

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



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
TUESDAY, FEBRUARY 8, 2022, 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: Susann Mills ____ Sam Baker ____ John Kirby ____ Ken Hart ____
Michael Braden ____ Eddie Melendrez ____ Mayor Riley Hill ____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on February 4, 2022. 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) CONSENT AGENDA

A) January 25, 2022 Council Meeting Minutes

5) 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.

6) PRESENTATIONS

A) City Manager's Monthly Presentation

7) OLD BUSINESS

- A) Resolution #2022-103: A Resolution Approving the Use of City Property at 55 NE 2nd Avenue as a Training Facility and Removing the Surplus Property Status
- B) Approval of Contract with MicroTech for IT Services

8) NEW BUSINESS

- A) Committee Appointments
- B) Acceptance of Public Utility Easement Sunset II Development
- C) Acceptance of Public Utility Easements in the River Point RV Park Development
- D) Amendment Number 2 to SE 2nd Street Improvement Project
- E) "If I Were Mayor" Contest
- F) Letter of support for RTCA Grant
- G) **Statement of Code Enforcement Review Committee**

9) PUBLIC HEARING

- A) Ordinance #2802-2022: An Ordinance Vacating all that Portion of Street Right of Way of SE 1st Street Lying Between East Idaho Avenue and SE 1st Street Lying West of Block 66 and East of the Original Railroad Property Within the Original Townsite of the City of Ontario as Shown on Attachment 1, On First Reading by Title Only

10) DEPARTMENT HEAD UPDATES

- A) City Recorder: Annual Report
- B) Police: Quarterly Report

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

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11) DISCUSSION ITEMS

- A) Drug Education Funding
- B) Outstanding Leases

12) HAND-OUTS

- A) Department Monthly Stats:
 - Fire & Rescue - Jan 2022
 - Police - Jan 2022
 - Public Works - Jan 2022
 - Code Enforcement - Jan 2022
- B) Minutes: County Court 01-19-2022

13) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

14) EXECUTIVE SESSION

- A) ORS 192.660(2)(i): City Manager Annual Evaluation

15) POSSIBLE ACTION FOLLOWING EXECUTIVE SESSION

16) ADJOURN



CITY COUNCIL MEETING MINUTES January 25, 2022

The scheduled meeting of the Ontario City Council was called to order by Mayor Riley Hill at 6:00 p.m. on Tuesday, January 25, 2022, in the Council Chambers of City Hall. Council members present were Riley Hill, Sam Baker, John Kirby, Michael Braden, Susann Mills, and Ken Hart. Eddie Melendrez arrived at 6:12 via Zoom.

Members of staff present were Tori Barnett, Garret Crostek, Terry Leighton, Kari Ott, Dan Cummings, Paul Woods, Casey Mordhorst, Steve Bartol, Justin Zysk, May Swihart, and Marc Berg.

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 January 21, 2022. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

Mayor Hill had three changes to the Agenda: Removal of 6D: City Manager's Monthly Presentation; 8A: Committee Appointments; and 13B: Executive Session ORS 192.660(2)(i) City Manager Annual Evaluation.

KIRBY moved, HART seconded, **TO ADOPT THE AGENDA AS AMENDED**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-out; Hill-yes. Motion carried 6/0/1.

PUBLIC COMMENTS

Dave Lockner, Tony Klein, Larry White, and Clayton Kramer, representing the various entities in and around the Ontario community, such as the Rural Board, spoke for and in support of the proposed Public Safety Training Facility that would be discussed later in the meeting.

Cydney Cooke, Ontario, stated: *I am applying for the appointment to the Public Works Commission. I wrote a little something. I'm just the same as any of you, and if you disagree, would you care to explain to me how I'm not, because how I see it, each time you step foot into these chambers and into those seats, you're here to do a damn good job, and if you're not performing at your best, ask yourself why you're here. I'm just like you. I place my foot down and get mine in the dirt just like you Mayor Hill, Susann, John, Sam Baker, Michael. You think I wrestled in mud in Atlanta or New York? No. I did that here in Ontario, Oregon. My daughter and I even took a bath in a mud bath here at the Mud Bowl. I work hard every day. We women can wear many hats, right Susann, and can look good while doing it. I'm just like you. I pay my taxes on my properties, and by mine, I mean my husband and I. I take care of properties the best I can, and I also have to deal with vandals. I'm sure you will all understand. I work hard every day, because either you're working hard or you're lazy, right? Either you're putting your efforts forward beautifying your community, or you're ruining it, right? I would do everything I did again a million times over, to get Susann in that seat. Not only because the Mills family has been nothing but good people to my husband and I, heck, even my grandmother enjoyed the time she spent with them at their home, but the city needs more positive representation of women. Women are the majority, not only in the US, but in Oregon, but not as many are running for positions like these. For a majority male Council, I applaud you all and thank you choosing a woman to fill that seat. In closing, I'm just like you. So what I look different than you. Tell me how that makes me less qualified. Yes, I'm younger, a little*



more raw, and less refined, but tell me I don't have the experience again for a volunteer position when we know that there is no experience required. To step on foot onto a construction site, most site managers don't care if you know the difference between a sledgehammer or a claw; they care that you're able to get the job done and thankful for another set of hands because after one month, you expect the new guy to have caught on and thus are paid more. Not to mention a little caulk and a little paint can fix almost anything, and if not, eh, it makes a good accent. I know my work and value that I bring to everything, every task, including the Planning and Zoning Commission. I also know that you all have seen it too by now. Thanks for your consideration.

CONSENT AGENDA

HART moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF THE CITY COUNCIL MEETING MINUTES OF JANUARY 11, 2022.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

PRESENTATION

Ontario Promise State 529 Plan by State Treasurer and Staff

Ken Hart, Council President, stated: *Once we had the debate here at the Council about this concept of the Ontario Promise, I was contacted by the Treasurer's Office. They reached out in a proactive way to see how they might be able to help if the City of Ontario does this. I know that John and his team have been out in the community before, working with our school districts to try and figure out how to get more of our families locally to set up 529 Plans. The State of Oregon has been very progressive in trying to roll out these plans statewide. I appreciate them taking the time to educate us a bit on what the 529 Plan is. With that, I see that we've got the State Treasurer, so I'll turn it over to him and his team. Thank you.*

Tobias Read, Oregon State Treasurer: *Thanks very much. Good evening, all. I have the honor of serving as State Treasurer and I am very excited to be with all of you tonight, even virtually. I was actually raised in Boise, so even if it is virtual, any chance that I can be closer to my extended family, my mom and sister in Boise, that's a good thing for me. But I'm also really excited to be here to be able to talk a little bit in support of this wonderful concept around the Ontario Promise. Before I do that, I would not be doing my job if I didn't take just a very short time to remind you what it is what we do at the State Treasury. We're the bank for the state. We issue bonds that support all kinds of critical infrastructure projects around the state; we invest the state's portfolio, including the Public Employee Retirement Fund, also known as PERS; we run a series of signature programs, including the College Savings Plan; we'll talk about a retirement plan called Oregon Saves; and Able, which helps people who living with disabilities in Oregon. But, as you know, I'm here tonight to commend your attention to the College Savings Plan and the Ontario Promise. I want you to know something really profound here: research is really clear that any kid who has a college savings plan is three times as likely to go to college, and four times as likely to graduate from college, no matter how much is in the account. It gives us a chance to tell people that we believe in them, that they have capabilities, that they are worthy, we have expectations, and I think that's a message that we all can get excited about. These savings accounts are not just limited to four-year institutions, though, and that's important to remember, too. They work really well at community colleges, career technical training colleges, and apprentices' programs as well, and it's not just tuition that is an eligible expense. It can be used for anything that is a required cost of attendance. So imagine someone going to a culinary school - they're likely to need some pots and pans and knives, and that is an appropriate way to use these college savings accounts. So we are working really hard at the Treasury to try to find any way we can to get more people on this path; to thinking about their pathway after high school, and what you are doing is really exciting. I don't like, to be frank, that not every kid has a college savings plan. I particularly don't like that folks in Eastern Oregon are not participating at the same rate that people around the Portland Metro area are, so I'm excited that you've come up with this idea to jump start people and it fits very well with some other programs that we run at Treasury. One's called Baby Grad, so I hope you will also help up spread this word as the Ontario Promise spreads - anyone who opens an account for an Oregon born baby before that baby's first birthday will see \$25 in that account thanks to a seed investment from Treasury, and we've had such success with that that we've extended it to the Kinder Grad, which offers the same deal for any Kindergartners who don't yet have such an account. Also, I want*



to remind you of a great partnership we have with Bottle Drop. If you remember those green bags that you can put your bottles and cans in and drop them off for redemption, you can link that account with college savings, so if you need any incentive to consume more beverages that come in bottles and cans, this is a way to do that and to connect the college savings account for a young person that you care about. In 2019, we became the first state in the country to offer a tax credit for contributions to a college savings plan. That means it works for anyone at any income level. It's not a deduction, but literally a refundable credit. That means if you can put some dollars into your account, you'll see those dollars back in the form of a larger refund or a smaller tax bill. I want to make sure people are aware of that, too. Up to \$300 for joint filers, and \$150 for single filers. So here's some excitement from me, and I hope you know it's because I am really passionate about trying to make it easier for families who are saving for future education needs so that we are making sure that every door to college and career technical trainings is open to anyone who wants it, and just absolutely thrilled that you are considering this investment. I think it's terrific. I can say that as the state's Chief Investment Officer. So, if we can be of any kind of assistance as you take this on, I hope you will not hesitate for a moment to call on us. I'm going to introduce my colleague John who's going to take you through some of these details, but just let me conclude with some sincere enthusiasm and applause for your visionary leadership on this. I think future Ontario kids are going to be very glad you've taken this on, so thanks for letting me be with you virtually, and I'll turn it over to John.

John Valley, Policy & Outreach Director, State Treasurer's Office, stated: Thank you Treasurer Read, and hello everyone. I really appreciate the opportunity to speak with you all today. The Treasurer gave a nice overview of how the Oregon College Savings Plan works, some of our community programs, and I do have a PowerPoint that I shared with the City Manager, and I can go over that. I also want to be respectful of people's time. It looks like you have a pretty full agenda, so Manager Brown would it be helpful for me to go through the PowerPoint, maybe give a little shorter five-minute overview, take questions based on anything the Treasurer had if anyone has questions for him before he has to go, so I just want to check in with you to see what the best way from your perspective is to proceed.

Councilor Hart stated they wanted the five-minute version.

Mr. Valley: Okay, I'll just give you a quick overview. I think the Treasurer did a really good job of explaining sort of how the program works. I think it's important from our perspective that we're excited that the city is considering this proposal. I think we, every day, are trying to figure out new ways to educate the folks about the benefits of the program, how they can take advantage of it. The Treasurer talked about our Kinder Grad Program, our Baby Grad Program. We actually had a program called Be College Ready where we provided free homework materials, bookmarks, pencils, to elementary school students. We actually had two of the Ontario elementary schools participate – Cairo and Alameda – with the help of the Superintendent. I'm not sure if she's here today, but I wanted to give her a shout out for the school district's support of us trying to get the information out to families. I think some of the key things I just want to highlight that the Treasurer talked on is that it's \$25 to open up a College Savings Plan account. After that, you can put as much money as you want, as little as you want, as frequently or infrequently as you want. There's not a minimum balance, you don't have to contribute every month or every year, it's totally up to you. To open an account, you're going to have to have a taxpayer ID number or a Social Security Number. Also true for the beneficiary, they have to have a taxpayer ID number or a Social Security Number. As the Treasurer said, you can use it for a four-year school, a two-year school, a trade school, in Oregon or outside of Oregon. Some people think it's only for Oregon schools, but it can be used outside of Oregon. The only criteria is that the school is accredited, which means it's eligible for Federal Financial Aid, which is most schools, but if you're not sure, you can go to the FAFSA website, type in the school name, and it'll let you know if it's eligible for Federal Financial Aid. One of the things that I just wanted to touch on and probably the most frequently asked question I get is what happens if I have an account for my son or my daughter and they decide they don't want to go to school, what happens to the money? It's the number one question, and it's a good question. It's important to remember when you open an account, the account owner controls the funds. It's not when the student, if my son or daughter each had their own account, turned 18, they inherited the money in the account and they could spend it on whatever they want. They have the opportunity to use it, but it's up to me when that money is taken out of the account. And, there is no time limit. If they want to travel around the country for a couple years, the money can be growing in that account. When they are 20, 25, they can still access it to use for whatever post-secondary institution they want. And again, you can use it for



a multiple number of things. The Treasurer hinted that if you're going to a culinary school, you can use it for pots and pans; you can use it for tuition; you can use it for books, a lot of different uses. Let's say my son doesn't want to go to school, I can take the money from his account and put it into his sister's account no penalty, no problem. You can always change the beneficiary within the family, so I just wanted to keep that in mind. The beneficiary can take it out and use it for a non-post-secondary expense, but if you do, you have to pay back the government for some of the tax benefits you've been getting which the Treasurer hinted at. One is the state tax credit from the \$300 if you're a joint filer, \$150 if you're a single filer; the other benefit is all the interest that you've put into the account that is an investment is earning interest tax free, it's an after-tax program so, so in your paycheck you'd have the money taken out and put into the College Savings Plan Account, but if you take it out for a car payment or any non-post-secondary education expense, there's a 10% penalty, but it's only on interest you've earned, not on the principle. Those are some key features that come up a lot when I talk about the program. I think the important thing is is what the Treasurer said is that beyond the financial benefits of having all the interest being tax free, having a state refundable tax credit, the academic impact on the students is huge. They are more likely to go to school after high school, they're more likely to graduate college, and as the Treasurer said, only a little bit of money can go a long way. It changes the mindset of the child knowing that the family is doing its part on a financial end. The research shows the student has improved academic performance and outlook moving forward. So we are really excited about the Ontario Promise Program. I think I did that in about five minutes and tried to hit all the highlights without getting into too much of the weeds, but I'm happy to answer any questions about the program or any concerns people might have, or how we might be able to partner with the city and the school district if this were to pass and be implemented for the upcoming school year.

Mayor Hill asked how the state could help the city?

Mr. Valley: Well, the state can help implement, I think one of the things we found, I know the proposal lays out the sort of various benchmarks of when the accounts would be contributed based the grade of the child. We can help educate the families, doing virtual presentations on how the program works, as we talked about today, a lot sometimes don't understand the tax benefits, who can open an account, what the money can be used for. We work with all the schools in the school district and school leaders, educate staff and families about the benefits of the program, we can help set up how we could administer the implementation of those accounts being funded. I briefly talked about this with the City Council President Kenneth Hart about how we might be able to do that. I think we'll have to have a few different meetings to figure out logistically the best way of implementing something like this, but we're here basically to provide as much content expertise as is needed, as we all as any administrative support we can lend to help get these accounts opened and more people taking advantage of them.

Mayor Hill asked if they would have a person actually in Ontario for the city and the school district to implement all these accounts?

Mr. Valley: I'm certainly able and willing to potentially come out, COVID restrictions allowing me to do so. Then yes, I'd do my best, virtually or otherwise, to be a member of whatever team is put into place to help get this program up and running.

Mayor Hill asked how much money the state was going to contribute to keep the accounts going.

Mr. Valley: I don't know if we've had that internal discussion yet. That would be something to talk about with the Treasurer. He'd want to see if the program were to pass, but we'd certainly look to see what we could do potentially to help. Certainly we're going to have staff come as a sort of in-kind contribution to help implement the proposal and then as far as other things, we might be able to do, we can certainly discuss if and when the proposal is passed and what would make the most sense.

Mr. Read: One other thing, Mr. Mayor, is to remember the tax credit is a pretty significant contribution from the state that is helping people get those accounts started. The not-so-secret secret is that when you get the refund from your contribution you can recycle that the next year and continue that as long as you like.

Mayor Hill asked if the parents were to get their full \$300 credit, the grandparents could do the same thing and get the same credit?

Mr. Read: *That's correct.*

Mr. Valley: *As long as they're paying Oregon state income taxes.*

Mr. Read: *Yes, it's a credit against income taxes in Oregon, that's right.*

Mr. Valley: *And that would be eligible for anyone that wanted to contribute, not just family.*

Mayor Hill thanked them for participating in the meeting and explaining the program to them, and for the support the city would be receiving from the state. This was one step closer to getting it completed. There had been some concern about how to get it set up and who would be doing all the work, but now they knew the state was going to step in and help, and it was truly appreciated.

Mr. Read: *We appreciate your investment in Oregon kids.*

Mr. Valley: *Thank you all. I look forward to talking with members of the Ontario team and stakeholders and how we can best support moving ahead.*

2020-2021 Audit (Audit Attached)

Chelsea Hewitt, Connected Professional Accounts, La Grande: *We've been performing your audit for the past number of years. And I know, like everybody said, that you guys have a very busy agenda tonight so I'm not going to bore you with going through every single page of this. You guys have been given this document already. I will kind of hit some highlights and since you have lots of new Councilors, I'm going to kind of give a brief overview of what we are doing as part of the audit. But if you guys have any sort of questions, you can definitely interrupt me at any time or you can hold your questions to the end.*

Mayor Hill asked if this was a qualified or an unqualified audit.

Ms. Hewitt: *It's an unmodified opinion, so that means that's the best rating you can receive. Yep, that's really what people usually want to know. First of all, I just want to thank Kari and your guy's staff for all the work that they do with this process. We come on site for a full week with four or five people and they have full-time jobs without us here, so we really appreciate all their work and they put this document together and we really just come in do the audit, which that makes our job easier, what we're supposed to be doing, instead of helping track financial statements. Also, thank you to your Audit Committee. They're the ones that kind of get the brunt of our questioning. We've had conversations with all of them and so we appreciate their time. While here, like I said, we're doing a financial statement audit which you're required to have by the State of Oregon if you have expenditures of over \$500K during the year. You also, this year, had federal expenditures over \$750K, which required a single audit. So that's a federal compliance audit so we were doing both of those audits with this audit, so we'll go over all the findings for that. Just a couple, like a I said, we'll do a couple brief highlights of this, and then you guys can ask any questions that you have.*

The first thing is we have a governance letter, so that's really our letter to you as a Council, and in that letter, you're going to see that there are estimates that go into this. We have estimations that are in the audit process. If we have any disagreements with management, they're going to be discussed in that letter. We did not have any disagreements with management. I always tell people if we did, you wouldn't be hearing about it now. We would have already contacted you about that, so no news there. The other thing with that governance letter is that there is no journal entries and that is huge because I know on the board that I sit on, and I'm in your shoes, that's what I'm looking at. I want to know if the financials I'm looking at monthly is accurate or if the auditors are coming in at the end of the year and they're making big adjustments. What you're making those decisions on during the year, and if



they're having to adjust them, then you can't rely on that quite as heavily. But we are not making any adjustments to your financial statements at all this year, so that's almost unheard of. Kari does an awesome job on that so that means that the data that you're receiving at these meetings, you can rely on for financial data.

The other thing is that we didn't have any past audit adjustments. In the past, there's been a couple that have been immaterial that you have passed on and not had to make. We did not have any of those this year either.

As far as the bulk of this actual PDF that you guys have in the packet, there's a couple areas in here, obviously our independent auditor's report which starts on page 1, that's what the Mayor was referring to. That's really where we're going to give our opinion. In accounting lingo, that is just our opinion here, unmodified opinion. That means that we believe that your financial statements are materially stated. We believe that there is no reason to think that they are not materially stated and that they are in accordance with governmental accounting standards. The other thing that we disclosed in this is that if you have any new governmental standards that you guys have to implement, and there was a new standard this year. It was governmental accounting standard 84, and that really had to do with fiduciary funds. It did not make any changes to your financial statements other than your fiduciary funds are no longer in purchase. Agency funds, they're custodial funds. So we have to disclose that we have that standard here, but there was no real change to your financial statements. Beyond that is going to be the management discussion and analysis that start on page 4. I always tell people that if there is, if you're not going to read this whole packet, which I know that not everybody finds it quite as entertaining as accountants do, but if you just read through these few pages that give you a really good overview of the whole financial statement audit. It's got comparative statements in there, it kind of has insight to what you guys have going in the next fiscal year. This is all written again by you guys; it's written in house, so everything in here is going to be your guys' words and that's a really good place to kind of get an overview of what's going on.

As far as the actual financial statements, just a brief highlight on those. Starting on page 11, your net position, this is going to be your actual government-wide financial statements. I will just draw your attention to the fact that your net position increased from the prior year by almost \$2.5M. And I think that it increased roughly the same amount last year, so you had a continual increase the past couple of years. If we're looking at your individual fund statements, your general fund increased by, I want to say by right around \$4M also, so a very positive increase there. In the middle of this packet is going to be the notes to the financial statements, so those start on page 25. That is really just going to give more verbiage to the financial statements so if you ever need to see any more detail on the different major funds that are reported in this, the debt that the city has, detail of cash, everything is going to be kind of reported on those pages and that's page 23-57, so that's the bulk of what you're looking at here. Beyond the notes of the financial statements, there's going to be individual fund statements. Again, I'm not going to bore you by going through all those; you guys can read those in detail if you need to.

The other main thing I know the Council always wants to know is the Oregon Auditor's Report, so that's on page 86. That's where we have to disclose to you if we have any sort of findings to the State of Oregon and to make sure you are in compliance there. If you had anything such as budget violations, highway fund violations, anything with public contracting, that whole list right there, we would have to report any sort of compliance findings in this Oregon Audit Report. I think that this is the first year since I've been doing this audit that we have not had one finding to report in this, so that is huge kudos to your guys' staff and everything that they are doing to follow all these guidelines because they're ever changing so they've done a great job. We did not even have one budget violation, which if you're over budget by one dollar, we have to report it to you. So, again, almost unheard of to see this, so very, very good job there.

The very back of this report is just going to have, starting on page 88, that's where we're going to have the Federal Compliance Audit, so this is going to be your schedule of federal awards. You'll see that your expenditures of federal dollars this year were just over \$1M. The main program was obviously your Airport Improvement Program. That was about \$681K. This is not news to you. You guys knew that you had these programs going on. The other big one was your Corona Virus Relief Fund, so another \$300K you received and spent there. The major program that we tested this year was the Airport Improvement Program. It was your largest program. And we again had an unmodified

opinion, so we did not find any sort of issues when we did the compliance testing and did not have any findings, internal control or otherwise, for that program. So very positive there.

The back of this report would really just be if we had any financial statement findings to report and we do not have any. So like I said, that's also almost unheard of. Most the places that we are assisting with the audit, we are also assisting with at least drafting these financial statements and that's a management function so they're going to see some sort of finding in there. Because you guys have Kari and her firm doing that, we do not have any sort of finding for our involvement. It is, like I said, a true financial statement audit where they're providing these, and we're coming in and we're doing that audit and assessing your internal controls at the same time.

Again, that's a pretty brief overview of 100 pages, but I know that you guys don't want to sit here and read every single page and you have a big agenda, so if you guys have any questions for me, I'd be happy to answer them.

Councilor Hart asked Kari Ott to stand up and the chambers offered a round of applause.

Training Facility Plan (PowerPoint Attached)

Terry Leighton, Fire Chief, presented. He offered his thanks to the Council for letting him present his proposal. He also thanked all the supporters who were in attendance, and let the Council know they were all there on their own accord, he had not asked them to speak, but he certainly appreciated all their support.

Chief Leighton stated: *This facility is where we can educate and train men and women to perform in high-risk situations to the best of their abilities. Last year I made a presentation to you about the value of training and the importance of having a dedicated facility to do that training. The Council asked for a plan to be developed. With the help of Peter Hall, a plan was put together and has been presented to you all in your packet for tonight. Included in your packet is a comprehensive plan and financial details. I have put together a little summary and I will gladly answer any questions. I hope in there you have been able to see the history of the property and the different uses it has had, and then the different uses it could be used for as a training facility. Those are only the tip of the iceberg of what this facility can be used for. The Council asked what Nichols Accounting felt about this type of facility being their neighbor; I met with their principals, and they were very supportive. The extra security cameras and just having the activity will be beneficial. They only had one request, to let them know when we are going to be burning so they don't think the building is really on fire. The idea of using this great location and what it has to offer began over three years ago with Chief Kunz and myself seeing the possibilities. But this idea of having a dedicated location to meet and train for the public safety is not just an idea worked on for the past three plus years, there have been many different attempts to establish a location to fulfill these training needs and requirements. Even as far back as in the 1970's when this very room was originally designed to be a training room for the Police and Fire departments. Different locations have been identified and then for several different reasons they just did not come to fruition. We now have the perfect central location that is already city owned and has many features that can be used right away. If you look at just how much valuable training has taken place there in the last year a price cannot be tallied on how much benefit has been gained from this location, and how much can be gained in the future. This past year we have had training in the classroom, hands on practical training, leadership meetings and community gatherings. The facility has been used by numerous different fire departments, police departments, and Jacobs public works, all to make ourselves better and safer at the jobs we do to serve our communities. This allows us to stay proficient at what we do and maintain all our required certifications. Since the public works department moved to their new location over 10 years ago; these buildings and areas, we are asking to have dedicated, for most of the time portions of this property has just sat vacant. Part of the time by a private company and less than a year as the animal shelter, and for a few months for the transition housing project. The value of the training that has been attained by these public safety departments in the past year is substantial and cost us far less than if we had to go elsewhere to get the training. The Council asked me to put together a plan, gather support for the facility, and look for funding resources. I have presented in*



person and at different times to multiple groups and individuals. Those include you the Council, the Rural Fire Board, Snake River Fire Chiefs and Training officers, Ontario Police Chiefs and Staff, Oregon State Police, Sheriff's Department, Oregon Department of Public Safety Standards & Training, Jacobs Public Works Staff and City Staff. You can see the list of just some of them in your packet. I have also included some of the support letters I have received from many different individuals and agencies. I have received a written commitment for \$10,000 right away with more to follow by the Ontario Rural Fire District, along with other verbal commitments to make this project become a facility that benefits the whole community. This is a situation where the city already owns the land and facility, we have the support of the community, and we have the support and pledges of these other agencies. The benefits for the City of Ontario will be the public works training will keep their staff safe and our utilities working better. The police training will keep themselves and the community safe. The firefighter training will allow them to better protect and serve the community safely and professionally. We are seeking your commitment to be able to have this property declared and dedicated as a public safety training facility.

