit indicated that it has been several years now and it's probably time to re-evaluate those. Brown responded that we need to make sure we are hitting the right mark based on our workforce, skill and education, and stuff like that. The chairman suggested that we put that on the agenda for next month.

6. City and Community reports:

Fruitland: Rick Watkins, Fruitland City Administrator, stated that this last fall city crews completed a parking lot in the Payette River Sports Complex. That is an eleven-acre park near the water treatment plant. The park will be seeded with grass this spring as soon as they can get out of the mud. In December, the council approved the Brookwood estates subdivision on Pennsylvania Ave. New commercial and industrial construction building permits since September include Swire Coca Cola at 1.27 million in additions and tenant improvements to what they had already been doing. Jack in the Box restaurant at $870,000 value, a new law office under construction for $380,000, a physical therapy in Creekside professional plaza, and a $100,000 tenant improvement right next to Domino's Pizza. The city is also reviewing plans for two new restaurants. 2020 year end numbers for building permits issued permits for a record of 109 single family homes, plus two new four-plexes, and three new duplexes.

Fruitland Community: Ken Bishop stated that the Fruitland Chamber is going to have a virtual luncheon tomorrow. Krista King, Fruitland Chamber said that they have three speakers from local medical facilities speaking at the virtual event.

Payette: Payette City Councilman Mike Kees said that they are working on a final plat for the Montana subdivision. They also passed an ordinance to suspend building impact fees for another year. They also approved a webcam at the Payette airport.

Ontario: City Manager Adam Brown stated that they have four new council members. They plan to soon tie up the Walmart property and get the easement for the Snake River Trail. There is a lot going on at the airport. They have hired a new airport manager. They did finish the irrigation for the grass runway, so that should continue to attract the outback fliers. They have also finished work on the taxiway extensions except for the paving. They are also kicking off the airport master plan thanks to funding from the Eastern Oregon economic development border board. They opened the transitional shelter, and all 16 units are full. The city is also working on two multifamily housing plans, one with 70 units and another with 50 units. They have grant writers working on a grant to finish NW 2nd street from Idaho to fifth and from and then from 14th to 18th. Brown then asked for letters of support to include with the grant request. The city was awarded $400,000 in state matching money for their safe routes to schools' program, so there will be improvements at Alameda Elementary and May Roberts Elementary.

Ontario City Development Director Dan Cummings then stated that they are working on a 10-acre manufacturing facility out near the airport. He also stated that the Goodfellow Street expansion is under construction, extending Goodfellow from the Waremart area south to Fifth Street, then getting the north side of Fifth Street developed from the Hometown Motors area to Rogue (Malheur) Federal Credit Union, and possibly getting the south side of southeast Fifth improved with a sidewalk. They also are hoping to get the money to build a pedestrian overpass over I84. It will be a separate bridge and then connect at 13th to the north side. Cummings also said that the city is working on applications for a 170 space RV park on Southeast Fifth and 10th street. There is also a possibility of a mobile home park in the area with some spaces for RV's. Sunset Estates is now ready to do phase two which will be adding 16 rooms and a residential care facility.

Ontario City Councilman Ken Hart informed us that the new congressman from Oregon is a Malheur County resident and that should bode well for economic development in this area. Hart also mentioned that Ontario would like to see the Oregon Legislature raise the percentage compensation from marijuana sales from the current three percent to something higher, considering the high volume of people coming from Idaho to purchase product in Ontario. The state formula for allocations is based on population and that is obviously not in Ontario's favor!

Weiser City: Larry Hogg told us that they have three subdivisions in the works, but they can't act on them because they have to hold public hearings and because of Covid restrictions on the size of gatherings, they are unable to hold those public hearings. Hogg also indicated that they had recently purchased a new garbage truck and that they are working on a five-year study of water needs for the community. Mike Smith gave an example of how Emmett was handling their public hearings with covid. They are using zoom or a similar program so that everyone can see the meetings, plus oral testimony is conducted with a limited number of people in the room. Once they are done, they rotate out. Kit will contact the other cities to see if how they are doing handling public hearings.

