

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



**STUDY SESSION AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
THURSDAY, FEBRUARY 4, 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 February 2, 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) SPECIAL ACTION

6) PRESENTATIONS

7) OLD BUSINESS

A) Merchant McIntyre

8) NEW BUSINESS

A) Committee Appointments to City Boards

B) Lobbyist for House Bill 114 and HB 115 impacting local marijuana tax revenue for Ontario

9) PUBLIC HEARING

10) DEPARTMENT HEAD UPDATES

A) Finance: Monthly Report

B) Public Works: Quarterly Report

11) DISCUSSION ITEMS

A) Charter Amendments

B) Approval of Hearings Officer Agreement

C) Approval of the Tennis Court Bid and Agreement with Four Rivers Charter School for the sponsorship and use of the Beck Park Tennis Courts.

D) Four Rivers Cultural Center Funding

E) Façade Improvement Grant Boundaries

F) Border Board Grant Administration

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

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

- G) Federal Coronavirus Paid FMLA Sick Leave Extension
- H) SE 5th Avenue Pedestrian Improvements

12) HAND-OUTS

- A) Minutes:
County Court 01-13-2021
- B) Department Stats: January, 2021
 - Fire & Rescue
 - Public Works
 - Police
 - Code Enforcement

13) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

14) ADJOURN



**AGENDA REPORT
OLD BUSINESS
February 4, 2021**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: MERCHANT MCINTYRE

DATE: January 28, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL CONTINUE THE CONTRACT WITH MERCHANT MCINTYRE THROUGH THE END OF THE FIRST YEAR AND APPROPRIATE THE NECESSARY FUNDS TO CONTINUE THE CONTRACT.

SUMMARY:

As a strategic initiative and in response to COVID challenges that our city would be facing, the City of Ontario sought out third party grant writing services. The result of that procurement search was a contract with Merchant McIntyre, a firm based out of Washington DC, that would submit grants on the city's behalf.

BACKGROUND:

The contract for grant writing services with Merchant McIntyre began in June of 2020. It was a one year contract, however, Merchant McIntyre gave us a 90 window to end services if we did not feel it was of value. The Council reviewed the service in September and agreed to extend the contract another three months. We brought it to the council attention in January that we needed to look at extending it again.

CURRENT SITUATION:

I have spoken with Merchant McIntyre who has agreed to go month to month if necessary. They expressed their willingness to be accommodating to whatever the council wanted. They have been incredibly helpful to staff in writing grants. They are able to add value through the relationships they have in Washington DC. They continue to bring opportunities to the City to fund our priorities. They have not limited funding pursuits to the City of Ontario, but they have helped us pursue grants on behalf of local schools and non-profits alike.

None of the grants for which they have assisted the community with have had awards

announced, so it is difficult to evaluate success until award deadlines pass. Every grant we have worked on has at least a 6 month timeline between submission and award announcements. Several months go into preparing the grants and establishing the relationship's on behalf of the city with the federal agencies.

A single award that is in process could be over \$3 million. Another one that is close to being submitted is for between \$600,000 and \$1 million. The next grant for which an award will be announced is the Our Town Grant which will be for around \$75,000.

ANALYSIS:

- A. **STRATEGIC PLAN** Expanding the City's grant writing capacity fulfills a very specific activity in the City's strategic plan.
- B. **FINANCIAL** The cost of the grant writing services for Merchant McIntyre are \$6,500 a month, or \$78,000 annually.
- C. **TIMING** The one year contract will end in June. I would like to see the council see the contract through to the end of one year prior to making a judgement on how effective the service is so that we do not have to keep addressing it.
- D. **POLICY/LEGAL** The contract was for one year; however, the grant writer has been extremely flexible in allowing us to continue for whatever duration the Council would like to go.

ALTERNATIVES:

End the Contract: There are several grants individually worth more than a million dollars a piece that would cease prior to submission.

RECOMMENDATION:

I recommend the council continue the contact through the end of the 1 year agreement.

ATTACHMENTS:

None

Committee/Council Liaison Appointments - 2021

Committee	Term Expires	Current Member	Applicant-Interested	Appointed
Airport [4 year term]				
Public Member	12/20	Jerry Trolard	Gary Taylor	_____
Public Member (Alternate)	12/23	Vacant		_____
Diversity Advisory [3 year term]				
Public Member	12/20	Angela Machuca	Julianna Hernandez Lynelle Christiani	_____
V&C [3 year term]				
Public Member - Agriculture Rep	12/20	John Hall	Brad Bailey Lynelle Christiani	_____
Parks Commission [3 year term]				
Lions Club Rep	12/22	Michelle Grimaldo	Blu Fortner	_____

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 Wednesday 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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RECEIVED

01/21/21

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: Bailey Brad R
Last First Middle Initial

HOME ADDRESS: 1860 W. Idaho Ave Ontario 97914
Street City Zip Code

TELEPHONE: 541-823-4830 bradb@argusobserver.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

VISITORS AND CONVENTIONS BUREAU

1.

2.

3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>Kiwanis Club of Sunbury, also Poconos</u>	<u>2003-2012</u>	<u>many, including President</u>
<u>PA Newspapers Board of Directors</u>	<u>2019-2020</u>	
<u>Interstate Advertising Managers Association</u>	<u>1999-2017</u>	<u>board member; Dir of Communications</u>

Employment:

<u>Argus Observer</u>	<u>Publisher</u>	<u>since 09/2020</u>
Current Employer:	Position:	Dates of Employment:

Education:

Bachelor's degree in Advertising, Pennsylvania State University

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

New to the area, but invested in its success as the publisher of the local newspaper.

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

Previously held position of publisher of Pocono Record newspaper, a tourist-reliant region of Pennsylvania so I understand the importance of this committee

Brad R. Bailey

Signature:

January 19, 2021

Date:

Submit

Reset

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with Blue Ballpoint

CITY OF ONTARIO REQUEST FOR BOARD OR COMMISSION APPOINTMENT

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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: Hernandez Julianna
Last First Middle Initial
HOME ADDRESS: 4442 Casa Rio Dr Ontario 97914
Street City Zip Code
TELEPHONE: Cell: (208)405-9590 jhernandez@tvcc.cc
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

Ontario Diversity Advisory Committee
1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:

Employment:

Treasure Valley Community College Recruiting Coordinator Nov. 2020-Present
Current Employer: Position: Dates of Employment:

Education:

BS of Business Administration (Eastern Oregon University, 2019)
In progress: Masters of Business Administration (Eastern Oregon University, June 2021)
Please indicate why you are requesting appointment to this Board (s) / Commission (s):

I am requesting appointment to the board for the reasons that diversity is important to our community and should be regularly & equally celebrated.

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

One of my goals once starting my educational career was to use my knowledge and experiences to serve the Community of Ontario. Although I am young with little experience, I think that this is a great place to start creating a better community.
Signature: [Signature] Date: January 20, 2021

Submit

Reset

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: Christiani Lynelle R
Last First, Middle Initial

HOME ADDRESS: 385 NW 5th St Ontario 97914
Street City Zip Code

TELEPHONE: 208-230-2720 or 541-889-3431 lynelle.christiani@yahoo.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

1. Diversity Advisory Committee 2. Visitors & Convention Board 3. Marijuana Ad-Hoc Committee

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
Blessed Sacrament R Education	4 years	Volunteer
Blessed Sacrament , MS Dances	4 years	Entrance / Money Handling
Ontario Middle School	1 year	Reading Buddy

Employment:

Malheur County Fair Board	Facility Manager	Dec 2015-Current
Current Employer:	Position:	Dates of Employment:

Education:

OSU grad / TVCC grad / Nyssa HS grad

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

I would like to serve my community.

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

Lynelle R Christiani

Signature:

January 25, 2021

Date:

Submit

Reset

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: Fortner Blu
Last First, Middle Initial

HOME ADDRESS: 1007 Fortner Street Ontario 97914
Street City Zip Code

TELEPHONE: 2088606779
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

Parks Committee
1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
Kiwanis	<1 Year	Vice President

Employment:

Medicinal Botanical Seed	Partner	12/18 - Present
Current Employer:	Position:	Dates of Employment:

Education:

HS Diploma plus some college

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

I like to help the city progress in the right direction

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

Filling seat from Lion's Club on the Parks Commission vacated by Michelle Grimaldo

Blu Fortner
Signature:

January 27, 2021
Date:

Submit

Reset

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) 881-3232 FAX (541) 889-7121

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

NAME:
Last First Middle Initial

HOME ADDRESS:
Street City Zip Code

TELEPHONE:
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:

Length of Service

Position (s) Held:

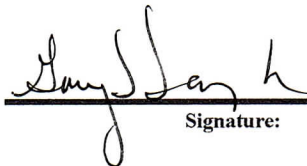
Employment:

Current Employer: Position: Dates of Employment:

Education:

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

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


Signature:

Date:

Submit

Reset



**AGENDA REPORT
NEW BUSINESS
February 4, 2021**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **LOBBYIST FOR HOUSE BILL 114 AND HB 115 IMPACTING LOCAL MARIJUANA TAX REVENUE FOR ONTARIO**

DATE: February 2, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ALLOCATE \$20,000 OUT OF CONTINGENCY FOR LOBBYIST SERVICES TO PROMOTE HOUSE BILLS 114 AND 115.

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 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.

- 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:

City staff recommends that we allocate \$20,000 toward a lobbyist to pursue these two bills on behalf of the City of Ontario.

ATTACHMENTS:

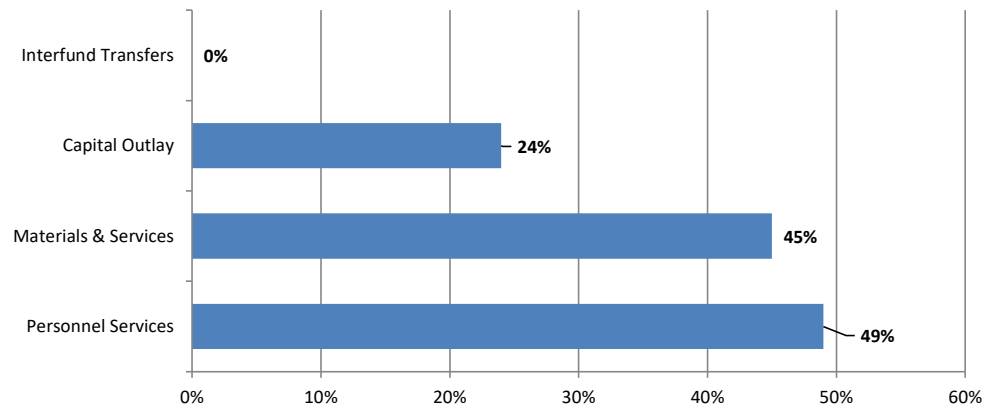
None

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
DECEMBER 31, 2020**

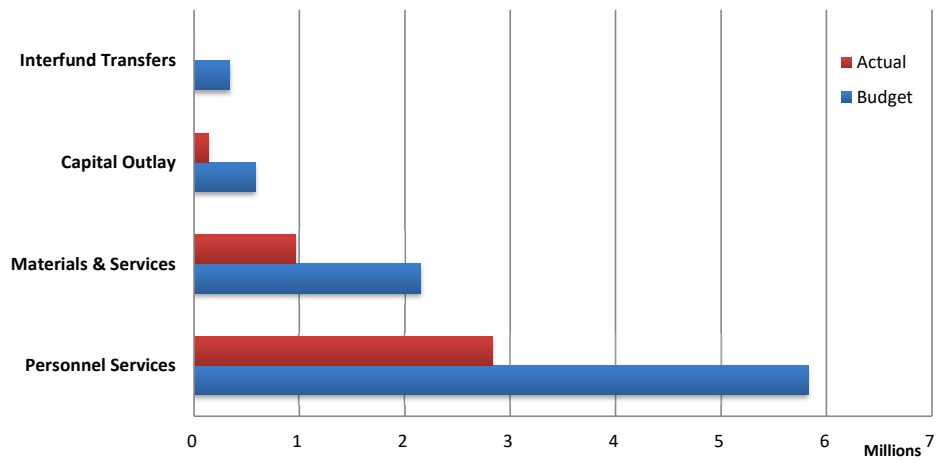
DEPARTMENT	BUDGET	ACTUAL	% EXPENDED	COMMENTS
Parks	326,250	91,828	28.1%	
Parks & Recreation	326,250	91,828	28.1%	
Fire	1,672,809	793,612	47.4%	
Code Enforcement	244,722	112,859	46.1%	
Police	3,943,207	1,857,115	47.1%	
Police reserves	6,165	628	10.2%	
Emergency operations	338,502	291,228	86.0%	
Public Safety Total	6,205,405	3,055,442	49.2%	
Administration	497,012	222,612	44.8%	
City Council	25,362	5,895	23.2%	
Business Registration	1,100	140	12.7%	
Cemetery	174,381	72,814	41.8%	
Finance	245,849	91,540	37.2%	
Technology	175,051	80,792	46.2%	
General Government Total	1,118,755	473,792	42.3%	
Community development	217,248	84,904	39.1%	
Community Development	217,248	84,904	39.1%	
Administrative Overhead	710,494	223,201	31.4%	
Non-Departmental Contributions	80,000	10,000	12.5%	
Other Total	790,494	233,201	29.5%	
Operating Transfers Out	234,940	-	0.0%	
GENERAL FUND TOTALS	\$ 8,893,092	\$ 3,939,167	44.3%	
YTD BUDGET BENCHMARK			50.0000%	 5.7%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
DECEMBER 31, 2020**

% Expended by Category



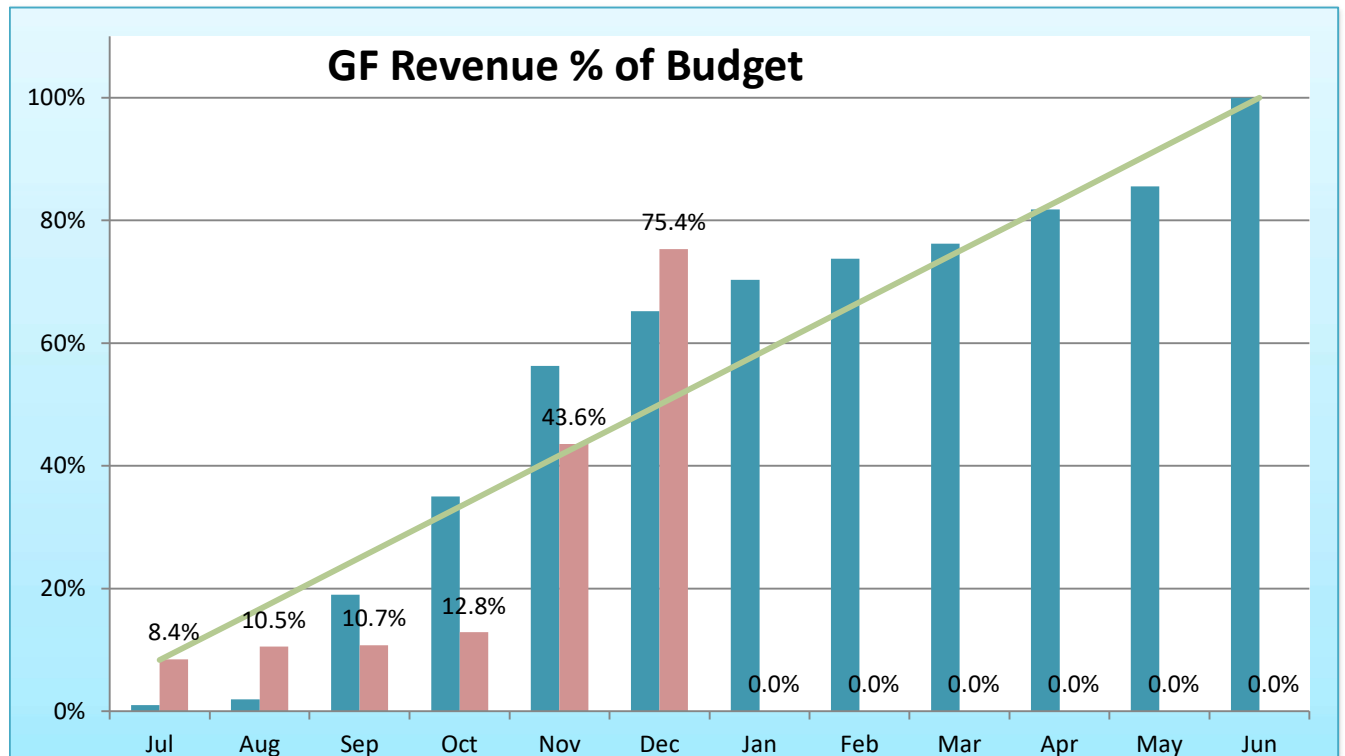
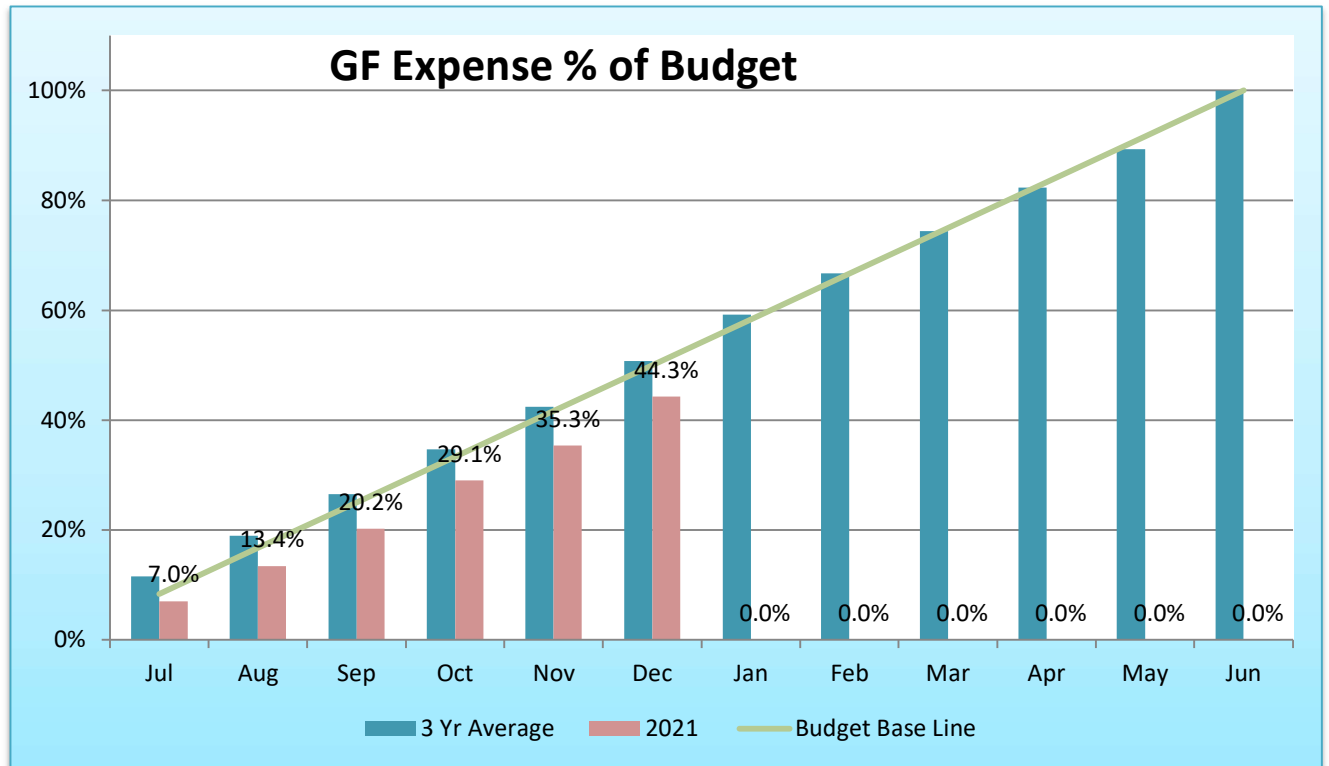
Budget to Actual by Category



**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT REVENUE
FOR THE PERIOD ENDED
DECEMBER 31, 2020**

DEPARTMENT	BUDGET	ACTUAL	% REALIZED	COMMENTS
GENERAL FUND BEGINNING FUND BALANCE	2,013,564	3,084,708	153.2%	(not calculated in totals) (Local marijuana tax \$852,248 over budget)
Parks	2,000	310	15.5%	
Parks & Recreation	2,000	310	15.5%	
Fire	134,572	28,269	21.0%	
Code Enforcement	48,800	101,728	208.5%	*Booking allowance monthly
Police	424,149	137,969	32.5%	
Dispensary Business License	43,400	37,200	85.7%	
COVID-19 Grant	338,502	207,129	61.2%	
Public Safety Total	989,423	512,296	51.8%	
Interest	65,000	12,380	19.0%	
State Revenue Sharing	136,635	37,565	27.5%	
Administrative Services	497,148	248,574	50.0%	
Other General Revenues	8,485	2,133	25.1%	
Property Taxes	3,755,617	3,494,641	93.1%	
Alcohol Bvg License & Fee	246,582	76,794	31.1%	
Cigarette tax	12,979	5,602	43.2%	
Marijuana tax	1,100,000	-	0.0%	
Franchise Fees	1,632,298	389,314	23.9%	
Business Registration	2,500	365	14.6%	
Cemetery	45,000	28,925	64.3%	
General Government Total	7,502,244	4,296,294	57.3%	
Planning & Zoning	4,450	5,227	117.5%	
Wayfinding Grant	-	22,000	#DIV/0!	
Community development	4,450	27,227	611.8%	
GENERAL FUND REVENUE TOTALS	\$ 8,498,117	\$ 4,836,126.76	56.9%	
YTD CURRENT YEAR PROFIT(LOSS)				\$ 896,960
YTD BUDGET BENCHMARK				50.0%  6.9%

**CITY OF ONTARIO
GENERAL FUND
FOR THE PERIOD ENDED
DECEMBER 31, 2020**



**CITY OF ONTARIO
OTHER FUNDS - DEPARTMENT EXPENSES AND REVENUE
FOR THE PERIOD ENDED
DECEMBER 31, 2020**

DEPARTMENT/FUND	EXPENDITURES				REVENUES		
	BUDGET	ACTUAL	% EXPENDED		BUDGET	ACTUAL	% REALIZED
002 Marijuana Enforcement Fund	50,000	-	0.0%		50,000	18,380	36.8%
010 Grant Fund	215,500	115,534	53.6%		215,500	64,303	29.8%
027 Building Fund	201,012	82,085	40.8%		385,352	381,129	98.9%
030 Capital Projects Fund	909,181	53,393	5.9%		3,449,111	3,425,799	99.3%
031 SDC Fund	485,615	6,425	1.3%		485,615	461,751	95.1%
045 Street Fund	2,609,042	1,258,970	48.3%		2,609,042	943,840	36.2%
050 Trust Funds	776,631	150,085	19.3%		776,631	581,790	74.9%
055 Reserve Funds	1,283,945	102,296	8.0%		2,536,446	2,185,640	86.2%
060 Revolving Loan Fund	422,667	87,040	20.6%		422,667	474,687	112.3%
105 Water Fund	3,588,687	1,663,462	46.4%		4,870,923	4,065,358	83.5%
110 Sewer Fund	5,249,394	1,917,793	36.5%		7,850,774	5,986,718	76.3%
115 Storm Sewer Fund	288,710	80,427	27.9%		557,305	466,230	83.7%
120 Airport Fund	383,386	95,248	24.8%		383,386	89,169	23.3%
125 Aquatic Fund **	100,000	110,151	110.2%		100,000	47,833	47.8%
Comments:							
YTD BUDGET BENCHMARK50.0%							