In conclusion, proper training saves lives, keeps people safe, and produces positive results. What is the value of just one life? Well trained staff will make a difference and will save lives. Thank you for your time.

Mayor Hill stated he spoke for the Council in saying there was no one on the Council who wasn't for training, wasn't for safety, wasn't for any of those things, and he saluted him for trying to bring it forward. He wondered how many other fire agencies were there in support of this project, and who'd utilize the facility.

Chief Leighton stated in attendance were Sand Hollow, New Plymouth, Payette, BLM, Fruitland, Ontario Fire, and the Rural Fire Board. In the past, the Council had asked what the other communities could contribute. All these there were Chief's, Assistant Chiefs, or Training Officers, and they would give by providing training to everyone, Ontario included, multiple hours of training that would be given. By training together, it prepared them to work together for mutual aid calls.

Mayor Hill stated his appreciation for the training, and it was certainly mutually beneficial, but Ontario could not carry the whole burden. Where there any financial commitments from any other agency to help offset the expenses of what would be put into the building.

Chief Leighton stated he had no exact dollars. All voiced their support, including the Fire Chief's Association. Most of it was due to waiting for a commitment from the city to move forward on making the facility the actual training facility. He had been told by the Randy Carpenter Foundation they planned to provide the necessary items for classroom training, to include tables, chairs, white boards, video projector, etc. He also planned to search for grants. He also spoke to Mr. Crouch, BLM, who indicated there were some BLM grants available. There were resources to go after those grants; however, nothing other than the \$10K the Rural Board committed to pay, which, as shown in the proposal, which was the amount needed to get this project up and running this year. One thing not covered was utilities and insurance, however, those two ongoing costs were already being covered by the city. In looking at the buildings being requested in the proposal, the utilities would be around \$700 annually, as was the insurance coverage.

Mayor Hill asked if this facility would move the city from a Class 3 to a Class 2 insurance rating.

Chief Leighton stated he could not promise that, but he would tell them that when they were getting their ISO rating, they received a 4.5 out of 9 points. That was for overall training. For a fixed training facility, they received 6.3 out of 45 points. It would make a huge difference having the fixed training facility.

Mayor Hill stated he asked that because it would reflect in the overall cost of insurance to the citizens for their homes and businesses.



Councilor Braden voiced his support for this project and the department overall and was ready to make a motion.

BRADEN moved, KIRBY seconded, **THE CITY COUNCIL AUTHORIZE STAFF TO PREPARE THE NECESSARY DOCUMENTS TO CHANGE THE CURRENT ZONE OF 55 NE 2ND AVENUE FROM A MIX OF LIGHT INDUSTRIAL (I-1) AND HEAVY INDUSTRIAL (I-2) TO PUBLIC FACILITY (PF) AND TO PREPARE A RESOLUTION DECLARING THE PROPERTY AS A PUBLIC SAFETY TRAINING FACILITY.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

Councilor Kirby thanked Chief Leighton for providing both he and Councilor Mills tours of the property. He was thrilled to see so many in attendance in support of the project. He wanted to make this a commitment for this valley. It was wonderful and it served everyone.

Councilor Mills commended Chief Leighton for the tour and for answering all her questions. He went over all the paperwork with her, and it made her realize this was a no-brainer. It was needed and had been needed for a very long time. It had been discussed around 2010 when she was on the Council before, and it was a real need for the community. She had asked questions about maintenance and funding of the facility, and those questions were well answered. This was a facility that was not only beneficial to Ontario, but to the surrounding communities, and in working together it made it safer for all. She knew many of the firefighters, and they were hard workers, and they would be proud of the facility. It would be greatly used, and she was in full support.

Chief Leighton thanked the Council and added that the Fire Fighter's Association President had just informed him that their organization would be donating \$6K towards the facility. They would make the city proud of the facility.

OLD BUSINESS

Resolution #2021-141: Transient Lodging Tax 1% Increase Proposal and SEL802 Notice of Ballot Measure

Tori Barnett, City Recorder, informed the Council she had spoken with the City Attorney about the proposal, and while he didn't feel he had sufficient time to put his staff of approval on the proposal, but did assure her that what was being presented was legal and could move forward as written.

Councilor Braden stated he would probably have the only no vote on the issue. The community members he spoke with and were closest to him said the Council agreed to form the Recreation District on a promise, and part of that promise was that they would reopen the pool. He heard the pleas of the Rec District and was very sympathetic, and as a Budget Committee they wanted to accelerate the reopening of the pool by giving them \$250K from the budget to assist them in accelerating that reopening. If this resolution passed the Council, it would go onto a ballot and the citizens would vote, so he was fine with passing it to the citizens, but he needed to voice these comments and stand with them by a no vote.

HART moved, KIRBY seconded, **THE CITY COUNCIL ACCEPT THE BALLOT LANGUAGE AND AMENDMENTS AS PRESENTED BY THE CITY ATTORNEY TO ADD A BALLOT MEASURE FOR VOTE BY THE ELECTORATE AT THE NEXT GENERAL ELECTION IN MAY 2022 TO INCREASE THE TRANSIENT LODGING TAX FROM 9% TO 10% FOR THE PURPOSE OF FUNDING OPERATIONS AT THE ONTARIO AQUATIC CENTER AND DESERT SAGE EVENT CENTER.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-no; Melendrez-yes; Hill-yes. Motion carried 6/1/0.

KIRBY moved, BAKER seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2021-141, A RESOLUTION CALLING FOR AN ELECTION TO APPROVE A 1% INCREASE IN THE TRANSIENT LODGING TAX (TLT) AND APPROVE THE SEL802 NOTICE OF BALLOT MEASURE.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-no; Melendrez-yes; Hill-yes. Motion carried 6/1/0.



Resolution #2021-142: Charter Amendments: Charter Review Ad Hoc Committee Proposal and SEL 802 Notice of Ballot Measure

HART moved, KIRBY seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2021-142, A RESOLUTION ACCEPTING THE BALLOT LANGUAGE AND AMENDMENTS AS PRESENTED BY THE CITY ATTORNEY IN CONFORMANCE WITH THE CHARTER AD HOC REVIEW COMMITTEE AND CITY COUNCIL RECOMMENDATIONS TO BE SUBMITTED TO THE COUNTY FOR VOTE BY THE ELECTORATE AT THE NEXT GENERAL ELECTION IN MAY 2022.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

Resolution #2022-102: Approval of Ontario Promise 529 Plan

HART moved, KIRBY seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2022-102, A RESOLUTION ESTABLISHING THE ONTARIO PROMISE AND DESIGNATING \$130,000 FROM ADDITIONAL MARIJUANA REVENUE FUNDING IN THE 2021-2022 FISCAL YEAR. No vote.**

Councilor Hart stated in summary, the idea behind this action was for the Council to specifically highlight one of its Strategic Plan areas, which was education, and on that goal, the Council acknowledged that the future of Ontario was based on the education of its children; the Council valued and supported their schools. One way to show they wanted to invest in their children in the community was by seeding the 529 Plans for about 1,000 kids in this community this year. Hopefully, future Councils would fund this program moving forward. This would set aside \$130K, with about \$100K going specifically to individual \$100 529 Plans for children in Kindergarten, 3rd grade, 6th grade, 9th grade, and 12th grade. It was estimated to be around \$30K in administration the first year. Being able to use the State of Oregon to be that position, to send the funds to them with a list of students, the state would actually do the funding to those Plans. The resolution also requested the establishment of an ad hoc committee comprised of two members of the Council and no more than five members at large to assist in moving forward to solidify how this would be implemented. The big ask was going to be working with all the school districts with different community groups. He had asked Euvalcree to work with them on helping explain to folks how to set up the 529 Plan. This was going to take some education. Also, this would go to any student that lived in the 8C School District, so was beyond the Ontario city limits, and as long as the student lived in Ontario, they could attend school anywhere.

Councilor Braden stated he wanted to share one objection to the plan, and it was not to cause strife. This Council was planning to fund this from excess marijuana tax raised by the city, and during the previous three years he'd served on the Council the decision to spend excess revenues had been presented by Ms. Ott to the entire Budget Committee, and the Budget Committee chose the way to allocate or appropriate those funds. This action was preceding the Budget Committee, but this was a very commendable plan and program as designed, and he also desired to show support for the students in the community. That was his objection but was still going to sign off in support of the action. He'd also like it known that the Council would be holding a Leadership Retreat on Saturday, and one thing staff had proposed was that if this was a goal, they asked to put this in the budget for working towards some type of endowment so the Ontario Promise could be funded in perpetuity.

Restated Motion:

HART moved, KIRBY seconded, **THE CITY COUNCIL APPROVE RESOLUTION #2022-102, A RESOLUTION ESTABLISHING THE ONTARIO PROMISE AND DESIGNATING \$130,000 FROM ADDITIONAL MARIJUANA REVENUE FUNDING IN THE 2021-2022 FISCAL YEAR.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

NEW BUSINESS**Approval of Contract with MicroTech for IT Services**

Councilor Kirby asked to slow this action down. For three months he had not been able to bring up a Council agenda on his iPad. He was not happy with the organization that was purporting to do IT, because they hadn't supported him. They'd put the burden back on city staff. He'd even worked with the Police Department Administrative Assistant



for around two hours. What they had before them might be a good document, but where were the people and where was the performance?

KIRBY moved, MILLS seconded, **THE CITY COUNCIL TABLE THIS ACTION TO THE FEBRUARY 8, 2022, MEETING WITH A REPRESENTATIVE OF THE ORGANIZATION ATTENDING THE MEETING.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

Authorization to Allocate Funds for CDBG Sewer Line Replacement Project

Paul Woods, City Engineer, presented.

BAKER moved, MILLS seconded, **THE CITY COUNCIL AUTHORIZE THE RE-ALLOCATION OF \$100,000 IN FUNDS WITHIN THE CAPITAL IMPROVEMENT BUDGET OF THE SEWER ENTERPRISE FUND TO COVER ADDITIONAL EXPENSES IN THE CDBG SEWER LINE REPLACEMENT PROJECT.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Braden-yes; Melendrez-yes; Hill-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES

Finance: Monthly Report *(Attached)*

Kari Ott, Finance Director, presented.

Public Works: Annual Report *(Attached)*

Casey Mordhorst, Interim Public Works Director, presented.

Councilor Braden stated the Goodfellow newly constructed road was being used, and he noted that it was an extremely dark street at night. Did Casey have any knowledge of any lighting?

Mr. Mordhorst stated that had been realized after the fact that no lights had been installed on Goodfellow and SE 5th Avenue. With the SE 5th Avenue sidewalk project, he believed they would be speaking with Idaho Power about possibly using their light poles and the city attaching mast arms to light the area.

Mayor Hill asked about the study on the bridge.

Mr. Woods stated the traffic counts had been completed. They had a projection of the impact of the traffic, and they wanted to review that with ODOT to get their feedback on that. They were also having meetings with Merchant McIntyre every two weeks in preparation for the grant, so they were also preparing for that. They wanted to gauge ODOT's reaction to bring back to Council.

DISCUSSION ITEMS

Marijuana Education Funds

Adam Brown, City Manager, stated this was brought to light by the paper that the city hadn't spent funds that were previously allocated for education of marijuana. Since that article, conversations had been created between Lifeways and Altruistic, another drug addiction company, and both were putting together some ideas on how to use those funds. He would be bringing back some ideas and proposals to use the budgeted funds towards marijuana education.

Mayor Hill asked the scope of the funds.

Mr. Brown stated the recommendation came out of the marijuana ad hoc committee to ensure that some money from the tax was allocated towards the education of drugs and their use by youth in the community. The target audience was youth and whether it was marijuana or other drugs, he didn't know if was clear, but was definitely for illegal drug use.



Councilor Kirby stated he believed it was drug use in general, not just marijuana.

Councilor Braden asked how much money had been budgeted.

Mr. Brown stated he believed it was \$5K in this year's budget. He thought the previous year had budgeted \$10K, but because it hadn't been used, the Budget Committee decreased it to \$5K.

Ms. Ott stated it had been \$5K last year, and \$5K this year. No funds had been expended last year.

"If I Were Mayor" Contest

Mayor Hill stated the first year he was Mayor, he had taken this around to the various schools looking for participation, and he received none. He wasn't sure what to do with it now.

Adam Brown, City Manager, suggested that the city could attach a small scholarship that could be added to the 529 Plan, like a local scholarship of \$500 would incentivize some participation. Local applications had to be submitted to the state by April 8th to be considered in the statewide application process.

Mayor Hill stated the contest was open to all the schools, so everyone was eligible.

Councilor Braden stated he believed any level of scholarship the city was able to contribute was a good starting point. It was a good way to promote civic engagement.

Consensus to direct staff to develop that idea.

ARPA Funding Strategy

Adam Brown, City Manager, stated the city had been awarded \$2.4M from the state, and staff had previously presented to Council the request to spend those funds on a range of services. To recap what it could be expended on was public health, negative economic impacts due to the public health emergency, replacement of lost revenue, premium pay for essential workers, and water/sewer/broadband infrastructure. The city chose to move forward with #2 and #5. Investments in housing and neighborhoods allowed them to fund such strategies that would address individuals experiencing homelessness or affordable housing development. The Council was aware of the homeless in the community and the lack of services to assist them. Investing in water and sewer infrastructure was where they wanted to put the bulk of the funding to have shovel ready projects without increasing the cost of services on the existing rate payers. With the broadband, there had been some interesting conversations over the past two weeks with Sparklight and FMTC. Staff was able to see the maps of Sparklight and they had a pretty robust system of wire to door, although it wasn't fiber, but the service coming off was fast. In their mind, the city was built out, but they would be the only provider right now who had broadband in this community, which created a bit of a monopoly. FMTC was putting together plans to bring fiber across the bridge and they'd also like to serve the residential community. Staff and Council needed to have conversations about whether the city assisted a business who was trying to compete against an established business that might have somewhat of a monopoly on speed, or if they wanted to let the private market fight it out. Regarding the revenue replacement, some new information was that the city had given an allowance threshold of \$10M to declare as minimum, so one option was to declare all of the \$2.4M as lost revenue and that removed the requirements for spending it in those itemized categories.

Mr. Brown stated the Leadership Team met two weeks ago to revisit this, and one thing that they'd been asked was to add in a piece for mental health. The team carved out a spot of \$150K from that budget to work with a partner in the community to provide mental health services alongside public safety. Different programs had been reviewed, but Measure 110 took approximately 75% of the local revenue sharing from cities and created a fund to apply for mental health partnerships and law enforcement. This money had to be spent by the end of 2024, so they could get something moving forward and then pursue money from the state fund to fund the local project. He reminded the Council that Ontario was sending about \$1.8M across the state that was supposed to be returned to local governments for law enforcement, and Ontario was only receiving about \$48K annually of that \$1.8M.



Mr. Brown stated he was still working on the homelessness plan, and he had been speaking with community partners about what was needed and where there were gaps in service. One example was pop up shelters, for cooling off in extreme heat, or warming up when it was cold. They were also looking at barrier vs. no barrier shelters. There was also a small piece for innovative housing project support. That would be to fund projects that were not eligible for the city's \$10K grant program but would be filling a community need. One of those projects was the senior housing project off Alameda, or any other planned unit development that might provide the type of housing that filled gaps in the city's housing needs.

Mr. Brown stated he wanted feedback on the broadband issue, but that could possibly be covered in the Strategic Planning Retreat.

Mayor Hill stated there was \$1.7M for utilities; was the money going to be used for matches in other projects where they might have to put a parentage down to get the other 70 or 80% from somewhere else?

Mr. Brown stated that was the hope. The two projects they initiated engineering on were completed, and he believed just the Navarette property was estimated at \$1.5M. The city could move forward on one and go after grants on another, or they could pursue grants for both, but the idea was to put pipe in the ground and get those sites shovel ready with water, sewer, and fiber.

Mr. Brown stated in conclusion was the pipe extension. There was money coming in from the infrastructure bill to the airport of about \$159K annually for four or five years. Staff thought that might be a great way to build out the water, sewer, and fiber. That was currently under design. With \$1.8M, they could focus on the Treasure Valley 200 and the Navarette properties. The deadline to expend the funds was middle to end of 2024.

Councilor Hart asked if the \$2.4M was left to spend or was that the total amount received and there had been some expended.

Ms. Ott stated that was the total amount, and the city had received half in cash so far, and nothing had been expended.

Mayor Hill verified some funds had been obligated.

Ms. Ott stated that had been discussed, but there were no projects that it had been spent on yet.

Mr. Brown stated they were waiting for those projects to complete engineering to move forward, and then to have conversations about broadband, along with the talks on the homelessness issues which had been going for about eight months to a year.

Councilor Hart verified they'd used other funds to complete the engineering portion to get them ready to use the actual funds.

Ms. Ott stated yes, they'd used the UCF for those.

Artist Resiliency Program

Councilor Melendrez presented a statement: The Artist Resiliency Program provides relief funding to Oregon artists who have experienced financial hardship during the COVID-19 pandemic due to loss of income, loss of opportunity or other unanticipated impacts to their artistic practice. Funding is intended to help sustain the artistic practice of professional artists. The program supports professional artists who have experienced loss of revenue of \$1,000 or more between January 1 and December 31, 2021. Awards generally range from \$1,000 to \$5,000. The Arts Commission determines awards based on peer panel review, number of applications and available grant funds. There are limited resources and not all applicants receive funding. Artistic disciplines supported: Dance (including



choreography); Music (composition and music performance); Theatre and Performance Art; Visual Arts (crafts, drawing, painting, photography, printmaking, sculpture, mixed media, and new media); Design Arts (architecture, fashion, graphic, industrial, interior); Folk & Traditional Arts; Media Arts (film, audio, video, technology/experimental); and Literature (creative non-fiction, fiction, play writing and poetry). Grant information can be found at www.oregonartscommission.org under the Grants / Artist Resilience Program. The grant deadline for this opportunity is February 10, 2022. Whoever had the opportunity to look at the website, there would be a Zoom information meeting around February 5th. After signing up and creating a personal portal, you would sign into the Oregon Artist registry, and you would be updated on grants that became available for Oregon artists. It was his hope that as many Oregon artists as possible would apply. One thing he'd been told was that not enough Eastern Oregon artists applied for the grants. He wanted to get the information out the artists in our area.

HAND OUTS

Minutes *(Attached)*

County Court: 12-15-2021; 01-05-2022

Check Register *(Attached)*

CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

- Council was reminded of the Strategic Planning Retreat scheduled for Saturday, January 29, 2022, from 9am-12pm at City Hall.
- Councilor Mills reminded them there had been a discussion on leases and where the city was on them; had they been reviewed; and if they were up to date with payments to the city. She wanted to have a report on that information.

Councilor Braden stated it was asked to be presented quarterly.

Mr. Brown stated that would come back to the next meeting.

- Councilor Hart asked if there was any update from the Ordinance Review Committee

Councilor Kirby stated at the last meeting there were specific requests made, and Vice-Chair Bakefelt was following up on that. The next meeting was the 27th. Progress was being made. The document was thick and there was a lot to it. They didn't want to push it off and were being very specific.

EXECUTIVE SESSIONS

EXECUTIVE SESSION - ORS 192.660(2)(h): Current or Possible Litigation

An executive session was called at 8:32 p.m. under provisions of ORS 192.660(2)(h) to discuss current or potential litigation. The Council reconvened back into regular session at 8:56 p.m.



AFTER EXECUTIVE SESSION

Mayor Hill asked for an update on the Evidence Room issue.

Steve Bartol, Police Chief, stated he spoke with the investigators that day. They were still working on sifting through some information. He and Lt. Cooper had toured four different agency's property rooms in Clackamas County, and got a lot of great ideas for storage, and processes, and different products that could be utilized. Staff had implemented some new policies over the past few weeks regarding how officers were to process their packages. The OACP report was provided for recommendations – in small chunks – including some product management software, and staff was just plugging away and knocking each issue off the list as they progressed. He was keeping good notes so when Chief Iwai arrived, he would have a good idea of what had been taking place.

Mayor Hill confirmed that no one had been hired yet who would be cleaning up the evidence room.

Chief Bartol stated no, no one had been hired to do that. Part of that was because they wanted to make sure the steps were in place to make that person successful and to utilize their time best by identifying new software. Staff had two demonstrations lined up for evidence management. They were looking at not just the physical evidence, but they were also running up against storage related to digital evidence. They needed body cameras and photos, and the local drives were beginning to fill up. If they were going to purchase new software to manage the physical evidence in the property room, they wanted to include the digital evidence management, too. Before hiring any consultant to help with the conversion from one system to another, staff wanted to ensure they'd researched it all and had everything lined up, so they used everyone's time best.

Councilor Kirby stated he was concerned that because Chief Bartol was interim and a new Chief was coming, the city was entering the budget process, and with Chief Bartol talking about new software, or new personnel, would there be something in the budget process that was going to speak to those issues?

Chief Bartol stated he believed so. Staff was looking at the infrastructure that needed to be done in the property room, and much of what they were seeing could be done within the existing budget (year). There might be some FTE things that needed discussing in the upcoming budget process. Were they going to increase the Records Manager position to full time? Were they going to make the Evidence Technician full-time instead of half-time? He compared Ontario's stats to the comparables used for labor contracts and got examples of their workloads compared to Ontario's workloads, and then the staffing to do that. Staff wanted to present that to the Council so they could see the difference between Ontario and what other cities were doing and how they staffed those two positions.

Councilor Hart verified the purge of the Evidence Room was a separate issue and could still move forward.

Chief Bartol stated the purge got a bit combined early on in the personnel issues and what was needed to complete that. The purge was something that was an ongoing every year maintenance that should occur in a property room, period. Ontario was behind in that process. They needed to expedite to free up space within the room. They needed to do extra work in that area, but to do so, there was a lot of investigation that went into each case, whether it was adjudicated or not. One technique they'd done was they'd received an Executive Kill Order from the District Attorney, who listed out any case older than "this" that wasn't a felony or a murder, etc., with very specific criteria, they had Carte Blanc from the DA's Office to get rid of it. Staff just needed to go through those cases, check with the city's officers and their internal process, to make sure they were ready to dispose of it. He was trying to figure out the best way to begin that process. Was it after they'd converted all the evidence to a new management software? The software staff was looking at, if they put in certain criteria, it would automatically generate a list of the evidence that was available for purge on any given date/month/year. The current RMS the city was using was about 20 years old and was not specifically designed for evidence management. It was designed as a records management system, and they were ad hoc'ing that to manage the evidence room. As a result, it was not as robust and it made the purging process, or anything done inside the property room, that much more time intensive because it did not have the features needed to manage it. Also, there was not staff to dedicate to the process of doing a massive purge because

the department was short-handed in evidence, patrol, and supervision. Part of this was trying to get this processing so they could either hire a consultant to assist and dedicate the time to do it or figure out a way to hire the FTE to get the job accomplished.

Councilor Hart stated he would come down on the side of bringing in an outside group to purge the evidence, get rid of what they could, and start fresh with new software and staff, and an FTE count based upon a go forward of a cleaned-up area. He hoped that was what they would do - utilize one-time funds to hire an outside group, purge, get it removed, and not put all the old stuff in the new system.

Chief Bartol understood; he was just trying to figure out if it would take more time to purge under the current management system software they had, or would it take less time to enter everything and utilize the functions of the software to speed up the purging process.

ADJOURN

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

ACCEPTED:

ATTEST

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



City Manager's Update

February 8, 2022



Tater Tots Trail

- We met with the National Park Service technical assistance grant program managers.
- Support and commitment letters are coming in. We would be happy to take any more from any community group.



