



CITY COUNCIL MEETING MINUTES April 20, 2021

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Tuesday, April 20, 2021, in the Council Chambers of City Hall. Council members present in person or by call-in were Riley Hill, Michael Braden, Sam Baker, Ken Hart, John Kirby, Eddie Melendrez, and Freddy Rodriguez.

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

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

Mayor Hill led everyone in the Pledge of Allegiance.

AGENDA

This Agenda was posted on April 16, 2021. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

BRADEN moved, BAKER seconded, **TO ADOPT THE AGENDA AS PRESENTED**. Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC COMMENT

Marty Justus, Ontario, stated: *Mayor and Council, I want to give you an update on the recall. We have over 400 signatures collected and need 497. We should have those, hopefully, by the end of this week or the beginning of next week. You can sign up at my office; you can sign at * supply place on NW 4th; Romio's Restaurant; or at two more locations and I'll make those public on Facebook as soon as I have. The reason I gave you all washcloths is so you can wipe the brown off your nose. You all should be ashamed of yourself for letting that man say what he said about me. I'm going to be here and I'm going to make sure you hear from me on a regular basis because what you've done, what you've allowed him to do, I'm going to do back to you. Do you understand? I want to make sure that I'm clear. Thank you.*

Councilor Freddy Rodriguez stated: Christopher Plummer said those things about you. What have you told him? Have you made him accountable? What have you, why haven't you said anything to him? Because it's true, is that why? Is that why, Marty? I wasn't planning on saying anything, but obviously I need to. I've had enough of his fake attacks, especially from someone like Marty Justus. I have way, way reason to believe that things that I said about you were 100% accurate. You have not made any move to try to discredit or disprove what I said. All you have done is jump on this recall that is based on fake news. You want to say something? Why haven't you addressed that with Christopher Plummer? He came up here and he said that I said those things to him. And then he went on the newspaper and said he lied. So, have you said anything about him? So, he lied to me. Why haven't you said, hey Chris, why did you lie to Freddy? You haven't said anything, have you.

Marty Justus: *Mayor, you going to let me respond? You going to let me respond to him?*

Mayor Hill stated no, he'd had his three minutes and he had his signs. That was good enough.

Councilor Rodriguez: *You need to attack the source bro. Make signs about him. Abuser!*

Anthony Kalindo, Ontario, voiced his concern about the conditions of the homeless and the disabled.

Lynelle Christiani, Ontario, stated: *Good evening Councilmen, Mayor. I'm here on behalf of the Fairgrounds, again. I'm hoping that my appearance here in March might have swayed some of your opinions as far as helping the Fairgrounds with the different events and different projects that we have going on. As you know, the Fairgrounds are one of the hubs of the community. We have 20,000 people that come through the Fairgrounds during fair, another 30,000 the remainder of the year. That's 50,000 people. With even a \$35 per person impact, the economical impact, that's \$1.5M annually. The Fair Board does not get any tax money as we discussed when I was here last month. We have to generate our own revenue and unfortunately 2020 was darn harsh on us because instead of having 100 events, we had three events. In May, when we decided not to have a fair, the Fair Board decided they couldn't afford a caretaker and an office person, so I split my time between the office and maintenance. I get the mowing and irrigating as well as taking care of any incidents, anything that is necessary in the office. In the big picture, we are financially solvent and fiscally responsible, yet we do struggle to make ends meet. Every penny that we make, we put back into the facility. Even with careful budgeted, we, like other fairgrounds in the state, struggle to make ends meet. We are unable to do any major improvements and critical repairs are left undone. The two projects the Fair Board would appreciate consideration on are one, the fencing replacement that we discussed in March, and the second one is an additional one that we would appreciate consideration is ADA, our grandstands were built in 1908, for folks that didn't know that. In the fall, we went in with a cultural grant and did upgrade the restrooms for ADA, so the concern we have now, we only have one access to the grandstands themselves to the restrooms. We would like to, so additionally from the restrooms themselves down under the tunnel and to the front of the grandstands to actually have an inclusive area for folks with mobility constraints. That's one of the things, the grandstands are ADA accessible, but in my opinion, it's tough to use the grandstands. I was in a boot and on a knee brace for six months, and I appreciate those things more than I used to, but that is one, the other thing that we're looking at. We're always asking, the Fair Board's always asking for help and last year, the city, with COVID money, one of the grants that I was able to receive was the utility forgiveness. We appreciated that more than you probably can imagine because three months of not having to pay our utility bill was truly a Godsend last year. So, thank you for that, and thank you for allowing us to come here and speak to you this evening. I appreciate that as well. The Fair Board would like to be a benefit to the community rather than a burden to the community. We would like to be part of this team that is trying to bring Ontario back around and making it a strong, vibrant city. Any questions of anyone tonight? Eddie?*

Councilor Melendrez stated his support for the Fairgrounds. He'd seen firsthand the work and projects, and working with his boxing kids over there, and he hoped the city could help out.

Ms. Christiani: *Thank you. And for the folks that don't know Eddie, I mean really know Eddie with the boxing group that he's come with, it is such a joy to work with him and his kids because he is such an inspiration to me to be a better person, to work with the kids he works with. It's always a joy to have you and your kids at the Fairgrounds, always. Anything else? Can I do one quick, like an advertisement? The question I keep hearing around the community is whether we're going to have a fair. We are slated to have a fair, I mean, judges are hired, everything is in a go mode, it will just depend on where we are with the COVID situation, what it's going to look like. But we are a go, so anyone asks, I keep trying to get this information out, and keep getting asked the same question.*

Councilor Melendrez thanked everyone who had come to speak. Speaking to Mr. Kalindo, he understood he hadn't eaten or had anything to drink that day, so he'd like to offer his water. Mr. Kalindo declined the offer. He wanted to buy his own things with his own money, not have to have somebody's leftovers.

CONSENT AGENDA

HART moved, KIRBY seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED CITY COUNCIL MINUTES OF MARCH 4, 2021; MARCH 16, 2021; AND MARCH 23, 2021; AND AIRPORT LEASE TRANSFER OF OWNERSHIP-Vera HOLTON TO STEPHEN MEYER (330 ECHO).** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

PRESENTATION**Proclamation: Arbor Day 2021 – Friday, April 30, 2021**

Al Cablay, Public Works Director, presented.

KIRBY moved, BRADEN seconded, **THE CITY COUNCIL PROCLAIM FRIDAY, APRIL 30, 2021, AS NATIONAL ARBOR DAY IN THE CITY OF ONTARIO, OREGON.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

PUBLIC HEARINGS**Resolution #2021-112: State Revenue Sharing**

It being the date advertised for public hearing on the matter of Resolution #2021-112, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Kari Ott, Finance Director, presented.

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

HART moved, KIRBY seconded, **THE CITY COUNCIL ADOPT RESOLUTION #2021-112, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR THE FISCAL YEAR 2021-2022.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

Resolution #2021-113: Adopt City of Ontario 2021-2022 Budget

It being the date advertised for public hearing on the matter of Resolution #2021-113, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Kari Ott, Finance Director, presented.