**CITY OF ONTARIO
BUDGET RESOLUTIONS
FOR THE PERIOD DECEMBER 31, 2020**

RESOLUTION #	FUND	DEPARTMENT	ACCOUNT	BUDGET CHANGE	NET CHANGE
2020-133	RESERVE FUND	PUBLIC SAFETY FUND	BALLISTIC TRAUMA PLATES	\$ (8,245)	\$ -
2020-133	RESERVE FUND	PUBLIC SAFETY FUND	RADIO EQUIPMENT	\$ 8,245	
2020-134	STREET FUND	STREET FUND	STREET SEALING	\$ (60,000)	\$ -
2020-134	STREET FUND	STREET FUND	CRACKFILL	\$ (27,541)	
2020-134	STREET FUND	STREET FUND	ADA COMPLIANCE PROJECT	\$ 87,541	
2020-134	STORM SEWER FUND	STORM SEWER FUND	CONTINGENCY	\$ (12,000)	\$ 12,000
2020-134	STORM SEWER FUND	STORM SEWER FUND	DOWNTOWN STORM DRAINS	\$ 12,000	
2020-136	GENERAL FUND	EMERGENCY OPERATIONS	GENERAL SUPPLIES & MAINT	\$ 45,502	\$ 338,502
2020-136	GENERAL FUND	EMERGENCY OPERATIONS	CONTRACT SERVICES	\$ 88,000	
2020-136	GENERAL FUND	EMERGENCY OPERATIONS	COMMUNITY SUPPORT PROGRAM	\$ 205,000	
2020-136	GENERAL FUND	EMERGENCY OPERATIONS	COVID RELIEF FUND	\$ 338,502	
2020-137	GENERAL FUND	POLICE	MISC POLICE REVENUE	\$ 350	\$ 3,350
2020-137	GENERAL FUND	CONTINGENCY	CONTINGENCY	\$ (3,000)	
2020-137	GENERAL FUND	POLICE	STORAGE UNIT	\$ 3,350	
2020-141	SEWER FUND	SEWER FUND	DEQ PERMIT MODIFICATION	\$ 24,617	\$ 24,617
2020-141	SEWER FUND	SEWER FUND	CONTINGENCY	\$ (24,617)	
2020-144	GENERAL FUND	ADMIN OVERHEAD	TRANSFER TO AIRPORT FUND	\$ 9,500	\$ 9,500
2020-144	GENERAL FUND	ADMIN OVERHEAD	CONTINGENCY	\$ (9,500)	
2020-144	AIRPORT FUND	AIRPORT	CARES ACT FUNDING	\$ 30,000	39,500
2020-144	AIRPORT FUND	AIRPORT	IRRIGATION SYSTEM	\$ 39,500	
2020-144	AIRPORT FUND	AIRPORT	TRANSFERS IN	\$ 9,500	
2020-146	WATER FUND	WATER	BENCH RESERVOIR IMPROVEMENT	\$ 21,250	\$ 9,500
2020-146	WATER FUND	WATER	CONTINGENCY	\$ (21,250)	
2020-148	GENERAL FUND	ADMIN OVERHEAD	FIBER LINES	\$ 16,244	\$ 91,244
2020-148	GENERAL FUND	ADMIN OVERHEAD	CONTRACT SERVICES	\$ 65,000	
2020-148	GENERAL FUND	PARKS	PLAYGROUND MATCH	\$ 10,000	
2020-148	GENERAL FUND	GENERAL	AVAILABLE CASH ON HAND	\$ 91,244	
2020-148	GRANT FUND	GRANT	CDBG GRANT	\$ 13,000	
2020-148	GRANT FUND	GRANT	CDBG GRANT EXPENSES	\$ 13,000	
2020-148	WATER FUND	WATER	WATER MASTER PLAN	\$ 4,125	41,625
2020-148	WATER FUND	WATER	SOLIDS REMOVAL	\$ 37,500	
2020-148	WATER FUND	WATER	AVAILABLE CASH ON HAND	\$ 41,625	
2020-148	SEWER FUND	WASTEWATER	ADMINISTRATIVE SERVICES	\$ 218,361	218,361
2020-148	SEWER FUND	WASTEWATER	OPERATING CONTINGENCY	\$ 218,361	

Jacobs January 2021 Report



Jacobs



January
2021

Prepared by Jacobs for
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

Monthly Business Review

PUBLIC WORKS DEPARTMENT

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PARKS AND CEMETERY SUMMAY

ACTIVITIES JANUARY 2021

- 2 funerals at Evergreen cemetery and 1 at sunset
- Ordered glass barriers to go in the city council chambers
- Carpets cleaned in the fire station at City Hall and the finance department
- Repaired a water line in the fire station bay at City Hall that started leaking
- took Christmas lights off the tree at Lions park.
- Received 20 new picnic tables in the parks.
- Received new trash can holders for the park and are starting to install them
- Watering the flowerpots downtown once a week.
- Checking and repairing the fences that are around the shelters in the parks every morning of the week because of the COVID restrictions.

Jim Cox Installing Trash
Can
Holders.



WATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:

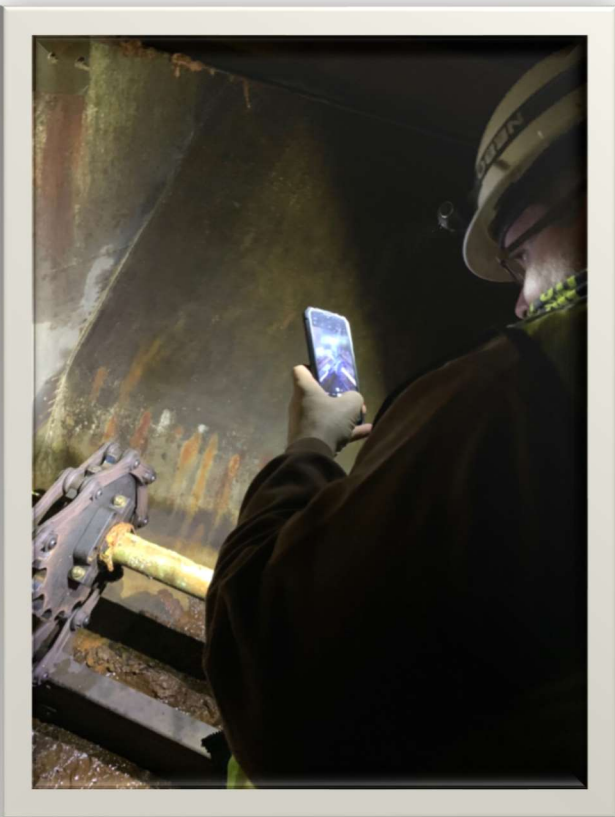
- Minimized staff due to COVID-19 operation requirements
- Water treatment staff run diagnostic checks (jar testing) weekly to ensure that the chemical dosing is correct for the river water quality
- Monthly Bacterial samples taken
- WesTech plant train #2 inspected, cleaned, and serviced
- Main plant clarifier #2 returned to service after inspection, sludge removal (chain and flight) system had two links of chain removed to increase performance
- Flock drive replaced for main plant clarifier #2
- Quarterly disinfection by product samples taken and shipped to Lab for analysis

Moving (floating) the absorbing beads from the filter area back into the contact area of the WesTech water treatment train #2



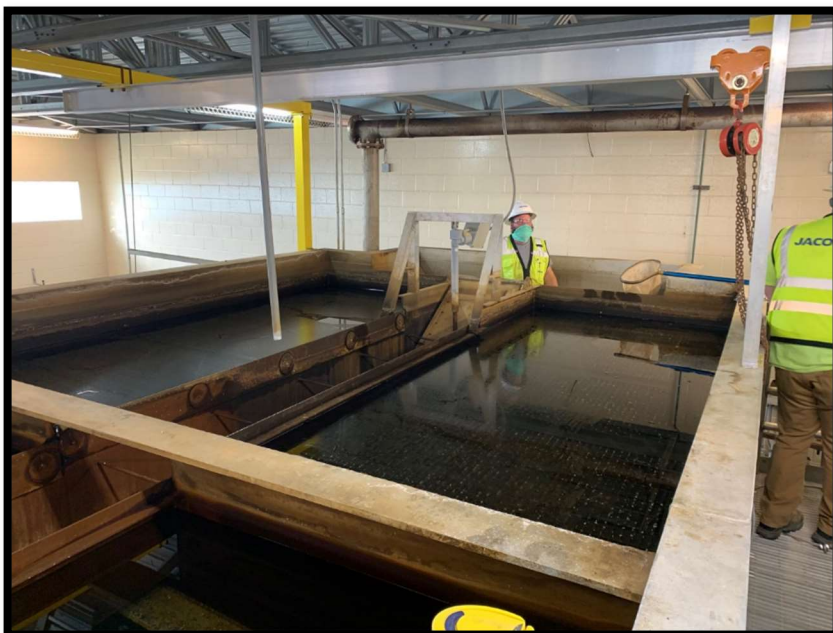
WATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:



Above: Sam Jeffyres Inspecting the Sludge Removal System of Clarifier #2 at the Water Treatment Plant (Chain and Flight)

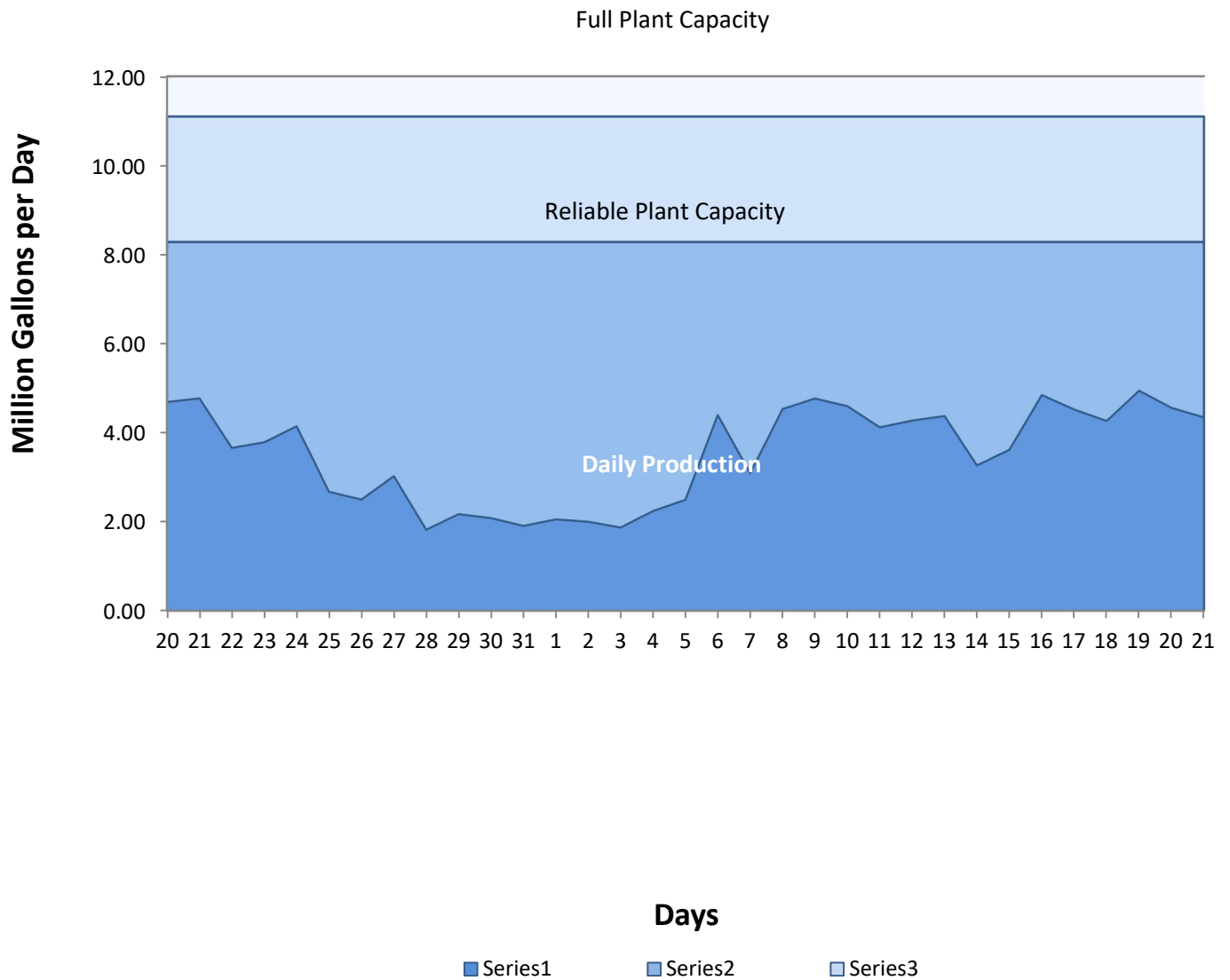
Below: Robert Crites Performing an Inspection of the WesTech Water Treatment Train #2 Wastegate.



Left: Robert Crites and Jim Raynor Performing an Inspection of the WesTech Water Treatment Train #2

WATER TREATMENT PLANT SUMMARY

Demand vs. Availability Dec 20, 2020 - Jan 21, 2021



WASTEWATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:

- Minimized staff due to COVID-19 operation requirements
- All additional sampling per the 2019 NPDES permit have been taken
- Blowers 1 and 6 in lagoon #1 have removed for repairs
- East Chlorine contact basin cleaned
- Weed spray rig has been serviced and improvements made to enhance the performance of the piece of equipment



Left: Kenny Nelson Making Repairs to the Fence at the Wastewater Plant.



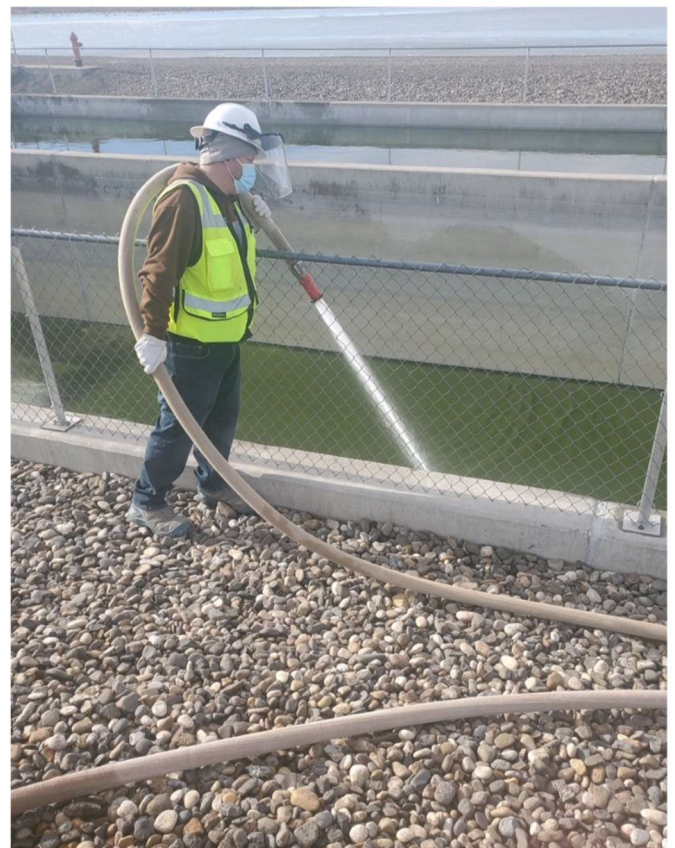
Right: Robert Crites and Jim Raynor Servicing the Weed Spray Rig for the Wastewater and Water Treatment Plants.

WASTEWATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:

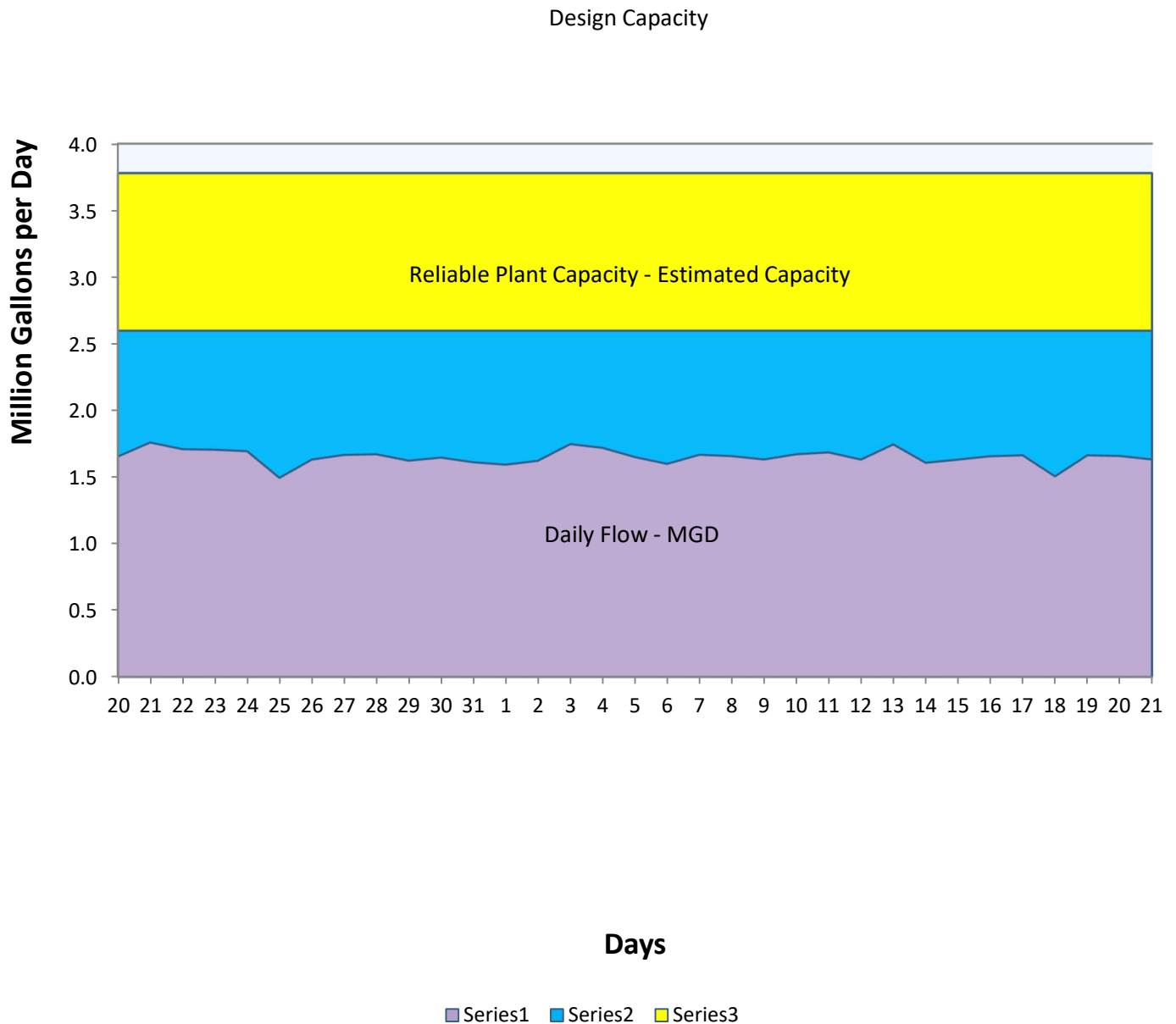


Both: Kenny Nelson Cleaning the East Chlorine Contract Chamber at the Wastewater Treatment Plant.



WASTEWATER TREATMENT PLANT FLOWS

Wastewater Treatment Flows Dec 20, 2020 - Jan 21, 2021



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

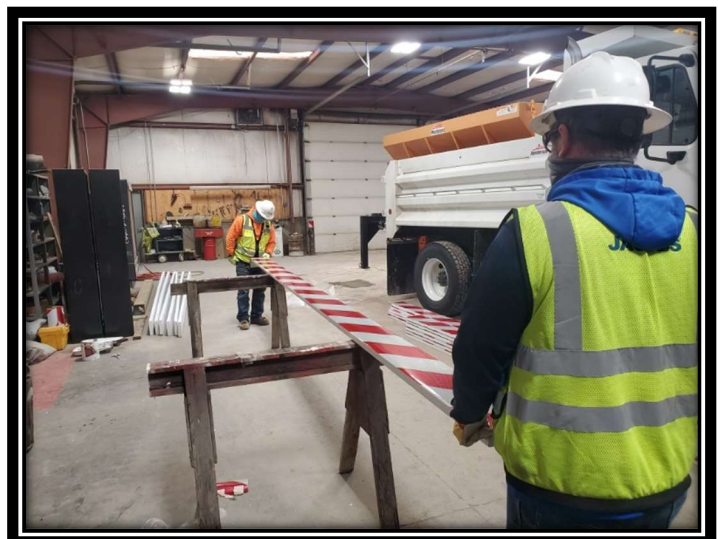
ACTIVITIES JANUARY 2021:

- Continued sweeping leaves throughout town
- Replaced 4 bearing in the West side grinder at SRCI head Works
- Repaired a leak on the 2" PVC line feeding the SRCI headworks building
- Finished the railing on the Beck Park Bridge, painting will be done in the spring
- Used the Vac-con to remove ponding water from SE 8th and SE 9th Ave on the east side of SE 2nd St. multiple times
- Small equipment maintenance, oil, air and spark plug changes for generators, jumping jacks
- Repaired a type III barricade on NW 4th St. at the Lion's Park tennis courts parking lot that was hit by a vehicle
- Repaired a type III barricade on N. Dorian Dr. and Hunter lane that was hit by a vehicle
- Installed 2 new water services, NW 4th Ave and Triand Dr.
- Applied salt and liquid deicer to black ice on the primary and secondary routes
- Repaired Type III barricades on East lane, Good fellow that were damaged by trucks.
- Removed graffiti from multiple businesses that were reported by City Ordinance officer
- Replaced damaged Handicap sign in Depot Ln parking lot
- Worked on the Plexi glass dividers for the City Council chambers
- 44 utility locates were completed
- 14 water services were turned on customer request
- 11 water services were shut off customer request
- 18 water services were on/off read only customer request
- 39 water services were shut off for non-payment
- 20 water services were turned on for payment received
- 19 water meters were changed out for non-functioning
- 7 water services were shut off for leaks
- 7 water services were turned on and verified leaks repaired by customer
- 4 water services were checked for leaks customer request
- 5 water services were checked to verify still off from non-payment list
- 5 water services were checked for consumption issues.
- 18 calls after business hours for PW on call assistance



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

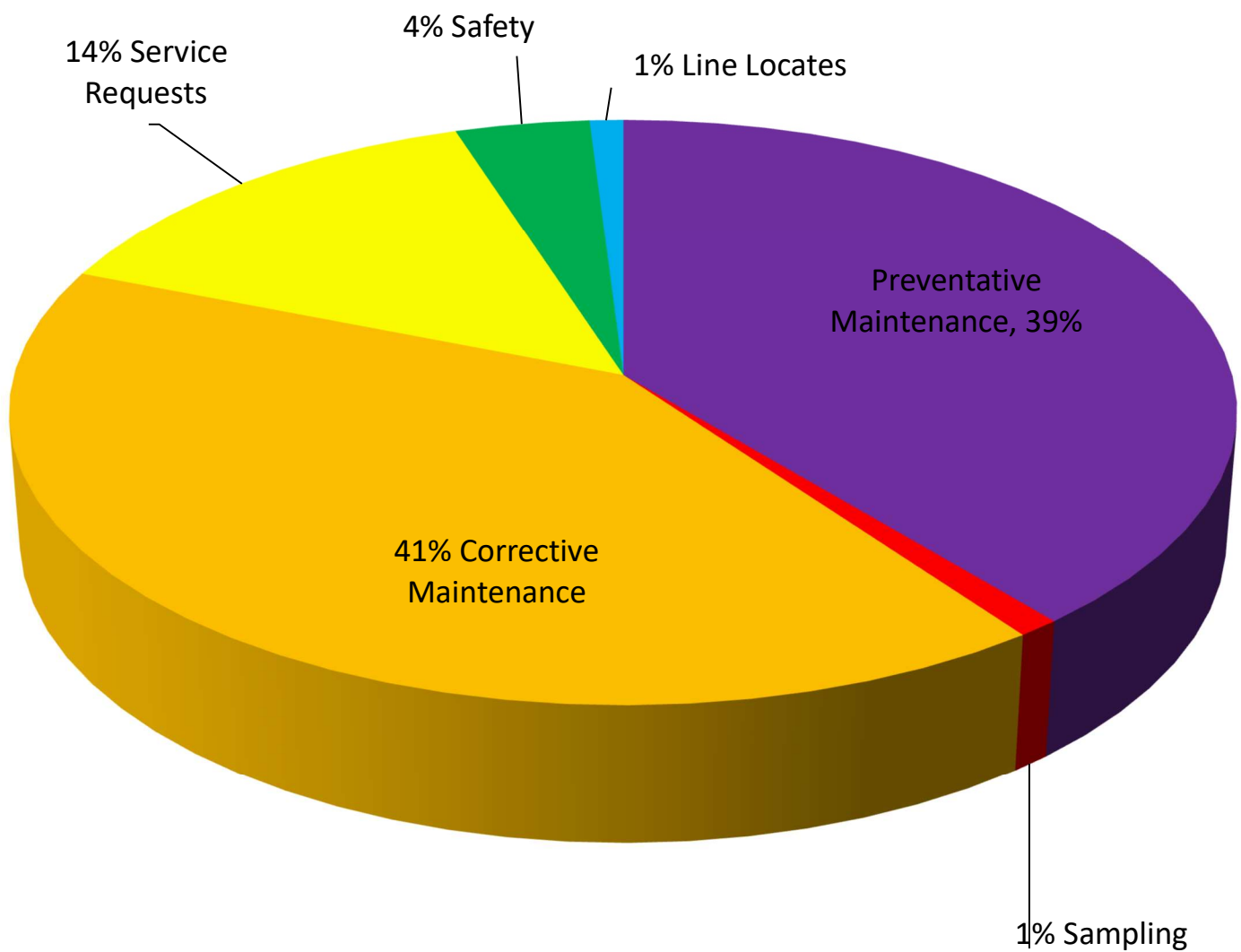
ACTIVITIES JANUARY 2021:



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES JANUARY 2021:

Work Orders January 2021 Actual Hours by Work Order Type



ENGINEERING SUMMARY

ACTIVITIES JANUARY 2021:

- Issued 1 ROW Permits
- Issued 3 New Addresses to new residential lots.
- Issued 0 New Address to Commercial lot.
- Attended PDAC meetings to discuss the expansion of a business.
- Attended PDAC meeting to discuss the relocation of a business.
- Attended 2 PDAC meeting to discuss new businesses.
- Attended PDAC meetings to discuss the addition of residential housing.
- Attended the Jacobs monthly safety meeting.
- Inspected the abandonment of 0 Backflow devices on irrigation systems.
- Multiple plan reviews for new construction
- Multiple construction inspections
- Continuous updating of the GIS mapping
- GIS information supplied for the TSP

Water Drain Off of Roof



APPENDIX

FIELD SERVICES

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

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

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

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

*STREET MAINTENANCE DIVISION MAINTAINS MORE THAN
122 LANE MILES OF IMPROVED STREETS
9 MILES OF ALLEYS
SEALS LAST A MINIMUM OF 8 YEARS,
PUBLIC WORKS CHIP SEALS 7 MILES PER YEAR*

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

minimal maintenance required. The city chip seals approximately 7 miles of streets per year.