Tater Tots Trail



North / South Trail

- Grant funded planning aspect from the Oregon Community Paths
- Agreement Completed
- ODOT is selecting planner



Frosty Fest

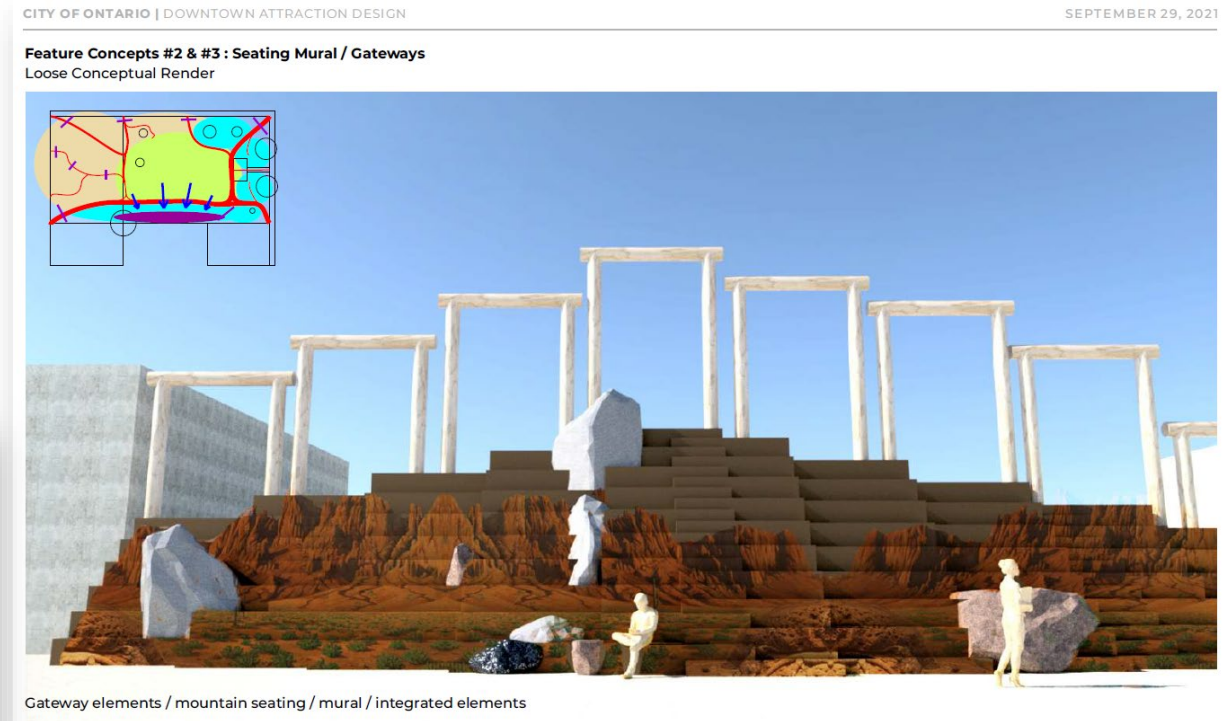
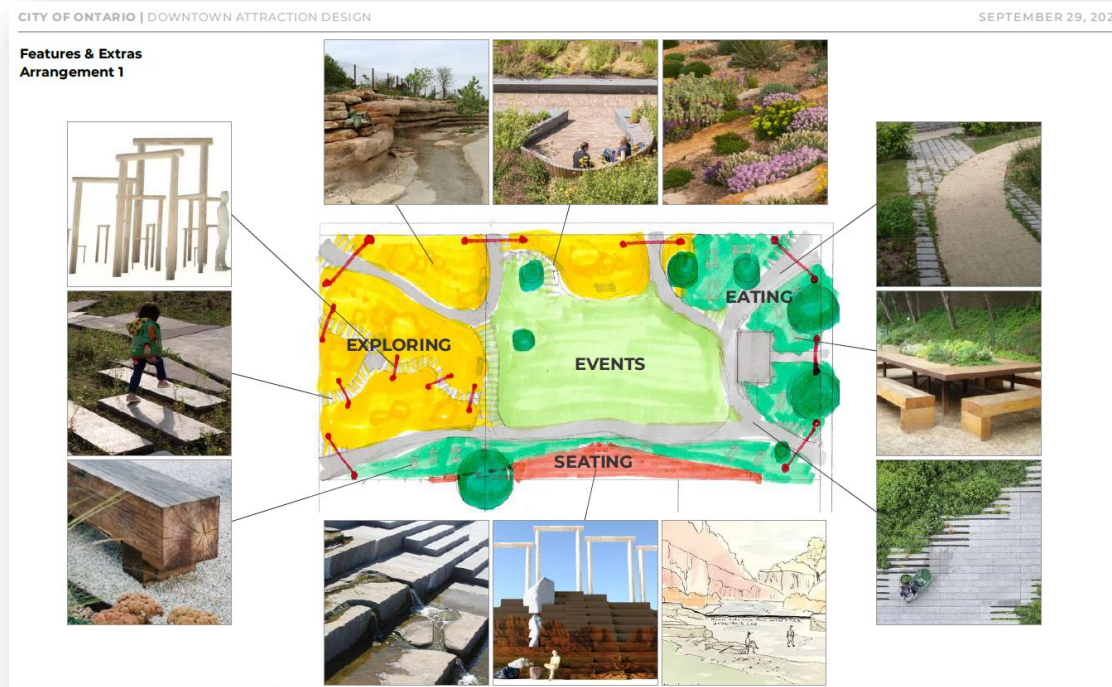
- Downtown merchants pulled off a great activity
- The merchants plan to do it again
- 3-4k visitors estimated



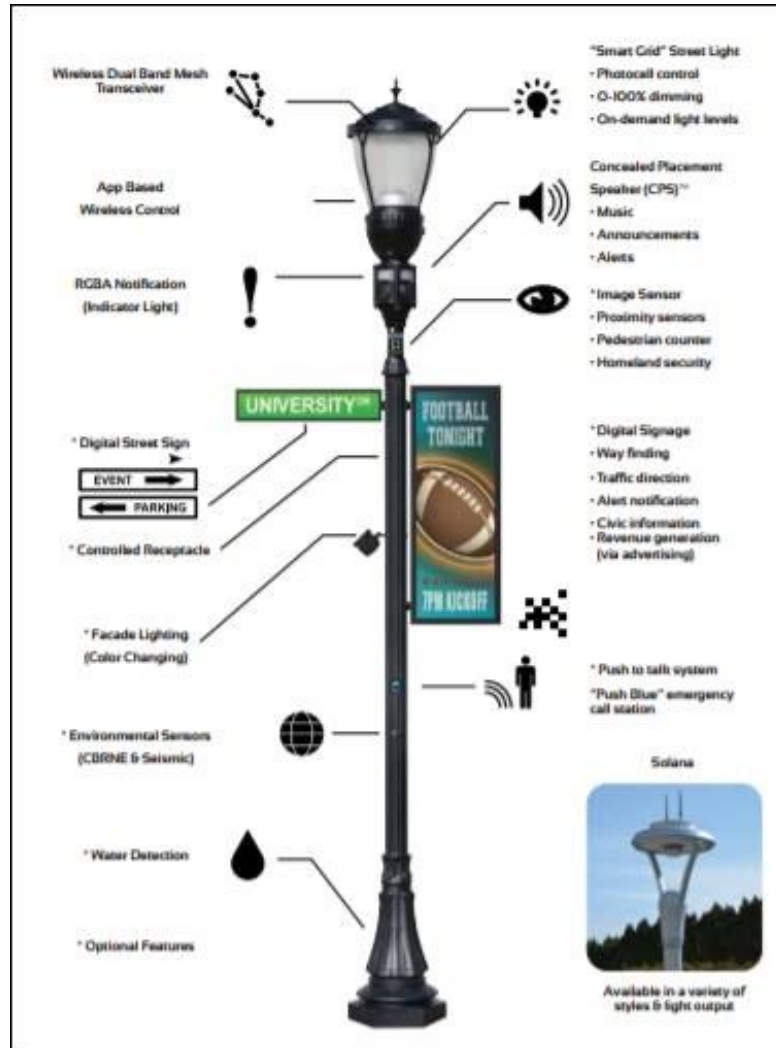
Downtown Attraction



- Council approved agreement with GGLO
- Site visit coming up



Strategy- Lifestyle



- Decorative street lighting poles have been ordered
- Public Art Program – Would like to launch this year



Proactive Engineering

Essential Infrastructure: Water, Sewer, Fiber

- Navarrete Property – 100% - \$1.4 million
- Treasure Valley 200 – 100% - \$2 million
- Airport -

Other Projects

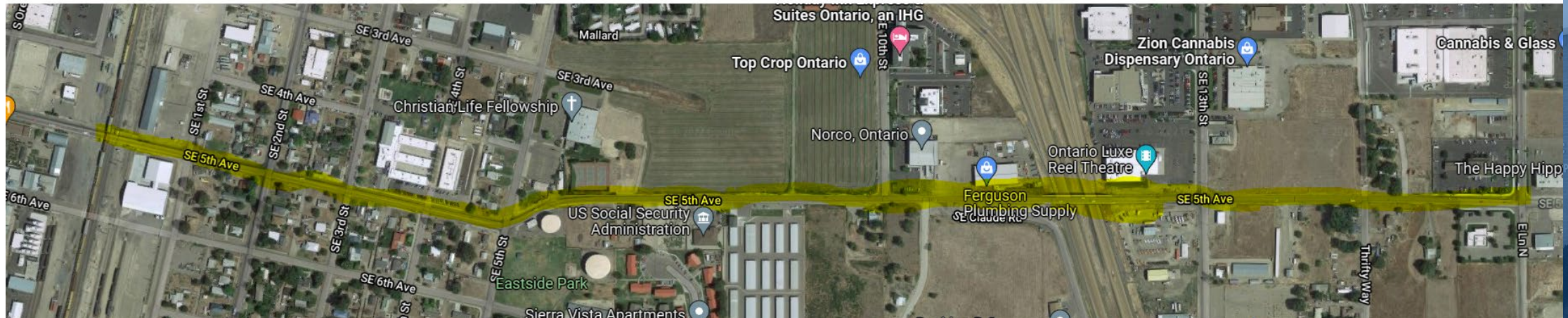
- Water Plant Cassette Additional 2 MGD



SE 5th Avenue Pedestrian Improvements

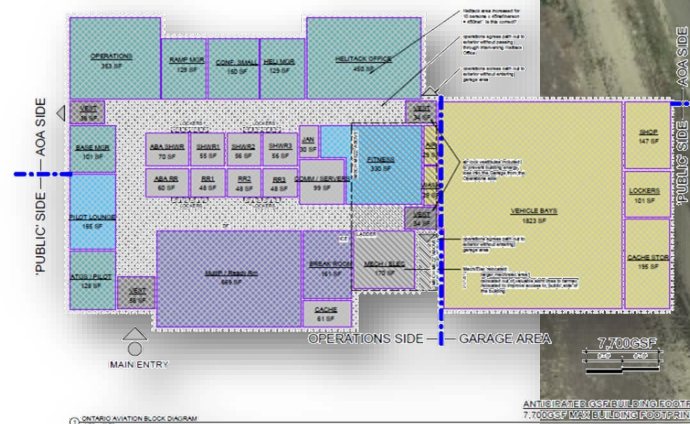


- Design alternatives will be coming to you.
- Cost estimates are looking within \$2 million budget.



BLM Airport Site

- \$7 million investment at the Ontario Airport
- Engineering services Scope of Work being drafted by JUB



Airport Growth

- Hanger Incentive Program
 - Two Year Ground Lease Abatement
- 13 new Hanger Constructions
- More on the Way!



Retail Growth

- Continued Retail Growth
 - Family Eye Center
 - Commercial Tire Center
 - Dutch Brothers



Housing

- 43 Single Family Housing starts since Housing Incentive Program
 - 20 more lots now available
- 72 Unit development behind the Clarion Inn
- 59 Unit Presbyterian Care Home
- RV Park – 170 Unit



Financial Stability

The City is in a good financial position

- Over \$5 million paid towards PERS Liability
- Interim Estimates are out, but do not include the payments made in 2020 and 2021. The final biennium rates will include payments made to date, but not ones in the next 12 months.
- Our contributions to the side account have cut our annual increases in half!



Major Grant Pursuits

Infrastructure Bill

- CRISI – SE 5th Avenue Pedestrian Rail Crossing
- BRIDGE – E. Idaho Underpass
- RAISE – 2nd Local Crossing over Snake River
- RSTP – NE 2nd St.
- National Park Service – Tater Tots Trail
- Rural Broadband – met with two providers
- Our Town Grant - Submitted
- Assistance to Firefighters Grant - Submitted



Budget is Underway

- Strategic Plan Retreat Successful
- Initial Forecast was Presented
- Staff is working on the budget
 - Kari Ott, May Swihart, and Justin Zysk
- Meeting with Department Heads



Questions





**AGENDA REPORT
OLD BUSINESS
February 8, 2022**

To: Mayor and City Council

FROM: Terry Leighton, Fire Chief
Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION #2022-103: A RESOLUTION APPROVING THE USE OF CITY PROPERTY AT 55 NE 2ND AVENUE AS A TRAINING FACILITY AND REMOVING THE SURPLUS PROPERTY STATUS**

DATE: January 28, 2022

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE RESOLUTION #2022-103: A RESOLUTION APPROVING THE USE OF THE CITY PROPERTY AS A PUBLIC SAFETY FACILITY LOCATED AT 55 NE 2ND AVENUE KNOWN AS TAX LOTS 5600, 5700, 5800, AND 6301, ASSESSOR'S MAP 18S47E03CB, AND REMOVING THE SURPLUS LAND STATUS ON THE PROPERTY ESTABLISHED UNDER RESOLUTION #2014-126.

SUMMARY:

Fire Chief Terry Leighton, at the City Council meeting of January 25, 2022, presented a plan for a Public Safety Facility at the city-owned property at 55 NE 2nd Avenue with support from many surrounding fire and public safety departments. After hearing all the testimony, the City Council, by an unanimous vote, approved the site as a Public Safety Training Site and instructed staff to bring a resolution back to the Council at their next meeting to codify the approval.

BACKGROUND:

The city property at 55 NE 2nd Avenue has been leased or used for various purposes over the past decade, but has remained largely empty and unused. The public safety environment continues to experience drastic changes. Firefighting is evolving to include more specializations, as most calls are now medical related. Increased scrutiny of law enforcement agencies is resulting in police reform, state-wide and nationally. With these changes comes a responsibility to ensure the safety of public safety staff and the citizens they protect by providing training and education.

This document outlines the plan to utilize the 55 NE 2nd Avenue property as a training facility for Ontario Fire and Rescue, Ontario Police, and Public Works (Jacobs). To expand the utility of the space and to receive assistance, the city has identified 18 partnerships which could also benefit from this facility and could provide additional funding.

CURRENT SITUATION:

The purpose of the training facility is to create a well-trained and educated workforce to serve the Western Treasure Valley. The facility will provide a centrally located, specifically designated training space for public agencies and private organizations to use in training and educating staff.

To utilize the property for a public safety facility, the Planning Director highly recommends the property be rezoned to a Public Facility zone to meet zoning regulations for this type of use. The accompanying proposed resolution declares the property as a Public Safety Facility and removes the property from the Surplus Land Inventory, as well as approves the property to be rezoned from Light Industrial (I-1) and Heavy Industrial (I-2) to Public Facility (PF).

ANALYSIS:

A. **STRATEGIC PLAN**

This project falls under the Desirability goal of the City Council's five-year strategic plan, specifically, Strategy 3: explore funding opportunities, activity: keep employees equipped. Past years have focused on the equipment for public safety employees, including ballistic shields, weapons, extraction equipment, and emergency vehicles. The training facility would further the support of this activity by providing a location for public safety employees to conduct and receive effective training.

B. **FINANCIAL** The 55 NE 2nd Avenue site was chosen to provide a low-cost solution for the growing training needs of public safety employees. Most capital funds are expected to be provided by donations, partner contributions, and grants.

C. **TIMING** The decision to declare this property on NE 2nd Avenue as the Public Safety Training Facility would allow for potential partners to see the commitment by the city. Then their pledges for improvements could move forward. The departments can also pursue other partnerships and grants to improve the training facility.

D. **POLICY/LEGAL** Rezoning and passage of resolutions are actions that can only be done by the City Council.

ALTERNATIVES:

The Council could choose to table this item, and direct staff to obtain further information.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2022-103.

ATTACHMENTS:

1. Reso #2022-103 Public Safety Facility



RESOLUTION #2022-103

**A RESOLUTION OF THE ONTARIO CITY COUNCIL DECLARING
CERTAIN REAL PROPERTY BEING LOTS 5 THROUGH 13 OF BLOCK 154
AND VACATED NE 3RD AVENUE ADJACENT THERETO AND THE EAST 1
FOOT OF LOT 4, ALL OF LOTS 5 THROUGH 13 AND ALL OF LOTS 18
THROUGH 26 OF BLOCK 155 AND VACATED NE 3RD AVENUE
ADJACENT THERETO OF THE ORIGINAL TOWNSITE OF ONTARIO,
PROPERTY AS A PUBLIC SAFETY FACILITY SITE AND REMOVING THE
SURPLUS PROPERTY STATUS ON THE PROPERTY**

- WHEREAS,** The City Council, at their January 25, 2022, meeting, unanimously approved city-owned property Lots 5 through 13 of Block 154 and vacated NE 3rd Avenue adjacent thereto and the East 1 foot of Lot 4, all of Lots 5 through 13 and all of Lots 18 through 26 of Block 155 and vacated NE 3rd Avenue adjacent thereto of the Original Townsite of Ontario as a Public Safety Facility; and
- WHEREAS,** The City Council had declared the property as described above as surplus property under Resolution #2014-126 and now desires to remove that status for the benefit of the public; and
- WHEREAS,** The property is currently zoned Light Industrial (I-1) and Heavy Industrial (I-2) and the Council agreed it is in the best interest of the public to rezone the property to Public Facility (PF); and
- WHEREAS,** There being a large attendance at the Council meeting recommending and requesting the City Council to approve a Public Training Facility to allow for better training of the City Fire Department, Ontario Rural Fire Department, and surrounding Mutual Aid Departments; and
- WHEREAS,** The Facility can be for training of all city departments including, but not limited to, Fire, Police, Public Works, Administration, Community Development, and any mutual aid department designated by the City of Ontario.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council declares the real property owned by the City of Ontario as shown on attached Exhibit "A" be designated a Public Safety Facility.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Ontario City Council that the Property be removed from the Surplus Lands status, established under Resolution #2014-126.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Ontario City Council that the Planning and Zoning Administrator have the property rezoned to the City Public Facility (PF).

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 8th day of February 2022, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 8th day of February 2022.

Riley J. Hill, Mayor

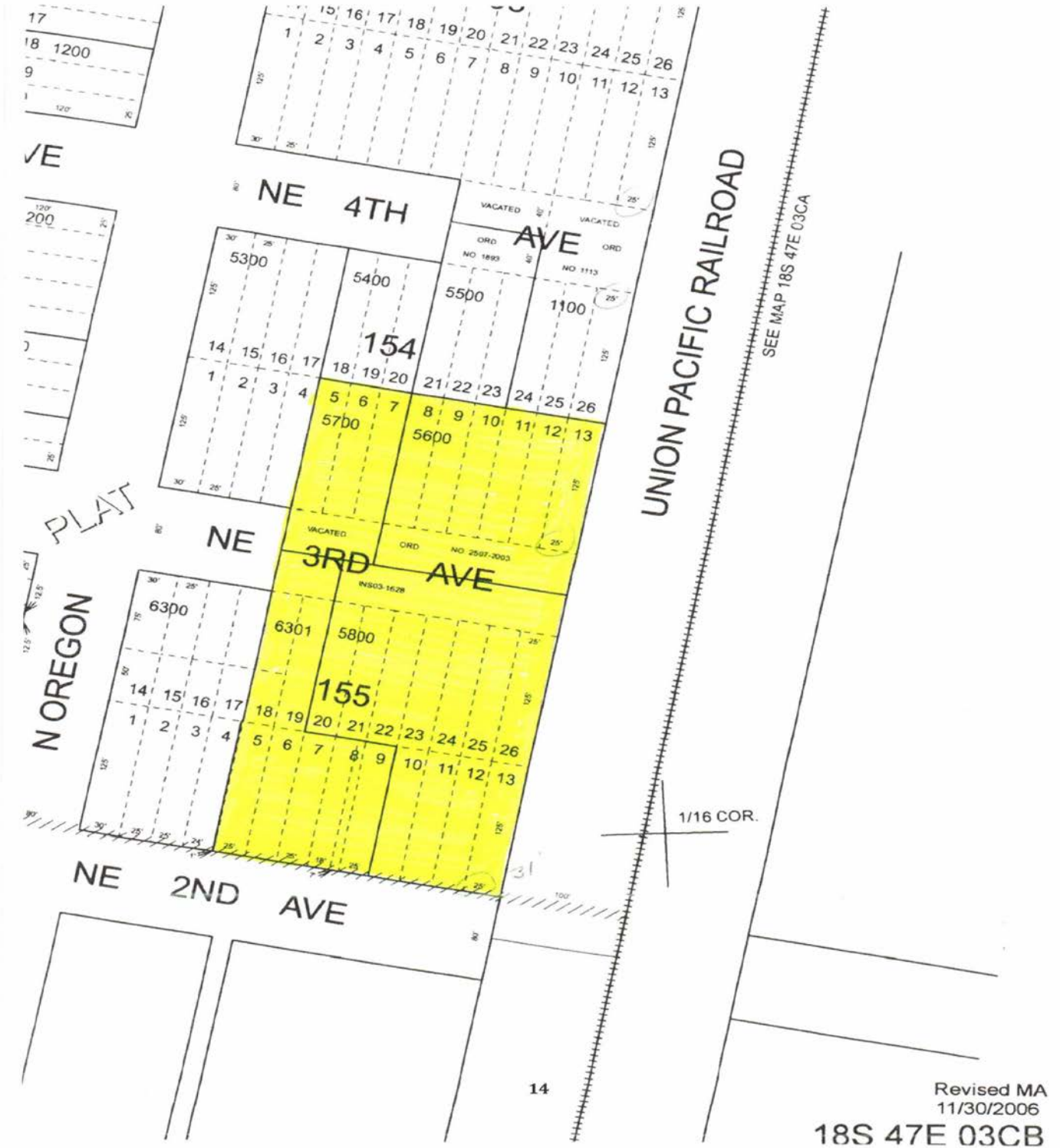
ATTEST:

Tori Barnett, MMC, City Recorder

Exhibit "A"

Land in Section 3 of Township 18 Soth, Range 47 East, W.M. Malhuer County, Oregon
according to the Original Townsite of Ontario as follows:

Lots 5 through 13 of Block 154 and vacated NE 3rd Avenue adjacent thereto and the East
1 foot of lot 4, all of lots 5 through 13 and all of lots 18 through 26 of Block 155 and
vacated NE 3rd Avenue adjacent thereto of the Original Townsite of Ontario





**AGENDA REPORT
OLD BUSINESS
February 8, 2022**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: APPROVAL OF CONTRACT WITH MICROTECH FOR IT SERVICES

DATE: February 3, 2022

PROPOSED MOTION:

I MOVE THAT THE ONTARIO CITY COUNCIL APPROVE THE AGREEMENT FOR INFORMATION TECHNOLOGY SERVICES WITH MICRO TECHNOLOGY SYSTEMS INC.

SUMMARY:

Attached is the proposed MicroTech contract.

BACKGROUND:

In late July the city's Information Technology (IT) professional took another job, leaving a vacancy for IT services. Fortunately, the city had entered into an agreement with MicroTech for back-up services for our one IT professional. That allowed their company to jump right in and provide services while staff determined the best alternative for the city. The city advertised for a replacement employee and did not receive any applicants. While the recruitment was open, we were able to experience what it would like to have our IT services fully contracted out.

There is a convenience of having a local person on staff to address issues; however, that comes at a cost that is probably out of reach for the city at this time. To get an IT professional to cover the number of systems used in a local government would cost significantly more than we currently pay. MicroTech was able to perform at a sufficient level given the learning curve and growing pains of taking over responsibility for the entire technology system. They have been responsive to requests and as they learn the entire system architecture, we anticipate that service will be even more efficient.

CURRENT SITUATION:

We have worked with MicroTech to agree on a price for service and agreement. Since our last consideration of the contract, Microtech has agreed to have staff on site every Wednesday to solve issues that cannot be done remotely. We are recommending that the Council approve the contract with MicroTech to continue IT services for the city through the end of the 2023 Fiscal Year.

ANALYSIS:

- A. **STRATEGIC PLAN** Information Technology is an internal service that is key to achieving all of our strategic goals. These are essential services for the city to conduct work.
- B. **FINANCIAL** The cost of the agreement is \$8,850 per month. Adding additional servers would increase the cost by \$200 and adding additional PC's would increase the cost by \$55 per month. The funds are currently budgeted in payroll and should cover the remaining 6 months of the contract for fiscal year 21-22. The City's total budget for wages and associated costs for personnel is \$95,851. We were already paying Microtech \$30,000 for back-up services for a total cost of \$125,851. The total cost for services under this contract for 12 months will be \$106,200. This is a savings of \$19,651.
- C. **TIMING** Our four-month interim agreement has expired. MicroTech is providing services month-to-month. The proposed contract period is for 17 months. This will allow us to go through the end of Fiscal Year 2023 and coincide with the city's budget cycle.
- D. **POLICY/LEGAL** Only the Council can approve agreements between the city and another organization for professional services over \$75,000.