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

KIRBY moved, BAKER seconded, **THE CITY COUNCIL ADOPT RESOLUTION #2021-113, A RESOLUTION TO ADOPT AND APPROPRIATE THE ANNUAL BUDGET FOR 2021-2022, IMPOSE THE TAXES UPON TAXABLE PROPERTY, AND CATEGORIZE THE TAXES IMPOSED FOR THE FISCAL YEAR 2021-2022.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.



Ordinance #2786-2021: Amending Title 10A of the Ontario Municipal Code, which Addresses the State Requirements within Oregon House Bill 2001; Code Changes will Comply with Requirements on Duplex Provisions, Accessory Dwelling Units, and Siting of Manufactured Homes on Individual Lots, and Declaring an Emergency (Planning Action 2020-01-02CPAMD)

It being the date advertised for public hearing on the matter of Ordinance #2786-2021, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Dan Cummings, Community Development Director, presented.

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

KIRBY moved, BRADEN seconded, **THAT THE CITY COUNCIL ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVE THE FINDINGS OF FACTS AS OUTLINED IN ATTACHMENT 1 FOR THE REQUEST TO AMEND THE MUNICIPAL ZONING AND DEVELOPMENT CODE WITHIN TITLE 10A SUBSTANTIVE ZONING REGULATIONS OF THE ONTARIO MUNICIPAL CODE AS SET FORTH IN PLANNING ACTION 2020-01-02CPAMD.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

MELENDREZ moved, BRADEN seconded, **THAT THE CITY COUNCIL APPROVE ORDINANCE #2786-2021, AN ORDINANCE TO AMEND TITLE 10A OF THE ONTARIO MUNICIPAL CODE, WHICH ADDRESSES THE STATE REQUIREMENTS WITHIN OREGON HOUSE BILL 2001. THE FOLLOWING CODE CHANGES WILL COMPLY WITH REQUIREMENTS ON DUPLEX PROVISIONS, ACCESSORY DWELLING UNITS, AND SITING OF MANUFACTURED HOMES ON INDIVIDUAL LOTS. SET FORTH BY PLANNING ACTION 2020-01-02CPAMD. ON FIRST READING BY TITLE ONLY AND DECLARING AN EMERGENCY.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

BAKER moved, BRADEN seconded, **THAT THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2786-2021, AN ORDINANCE TO AMEND TITLE 10A OF THE ONTARIO MUNICIPAL CODE, WHICH ADDRESSES THE STATE REQUIREMENTS WITHIN OREGON HOUSE BILL 2001. THE FOLLOWING CODE CHANGES WILL COMPLY WITH REQUIREMENTS ON DUPLEX PROVISIONS, ACCESSORY DWELLING UNITS, AND SITING OF MANUFACTURED HOMES ON INDIVIDUAL LOTS. SET FORTH BY PLANNING ACTION 2020-01-02CPAMD AND DECLARING AN EMERGENCY.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

Ordinance #2787-2021: A Request by the City of Ontario to Adopt the Ontario Active Transportation Plan as Refinement to the Transportation System Plan and Amend Title 10 – Comprehensive Plan, title 10A – Substantive Zoning Regulations, and Title 10C – Substantive Regulations for Land Development of the Ontario Municipal Code to Implement the Active Transportation Plan and Declaring an Emergency (Planning Action 2021-02-07-CPAMD)

It being the date advertised for public hearing on the matter of Ordinance #2787-2021, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Dan Cummings, Community Development Director, presented.

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

KIRBY moved, BRADEN seconded, **THAT THE CITY COUNCIL ACCEPT THE PLANNING COMMISSION RECOMMENDATION TO APPROVE THE FINDINGS OF FACTS AS OUTLINED IN ATTACHMENT 1 FOR THE REQUEST TO AMEND THE MUNICIPAL ZONING AND DEVELOPMENT CODE WITHIN TITLE 10 – COMPREHENSIVE PLAN, TITLE 10A – SUBSTANTIVE ZONING REGULATIONS, AND TITLE 10C – SUBSTANTIVE REGULATIONS FOR LAND**

DEVELOPMENT OF THE ONTARIO MUNICIPAL CODE AS SET FORTH IN PLANNING ACTION 2021-02-07 CPAMD. Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

MELENDREZ moved, HART seconded, **THAT THE CITY COUNCIL APPROVE ORDINANCE #2787-2021 AN ORDINANCE ADOPTING THE CITY OF ONTARIO ACTIVE TRANSPORTATION PLAN AS A REFINEMENT TO THE CITY OF ONTARIO TRANSPORTATION SYSTEM PLAN; AND TO AMEND THE ONTARIO PLANNING AND ZONING DEVELOPMENT STANDARDS. ON FIRST READING BY TITLE ONLY AND DECLARING AN EMERGENCY.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

HART moved, BRADEN seconded, **THAT THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2787-2021, AN ORDINANCE ADOPTING THE CITY OF ONTARIO ACTIVE TRANSPORTATION PLAN AS A REFINEMENT TO THE CITY OF ONTARIO TRANSPORTATION SYSTEM PLAN; AND TO AMEND THE ONTARIO PLANNING AND ZONING DEVELOPMENT STANDARDS AND DECLARING AN EMERGENCY.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

OLD BUSINESS

Transitional Homeless Shelter (PowerPoint Attached)

Barb Higinbotham, Community in Action, presented.

Good evening Mayor Hill and City Council members. I'm Barb Higinbotham, the Executive Director for Community in Action, and I'm here to talk about the shelter project that we have been working on for the last couple of years. I have this PowerPoint that I'm going to try and multitask on it. First of all, I just wanted to let you know what is on our agenda today. We want to do a general update for the Ontario Shelter Project; we want to talk about the awareness of the shelter committee and partnerships; we want to talk about the shelter resident demographics; we want to talk about some testimonials from our shelter residents and some information from Community Action and the staff; we want to compare the new shelter operations versus other shelters that we've experienced in our area; we want to talk about security and neighborhood input; we have two asks – we want to ask you to extend the shelter, the current shelter, through June 30th of this year; and we would like to ask for a Conditional Use Permit based on this model including the rules, policies, rights, and responsibility documents that we have established.

First of all, I just wanted to recognize the partnership. We have been an active shelter committee for probably a year and a half or maybe closer to two years now. We have a partnership between the City of Ontario, Community in Action, Origins Faith Community, community churches, and the Ontario Shelter Committee that includes faith-based members, city officials, Department of Human Services, non-profit entities, local businesses, and private citizens interested in the wellbeing of others, and invited guests that come on occasion to talk about current events. If you have any questions, please just stop me, or let me know.

Introduction to Shelter in Ontario – Community in Action and its partners have had two years of experience in piloting a shelter project in Ontario. As some of you would remember, in February of 2020 is when we started the first shelter project. It was very brief. It lasted about 30 days, and we were able to move 38 families into what we call step-up up housing. So, we literally took them from the streets and helped them with whatever their gaps or their needs were and helped them to find housing that was suitable for them. The second pilot started in December of 2020 and is currently running through April 30, 2021. The preliminary results of the second pilot are positive and support the need for case management and continued work with intervention staff who are trained to assist homeless residents.

The goal of the shelter is to provide a temporary and safe place to live for those who are literally homeless; we are maintaining 16 units of shelter, and I want to remind everybody that we have over 300 homeless residents in our county; we want to ensure that the shelter participants actively work on case management plans that are designed to help them attain an improved living situation, and that is a requirement for everybody that enters the shelter; there are a variety of requirements or gaps in things that we identify in the beginning and then we help those customers work on whatever those case plan details are; another goal is to provide care and services for residents



who need it the most; and improve the health of the community by providing cameras, supervision, and continuing to be receptive to community feedback and needs.