APPENDIX CONTINUED

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

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

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

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

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

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

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

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

WASTEWATER TREATMENT PLANT

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

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

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

APPENDIX CONTINUED

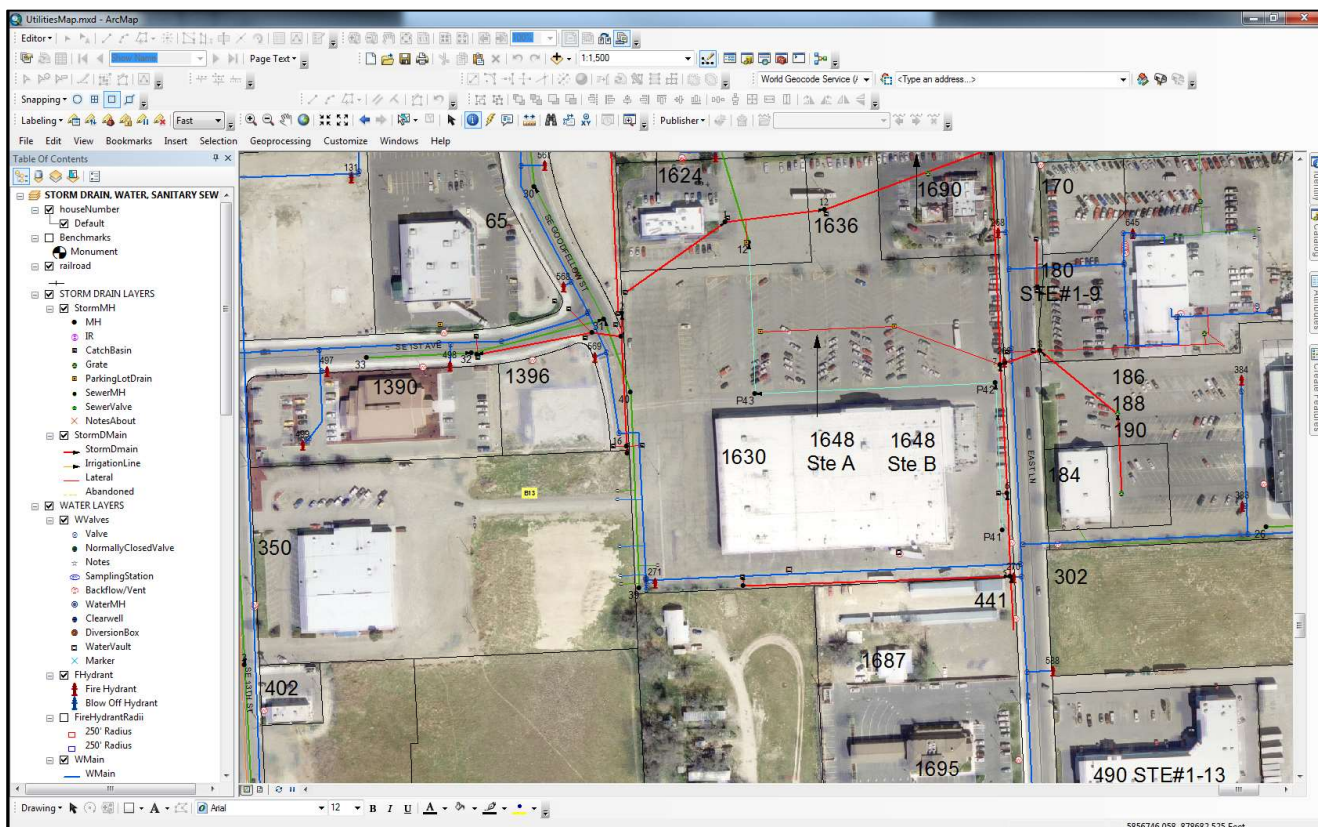
PARKS DEPARTMENT

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

ENGINEERING DIVISION

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

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





Public Works Quarterly Presentation

October – December 2020

Presented by:

Jacobs



Quarterly Achievements

Engineering

- CBG Consultant selected.
- Fiscal Year 2021-22 Capital improvement Program (CIP) Prepared.
- Development Review in for three (3) private development projects.

Facilities, Parks and Cemeteries

- Columbarium in Place at Evergreen Cemetery.
- Parks Trash can holders replaced .
- Twenty new Picnic tables .

Field Services

- Fall Clean Up Program Completed .
- Winter Snow & Ice Control Program Initiated.
- Holiday Decoration/Banner Program Implemented.

Water Treatment Plant

- Replacement of the clarifier #2 Flocculator drive and gearbox.
- Operators maintaining health during the COVID-19 pandemic, no operators testing positive.
- Beyond Zero Efforts. No safety injuries, Missed Samples or Violations.

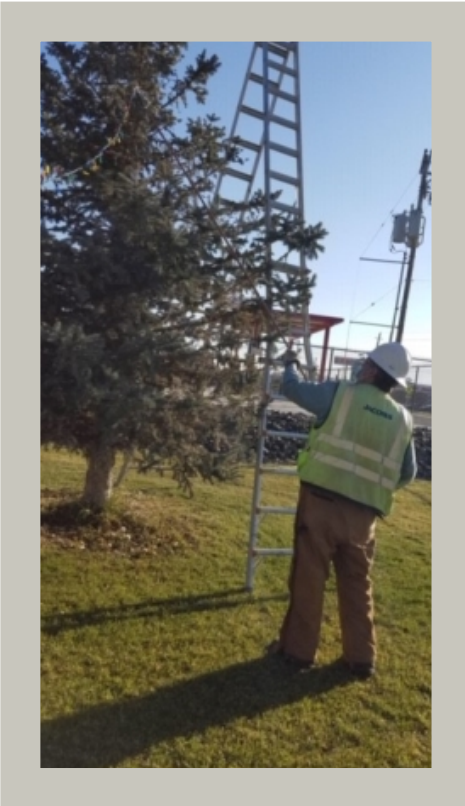
Wastewater Treatment Plant

- Biosolids Removal Project.
- Successful transition of Ground application of discharge to River discharge.
- Completion of PH reduction system for discharge waters.
- Beyond Zero Efforts. No safety injuries, Missed Samples or Violations.



Parks & Cemetery

Hanging Christmas Lights



Hedges at City Hall



Parks & Cemetery

Hanging Christmas Lights



Trimming weeds at Cemetery



Water & Wastewater Plants

Removing large debris “rag ball” that was attached to the aerator cables



Performing maintenance on the chlorine storage vessel at the Wastewater Treatment Plant



Water & Wastewater Plants

Slide off into Wastewater Treatment Plant



Field Services: Streets & Collection/Distribution



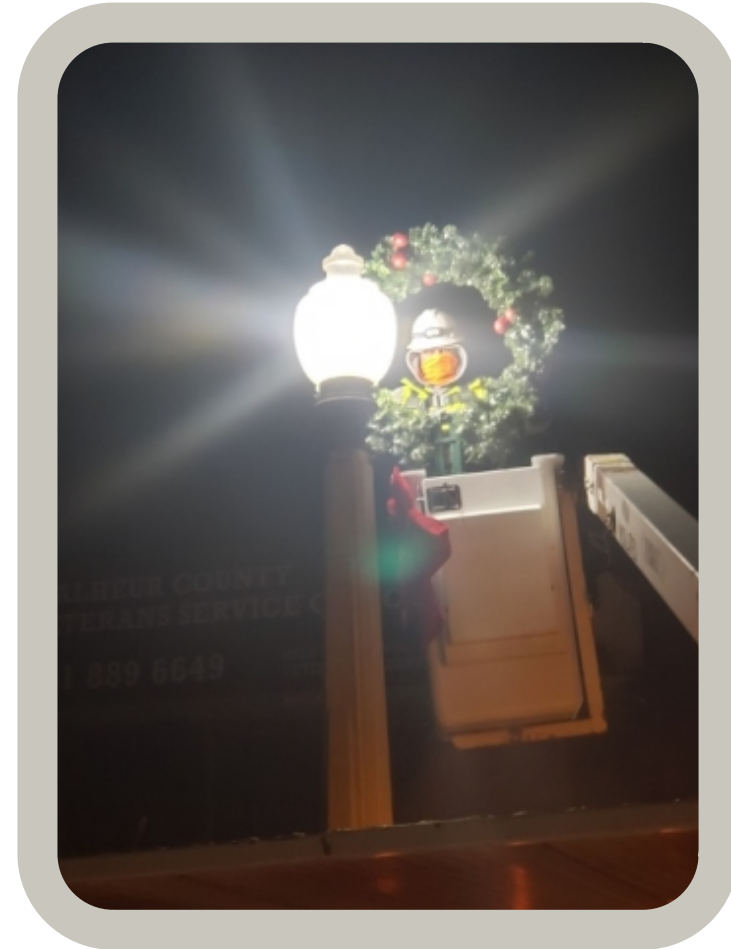
Relocating Temporary Homeless Units



Field Services: Streets & Collection/Distribution



Jacobs staff installing Christmas decorations



Engineering

Bench Reservoir over-flow piping



Sewer service installation inspection



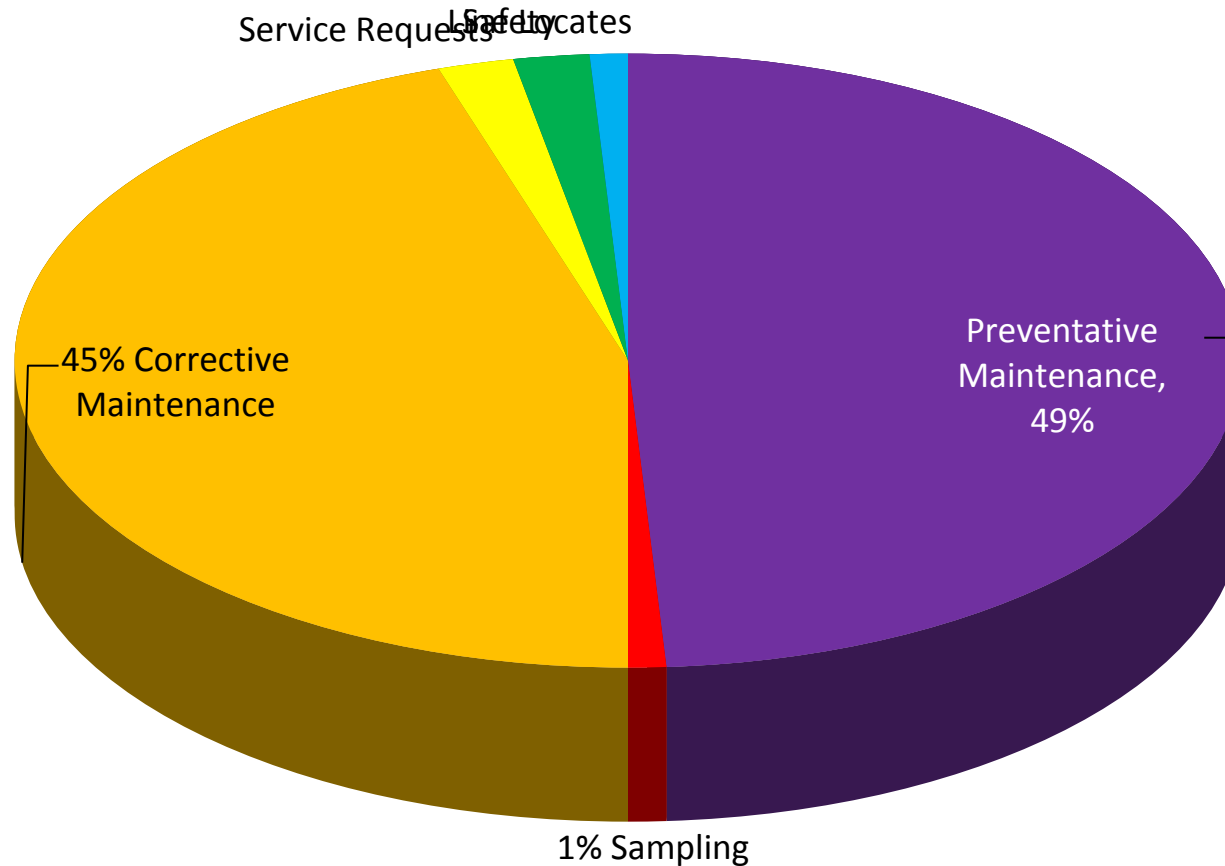
Field Services: Streets & Collection/Distribution Summary



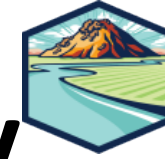
October ~ November ~ December 2020

Work Orders Actual Hours

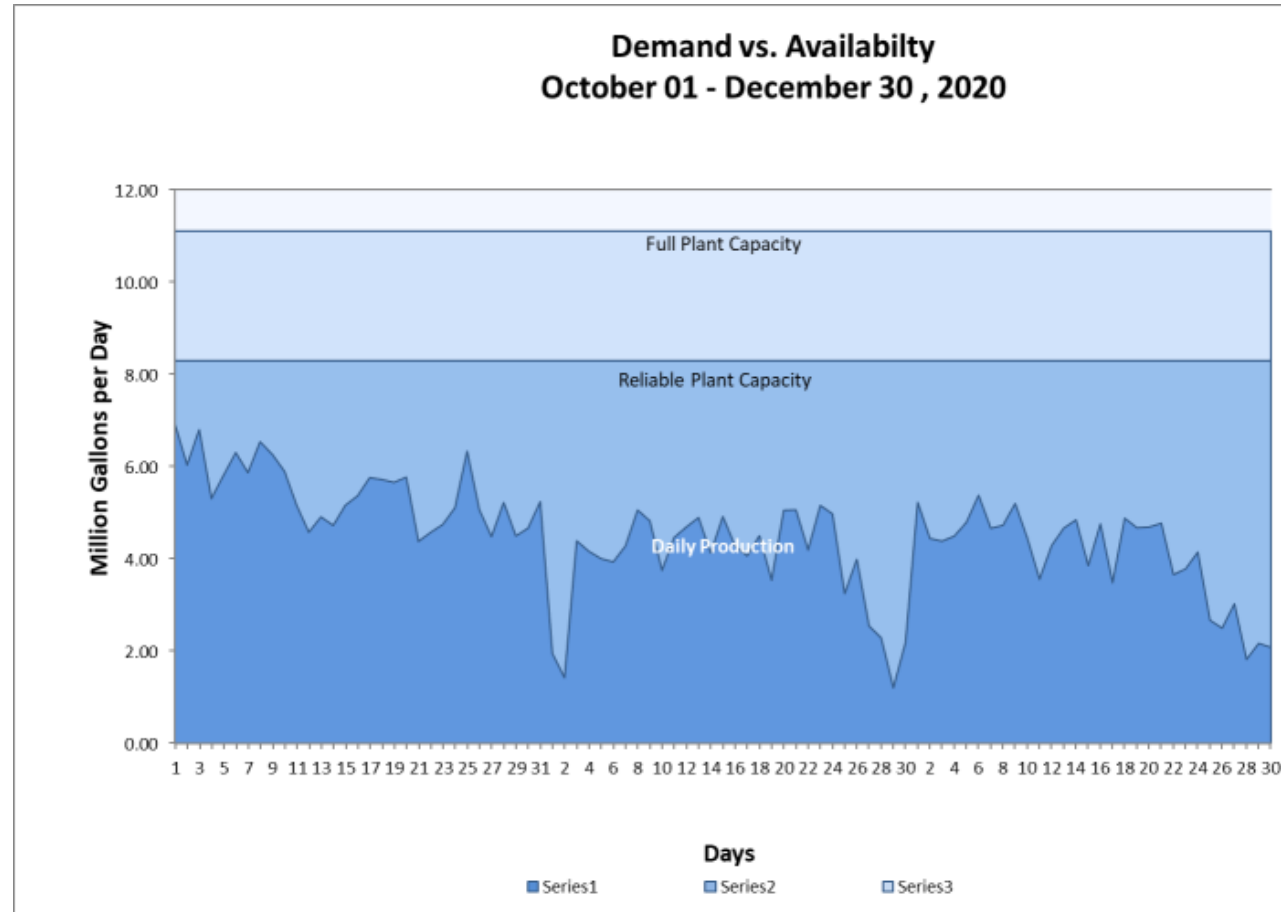
By Work Order Type



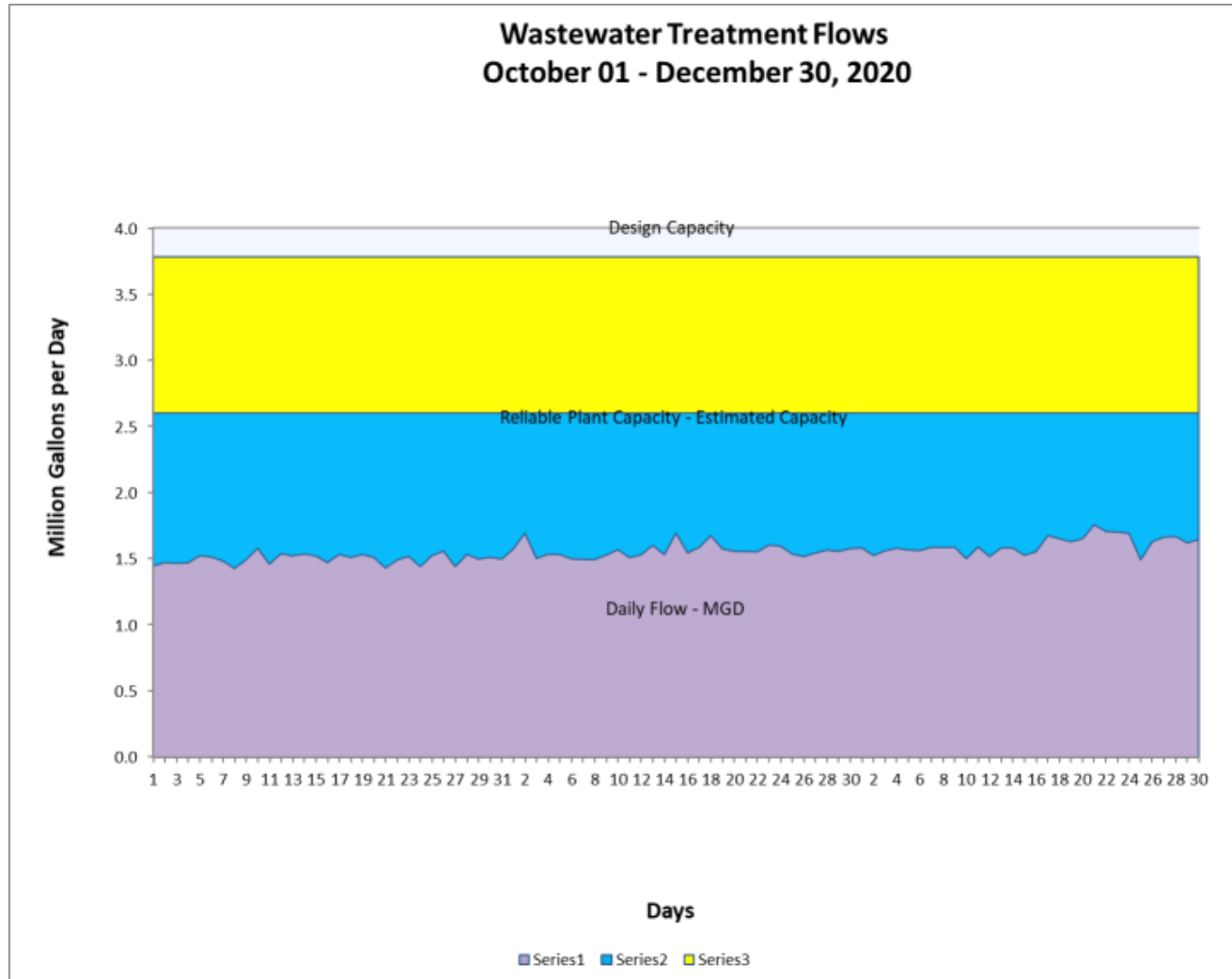
Water Treatment Plant Summary



ONTARIO
OREGON



Wastewater Treatment Plant Flows





Public Works Department

Quarterly Presentation October – December 2020





MODEL

LEAGUE OF OREGON CITIES

Model Charter for Oregon Cities

**SEVENTH EDITION
JANUARY 2018**



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FOREWORD

This is the 7th edition of the Model Charter for Oregon Cities. It is the second published by the League of Oregon Cities. Previous versions were published by the Bureau of Governmental Research and Service at the University of Oregon.¹

The purpose of the Model Charter is to serve as a guide for charter drafting by city officials and citizens by providing a foundation for meeting different needs and policy choices about city government structure. It is not intended for submission to community voters without discussion. Each city that undertakes charter revision or the preparation of a new charter must consider provisions and procedures that best serve its unique community.

This 2018 version contains several minor changes from the 6th edition of 2004. The format continues as one document. All models prior to 1988 had two separate versions: one for the mayor-council form of government and one for the council-manager form of government. Language for the council-manager form is now presented in the text. Except for the city manager section 8.1, this model is useful for cities without a city manager. Alternative mayor-council language is included in the footnotes.

This edition makes numerous clarifications, simplifications and style changes from previous versions including the addition of a table of contents and an updated section numbering system.

¹ The first Oregon Model Charter was published in 1947; revisions were published in 1951, 1959, 1967, 1988 and 2004.

PREAMBLE

We, the voters of _____, Oregon exercise our power to the fullest extent possible under the Oregon Constitution and laws of the state, and enact this Home Rule Charter.²

Section I NAMES AND BOUNDARIES

Section 1.1. Titles. This charter may be referred to as the 20____ Charter.³

Section 1.2. Names. The City of _____, Oregon, continues⁴ as a municipal corporation with the name City of _____.⁵

Section 1.3. Boundaries. The city includes all territory within its boundaries as they now exist or are legally modified. The city will maintain as a public record an accurate and current description of the boundaries.

Section II POWERS

Section 2.1. Powers. The city has all powers that the constitutions, statutes and common law of the United States and Oregon expressly or impliedly grant⁶ or allow⁷ the city, as fully as though this charter specifically enumerated each of those powers.⁸

Section 2.2. Construction. The charter will be liberally construed⁹ so that the city may exercise fully all powers possible under this charter and under United States and Oregon law.

Section 2.3. Distribution. The Oregon Constitution reserves initiative and referendum powers as

² This uses the “voters” language of Article XI, section 2 of the Oregon Constitution and makes clear the intent to use all the home rule power.

³ Insert the year the charter is adopted and the city name. For convenience, this may be used as the charter’s short title.

⁴ The continuity of a city’s existence is not broken by the adoption of a new charter.

⁵ If this section changes the name of the city, it may read: “The municipal corporation previously known as the City of _____ continues under this charter as a municipal corporation with the name ‘City of _____.’”

⁶ The city home rule amendments to the Oregon Constitution reserve powers to city voters. Oregon Constitution, Article XI, section 2 (1906, 1910). The Oregon Supreme Court has said that the amendments are a “continuous offer” of “all powers properly belonging to municipal government.” *Robertson v. City of Portland*, 77 Or 121, 127 (1915). The offer is conditional. City voters may accept the offer by adopting charter terms. This general grant of power accepts the offer completely.