Weiser community: Alex Chavarria, Weiser Chamber President, stated that Weiser has several cottage businesses that have come into the community. They have a couple of new body shops, and a new bar in town. They had a small business Saturday event with great participation. They had a cruise night reminiscent of the 50's and 60's, and after the cruise, those who wanted to were able to drive by Santa's location where he threw candy in to the cars driving by and wave to the kids. They also had a tour of Christmas lights in Weiser.

7. County Reports:

Payette County: Commissioner Georgia Hanigan stated that next Monday we will have a new sheriff in town when Andy Creech officially takes office. Payette County will be swearing in two County Commissioners also.

Kit Kamo stated that she learned that Washington County will be swearing in new a commissioner, and Malheur is also getting a new commissioner who we hope to get involved in SREDA.

8. Executive Director Report: Kit stated that the written report is in the board packet. She continued by highlighting several of last month's accomplishments.

Visitor Center updates – Our staff did a wonderful job at the Idaho I-84 Visitor Center/Rest area. They have worked in spite of the pandemic and the lack of running water at the center. We utilized The Biz Zone's sandwich board sign and flag that helped guide folks into the center from the porta potties, so the staff was able to distribute quite a lot of maps, visitor guides and other pamphlets to guests. A final report, including a head count of visitors, will be submitted to the State.

OTHER Trade Shows - It's that time of year for trade show planning. Several of the events that we have attended in the past are hoping for actual, on site shows. The Shot Show in Las Vegas has been cancelled. Many of the early shows have been rescheduled for later in 2021.

Glens Ferry Economic Development, Lemhi County Economic Development, Custer County Economic Development and SREDA will be attending the Central Oregon Sportsmen show with a booth in Redmond in March (which is still a go at this time). This is in place of the Pacific NW Sportsmen show in Portland. Although it has been a great show in the past, we felt it was time to hit a new crowd. Plus the Redmond show is 50% cheaper. I believe it will be a larger crowd in 2021 due to the folks avoiding the Portland area.

Also in March 2021, I will be attending the Road to the Horse in Lexington Kentucky as a personal trip. However, I will be working part of the time out of the TVCC Booth at the 4 day event. Wade Black, TVCC's Horse Production Instructor, is one of the star competitors of this large event. And they do a lot of promotion of the college and of our area. It should be an excellent opportunity. As of this week, it sounds like the show will be moved to a later date and maybe another location.

Kit has attended numerous Virtual meetings and trainings including the Peer Learning Network with Idaho, Montana and Wyoming; BSU's Community Input Program's showcase and report; Local Boots on the Ground meeting; Payette County Comp Plan; Treasure Valley BNI; and Idaho Commerce's virtual trainings.

PROJECTS

Project Tractor – This is the project at the old Weiser Livestock yards. The County and City worked together and we were able to get an Idaho Gem Grant for the project to extend water lines. The project has been through the engineering stage and was finally ready to move forward last fall. This project was successfully completed. We have done the final report and uploaded the documents for payment and closure on this grant.

Project Ruby (formerly Idaho's project Gild) – this is a project that contacted SREDA as we are regionally engaged. The business, headquartered in Seattle, is no stranger to the Pacific NW including Idaho. They were looking for approximately 100 acres and really like the Treasure Valley area. They need rail and their wastewater needs were at 1.5 million gallons per day. This past fall we got a site visit to sites in Ontario, Nyssa and Fruitland. Nyssa does not have the wastewater capacity for this big of a project. Ontario and Fruitland sites are still in the running, along with other sites in Washington and the Columbia River basin areas.

Project Living – working with a local business and others to assist in a housing project in Nyssa for workforce. Business is looking at an expansion and workforce is a key to this project.