Just some quick slides to talk about demographics. 90% of our residents are adults; 10% are children. Ethnicity, if anybody is interested in that – information that wasn't given was 10%; Hispanic or Latino residents were 13%; and the remaining 77% were non-Hispanic or non-Latino.

This is a 2020 shelter siting. I just wanted to reiterate that the lot was prepped, weed-free, leveled, ready to go and that took a lot of work by community members and Community in Action and folks that we hired to come in and do electrical work and that type of thing. The contrast is a nice-looking shelter that looks like the picture on your left and the picture on your right is a shelter that is just a made shelter by somebody who needed shelter, and this was in the Argus a couple of years ago, so you might remember that picture. There were a series of pictures that showed what a shelter looks like currently when it's not managed well. This is just a picture to show the inside of the units. The units are 8x10, they are very small, they're very manageable for our residents. They are meant for short-term and temporary use, and you can see that there are cots and sleeping bags, microwaves, mini fridge. Depending on how many cots you have, you may a chair. Each of them has a lock and a window and heat. These are some customers sharing their personal story and I'm just going to read a few of them.

"For the past few years, I was living outside, feeling really ill and sick. When I moved into the shelter I was provided with support and assistance to get me back to decent health. I have had help with food, clothes, and getting me back on track with my doctors and prescriptions. I have been homeless for the last few years and have not had a lot of luck finding my own place. I know that I am a little more difficult to house due to some past mistakes. It's great to have a group of people helping me and not turning me away."

Some important thing to remember that our shelter residents have long history with homelessness, some have short history. Either way, it's a very difficult thing to deal with. The next slide, other folks that were sharing their personal stories:

"I think the tiny homes really help. I was homeless and they allowed me to stay until I could get into an apartment. If you are homeless and you follow the plan, you benefit and are able to help yourself. When I was there, I helped people as they came in and have seen another person get their apartment. I think they should stay open as long as they can. There are a lot of people that need them and need to be able to have a spot so they can help themselves."

This other story is a 19-year-old homeless youth. They were a resident of the shelter for about three months and needed some assistance applying for jobs. We did that, we provided that assistance for them. They are now working and enrolled at Treasure Valley Community College for this current year. So that was a huge improvement from living on the streets and not knowing how you're going to eat or if you are going to be safe.

Another story, an elderly woman who had been homeless on and off for the past year had been applying for subsidized housing in the area. And I don't know if you all know, but the Section 8 waiting lists are very long. It could be six to eight months or six to twelve months before you actually get a Section 8 voucher, and then you have to find a home that is suitable. Within three weeks of staying at the shelter, she had been approved for a senior subsidized unit and she had been on the waitlist for almost a year.

The Shelter Committee helps to address the needs of the homeless. A couple came into the shelter and had been homeless for the past six months. They spent two months in the shelter. In that time, they were able to get back on track with medical appointments, find a job, and had been approved for subsidized housing. This picture was taken at a prayer dedication in December of 2020.

A 21-year-old homeless man sought services at the tiny homes shelter. He had no family in the area and did not know where to find resources. Case managers were able to assist with housing at the shelter while connecting him with the resources he needed. His case manager reached out to an Idaho program for adults, and long story short is this person was able to contact with services that they need and become successful in his own apartment. That was through a short term stay and case management folks who understand their jobs and are able to help.

This is a picture of the vaccination clinic that they had a couple of weeks ago, showing volunteers and some of the resident so the shelter, how they're helping out, just to a really cool human-interest story that shows that people are willing and some of the able. Not everybody's able to help out in this way, but those who are, generally do.

Resident commitment to the community and the program – the following rights and responsibilities are agreed to in writing by each shelter resident. When we came back several months ago it was important that we were able to convey that there are rules and regulations and expectations for folks. These are just a few of them. Rights and responsibilities that each resident agrees to is to conduct yourself in a safe and reasonable manner; be responsible for yourself, your actions, and the actions of your children; treat others with respect and dignity; take care of your personal belongings. Some things that could be considered policies and procedures violations of the shelter would be if they were possessing weapons on the site; if they brought drugs or alcohol on site; no items are permitted that pose a threat; and there will be no smoking in areas other than designated areas. Keeping those things in mind, we had three folks that were asked to leave the shelter because of violations of the rights and responsibilities, and we had zero violations of actual shelter policy. That's good to know that out of the 31 residents that we have worked with so far. Ten out of 31 shelter residents have found permanent transitional housing during this difficult time where COVID has affected so many. That is awesome news. It's really tough to find housing in our area because there is a huge lack of safe and affordable housing and if you find it, it's hard to attain. Wait list for subsidized housing, as I said before, can be six to twelve months. Section 8 wait list has over 250 families currently that are waiting for assistance. Landlords have expressed to us that per one unit opening, they can receive up to 70 applications. That kind of tells you how quickly units come and go. COVID 19 has created difficulties for those seeking housing. I think that's probably pretty obvious to all of us as we work through this pandemic.

I'm going to get to the ask, but before I do that, I want to have Priscilla Garcia come up and say a few words about the current shelter project and the work that they've done in the community.

Priscilla Garcia, Community in Action, stated: *Hello, good evening everyone. I kind of wanted to touch base regarding how the shelter project's going and how we're moving forward. We do understand compared to last year's numbers they're a little different; however, we are in the midst of the pandemic. The moratorium program is holding up a lot of evictions, people moving, we are actively trying with our clients and having them follow their case plans whether that be looking for housing, looking for employment, just to find any step-up housing. Right now, housing is very sparse, so we are doing the best that we can between our partnership with Origins and our case managers at Community in Action. We did hold a public meeting for our neighbors last Friday. Unfortunately, we probably got about five neighbors to show. Moving forward, we definitely will probably adjust times to get a better idea of when more neighbors can come and voice their opinions, concerns. We did get a lot of positive feedback; we also did get a lot of voices of concern; however, we did try to build relationships, providing contact information for myself, my case managers, and also Origins staff as well. Moving forward, we are hoping to strengthen those relationships with neighbors. I'm going to pass it over to Heather. Her and her team have done a great job of neighbors coming to the site with concerns, with questions, and just coming to tour the area, so she'll be up in just a minute. Is there any questions on behalf of where I stand?*

Councilor Melendrez asked for clarification on step-up housing. He believed it was from homeless to an actual house or apartment.

Ms. Garcia: *That definition can vary. We could do transitional housing; we can do step-up affordable housing for the client. We have in the past helped our youth or any type of homeless person who has a safe place to go to provide like bus tickets over to family, so it can honestly vary. If we can find more appropriate housing, reach out to family out of the area, and sometimes that's worked and they're willing to take, or not take but have us send over their family member or loved one to go live with them for a while.*

Councilor Melendrez asked her to speak to some of the stigmas associated with some of the residents that lived in the shelters, like they might stay there for free, or they weren't doing anything to get on their own. Some of the experience he had with working with homeless youth was the barriers to just completed an application, or the credit checks or reference check, those type of things. He saw barriers that the youth dealt with, the 16–24-year-olds. If someone didn't have the best credit or any references, they couldn't get into a place. Like stated either, for one place open, there were a lot of applications. He'd like her to address the stigmas.