ALTERNATIVES:

Take No Action: Without any action, MicroTech could back out of providing services at any point.

RECOMMENDATION:

Staff recommends approval of the agreement with MicroTech for Information Technology Services.

ATTACHMENTS:

1. City of Ontario TechCare Complete Services Agreement

Micro Technology Systems, Inc.
TechCare Services Agreement

This Agreement is made this 11th day of January 2022, by and between MicroTechnology Systems, Inc. (MicroTech), with its principal place of business at 125 E. 50th St., Garden City, Idaho, 83714, and **City of Ontario**, with its principal place of business at 444 SW 4th Street, Ontario, Oregon, 97914.

The Parties agree as follows:

1. Term. The effective date of this Agreement will be **February 1, 2022**, and shall be for an initial term of seventeen (17) months, unless otherwise terminated earlier as provided herein.

2. Services.

(a) TechCare Services. MicroTech shall provide the services described on Schedule 1 which is attached to this Agreement and incorporated herein (collectively the “TechCare Services”).

(b) Additional Services. In addition to the TechCare Services, MicroTech shall provide any additional services set forth on Schedule 1-A which is attached to this Agreement and incorporated herein.

3. Charges and Rates for Service. The charge for TechCare Services during the Term of this Agreement shall be those set forth on Schedule 2 – Schedule of Charges. MicroTech may increase its hourly rate by up to ten percent (10%) on each anniversary date of this agreement with a 30-day notice sent to client.

4. Regular Business Hours. Services covered under this Agreement will be performed during regular business hours, which are defined as Monday through Friday, between 8:00 AM and 5:00 PM Mountain Time, unless otherwise defined herein. Services performed outside the definition of regular business hours (“Extended-hour services”) will be available at no additional charge.

5. Cancellation. Client and/or MicroTech may cancel this Agreement for any reason upon thirty (30) days advanced written notice, at any time during the first one hundred and twenty (120) days from the effective date of this Agreement. Thereafter, this Agreement may be terminated only as follows.

(a) Termination by Client.

(i) Termination for Cause. “Termination for cause” shall be defined to mean that MicroTech has breached any term of this Agreement. If Client determines that MicroTech has breached any term of this Agreement, Client shall first provide written notice to MicroTech of such breach of this Agreement (Notice of Breach). Thereafter, MicroTech shall have fifteen (15) days from date of receipt of the Notice of Breach to meet with Client and attempt to cure such breach. If after such fifteen (15) day period Client in its sole discretion does not believe that the breach has been cured, Client at its sole and exclusive remedy may terminate this Agreement.

(ii) Termination at Will. Client may terminate this Agreement at any time for no reason by providing MicroTech with thirty (30) days prior written notice that it is terminating this Agreement. If Client elects to terminate this Agreement pursuant to this Section 5(a), Client shall within thirty (30) days of the Termination Notice pay to MicroTech fifty percent (50%) of the remaining balance that would have been due under this Agreement calculated as follows: the number of months remaining in the Term of this Agreement measured from the first day of the month of the date of the Notice of Termination through the scheduled termination date of this Agreement, multiplied by the total amount Client would have paid MicroTech per month under this Agreement for the remaining Term, multiplied by one-

half. Ie: Early Termination fee will be 50% of the remaining contracted services.

(b) Termination by Microtech.

(i) Termination for Cause. “Termination for cause” shall be defined to mean that MicroTech has determined a problem or issue with Client or Client’s IT systems that is obstructing Microtech from effectively performing services as defined in Schedule 1, Schedule 1-A, and Schedule 2. If Microtech determines termination for cause is necessary, Microtech shall first provide written notice to Client of such problem or issue (Notice of Obstruction). Thereafter, Client shall have fifteen (15) days from date of receipt of the Notice of Obstruction to meet with Microtech and attempt to cure such problem or issue. If after such fifteen (15) day period Microtech in its sole discretion does not believe that the obstruction has been cured, Microtech at its sole and exclusive remedy may terminate this Agreement.

(ii) Termination at Will. Microtech may terminate this Agreement at any time for no reason by providing Client with thirty (30) days prior written notice that it is terminating this Agreement. If Microtech elects to terminate this Agreement pursuant to this Section 5(b), Microtech shall within thirty (30) days of the Termination Notice pay to Client fifty percent (50%) of the remaining balance that would have been due under this Agreement calculated as follows: the number of months remaining in the Term of this Agreement measured from the first day of the month of the date of the Notice of Termination through the scheduled termination date of this Agreement, multiplied by the total amount Client would have paid MicroTech per month under this Agreement for the remaining Term, multiplied by one-half. Ie: Early Termination fee will be 50% of the remaining contracted services

6. Disclaimers.

(a) Causes Beyond MicroTech’s Control. MicroTech shall provide standard information technology computer networking or infrastructure support. MicroTech shall not be liable for failure to provide those services if such failure is due to any cause or condition beyond MicroTech’s control.

(b) No Warranty for Error-Free Service. MicroTech does not warrant the uninterrupted or error-free operation of any of Client’s machines or software products.

(c) Limit of Responsibility. MicroTech makes every attempt to safeguard and protect client data from damage, loss, or altered files. Because of events that can occur that are beyond MicroTech’s control, due to hardware and software failures, and acts of third parties, MicroTech is not responsible for damaged, lost, or altered client data.

(d) Limited Warranty. MicroTech warrants to Client that, during the term of this Agreement, MicroTech will perform the Services in a professional and workmanlike manner (the “Limited Warranty”). In the event of any breach of the Limited Warranty that is reported to MicroTech during the term of this Agreement, MicroTech’s sole obligation and Client’s sole right and remedy for such breach shall be the re-performance by MicroTech of the services that were not performed in a professional and workmanlike manner, unless such re-performance of the services by MicroTech fails to correct such breach within fifteen (15) days, in which case the Client may, after providing written notice to MicroTech in accordance with Section 5(a)(i) above, terminate this Agreement for cause. Notwithstanding the foregoing, the failure to correct or replace hardware devices and/or software programs that were not provided by MicroTech; and/or the delayed timeframe by suppliers of replacement hardware devices/components and/or software programs that are delayed through no fault of MicroTech shall not be deemed to be a breach of the Limited Warranty.

(e) Services As Is. Except for the Limited Warranty expressly described above, all services, software, and products provided to client under this agreement are provided on an “as is” basis and without any express, implied, statutory, or other warranties of any kind whether oral or in writing, or arising by usage of trade or course of dealing.

Without limiting the generality of the foregoing, MicroTech disclaims any and all implied warranties (including, without limitation, any implied warranties of merchantability, fitness for a particular purpose, and non-infringement). The Limited Warranty provided hereunder extends only to Client and Client's permitted assigns.

(f) No Warranty for Third Party Products. Client acknowledges that Client may purchase, lease or license certain products, programs, software, equipment, services, or hardware from third parties associated with Client's informational technology systems ("Third Party Products"), some or all of which may be recommended by MicroTech. Further, Client acknowledges that MicroTech, as part of its TechCare Services may purchase, lease or license Third Party Products. MicroTech shall not be responsible to Client for any damage or loss resulting from such Third Party Products for, including but not limited to, transmission or communication errors, use or failure of hardware or equipment, use or failure of software, failure of delivery or courier services, or for any act, error, omission, or circumstance associated with such Third Party Products beyond MicroTech's reasonable control. Further, MicroTech shall have no obligation or responsibility under this Agreement for the use of any Third Party Products regardless if MicroTech recommends, installs or monitors such Third Party Products.

(g) Force Majeure. Neither party shall be in default for failing to perform under this Agreement (other than a failure to make payment when due or to comply with restrictions upon the use of the products and services) if such failure arises out of any act, event, or circumstance beyond the reasonable control of such party, whether or not predicted or foreseeable. The party so affected will resume performance as soon as reasonably possible.

(h) Disclaimer. Except as provided in this Agreement and any related agreements, MicroTech specifically disclaims any and all warranties of any kind, express, implied or statutory, including, but not limited to, any warranties of merchantability or fitness for a particular purpose.

7. Limitations on Damages. Under no circumstances shall MicroTech be liable for any losses or damages that are not brought to its attention by client in writing within thirty (30) days of the event giving rise to the alleged liability, and no action arising out of the agreement may be brought by client more than one (1) year after the occurrence of the event giving rise to the alleged liability. MicroTech shall not be liable for any incidental, consequential, special, indirect, delay, economic or property damages whatsoever (including any damages for loss of profits, data or goodwill, business interruptions, damaged or corrupted data, or other commercial, economic, or pecuniary loss) arising out of or relating to this agreement, even if Microtech was advised of the possibility of such damage. in no event shall Microtech's aggregate liability for damages under this agreement (regardless of the form of action, whether in contract, tort, strict liability or otherwise) exceed the amount paid by client for services during the twelve (12) months immediately prior to the claim giving rise to the alleged damages.

8. Proprietary Information.

(a) Safeguards of Client Information. All information related to Client's business which is required to be submitted by Client to MicroTech pursuant to this Agreement shall be safeguarded by MicroTech to the same extent that MicroTech safeguards information relating to its own business. If, however, such information is publicly available, already known by MicroTech, or is rightfully obtained from third parties, MicroTech shall bear no responsibility for its disclosure, inadvertent or otherwise.

(b) Safeguards of MicroTech Information. Client shall safeguard all proprietary MicroTech information as it would its own. MicroTech's proprietary information includes this Agreement and any other documents from MicroTech that are identified as MicroTech's proprietary information.

9. MicroTech Obligations. MicroTech shall perform all services which it agrees to perform pursuant to this Agreement in a workmanlike manner consistent with industry standards. If MicroTech breaches the provision, its sole obligation shall be to re-perform the services in question promptly and properly.

10. Attorney's Fees. If either party defaults or initiates any legal action under this Agreement (including appeal), the prevailing party shall be entitled to recover reasonable attorney's fees and costs.

11. Non-Solicitation. Neither party shall hire or solicit for hire or engage as an independent contractor or employee of the other during the term of and for one year after the termination of this Agreement, without the express written consent of the other party. If Client breaches this Section 11, Client agrees to pay MicroTech within thirty (30) days of hiring the MicroTech employee an amount equal to 28% of the employee's first year salary.

12. Invoicing. TechCare Services agreement will be invoiced at the end of each month for agreement services provided in the following month. Terms are net twenty (20) days on all invoices. Services provided above, or in addition to, the hourly allotment will be invoiced at time of service. All invoices will be mailed to the Client address listed in paragraph 1 of this Agreement. In the event that the billings address changes, the Client agrees to notify MicroTech in writing within thirty (30) days of effect at the following address:

MicroTechnology Systems, Inc.
125 E. 50th St.
Garden City, ID 83714

13. Late Fee Charges. In the event MicroTech has not received payment in full for the charges under this Agreement when due, a service charge shall be added to the amount due in an amount equal to one and one-half percent (1 ½ %) per month.

14. Successors and Assigns. This Agreement may be assigned by either party and shall be binding upon the successors and assigns of the parties.

15. Choice of Law. This Agreement will be interpreted in accordance with the laws and statutes of the State of Idaho and each party specifically agrees to the application of such laws to such party and his rights, duties, obligations and agreements, hereunder or arising out of the subject matter hereof.

16. Attachments. Every attachment or schedule attached and referred to in this Agreement is hereby incorporated in this Agreement.

The appropriate authorized signatures below indicate acceptance of this Agreement.

MICROTECH

Bill Mogensen

By: Bill Mogensen

Its: Account Manager

CLIENT

By: _____

Its: _____

Schedule 1
TechCare Services

Remote Monitoring and Reporting • Agent Provided by third party vendor • Agents send selected data back to management console • Console monitored by MicroTech • Reports configured to send to Client	Patch Management Patch Management for Microsoft software provided in one of three ways: • Third party vendor remote monitoring tools • Microsoft Windows Server Update Services • Windows updates services on local systems
Antivirus Monitoring & Threat Hunting Antivirus / threat hunting software agent provided by third party vendor(s). Systems monitored through third party management console for: • Virus pattern file updates • Virus system scan completion • Virus activity reporting • Malicious hacking activity	DNS Protection Services DNS Protection agent provided by third party vendor. Systems monitored through third party management console for: • Protects users against known malicious websites • Provides web & content filtering • DNS reporting
Backup Monitoring • If service selected by client, local backup provided by Windows backup application or Third-Party Vendor ○ Backup success or failure monitored by MicroTech through remote monitoring console • If service selected by client, remote offsite online backup services provided by Third Party Vendor ○ Backup encryption provided by Third Party Vendor ○ 30 file version history ○ Daily synchronization with offsite servers ○ Backup success or failure monitored by MicroTech through remote monitoring console	
TechCare Support Hours Included as part of the TechCare Services are unlimited TechCare hours (“TechCare Hours”). TechCare Hours are charged each month for performing regular maintenance, troubleshooting, user requests, or ongoing support for information technology hardware, software, or line of business applications existing on Client’s systems, including but not limited to items such as Microsoft server and desktop operating systems, Microsoft productivity software, antivirus software, backup software, other third party software, infrastructure hardware, and line of business applications. Line of business applications is to include but not limited to, accounting or industry software. Support services can be delivered remotely (not on premise) or on-site (on premise).	
TechCare Services Exclusions Certain projects are excluded from TechCare Services and are not part of TechCare Hours; those projects excluded are additions, changes, or removal from existing operating/software systems on the network. Some examples include but are not limited to: 1) Installation and implementation / configuration of new hardware, operating systems, or software. 2) Upgrades to existing hardware, operating systems, or software. 3) Training on hardware, operating systems, or software. 4) Removal of existing hardware, operating systems, or software.	

Schedule 1-A

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Schedule 2
Schedule of Charges

Number of servers covered – 20

Number of PC's covered – 61

Scheduled Onsite Visits – none

Monthly Service Fee -- \$8,850.00

One-time setup / onboarding service fee – N/A

Additional future services

- Additional servers covered add \$200.00 per month each
- Additional PC's covered add \$55.00 per month each

Projects

- Projects will be proposed on an individual basis based on a) estimated number of hours to complete and will be billed at a determined hourly rate per hour, or b) an agreed upon flat rate.

Committee/Council Liaison Appointments - 2022

Committee	New Term Expires	Current Member	Applicant-Interested
Airport [4 year term]			
Public Member	2025	Jim Bain (Swap w/Hager)	Bill Hager
Public Member (Alternate)		Bill Hager (Swap w/Bain)	Jim Bain
Budget [4 year term]			
Public Member	2023	Stephen Meyer Term	David Armstrong
Diversity Advisory [3 year term]			
Public Member	2024	Vacant	Freddy Rodriguez
Public Member	2024	Vacant	
Parks [3 year term]			
Lion's Club Representative	2024	Vacant	Mike Pratt
Planning Commission [4 year term]			
Full			
Public Works [3 year term]			
Public Member	2024	Jake Galeener	Jake Galeener Cydney Cooke
V&C [3 year term]			
Full			

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

Code Enforcement Review Ad Hoc: 2nd and 4th Thursday each month, 5:30 p.m., @ 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, 6:00 p.m. @ City Hall

Planning: 2nd Monday each month, 6:00 p.m. @ City Hall

Public Works: 3rd Tuesday each month, 3:00 p.m. @ City Hall

V&C: 1st Thursday each month, 7:00 a.m. @ Chamber Office

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 *Cooke* First, *Cydney* 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. *Public Works Committee* 2. _____ 3. _____

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:

Length of Service

Position (s) Held:

*Make Eastern Oregon Green Again. Project Manager whom secured a working
partnership with the Snake River Prison to host multiple Plastic Bag Drive at the
Ontario Community Library, and the
ing h*

Employment:

Current Employer:

Position:

Dates of Employment:

Education:

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

I have a background in protecting the environment and recycling. Utilizing

Payette Dump. In addition to turning toxic waste to fuel.

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

*Have actively participated in the Planning and Zoning Commission with the
mission of increasing Economic Growth & Development for 1 year.*

Signature: _____

January 19, 2022

Date: *1/19/22*

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: Galeener Jake M
Last First, Middle Initial
HOME ADDRESS: 621 Foothill Dr Ontario 97914
Street City Zip Code
TELEPHONE: (509) 808-1889 fd801jakeg@icloud.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

1. Public Works 2. _____ 3. _____

Community Activities/Civic Organization/Boards/Committees:

Position (s) Held:

Activity / Organization:	Length of Service	Position (s) Held:
<u>Public Works</u>	_____	_____
_____	_____	_____
_____	_____	_____

Employment:

Current Employer:	Position:	Dates of Employment:
<u>Foothill Dairy LLC</u>	<u>Manager</u>	<u>2/01/2013 - Current</u>

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:

Prior to 2013 20 yrs Grading / Utility Work

Jeh Galeener 1/20/2022
Signature: Date:
~~July 16, 2019~~

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: Rodriguez Freddy L
Last First Middle Initial
HOME ADDRESS: 142 NW 4th St Ontario 97914
Street City Zip Code
TELEPHONE: (541) 709-9117 arlizaola@gmail
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

Diversity Advisory
1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>Ontario Innocence Initiative</u>	<u>6 months</u>	<u>Director</u>
<u>Mary Jane Ad hoc</u>	<u>since 2018</u>	<u>Committee Member</u>
<u>West Treasure Valley News</u>	<u>1 year</u>	<u>Producer</u>

Employment:

Current Employer:	Position:	Dates of Employment:
<u>Boost Mobile</u>	<u>Manager</u>	<u>6 months</u>
<u>"Private Citizen" (Lifeways)</u>	<u>Personal Support Worker</u>	<u>Since 2017</u>

Education: King City High School, Hartnell College, Stevens Henager

Please indicate why you are requesting appointment to this Board (s) /Commission (s): My established, ongoing, and direct involvement and communication with a diverse range of citizen demographics allows me to accurately relay community needs in terms of diversity.

Additional Information you feel may be helpful in considering your request for appointment: I was a founding member of the diversity committee and held the position of chair until elected to council. Would appreciate an opportunity to contribute in a significant way to a committee which I find to be essential.

[Signature]
Signature:

January 11, 2022

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: Bain James T
Last First Middle Initial
HOME ADDRESS: 606 Cove Rd Weiser 83672
Street City Zip Code
TELEPHONE: 208-550-2163 jbas@mtecom.net
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

Airport
1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:

Length of Service

Position (s) Held:

Activity / Organization:	Length of Service	Position (s) Held:
Ontario Airport Committee	4 years, 2018 thru 2021	Committee Chair

Employment:

Current Employer:	Position:	Dates of Employment:
Bain Aviation, Inc.	President	07/1997 to Present

Education:

Civil Engineering Tech, Walla Walla Community College, Civil Engineering, University of Idaho

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

To continue to assist the city council in directing the operations and growth of the Ontario airport.

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

James Bain

Signature:

January 13, 2022

Date:

Submit

Reset



RECEIVED

7/23/21

TSB

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: HAGER Bill E
Last First Middle Initial

HOME ADDRESS: 1495 Grandview Parkside Rd 83660
Street City Zip Code

TELEPHONE: Cell 208 401 4381 bill.hager42@icloud.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

1. Airport 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>EAA, SSA</u>	<u>10 years</u>	<u>Vice Pres</u>
<u>Vice Pres - Op Manager</u>	<u>2 years</u>	<u>Op Manager</u>

Employment:

Retired
Current Employer: Position: Dates of Employment:

Education:

2 year College, A+P mechanic, Commercial Pilot

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

I own a hanger on the Ontario Airport + 5 Aircraft
I would like to help educate youth aviation thru glider program
Additional Information you feel may be helpful in considering your request for appointment:
I intend to help with decision making regarding Airport

Bill Hager
Signature:

July 13, 2021
Date:

Submit

Reset



RECEIVED

12/07/2021

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: Armstrong David A
Last First, Middle Initial

HOME ADDRESS: 838 SW 2nd St Ontario OR
Street City Zip Code

TELEPHONE: 208-230-0790 david@dialegomai.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

Budget Committee
1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
<u>Four Rivers healthy Community</u>	<u>7 years</u>	<u>Board Member</u>
<u>Recreation District</u>	<u>4 years</u>	<u>U8-14 Soccer Coach</u>
<u></u>	<u></u>	<u></u>

Employment:

<u>Rogue Credit Union</u>	<u>Information Security Analyst</u>	<u>10/18-Current</u>
Current Employer:	Position:	Dates of Employment:

Education:

BBS from Calvary Chapel Bible College

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

I have enjoyed analyzing the city budget and work hard to collect input from the citizens of Ontario. I also work hard to explain budget issues to the community.

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

David Armstrong

Signature:

December 8, 2021

Date:

Submit

Reset

received
2/3/22 UR

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: Pratt Michael
Last First, Middle Initial
HOME ADDRESS: 1128 Oak Circle Ontario 97914
Street City Zip Code
TELEPHONE: 54188997947 Cell 741-709-0239 mpratt45judo@gmail.com
Home, Work, Cell, or Business (Include Area Code) E-mail Address

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

Parks & Recreation
1. 2. 3.

Community Activities/Civic Organization/Boards/Committees:

Activity / Organization:	Length of Service	Position (s) Held:
Lions Club	45	All

Employment:

retired
Current Employer: Position: Dates of Employment:
Current Employer:

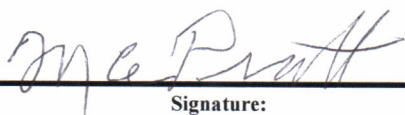
Education:

B.S. Business Admin

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

Lions Club representative

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


Signature:

February 2, 2022
Date:

Submit

Reset



**AGENDA REPORT
NEW BUSINESS
February 8, 2022**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ACCEPTANCE OF PUBLIC UTILITY EASEMENT SUNSET II DEVELOPMENT**

DATE: January 31, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ACCEPT THE PUBLIC UTILITY EASEMENT AS SHOWN ON ATTACHMENT 1 AND AUTHORIZE THE MAYOR TO SIGN THE PUBLIC UTILITY EASEMENT AND FURTHER INSTRUCT THE CITY RECORDER TO RECORD SAID EASEMENT WITHIN THE MALHEUR COUNTY CLERK'S LAND RECORDS.

SUMMARY:

This action is to accept a public utility easement for utilities for the new Sunset II Development.

BACKGROUND:

The owners of the project known as Sunset II are developing the property and require public utilities for their project along the west property line to serve the new building. The developers granted the easement, but staff has held off recording the document until the project is finished to insure that no adjustments are required.

CURRENT SITUATION:

In order for the city to provide for and maintain public utilities, an easement is being granted. Construction is finished and no changes are required to the easement.

ANALYSIS:

- A. **STRATEGIC PLAN** This action is not part of the City Council Strategic Plan, but it does improve and provide for growth within the city limits .
- B. **FINANCIAL** Currently, there is no cost to the city for this action other than staff time to present the easement for Council acceptance.
- C. **TIMING** Construction is completed and the time has come to accept and record the easement.

- D. **POLICY/LEGAL** All Rights of Ways and Easements are required to be accepted by the governing body, which is the City Council for the City of Ontario.

ALTERNATIVES:

There is no alternate action being suggested.

RECOMMENDATION:

Staff recommends that the City Council accept the Public Utility Easement and authorize the Mayor to sign for the city.

ATTACHMENTS:

1. Public Utility Easement_H2MK_1690 ArcataWay

After Recording Return to:
City of Ontario
City Recorder
Attn. Tori Barnett
444 SW 4th Street
Ontario, OR 97914

PUBLIC UTILITY EASEMENT/ROW

FOR VALUE RECEIVED, **H2MK, LLC**, an Idaho Limited Liability Company, whose current address is 1785 NW 24th Street Fruitland, ID 83669, ("Grantor"), in consideration of the sum of –Zero–dollars (\$0.00) and other considerations, the receipt of which is hereby acknowledged, does hereby convey and grant to the **CITY OF ONTARIO**, ("Grantee"), whose address is 444 SW 4TH Street, Ontario, Oregon 97914, A **PUBLIC UTILITY EASEMENT/RIGHT OF WAY** and the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove public utilities, such as but not limited to Sewer, Water, Gas, Electric and Communication services lines, Fixtures and Facilities over, across, and through the following described real property located in the City of Ontario, Malheur County, Oregon (the "Property"), to wit:

Utility Easement/Right of Way described in Attached Exhibit "A"
And shown in Attached Exhibits "B" & "C".

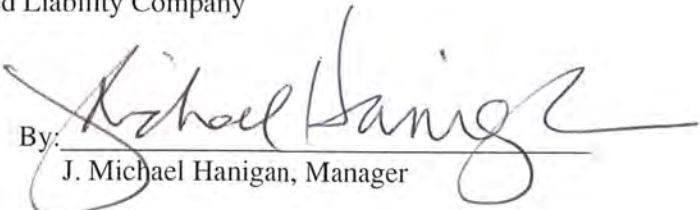
SUBJECT TO all existing easements of record.