Project Cider – worked with owners of the Fruitland Cider plant and a potential customer looking at manufacturing.

Project Adam – Assisted this project with permitting from DEQ for their water supply. Project is very close to opening!

Project Invest – Working with local folks, we were able to assist a Western Oregon business in investing in the area. This is a lead from a few years ago that keeps coming back when they need to invest again. Additionally we have had 2 new projects that are interested in leasing the property that was purchased.

Project Distillery – Working with BSU Adjunct Professor P. Simon Mahler, we assisted with a new start up business in the Payette area.

Project Plant – This is another start up project that has grown out of Adjunct Professor Mahler's work. This project has good potential and has been highlighted on BSU's CIP program.

Project Hill – new project with a company that is looking at an expansion and new uses at their quarry.

Project Exit 9 – new project that is working on revitalizing an existing closed business into a much needed new venture.

Business retention and expansion projects (BRE) – Assisted a number of businesses and entities with data gathering, information networking, and connection with city, county and state governments.

9. Round Table:

Ontario Area Chamber of Commerce, John Breidenbach, spoke about the Shop Four Rivers program, and the digital MasterCard for small businesses, concentrating on making sure that both sides of the river had the opportunity to participate. Plans are to make this a long-term program. And businesses can offer specials. Breidenbach encouraged us to call Chris Holloway at TVCC's SBDC and get the particulars and learn how to sign your company up. All the Chambers are working together to make this work for our businesses.

John also talked about tourism and the potential impact it has for our communities. He stated that people still want to get out and move around, and we are seeing people from across the country come through. People want to get out and do things with their family.

Bob Komoto, Four Rivers Cultural Center, reported that Matt Stringer has been able to get grants from granting agencies that would normally grant for programs. They have realized that there are no programs to grant, so they have opened up their granting for just maintaining the building. Therefore, he has been able to get grants from foundations that normally wouldn't do it for that sort of thing and able to keep the cultural center going. The main program that is in the center is the Malheur County health contact tracing. That has been a big renter of space during Covid. Matt has been able to get PPP for his staff and is keeping the staff busy doing community action projects like putting together care packages and that sort of thing.

Kathy Yasuda, TVCC, informed us that winter classes are in full swing and that the Career Technical Center is nearly completed and they will soon be moving classes into that new facility. They will have a grand opening at a later date.

Irene Gonzalez, SBA, spoke about the 2nd round of PPP funding. They are waiting for guidance and will have webinars for the process.

Jenny Hemly, Idaho Department of Commerce, spoke on opportunities and what things are available through the commerce to help small businesses.

Allison Field, Business Oregon, spoke about public funding available for the CDBG rental assistance program. These funds are to assist households whose income is 80% below the median income of the area.

USDA Rural Development Area Director Tobin Dixon reported that the new NOFA for the Value Added Producer Grant (VAPG) came out on December 21st and applications for this round of funding are due on March 22nd. Also there is still Cares Act funding available for the Business and Industry Loan Guarantee program for businesses in need of working capital due to conditions brought on by Covid. Finally, on the Housing Program site, we are emphasizing our home repair loan program for very low income home owners (income below 50% of area MHI). If they are over 62 years of age, they may qualify for up to $7,500 in grant funds for health, safety and accessibility repairs/upgrades. Kit has fact sheets on all these programs if you would like more information.

Chairman Patrick Nauman then spoke about the fact that they were unable to elect officers for the board of directors following the annual meeting due to lack of quorum (everyone left), so we should do it now. John Breidenbach made a motion to keep the current slate of officers for 2021. Larry Hogg seconded the motion. Adam Brown called for discussion. He wanted to know what the replacement plan for Kit Kamo was going to look like when she retires and if it was going to be just the executive officers deciding. He felt that there should be someone from Oregon on the Executive board (officers) to assist with the recruitment. Chairman Nauman responded with the fact that it is going to be the entire membership's responsibility, but we could easily set a subcommittee to go through the applications, etc. Kit affirmed that it was the full board that approved hiring her and not just the executive committee, and did not see that this would be any different. Back in 2010, SREDA had a subcommittee that was responsible for recruitment of an