Ms. Garcia: *Yes, I can assure you if they are staying in the shelter, they are actively working on their case plan. Now, everyone plans may be different, but they are actively working towards their one main goal, to find more permeant supportive housing. Obviously, there are steps to take into that. Some people need to find employment in order to afford housing afterwards; some people need to work on budgeting skills because maybe they're just living off a fixed income of Social Security, so we work up towards that. We work towards applying applications daily, whenever there is something that comes available. Getting everyone on the Section 8 wait list that's eligible. If there's barriers with getting information like a birth certificate, ID, we will step in and assist and pay for those things. If they are staying at the unit, they are working on a case plan to better themselves. So, I'll pass it along to Heather.*

Heather Echeveste, Community in Action, stated: *I'd just like you to know that all of the people that are staying at the shelter would enjoy meeting here because it's currently 78° in this building right now. My name's Heather Echeveste, I'm the Executive Director of the Origins Outreach Initiative, and we provide oversight for the tiny shelter project. We also run the New Hope Kitchen that provides a meal daily, Monday through Friday, and various other programs. We deal with food insecurity, and we have case managers that can help assist with just about anything that somebody brings to us. Our experience, I was actually with Community in Action when the initial project was launched last year, April of last year. We had great success with that. That was right when COVID was hitting so that was a strange time. Now, I'm over on the oversight side of it. So far, I feel like although things have been shutdown due to COVID, we're still very successful. There have been people that have been asked to leave the program because they weren't following their case plan. There have been police presence. Most of those have been medical at the shelters directly. I just want to remind everyone that we are surrounded by a whole neighborhood, so sometimes the police are there in the area, but it's not necessarily for the shelters, although sometimes it has been. They were present today for a dog at large, so we made sure to communicate with neighbors that were outside that that might be concerns to, that the police were actually there. It was actually the Ordinance Officer. I did expect a few other neighbors, although they said they were going to try to make it, they were unable to make it to the meeting that we had this past Friday at Origins due to time, work, so they were going to try to make this evening, but the neighbors that we'd received, or that you had received letters from that were in the newspaper. They have assured us that they support us fully. I know, Eddie, you actually went around and talked to some of them yourself directly. I don't want that to be a rumor that I'm starting because they're not here. I don't know how else to share that with you if they've been unable to attend. I'm really actually glad that you were able to do that. It's not all fun, it's not pretty every day, but it's definitely rewarding and it's working.*



Councilor Melendrez stated when he spoke with the people, they were concerned about police presence, some thought some things were missing, and some other concerns, but they understood that the residents of the tiny homes needed a place to stay and didn't want to throw them out somewhere they didn't have access to services. Everyone came to an agreement that they understood that people needed a place to stay and have access to services in the community. He thought there was a feeling of unison that they wanted to feel safe, but they also wanted to help people in the community who needed help.

Ms. Echeveste: *Absolutely. I would never try to present that everyone is excited about it, not at all. But, yes, willing to allow us to help? Absolutely. Where at the beginning there was a lot more of we don't want any part of that. Now, they were seeing and understanding through conversations and things why we're doing it. I think that's a big shift, in my opinion, to be completely opposed to oh we don't love it, but we understand why so we're not necessarily against it, either. I'll take that.*

Councilor Melendrez stated it was great when she spoke about taking some of the neighbors around and touring the shelter so they could see who was living there. That created more awareness and education. Hopefully, they continued to do that.

Councilor Rodriguez thanked everyone for attending and speaking. He asked if they had some type of faith-based services available to the residents?

Ms. Echeveste: *I myself work for the outreach initiative. I don't work with Origins, the church side, so I can't say what they have right now. They had shut down, I know, due to COVID. They did have a reopening plan, although as many of you may know, the pastors of the church resigned and stepped down and they are moving in different directions. Currently, there's a Spanish-speaking church that takes place there three times a week. That gathering is growing weekly. But, again, grants and faith-based don't always go hand in hand so I don't dabble in their business so to speak.*

Councilor Rodriguez stated she knew she would agree that having some type of service helped provide direction. Like the Boise Rescue Mission, if he recalled correctly, a person had to attend church. He knew both sides of the issue. Not wanting to go somewhere that forced you to do that, but also the benefits of going to those services when they were available. He highly recommended seeking out a partnership with faith-based organizations to ask if anyone was willing to provide that. He also asked about the units. There was another extreme coming up, being the heat. The units had heaters, but was there a plan to get them cooled?

Ms. Echeveste: *Absolutely. First of all, the difference, I would say, between as you probably know the Boise Rescue Mission and our operation is that they are privately funded and so they can require those things. We work under some federal, some state funds, some local funds, donations, the funds that we work under come from many different places. What I can tell you is we have a very strong group of faith-based people, faith-based leaders, that are in our shelter group, and they would be, I'm sure, more than happy to come and provide those things. As you see, they came and blessed the shelter site; they make the meetings weekly, without fail, so I think that if that was something that we wanted to see implemented, I know that we could go right in tomorrow at 3:00 o'clock and ask for that and have an outpouring of offers as needed.*

Councilor Rodriguez stated that would be amazing. He understood that there wouldn't really be a requirement for that, but once a week, if there was just one meeting that allowed anyone to voluntarily attend, would create direction.

Ms. Echeveste: We actually do have to, very quickly, Tom Greco attends weekly. He comes and volunteers. Tim Brewer is also a member of our shelter group. Tom Greco attends and helps distribute meals every Wednesday. He helps handout water; he speaks with them. I can't say, honestly, that that has been openly offered, but they are there, they are present, and so I think that would be a very easy thing to transition into. As for the cooling, we've talked, we are looking at what's best. The windows are very small and that's for the safety so people aren't crawling in or out, so the window units are very small so we're actually in the midst of researching what the best way would be to cool them. We do have funds available to provide those because we certainly don't want anybody to overhead. We have a lot of elderly and/or disabled on many medications, and they just simply can't be in the heat in that manner, so yes, we're working on that now.

Mayor Hill stated it was clear there were 300+ homeless in town and 16 little units didn't solve that problem, but it did help. He had hoped to hear that some type of long-term plan, other than just the 16 units in the spot that was supposed to be a pilot program, but he hadn't heard that. He thought they should ask those others in the audience if they wanted to speak on this issue.

Ms. Higinbotham: I just want to mention that, first of all, we do have a couple of asks up here, and I'll get to your question through the asks. The first ask is, we would like to extend the shelter through June 30th and part of the reason we would like to do that is because our second ask is to ask for a Conditional Use Permit for this particular shelter. Now, with the Conditional Use Permit, and Dan is the expert on that so I appreciate him being here because he might have to answer some questions, and my understanding of the Conditional Use Permit is that we would be able to have two such models like this within the Urban Growth Boundary, I think is the rule. So, we would like to have that Conditional Use Permit based on this model, based on our policies and procedures, rights, responsibility and the permit will express any additional rules or requirements for this type of a shelter. Again, my understanding that two of these types of shelters can be within the Urban Growth Boundary, so what the second shelter looks like is a little bit up to interpretation. It would be up to funding, it could be an expanded shelter, it could be a lot of different things. I mentioned earlier that we have guests that speak at our shelter committee meetings and one of the guests that we had was pastor Bill Rosco from the Boise Rescue Mission and so there is another, well, it's our group, but there's another push to explore that piece of it further and to determine if there are some options with the Boise Rescue Mission and we think that there are some options, but that would be in addition to what we're doing here. So, the ask is to please let us extend through June 30th so that we can hopefully get that Conditional Use Permit that will allow us to function under these current rules, policies, rights, responsibilities, and terms.