Further, it is agreed, and made a condition herein, that any improvements including but not limited to Parking lots, landscaping and Trash enclosure constructed within the limits of the easement shall be removed and replaced at the "Grantors" expense if the "Grantee" is required to maintain any of the utility lines within the easement area.

GRANTOR, by signing this Instrument, accepts the above conditions of removal of improvements and all other covenants, terms and conditions of this instrument.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th day of May, 2021.

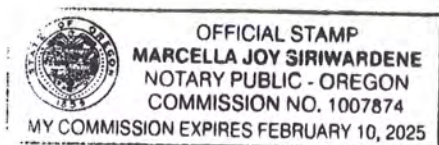
GRANTOR: **H2MK, LLC**, an Idaho Limited Liability Company

By: 
J. Michael Hanigan, Manager

State of Oregon)
County of Malheur) SS.

On this 5th day of May, 2021, before me, the undersigned Notary Public in and for said State, personally appeared **J. Michael Hanigan**, known or identified to me to be the Manager for **H2MK, LLC**, and he executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Marcella Joy Siriwardene
Notary Public for Oregon

My Commission expires February 10, 2025

Accepted by the Common Council of the City of Ontario on this _____ day of _____, 2021,
Pursuant to Ordinance No. _____

GRANTEE:

CITY OF ONTARIO

By: _____
Riley J. Hill, Mayor

Attested: _____
City Recorder: Tori Barnett, MMC

Exhibit “A”
Easement/ROW Description

Land in the City of Ontario, Malheur County Oregon, within the SW1/4SE1/4SE1/4 of Section 5, Township 18 South, Range 47 East, of the Willamette Meridian, Partition Plat 08-04 recorded February 26, 2008 under Instrument Number 2008-1163 in Cabinet B, slide 79 as follows:

Parcel 3: The West 25.00 feet of the North 250.50 feet.

Exhibit "B"

Parcel 3 of Partition Plat 08-04
SW1/4SE1/4SE1/4 Section 5
T.18S., R. 47 E., W.M.

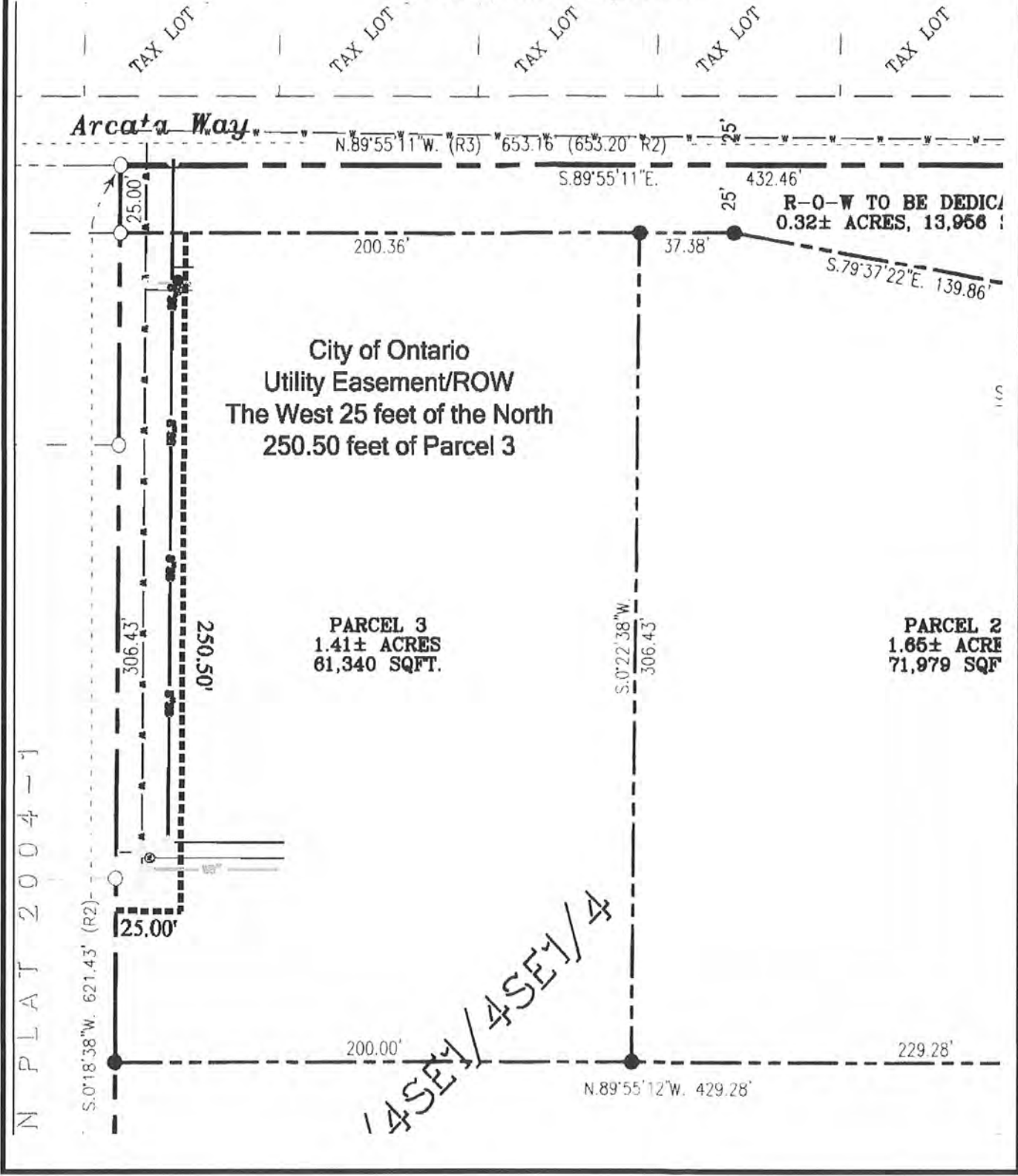
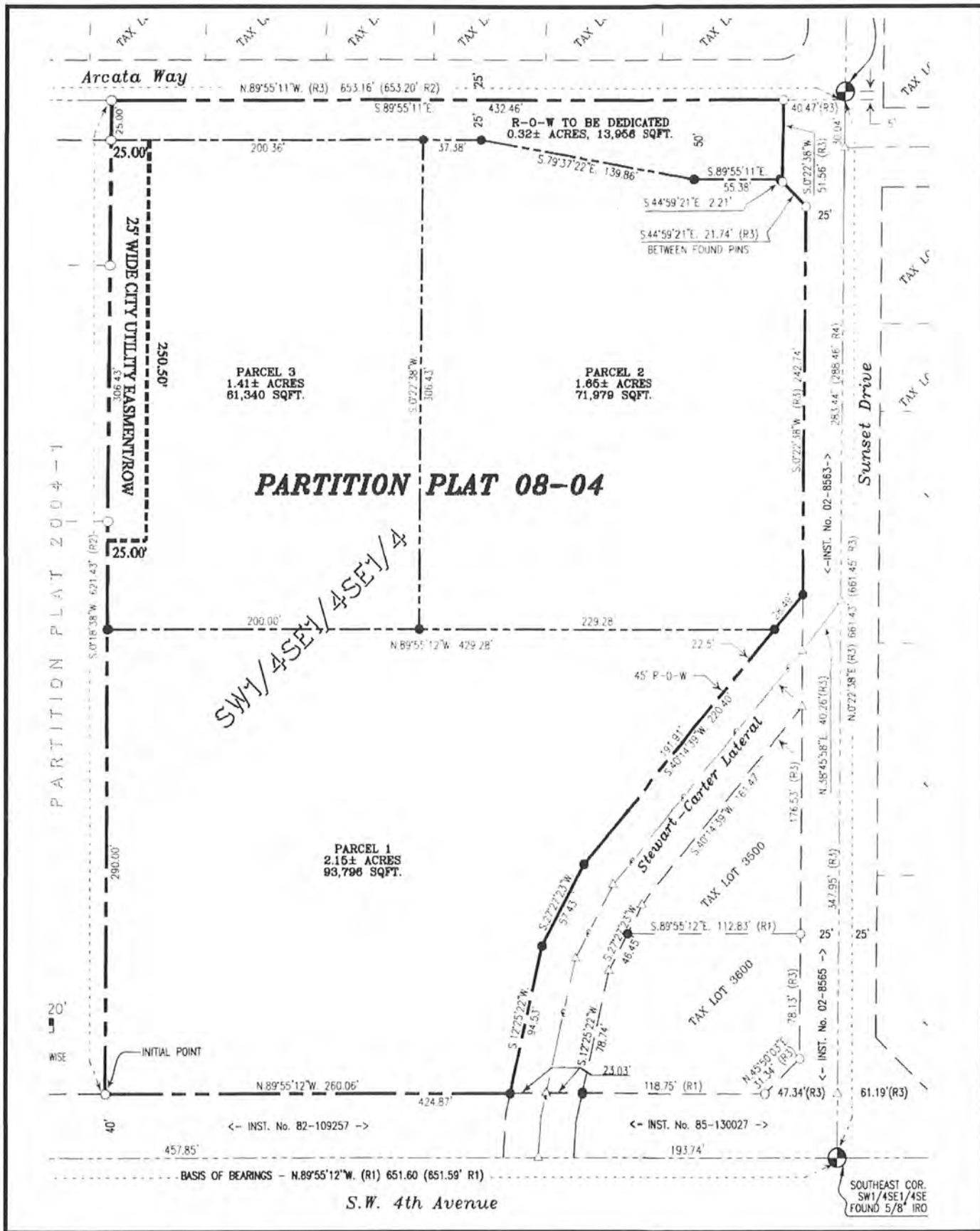


Exhibit "C"





**AGENDA REPORT
NEW BUSINESS
February 8, 2022**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ACCEPTANCE OF PUBLIC UTILITY EASEMENTS IN THE RIVER POINT RV PARK DEVELOPMENT**

DATE: January 31, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL ACCEPT THE PUBLIC UTILITY EASEMENTS AS SHOWN ON ATTACHMENT 1 AND AUTHORIZE THE MAYOR TO SIGN THE PUBLIC UTILITY EASEMENT AND FURTHER INSTRUCT THE CITY RECORDER TO RECORD SAID EASEMENT WITHIN THE MALHEUR COUNTY CLERK'S LAND RECORDS.

SUMMARY:

This action is to accept a public utility easement for utilities for the new River Point RV Park Development.

BACKGROUND:

The owners of a project known as River Point RV Park are developing the property and require public utilities within their development. The developers granted the easement prior to construction to meet State and City Codes, but staff has held off recording the document until the project is finished to insure that no adjustments are required. These easements are in part in exchange for the vacation of a portion of SE 3rd Street deemed not needed in the development which will be presented under another Public Hearing action.

CURRENT SITUATION:

In order for the city to provide for and maintain public utilities, an easement is being granted. Construction is finished and no changes are required to the easement.

ANALYSIS:

- A. **STRATEGIC PLAN** This action is not part of the City Council Strategic Plan, but it does improve and provide for growth within the city limits .
- B. **FINANCIAL** Currently, there is no cost to the City for this action other than staff time to present the easement for Council acceptance.

- C. **TIMING** Construction is completed and the time has come to accept and record the easement.
- D. **POLICY/LEGAL** All Rights of Ways and Easements are required to be accepted by the governing body, which is the City Council for the City of Ontario.

ALTERNATIVES:

There is no alternate action being suggested.

RECOMMENDATION:

Staff recommends that the City Council accept the Public Utility Easement and authorize the Mayor to sign for the city.

ATTACHMENTS:

1. Public Utility Easement_H2MK_River Point RV_225 SE 10th St

After Recording Return to:
City of Ontario
City Recorder
Attn. Tori Barnett
444 SW 4th Street
Ontario, OR 97914

PUBLIC UTILITY EASEMENT/ROW

FOR VALUE RECEIVED, **H2MK, LLC**, an Idaho Limited Liability Company, whose current address is 1785 NW 24th Street Fruitland, ID 83669, ("Grantor"), in consideration of the sum of -Zero-dollars (\$0.00) and other considerations, the receipt of which is hereby acknowledged, does hereby convey and grant to the **CITY OF ONTARIO**, ("Grantee"), whose address is 444 SW 4TH Street, Ontario, Oregon 97914, A **PUBLIC UTILITY EASEMENT/RIGHT OF WAY** and the right to erect, construct, install, and lay and thereafter use, operate, inspect, repair, maintain, replace, and remove public utilities, such as but not limited to Sewer, Water, Gas, Electric and Communication services lines, Fixtures and Facilities over, across, and through the following described real property located in the City of Ontario, Malheur County, Oregon (the "Property"), being 20 feet wide easements, 10 feet either side of the centerline descriptions as described in the attached Exhibit A and Show on Attached Exhibit "B", to wit:

Centerline Utility Easement/Right of Way described in Attached Exhibit "A"
And shown in Attached Exhibits "B".

SUBJECT TO all existing easements of record.

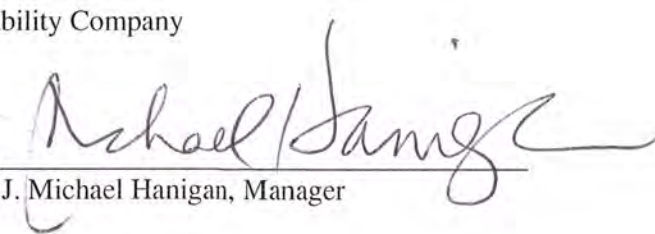
Further, it is agreed, and made a condition herein, that any improvements including but not limited to drive lanes, landscaping or other features constructed within the limits of the easement shall be removed and replaced at the "Grantors" expense if the "Grantee" is required to maintain any of the utility lines within the easement area.

GRANTOR, by signing this Instrument, accepts the above conditions of removal of improvements and all other covenants, terms and conditions of this instrument.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th day of May, 2021.

GRANTOR: **H2MK, LLC**, an Idaho Limited Liability Company

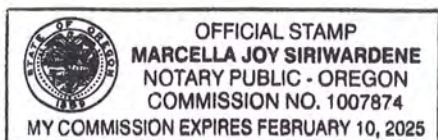
By:


J. Michael Hanigan, Manager

State of Oregon)
County of Malheur) SS.

On this 5th day of May, 2021, before me, the undersigned Notary Public in and for said State, personally appeared **J. Michael Manigan**, known or identified to me to be the Manager for **H2MK, LLC**, and he executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Marcella Joy Siriwardene

Notary Public for

Oregon

My Commission expires:

2/10/2025

Accepted by the Common Council of the City of Ontario on this _____ day of _____, 2021,
Pursuant to Ordinance No. _____

GRANTEE:

CITY OF ONTARIO

By: _____

Riley J. Hill, Mayor

Attested: _____

City Recorder: Tori Barnett, MMC

EXHIBIT A

For the City of Ontario Oregon Description of 20 FT. Wide Easement for Sewer and Water lines

Land within the NW1/4NE1/4 of Section 10, Township 18 South, Range 47 East of the Willamette Meridian, City of Ontario, Malheur County, Oregon. The Basis of Bearings for these easements come from Record of Survey No. 18-47-0000, on file in the Office of the Malheur County Surveyor, see said survey for more detailed data.

Sewer Line S1

Commencing at the Center-North One-Sixteenth Corner of Section 10; thence N 00°07'48" W, along the Center of Section Line a distance of 540.22, feet; thence S 76°59'10" E along the North Right-Of-Way Line of SE 3rd Avenue, a distance of 23.36, feet to the **POINT OF BEGINNING** for this description;

thence N 12°14'39" W a distance of 28.91 feet;

thence N 89°55'12" E a distance of 371.43 feet to the **POINT OF TERMINUS.**

Sewer Line S2

Commencing at the Southwest Corner of Parcel 2 of Partition Plat No. 19-06 which lies 288.73 feet easterly and 35.00' northerly of the Center-North One-Sixteenth Corner of Section 10; thence S 89°51'54" E, along the North Right-Of-Way Line of SE 5th Avenue a distance of 192.47, feet to the **POINT OF BEGINNING** for this description;

thence N 0°50'08" E a distance of 49.14 feet;

thence N 13°03'07" E a distance of 353.73 feet;

thence N 00°21'06" W a distance of 173.34 feet to the **POINT OF TERMINUS.**

Sewer Line S3

Commencing at the Southwest Corner of Parcel 2 of Partition Plat No. 19-06 which lies 288.73 feet easterly and 35.00' northerly of the Center-North One-Sixteenth Corner of Section 10; thence S 89°51'54" E, along the North Right-Of-Way Line of SE 5th Avenue a distance of 370.62, feet to the **POINT OF BEGINNING** for this description;

thence N 14°03'33" E a distance of 63.42 feet;

thence N 13°01'32" E a distance of 323.65 feet;

thence N 00°18'05" W a distance of 218.14 feet;

thence S 89°39'18" W a distance of 23.65 feet;

thence N 00°18'49" W a distance of 269.42 feet;

thence S 89°41'55" W a distance of 110.59 feet to the **POINT OF TERMINUS.**

Sewer Line S4

Commencing at the Southwest Corner of Parcel 2 of Partition Plat No. 19-06 which lies 288.73 feet easterly and 35.00' northerly of the Center-North One-Sixteenth Corner of Section 10; thence S 89°51'54" E, along the North Right-Of-Way Line of SE 5th Avenue a distance of 641.34, feet to the **POINT OF BEGINNING** for this description;

thence N 00°04'37" E a distance of 21.92 feet;

thence N 16°49'12" E a distance of 335.36 feet;

thence N 00°14'22" W a distance of 304.95 feet to the **POINT OF TERMINUS.**

Water Line W1

Commencing at the Northeast Corner of Parcel 3 of Partition Plat No. 19-06 which lies 658.58 feet northerly and 30.00' westerly of the Northeast One-Sixteenth Corner of Section 10; thence N 00°11'15" W, along the West Right-Of-Way Line of SE 10th Street a distance of 77.69, feet to the **POINT OF BEGINNING** for this description;

thence S 89°41'15" W a distance of 235.65 feet;

thence S 44°41'55" W a distance of 124.06 feet;

thence S 89°41'55" W a distance of 96.83 feet to a point later referred to as W1-A, point of beginning;

thence continuing S 89°41'55" W a distance of 437.09 feet;

thence S 44°24'01" W a distance of 28.81 feet;

thence S 00°11'53" W a distance of 142.38 feet;

thence S 12°01'38" W a distance of 43.21 feet;

thence N 77°06'41" W a distance of 19.06 feet to the **POINT OF TERMINUS**.

Water Line W1-A

BEGINNING at W1-A as described above;

thence S 00°00'14" E a distance of 272.51 feet;

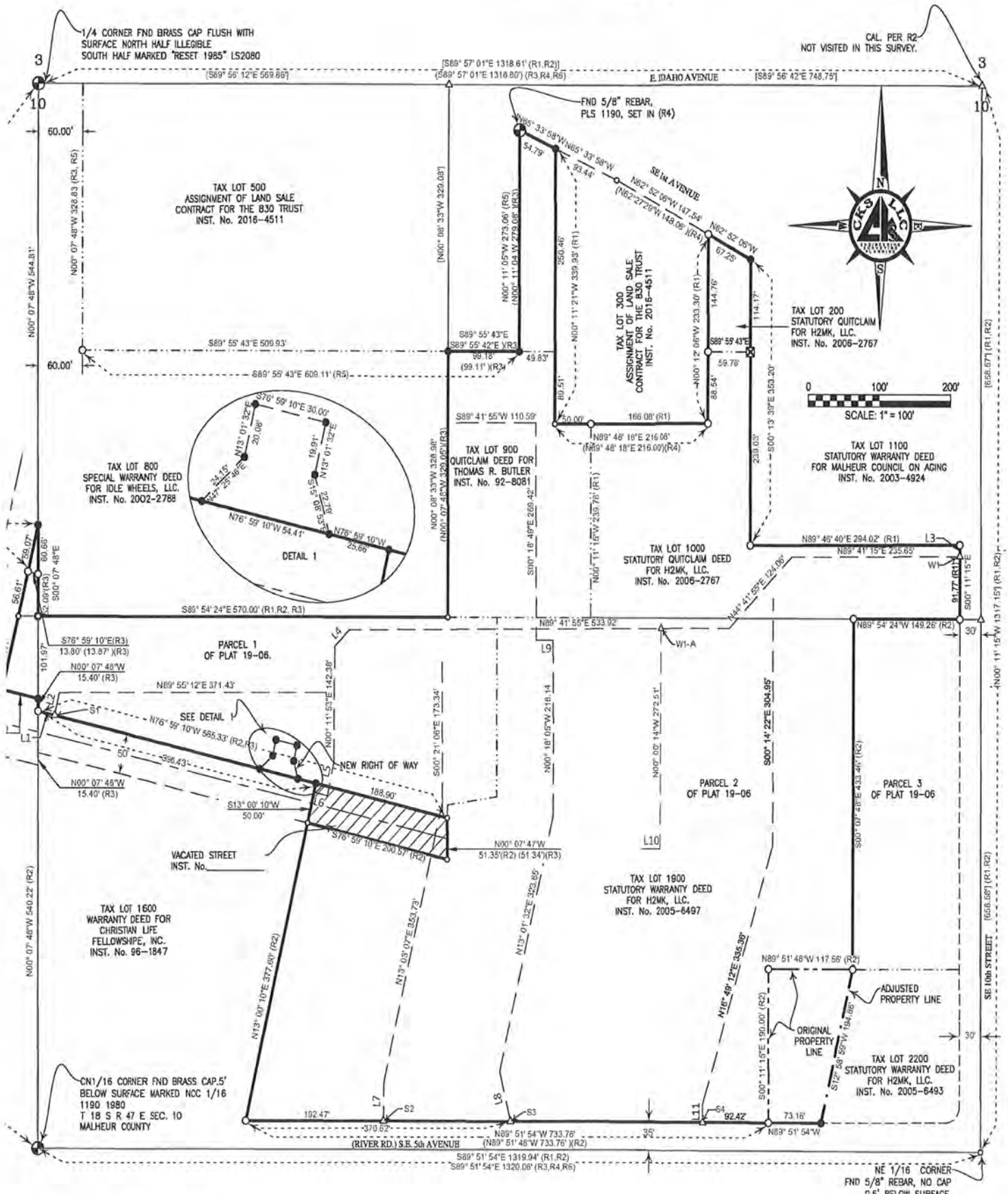
thence S 89°59'13" W a distance of 26.42 feet to the **POINT OF TERMINUS**.

The sidelines of the herein before described centerline to be lengthened or shortened so as to intersect at the angle points and abutting property lines and or right-of-way lines, leaving no gaps.

(SEE RECORD OF SURVEY NO. 18-47-0000)
END OF DESCRIPTION

EXHIBIT B

RECORD OF SURVEY FOR PROPERTY LINE ADJUSTMENT Within the NW1/4 of NE1/4 of Section 10, Township 18S., Range 47E, W.M., Malheur County, Oregon





**AGENDA REPORT
NEW BUSINESS
February 8, 2022**

To: Mayor and City Council

FROM: Paul Woods, City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: AMENDMENT NUMBER 2 TO SE 2ND STREET IMPROVEMENT PROJECT

DATE: February 1, 2022

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE AMENDMENT NUMBER 2 TO THE LOCAL AGENCY MULTIMODAL TRANSPORTATION ENHANCEMENT PROGRAM FOR THE SE 2ND STREET PROJECT AND AUTHORIZE THE MAYOR TO SIGN.

SUMMARY:

The State of Oregon, acting by and through its Department of Transportation, entered into an agreement to provide funding and oversee improvements on SE 2nd street from SE 12th to SE 5th Avenue on November 28, 2016. Amendment Number 1 was entered into by both parties on June 18, 2020. Amendment Number 2 makes changes to the final total project cost and associated project match to close out the project.

BACKGROUND:

The State of Oregon, acting by and through its Department of Transportation, entered into an agreement to provide funding and oversee improvements on SE 2nd street from SE 12th to SE 5th Avenue on November 28, 2016. Amendment Number 1 was entered into by both parties on June 18, 2020.

CURRENT SITUATION:

Amendment Number 2 makes changes to the final total project cost and associated project match to close out the project.

ANALYSIS:

- A. **STRATEGIC PLAN** This project supports the growth strategy by building infrastructure for future development.
- B. **FINANCIAL** None, this is to close out the project all funds have already been approved and expended.
- C. **TIMING** ODOT is requesting signatures in order to close out the project.

D. **POLICY/LEGAL** Council approval is required to amend Intergovernmental Agreements.

ALTERNATIVES:

There are no known alternatives at this time since the project is now complete.

RECOMMENDATION:

Staff recommends approving Amendment Number 2 and authorizing the Mayor to sign.

ATTACHMENTS:

1. 30860 03 2nd 012822 GB_ HFL FINAL (002)

**AMENDMENT NUMBER 02
LOCAL AGENCY AGREEMENT
MULTIMODAL TRANSPORTATION ENHANCE PROGRAM (MTEP)
(Match only)**

Project Name: SE 2nd Street: SE 12th Avenue – SE 5th Avenue (Ontario)

This is Amendment No. 02 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as “State,” and City of Ontario, acting by and through its elected officials, hereinafter referred to as “Agency,” entered into on November 28, 2016 and Amendment Number 01 on June 18, 2020.