⁷ The US Constitution does not mention cities, but does not restrict city actions. The Oregon Constitution imposes some restrictions, but also authorizes city actions. Federal and state statutes impose many requirements and restrictions on cities, but still authorize or allow them a wide range of action. “Allow” in this section is intended to provide a basis for city authority to act even though the city cannot identify clear statutory authority for the city action. It assumes the authority is municipal in nature and not prohibited by federal or state law.

⁸ Appendix A discusses the legal basis for general grants of authority.

⁹ This requirement that the charter be liberally construed is intended to negate the effect of a rule of strict construction of city charters known as Dillon’s Rule.

to all municipal legislation to city voters.¹⁰ This charter vests all other city powers in the council except as the charter otherwise provides. The council has legislative, administrative and quasi-judicial authority. The council exercises legislative authority by ordinance, administrative authority by resolution, and quasi-judicial authority by order. The council may not delegate its authority to adopt ordinances.¹¹

Section III COUNCIL

Section 3.1. Council. The council consists of a mayor¹² and six councilors¹³ nominated and elected from the city at large.¹⁴

Section 3.2. Mayor. The mayor presides over and facilitates council meetings, preserves order, enforces council rules, and determines the order of business under council rules. The mayor is a voting member of the council and has no veto authority.¹⁵

- a) With the consent of council, the mayor appoints members of commissions and committees established by ordinance or resolution.
- b) The mayor must sign all records of council decisions.¹⁶
- c) The mayor serves as the political head of the city government.¹⁷

¹⁰ Article IV, section 1, subsection (5) of the Oregon Constitution.

¹¹ While part of federal and state government structures, separation of powers is rarely found in cities. The council has powers analogous to those of the three branches of the federal government and the three departments of the Oregon government. The context, substance and form of council decisions determine the nature of the power exercised. Only the council may adopt ordinances and exercise its legislative authority. Only its legislative authority is subject to voter initiative and referendum. The council may by ordinance delegate its administrative and quasi-judicial authority.

¹² Although some charters provide that the mayor is not a member of the council, this model recommends that the council include the mayor as a member. This means that the mayor participates in and votes on matters before the council as do other council members. Section 3.2 states that the mayor is a voting member of the council. If the mayor is not to have a council vote, then section 3.1 should state that the council consists of a specified number of councilors elected from the city at large.

¹³ Some Oregon cities have five-member councils. If the council is to have five members, “six” needs to be changed to “four.” A city may want a larger council of nine members or more. If so, “six” needs to be changed accordingly.

¹⁴ Most Oregon cities nominate and elect councilors at large. Some nominate and elect councilors by district or ward. A third option is to nominate by district and elect at large. If there are districts, then the district boundaries must be specified. The most efficient way of doing this is by ordinance. For that purpose, this section could read: “The council consists of a mayor nominated and elected at large, and six councilors nominated and elected by districts with the boundaries fixed by ordinance.” District boundaries must be periodically adjusted to meet equal protection requirements. Most charters that provide for election of councilors by district also require as a qualification that each councilor reside in the district the councilor represents and continue to so reside for the term of office.

¹⁵ Some charters permit the mayor to vote only to break a tie. If the mayor’s vote is to be so limited, this section needs to be changed accordingly.

¹⁶ The council may assign by ordinance or council rules additional duties to the mayor for authenticating ordinances, resolutions, orders, and other council documents.

¹⁷ This section adds facilitator and political leader to enhance the role of the mayor. It makes specific the apparent and inherent authority of the office of mayor. It also parallels the administrative authority of city manager in section 8.1. It follows the example of the 8th edition of National Civic League (NCL) Model Charter (2011).

Section 3.3. Council President. At its first meeting each year, the council must elect a president from its membership. The president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform duties.

Section 3.4. Rules. The council must by resolution adopt rules to govern its meetings.^{18, 19}

Section 3.5. Meetings. The council must meet at least once a month at a time and place designated by its rules, and may meet at other times in accordance with the rules and laws of the state of Oregon.

Section 3.6. Quorum. A majority of the council members is a quorum to conduct business.²⁰ In the event of a vacancy due to resignation or other events, the quorum is reduced accordingly.²¹ In the event of an absence, a smaller number may meet and compel attendance of absent members as prescribed by council rules.²²

Section 3.7. Vote Required. The express²³ approval of a majority of a quorum of the council is necessary for any council decision,²⁴ except when this charter requires approval by a majority of the council.²⁵

Section 3.8. Record. A record of council meetings must be kept in a manner prescribed by the council rules and the laws of the state of Oregon.²⁶

¹⁸ Council meetings must comply with the requirements of the Oregon Public Meetings Law. ORS 192.610 –192.710. Council rules should be considered administrative and adopted by resolution. They are easier to keep updated and less formal than if adopted by ordinance. Also, they are not subject to initiative and referendum.

¹⁹ The League has published a set of Model Rules of Procedure for Council Meetings available at: <http://www.orcities.org/Portals/17/Library/Model%20Procedures%20for%20Council%20Meetings%203-1-17.pdf>.

²⁰ A majority is more than half of the council. For a seven-member council, a quorum is four or more.

²¹ For example, if a seven-member council has one vacant position due to resignation or other events, the quorum remains at four. If there are two vacant positions, the quorum is reduced to three. If a five-member council has one vacant position, the quorum remains at three. If there are two vacant positions, the quorum is reduced to two.

²² For example, council rules may state that the members present may order a city police officer to find and bring an absent member to the meeting. The rules may also provide a penalty for the absent member.

²³ “Express” is used here to clarify the effect of abstention from voting. At common law abstention from voting was regarded as concurrence with the decision. Thus, the concurrence could be either affirmative or negative depending on how the majority voted on a decision. “Express” is intended to make clear that an abstention from voting on a question may not contribute to answering the question affirmatively; it amounts to a “no” vote. Use of the word “express” means that no vote less than a majority of a quorum may decide affirmatively a question before the council.

²⁴ A “decision” is any action taken by council vote. This includes votes on formal documents such as ordinances, resolutions, orders and contracts. It also includes votes to direct city staff, and other questions and motions before the council. Unless the charter provides otherwise, the council may act affirmatively through less than a majority of its positions. A seven-member council thus may act through three councilors; its quorum is four. A five-member council may so act through two members; its quorum is three. A question may be decided negatively by fewer councilors than required to decide it affirmatively. For example, a 2 to 2 vote or a 2 to 1 vote when the quorum is four councilors, and one councilor is absent.

²⁵ Some charter sections require a vote of a majority of the council to make certain decisions. In this model, they are sections 4.2(a), 7.9, 8.1(b) and (d), 8.2 and 8.3(a). Section 4.2(b) requires a unanimous vote of at least a council quorum to adopt an ordinance at one meeting.

²⁶ The Oregon Public Meetings Law, ORS 192.650, requires cities to provide for sound, video, digital recording or the taking of written minutes. This section provides an independent requirement for council records and authorizes the council to adopt requirements in addition to those of state law.

Section IV LEGISLATIVE AUTHORITY²⁷

Section 4.1. Ordinances. The council will exercise its legislative authority by adopting ordinances. The enacting clause for all ordinances must state “The City of _____ ordains as follows:”.

Section 4.2. Ordinance Adoption.

- a) Except as authorized by subsection (b), adoption of an ordinance requires approval by a majority of the council at two meetings.²⁸
- b) The council may adopt an ordinance at a single meeting by the unanimous approval of at least a quorum of the council,²⁹ provided the proposed ordinance is available in writing to the public at least one week before the meeting.
- c) Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts the ordinance at that meeting.
- d) After the adoption of an ordinance, the vote of each member must be entered into the council minutes.
- e) After adoption of an ordinance, the city custodian of records must endorse it with the date of adoption and the custodian’s name and title.

Section 4.3. Effective Date of Ordinances. Ordinances normally take effect on the 30th day after adoption, or on a later day provided in the ordinance. An ordinance may take effect as soon as adopted or other date less than 30 days after adoption if it contains an emergency clause.³⁰

²⁷ The most significant power granted to cities is the authority to adopt legislation. Legislation is local law that applies throughout a city. Legislative authority is properly exercised in the form of ordinances. City charters traditionally prescribe specific requirements for adoption of ordinances, and no provisions for approval of resolutions (administrative) or orders (quasi-judicial). Only using ordinances for legislation and using other forms for non-legislative decisions makes clear which council actions are subject to referendum. Oregon Constitution, Article IV, section 1(5) gives voters initiative and referendum powers over “municipal legislation.”

²⁸ Under section 3.6, the majority of the council membership must be present at the time a decision is made. If there is one or more unfilled council vacancy, the majority is calculated on the temporarily diminished membership. However, action by a majority of a quorum (e.g. three votes when quorum of four is present) is not sufficient to enact an ordinance under this section. See note 21 above.

²⁹ This section requires the presence of at least four councilors and a unanimous vote to adopt an ordinance at one meeting when there is a seven-member council. The presence of three councilors and a unanimous vote is required when the council has five members.

³⁰ Ordinances containing an emergency clause take effect immediately and are not subject to referendum. Legislation may not take effect when it is subject to referendum. Procedures for city initiative and referendum are found in ORS 250.255 to 250.355, and city ordinances. Emergency clauses are legislative and not subject to judicial review. *Kaddery v. City of Portland*, 44 Or 118 (1903). City use of an emergency clause preventing a referendum on the ordinance is not subject to federal court review as a violation of civil rights. *Stone v. City of Prescott*, 173 F3d 1172 (9th Cir 1999).

Section V

ADMINISTRATIVE AUTHORITY³¹

Section 5.1. Resolutions. The council will normally exercise its administrative authority by approving resolutions.³² The approving clause for resolutions may state “The City of _____ resolves as follows:”

Section 5.2. Resolution Approval.

- a) Approval of a resolution or any other council administrative decision requires approval by the council at one meeting.³³
- b) Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the council adopts the resolution at that meeting.
- c) After approval of a resolution or other administrative decision, the vote of each member must be entered into the council minutes.
- d) After approval of a resolution, the city custodian of records must endorse it with the date of approval and the custodian’s name and title.

Section 5.3. Effective Date of Resolutions. Resolutions and other administrative decisions take effect on the date of approval, or on a later day provided in the resolution.³⁴

³¹ Councils formally exercise their administrative authority in the form of resolutions. Administrative decisions normally implement requirements of city ordinances and state statutes. Examples include city budgets, budget amendments, financial transfers, public contracts, fees and charges, council rules, and city personnel rules. Administrative decisions often are “internal” and relate to the city government. City charters traditionally prescribe specific requirements for adoption of ordinances (legislative), and include no provisions for approval of resolutions (administrative). This model suggests that charters specifically recognize council resolutions as the proper form for the exercise of its administrative authority. Use of this form for non-legislative decisions makes clear which council actions are subject to referendum. Oregon Constitution, Article IV, section 1(5) gives voters initiative and referendum powers over “municipal legislation”, but not municipal administration.

³² The preferred method for the council to exercise its administrative authority is by resolution. However, “normally” is used in this sentence to allow the council to approve contracts and other documents, give direction to the city manager, city attorney and city employees, and make other administrative decisions by approving a motion without adopting a resolution.

³³ Under section 3.6, the majority of the council membership must be present at the time a decision is made. If there is one or more unfilled council vacancy, the majority is of the temporarily diminished membership. Action by a majority of a quorum (e.g. three votes when quorum of four is present) is sufficient to approve a resolution under this section. See note 19 above.

³⁴ ORS 221.310(3) applies to cities of 2,000 or more. It provides that a resolution may take effect any time after passage by the city council. The resolution must state the resolution effective date in a separate section.

Section V

QUASI-JUDICIAL AUTHORITY³⁵

Section 6.1. Orders. The council will normally exercise its quasi-judicial authority by approving orders. The approving clause for orders may state “The City of _____ orders as follows:”

Section 6.2. Order Approval.

- a) Approval of an order or any other council quasi-judicial decision requires approval by the council at one meeting.³⁶
- b) Any substantive amendment to an order must be read aloud or made available in writing to the public at the meeting before the council adopts the order.
- c) After approval of an order or other council quasi-judicial decision, the vote of each member must be entered in the council minutes.
- d) After approval of an order, the city custodian of records must endorse it with the date of approval and the custodian’s name and title.

Section 6.3. Effective Date of Orders. Orders and other quasi-judicial decisions take effect on the date of final approval, or on a later day provided in the order.

Section VII

ELECTIONS

Section 7.1. Councilors. The term of a councilor in office when this charter is adopted is the term for which the councilor was elected.³⁷ At each general election after the adoption, three councilors

³⁵ Quasi-judicial authority is normally exercised in the form of orders. Under this authority, the council holds hearings and is required to make decisions. The most common examples are land use matters and nuisance proceedings. City charters traditionally prescribe specific requirements for adoption of ordinances (legislative) and include no provisions for adoption of orders (quasi-judicial). This model suggests that charters specifically recognize council orders as the proper form for the exercise of quasi-judicial authority. Use of this form for non-legislative decisions helps make clear which council actions are subject to referendum. Oregon Constitution, Article IV, section 1(5) gives voters initiative and referendum powers over “municipal legislation,” but not municipal quasi-judicial decisions.

³⁶ Under section 3.6, the majority of the council membership must be present at the time a decision is made. If there is one or more unfilled council vacancy, the majority is of the temporarily diminished membership. Action by a majority of a quorum (e.g. three votes when quorum of four is present) is sufficient to approve an order under this section. See note 22 above.

³⁷ This sentence anticipates the charter vote at a primary or special election. If the charter vote is at a general election, the words “or is elected at the time of adoption” should be added.

will be elected³⁸ for four-year terms.³⁹

Section 7.2. Mayor. The term of the mayor in office when this charter is adopted continues until the beginning of the first odd-numbered year after adoption. At every other general election after the adoption, a mayor will be elected for a four-year term.⁴⁰

Section 7.3. State Law. City elections must conform to state law except as this charter or ordinances provide otherwise. All elections for city offices must be nonpartisan.⁴¹

Section 7.4. Qualifications.

- a) The mayor and each councilor must be a qualified elector under state law, and reside within the city for at least one year immediately before election or appointment to office.⁴²
- b) No person may be a candidate at a single election for more than one city office.
- c) Neither the mayor nor a councilor may be employed by the city.⁴³
- d) The council is the final judge of the election and qualifications of its members.

Section 7.5. Nominations. The council must adopt an ordinance prescribing the manner for a person to be nominated to run for mayor or a city councilor position.⁴⁴

Section 7.6. Terms. The term of an officer elected at a general election begins at the first council meeting of the year immediately after the election, and continues until the successor qualifies and

³⁸ Oregon Constitution, Article II, section 14a requires cities to hold their regular elections for officers at the same time as the general biennial elections for state and county officers are held. ORS 254.035 implements this provision. ORS 254.056 states that general elections are held on the first Tuesday after the first Monday in November of even-numbered years. It further states that primary elections may be held on the third Tuesday in May of even-numbered years.

³⁹ This language assumes that adoption of the charter will not affect the council size or terms of office. It does provide a transition from the city government before charter adoption to the city government under the charter.

⁴⁰ A four-year term for the mayor and four-year staggered terms for an even-number of councilors gives the voters an opportunity to vote for a majority of the council positions at every other general election. It may also be necessary to change “first” to “second” in the first sentence. A mayor elected to a four-year term when this charter provision is adopted would serve until the beginning of the second odd-numbered year after adoption. If the mayor is to have a two-year term, the second sentence of this section needs to be changed. The mayor is appointed from the council by the councilors under the Incorporation Act, ORS 221.130. If this is to continue under the charter, then the second sentence of section 7.2 needs to be replaced by the sentence: “At the first meeting of the council in each odd-numbered year, the council must appoint one of its members to serve as mayor for a term of two years.” If the mayor is appointed from the council, the council should have an odd number of members, and section 3.1 should be changed.

⁴¹ The last sentence of this section makes specific the Oregon tradition that local government elections are nonpartisan. This provision is included in the county model home rule charter and county charters. It is also consistent with the 8th edition of the NCL Model Charter (2011).

⁴² Courts have consistently invalidated residency qualifications of more than 12 months.

⁴³ This prohibition is intended to avoid certain conflicts of interest in city service. It bars full-time or part-time employees from serving as mayor or councilor. It does not, however, prevent the mayor or a councilor from receiving reimbursement of expenses for services.

⁴⁴ This model charter does not prescribe a nominating procedure. It allows flexibility by requiring that an ordinance govern the nominating process.

assumes the office.⁴⁵

Section 7.7. Oath. The mayor and each councilor must swear or affirm to faithfully perform the duties of the office and support the constitutions and laws of the United States and Oregon.

Section 7.8. Vacancies. The mayor or a council office becomes vacant:

a) Upon the incumbent's:

- 1) Death;
- 2) Adjudicated incompetence;⁴⁶ or
- 3) Recall from the office.⁴⁷

b) Upon declaration by the council after the incumbent's:

- 1) Failure to qualify for the office within 10 days of the time the term of office is to begin;
- 2) Absence from the city for 30 days without council consent, or from all council meetings within a 60-day period;
- 3) Ceasing to reside in the city;⁴⁸
- 4) Ceasing to be a qualified elector under state law;
- 5) Conviction of a misdemeanor or felony crime;
- 6) Resignation from the office; or
- 7) Removal under Section 8.1(i).

Section 7.9. Filling Vacancies. A mayor or councilor vacancy will be filled by appointment by a majority of the remaining council members.⁴⁹ The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office. If a

⁴⁵ These words allow for a successor to be appointed as well as elected, and require that the successor meet the necessary qualifications for the office at the time of election or appointment. Some charters have provisions limiting the number of terms or years that a citizen may serve in an elected office.

⁴⁶ "Adjudicated incompetence" means inability or unfitness to manage one's affairs because of mental condition determined in a court proceeding.

⁴⁷ Recall of elective officers is governed by Oregon Constitution, Article II, section 18, and ORS 249.865 to 249.877.

⁴⁸ Section 7.4 requires each member to be a qualified voter and resident of the city. Under subsections (3) and (4) of section 7.8(b), moving outside the city or allowing voter registration to lapse permits the council to declare a council position vacant.

⁴⁹ Normally a single vacancy is filled at one time. This section permits the council to fill multiple vacancies at the same time. Most vacancies are created in positions filled by election. However, this section also applies to appointments to fill vacancies created in positions previously filled by an appointee to the council.

disability prevents a council member from attending council meetings or a member is absent from the city, a majority of the council may appoint a councilor pro tem.⁵⁰

Section VIII APPOINTIVE OFFICERS

Section 8.1. City Manager.

- a) The office of city manager is established as the administrative head of the city government.⁵¹ The city manager is responsible to the mayor and council for the proper administration of all city business. The city manager will assist the mayor and council in the development of city policies, and carry out policies established by ordinances and resolutions.⁵²
- b) A majority of the council must appoint and may remove the manager. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.⁵³
- c) The manager need not reside in the city.⁵⁴
- d) The manager may be appointed for a definite or an indefinite term, and may be removed at any time by a majority of the council. The council must fill the office by appointment as soon as practicable after the vacancy occurs.
- e) The manager must:
 - 1) Attend all council meetings unless excused by the mayor or council;
 - 2) Make reports and recommendations to the mayor and council about the needs of the city;
 - 3) Administer and enforce all city ordinances, resolutions, franchises, leases, contracts, permits and other city decisions;

⁵⁰ A member's disability under this section is usually temporary. If the disability is permanent, it often results in the resignation of the disabled member. A permanent disability does not create a vacancy unless the member resigns. However, the council may appoint a pro tem councilor, and the appointment may continue until a successor to the disabled member is elected and takes office.

⁵¹ The city manager exercises the administrative authority delegated by the city charter and the city council. The manager and the council both exercise administrative authority. Only the council may exercise legislative authority.

⁵² This gives the manager a role in policy development consistent with the 8th edition of the NCL Model Charter (2011). It makes the manager responsible for carrying out city policy adopted by council resolution or ordinance.

⁵³ This section adds more specific qualifications for city manager consistent with the 8th edition of the NCL Model Charter (2011).

⁵⁴ If the city wants the charter to require the manager to live in the city, the following may be added: "but must become and remain a resident of the city while manager." In the alternative, if a residency requirement is desired but is not practicable due to a housing shortage or other condition, the following may be added: "but must live within 30 miles of the city." Either requirement can be imposed more flexibly by ordinance or contract.

- 4) Appoint, supervise and remove city employees;⁵⁵
 - 5) Organize city departments and administrative structure;
 - 6) Prepare and administer the annual city budget;
 - 7) Administer city utilities and property;
 - 8) Encourage and support regional and intergovernmental cooperation;
 - 9) Promote cooperation among the council, staff and citizens in developing city policies and building a sense of community;⁵⁶
 - 10) Perform other duties as directed by the council; and
 - 11) Delegate duties, but remain responsible for actions of all subordinates.
- f) The manager has no authority over the council or over the judicial functions of the municipal judge.⁵⁷
 - g) The manager and other employees designated by the council may sit at council meetings but have no vote. The manager may take part in all council discussions.
 - h) When the manager is temporarily disabled from acting as manager or when the office of the manager becomes vacant, the council must appoint a manager pro tem. The manager pro tem has the authority and duties of manager, except that a pro tem manager may appoint or remove employees only with council approval.
 - i) No council member may directly or indirectly attempt to coerce the manager or a candidate for the office of manager in the appointment or removal of any city employee, or in administrative decisions regarding city property or contracts.⁵⁸ Violation of this prohibition is grounds for removal from office by a majority of the council after a public hearing. In council meetings, councilors may discuss or suggest anything with the manager relating to city business.⁵⁹

⁵⁵ Note that the manager appoints, supervises and removes city employees. The council appoints, supervises and removes city officers.

⁵⁶ Subsections (8) and (9) of this section add provisions that update the charter by recognizing the increasing importance of regional and intergovernmental issues, and the participatory nature of policy development. They are consistent with the 8th edition of the NCL Model Charter (2011).

⁵⁷ Municipal judges have administrative duties incidental to their judicial functions such as record keeping and accounting for certain funds. These administrative duties may be supervised by the city manager.

⁵⁸ A similar charter restriction was the basis for damages in *Still v. Benton*, 251 Or 463, 445 P2d 492 (1968). The court found that the mayor did not act within the scope of his authority in pressuring the manager to discharge the police chief. The chief was awarded punitive as well as general damages.

⁵⁹ This does not affect the ability of a council member to obtain information from the manager or other city employees. Council members also have at least as much right to public records as other members of the public under the Oregon Public Records Law, ORS 192.311 to 192.431.

Section 8.2. City Attorney. The office of city attorney is established as the chief legal officer of the city government. A majority of the council must appoint and may remove the attorney. The attorney may appoint, supervise, and may remove any employees who work in and for the city attorney's office.⁶⁰

Section 8.3. Municipal Court and Judge.

- a) A majority of the council may appoint and remove a municipal judge. A municipal judge will hold court in the city at such place as the council directs. The court will be known as the Municipal Court.
- b) All proceedings of this court will conform to state laws governing justices of the peace and justice courts.
- c) All areas within the city and areas outside the city as permitted by state law are within the territorial jurisdiction of the court.
- d) The municipal court has jurisdiction over every offense created by city ordinance. The court may enforce forfeitures and other penalties created by such ordinances. The court also has jurisdiction under state law unless limited by city ordinance.⁶¹
- e) The municipal judge may:
 - 1) Render judgments and impose sanctions on persons and property;
 - 2) Order the arrest of anyone accused of an offense against the city;
 - 3) Commit to jail or admit to bail anyone accused of a city offense;
 - 4) Issue and compel obedience to subpoenas;
 - 5) Compel witnesses to appear and testify and jurors to serve for trials before the court;
 - 6) Penalize contempt of court;
 - 7) Issue processes necessary to enforce judgments and orders of the court;
 - 8) Issue search warrants; and
 - 9) Perform other judicial and quasi-judicial functions assigned by ordinance.

⁶⁰ If a city attorney office is established by the charter, it is independent of the wishes of the council or manager. This language places office employees under the supervision of the attorney rather than the manager. The charter could establish the office and provide for appointment by the manager. If not created by charter, the city attorney office may be created by ordinance. The ordinance may provide for city attorney appointment by the council or manager. Attorney duties may be assigned by ordinance and contract.

⁶¹ ORS 221.339 gives municipal courts jurisdiction over violations and misdemeanors committed or triable in the city. Municipal courts do not have jurisdiction over felonies or designated drug-related misdemeanors as defined in ORS 423.478. The section provides that jurisdiction over misdemeanors may be limited by city ordinance.