Councilor Hart asked why this was the best long-term location? It had been somewhere else and his first vote as a Councilor had been to approve this facility as a temporary facility for the winter emergency. He was concerned that in Ontario, was that location for this wonderful program. He wanted to hear why where it was located now as better than where it had been located before, or some of the other options in the community. There were many open spaces throughout the community. The people that it impacted the most were those who lived next to the site, wherever it was, and that was going to be an issue. Even his church had a large field behind it – could it go there?

Ms. Higinbotham: I think one of the things that I would answer is that we have an awesome relationship with the landowner. Stephanie happens to be here and I think Wayne is in the back there somewhere and they have been instrumental in helping us get the units sited, to be partners that are offering the property free of charge; we've made improvements to the property so that it looks like; we've added fencing; we've added security cameras; our goal, actually, for that community, is to make it a safer place for all the residents that are near the establishment and I think we are going to be able to accomplish that. The first siting was really to get our feet under us and to figure out how to run the shelter and we were lucky that the City of Ontario was able to provide that property. Moving it to a location where the person that owns the land also owns apartments and we have step-up housing there so the

transition is really nice and easy for us if we can find units that are available there. Again, we couldn't ask for a better partnership than what we have with Stephanie and Wayne. They are here if you want to ask them questions about that, but really, this is a model, be it a small model, it's a model that we think works and works really well and can be replicated somewhere else. In your field or wherever the second location needs to be, we're still interested in talking and having those discussions.

Councilor Hart stated the question was was it near services, near a kitchen, explain the services it was connected to so he could feel good telling the neighbors why it needed to be there.

Ms. Higinbotham: *The answer to the services question is part of the convenience of that location is that our service provider that is providing the oversight and management is a contract through Origins Faith Community and they are right across the alley so we're able to use that facility. That facility has a kitchen, that facility has outreach workers, it has people that are actively managing, they have shower units, they have a washer and dryer available. Our long-term plan for that particular lot is to build a center in the middle of it, a small community center that would have a shower and that would have restroom facilities and laundry facilities and just a place to get of the elements. So, yes, location wise it is ideal. It's also within walking distance to grocery stores, within walking distance to other services, the bus route is right near that location so people can have transportation to and from so it checks a lot of those basic boxes about where it actually is location. So, yes, very much of the heart of where services are provided. Did that answer your question fully?*

Pastor Tim Brewer stated: *There's been some dialogue with Reverend Bill Rosco, the Director of the Boise Rescue Mission. He came and toured our community, saw the great need for the homeless situation, he came to our community and Reverend Greco took him on tour, he was overwhelmed at the need that we have here and so they have done several things to partner with us. He has met with our committee that meets every Wednesday. He and Tom are speaking at one of our churches this weekend. We're proceeding to try to find a location that we can set up some type of rescue mission. It would be, and they are willing, Boise Rescue Mission is willing to be a consultant with us and their now current director, board direction, board chair, is coming off the board in October and he wants to donate his time with us to help organize that as well. So, Tom and I are working on a variety of things to help make that happen. I don't want to overpromise, but we are moving in that direction that there could be some form of a rescue mission. As a pastor to this community, I would say as well that what excites me about 2021-2022 is that there is a variety of things that are going on from transitional housing, these tiny houses, the rescue mission, Love in the Name of Christ working at reengaging that, but we also have these low-income houses that are coming in. That is 125 units – that's huge for us. I've been here 14 years and this need has been great and I'm glad to see us moving this direction. There's a holistic approach being looked at this.*

Councilor Kirby stated the city was going to be faced with a challenge based on Martin vs. City of Boise. The Oregon legislature has taken that on. House Bill 3115 passed the House. Basically, people who were homeless that could set up a tent on public property; however, if the city had an alternative place, even for a tent, then they would get off city property. Currently, with the ruling by the 9th Circuit, people could go to Lion's Park and put up a tent. The city would have no authority to remove them.

Pastor Brewer: *Let me speak for a bit. None of what we're looking at meets that need, so you're right, that's a significant need that needs to be brought to our attention. But, Councilor Rodriguez, you talked about Boise Rescue Mission. I think one of the things that people would need to know is that it's not some place that you show up and you get to spend the night. You have to become part of the program and that's one of the reasons they don't take federal funds. They are not just about supplying a place to sleep; they're trying to help people to get to the next step for them if that makes sense at all. I want to make sure we understand that.*



Councilor Rodriguez agreed, but what he was trying to exemplify from their program was that it was strict, and it was effective because of that. He wasn't suggesting it for their area, but it should be looked at as an option.

Pastor Brewer: *That's what we're pursuing, and they are really consultants in the process.*

Allan Vincent, Ontario: *My name's Allan Vincent. I live next door to Origins Faith. I've lived there since 1973. This soup kitchen and little houses are by far the worst thing that's happened to my neighborhood since 1973. We've had a continuing problem with trash, dumpster divers walking the alley, needles, cop calls, parking, thefts, trespassers, campers on our property. I've had to build taller fences, I've had to put in a locking dumpster, and it devalued our property. I urge the City Council not to extend the Conditional Use Permit or allow it to be open in the summer. The winter months, I'll put up with it for that point where people could freeze outside, but I don't think it should be there anymore than that. Thank you.*

Maria (**), Ontario, stated: *(Using an interpreter) Good afternoon. My name is Maria **. We are the neighbors to the tiny houses. This is my worry. I have babysat children for twenty years. Since we have moved in, since they have moved in, my husband and I have noticed the accumulation of garbage. My husband has seen people smoking outside on the sidewalk. I have children in my care. They don't have anything against them. My worry is...she's worried that families have stopped coming to her house. We did everything that we could to make sure that that house was safe for childcare. That's her permit from the state. She has no more children to take care of. The single daughter, she's at college. Is my daughter going to be safe outside my house? We hear lots of swear words outside. Our family isn't like that. We don't yell at each other, we don't do drugs, we don't swear. We've only been there about a year, a little over a year, but I had children that I took care and now they're not there. I had to get a permit so that I could take care of older, disabled people because I have to work. My husband and I really don't know what to do. How do I keep my family locked up inside for nine hours? We can't have them outside seeing these things. That is my worry. My daughter and the children I take care of. Thank you for your attention.*

Councilor Melendrez asked if things had improved since the communication with Community in Action or Origins, or was it an ongoing issue and they still were in fear?

Ms. Maria: *(Using an interpreter) We do feel safer. Her main concern is having the kids outside that she's taking care of. Somebody walks by, says something bad to the little children, but she said yes, communication has been better. They do feel safer with the camera. She is worried just about people coming by and the children and the safety of her daughter. She's concerned that a child is going to hear something that they wouldn't normally hear at home and that, even though the police response is very quickly, the cameras are on, that child has already been affected. They have thought about selling the property, but the real estate agent they used previously had informed them that because of the tiny houses that the property value has decreased.*

Mayor Hill verified that previous to the tiny houses, she had a thriving business with taking care of children, but after the tiny houses were put in, the business went away.