It has now been determined by State and Agency that the Agreement referenced above shall be amended to increase Project funding.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.

2. **Amendment to Agreement.**

a. **TERMS OF AGREEMENT, Paragraphs 4 and 5, Page 2 which reads:**

4. The Project shall be conducted as a part of the Multimodal Transportation Enhance Program (MTEP) with funds provided under Title 23, United States Code and may include a combination of federal and state funds. The total Project Cost is estimated at \$4,061,390.27, which is subject to change. MTEP funding for this Project shall be limited to \$3,390,238.53. Agency shall be responsible for all remaining costs, including the 10.27 percent match for all eligible costs, any non-participating costs, and all costs in excess of the available federal and state funds.

5. The Funding Ratio for this Project is 83.47% of MTEP funds to 16.53% Agency funds and applies to Project Underruns. The Funding Ratio for this Project does not apply in the case of Project Overruns.

Shall be deleted in its entirety and replaced with the following:

4. The Project shall be conducted as a part of the Multimodal Transportation Enhance Program (MTEP) with funds provided under Title 23, United States Code and may include a combination of federal and state funds. The total Project Cost is estimated at \$4,138,486.88, which is subject to change. MTEP funding for this Project shall be limited to \$3,499,748.94. State shall also be responsible for match costs of \$3,296.29. Agency shall be responsible for all remaining costs for all eligible costs, non-participating costs, and all costs in excess of the available federal and state funds.

5. The Funding Ratio for this Project is 84.57% of MTEP funds to 15.43 Agency funds and applies to Project Underruns. The Funding Ratio for this Project does not apply in the case of Project Overruns.

3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken

together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.

4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Agency certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

This Project is in the 2018-2021 Statewide Transportation Improvement Program (STIP), (Key #18900) that was adopted by the Oregon Transportation Commission on July 20, 2017 (or subsequently by amendment to the STIP).

SIGNATURE PAGE TO FOLLOW

CITY OF ONTARIO, by and through its
elected officials

By _____
Mayor (or other assigned designee)

Date _____

By _____
City Recorder (or other assigned
designee)

Date _____

**LEGAL REVIEW APPROVAL (If
required in Agency's process)**

By _____
Agency Counsel

Date _____

Agency Contact:

Adam J. Brown, City Manager
City of Ontario
444 SW 4th Street
Ontario, Oregon 97914
Phone: (541) 889-7684
Email: adam.brown@ontariooregon.org

State Contact:

Sean Maloney, Project Leader
Oregon Department of Transportation
3012 Island Avenue
La Grande, Oregon 97850
Phone: (541) 823-4025
Email:
Sean.MALONEY@odot.state.or.us

STATE OF OREGON, by and through
its Department of Transportation

By _____
Highway Division Administrator

Date _____

APPROVAL RECOMMENDED

By _____
State Right of Way Manager

Date _____

By _____
Region 5 Manager

Date _____

By _____
Region 5 Right of Way Manager

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date _____



**AGENDA REPORT
NEW BUSINESS
February 8, 2022**

To: Mayor and City Council

FROM: May Swihart, Human Resources Manager/Assistant to the City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **"IF I WERE MAYOR" CONTEST**

DATE: February 3, 2022

PROPOSED MOTION:

I MOVE TO APPROVE THE "IF I WERE MAYOR" PROGRAM WITH A BUDGET OF \$1,500.

SUMMARY:

The "If I Were Mayor..." contest is held annually by the Oregon Mayor's Association. Local winners are entered into the state contest for a chance to win a \$500 prize. The contest rules are set by the state. The poster contest is open to students enrolled in grades 4 and 5. The essay contest is open to students enrolled in grades 6 through 8. The digital media presentation (video only) is open to students enrolled in grades 9 through 12. All contests are open to public, homeschooled, private, and charter school students within Ontario.

BACKGROUND:

The "If I Were Mayor..." contest has been held annually by the Oregon Mayor's Association for many years. The City of Ontario has not yet participated in the contest. Mayor Hill reached out to local schools several years ago, but no interest was garnered.

CURRENT SITUATION:

Staff brought forward the idea at the mayors' request at the meeting on January 25, 2022 and received directions to put together a program from the council. The staff proposes a program of awards for each age group for 1st, 2nd, and 3rd place winners.

	Elementary School	Middle School	High School
1st Place	\$100	\$250	\$500
2nd Place	\$75	\$100	\$250
3rd Place	\$50	\$75	\$100

ANALYSIS:

- A. **STRATEGIC PLAN** The "If I Were Mayor..." contest aligns with the City's strategic plan goal of education, specifically the strategies of giving students civic opportunities and strengthening the relationships with our schools.
- B. **FINANCIAL** The proposed cost of this project is \$1,500. Funds for this project would be taken from the Council's budget for Professional Development, which currently has a balance of \$9,000.
- C. **TIMING** Local contest winners need to be submitted to the Oregon Mayor's Association by April 8th, 2022. Therefore, the city's local contest deadline will need to be at least a week before to allow time for judging.
- D. **POLICY/LEGAL** A motion by the Council is required to move forward with the contest.

ALTERNATIVES:

The alternative is to not host the contest. If the city does not host the contest, students will not have the opportunity to compete at the state level.

RECOMMENDATION:

City staff recommends hosting the "If I Were Mayor" contest with a due date for applications on March 28, 2022 and awards as shown above.

ATTACHMENTS:

- 1. If I Were Mayor Contest 2021-2022 (English)
- 2. If I Were Mayor Entry Form
- 3. If I Were Mayor Flyer
- 4. If I Were Mayor Description



CONTEST INFORMATION

Here's How It Works . . .

First, each mayor promotes a **local contest** by the same name to select one local winner in each of the three categories:

- **Elementary School** (grades 4 -5) – Poster (Photo of poster can be PNG, JPEG, BMP files)
- **Middle School** (grades 6 – 8) – Essay (Word, PDF, PowerPoint or Prezi)
- **High School** (grades 9 – 12) – Digital Media Presentation (MP4 Visme, Pitcherific, Videoscribe) **PowerPoint and Prezi have been moved to the Essay category.**

Examples of winning entries from previous years for each category can be viewed at www.oregonmayors.org. Additional instructions for each of the categories are also available on the website.

Each mayor can design the local contest as they decide but do be aware of **the deadline to April 8, 2022** for the statewide competition. A sample flyer and entry form will be sent electronically to each city's manager/administrator/recorder and mayor for customization and reproduction in August 2021.

Ideas for Local Contests

- Identify local prizes to be awarded by the city and paid for by the city for the local winners. Mayors are encouraged to identify local sponsors for additional exposure and prizes.
 - Cash award or gift card
 - Lunch with the mayor and/or shadow the mayor for a day
 - Article in local newspaper, city newsletter and/or city's website
- Increase participation in the contest by promoting it in a variety of ways.
 - City Newsletter
 - Local Newspapers
 - Visiting local schools
 - Announcing at City Council Meetings
 - Announcing at local service club meetings (Chamber, Rotary, etc.)

Statewide Competition Rules & Parameters

Once your local contest is complete, submit no more than one winner from each category – elementary, middle and high school (three total) – to Debi Higgins at OMA by the **deadline of April 8, 2022** to be eligible for the **statewide competition**.

- Previous statewide winners may participate, but are not eligible to receive a prize in the same category they have previously won in. However, they are eligible to receive a prize in a new category.
- Local winning submissions **must be received by April 8, 2022** to be considered in the statewide competition.
- Statewide winners are determined by OMA's Student Contest Selection Committee, comprised of mayors from across the state.
- Mayors of students who win in the statewide competition will be notified in mid-July 2021. It is the responsibility of the mayor to notify the winners. Mayors of students who do not win will not be notified. These students will receive certificates of recognition following the OMA Summer Conference, usually in July.
- First-place statewide winners and their parent(s) will be recognized at an awards luncheon held during the **OMA Summer Conference in Newport at the Best Western, (Date 2022)**. Staff will contact parent(s) of statewide winners in June to arrange travel to the conference.
- Prizes for first and second-place winners of the statewide competition are dependent on funding available. Prizes in 2021 included \$500.00 for first-place winners, \$300.00 for second-place winners and \$100.00 for third-place winners.
- First-place winners will be recognized by a press release sent to the local media, acknowledgement in the OMA quarterly newsletter and on the OMA website.
- Posters and other statewide contest entry materials become the property of the OMA when submitted. They will be available for pick up at the **OMA Summer Conference, (Date, 2022) in Newport at the Best Western**. Materials that are not picked up during this time will be destroyed.

Local winning submissions may be emailed
by **April 8, 2022** to Debi Higgins | dhiggins@orcities.org
OMA, 1201 Court St. NE #200 Salem, OR 97301

Questions? Contact Debi Higgins at (503) 588-6550 or dhiggins@orcities.org



“If I Were Mayor...”

2021-22

OMA Student Contest

OFFICIAL ENTRY FORM

This form must accompany EVERY contest entry

Judging Criteria

Judging of the local contest will be conducted by Ontario city officials or other persons appointed by the mayor. A panel of Oregon mayors will judge the statewide entries. In selecting the winners, the judges will consider:

- ✓ **Creativity** – Does the student demonstrate curiosity and originality?
- ✓ **Clarity/Sincerity of Thought** – Is the submission well thought out and organized?
- ✓ **Proper Use of Grammar** – Does the submission contain proper spelling, grammar and punctuation?
- ✓ **Subject Relevancy** – Are the major points relevant to the role of a government leader? Does the student demonstrate an understanding of municipal government and the job of mayor?

PLEASE PRINT CLEARLY- Fill in EVERY blank

Student Name: _____ **Grade:** _____

Home address: _____

City/State/Zip: _____

School: _____ **Teacher:** _____

Parent/Guardian Name: _____

Email address: _____ **Daytime phone:** _____

Signature of parent/guardian: *(Required for students under age 18):* _____

Verification Statement: *I hereby verify that the student whose name appears on this entry form produced the work submitted.*

Signature of teacher or parent/guardian: _____

Print name: _____ **Relationship:** _____

Submissions must be accompanied by a completed entry form and be received no later than:
Monday, March 28, 2022 by 5pm

Student's last name: _____ **City Represented:** **ONTARIO**

Questions and/or electronic submission to:

May Swihart
Assistant to the City Manager
City of Ontario
may.swihart@ontariooregon.org



If I Were Mayor...

Student Contest 2021-2022

**Cash
Prize!**

The Oregon Mayors Association and the City of Ontario invite you to enter the “If I Were Mayor...” contest.

Share your creative ideas about what you would do as mayor.

Local winners are entered into the state contest for a chance to win a prize worth \$500!

LOCAL CONTEST DEADLINE: Monday, March 28, 2022 by 5pm

Contest Rules:

GENERAL RULES:

- All submissions must be accompanied by a completed entry form. All forms for students under age 18 must be signed by the student's parent or guardian. Entry forms may be photocopied.
- Only one submission per student will be accepted at the state level.
- Previous statewide winners may participate, but are not eligible to receive a prize in the same category (grade level) they previously won in. They are eligible to receive a prize in a new category.
- State level submissions become the property of the Oregon Mayors Association (OMA).
- OMA retains the right to publish state-level entries along with the names and likenesses of each student.
- League of Oregon Cities (LOC) employees and dependents are not eligible to enter.

*First-place statewide winners will receive their prizes during the **OMA Summer Conference, to be held August 11-13, 2022 in Newport at Best Western.***

POSTERS (Take a photo of the poster, save as PNG, JPEG or BMP file)

- The poster contest is open to students enrolled in grades 4 and 5 or being home-schooled at the same grade level for the 2021-22 school year.
- Poster size must be a minimum of 17" and a maximum of 28" in height or width.
- Students are encouraged to be creative and may use any art medium (e.g., poster paints, felt pens, colored pencils, pastels, crayons, three-dimensional art, etc.). The poster may be in color or black and white.
- The student's name and a daytime phone number or email address for their parent or guardian must appear on the back of the poster.
- Prizes: 1st Place: \$100 2nd Place: \$75 3rd Place: \$50

ESSAYS (Formats allowed: Word, PDF, PowerPoint, Prezi)

- The essay contest is open to students enrolled in grades 6 through 8 or being home-schooled at the same grade level for the 2021-22 school year.
- Essays must be 500 to 1,000 words in length and typed.
- The student's name and a daytime phone number or email address for their parent or guardian must appear at the top of the essay.
- Prizes: 1st Place: \$250 2nd Place: \$100 3rd Place: \$75

DIGITAL MEDIA PRESENTATIONS (Formats allowed: MP4, Visme, Pitcherific, VideoScribe. PowerPoint is now for Essays only.)

- The digital media presentation contest is open to students enrolled in grades 9 through 12 or being home-schooled at the high school level for the 2021-22 school year.
- Presentations must be one to three minutes in length and may be submitted on disk or emailed.
- The student's name and a daytime phone number or email address for their parent or guardian must be written on the disk or disk sleeve or in the title of the electronic file.
- Prizes: 1st Place: \$500 2nd Place: \$250 3rd Place: \$100

For more information about the state contest please contact Debi Higgins at dhiggins@orcities.org or Angela Speier at aspeier@orcities.org.

For more information about the Ontario contest, please contact May Swihart at may.swihart@ontariooregon.org



www.ontariooregon.org

- Grades 4 and 5 will compete in a poster contest. (Poster size must be a minimum of 17" and a maximum of 28" in height or width. Students may use any art medium (e.g., poster paints, felt pens, colored pencils, pastels, crayons, three-dimensional art, etc.). The poster may be in color or black and white. The student's name and a daytime phone number or email address for their parent or guardian must appear on the back of the poster. Submit by dropping off the poster and entry form to City Hall by the deadline. You may also submit your poster by taking a photo and sending electronically.
 - Prizes: 1st Place: \$100 2nd Place: \$75
3rd Place: \$50
- Grades 6 through 8 are asked to complete an essay between 500-1,000 words in length and typed. The formats allowed are Word, PDF, PowerPoint, and Prezi.
 - Prizes: 1st Place: \$250 2nd Place: \$100
3rd Place: \$75



ONTARIO
OREGON

City of Ontario

444 SW 4th Street | Ontario, OR 97914

P: (541) 889-7684 | F: (541) 889-7121

www.ontariooregon.org

- Grades 9 through 12 will be asked for a digital media presentation (video only). The presentations must be one to three minutes in length and may be submitted on a disk or emailed.
 - Prizes: 1st Place: \$500 2nd Place: \$250 3rd Place: \$100

One lucky winner from each age group will receive a cash prize from the City, recognition from the Mayor and City Council at an upcoming City Council Meeting and appear in an issue of the local newspaper and on social media.

The winning entries from each category will go on to compete at the statewide level for the chance at an additional \$500 prize. First place statewide winners in each of the three categories will win \$500. These students will receive their prizes at the awards luncheon held during the OMA Summer Conference in Newport at the Best Western, August 11-14, 2022. Winners will be contacted in June for travel arrangements. Second and third place winners win \$300 and \$100 respectively and will receive their prizes at local city presentations.

An entry form must accompany every contest entry. See the flyer for full contest rules.

Please send your finished product by to the Assistant to the City Manager, May Swihart by email to may.swihart@ontariooregon.org or by hand to City Hall at 444 SW 4th St, Ontario, OR 97914.

The deadline for submitting your finished product is 5 p.m. Monday, March 28, 2022.



**AGENDA REPORT
NEW BUSINESS
February 8, 2022**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: LETTER OF SUPPORT FOR RTCA GRANT

DATE: February 3, 2022

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE THE LETTER OF COMMITMENT BY THE CITY OF ONTARIO FOR THE RECREATION, TRAILS, AND CONSERVATION ASSISTANCE (RTCA) PROGRAM.

SUMMARY:

The City has worked on acquiring the property needed for the Tater Tots Trail over the last three years. We now have all the private property and commitments for the public property to move forward with a pre-design phase. The RTCA grant is an opportunity for us to move forward with community involvement to design the facility desired by the City Council.

BACKGROUND:

The City started acquiring property from Walmart and Heinz Kraft in 2019. Walmart requested the City work through the condemnation process, which the City did. The Walmart easement property was acquired by condemnation. The Heinz Kraft easement has been acquired through a land exchange as of this past year. Staff have been working intensively with state partners in the Department of State Lands, Oregon Department of Transportation, and Oregon Parks and Recreation Department to be able to have trail access over state properties and ultimately connect with the State Park at the Northern Ontario interchange.

CURRENT SITUATION:

The RTCA program requires letters of commitment from applicants and supporting organizations. Many community partners and project stakeholders have supplied letters of commitment. A letter of commitment has been drafted for the Council's consideration.

ANALYSIS:

- A. **STRATEGIC PLAN** This project fits specifically under the Council's "Desirability" goal, Strategy 2: "Create more things to do"; and the activity to create more "Trails and

Gathering Places." The Activity specifically mentions the Tater Tots Trail and Snake River Water Trail. This has a direct impact on fulfilling the City's strategic plan.

- B. **FINANCIAL** There is no cost share for the RTCA program. Commitment to participate in the process is key to being awarded the grant opportunity.
- C. **TIMING** The RTCA grant deadline is March 1. Approval of the letter of commitment at this time will meet the time requirements for applying for the grant. If we are able to acquire all the necessary application documents, we can receive early feedback from National Park Service staff.
- D. **POLICY/LEGAL** The grant requires Council approval of the letter of commitment.

ALTERNATIVES:

Take No Action: It is unlikely that we will be awarded the project if it does not have a letter of commitment from the City Council.

Delay: The Council has one more meeting in February by which we could meet the time requirements for approving the letter of commitment.

RECOMMENDATION:

Staff recommends approval of the letter of commitment for the RTCA grant.

ATTACHMENTS:

1. DRAFT Ltrs of Commitment__City of Ontario_Ontario NPS-RTCA_2 3 2022



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

February 8, 2022

RE: Rivers, Trails, and Conservation Assistance Program (RTCA)

Dear RTCA Review Committee,

On behalf of the Ontario City Council, I would like to express our commitment for Ontario's Rivers, Trails, and Conservation Assistance Program (RTCA) Application. As the applicant for the grant, the City Council unanimously expressed its support for submission to the RTCA grant on February 8, 2022. The City of Ontario is the commercial and recreational hub for thousands of eastern Oregon and western Idaho residents looking for recreational and outdoor activities. This program will allow the city to increase its capacity and access to close-to-home recreation opportunities, connect neighborhoods, boost local tourism and economic development, and enhance community health.

The City's mission is to create a healthy, safe, diverse, and prosperous city by engaging community members to develop an enriched quality of life. For the last few years, we have engaged in placemaking activities to make our city more desirable. At the heart of those plans is the Tater Tots Trail, also known as the Snake River Trail. We have spent the last three years acquiring all the property needed to build the trail through land exchanges and condemnation. We hope this demonstrates our commitment to the project.

We believe this trail can transform our city into a more desirable place to live. The implementation of this project will provide countless benefits for the community and its surrounding areas. We are committed to providing the necessary support to the National Park Service to make this local assistance grant successful. These trails will make Ontario a better place to live by preserving and creating open spaces for recreation. Trails also provide a unique facility to equitably serve diverse populations within a community with an almost 50% minority population that may otherwise have limited opportunities to access natural areas due to financial or transportation constraints.

Thank you for your consideration of this letter and Ontario's RTCA proposal. Please contact me at 541-212-2310 or riley.hill@ontariooregon.org should you have any questions.

Sincerely,

Riley J. Hill
Mayor

CC: Ontario City Council



**AGENDA REPORT
PUBLIC HEARING
February 8, 2022**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT:

ORDINANCE #2802-2022: AN ORDINANCE VACATING ALL THAT PORTION OF STREET RIGHT OF WAY OF SE 1ST STREET LYING BETWEEN EAST IDAHO AVENUE AND SE 1ST STREET LYING WEST OF BLOCK 66 AND EAST OF THE ORIGINAL RAILROAD PROPERTY WITHIN THE ORIGINAL TOWNSITE OF THE CITY OF ONTARIO AS SHOWN ON ATTACHMENT 1, ON FIRST READING BY TITLE ONLY

DATE: February 1, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE ORDINANCE #2802-2022: AN ORDINANCE VACATING ALL THAT PORTION OF STREET RIGHT OF WAY OF SE 1ST STREET LYING BETWEEN EAST IDAHO AVENUE AND SE 1ST STREET LYING WEST OF BLOCK 66 AND EAST OF THE ORIGINAL RAILROAD PROPERTY WITHIN THE ORIGINAL TOWNSITE OF THE CITY OF ONTARIO AS SHOWN ON ATTACHMENT 1 HEREIN, ON FIRST READING BY TITLE ONLY.

IF AN UNANIMOUS VOTE IS RECEIVED:

I MOVE THE CITY COUNCIL WAIVE THE SECOND READING OF ORDINANCE #2802-2022, AN ORDINANCE VACATING ALL THAT PORTION OF STREET RIGHT OF WAY OF SE 1ST STREET LYING BETWEEN EAST IDAHO AVENUE AND SE 1ST STREET LYING WEST OF BLOCK 66 AND EAST OF THE ORIGINAL RAILROAD PROPERTY WITHIN THE ORIGINAL TOWNSITE OF THE CITY OF ONTARIO AS SHOWN ON ATTACHMENT 1 HEREIN.

SUMMARY:

In November of 2020, the City Council approved on it's own motion to vacate the following street right of way while reserving the right of way as a Public Utility Easement for all existing and future utilities required for future development.

All that portion of the street right of way of SE 1st Street lying between East Idaho Avenue and SE 1st Street lying west of Block 66 and East of the original railroad property within the original townsite of the City of Ontario as shown in Attachment 1 of this report. Part of the agreement

was that the adjacent property owner would construct a fence around the vacated right of way to help stop the unsafe use of the property while allowing all public utility companies, including the City of Ontario, full access through the gates and locks.

BACKGROUND:

Ray Miller is the owner of the parcel known as Tax Lots 7500 on Tax Map 18S4703CD with an address of 135 SE 1st Avenue. Bhagwan Petel is the owner of the parcel known as Tax Lots 7400 on Tax Map 18S4703CD with an address of 92 East Idaho Avenue. Baker Packing Company is the owners of the parcel known as Tax Lots 7700 on Tax Map 18S4703CD, which property is associated with the address of 153 SE 1st Street. (Shown on Attachment "1" of this report.)

The Community Development Director was contacted by Ray Miller representing the adjacent property owners who have been having issues with homeless and transient people living in the street and vandalizing the adjacent properties, requesting the city vacate the portion of SE 1st Street between the north right of way line of SE 1st Avenue north to the south right of way line of East Idaho Avenue. The owners state that they feel it is in the best interest of the city to vacate this property to help the police department control the issue, as the police cannot cite the individuals causing the issues for trespassing as it is a public street right of way.

According to the plat of the original townsite of Ontario, it shows the street being adjacent to Block 66 and the railroad right of way. Accordingly, it is considered that one half of the right of way was taken from both parcels of land and that the normal vacation process is followed, and one half is assigned to each current adjacent property owner, which is also the agreement of the property owners.

ORS 271.130 reads:

“Vacation on Council’s own motion; appeal. (1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and conduct such a vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such a vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.”

All property owners' signed consents to the vacation are in the records of the Planning Director.

CURRENT SITUATION:

The property owners have constructed the security fencing around the property and provided gates to allow utility companies access to the utility easement portion of the property. It is now the time and place to finalize the action.

ANALYSIS:

- A. **STRATEGIC PLAN** No strategic plan impact.
- B. **FINANCIAL** The property owners have paid for the application, advertising, and recording fees.
- C. **TIMING** This action is being presented as all agreements have been fulfilled, and staff was able to get the final paper work completed.
- D. **POLICY/LEGAL** “Vacation on council’s own motion; appeal. (1) The city governing body may initiate vacation proceedings authorized by ORS 271.080 and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110, but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080, object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.”

The city has received fully executed consent forms from all adjacent property owners required to vacate the property and move forward with the process.

ALTERNATIVES:

Staff believes that there are no other alternatives that benefit the citizens and the owners of the properties in the area.

RECOMMENDATION:

Staff recommends the City Council approve the vacations under Ordinance #2802-2022.