Executive Director. Chairman Nauman suggested that they proceed with a personnel subcommittee for the purpose of assisting with the hiring process. John Breidenbach volunteered to be a part of the personnel subcommittee, as did Adam Brown, Jenny Hemly, Ken Bishop, Sandy Hemenway and Dan Greig.
A vote on the motion to keep the same slate of officers resulted with unanimous approval. 2021 SREDA Board of Director Officers are: Chairman Patrick Nauman, Vice Chairman Ken Bishop, Co-Secretaries Dan Greig and Robert Komoto, Treasurer Sandy Hemenway.

With no other business at hand, Chairman Nauman adjourned at 08:15 Am. Next month's meeting will be February 2nd, 7 am at the same location (FMTC, Fruitland) with the ZOOM option available.

Respectfully submitted,
Dan Greig and Bob Komoto, Co-Secretaries

MALHEUR COUNTY COURT MINUTES

January 6, 2021

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 Ron Jacobs present. Staff present was Administrative Officer Lorinda DuBois. Various members of the public, media and staff were present 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 # 2021-0056

COURT MINUTES

Judge Joyce moved to approve Court Minutes of December 30, 2020 as written. Commissioner Hodge seconded and the motion passed.

AUTHORIZATION OF REFUNDS

Commissioner Hodge moved to approve Resolution R21-01: In the Matter of Authorization of Refunds by Tax Collector. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2021-0060

JUSTICE OF THE PEACE PRO TEMPORE

Commissioner Jacobs moved to approve Order GO-01-21 Appointing Justice of the Peace Pro Tempore for Malheur County Justice Court During the 2021 Calendar Year. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2021-0058

INVESTING FUNDS

Commissioner Hodge moved to approve Order GO-02-21: In the Matter of Investing Any Sinking Fund, Bond Fund or Surplus Funds. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2021-0059

BUDGET OFFICER

Commissioner Jacobs moved to appoint Administrative Officer Lorinda DuBois as Budget Officer for FY 2021-22. Commissioner Hodge seconded and the motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Jacobs moved to approve Supplemental Budget Resolution R21-03: In the Matter of Fiscal Year 2020/2021 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate YDC (Youth Development Council) Flex grant funds in the Juvenile budget that were not anticipated when the adopted budget was prepared; the funds are to be used for the goals as stated in the YDC plan. See instrument # 2021-0061

AUDIT

Jordan Zwygart of Millington Zwygart, Certified Public Accountants, met with the Court and reviewed the County's 2019-2020 Audit. Millington Zwygart audited the cash basis financial statements of the government activities, the business-type activities, each major fund, and the aggregate remaining fund information of Malheur County for the year ended June 30, 2020, and the related notes to the financial statements. The Boat License Fund and Juvenile Crime Prevention Fund had expenditures over their appropriations. See instrument #2021-0065 The audit will also be placed on the County website.

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of supplemental budget Resolution R21-02. Notice of the hearing was published in the Argus Observer. A public hearing was required as the supplemental budget will adjust the current budget fund by 10% or more of the expenditures of that fund. No public comments were received. The hearing was closed. Commissioner Hodge moved to approve Resolution R21-02: In the Matter of Fiscal Year 2020/2021 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Jacobs seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate Malheur County Rural Housing Initiative grant funds in the Planning/Zoning budget that were not anticipated when the adopted budget was prepared; the funds are to be used for contracting services of a Land Use Consultant and Attorney to assist in updating the Comprehensive Plan and Ordinances. See instrument # 2021-0057

TREASURE VALLEY RELOAD CENTER (TVRC)

Greg Smith met with the Court. Mr. Smith recapped the TVRC project. Mr. Smith explained that Commissioner Larry Wilson approached him with the concept of the project several years ago and since that time $26 million has been procured from the State for the development of a reload facility. The development of a reload facility is a very complex project.