Ms. Maria: *(Using an interpreter) She's always had between 8 and 10 children, and now she doesn't have any.*

Susan Vincent, Ontario: *I am Susan Vincent and I live next door to the tiny houses. One of my main concerns was that I don't feel safe. Mrs. Cook was there at the meeting as well, and you know, they say that the police presence hasn't been at the tiny houses, but it's still at her residence as well. There have been disputes between the people at the tiny houses and the townhouses. There are people there all the time. This place attracts the homeless, which is a good thing during the day when they're serving meals. I get up, we have a young puppy, I get up several times a night now to take him out and there are people, no matter what time I go outside, there are people walking up and down the*

street and up and down our alley. As I had told, in my letter to the committee, that I don't even feel safe going out to my own garbage can at night to put garbage in it. I realize a great deal of people are mentally ill and I worked for two and half years for National Alliance for the Mentally Ill while I was going to college. I know that mentally ill people off of their meds, you don't know how they are going to react or respond. I could say something, or I could move the wrong way and it would set them off. You don't know and they can't help it. I agree that we need tiny houses. I agree, Mr. Mayor, that it's only 16 and we have a much bigger problem in Ontario, but I don't feel safe. Even with the cameras, it's a little better, but I still don't feel safe.

Stephanie Cook, Caldwell, Idaho, stated: My name's Stephanie Cook, thank you Mayor and Councilmen for hearing us. I am the property owner on which the tiny homes are on and also the one next door. I've owned that property since 2013 and I have been on that property every week for the last seven years. I now have a relationship with Chief Romero, and I've had the police on the property on numerous occasions over the years. The property is not in the best part of town and the officers that have come out on numerous occasions, and we stood on my property, and he said I can stand here and there are four drug dens that I can see from this property. Four. And the are known drug dens where drugs are traded consistently all the time. I understand that's now legal in this state, but the property is not where all of those issues are coming from. You have those people, and you've had the drug issues in the area for many, many years. When I bought that property, it was a drug-infested garbage dump, and I have personally, with my own blood, sweat, and tears over this last seven years, worked really hard to clean up that property, to renovate every single unit, and to provide people who struggle with housing, a safe environment to live in that is clean and well-maintained. When Dan Cummings came over after we looked at doing a lot split last year, he said to me, I am astonished at the work that you've done. That property is not even recognizable compared to what it was seven years ago. My hands are tied right now in getting rid of troublesome tenants because of COVID. This particular year has been a struggle, not because of the homeless people that are, but because I cannot evict tenants that are causing problems for my other tenants, for the neighbors, and for the tiny homes. There's nothing I can do until then. As soon as I am able to get rid of those troublesome tenants, and right now there are about four or five of them, they will be gone, and if there is anything that I can do to do that, I will get rid of them. But the complaints, and I hear them, and I recognize them. I am on that property every single Tuesday afternoon. You can come by and see me, and I pick up every single cigarette butt and every piece of garbage that I can find from the middle of the street all the way around that block, all the way down the alley, in front of Mr. Vincent's property. I go through there, I go all around there, pretty much that whole block, and I am there every single week picking up the garbage every single cigarette butt that I can find and anything bigger than that. You can come by anytime and see me there. That property is not full of garbage because I personally pick it up. It is clean, it is well-maintained. I want this to be a model for other communities to copy so that they can come to Ontario and say this is a fantastic project, how can we do it in our community and I want to partner with you, I want to partner with Origins, I want to partner with the neighbors, I want to partner with the Police Chief, with Dan, with everybody, to make this something that other cities can come to and recognize and say you guys have done an amazing job on this and we want to replicate this because then the homeless population will do down. I'm in this for the long-term, I am in this so that we can improve the lifestyle of every single person in this community. That we can come alongside these people that are struggling and help them get to the next step because we are only as good as how we treat the poorest in our community and I want us to be the ones where other people look at it and say we want to do what Ontario's doing because you guys rock. If you have any questions for me specifically about the property or the project or my other tenants or anything, I am happy to take those questions.

Councilor Rodriguez stated she stated multiple times that she was doing this to make sure those who were struggling with housing, she wanted to help them rise up and empower them, which was good, but she also said that she had four or five tenants that were being troublesome, and she'd evict them if she could. It sounded like there were four



or five struggling tenants. If she were to remove them, where would they go? He'd guess those struggling people didn't have anywhere ready to go when she evicted them. They'd probably go next door. It appeared she had an opportunity to help people that were homeless or at risk, so was there anything in place, or had she spoken with any of the organizations she worked with to provide the same help that she was looking to provide so adamantly for the people that were homeless, to the ones she was ready to kick out?

Ms. Cook: *My understanding is that there are people who want help and there are people that don't, and when somebody does not want help, then it is very, very difficult to help them. And there is only so much you can do when somebody refuses it. I have done everything I can to work with these tenants, and I'll just give you an example. We had a family come in off the street and they had children and he came in on the lease with his two children and his wife was not on the application or on the lease. After he moved in, she moved in, and it appears that there's drug dealings going on and things like that, but she's not on the lease. I took him outside one day and there was multiple calls to the police because of this particular family and they were, there appeared to be domestic violence and an unsafe environment for the children, and just a whole list of things. I worked with him to get in there with their paperwork and everything else, and I took the tenant outside one day and there didn't happen to be anybody else around and I took him aside and I said, listen, I said, what you are creating in your home is not acceptable. It's an unsafe environment for your children and I explained to him about boundaries and how boundaries required that there is a code of conduct when somebody is your presence or in your home or on your property, and I said to him, I am happy for you to be here, and I happy for your wife to be here even though she is not on the lease; however, her behavior not only causes an unsafe environment for you and your family, but it also causes an unsafe environment for everybody else in the community, and that is not okay. And so, if you cannot enforce those boundaries within your home and that she can understand and be a part of that and play by the rules, then I'm going to have to ask you leave. And the astonishing thing to me was the following week, everything changed in that home. Everything. And there's a little sign over the door now that says Love Grows Here, and all of those different things. Those things changed overnight because I had a conversation with him. And those are the kinds of conversations that I have with my tenants. I'm interested in their well-being, but I have to create a safe environment not only for them, but I can't put the rest of my tenants at risk as well. As long as they're willing to be a part of that, then I will do that, so I do everything I can. The ones that I'm turning out are the ones who refuse help and consistently insist on creating unsafe environments for everybody else. I'm not looking to turn somebody out because they don't pay their rent or because they had a disagreement with somebody. I'm looking to turn people out who consistently and long-term over a long period of time, create unsafe environments for those people around them.*

Councilor Rodriguez understood that, but she stated she knew, and continued to know, that the area was bad, so she would have to agree with the type of people that would be interested in renting in that area. Especially with housing designed for people with situations like that. Would she agree?