ATTACHMENTS:

1. Ordinance #2802-2022



ORDINANCE NO. 2802-2022

AN ORDINANCE VACATING ALL THAT PORTION OF STREET RIGHT OF WAY OF SE 1ST STREET LYING BETWEEN EAST IDAHO AVENUE AND SE 1ST STREET LYING WEST OF BLOCK 66 AND EAST OF THE ORIGINAL RAILROAD PROPERTY WITHIN THE ORIGINAL TOWNSITE OF THE CITY OF ONTARIO AS SHOWN ON ATTACHED EXHIBIT “A” HEREIN

- WHEREAS,** The Ontario City Council held a public hearing on February 9, 2022, in the City Council Chambers concerning the proposed vacation of the Street Right of Way of SE 1st Street lying between East Idaho Avenue and SE 1st Street lying west Block 66 and East of Original Railroad property within the Original Townsite of the City of Ontario as shown on attached Exhibit “A”; and
- WHEREAS,** The City of Ontario City is vacating the Street Right of Way by notice under ORS 271.130 by City own motion and consent of adjacent property owner; and
- WHEREAS,** There has been many instances of crime and unsafe use of this portion of the dead end street section; and
- WHEREAS,** The Ontario City Council determined that it is in the best interest of the Citizens of Ontario to allow the vacation of this street for the safety of the public and
- WHEREAS,** Hearing no objections to the proposed vacations at said public hearing, the Common Council found that the vacation of said property will not prejudice the public interest; and

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

Section 1. The following described street right-of-way is hereby vacated:

1. All that portion of SE 1st Street lying between East Idaho Avenue and SE 1st Street.
2. According to the plat of the Original Townsite of Ontario it shows the street being adjacent to Block 66 and the Railroad Right of Way and therefore it is the decision that one half of the right of way came out of both parcels of land and normal vacation process is followed and one half is assigned to each current adjacent property owner which is also the agreement by the property owners.

The Vacated Street portions are shown on attached Exhibit “A” made a part hereof.

The area of vacation on the original plat is shown on Exhibit “B” made a part hereof.

With the following reservations:

- The City hereby reserve a Public Utility Easement for access, operation, inspection, repair or replacement, alteration, additions, and protection of public utilities within all vacated portions of the above said streets and alley right of ways for public utilities including but not limited to the City of Ontario, Sparklight, Cascade Natural Gas Company, Century Link, Qwest (Lumen Technologies), and Idaho Power Company.

- No structure(s) other than for utility purposes shall be erected within the limits of the said easement.
- The property owners shall have the right to fence off the vacated street section for the control and maintenance of the property but must provide access through any gates and either by providing keys to the locks or allow the locks to be cut in case of an emergency.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of February, 2022.

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this _____ day of February, 2022.

ATTEST:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder

Exhibit "A"

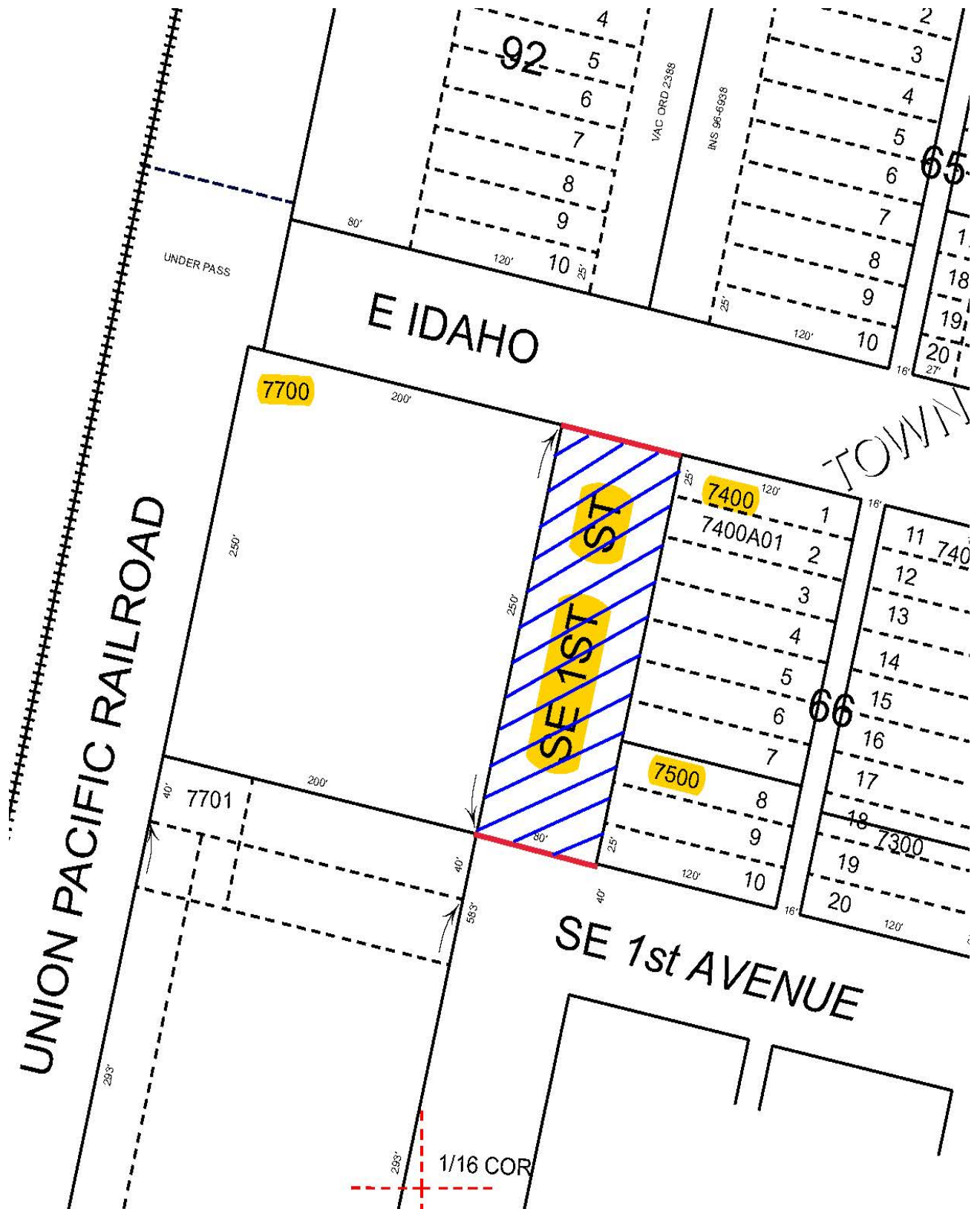
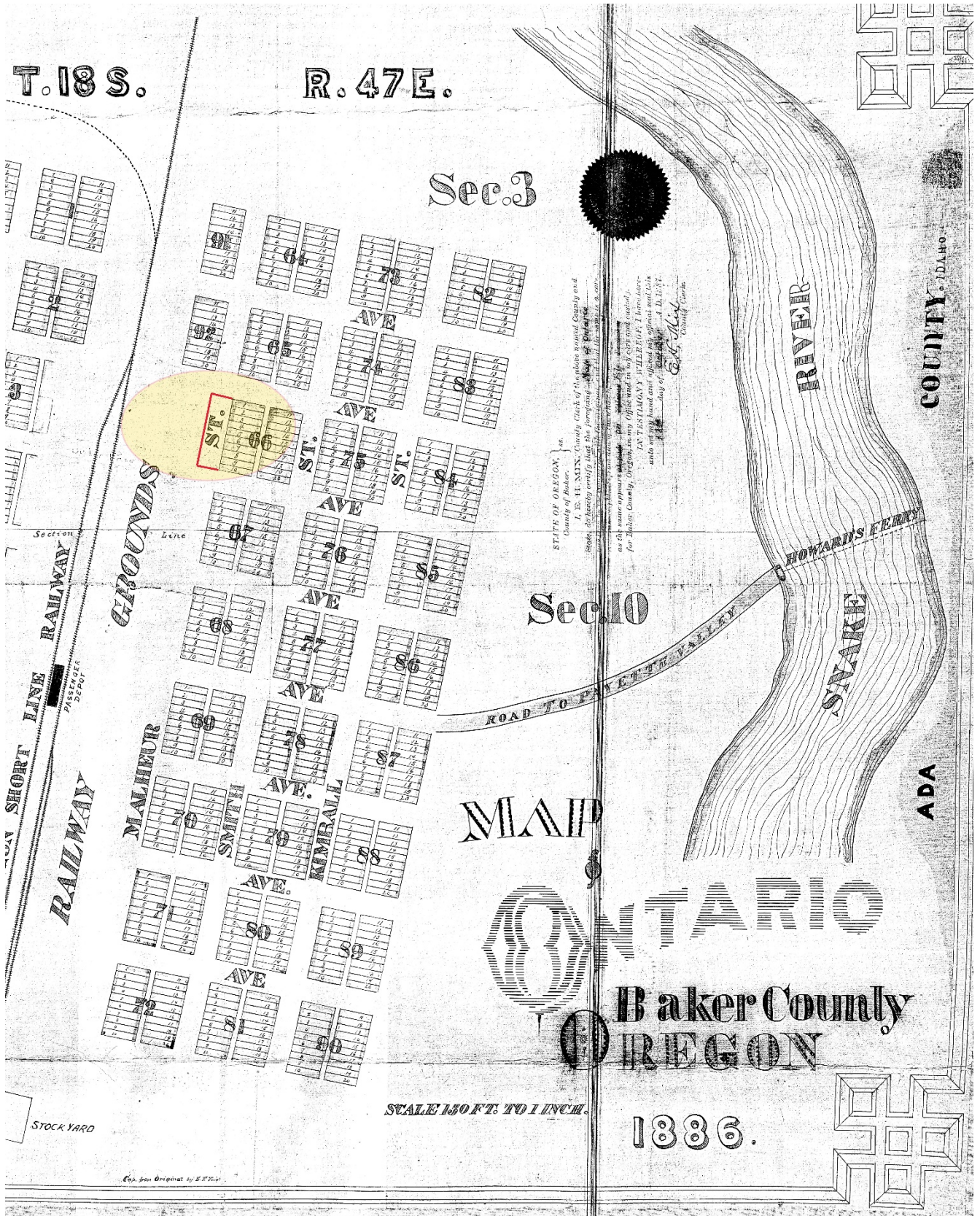


Exhibit B"





City Recorder

Annual Report

Jan 1-Dec 31, 2021

Tori Barnett, MMC

City Recorder



Job duties include:

- ❖ Records Custodian/Archivist
- ❖ Public Records Request Contact
- ❖ Elections Official
- ❖ Ordinance/Resolution Docket
- ❖ Business Registrations
- ❖ Cemetery Records/Deeds
- ❖ Clerk to the Council
- ❖ Agent of Record
- ❖ Notary Public
- ❖ City Committees Coordinator
- ❖ CivicClerk Co-Administrator
- ❖ Municipal Code Book Updates



Actions



There were 7 ordinances and 19 resolutions brought before Council for review and potential action.



Administered the Oath of Office to one City Councilor, the Interim Police Chief, and two Patrol Officers.



Sat on the interview panel for positions of Police Chief, Airport Manager, and HR Manager/Assistant to the City Manager.



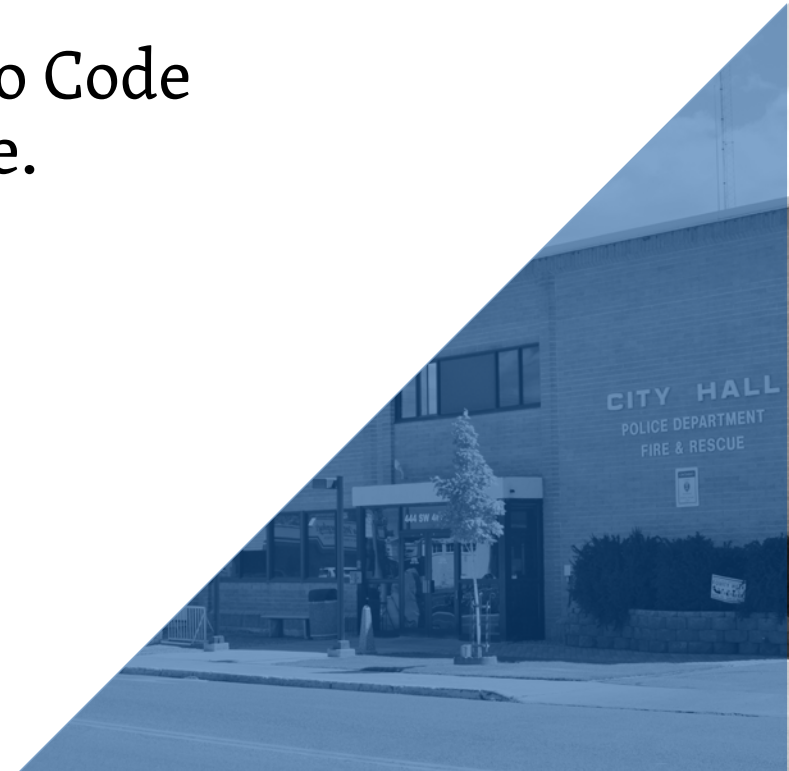
Actions



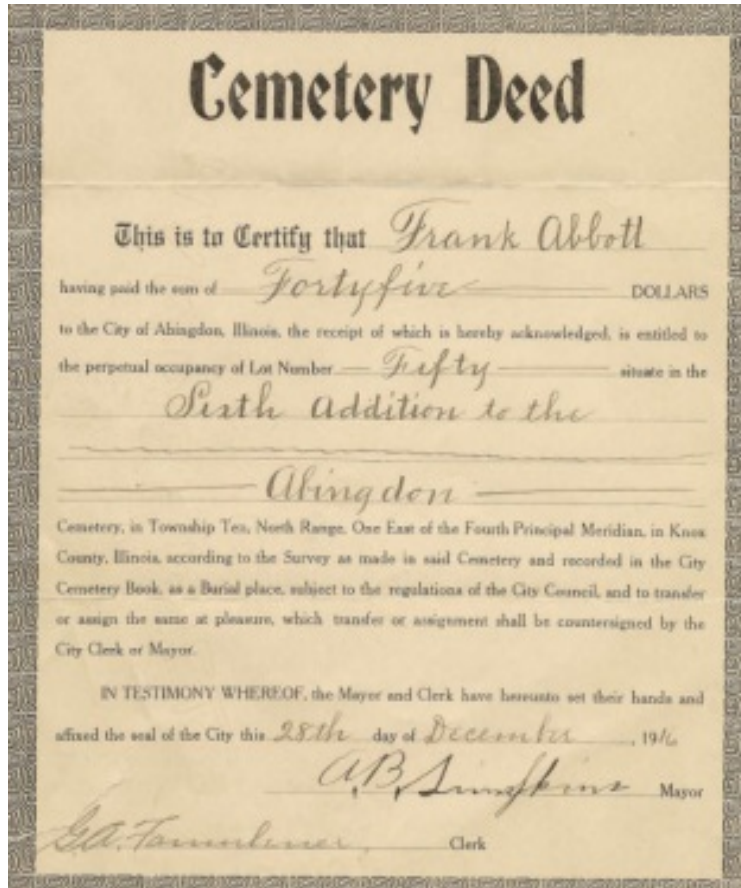
Conducted one recall election.



Provided/continue to provide support to Code Enforcement Review Ad Hoc Committee.



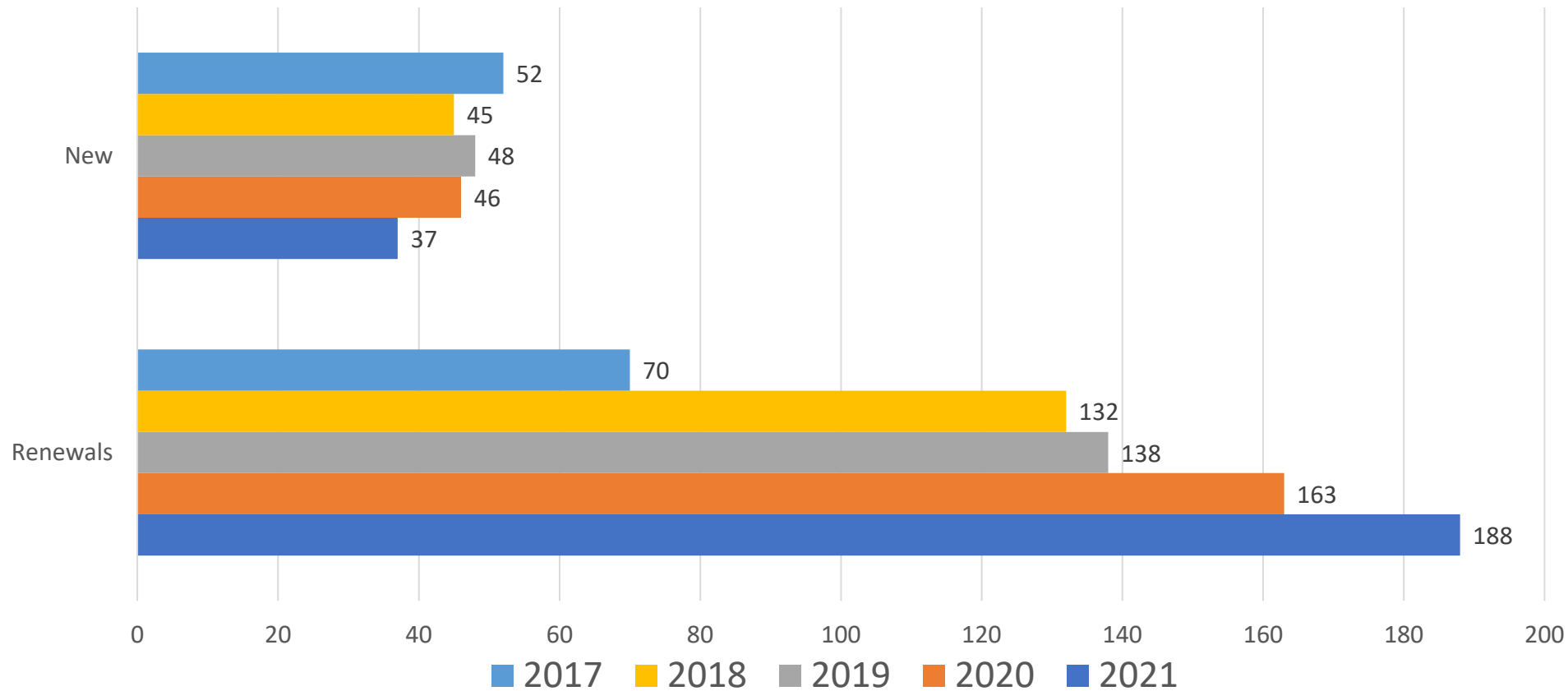
Cemeteries



Processed 124 cemetery documents,
which includes processing deeds, receipts,
burials, disinterments, transfers, and
changes.



Business Registrations



There have been a total of 329 business ID numbers issues since inception of the program. There were also three business closures in 2021.



- The Council held 29 Council meeting; 27 packets were created and distributed.
- Created and presented donation baskets for ONTCCY, the Volunteer Firefighter's Benefit Dinner, and the Chamber of Commerce Annual Banquet.
- Recruited for current or upcoming vacancies on city Boards and Committees; Updated Boards, Committees, and Commissions, as needed.
- Processed multiple FIOA requests.
- Updated documents on the city's website.
- Updated the Municipal Code.
- Notarized multiple documents.



Questions?





1

01/13/2022

Ontario Police Department

- Quarterly Report
- 2021- 4th Quarter (October-December)

Steven Bartol
Interim Police Chief

Jason Cooper
Lieutenant





AGENCY STRUCTURE



ONTARIO
OREGON

2

01/13/2022

CHIEF OF POLICE

STEVEN BARTOL

POLICE OFFICE
MANAGER

SHERI SMITH

LIEUTENANT

JASON COOPER

SERGEANTS

DAVE WALTERS
VICTOR GRIMALDO
JON ESPLIN
JAMES SWANK

EVIDENCE TECHNICIAN

DAVID WORTH

POLICE RECRUITS

ALEX CISNEROS
BRANDON MITCHELL

SCHOOL RESOURCE
OFFICERS

CASEY WALKER-HS
TOMAS ELIZONDO -MS

PATROL

SCOTT PHELPS
CHRIS BOLYARD
RICHARD FRAZIER
JARED CUTLER
AARON PHILLIPS
DANIELLE LLAMAS
ADAM CLINTON

DETECTIVES

BEN ESPLIN
BJ SNYDER

PATROL

JEREMY JONES
JON LAURENSEN
TODD HARNDEN
BRIAN COOK
SAM D'ADDABBO
TYLER BULLINGTON

POLICE SUPPORT
SPECIALIST

LIZ AMANSON

CODE ENFORCEMENT

RICK REYNA

POLICE RESERVES

YESENIA CARPENTER
WES SHAW



Community Involvement

Shop with a COP



3

01/13/2022



Community Partnerships

- Ontario Wal-Mart Store (grant program)
- Dept. of Human Services (DHS)
- Lifeways Behavioral Health
- Local Law Enforcement and ODOC.





Recruit Officer Updates



4

01/13/2022



Officer A. Cisneros – Police Academy Graduate
December 22, 2021



Officer B. Mitchell -
Begins DPSST Academy Training
March 7th, 2022





Officer Recognition



ONTARIO
OREGON

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01/13/2022

- American Legion Post 67 -

- Officer R. Frazier – Outstanding Service (2021)
 - Child-infant Abuse case/investigation/successful prosecution
- Officer T. Bullington – Outstanding Service (2021)
 - Child-infant Abuse case/investigation/successful prosecution





Significant cases

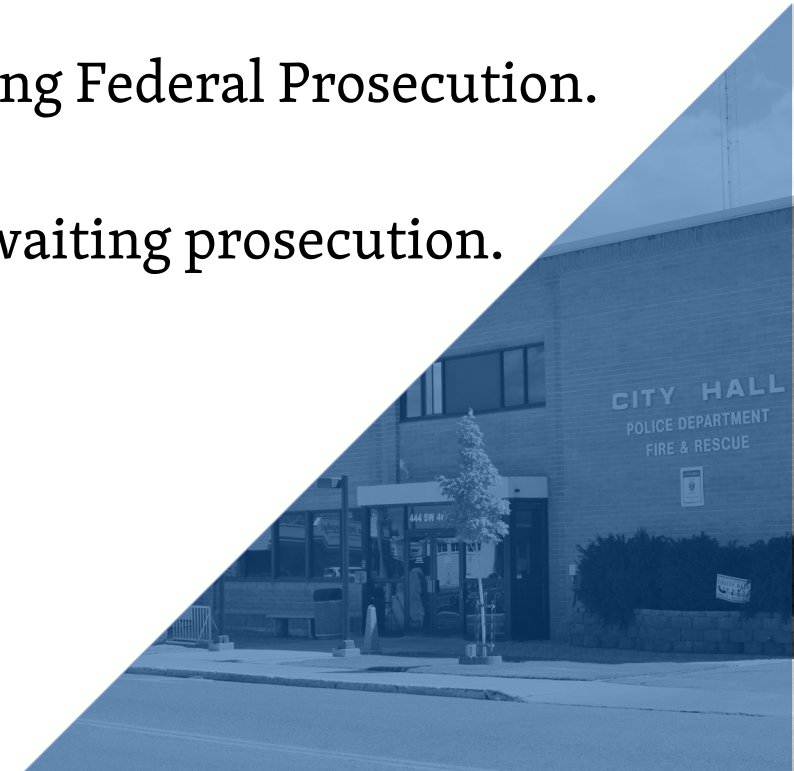


ONTARIO
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01/13/2022

- Double-Homicide (October) – suspect in custody/awaiting Federal Prosecution.
- Officer Involved shooting (November) – suspect in custody/awaiting Federal Prosecution.
- Crim. Negl. Homicide of Child (November)– Suspect in custody/awaiting prosecution.





OPD 2021 Quarter 4 – Year End Statistics



ONTARIO
OREGON

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10/12/2021

Activity	Qrt1 Jan-March	Qrt2 Apr-Jun	Qrt3 Jul-Sept	Qrt4 Oct-Dec	YTD 2021	PRIOR YTD 2020
Calls for Service	2379/4001	2754/4282	2905/4544	2337/3791	10375/16618	10251/17300
Murder	0	0	1	2	3	1
Manslaughter	0	0	0	1	1	0
Robbery	6	3	5	4	18	8
Sex Crimes	14	19	13	14	60	55
Burglary	41	44	51	37	173	126
Assault	42	31	40	30	143	171
Arson	2	0	1	2	5	0
UUMV / Auto Theft	26	28	28	26	108	0
Arrests	269	278	322	324	1193	828
Arrests w/Use of Force	4	8	9	4	25	17
Gang Related Cases	22	13	7	6	48	40
Graffiti	38	18	8	9	73	67
Death Investigations	1	8	7	10	26	32
SRO Cases	37	23	25	87	172	120
Thefts	152	203	229	209	793	843
Traffic Stops	327	223	240	202	992	1767
Cited Traffic/Parking	282	193	311	282	1068	910
Traffic Crashes	108	124	147	134	513	437
Alarms	62	106	83	88	339	349





Code Enforcement Stats

Violation	Oct-21	Nov-21	Dec-21	Qtr 4	2021
Dogs running at large	12	13	12	37	186
Dog a public nuisance	14	15	12	41	137
Animal Neglect	0	1	1	2	23
Animal Abuse					
/Abandonment	1	0	0	1	27
No Dog License	7	9	8	24	49
Debris	5	0	4	9	46
Weeds	1	0	1	2	21
Junk Vehicle or parts	0	0	0	0	4
Other Property Nuisances	1	0	0	1	12
Abandoned Vehicles	17	14	18	49	235
Derelict Structures	0	0	0	0	2
Graffiti	0	0	5	5	39
Others (littering, found property, etc)	24	21	23	68	334
Dogs taken to (Fetch This Kennel)	0	0	0	0	3
Civil Penalties Issued	0	0	0	0	0
C.P. Amount Sent	\$0	\$0	\$0	\$0	\$0
Total Parking Citations	0	1	2	3	22
Total Cases	82	74	86	242	1139



ONTARIO
OREGON

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10/12/2021





Thank You !!