- f) The council may appoint and may remove municipal judges pro tem.
- g) The council may transfer some or all of the functions of the municipal court to an appropriate state court.⁶²

Section IX PERSONNEL

Section 9.1. Compensation. The council must authorize the compensation of city officers and employees as part of its approval of the annual city budget.⁶³

Section 9.2. Merit Systems. The council⁶⁴ by resolution will determine the rules governing recruitment, selection, promotion, transfer, demotion, suspension, layoff, and dismissal of city employees based on merit and fitness.⁶⁵

Section X PUBLIC IMPROVEMENTS

Section 10.1. Procedure. The council may by ordinance provide for procedures governing the making, altering, vacating, or abandoning of a public improvement.⁶⁶ A proposed public improvement may be suspended for six months upon remonstrance by owners of the real property to be specially assessed for the improvement. The number of owners necessary to suspend the action will be determined by ordinance.

Section 10.2. Special Assessments. The procedure for levying, collecting and enforcing special assessments for public improvements or other services charged against real property will be governed by ordinance.

Section XI MISCELLANEOUS PROVISIONS

Section 11.1. Debt. City indebtedness may not exceed debt limits imposed by state law.⁶⁷ A charter amendment is not required to authorize city indebtedness.

Section 11.2. Ordinance Continuation. All ordinances consistent with this charter in force when it

⁶² ORS 51.035.

⁶³ ORS 294.388(5) requires that the budget list the salary for each officer and employee. If councilors are to receive no compensation for their services to the city, the following may be added to this section: "However, no councilor may receive compensation for serving in that capacity." This prohibition does not prevent reimbursement for expenses.

⁶⁴ If there is a city manager, the manager may be substituted for the council. Rules adopted by the manager may be made subject to council approval. The council may also delegate authority to the city manager or city administrator to adopt rules.

⁶⁵ "Merit and fitness" allows wide discretion in the interpretation and application of personnel rules and practices.

⁶⁶ Few procedures applicable to cities appear in state statute. ORS 223.387 to 223.401 apply to assessments for local improvements. ORS 223.805 to 223.845 relate to city motor vehicle parking facilities. ORS 271.080 to 271.230 apply to vacation of certain public property.

⁶⁷ Bancroft bonds may not "exceed .03 of the latest true cash valuation of the city." ORS 223.295(1).

takes effect remain in effect until amended or repealed.

Section 11.3. Repeal. All charter provisions adopted before this charter takes effect are repealed.⁶⁸

Section 11.4. Severability. The terms of this charter are severable. If any provision is held invalid by a court, the invalidity does not affect any other part of the charter.

Section 11.5. Time of Effect. This charter takes effect _____, 20____.

⁶⁸ It may be necessary to continue unusual charter provisions such as bond approvals, special levies or annexations.

APPENDIX A

GENERAL GRANTS OF POWER

The first version of the Model Charter for Oregon Cities was published in 1947. It was drafted to confer powers on cities in general terms rather than by a detailed enumeration of specific powers. All subsequent revisions have continued this practice.

Since about 1910, a city charter has been viewed as a city constitution. For this reason, city powers have generally been stated in general, comprehensive terms. The charter should deal only with the basic, broad fundamentals of city government. The charter should be as concise as possible, and adaptable to changing conditions to avoid the need for frequent amendment.

Most Oregon cities have charters that grant authority for their activities under general grants of powers. In 1934, Huntington adopted a general powers charter quite similar to the 1947 model charter. Since then, almost all Oregon cities have adopted charters that resemble this model.

The Oregon Incorporation Act (now ORS 224.010-221.100) provides that cities without a home rule charter have comprehensive power and need no grants of specific powers.

A general grant of power allows a city to assume extraterritorial powers granted by statute and conditioned upon the existence of charter authority. ORS 225.020 authorizes a city to own and operate utilities outside city limits if its charter allows it such power. *Kassel v. City of Salem*, 34 Or. App. 739, 579 P.2d 875 (1978) construes this section and states that Salem's charter "accepts this offer [of extramural powers] in broad terms." These broad terms were more specific than the general grant of powers in the model. No city with a general grant has been challenged in its exercise of the power offered by ORS 225.020.

Constitutional Grants in General Terms

The 1906 home rule amendments to the Oregon Constitution empower "the legal voters of every city * * * to enact and amend their municipal charter, subject to the Constitution and criminal laws of the State."^a They also empower "the qualified voters of each municipality" to exercise the powers of initiative and referendum "as to all local, special and municipal legislation of every character in or for their municipality[.]"^b These grants of power are general in terms.

Specific Power Derived from General Grants

Courts have often held that a general grant of power confers a particular power not specified in the grant. Such specific powers include the following:

- 1) To regulate amusement devices.^c

^a Or. Const. art. XI, sec. 2.

^b Or. Const. art. IV, sec. 1a (1906), sec. 1(5) (1968).

^c *Terry v. City of Portland*, 204 Or 478, 269 P2d 544 (1955); 33 Or Op Atty Gen 174 (1967).

- 2) To levy special assessments.^d
- 3) To develop a program of free parking using tax revenues.^e
- 4) To govern labor relations with public employees.^f
- 5) To license certain businesses or occupations.^g
- 6) To levy license taxes for revenue.^h
- 7) To provide police protection.ⁱ
- 8) To control disposal of refuse.^j
- 9) To regulate the storage of gasoline and kerosene.^k
- 10) To control streets.^l
- 11) To levy taxes in the form of licenses.^m
- 12) To adopt taxes on sales and incomes.ⁿ
- 13) To supply water.^o
- 14) To impose registration and license fees.^p
- 15) To impose fees and regulatory requirements on telecommunications providers.^q

^d *Paget v. City of Pendleton*, 219 Or 253 346 P2d 1111 (1959).

^e *Jarvill v. City of Eugene*, 289 Or 157, 613 P2d 1 (1980), US cert den at 449 US 1013 (1980). Although the majority opinion in this case relies on a specific grant of power stemming from a 1973 amendment to the Eugene city charter, this charter has been repealed. At the court of appeals level, the majority opinion relied on the general grant of power in the 1976 revised city charter to explain the city's ability to levy taxes. "In those cases, it was held that a general grant of powers in a city charter, like that contained in the Eugene charter, carries with it the power to impose revenue taxes." 40 Or App 185, 198-99, 594 P2d 1261 (1979).

^f *Beaverton v. International Assoc. of Firefighters*, 20 Or App 293, 531 P2d 730 (1975).

^g *Davidson Baking Co. v. Jenkins*, 216 Or 51, 337 P2d 352 (1959).

^h *City of Idanha v. Consumers Power, Inc.* 8 Or App 551, 495 P2d 294 (1972), aff'd, 13 Or App 431 (1973).

ⁱ *City of East Portland v. County of Multnomah*, 6 Or 62, 64 (1876).

^j *Dunn v. Gray*, 238 Or 71, 392 P2d 1018 (1964); *City of Tigard v. Werner*, 15 Or App 335, 515 P2d 934 (1973).

^k Cf. *Leathers v. City of Burns*, 251 Or 206, 444 P2d 1010 (1968).

^l *City of East Portland v. County of Multnomah*, 6 Or 62, 64 (1876).

^m *City of Idanha v. Consumers Power, Inc.* 8 Or App 551, 495 P2d 294 (1972), aff'd 13 Or App 431 (1973).

ⁿ *City of Idanha v. Consumers Power, Inc.* 8 Or App 551, 495 P2d 294 (1972), aff'd 13 Or App 431 (1973).

^o *Paget v. City of Pendleton*, 219 Or 253, 346 P2d 1111 (1959).

^p *AT & T Communications v. City of Eugene*, 177 Or App 379 (2001), rev den, 334 Or 491 (2002). The court held that a general power charter gave the city power to impose registration and license fees. The court relied on *Multnomah Kennel Club v. Department of Revenue*, 295 Or 279 (1983), a case that involved a general power county home rule charter that provided authority to impose a business income tax.

^q *Sprint Spectrum v. City of Eugene*, 177 Or App 417 (2001), rev den, 334 Or 491 (2002). The court found that home rule authority includes the taxation of businesses that conduct business within city boundaries.

APPENDIX B

PROVISIONS NOT INCLUDED IN THE MODEL CHARTER

This model charter omits many provisions contained in city charters granted by the Oregon Legislature prior to 1906, and charters adopted soon after the 1906 home rule amendments took effect. A general grant of powers replaced specific grants of authority. Subjects and procedures covered by state statutes are generally no longer included in charters. The model charter also omits provisions better left to adoption by ordinance.

Annexation Procedure

An Oregon city may not assume extramural power under its home rule charter unless authorized by state statute.⁸⁶ City power under the home rule amendments is only intramural in character.⁸⁷ A city may only exercise extramural power delegated by the Legislature.⁸⁸ A home rule charter may provide a procedure for the intramural aspects of annexation, such as the manner of acceptance of the annexation by the city. The model charter contains no provision relating to annexation of territory to a city because state statutes control annexation procedures.

Elections

Elections in Oregon are generally under the control of the Secretary of State. The conduct of elections is governed by ORS chapter 254. Many duties relating to the conduct of elections are delegated to county clerks. Time of elections, wording of ballot titles, printing of ballots and fixing of precinct boundaries are examples of matters governed by state law. City initiative and referendum requirements and process are found in ORS Chapter 250. Therefore, the model charter contains no sections relating to elections in general. Sections 7.2 and 7.5 do authorize the council to govern certain election matters by ordinance.

Subjects Covered by State Law

This model charter contains no provisions on several other subjects covered by state law:

Budgeting.....ORS 294.305 to 294.565
Public contracts.....ORS Chapters 279A, 279B and 279C
Assessments bonding and lien enforcement...ORS 223.205 to 223.295 and 223.505 to 223.650
Tort liability.....ORS 30.260 to 30.300

⁸⁶ *Thurber v. Henderson*, 63 Or 410, 415-16, 128 P 43 (1912); *State ex rel Mullins v. Port of Astoria*, 79 Or 1, 19-20, 154 P 399 (1916); *Morsman v. City of Madras*, 203 Or App 546 (2006) (holding that the state has the authority to decide whether residents of an area subject to annexation get to vote on the annexation); and *Costco Wholesale Corp. v. City of Beaverton*, 343 Or 18, 25 (2007) (stating that cities lack “inherent home-rule authority to impose * * * obligations on those outside their borders.”).

⁸⁷ *Kiernan v. City of Portland*, 57 Or 454, 464, 111 P379, 112 P 402 (1910); *State ex rel Mullins v. Port of Astoria*, 79 Or 1, 18-19, 154 P 399 (1916); *Curtis v. Tillamook City*, 88 Or 443, 454-55, 171 P574, 172 P 122 (1918).

⁸⁸ *Couch v. Marvin*, 67 Or 341, 136 P 6 (1913); *McBee v. Town of Springfield*, 58 Pr 459, 114 P 637 (1911); *Landess v. City Cottage Grove*, 64 Or 155, 129 P 537 (1913).

Debt limitations.....	ORS 223.295
Ethics.....	ORS Chapter 244
Public meetings and records.....	ORS 192.311 to 192.710
Land use planning and regulation.....	ORS Chapters 92, 197, 197A and 227
Street vacation.....	ORS 271.080 to 271.230
Condemnation.....	ORS Chapter 35; 223.005 to 223.105, 226.310 to 226.380 and 227.300.
Collective bargaining.....	ORS 243.650 to 243.782
Public Employee's Retirement System.....	ORS Chapter 238 and 238A

Other Subjects

The model charter contains no provisions on a number of other subjects that may be covered as well or better by ordinance. Such subjects include council rules, personnel rules, procedures for local improvements, levying and collecting special assessments and city commissions and committees.

Municipal Judge as Ex Officio Justice of the Peace

Some Oregon charters enacted as special legislative acts prior to 1906 provide that the municipal judge has the jurisdiction and authority of an ex officio justice of the peace. This model charter contains no such provision. A home rule charter may not grant such authority to a municipal judge; such authority may only be granted by state statute.

The decision in *In re Application of Boalt*⁸⁹ suggests that once a municipal judge is given the jurisdiction and authority of an ex officio justice of the peace by a special legislative act, it continues regardless of a subsequent home rule charter. It may be withdrawn by the Legislature. A city in this situation may retain its charter provisions conferring jurisdiction and authority of an ex officio justice of the peace on its municipal judge by enacting its new charter as an amendment to its former legislative charter. A municipal judge may continue to exercise this authority under this Supreme Court decision.

⁸⁹ 123 Or 1, 260 P 1004 (1927).



**AGENDA REPORT
DISCUSSION ITEMS
February 4, 2021**

To: Mayor and City Council

FROM: Peter Hall, Human Resources Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: APPROVAL OF HEARINGS OFFICER AGREEMENT

DATE: January 22, 2021

PROPOSED MOTION:

I MOVE THAT THE CITY ENTER INTO AN AGREEMENT WITH BOTH APPLICANTS FOR THE POSITION OF HEARINGS OFFICER FOR THE CITY OF ONTARIO. APPLICANT WOULD BE THE PRIMARY HEARINGS OFFICER AND APPLICANT TO BE THE BACK-UP HEARINGS OFFICER.

OR

I MOVE TO DIRECT STAFF TO INVITE THE APPLICANTS TO BE INTERVIEWED AT THE NEXT COUNCIL MEETING.

SUMMARY:

The City of Ontario does not have an agreement with a Hearings Officer to conduct hearings related to abatement issues in the city. Staff was instructed to develop an agreement and to seek applicants to fill the position.

BACKGROUND:

The City of Ontario is currently without a Hearings Officer for conducting hearings related to abatement issues in the city. Staff developed an agreement for the position, and posted the recruitment in the local newspaper. Announcements were also placed on the city's website and Facebook page. Two applications have been received.

CURRENT SITUATION:

Staff has the prepared Hearings Officer agreement and two applicants seeking appointment to the position.

ANALYSIS:

- A. **STRATEGIC PLAN** The hearings officer supports the strategic goal of beautification by supporting the code enforcement officers with achieving compliance. The hearings officer can look at results and apply relief to citizens who have come into compliance when warranted.
- B. **FINANCIAL** The position of Hearings Officer is paid per case hearing at the rate of \$____ per case.
- C. **TIMING** Timing is of the essence as there are currently abatement cases pending before the city.
- D. **POLICY/LEGAL** The City Council has the authority to delegate the hearings officer.

ALTERNATIVES:

Council could reject both applications for the position and instruct staff to re-advertise. This could hinder due process of any current appeals before the city.

RECOMMENDATION:

Staff recommends entering into an agreement with both applicants for the position of Hearings Officer for the City of Ontario. Applicant would be the primary hearings officer and applicant to be the back-up hearings officer.

ATTACHMENTS:

- 1. Hearings Officer_Contract
- 2. Billy Carter Letter and Resume
- 3. Annette Steinbach Letter and Resume



ADMINISTRATIVE HEARING OFFICER SERVICES AGREEMENT

This Agreement to Provide Administrative Hearing Officer Services (“Agreement”) is entered into by and between:

THE CITY OF ONTARIO,
An Oregon Municipal Corporation,
 (“City”)
 &

(“Contractor”)

A. GENERAL CONDITIONS:

1. **Independent Contractor Status** – Contractor is an independent contractor and is not an employee of the city. Contractor is responsible for all federal, local, and state taxes and fees applicable to payments for services under this agreement.
2. **Subcontractors and Assignment** – Contractor shall neither subcontract with others for any of the services prescribed herein nor assign any of Contractor’s rights acquired hereunder without the prior written consent of the City. The City is not liable to any third person for payment of any compensation payable to Contractor as provided in this agreement.
3. **Access to Records** - The City’s authorized representatives shall have access to the books, documents, papers, and records of Contractor which are directly pertinent to this contract for the purpose of making audit, examination, excerpts and transcripts.
4. **Workers Compensation/Insurance** – The City will not provide Workers Compensation Insurance to the Contractor, as the Contractor is responsible for any worker’s compensation insurance.
5. **Indemnification**
 - a. If Contractor is insured against claims for professional errors and omissions under a professional liability insurance policy, to the extent Contractor is covered under such policy, Contractor shall defend, indemnify, and hold harmless the City, its officers, agents, and employees from all claims, suits or actions resulting or arising from Contractor’s sole negligence in performance or professional services under this agreement, without regard to any monetary limits of such policy of insurance
 - b. As to any other claim of liability, other than above described, Contractor shall defend, indemnify, and save harmless the City, its officers, agents and employees of all claims, suits or actions of whatsoever nature resulting or arising out of the activities of the Contractor or Contractor’s subcontractors agents or employees under this agreement, including claims based in part of the negligence of the City or others.

- 6. Nondiscrimination** – Contractor agrees that no person shall, on the grounds of race, color, religion, creed, sex, marital status, familial status or domestic partnership, national origin, age, mental or physical disability, sexual orientation, gender identity or source of income, suffer discrimination in the performance of this Agreement when employed by the Contractor. The Contractor agrees to comply with all applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. Further the Contractor agrees not to discriminate against a disadvantaged business enterprise, minority-owned business, woman-owned business, a business that a service-disabled veteran owns or an emerging small business enterprise certified under ORS 200.055, in awarding subcontracts as required by ORS 279A.110.
- 7. Remedies** – In the event the Contractor is in default of this Agreement, City may, at its option, pursue any or all of the remedies available to it under this Agreement and at law or in equity, including but not limiting to:
- a. Termination of this Agreement
 - b. Withholding all monies due for work and work products that Contract has failed to deliver within any scheduled completion dates or has performed inadequately or defectively.
 - c. Initiation of an action or proceedings for damages, specific performance or declaratory or injunction relief;
 - d. These remedies are cumulative to the extent the remedies are not inconsistent, and the City may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

8. Term & Termination

- a. Term
 - i. This Agreement shall be effective from the October 1st, 2020, (the “Effective Date”), and shall continue in full force and effect until June 30, 2021 unless sooner terminates as provided in Subsection (8b).
 - ii. This Agreement may be extended for no more than four (4) additional one-year terms upon mutual written consent of the parties.
- b. Termination
 - i. The City and Contractor may terminate this Agreement by mutual agreement at any time.
 - ii. The City may, upon not less than thirty (30) days’ prior written notice, terminate this agreement for any reason deemed appropriate in its sole discretion.
 - iii. Either party may terminate this Agreement, with cause, by not less than fourteen (14) days prior written notice if the cause is not cured within that fourteen (14) day period after written notice. Such termination is in addition to and not in lieu of any other remedy law or equity.

9. Notice

- a. Whenever notice is required or permitted to be given under this Agreement, such notice shall be given in writing to the other party by personal delivery, by sending via a reputable commercial overnight courier, by mailing using registered or certified United States mail, return receipt requested, postage prepaid, or by electronically confirmed at the address or facsimile number set forth below:

If to the city:

City of Ontario
444 SW 4th Street
Ontario, OR 97914
(541) 881-3223
Adam.brown@ontariooregon.org

If to Contractor:

Name
Address

Phone
Email

10. Waiver of Breach

- a. One or more waivers or failures to object by either party to the other's breach of any provision, term, condition, or covenant contained in this Agreement shall not be construed as a waiver of any subsequent breach, whether or not of the same nature.

B. Hearing's Officer Services & Conditions

The Hearings Officer agrees to the following:

1. Render decisions authorized by and pursuant to requirements of the Ontario Municipal Code and Ontario zoning Code of ordinances.
2. Provide a written decision to the City Recorder, City Code Enforcement Officer, within (7) calendar days following the hearing at which final action was announced or taken under advisement.
3. Inform the City Recorder or his/her designee at least two weeks before a hearing whether the Hearings Officer has any conflicts of interest or is subject to any bias or pre-hearing contact with parties concerning any case on the Agenda Summary for that hearing.
4. Visit the site which is the subject of each application on which Hearing's Officer will act, provided however that not more than thirty minutes may be billed for visits to each case site on the agenda.
5. The Hearings Officer shall keep accurate records on forms provided by the City for the purpose of computing compensable time and shall submit said records to the City for payment of services no later than the end of the next succeeded month in which services were rendered.
6. The Hearings Officer shall comply with every requirement listed within the City of Ontario Municipal Code, for Article V. Contested Case Procedures and Ontario Municipal Code 1-15-40 – Office of Hearings officer created; qualifications, duties and powers.

C. City of Ontario Obligations and Terms

The City of Ontario agrees to the following:

1. The City certified that sufficient funds are available for expenditure to finance costs of this contract.
2. The City agrees to compensate Contractor for performance of those services enumerated in this agreement, at an hourly rate of \$60.00, or a maximum amount of \$1500 for the term of this agreement, whichever is less.
3. The City shall have the responsibility in scheduling the time and place of all quasi-judicial Civil Penalty hearings and notifying the appropriate parties pursuant to the City of Ontario Municipal Codes, as amended. The City shall also have the responsibility of providing the Hearing's Officer with a summary of applications on which he or she shall act as a public hearing at least two weeks prior to that hearing.
4. The City shall provide a hearing room for every hearing conducted by the Hearing's Officer.
5. The City shall comply with every requirement of the City of Ontario Municipal Code, for Article V. Contested Case Procedures, Article IV. Civil Penalties, and Ontario Municipal Code 1-15-40 – Office of Hearings officer created; qualifications, duties and powers.

IN WITNESS WHEREOF the parties have caused this agreement to be signed in their respective names by their duly authorized representatives as of dates set forth below.

THE CITY OF ONTARIO, OREGON

CONTRACTOR

By: _____
Chief of Police

By: _____

Printed Name: _____

Date: _____

Date: _____

REVIEWED:

By: _____
CITY MANAGER

Date: _____

November 23, 2020

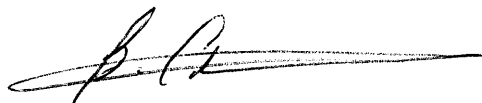
City of Ontario Oregon
Attn: Peter Hall
444 SW 4th Street
Ontario, OR 97914

Dear Mr. Hall:

I am Billy Carter and I am submitting this cover letter and my resume in consideration for the position of Hearing Officer for the City of Ontario. I am currently servicing in that capacity and desire to continue. I have functioned as an Executive and Administrative Manager at many levels of the Criminal Justice System, and have extensive experience in conducting and adjudicating decisions in civil and administrative hearings. I am experienced with the city code of Ontario, as I have previously worked as a Code Enforcement Officer for the city.

I pride myself on being fair, firm and consistent in my decision making. I understand the important of compliance with the city codes as well as the challenges facing the community, which provides me with a neutral and objective perspective of this position.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Carter', with a long horizontal line extending to the right.

Billy C. Carter
DBA: Carter Consulting Services
P. O. BOX 766
ONTARIO, OR. 97914
CELL: 208-739-8624

BILLY C. CARTER
DBA: Carter Consulting Services
PO Box 766
Ontario, Oregon 97914
Cell: 208-739-8624; E-Mail: bilcart2@msn.com

SUMMARY

Progressive, responsible, energetic, innovative, professional administrator and leader. Extensive management experience in corrections and the private sector. Excellent experienced in the development of short and long-range goals and plans, budgets, programs, policies and procedures. Strong organizational and human resource management experience including recruiting, hiring, discipline and problem solving. Expertise to collaborate effectively with community partners, administration, legislative and policy-making bodies. Adeptness to act calmly and decisively in crisis situations. Ability to exercise initiative and independent judgment.

PROFESSIONAL EXPERIENCE

Hearings Officer (Part-time) – City of Ontario, Ontario Oregon, October 2020 – Present. Conduct quasi-judicial Code Enforcement hearings and rendered decisions authorized by and pursuant to requirements of the City of Ontario code.

Instructional Assistant (Part-time) – Ontario School District 8C, September 2018 – Present. Assist teachers or licensed specialists with instructional activities which allow students to meet benchmark or program standards within the school. Currently assigned to the Bridges Program, the alternative school working with juniors and seniors to enhance their abilities to meet graduation requirements.

Code Enforcement Officer - City of Ontario Police Department, Ontario Oregon May 2015 to June 30, 2018. Served as a team-member to implement Ontario City Municipal Code and ordinances. Enforced animal control services, code compliance, parking enforcement, and traffic control. Investigated ways for the code enforcement division to be more efficient and effective. Collaborated with members of city staff, other public agencies and private organizations to achieve a cleaner and safer city. Cultivated close working relationships with other municipalities and researched what other cities did for code compliance. Assisted patrol division with calls and traffic control on motor vehicle crashes. Attended community involved events and presentations at schools. Instructed a training of Defensive Tactics with Canines for the police department.