Ms. Cook: *Absolutely, but I also have a whole lot of tenants who are happy to be there. I have a woman who's been there for over five years, she's a recovering meth addict.*

Councilor Rodriguez stated he wasn't arguing that there wasn't anyone there that wanted to be there; his concern was that he knew that there were property owners in town who were actively creating homeless situations because they want to make sure they kept a property paying tenant. Be honest – she wanted people in there who were paying. Owners he knew in this area who had a large pool of people eager and willing to pay any amount of money to have a place to live, people would be churned out who didn't want to play or be safe, to get someone in who would. Property owners in this community are creating a large homeless situation. Could she promise them that instead of churning out more, like the other bad property owners, that she would try to work with those who were her tenants before turning them over to next door.

Ms. Cook: *I think Barb will attest to the fact that every time I have an empty unit, the first person that I go to is Barb and her committee to try to pull those people off the street. Every single time I have an empty unit, I go to Barb, do I not?*

Ms. Higinbotham: *Yes, you do.*

Ms. Cook: *That is my goal.*

Councilor Rodriguez stated it was a cycle.

Ms. Cook: *Not it's not. For some tenants it is a cycle. For others, it's been a long-term successful thing.*

Councilor Rodriguez stated they needed to stop the cycle.

Ms. Cook: *Absolutely, and I'm trying to be a part of that solution.*

KIRBY moved, BRADEN seconded, **THAT THE CITY COUNCIL ALLOW THE TRANSITIONAL HOUSING SHELTER TO STAY IN OPERATION THROUGH THE END OF THE FISCAL YEAR, JUNE 30, 2021. No vote.**

Councilor Kirby stated they obviously needed to give some certainty to their operational year. But they also needed to be concerned about families who have lost their livelihood. This social situation that country was in had every community on the ropes. They needed to find a solution that allowed the neighbors to not lose their business, or their home value, and they didn't have to live in fear.

Councilor Hart stated there wasn't one negative thing said about the program taking place with the tiny houses. It was a wonderful program, and she cared deeply and was helping people. But he would vote no because of what he voted for originally, which was an emergency shelter for the winter to make sure that people were housed. He wanted the city to continue to figure this out that if this failed, what could be done long term for people in the community. They owed the citizens to have discussions about where they would house the most vulnerable in the community.

Councilor Melendrez thanked everyone for coming to speak, and he'd vote yes on the extension, but a different location needed to be researched and discussed.

KIRBY moved, BRADEN seconded, **THAT THE CITY COUNCIL ALLOW THE TRANSITIONAL HOUSING SHELTER TO STAY IN OPERATION THROUGH THE END OF THE FISCAL YEAR, JUNE 30, 2021.** Roll call vote: Rodriguez-no; Baker-no; Kirby-yes; Braden-yes; Hart-no; Melendrez-yes; Hill-no. Motion failed 3/4/0.

From the audience: *Are you going to come help us move everybody out and tell them they have to be in the streets? Thanks! Mr. Hill, why don't you give us your address and we'll take these homeless people and we'll put them in that lot right next to you because the end of this month, you guys are making 16 families homeless. I hope you sleep well at night.*

NEW BUSINESS

Resolution #2021-111: Bid Award for Technology Backup Services

Peter Hall, Assistant City Manager/HR Manager, presented. He would be bringing an actionable item back to the Council at a later date.

Approve Agreement: Oregon Department of Transportation/ODOT Public Works Emergency Response Cooperative Assistance Agreement

Al Cablay, Public Works Director, presented.

BRADEN moved, HART seconded, **THE CITY COUNCIL APPROVE ODOT'S PUBLIC WORKS EMERGENCY RESPONSE COOPERATIVE ASSISTANCE AGREEMENT AND AUTHORIZE THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY COUNCIL.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

HOMELESS SITUATION

Mayor Hill stated he wanted to go back to the homeless situation. He had been told earlier that they were going to ask for an extension through May, not a two-month extension. In retrospect, a 10-day period to make them move out and close the program might be too short an order. He was seeking a consensus before a motion was proposed, asking if anyone on the Council would be okay taking the program through the end of May.

BRADEN moved, KIRBY seconded, **THAT THE CITY COUNCIL ALLOW THE TRANSITIONAL HOUSING SHELTER TO STAY IN OPERATION THROUGH THE END OF MAY 2021.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATE

Airport: Quarterly Report *(Document attached)*

Erik Hartley, Airport Manager, presented.

DISCUSSION ITEMS

Amnesty Program for Code Enforcement Fines

Adam Brown, City Manager, stated the Council asked for a different approach towards derelict properties and the fine structure. The original approach had been in the Strategic Plan three years ago, amended by the Council of 2019. This Council wanted something softer, and in discussion subsequent to that, they had discussed an amnesty program. He was seeking comments or approval to move forward on that process. It would be where a person could pay their original fine or penalty, and the fees, late fees, or liens would be waived. This would close the books for the city, and the property owners would get to move on clean. The time period was up for discussion – two weeks, a month, even a year – but he would suggest three weeks. It would allow time for compliance. A list would be obtained from Finance, notification would go out to the community, letting everyone know if they came in during the time period, the late penalties and liens on the property would be waived. Ideally, they'd come in, the list would be reviewed noting the original fine, it would be paid, then Ordinance would confirm the property was in compliance. If it weren't, the individual would be given an additional 30 days to come into compliance. If that worked, everyone would begin fresh. The boundaries could be added to or stricken out, based on Council feedback.

Mayor Hill stated he wanted to note that the city was paying an Ordinance Officer approximately \$95K a year, plus a truck, so it was well over \$100K for that position, and the city's goals were not being met. The city wasn't cleaning up their own property. He suggested designing a plan where the city could bid out for a business for May to October, a tractor, mower, and truck, who would be available to clean up city property and for a fee, that contractor would be available to clean up lots that could not find someone else to do the work. The goal should be to clean up the town, not issue a bunch of fines.

Mr. Brown stated in previous years, there had been three firms who did that, but those companies had steady, regular customers who took precedent over the city's call to take care of a particular address, garnered no response. However, they'd be willing to go that route again.



Mayor Hill stated the city would have an actual contract with a business for a six-month period, to find someone for that period with the equipment, and they actually worked for the city. It was only up for consideration.

Councilor Kirby stated he spoke with a previous Councilor who informed him that one of the problems had been when the city's contractor cleaned up the property, the owner wouldn't pay the abatement cost. That was why punitive damages were established. Some couldn't afford it; some just wouldn't do it.

Mayor Hill stated the goal was to get the community cleaned up. It had only been a thought.

Councilor Melendrez stated the Ordinance Officer was a very important position. That position also supported other law enforcement activities; much the Council probably was unaware of.

Councilor Hart stated he had asked for, and received, the paperwork on a property that had been levied in July for \$27,500. He doubted that was the intent of the previous Council to create homeless people because who could pay \$27,500 for a fine. He'd rather have an approach to help people get their property cleaned up. Some could take care of that, but that was not the vast majority of this area. He was concerned that this was continuing. He assumed that the officer still had authority right now to levy another \$30K against someone in the community. The fines did not seem reasonable. He'd like to pause filing fines until the Council determined what to do with the program in the long term.

Mr. Brown stated a few months back, Chief Romero had been before Council, and they had put a cap on that amount. Based on the conversation with the Council, it had been determined that it would cap.