Milestones up to now include:

- Project site selection. Five sites were initially reviewed; the primary considerations were: a minimum of one mile of Union Pacific (UP) mainline track adjacent to the property; the property needed to be as flat as possible in order to minimize required excavation work; residential development would not be taking place near the site in the future 20 years; property price, utilities, and the ability to rezone the land to industrial use.
- A preliminary project plan was then completed and approved by a licensed engineered; the plan also included an updated project schedule and cost estimate, which included investigation and preparation of required permits and related functions.
- Development of financial statements based upon an operating agreement. Approximately 65 acres was needed for the reload facility project. Additional acreage was acquired for additional future industrial development.
- Negotiations took place with Union Pacific to achieve 30% rail design that demonstrates the exact milepost of the proposed

future rail switches. (This was a major milestone to accomplish.)

- Next was 100% design submittal of the rail engineering plan, including a simplified layout of the industrial tract, which will become a legal document attached to the industry tract agreement; an updated rail construction schedule and cost estimates.
- Next, final project plans had to be approved by a licensed engineer, including an updated project schedule and estimate.
- Negotiate and complete an industry tract agreement outlining the construction use, maintenance, operation, and ownership of the industry tract; and a contractors right of entry agreement. The hazardous materials agreement took some time to work through, but was deemed necessary as it was important to ensure that agricultural hazardous materials (such as fertilizer) could be accommodated.
- An easement issue with a large company was also worked through. An agreement with Nutrien to demolish the rendering plant in the Union Pacific right of way was reached and is being executed.
- Negotiations of an agreement between MCDC and the terminal operator (Americold)

The Oregon Transportation Commission (OTC) wants to know if all civil engineering and rail engineering is complete, will UP serve the project, and is an operator in place. Additionally, a consulting group, the Tioga Group, had to be shown that the project financially made sense. Mr. Smith shared the following excerpt from recent Americold confidential correspondence: *Our supply chain solution group is on target to complete the analysis and deliver new* (inaudible) *by January 15. The original concept and proposal, as reviewed by Tioga partners for the Oregon Department of Transportation clearly demonstrates the viability of the project. Our expectation is to deliver additional upside and efficiencies and customer service for the Oregon Treasure Valley shippers.* This information will be submitted to ODOT demonstrating that Americold is onboard to service the reload facility. The OTC meets January 21st and will make a recommendation regarding releasing construction funds for the project.

Mr. Smith explained that a non-binding agreement of some type (MOU, resolution, letter of agreement) is needed that effectively says that Americold, Treasure Valley Onion Shippers LLC, MCDC, and Malheur County all agree to work in each others mutual interest to advance the reload facility project. Mr. Smith requested the Court authorize County Counsel to work on the agreement on behalf of the County, along with MCDC and Americold's attorneys; the agreement is needed for the January 21st OTC meeting. Mr. Smith explained the the draft MOU he had sent to staff was simply a very rough draft and would require modifications moving forward.

Public member Mike Walker inquired if the OTC would approve the release of funds without the tract agreement and operating agreement being completed; Mr. Smith explained that the milestones that the Oregon Department of Transportation has asked to be completed have been completed. There is a sequential process to an industry tract agreement and the final piece, prior to UP signing off, is UP's engineers must complete the switch design work at an expense of about $800,000; UP's process must be followed and ODOT understands that the agreement will be signed off once that switch design work is completed. Americold and the Treasure Valley Onion Shippers are dealing with a commodity that fluctuates and changes on a daily basis; the shippers have committed to a level of volume sufficient to operate the facility; a final agreement will not be made until the final costs are known.

The Court will consider the non-binding agreement after drafted by legal counsel.

COURT ADJOURNMENT

The meeting was adjourned.