Correctional Industries Program Manager – Wyoming Department of Corrections, Cheyenne, Wyoming. June 2005 to July 2009. (Retired effective July 2009) Member of the executive management team with statewide responsibility for Correctional Industries Programs. Responsibilities include administration of industries operations, financial management of the overall program, marketing of goods and services, and development of program plans and directions. Duties extend beyond the establishment of standards, development and implementation of business plans and starting up new businesses, to include hiring of personnel, purchase of equipment and training workers. Coordinates with correctional facilities administrators to ensure the maximum number of inmates are able to participate in work and training opportunities provided by the industries program. Collaborates with Educational Services to ensure that inmates employed by industries are provided vocational skills training, and increase their employment prospects after release. Acquires and develops industries opportunities with private contractors to maintain Industries as self-sustaining entity of the state.

Operations Manager – Santiam/Mill Creek Correctional Facilities, Oregon Department of Corrections, Salem, Oregon. May 2005 to June 2005. Team leader of the executive management team for two minimum adult correctional work and release facilities. Develop and administer programs, services and financial operations consistent with laws, regulations, rules, policies, procedures and guidelines to assure adequacy and appropriate services were provide to Staff and inmates. Conducted administrative and civil hearings to assure compliance with rules, policies and procedures, and laws. Supervised and assisted managers with personnel management practices including but not limited to recruiting, interviewing, and selection of staff. Analyze, develop and implement short and long-range goal and plans for innovative and progressive full-service correctional facilities. Responsible for preparing, manage, and adjust biennial budget to meet operational need. Prepare monthly reports and other special reports required for planning, feedback, and analysis. Provide executive level leadership to direct and implement sound correctional practices while ensuring public safety, offender management, and rehabilitative programming.

Security Manager – Santiam/Mill Creek Correctional Facilities, Oregon Department of Corrections, Salem, Oregon. March 2003 to May 2005. Member of the executive management team for two minimum adult correctional work and release facilities. Develop and administer security functions consistent with laws, regulations, rules, policies, procedures and guidelines while ensuring legal rights of staff and inmates are protected. Conducted administrative and civil hearings to assure compliance with rules, policies and procedures, and laws. Collaborate with others to write operational procedures and guidelines for a new release program. Analyze, develop and implement short and long-range goal and plans for innovative and progressive full-service correctional facilities. Understands behavior patterns of criminal offenders, laws and standards of confinement for adult correctional facilities. Participate in Departmental Audits and respond to audit concerns in a timely manner.

Security Manager for Security Services – Snake River Correctional Institution, Oregon Department of Corrections, Ontario, Oregon. December 1996 to April 2003. Directed the complex administrative management of all security services of a 3,000-bed multi-custody, multi-dimensional correctional facility with over 500 security staff and a biennial budget of over \$67 million. Developed, implemented, and monitored security rules, procedures, orders, and operational guidelines. Conducted administrative and civil hearings to assure compliance with rules, policies and procedures, and laws. Ensured full compliance with all applicable federal and state laws, administrative rules and regulations, as well as department directives, mission, and goals. Participated in emergency response exercises and audits as scheduled.

Correctional Captain – Snake River Correctional Institution, Oregon Department of Correction, Ontario, Oregon. July 1995 to December 1996. Served as Watch Commander in a major full-service correctional institution, and supervised administrative operations within the security section. Utilized leadership skills, team building methodologies, budgeting knowledge and problem solving techniques to effectively establish and implement rules, regulations and procedures in a progressive correctional environment. Managed operations during a major construction and expansion program (380-beds to 3000-beds), minimizing disruptions in services and operations. Actively participated in the community to promote the field of corrections as a positive, professional and rewarding career.

Correctional Lieutenant – Snake River Correctional Institution, Oregon Department of Correction, Ontario, Oregon. December 1994 to July 1995. Directed the functions and operations of a major Medium and maximum-custody full service correctional facility as a shift commander. Monitored and coordinated materials and supplies for the security section. Established, monitored, revised and implemented shift schedules, position descriptions, post orders, operating procedures and guidelines. Conducted and supervised investigations within the jurisdiction of the department. Resolved complaints and grievances while assisting staff to enhance the skills and knowledge of the laws, regulations, ordinances, policies and procedures required to manage a correctional facility.

EDUCATION

University of Phoenix
Prairie View University

Business Management
Mathematics & Business Administration

MBA Candidate
Bachelor of Science

ANNETTE STEINBACH

4024 N College; Newberg, OR 97132

annettesteinbachwork@gmail.com

503.330.3094

Peter Hall
444 S.W. 4th Street
Ontario, OR 97914

RE: Hearings Officer, City of Ontario

Mr. Hall:

I would like to be considered for your Hearings Officer position. The combination of my past work experiences and education have uniquely qualified me for this position. I grew up in Ontario, graduated from Ontario High School and attended Treasure Valley Community College. I have strong family ties in the community and am looking to relocate.

I have excellent written and verbal communication skills communicating daily with all personnel throughout Oregon State Hospital and the public via e-mail and verbal interactions relaying information pertaining the medical record, records release, public records, and privacy issues. This often involves the explanation of laws, statutes and policies related to these issues.

As a Health Information Specialist at Oregon State Hospital my attention to detail was put to good use analyzing complex paper medical records to ensure proper compliance with hospital policy and regulatory standards. My daily work involved communication and collaboration with all levels of staff at the hospital to track down missing documents and ensure compliance with all requirements.

My work as Administrative Specialist 2 at Oregon State Hospital has involves coordinating meetings for up to 4 groups. This involves creating agendas, communicating with participants, tracking actions, and keeping accurate minutes. In addition, I work closely with the DHS/OHA Information Security and Privacy Office investigating privacy incidents and coordinating privacy breach notifications for OSH patients.

Throughout the years have gained a great deal of self-confidence and comfort in working with all kinds of people. I am an incredibly hard worker with a great deal of integrity and honesty. I love learning new things and look forward to new challenges.

Thank you for your consideration.

Sincerely,

Annette Steinbach

ANNETTE STEINBACH

4024 N College; Newberg, OR 97132

annettesteinbachwork@gmail.com

503.330.3094

STRENGTHS/SKILLS

- Proficient MS Excel, MS Word, Outlook, Skype for Business, MS Teams, 10 key, typing 80 wpm.
- Excellent verbal/written communication and interpersonal skills
- Problem solver – solution focused
- Organized/detail oriented

EXPERIENCE

4/2017 – PRESENT

ADMINISTRATIVE SPECIALIST 2, OREGON STATE HOSPITAL

- Committee coordination and support for Medical Record Committee, The Joint Commission Record of Care Cross Functional Work Team, and Health Information Department meetings: Prepare agendas, minutes, communicate with members, update The Joint Commission Resources AMP website for the Record of Care Cross Functional Work Team.
- Health Information Department administrative support: Maintain and update department protocols, problem solve computer, phone, and technology issues.
- Privacy incident reporting and tracking: Track and investigate HIPAA privacy incidents at Oregon State Hospital working closely with the Information Security and Privacy Office; Maintain an electronic file and track incidents and pertinent information using Microsoft Excel; Draft privacy notification letters and ensure federal, state, and agency compliance.
- Public records requests: Respond to public records requests coordinating with designated Oregon Health Authority and Department of Justice staff. Track all requests to ensure compliance with policy and Oregon Revised Statutes.

4/2017 – PRESENT

HEALTH INFORMATION SPECIALIST, OREGON STATE HOSPITAL

- Used Microsoft Excel to track incomplete medical records for compliance with agency policy and regulatory standards.
- Analysis of complex medical paper charts to ensure required elements and proper order of the medical record were maintained
- Answered questions via phone regarding medical records from staff, patients, attorneys and outside providers
- Assisted Standards and Compliance with monthly chart audits for compliance with The Joint Commission
- Graduate - October 2017 Aspiring Leaders Program

3/2014-3/2015

MEDICAL TRANSCRIPTIONIST 2, OREGON STATE HOSPITAL

- Transcribe clinical documents with 99.5% accuracy at a rate with a minimum of 80 minutes day

2/2003 – 3/2014

MEDICAL TRANSCRIPTIONIST, INDEPENDENT CONTRACTOR

- Medical Transcription for a variety of specialists using MS word typing 80 WPM

6/1993 – 11/1999

PROVIDER RELATIONS ASSOCIATE, PACIFICARE BEHAVIORAL HEALTH (NOW UNITED HEALTHCARE)

- Started out as a temporary employee. promoted to office manager and then provider relations associate.
- Responsible for negotiation of interim provider contracts, coordinating and processing provider contracts and provider credentialing, resolution of provider claims issues.

EDUCATION

Bachelor of Science Degree – Business/Economics – George Fox University 1993

12/12/19

TO: Adam J. Brown, CM - Adam.Brown@ontariooregon.org
City Manager
Work: 541-881-3223

FROM: Cody Taylor - CTaylor@beynonsports.com
Tennis Operations Manager
Beynon Sports Surfaces
503-539-7930

City of Ontario, Oregon

Beynon Sports is pleased to present this proposal. BOLI wages are included. If bonds are required please add 1% to total.

SCOPE #1 – BECK KIWANIS TENNIS COURTS REBUILD POST TENSIONED CONCRETE	
Scope:	- Saw cut and remove necessary perimeter asphalt and prepare for post tensioned concrete beam area. Remove existing fence and dispose of properly. - Supply and install 3" of road base to achieve separation, laser grade and compact. - Supply and install 4 industry standard post tensioned concrete tennis courts, 4000 PSI design, edges thickened to 12" inches, reinforced with ½" steel tendons placed as engineered. - Supply and install 4 complete sets of Douglas tennis equipment. - Supply and install 10' foot high black vinyl coated chain link fence with 2 man gates. Top and bottom rails to be vinyl coated 1 5/8" "LG-40" pipe or equivalent. Corner Posts, Terminal Posts and Line Posts to be 2-7/8" inches "LG-40" pipe or equivalent. All fabric to be 1¾" vinyl coated 9- gauge core, 8- gauge finish fused and bonded. - Supply and install 4 coat textured acrylic surfacing system with tennis striping.
Cost:	<u>\$ 377,831.00</u>
Add Alternate:	<u>Eastside Park Futsal Court – 63'x 115'</u>
	- Excavate approximately 8" of existing materials and haul away. - Supply and place 4" structural fill, grade and compact. - Supply and place 4" road base, laser grade and compact - Supply and install an industry standard post tensioned concrete tennis court, 4000 PSI design, edges thickened to 12" inches, reinforced with ½" steel tendons placed as engineered. - Supply and install 4 coat textured acrylic surfacing system with futsal striping. - Does not include fencing or goals.
Cost:	<u>\$ 139,231.00</u>
Total Cost:	<u>\$ 517,062.00</u>

SCOPE #2 – BECK KIWANIS TENNIS COURTS REBUILD ASPHALT	
Scope:	- Remove existing fencing, asphalt and necessary footings. - Remove existing base, up to 6”. - Supply, place and prep and compact 6” of road base. - Install 2.5” depth of asphalt. - Provide and install 4 complete sets of Douglas tennis equipment. - Supply and install 10’ foot high black vinyl coated chain link fence with 2 man gates. Top and bottom rails to be vinyl coated 1 5/8” “LG-40” pipe or equivalent. Corner Posts, Terminal Posts and Line Posts to be 2-7/8” inches “LG-40” pipe or equivalent. All fabric to be 1¾” vinyl coated 9- gauge core, 8- gauge finish fused and bonded. - Supply and install 5 coat textured acrylic surfacing system with tennis striping.
Total:	\$ 386,507.00
Add Alternate:	<u>Eastside Park Futsal Court – 63’x 115’</u>
	- Excavate approximately 8” of existing materials and haul away. - Supply, place, prep and compact 6” of road base. - Supply and install 2.5” depth of asphalt. - Supply and install 4 coat textured acrylic surfacing system with futsal striping. - Does not include fencing or goals.
Cost:	<u>\$ 111,014.00</u>
Total Cost:	<u>\$ 497,521.00</u>

Exclusions:

- This quotation excludes any site restoration, haul roads, construction entrances, erosion control, SWPPP, design costs, traffic control, testing, bonds, union or labor law levies, agency approval or associated fees, protection of sports surface after completion, permits(owners responsibility), moving/removal/replacing any utilities to include sprinklers, remediation of unsuitable soils, multiple mobilizations, logos or other unforeseen costs.
- Asphalt is manufactured with gravel, sand, and liquid petroleum. Most plants produce asphalt using gravel mined from hillsides. Mined gravel may contain clay balls and iron causing small insignificant voids and rust spots that may migrate to the acrylic surface. Since the producer’s source of aggregate may vary from time to time, it is impossible to predict whether a particular batch of asphalt from a producer will contain clay balls or iron. If clay balls and or rust spots develop they will not hinder play or hurt the structural integrity of the court and are almost always eliminated after the first resurfacing. The most common problem with asphalt tennis courts is pavement cracking. Cracking in asphalt is caused, at least in part, by the natural tendency of asphalt to shrink as it weathers, oxidizes and ages. In addition, asphalt loses its flexibility as it ages, making it more brittle. Since shrinking and becoming more brittle with age are properties of the material, cracking in asphalt tennis courts is inevitable. This condition is beyond the control of Beynon Sports, its suppliers and sub-contractors. Therefore Beynon Sports will not assume any responsibility if such conditions appear.
- Quote valid for 30 days.
- *Cracks not treated with Riteway will appear/reappear with ground movement and freeze/thaw cycles. Yearly maintenance on your part will be required to re-seal small cracks. Cracks may outgrow Riteway membrane.
- There is no warranty on standard crack repair.
- Suitable water source must be provided by owner.
- Pricing does not include removal of boulders, foundations or any other buried unforeseen impediments.



If you have any questions, please call me at 503-539-7930.

Sincerely,

Cody Taylor
Tennis Operations Manager
Beynon Sports Surfacing, Inc.



If you agree with the terms and conditions of this proposal please initial next to approved option(s), indicate total contract value below, sign and fax/mail back.

We hereby accept the conditions of this offer stipulated herein.

CONTRACT \$

NAME OF PROJECT:

Signed this _____ day of _____, 2019

Signature: _____

Printed Name: _____

Billing Name (if different): _____

Billing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____

Colors

Inside

Outside

Beynon Sports Surfaces, Inc.

Signed this _____ day of _____, 2019

Accepted by: _____

Printed Name: _____

Materials remain property of Beynon Sports Surfaces, Inc. (BSS) until paid in full.

Purchase orders/Contracts should be sent to:

Beynon Sports Surfaces, Inc.

Attention: Lori Johnson

19600 SW 129th Avenue Suite A

Tualatin, Oregon 97062

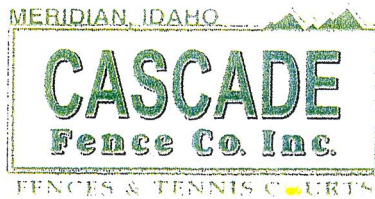
Tel: 800-423-5875 ext. 238 Fax: 503-692-0491

ljohnson@beynonsports.com

The purchase price shall be payable to the contractor by way of check in accordance with the payment schedule. Contractor will issue an invoice to customer upon the occurrence of each of the events listed above, and payment of each invoice is due within ten (10) days following the date of the applicable invoice.

Be sure to visit our website at www.beynonsports.com.

19600 SW 129th AVENUE Ste A, TUALATIN, OREGON 97062 ☎ 503.691.2484 ☎ FAX 503.692.0491 ☎ WWW.BEYNONSPORTS.COM



151 N. Linder Rd.
Meridian, ID 83642
President, Anthony Wingett
Contractors RCE 6455

Phone: 208-887-6570

Fax: 208-887-5451

Email: cascadefence@gwestoffice.net

State of Idaho Public Works 11852-AA-4

12-8-20

Jacobs Engineering

Att. Betsy Roberts

Beck Park Tennis Court Reconstruction – 4- tennis courts

We are pleased to offer the following revised quotation for your consideration.

Remove and reinstall 220' of existing chain link mesh for construction access reusing same materials.

Saw cutting already completed by City. Removal of asphalt and top grade material down to sub grade & haul off. Re-compact as needed, place geo textile fabric, and 8" +- of pit run material grade & compact, add 4" +- of $\frac{3}{4}$ " road mix fine grade & compact. Place approximately 29,900 sq. ft. of new 2 $\frac{1}{2}$ " asphalt pad, flood check for bird paths, & $\frac{3}{4}$ " saw cut expansion joints in alleys and under tennis nets.

Furnish and install 4- sets of new tennis net equipment [sleeves, posts, center anchors, & nets]

Furnish & apply new Plexipave color surfacing system over the new asphalt in a 3- coat system, 1- acrylic re-surfacer filler coat, and 2- coats of fortified color in an all 1- color scheme, complete with white tennis play lines.

Total \$ 196,900.00

*Add for pickleball lines per court

Add \$ 650.00 ea.

No new chain link fence mesh or any curbing included

Please let me know if you have any questions.

Sincerely Bill Fittje

Manager









**AGENDA REPORT
DISCUSSION ITEMS
February 4, 2021**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: FOUR RIVERS CULTURAL CENTER FUNDING

DATE: January 27, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL GRANT THE FOUR RIVERS CULTURAL CENTER \$10,000 FROM THE CITY GENERAL FUND FOR CORONA VIRUS ECONOMIC RELIEF.

SUMMARY:

The City received over \$330,000 in coronavirus relief funds that were used to virtualize city surveys and also to assist local businesses. The Four Rivers Cultural Center was not eligible for assistance from the coronavirus relief funds that the city received other than an electrostatic sprayer we provided for cleaning.

BACKGROUND:

Not only was the City not eligible for City coronavirus relief funds, but they were also not eligible for the County Coronavirus relief funds. Additional funds that we were not eligible to allocate directly were able to go to our city general fund to cover police and fire overtime.

The City was able to help the County Agency on Aging with additional meals on wheels. We were able to help community members with rental and utility assistance. Lastly we were able to provide some private businesses with tents and heaters to serve patrons outside.

The state awarded grants to performance centers across the state, but the cultural center was not automatically awarded funds with the first round of relief to performance centers.

CURRENT SITUATION:

City staff recommends awarding \$10,000 to the Four Rivers Cultural Center (FRCC) out of the city general fund. With the coronavirus relief funds covering overtime costs, we would have sufficient funds to assist the FRCC. This is roughly one half of one months operating expenses.

ANALYSIS:

- A. **STRATEGIC PLAN** The Cultural Center is an integral part of the fabric of this community. It impacts the Lifestyle and Desirability strategic goals. Specifically it addresses the activity of "Having things to do".
- B. **FINANCIAL** With additional funds to cover fire and police overtime, we will have sufficient funds to cover a one time donation of \$10,000 to help the FRCC. The Cultural Center staff have been great partners with the city in helping us with recent grant applications and meeting space.
- C. **TIMING** The FRCC is continuing to operate with limited ability to rent out space. They have lost staff and have had to go without to continue operations without the revenue they can normally generate from the nearly 100,000 square feet of programming space.
- D. **POLICY/LEGAL** The Council has to approve a non-departmental appropriation.

ALTERNATIVES:

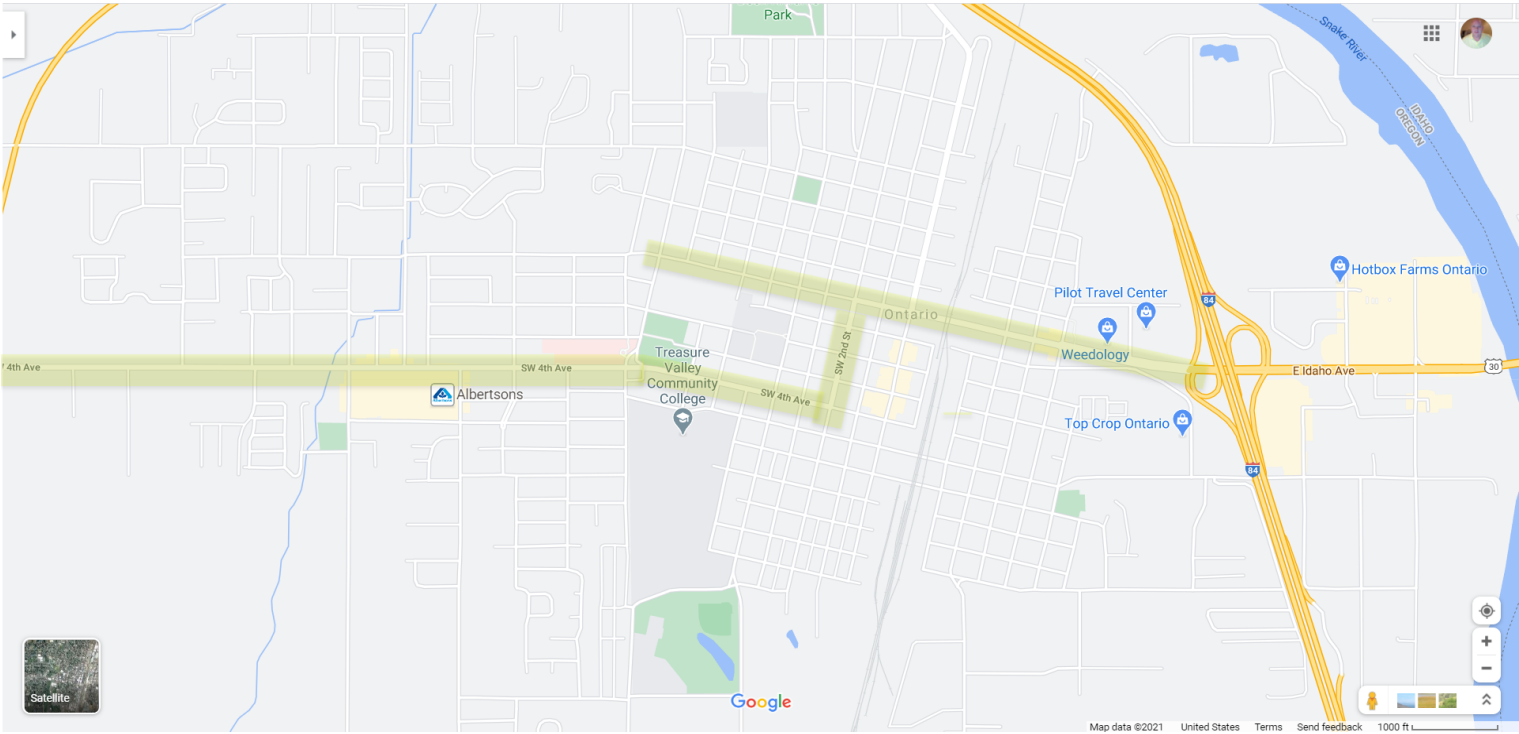
Take No Action: Taking no action will retain all of the funding within the city's general fund.

RECOMMENDATION:

City staff recommend funding a one-time donation to the Cultural Center to assist with operations in the amount of \$10,000.

ATTACHMENTS:

None





**AGENDA REPORT
DISCUSSION ITEMS
February 4, 2021**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: BORDER BOARD GRANT ADMINISTRATION

DATE: January 29, 2021

PROPOSED MOTION:

DIRECT STAFF TO MOVE FORWARD WITH AN AGREEMENT TO ADMINISTER THE PROPERTY INCENTIVE REBATE PROGRAM (PIRP) AND COUNTY HOUSING INCENTIVE PROGRAM (CHIP) PROGRAM.

SUMMARY:

The Eastern Oregon Border Board has requested the City's help in administering the County Housing Incentive Program (CHIP) and the Property Improvement Rebate Program (PIRP).

BACKGROUND:

The Border Board has run into the same challenge administering the CHIP and PIRP program that they ran into with the other programs, with the state not being able to administer them and the Oregon Community Foundation not able to pay directly to homeowners or businesses. The Border Board budgeted \$300 per application for an administration fee to be able to pay for the administering party.

CURRENT SITUATION:

The Border Board has requested the city assist in administering the two additional programs on their behalf. This would entail receiving funding for a specified project and then cutting a check to the awardee as directed by the border board.

ANALYSIS:

- A. **STRATEGIC PLAN** This supports the Growth strategic plan goal, specifically to encourage new housing starts.
- B. **FINANCIAL** The administration fee will cover the time for receipting funds and cutting checks to the awardees. We do not anticipate the workload being too much to

overload our staff.

- C. **TIMING** The Border Board has had these programs in place for over two years but has been unable to implement them because of restrictions in administering the programs. With this agreement, they will be able to implement the program as soon as an agreement is done.
- D. **POLICY/LEGAL** Staff is seeking council approval to move towards an agreement.

ALTERNATIVES:

Take No Action: The Border Board will have a difficult time administering these two programs. I believe they have exhausted many resources in trying to administer these programs.

RECOMMENDATION:

The City staff recommends moving towards an agreement for the city to assist in administering the finances of the CHIP and PIRP programs.