Chief Romero stated the current ordinance allowed for a penalty up to \$2K per day. The model used was from Salem and was already in place. He was currently restructuring the policies and protocol, trying to find the most equitable and effective system given the challenges in this community. In the new model, it would give a cap, he believed, on a major violation, the maximum would be around \$6K, over an extended period of time, nearly a year. In opinion, the goal was to gain compliance, monetary sanction or not. Whatever policy the Council saw fit to impose, was the policy he would administer to his staff. He'd be bringing a written outline for discussion at an upcoming meeting.

Mr. Brown stated it was within the Council's authority to impose a moratorium to stop assessing fines until a new matrix could be presented, discussed, and/or adopted.

Mayor Hill wanted the matrix to include to delineate the person causing the trouble; it wasn't always the landowner. The person who owned the land was getting popped, not the person causing the problem. He wanted in the matrix, #1, the person causing it; and #2, the landowner to try and clean it up. That was currently part of the ordinance, but it was never enforced. They always went after the landowner.

Mr. Sullivan stated the abatement process started with the notice. It did not begin with a fine. Even with a moratorium, the city could still give notices that they had to abate, and there would be some compliance through that process without ever imposing a fine. A moratorium wouldn't necessarily interfere with the ability of the Ordinance Officer to bring attention to a property that needed abatement.

Councilor Braden stated the city of Ontario needed to be a good neighbor, and they were trying to create good neighbors. Excessive fines of \$27K on a residence owner was not making a good neighbor, nor being a good neighbor. It's pretty poor policy. They needed to have some teeth in assessing fines and put the fiscal burden on them if they refused to follow the request to help them be good neighbors. He was ready to review the matrix the Chief had presented to them a few months ago and make that an actionable item. It was far more reasonable than what they were currently discussing.

Mr. Sullivan stated for the City Manager to impose a moratorium, he probably had that authority already but doing so with a consensus let him know he was acting with the Council's blessing. He could not do the amnesty portion.

Mr. Brown stated staff would have something ready for the next meeting.

HAND-OUTS

Minutes: (Attached)

County Court: Mar 31, 2021; Apr 7, 2021

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Baker stated at the previous Public Works Committee meeting, the committee elected Bernie Babcock as their Chair, Scott Wilson as their Vice-Chair, and Pat Woodcock as Secretary. Babcock, Wilson, and Fox attended the meeting. With regard to the safe travels to school issue, they heard from Andrea Buchholz, Alameda Elementary School Principal, who let them know there were two accidents last year. One involved an injury to a child, the other involved a car wreck. He was very concerned about the injury to the child. Mr. Cablay was also in attendance and let them know they were seeking options. The issue was where the children were being picked up. Busses were in front, and parents were picking up kids in back. It was very congested in that back area. Bruce Hunter was also in attendance, a resident of the area, who told them he also had extreme concerns about the area. They were seeking ways to get them in and out without crossing traffic. Something had to be done. The issue came up on who would pay for things - snow removal; open the gates; who owned the property. Adam said he would look into it as there was currently an agreement between the school and the city with the Recreation Department for their soccer field grounds and other youth sports programs. They were also looking at the school district for the cost and upkeep of the road. The taxpayers were burdened enough, but whoever had to do it, it needed to get done. They talked about switching the busses, but Ms. Buchholz stated the traffic on Alameda was too high speed. Secondly, he wanted to make them aware that Mr. Cablay had presented the Mission Statement for the committee, which was to advise the Council, the City Manager, and the Public Works Director on things that they thought needed to be done. There seemed to be an issue with them not getting enough information to make decisions. These were all businessmen that were known and trusted, and their input was invaluable.

Mayor Hill stated he had served on the Public Works Committee for ten years, prior to becoming Mayor. The enacting ordinance did not include that the Public Works Committee acted on, saw, or reviewed the budget for the Public Works Department. That was a mistake – it should pass through the Committee before going before the Budget Committee. The reason the PWC was created was because there had been a previous Public Works Director who was out of control. Did they need to add it to the ordinance, or place it in the Charter? He preferred the Charter.

- Councilor Melendrez stated he concerns on traffic traveling west on West Idaho, there was a left turn lane that went to NW 4th Street. It was a major hazard for kids who were coming or going to the middle school. Maybe they could add a yellow blinking flasher. Secondly, he spoke with residents in the Americold/Ore-Ida area following Mr. Garcia speaking to the Council. They voiced the same concerns—semis on the road, parking, blocking roads, blocking driveways, and no 4-way stop signs on 2nd. When semis entered, they did their business, and when leaving, making a U-turn on 3rd, which was a traffic hazard. He'd like to see Public Works research placing a 4-way stop sign up and designating parking areas.



- Mayor Hill stated with regard to Councilor Baker's comments, he'd had conversations with ESD, and was told that the school districts were swimming in money, so it seemed that someone should approach 8C School District about that situation at Alameda Elementary.
- Mayor Hill stated he and the City Manager had spoken about the Tech Fair that the city had designated \$10K for. He spoke to the Fair Manager about it, as well as a member of the Border Board, who thought they could also contribute money to it. He was trying to get the ball rolling on that.
- Mr. Brown stated since the city was moving the river trail from the Malheur River to the Snake River, it gave the city an immediate opportunity to apply for some grant funding through the Recreation Trail Program to work on the trailhead, which would serve both the Tater Tot Trail and the Snake River Trail. Without the river trail, it was a trailhead with no trails. With the river trail there, they could apply for the RTP money. He'd like to bring back a proposal to begin engineering. Money had already been set aside for both the Tater Tot Trail and the river trail. He'd work on a grant proposal with Merchant McIntyre.

EXECUTIVE SESSIONS

EXECUTIVE SESSION: ORS 192.660(2)(e)

An executive session was called at 9:37 p.m. under provisions of ORS 192.660(2)(e) to discuss real property. The Council entered into a second executive session at 9:54 p.m.

EXECUTIVE SESSION: ORS 192.660(2)(h)

An executive session was called at 9:54 p.m. under provisions of ORS 192.660(2)(h) to discuss current or real litigation. The Council reconvened into regular session at 10:13 p.m.

AMEND AGENDA

BRADEN moved, HART seconded, **TO AMEND THE AGENDA TO ADD REAL PROPERTY ACTION.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

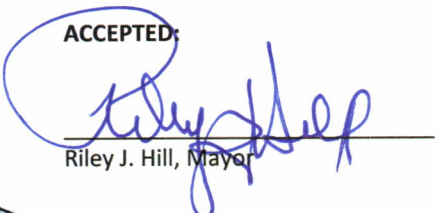
BRADEN moved, RODRIGUEZ seconded, **TO ACCEPT THE OFFER OF \$1.13 PER SQUARE FOOT FOR THE PROPERTY PROPOSED FOR THE TATER TOT TRAIL FROM KAISER ENTERPRISES.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

BRADEN moved, KIRBY seconded, **TO FORGIVE CIVIL FINES AGAINST KAISER ENTERPRISES, LLC, IN THE AMOUNT OF \$31,125.00.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

ADJOURN

KIRBY moved, BAKER seconded, **THAT THE MEETING BE ADJOURNED.** Roll call vote: Rodriguez-yes; Baker-yes; Kirby-yes; Braden-yes; Hart-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

ACCEPTED:


Riley J. Hill, Mayor

ATTEST


Tori Barnett, MMC, City Recorder