ATTACHMENTS:

None



**AGENDA REPORT
DISCUSSION ITEMS
February 4, 2021**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: FEDERAL CORONAVIRUS PAID FMLA SICK LEAVE EXTENSION

DATE: February 1, 2021

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE EXTENSION OF THE FEDERAL CORONAVIRUS PAID SICK LEAVE BENEFITS.

SUMMARY:

The City has an option to to extend Coronavirus paid leave benefits.

BACKGROUND:

The Families First Coronavirus Response Act required employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19.

Generally, the act provides that covered employers must provide the following to all employees:

1. Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate. This is if the employee is quarantined and/or experiencing COVID-19 symptoms and seeking medical diagnosis.
2. Two weeks (up to 80 hours) of paid sick leave at two-thirds regular pay. This is used if a family member is affected by COVID-19.

The city qualifies for dollar-for-dollar reimbursement through tax credits on quarterly payroll tax returns. The City is reimbursed for wage cost, employer social security and medicare cost. The only out of pocket cost would be worker's compensation and PERS.

CURRENT SITUATION:

Congress passed legislation December 21, 2020 that was signed by the president December 27, 2020 extending the federal coronavirus paid leave benefits and tax credits associated with this leave from January 1, 2021 through March 31, 2021.

This extension of the leave is optional by the employer. Staff is asking council if the leave should be extended.

The extension does not give each employee an additional 80 hours of each type of leave. If an employee had hours remaining after 2020, those hours would extend until March 31, 2021.

ANALYSIS:

- A. **STRATEGIC PLAN** No direct strategic plan impact.
- B. **FINANCIAL** The financial impact is not readily estimated. The financial impact would come from worker's compensation and PERS costs and also any potential future buyout/use of sick leave.
- C. **TIMING** The City needs to have a decision as soon as possible in order to record and pay the hours correctly.
- D. **POLICY/LEGAL**

ALTERNATIVES:

The council could take no action. This would cause the leave program to end effective December 31, 2020. Employees would be required to take sick leave when affected by COVID-19.

RECOMMENDATION:

Staff recommends approving extension of the leave for a few reasons:

- 1. Some employees are not eligible for vaccination at this point.
- 2. The City gets a tax credit back for the wages and social security and medicare wages.

ATTACHMENTS:

- 1. Families First Coronavirus Response Act...eave Rights _ U.S

Wage and Hour Division

Families First Coronavirus Response Act: Employee Paid Leave Rights

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. The Department of Labor's (Department) Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.

Generally, the Act provides that employees of covered employers are eligible for:

- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay* where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
- *Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay* where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Covered Employers: The paid sick leave and expanded family and medical leave provisions of the FFCRA apply to certain public employers, and private employers with fewer than 500 employees.[1] Most employees of the federal government are covered by Title II of the Family and Medical Leave Act, which was not amended by this Act, and are therefore not covered by the expanded family and medical leave provisions of the FFCRA. However, federal employees covered by Title II of the Family and Medical Leave Act are covered by the paid sick leave provision.

Small businesses with fewer than 50 employees may qualify for exemption from the requirement to provide leave due to school closings or child care unavailability if the leave requirements would jeopardize the viability of the business as a going concern.

Eligible Employees: *All employees of covered employers are eligible for two weeks of paid sick time for specified reasons related to COVID-19. Employees employed for at least 30 days are eligible for up to an additional 10 weeks of paid family leave to care for a child under certain circumstances related to COVID-19.*[2]

Notice: Where leave is foreseeable, an employee should provide notice of leave to the employer as is practicable. After the first workday of paid sick time, an employer may require employees to follow reasonable notice procedures in order to continue receiving paid sick time.

Qualifying Reasons for Leave:

Under the FFCRA, an employee qualifies for paid sick time if the employee is unable to work (**or unable to telework**) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;

2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Under the FFCRA, an employee qualifies for expanded family leave if the employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19.

Duration of Leave:

For reasons (1)-(4) and (6): A full-time employee is eligible for 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

For reason (5): A full-time employee is eligible for up to 12 weeks of leave (two weeks of paid sick leave followed by up to 10 weeks of paid expanded family & medical leave) at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

Calculation of Pay:^[3]

For leave reasons (1), (2), or (3): employees taking leave are entitled to pay at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reasons (4) or (6): employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

For leave reason (5): employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period). ^[4]

^[1] Certain provisions may not apply to certain employers with fewer than 50 employees. See Department FFCRA regulations (expected April 2020).

^[2] Under the Act, special rules apply for Health Care Providers and Emergency Responders.

^[3] Paid sick time provided under this Act does not carryover from one year to the next. Employees are not entitled to reimbursement for unused leave upon termination, resignation, retirement, or other separation from employment.

^[4] An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for the first two weeks of partial paid leave under this section.

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An agency within the U.S.
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MALHEUR COUNTY COURT MINUTES

January 13, 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 Ron Jacobs present. Commissioner Don Hodge was absent. 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 # ***

REPORT BUSINESS OREGON SMALL BUSINESS RELIEF GRANT FUNDS DISTRIBUTED BY GEODC

Susan Christensen, Executive Director of Greater Eastern Oregon Development Corporation (GEODC) reported on the Business Oregon Small Business Relief Grant funds disbursed by GEODC. GEODC serves the counties of: Gilliam, Grant, Harney, Malheur, Morrow, Umatilla, and Wheeler. GEODC distributed two rounds of Small Business Relief Grant funds (Federal CARES Act Funds) under a contract with Business Oregon. In the first round \$114,000 was disbursed to businesses within the seven counties. The total award amount in the next round was \$1,392,500; in Malheur County \$154,726 was disbursed to 23 businesses - awardees were in Jordan Valley, Ontario, Vale, and McDermitt. Ms. Christensen explained she received help from various partners including, Small Business Development Center (SBDC), City of Ontario Manager Adam Brown, Business Oregon, and Eastern Oregon Workforce. SBDC was instrumental in the process by working directly with the applicants to complete their application and any needed follow-up.

A GEODC board member has requested that the names of the businesses receiving grant funds be released publicly; Ms. Christensen is still looking into the request.

COURT MINUTES

Judge Joyce moved to approve Court Minutes of January 6, 2021 as written. Commissioner Jacobs seconded and the motion passed.

AUDIT

Judge Joyce moved to approve the County's 2019-2020 audit prepared by Zwart, John and Associates. Commissioner Jacobs seconded and the motion passed. See instrument # ***

LETTER OF COMMITMENT

Commissioner Jacobs moved to sign the Letter of Commitment for development and operation of the Treasure Valley Reload Center with Malheur County Development Corporation (MCDC), Treasure Valley Onion Shippers LLC, and Americold Logistics, LLC. Judge Joyce seconded and the motion passed. A fully executed copy will be returned for recording.

EMPLOYMENT OF PERS RETIREE

Ms. DuBois inquired if the Court was agreeable to entering into an employment agreement with Maintenance Supervisor Don Dalton as a PERs retiree beginning April 1, 2021. The Court had no objections to the request; an employment agreement will be drafted.

CROSSING PERMITS

Commissioner Jacobs moved to approve Crossing Permit #01-21 to Idaho Power Company to install a pole and transformer for a pivot on 5th Avenue W #1088; and Permit #02-21 to Idaho Power Company to replace a pole and upgrade overhead transformers on Vale View Road #877. Judge Joyce seconded and the motion passed. Original permits will be kept on file at the Road Department.

SUPPLEMENTAL BUDGET

Acting as the governing body of the Ambulance Service District (ASD), Commissioner Jacobs moved to approve Resolution R21-04: In the Matter of Fiscal Year 2020/2021 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Judge Joyce seconded and the motion passed. The purpose of the supplemental budget is to allocate additional Sales and Service funds in the ASD budget that were not anticipated when the adopted budget was prepared; the funds are to be held in contingency. See instrument # ***

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.



January 2021 ACTIVITY REPORT



January 2021



Emergency Medical:

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

CITY	132
RURAL	17

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

Hazmat Team Calls:

0

Fire Related Emergency Calls:

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

	TOTAL	General	Mutual Aid
CITY	19	6	1
RURAL	4	3	0

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

TOTAL CALLS FOR MONTH

CITY	151
RURAL	21

FIREFIGHTER TRAINING:

12/29 & 1/12- Fire origin and cause investigation taught by the State Fire Marshalls.

1/5- Medical review on Lucas CPR device and IV preparation and setup.

1/19- IAFC Sizing up the Covid-19 vaccine.

1/19- IFSTA Ladder operations.

PERMITS ISSUED:

City Open Burns 2

City Burn Barrels 1

Rural Open Burns 10

Rural Burn Barrels 4



January 2021

INSPECTIONS:

1/15/21 – Four plex on River St. fire sprinklers final.

1/23/21 – Rise Inc care home annual.

COMMUNITY INVOLVEMENT:

12/29/20 – Covid-19 testing
@ Fire station 2.



1/6,13,21/21 – Malheur County Covid-19 vaccines at fire station 2.





January 2021



1/14/21 – Covid-19 vaccines at St Al's parking garage.



Summary of Calls of Interest:

City Incidents:

12/26 - SE. 1st Ave and SE. 1st St. Rescue 1 was dispatched for report of a wire on fire. A heat tape was shorting out inside a roof down spout. Rescue used a dry chem extinguisher to extinguish the flames and the arcing stopped. Rescue remained on scene until an RP arrived. He said that he would go find the breaker and shut it off.

12/27 - 175 NE 6th Ave. Crews responded twice today on flow alarm issues with fire sprinklers in different areas of the Heinz plant.



January 2021

12/27 - 420 SE. 2nd St. R1 was dispatched for a residential fire in an apartment complex. Dispatch stated that there were confirmed flames so R1 crew asked for a general alarm. We arrived on scene to find flames showing from the A side of the triplex. The triplex was a single level building, approximately 1200 sq ft at the main floor along with a shared/partitioned basement. R1 made an initial attack using a 1-3/4" pre-connect through the front door. After initial knock down R1 crew advanced into the residence and preformed a primary search while extinguishing hot spots. R1 crew ventilated a basement window and set up a PPV fan at the front door. R1 crew continued to extinguish hot spots while the smoke cleared. As soon as visibility had improved R1 crew preformed a secondary search; no occupants nor animals were found. 103 arrived on scene and set up a water supply for R1. 101 arrived on scene and assisted with water supply as well as salvage and overhaul. Most of the damage was confined to the A side apartment however some damage may have affected other areas of the shared attic space.



12/28 - 49 NW 1st St. Rescue 1 was called for a smell of smoke in physical therapy office. On scene only a slight odor was noticed. R-1 checked complex without discovery of source. Building owner was notified and R-1 cleared.



January 2021

12/29 - I-84 Welcome Center Rescue 1 was dispatched for a vehicle fire. R-1 arrived on scene and contacted the vehicle owner. Fire was out upon arrival. The fire started while he was working on his vehicle, subject had a fuel leak that ignited when it sprayed on the manifold. The fire was put out with an ABC extinguisher by the property owner.

12/29 - 653 E. Idaho Pilot Ontario Fire was dispatched for a passenger car on fire. R-1 arrived on scene, to find a small passenger four door vehicle. Heavy fire was protruding from the sunroof of the cab and heavy fire from the rear trunk compartment. Two vehicles appeared to be threatened to North of the vehicle. Also, the vehicle on fire was located approximately 40 feet from the main fuel station. Law enforcement on scene advised that there may be an explosive device in the vehicle. The report was given by the property owner of the vehicle. Law enforcement reported that the owner appears to be altered, his alertness and mental status is questionable. R-1 staff proceeded to attack the fire in full protective gear, respiratory protection included. The fire was initially attacked from the north and a straight stream was used as soon as the stream contacted the car windows they shattered. Once the fire was knocked down in the cab compartment, extinguishment operations were transferred to the rear. Minimal water was used to preserve evidence, the rear seat appeared to be full of clothing and shoes. The rear trunk contained stacks of clothing, boxes, and paper stacks. The engine compartment was opened to cut the battery cable and inspect for an explosive device. No explosive devices were found during the time Rescue One was on scene. Law Enforcement stated that the property owner had stated someone had planted an explosive device in the vehicle in an attempt to kill him. Pilot staff told Law Enforcement the subject attempted or bought lighter fluid and a lighter at the property. The subject also surrendered a lighter to law enforcement on scene. The fire appeared to have started in the rear seat of the cab area and worked its way to the trunk area. Law enforcement stated this incident is under investigation.





January 2021

1/1 - 175 NE 6th Ave. Crews had multiple medical calls going on at the same time with personnel still responding to the station for coverage so 100 took the fire alarm call at this potato production plant. Upon arrival 100 was met with security at the guard shack and proceeded to the new film room area. This is where the alarm was showing. It showed a water flow on zone 19. From the first investigation there did not appear to be any fire to be seen. 100 silenced the alarm at the panel, then security and 100 proceeded to walk all of zone 19 and found no sign of fire or sprinkler activation. Upon investigation of the riser it appeared that the dry system had lost air pressure and the system had become a wet system. The on-call facilities guy was called and was enroute to get the system fixed. The system would not reset until repairs are made and stayed in the trouble mode. 100 advised the security to do a fire watch every hour until the system was back in service.

1/6 - 484 NW. 1st St. Called to assist PD with ladder. PD climbed on to the roof to secure evidence.

1/6 - 266 Goodfellow. R1 was called to the scene of water flow alarm at a hotel. On scene water was leaking through ceiling of 2nd story room, and then into lobby. Most likely cause was a broken pipe. Water to fire the sprinkler system was shut off. Manager and Fire alarm and sprinkler companies were notified. On duty staff were advised to perform a 30-minute fire watch until system is restored.

1/8 - 238 NW 8th Ave. Rescue 1 was called out to a small garbage can fire. Arrived on scene in the street to a small green garbage can that was fully engulfed. Extinguished it with R-1. Unknown cause. Garbage can was normally located in the alley near the residence.

1/11 - 900 block of NW. 4th St. The crew was called out to a complaint of smoke around 900 blk of NW 4th St. R1 arrived on scene and discovered a small pile of debris that was burning earlier in the day and had some ashes that may have been putting up some smoke in the area. The crew spread the ashes with a shovel. Pile was in the middle of the vacant lot.

1/17 - 1372 SW. 8th Ave Apt. 8 R1 called for a burning smell in a room and would like FD to evaluate. R1 on scene with RP and checked room with the TIC. The occupant did have a Scentsy pot on and it was turned off just before R1 arrival. All electrical items and electrical lights were checked in the room. Most of the smell was consistent with the Scentsy scent and was starting to dissipate. Nothing was found to be hot or out of the ordinary as the smell was almost nonexistent.

1/17 - 1041 NW. Washington Ave. R-1 dispatched to a semi-truck trailer fire. Upon arrival fire was extinguished. R-1 sprayed water on wheels and brakes to cool it off. After monitoring for 15 minutes R-1 cleared scene.



January 2021

1/17 - 175 NE. 6th Ave. R1 called for a dumpster fire in a large 20-yard dumpster. Upon arrival R1 found the dumpster fully involved in flames. Employees did not know the contents or the level of the dumpster. No person was seen around or near the dumpster. R1 used entire tank on the dumpster and the contents were steaming. 103 was called for possibility of using more water. 103 was not used and cleared. R1 was able to clear with contents left in the dumpster steaming and the RP were going to watch if anything flared up out of control. R1 was able to clear code 4.

1/24 - 221 S. Oregon St. R1 responded for a gas smell in an apartment building. While on scene a resident stated the smell was from the old heating system coming on, and that there was no problem and there was no reading on the meters.

Rural Incidents:

1/9 - 4597 Forsyth Ln. Ontario Rural Fire Department was dispatched for a motorhome fire, and Rescue One requested a general alarm. R-1 arrived on scene to find a mid-size motorhome fully engulfed. There were multiple exposure hazards, Rescue 1 established Forsythe command. Rescue 1 decided to apply a defensive strategy to attack the fire. R-1 attacked the fire from the west side of the motorhome, the fire was starting to extend to the utility building located to the west of the motorhome. R-1 cooled from the exterior and proceeded to attack the mobile property fire. Fire attack continued on the motorhome, the fire appeared to be heavier and more developed on the sleeping and cargo area of the vehicle. The fire appeared to still be moving to the cab area of the vehicle, the fire had burned through the roof and parts of the aluminum siding of the vehicle. Chief Officer Leighton assumed command of the scene at 22:52, Pumper Tender 155 arrived on scene at 22:58. 155 was assigned to water supply, 155 crew was assigned to support operations. Chief Officer Leighton advised that there may be a victim inside the vehicle, it was later confirmed that the vehicle occupant was at work at the time of the fire, he arrived on scene at around 23:35. The fire was marked under control at 23:33. Ontario Rural used approximately 2400 gallons of water to extinguish the fire.

1/12 - 1337 Alameda R1 responded to a small garbage fire on the side of the garage, on scene R1 found a small fire burning in garbage under the remains of a collapsed metal shed, R1 called for a general page for additional manpower in removing the shed and digging out the garbage.

1/16 - 385 Tuttle Dr. R-1 dispatched to a BBQ grill on fire. Upon arrival the fire burnt itself out.



Police Stat Report

2021

Activity	Month of December	Month of January	YTD 2021	PRIOR YTD 2020
Calls for Service	718/1206	750/1334	750/1334	875/1611
Murder	0	0	0	0
Manslaughter		0	0	
Robbery	0	1	1	
Sex Crimes	6	6	6	7
Burglary	8	14	14	14
Assault	13	12	12	14
Arson		0	0	
UUMV / Auto Theft		7	7	
Arrests	70	102	102	112
Arrests w/Use of Force	5	0	0	3
Gang Related Cases	8	3	3	5
Graffiti	8	4	4	11
Death Investigations	5	0	0	2
SRO Cases	11	18	18	36
Thefts	77	55	55	66
Traffic Stops	74	125	125	181
Cited Traffic/Parking	61	76	76	72
Traffic Crashes	36	28	28	30
Alarms	21	23	23	20

Jacobs January 2021 Report



Jacobs



January
2021

Prepared by Jacobs for
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

Monthly Business Review

PUBLIC WORKS DEPARTMENT

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PARKS AND CEMETERY SUMMAY

ACTIVITIES JANUARY 2021

- 2 funerals at Evergreen cemetery and 1 at sunset
- Ordered glass barriers to go in the city council chambers
- Carpets cleaned in the fire station at City Hall and the finance department
- Repaired a water line in the fire station bay at City Hall that started leaking
- took Christmas lights off the tree at Lions park.
- Received 20 new picnic tables in the parks.
- Received new trash can holders for the park and are starting to install them
- Watering the flowerpots downtown once a week.
- Checking and repairing the fences that are around the shelters in the parks every morning of the week because of the COVID restrictions.

Jim Cox Installing Trash
Can
Holders.



WATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:

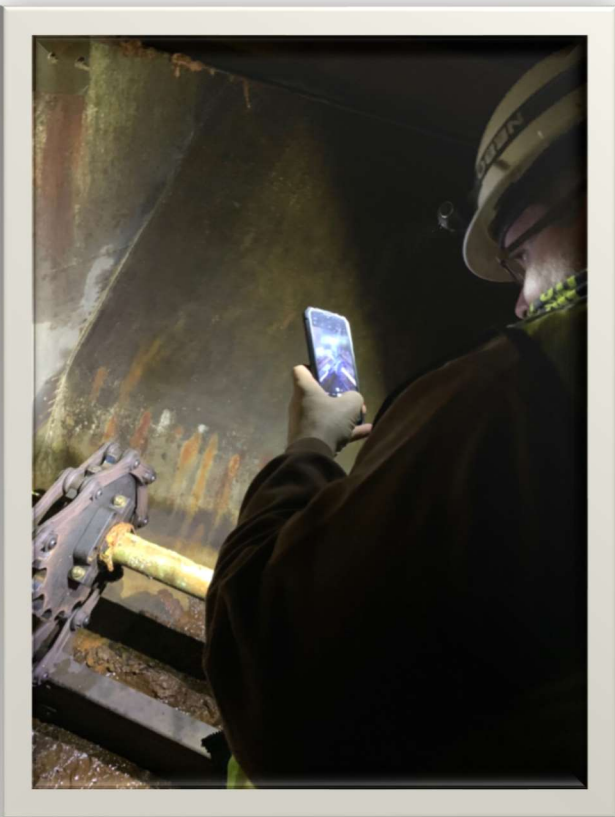
- Minimized staff due to COVID-19 operation requirements
- Water treatment staff run diagnostic checks (jar testing) weekly to ensure that the chemical dosing is correct for the river water quality
- Monthly Bacterial samples taken
- WesTech plant train #2 inspected, cleaned, and serviced
- Main plant clarifier #2 returned to service after inspection, sludge removal (chain and flight) system had two links of chain removed to increase performance
- Flock drive replaced for main plant clarifier #2
- Quarterly disinfection by product samples taken and shipped to Lab for analysis

Moving (floating) the absorbing beads from the filter area back into the contact area of the WesTech water treatment train #2



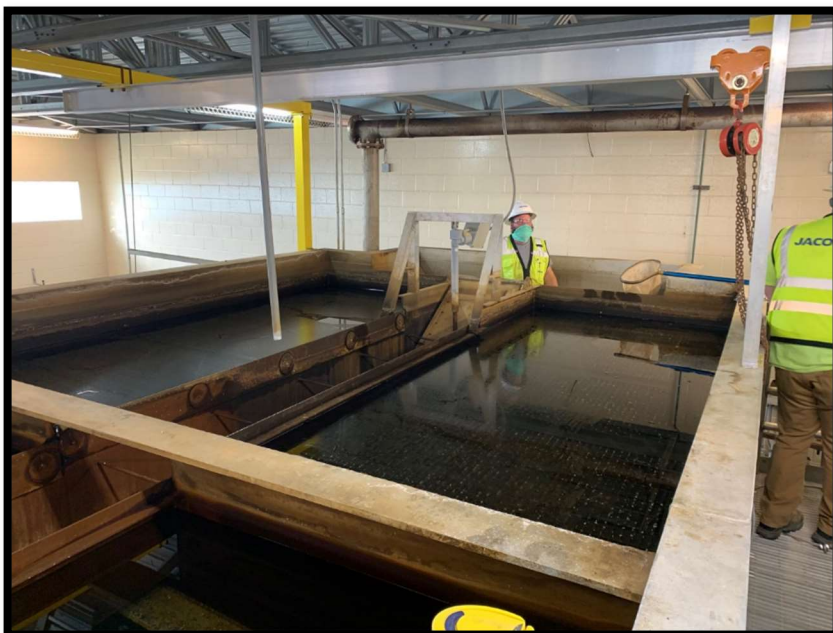
WATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:



Above: Sam Jeffyres Inspecting the Sludge Removal System of Clarifier #2 at the Water Treatment Plant (Chain and Flight)

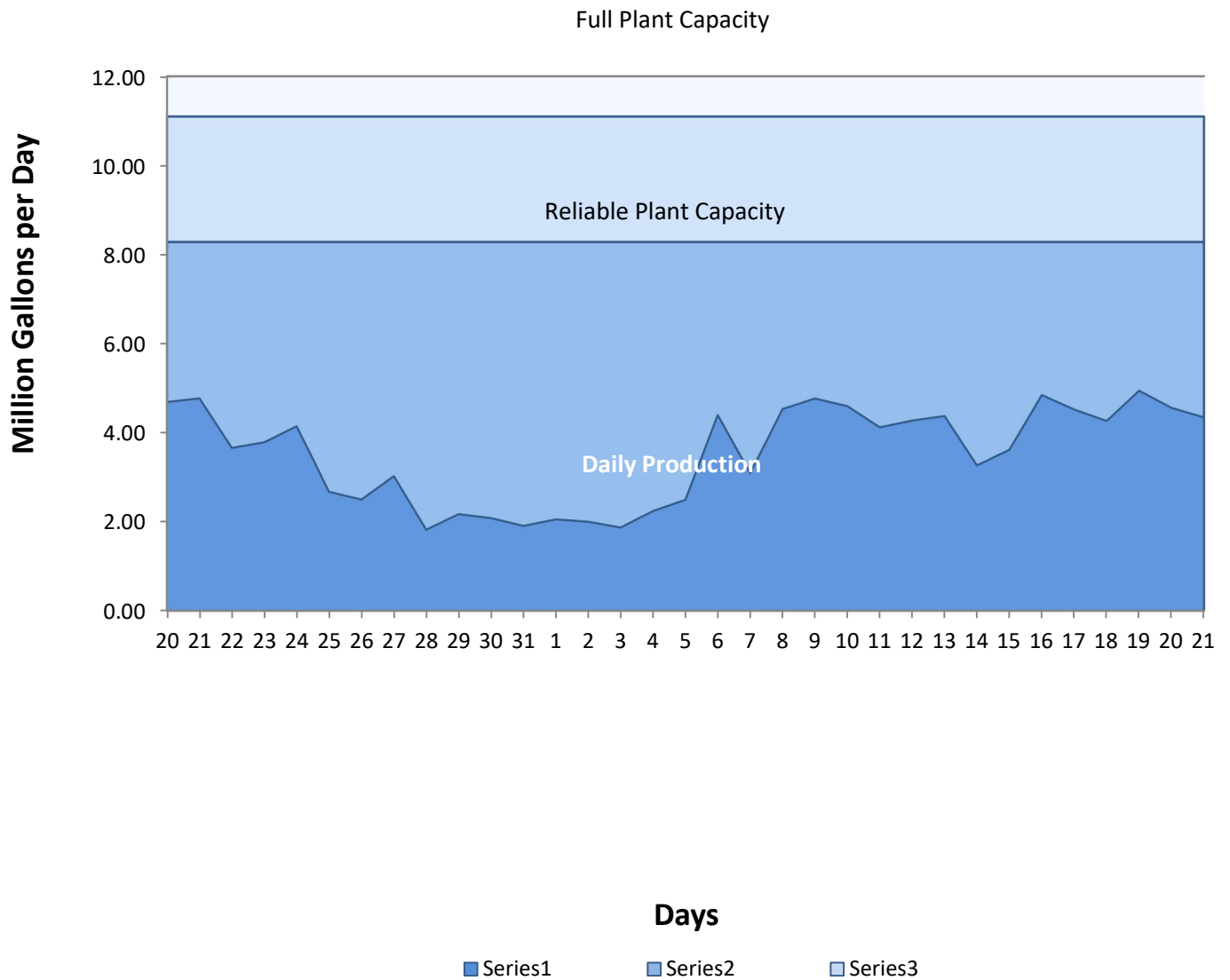
Below: Robert Crites Performing an Inspection of the WesTech Water Treatment Train #2 Wastegate.



Left: Robert Crites and Jim Raynor Performing an Inspection of the WesTech Water Treatment Train #2

WATER TREATMENT PLANT SUMMARY

Demand vs. Availability Dec 20, 2020 - Jan 21, 2021



WASTEWATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:

- Minimized staff due to COVID-19 operation requirements
- All additional sampling per the 2019 NPDES permit have been taken
- Blowers 1 and 6 in lagoon #1 have removed for repairs
- East Chlorine contact basin cleaned
- Weed spray rig has been serviced and improvements made to enhance the performance of the piece of equipment



Left: Kenny Nelson Making Repairs to the Fence at the Wastewater Plant.



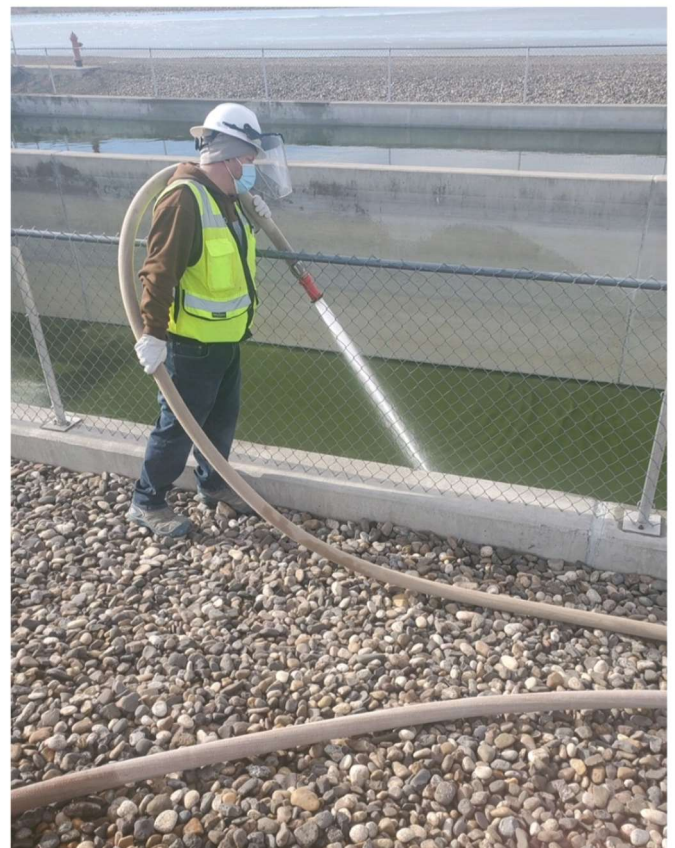
Right: Robert Crites and Jim Raynor Servicing the Weed Spray Rig for the Wastewater and Water Treatment Plants.

WASTEWATER TREATMENT PLANT SUMMARY

ACTIVITIES JANUARY 2021:

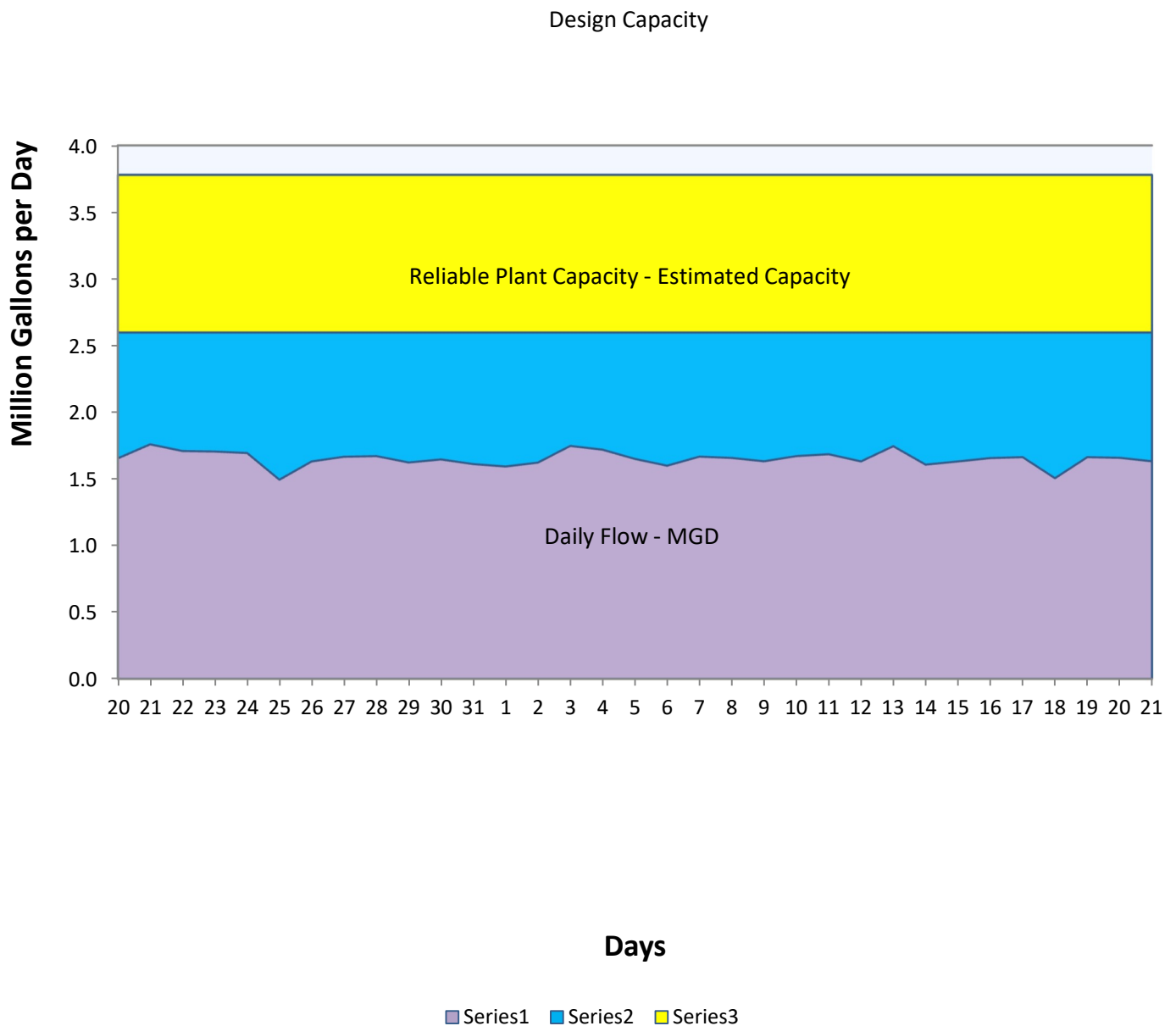


Both: Kenny Nelson Cleaning the East Chlorine Contract Chamber at the Wastewater Treatment Plant.



WASTEWATER TREATMENT PLANT FLOWS

Wastewater Treatment Flows Dec 20, 2020 - Jan 21, 2021



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

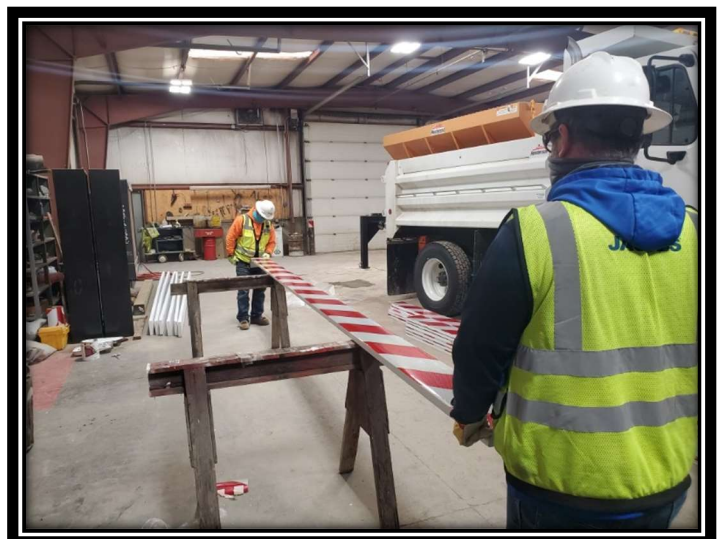
ACTIVITIES JANUARY 2021:

- Continued sweeping leaves throughout town
- Replaced 4 bearing in the West side grinder at SRCI head Works
- Repaired a leak on the 2" PVC line feeding the SRCI headworks building
- Finished the railing on the Beck Park Bridge, painting will be done in the spring
- Used the Vac-con to remove ponding water from SE 8th and SE 9th Ave on the east side of SE 2nd St. multiple times
- Small equipment maintenance, oil, air and spark plug changes for generators, jumping jacks
- Repaired a type III barricade on NW 4th St. at the Lion's Park tennis courts parking lot that was hit by a vehicle
- Repaired a type III barricade on N. Dorian Dr. and Hunter lane that was hit by a vehicle
- Installed 2 new water services, NW 4th Ave and Triand Dr.
- Applied salt and liquid deicer to black ice on the primary and secondary routes
- Repaired Type III barricades on East lane, Good fellow that were damaged by trucks.
- Removed graffiti from multiple businesses that were reported by City Ordinance officer
- Replaced damaged Handicap sign in Depot Ln parking lot
- Worked on the Plexi glass dividers for the City Council chambers
- 44 utility locates were completed
- 14 water services were turned on customer request
- 11 water services were shut off customer request
- 18 water services were on/off read only customer request
- 39 water services were shut off for non-payment
- 20 water services were turned on for payment received
- 19 water meters were changed out for non-functioning
- 7 water services were shut off for leaks
- 7 water services were turned on and verified leaks repaired by customer
- 4 water services were checked for leaks customer request
- 5 water services were checked to verify still off from non-payment list
- 5 water services were checked for consumption issues.
- 18 calls after business hours for PW on call assistance



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

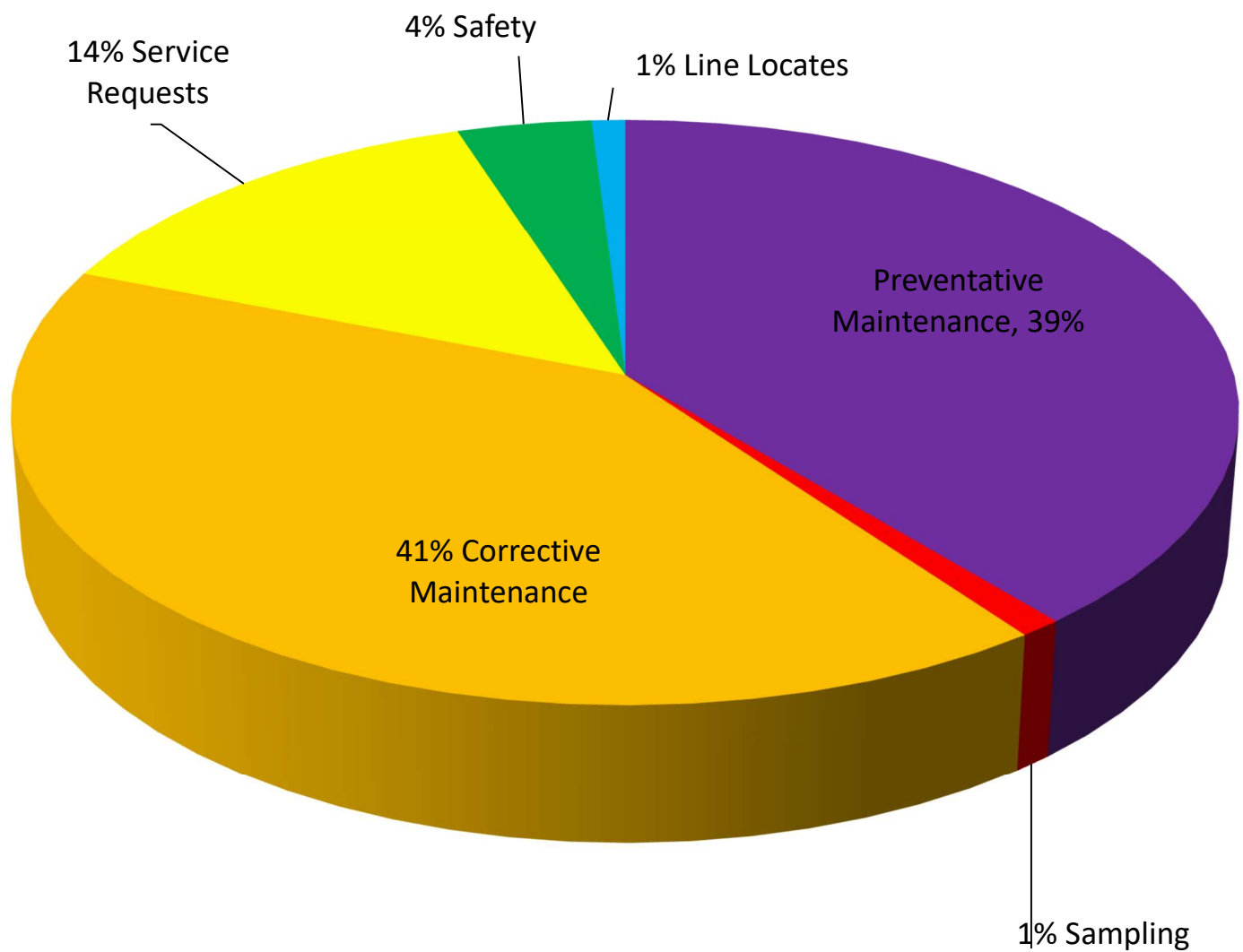
ACTIVITIES JANUARY 2021:



FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES JANUARY 2021:

Work Orders January 2021 Actual Hours by Work Order Type



ENGINEERING SUMMARY

ACTIVITIES JANUARY 2021:

- Issued 1 ROW Permits
- Issued 3 New Addresses to new residential lots.
- Issued 0 New Address to Commercial lot.
- Attended PDAC meetings to discuss the expansion of a business.
- Attended PDAC meeting to discuss the relocation of a business.
- Attended 2 PDAC meeting to discuss new businesses.
- Attended PDAC meetings to discuss the addition of residential housing.
- Attended the Jacobs monthly safety meeting.
- Inspected the abandonment of 0 Backflow devices on irrigation systems.
- Multiple plan reviews for new construction
- Multiple construction inspections
- Continuous updating of the GIS mapping
- GIS information supplied for the TSP

Water Drain Off of Roof



APPENDIX

FIELD SERVICES

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

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

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

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

*STREET MAINTENANCE DIVISION MAINTAINS MORE THAN
122 LANE MILES OF IMPROVED STREETS
9 MILES OF ALLEYS
SEALS LAST A MINIMUM OF 8 YEARS,
PUBLIC WORKS CHIP SEALS 7 MILES PER YEAR*

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

minimal maintenance required. The city chip seals approximately 7 miles of streets per year.

APPENDIX CONTINUED

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

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

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

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

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

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

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

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

WASTEWATER TREATMENT PLANT

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

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

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

APPENDIX CONTINUED

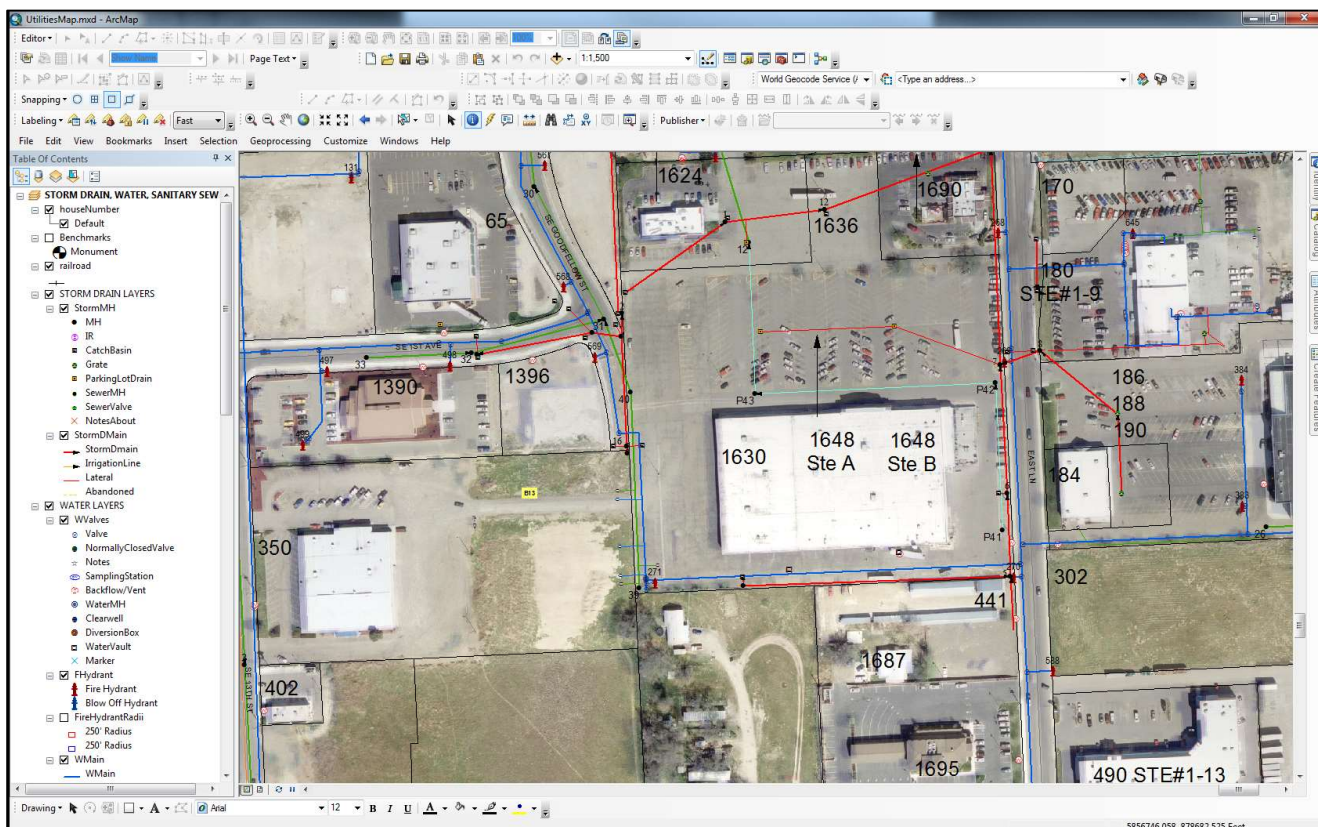
PARKS DEPARTMENT

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

ENGINEERING DIVISION

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

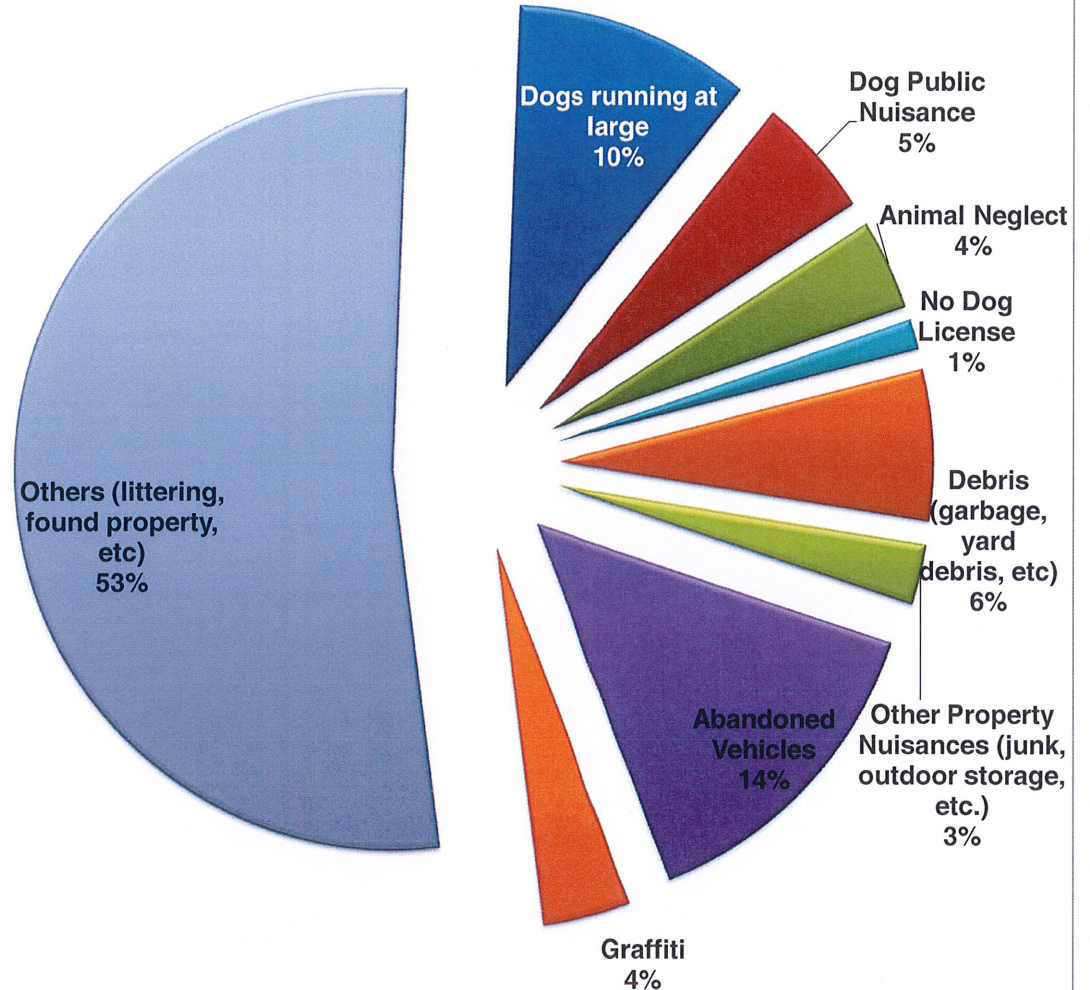
The Geographic Information System (GIS) database is maintained by Engineering Department staff. The department also provides support to the city by creating, analyzing, and maintaining the city's geographical digital data. They provide updates to the record maps for all city utilities, right-of-way,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



CODE ENFORCEMENT

January 2021 STATS

Violation	2021	2020
Dogs running at large	8	37
Dog Public Nuisance	4	9
Animal Neglect	3	5
Animal Abuse		0
No Dog License	1	2
Debris (garbage, yard debris, etc)	5	6
Weeds		3
Junk Vehicle or parts		3
Other Property Nuisances (junk, outdoor storage, etc.)	2	0
Abandoned Vehicles	11	6
Derelict Structures		2
Graffiti	3	1
Others (littering, found property, etc)	41	37
Dogs taken to AniCare		2
Civil Penalties Issued	0	
C.P. Amount Sent	\$0	\$0
Total Parking Citations	1	3
Total Violations	78	56
Total Cases	78	108



Notes:

Officers worked on 280+ cases in follow up/older cases. Current follow up has been lowered to 79.

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

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