ONTARIO
OREGON

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01/13/2022



2021 Winter Wonderland Parade





**AGENDA REPORT
DISCUSSION ITEMS
February 8, 2022**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: DRUG EDUCATION FUNDING

DATE: January 28, 2022

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE THE FUNDING OF \$5,000 OF DRUG EDUCATION TO _____ FOR THE 2021-2022 FISCAL YEAR.

SUMMARY:

The City has budgeted \$5,000 for the current fiscal year for drug education funding. Proposals for using the funding have been received and the council can make the determination as to what the best use of the budgeted funds should go to.

BACKGROUND:

The Marijuana Ad Hoc Committee made a recommendation to the Ontario City Council that funds be appropriated, from local marijuana tax revenues, for drug education. When the recommendation was made, it was anticipated that the funding would be used to support an agency already doing drug education to expand their efforts.

Funds were budgeted in the 2020-2021 Fiscal Year, but went unspent. For the 2021-2022 fiscal year, \$5,000 was appropriated for drug education and has not yet been awarded to an entity providing these services.

CURRENT SITUATION:

Thanks in large part to the print media, the issue of these funds not getting spent has spurred the conversation between our community partners and the City. City staff have conversed with three community partners, including Altruistic, Lifeways, and the Malheur County Prevention Coalition.

Altruistic is a private Behavioral Health & Social Service Provider specializing in Addiction and Substance Use Disorder. Altruistic proposes to use the funds to provide an educational curriculum for three target populations, which include local primary schools targeted towards the acute and chronic effects of marijuana use on developing brains, a program directed

towards TVCC students about the impacts of chronic use, and lastly, young pregnant and nursing mothers.

Lifeways has proposed two programs for funding consideration. The first is to run a sticker shock program working with the dispensary owners to educate youth on the harmful impacts of THC on developing young people. The second program is to expand the Tobacco, Marijuana, and E Cigarette (TMEC) courses in Ontario.

The Malheur County Prevention Coalition (MCPC) submitted a request for support for a motivational and educational speaker coming to Four Rivers Cultural Center called Tall Cop. The speaker would have two speaking engagements. One would be aimed at parents and the other is targeted at professionals in law enforcement, education, government, treatment providers, and counselors.

ANALYSIS:

- A. **STRATEGIC PLAN** No Strategic Impact
- B. **FINANCIAL** The Council and Budget Committee have budgeted \$5,000 toward illegal drug education and it is their desire that it be used to prevent illegal and unhealthy drug use.

The education program from Altruistic has requested \$5,000.

The TMEC program from Lifeways requested \$4,800 to \$5,000.

The StickerShock program from Lifeways has requested \$5,890.

Tall Cop Program from MCPC has identified a funding gap of \$5,505.
- C. **TIMING** The funds need to be spent before the end of the fiscal year.
- D. **POLICY/LEGAL** It was initially anticipated that the award would go to Lifeways, since they already had a drug education program. Other entities have expressed interest in the funding and so staff feels that the council should decide where the funding is to be spent.

ALTERNATIVES:

The City Council could approve multiple programs, but additional budget would need to be appropriated if the awards were in excess of \$5,000. Such funds might be taken from contingency funds. The general fund operating contingency is at \$145,650.

RECOMMENDATION:

It is unclear as to whether the dispensaries will be willing partners to the sticker shock program. Consequently, staff recommends that the education program from Altruistic for \$5,000, the TMEC program run by Lifeways for \$5,000, and the Tall Cop program for \$5,505 run by MCPC all be funded by tapping the contingency budget for an additional \$10,505.

ATTACHMENTS:

1. Doc_CC_Drug Ed Proposal Alltrusic_1 25 2022
2. Doc_CC_Lifeways Drug Education Proposal 1_2 4 2022
3. Doc_CC_Lifeways Drug Education Proposal 2_2 4 2022
4. Doc_CC_MCPC Drug Education Proposal a _2 4 2022

1052 SW 4th Ave #2
Ontario, OR 97914



Ph: (541) 216-6068
Fax: (541) 216-6094

Altruistic Recovery has been in business in Ontario for one year and we employ 4 CADAC's with a combined experience of almost 60 years in the field of substance use. Our clinicians receive ongoing training and supervision as required to maintain credentialing.

We also have a certified QMHP (qualified mental health professional) as well as an RN, an FNP who provides medication-assisted therapy to treat substance use disorders and professional office staff. We are able to bill OHP for services and are seeking grant funding opportunities to expand our outreach to the community.

We are aware that Ontario's 2020 Community Health Needs Assessment conducted by Saint Alphonsus Medical Center identified mental health and wellbeing as the 3rd significant health need followed by substance use as fourth.

Our experience in this area is vast and we have the desire and commitment to meet the needs of mental health and substance use in the Ontario community. We want to serve as advocates for the vulnerable populations, enhance education to the community members and collaborate with other organizations and stakeholders. Our goal is to build relationships with other groups, serve our community needs, decrease the number of youth using substances and help increase positive health care outcomes.

We are currently requesting to be chosen for the pot tax revenue to expand education in our community to our youth regarding marijuana use. We understand that substance use not only affects the health and well-being of the individual but has serious direct and indirect impacts on the families, community, society and the judicial system.

Our plan, if chosen for this funding, will be to work with the juvenile population in our local schools to provide an educational curriculum targeted towards the acute and chronic effects of marijuana use on a developing brain. Also, we would like to include TVCC college students to ensure they are informed of the negative aspects of using THC. Specifically targeting this age group with information about long term negative effects on the brain and lungs, how THC use can affect self-control and be linked to risky behaviors and finally how THC use can negatively affect academic and career success.

The third targeted population we would like to serve are the pregnant and nursing females. We would like to work closely with agencies like DHS, Valley Family Health Care and the local hospitals who provide health care to young pregnant and nursing mothers. We would develop an educational forum to reach the population age range from 14 to 21 years. We

1052 SW 4th Ave #2
Ontario, OR 97914



Ph: (541) 216-6068
Fax: (541) 216-6094

would like to provide education surrounding the effects of marijuana freely crossing the placenta and negatively affecting both perinatal outcomes and fetal neurodevelopment.

We are aware that substance use is also linked to an increase in crime rates, homelessness, child abuse, and hospitalizations. This in turn rapidly depletes limited public funding. It is our desire to help fight Ontario's adolescent and young adult substance use by targeting this population and raising awareness through outreach and education in this area.

If chosen for this funding, we will further research other stakeholders who can also be involved and work together to combat this issue. Most substance use occurs in early adulthood therefore addressing risk and prevention in early adolescence can have a huge impact on the outcome. Prevention requires understanding the factors that influence substance use and our team's experienced providers already have this knowledge. They are already actively working with community members who are dealing with the negative outcomes of their earlier choices to use substances. We are hoping to make a difference by preventing more members from experiencing this effect and in turn decreasing the long-term economic burden on Ontario. By investing in prevention this allows for Ontario to make a difference in our youth now who will be the leaders of this community in the future.

Thank you for the opportunity to apply for this funding to increase education to our community that we care so much for.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Annette Volk', is written over a horizontal line.

Annette Volk QMHP-C, MS-P, CADAC-III, M.A.C., ACADC (Idaho)

Executive Director

Phone 541-216-6068

Lifeways Proposal 1 for Drug Education Funding

Narrative for City Funding prop – 1/31/22 – THC

Figures are estimated and salary is based on lower end and will likely be more. Volunteer hours will be required outside of staff hours. This campaign/project can only happen if the dispensaries are willing to work with the Malheur County Prevention Coalition to help stop marijuana and marijuana products from getting to our youth. Time to engage dispensaries and build rapport will be time consuming. If dispensaries elect to place their own stickers, staff time may be reduced minimally. A Sticker Shock campaign for marijuana and THC products has not been conducted before in Malheur County. The goal of the campaign is to bring awareness to the harmful impact of THC on youth. This campaign will require the support of dispensaries, community partners, businesses, and government.

INVOICE

Name:

<u>Date</u>	<u>Invoice #</u>
12/8/2021	1

Bill To:	
Lifeways Inc	
702 Sunset Drive	
Ontario, OR 97914	
541-889-9167	

<u>Date of Service</u>	<u>IIBHT Oncall Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Total Amount</u>
TBD	Dispensary Sticker Shock Campaign	20	24	\$ 480.00
	Dispensary Sticker Shock Campaign	20	24	\$ 480.00
	Dispensary Sticker Shock Campaign	10	24	\$ 240.00
	Stickers			\$ 3,750.00
	Posters			\$ 500.00
	oversight/reporting	10	24	\$ 240.00
	Evaluation supplies			\$ 200.00
			TOTAL	\$ 5,890.00

Initial contact and arrangements with 10 dispensaries
design, order, deliver 5,000 stickers to each dispensary
time allotted for prev staff to place stickers, in kind time of MCPC volunteers will also be needed
5,000 stickers x 10 dispensaries x \$.075
50.00 each for posters at 10 dispensaries
This project will require extra time for prevention coordinator - evaluate, report, oversight

Other ☐

For business office only

Approval _____ Date _____

Lifeways Proposal 2 for Drug Education Funding

Narrative to TMEC 1-31-22 City funding proposal

Tobacco, Marijuana, and E Cigarette (TMEC) courses are the best way to reach the greatest number of youth about the effects of nicotine, marijuana and vaping. Two Malheur County Prevention Staff are currently trained to teach the class. TMEC has been taught in Vale Middle School to all 7th and 8th grade students and to all students in Adrian grades 6 – 12 thus far this school year. The only Ontario School District students that have participated in the class were the 6th grade classes at Alameda and May Roberts in early 2020. Malheur County Prevention (Lifeways) staff was scheduled to teach the TMEC curriculum to Ontario High School 9th grade classes in March of 2020. Due to the pandemic and closure of schools, those classes did not take place.

Teaching of this course requires a lot of staff time. The charges for yearly licensing are high although scholarships are available.

The invoice does not include staff time or materials needed to teach the curriculum.

INVOICE

Name:

Date	Invoice #
1/31/2022	1

Bill To:

Lifeways Inc

702 Sunset Drive

Ontario, OR 97914

541-889-9167

Date of Service	IIBHT Oncall Description	Hours	Rate	Total Amount
TBD	1 TMEC student access		50	\$ 50.00
	110 TMEC student access		45	\$ 4,950.00
	TOTAL			\$ 5,000.00
	****OR			
	1 TMEC trainer license 1 year			\$ 500.00
	10 TMEC trainer licenses 1year		450	\$ 4,500.00
	TOTAL			\$ 5,000.00
	***OR			
	1 TMEC T4T 1 year			\$ 2,500.00
	1 TMEC trainer license 1 year			\$ 500.00
	4 TMEC trainer license 1 year			\$ 1,800.00
	TOTAL			\$ 4,800.00
	3 options listed		TOTAL	4800.00 to 5000.00

Service at:
(check one)

Other

☐

For business office only

Approval

Date

From: [Jennifer Schaffer](#)
To: [Adam Brown](#)
Cc: jtrask@lifeways.org; [Eddie Melendrez](#)
Subject: RE: Drug Education Funds
Date: Thursday, February 3, 2022 3:14:32 PM

Hello, thank you for reaching out to let us know. As stated previously, Malheur County Prevention Coalition (MCPC) would like to try a sticker shock campaign with the dispensaries, with the basic concept of “no one under 21” slogan with the consequences indicating if found for underage use. This is simply stickers/posters with the message above. We would have to have the dispensaries cooperation in order to do so. We would solicit the city’s support on this campaign in order to get this accomplished as we have not had huge success in engaging with the dispensaries. Is there a way to go about in doing so? I have been in contact with John Kirby & he has given some suggestions. I hope to meet with him soon. It’s not telling people not to use, it’s just not condoning underage use. Lifeways is MCPC’s fiscal agent & I believe this promotion is in their proposal on behalf of MCPC.

The other proposal I would like to submit is assistance for our Tall Cop event that is coming up in March. Several entities have assisted in pooling our resources to bring Jermaine Galloway (Tall Cop) to our area for training/educating our community (parents, professionals, community) on the latest drug trends. We are trying to provide this event free to everyone. In order to combat obstacles for people to participate/join us, we are looking at providing child care as well as a meal. Tall Cop is an informative training & “eye-opening experience” to be able to bring to our area. He will scan our community prior & show us the latest, up-to-date trends, even right here locally. I would request some funds go towards that event as well if possible. I can try to get you figures of costs/needs hopefully by tomorrow. I will see what I can come up with, I just wanted to get you preliminary info prior. Again, our fiscal agent is Lifeways however, MCPC is separate from Lifeways, will this pose an issue?

Jennifer Schaffer
Senior Probation Counselor
Malheur County Juvenile Department
251 B St. West, Suite 11
Vale, OR 97918
(541) 473-5101
Fax (541) 473-5182
Email: Jennifer.Schaffer@malheurco.org

From: Adam Brown <adam.brown@ontariooregon.org>
Sent: Thursday, February 3, 2022 9:55 AM
To: Jennifer Schaffer <Jennifer.Schaffer@malheurco.org>
Subject: FW: Drug Education Funds
Importance: High

Jennifer,

If You would like to apply for the \$5,000 Drug Education funds, I can get a proposal in our packet. We send out our agenda tomorrow. Any chance you can put something together by tomorrow? We have \$5,000 in the current budget year.

Adam

Tall Cop March 2nd and 3rd 2022 budget

Tall Cop fee	6,000.00
nue- includes 1 room all day(3 rd) and 2 half-day rooms (2 nd) includes set/up, tech and coffee service for 220 for each day	1,155.00
Food: 220 seats + 30 staff for dinner @ \$27.50/person=6,875.00 220 seats + 30 staff for lunch @ \$ 16/ person = 3,981.00 30 children and 2 childcare staff \$=260.00	11,116.00
Childcare: 2 providers for 2.5 hours each @\$25/hour=\$125 Supplies: includes printing, merchandise, activities=\$150	275.00
Merchandise: Notebooks:440@ \$1.50 each= \$660.00 Bags \$3 each X 220/day X 2 days =1,320.00 Other: give aways/prizes/ incentives \$500 (\$200 for 18 T shirts, 150 for 36 mugs, 150 for stress balls) Staff ID lanyards= \$109.20	2,590.00
Printing: Advertising-50.00 Certificates-44.00 Other-50.00	144.00
Interpreter-\$50/hour plus travel	125.00
provide substitutes for local educators to attend	2,500.00
total	\$17,905.00

Tall Cop Sponsors

Malheur County Prevention Coalition	800.00
Malheur County Sheriff's Dept.	700.00
Christian Life Fellowship Church	500.00
Malheur County Juvenile Dept	500.00
Oregon Dept. of Human Services	500.00
Ontario School District	1,000.00
Malheur Co Education Services Dist.	500.00
Local Community Advisory Council (grant)	<u>7,900.00</u>
TOTAL	\$12,400.00
Projected costs (tentative budget)	\$17,905.00
Projected additional funds needed	\$5,505.00



High in Plain Sight

Workshop on Current Alcohol, Drug and
Concealment Trends and Identifiers Including
Identification of the Possible Impaired Driver
Instructor: Officer Jermaine Galloway

Wednesday **March 2, 2022 from 5:45-7:15 p.m.**

Dinner for all and child care included at no cost

(Child care is limited to 30 spots-reserve your space when you register)

Thursday **March 3, 2022 from 9:00-4:00 p.m.**

Lunch and snacks included

Clarion Inn Sawtooth/Wilderness room

1249 Tapadera Ave, Ontario, OR 97914

To register for 5:45 pm March 2nd, visit : <https://www.eventbrite.com/e/high-in-plain-sight-current-alcohol-drug-and-concealment-trends-tickets-237802382327>

To register for all day March 3rd, visit-

<https://www.eventbrite.com/e/high-in-plain-sight-workshop-on-current-alcohol-drug-concealment-trends-tickets-237858199277>

Brought to you by:



Malheur County
Prevention Coalition

Questions?? contact

Malheur County Prevention mcpc@lifeways.org

541-889-9167 ext. 2251

Wednesday evening will be tailored to parents and Thursday all day for professionals, however anyone is invited to attend either or both days.

~

WHO SHOULD ATTEND? Law Enforcement, First Responders /EMS, EMT, Parole & Probation, Government Officials, Educators & Administrators
Treatment Providers, Counselors, Parents,
Concerned Citizens

Everyone living or working in Malheur County and surrounding areas is invited to attend this FREE workshop.

~

Officer Galloway provides up-to-date information on culture and emerging trends in substance abuse. He has trained over 650,000 people worldwide and conducted over 8,400 community scans.

~

Even if you have seen him speak before you will hear new information.

~

TOPICS COVERED INCLUDE:

Drug Trends Overview

Underage Alcohol Use

Over the Counter Drugs

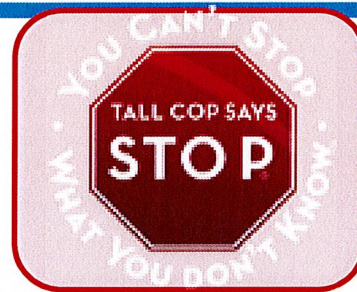
Drug Paraphernalia & Clothing

Synthetic Drugs

Marijuana ☐ Concentrates & Dabbing

Legalization ~ Edibles & 'Vapes'

...and so much MORE



“Tall Cop Says Stop”

Officer Galloway was awarded the 2010 National Mickey Sadoff Award by MADD for Efforts in Underage Drinking Prevention In 2009, he received the Law Enforcement Officer of the Year by OJJDP

WEBSITE: www.tallcopsaysstop.com

Attendance is limited to 220 people – Pre Registration REQUIRED!

Visit Eventbrite.com to register

Questions?

Contact: Malheur County Prevention

mcpc@lifeways.org

Or

541-889-9167 ext. 2251

ANNUAL LEASES

		Current Lease	Balance on 2/4/2022	
Hangar Lease	Dan & Carol Beaubien	\$ 215.83	\$ -	
Hangar Lease	Rob & Lisa Saunders	\$ 487.66	\$ -	
Hangar Lease	Robert Griffiths	\$ 539.14	\$ -	
Hangar Lease	James & Josette Beaumont	\$ 223.27	\$ -	
Hangar Lease	Jack Walker	\$ 554.04	\$ -	
Hangar Lease	Farmers Aerial Applicators	\$ 1,288.50	\$ -	
Hangar Lease	Frazier Aviation, LLC	\$ 1,774.81	\$ 1,111.20	
Hangar Lease	Roger Twombly	\$ 682.12	\$ -	
Hangar Lease	Bruce Fowler	\$ 192.10	\$ -	
Hangar Lease	Shawn Coleman	\$ 200.35	\$ -	
Hangar Lease	Randy & Lea Ann Daniels	\$ 200.29	\$ -	
Hangar Lease	Phil Steklenski	\$ 196.77	\$ -	
Hangar Lease	IT Quarter Circle Ranch	\$ 253.33	\$ -	
Hangar Lease	SSI Aviation Group LLC	\$ 746.08	\$ -	
Hangar Lease	Smith Family Trust	\$ 1,136.15	\$ -	
Hangar Lease	Darrell Latham	\$ 250.24	\$ -	
Hangar Lease	Gary Taylor	\$ 472.80	\$ -	
Hangar Lease	Snake River Valley Exp	\$ 1,964.43	\$ -	
Hangar Lease	Stephen Myers	\$ 192.68	\$ -	
Hangar Lease	Kevin Berg	\$ 345.48	\$ -	
Hangar Lease	Richard Strawn	\$ 390.57	\$ -	
Hangar Lease	Robert Griffiths	\$ 357.45	\$ -	
Hangar Lease	John Freeburg	\$ 483.99	\$ -	
Hangar Lease	Bryan Bair	\$ 270.97	\$ -	
Hangar Lease	Jerry Trolard	\$ 420.74	\$ -	
Hangar Lease	Pete Morgan	\$ 213.82	\$ -	
Hangar Lease	Dave Patchett	\$ 213.82	\$ 217.04	Made contact, received a new address and will be paid soon.
Hangar Lease	Cheryl & Dale Cruson	\$ 1,200.27	\$ -	
Hangar Lease	Bill Hager	\$ 178.45	\$ -	
Hangar Lease	Mike & Sherri Shenk	\$ 150.14	\$ -	
Hangar Lease	Roger & Robin Myers	\$ 171.16	\$ -	
Hangar Lease	Samuel Ralston	\$ 173.43	\$ -	
Hangar Lease	Woodgrain Millworks	\$ 178.25	\$ -	
Hangar Lease	Guss Young	\$ 178.24	\$ -	
Hangar Lease	Clyde and Aimee Esplin	\$ 500.88	\$ -	
Hangar Lease	Katarilina & Ville Teufel/Leiramo	\$ 387.09	\$ -	
Hangar Lease	Travis Hart	\$ 369.50	\$ -	
Hangar Lease	Shay Myers	\$ 368.93	\$ -	
Hangar Lease	Jeffrey Pitts	\$ 737.86	\$ -	
Hangar Lease	Alpha Omega Joint Venture, LLC	\$ 262.36	\$ -	
Hangar Lease	Williams	\$ 1,267.09	\$ -	
Hangar Lease	BLM	\$ 16,717.00	\$ -	
Airport Agriculture Lease	Dennis Montgomery	\$ 2,000.00	\$ -	
Agriculture Lease	Whipple Springs	\$ 126,700.00	\$ -	
Storage Lease	Leavitt	\$ 373.67	\$ 7,684.53	see detail
Water Tower	Sprint Property Services	\$ 1,900.42	\$ 1,900.42	(less than 30 days)
Clubhouse	Shadow Butte Enterprises LLC	\$ 2,129.07	\$ 4,568.85	(less than 60 days)

Old Past Due Leases (As of 2/4/2022)

Lease clean up fee	Beck's Spray Service	\$ 336.11	(Billed August 2021)
Hangar Lease	Jim Holton	\$ 167.94	(From 2013)
Agriculture Lease	Doug Stipe	\$ 25,000.00	Settlement, Made first payment, second due 12/1/2022

LEAVITT STORAGE LEASE

	Monthly Rent	Total
June 2018 - December 2018	\$1,167	\$8,169
February 2019 - January 2022	\$ 140.00	\$5,040
Past due & Interest	\$ 897.24	\$ 897.24
Total Charged		\$14,106
Payments		(\$6,422)
Current Balance		\$7,684.53

Leavitt's Golf Course Storage Lease

Compounding Period: Monthly

Nominal Annual Rate: 6.000%

Cash Flow Data - Loans and Payments

	Event	Date	Amount	Number	Period	End Date
1	Loan	02/01/2019	7,681.12	1		
2	Payment	03/01/2019	233.67	36	Monthly	02/01/2022

TValue Amortization Schedule - Normal, 365 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	02/01/2019				7,681.12
1	03/01/2019	233.67	38.41	195.26	7,485.86
2	04/01/2019	233.67	37.43	196.24	7,289.62
3	05/01/2019	233.67	36.45	197.22	7,092.40
4	06/01/2019	233.67	35.46	198.21	6,894.19
5	07/01/2019	233.67	34.47	199.20	6,694.99
6	08/01/2019	233.67	33.47	200.20	6,494.79
7	09/01/2019	233.67	32.47	201.20	6,293.59
8	10/01/2019	233.67	31.47	202.20	6,091.39
9	11/01/2019	233.67	30.46	203.21	5,888.18
10	12/01/2019	233.67	29.44	204.23	5,683.95
2019 Totals		2,336.70	339.53	1,997.17	
11	01/01/2020	233.67	28.42	205.25	5,478.70
12	02/01/2020	233.67	27.39	206.28	5,272.42
13	03/01/2020	233.67	26.36	207.31	5,065.11
14	04/01/2020	233.67	25.33	208.34	4,856.77
15	05/01/2020	233.67	24.28	209.39	4,647.38
16	06/01/2020	233.67	23.24	210.43	4,436.95
17	07/01/2020	233.67	22.18	211.49	4,225.46
18	08/01/2020	233.67	21.13	212.54	4,012.92
19	09/01/2020	233.67	20.06	213.61	3,799.31
20	10/01/2020	233.67	19.00	214.67	3,584.64
21	11/01/2020	233.67	17.92	215.75	3,368.89
22	12/01/2020	233.67	16.84	216.83	3,152.06
2020 Totals		2,804.04	272.15	2,531.89	
23	01/01/2021	233.67	15.76	217.91	2,934.15
24	02/01/2021	233.67	14.67	219.00	2,715.15

Leavitt's Golf Course Storage Lease

	Date	Payment	Interest	Principal	Balance
25	03/01/2021	233.67	13.58	220.09	2,495.06
26	04/01/2021	233.67	12.48	221.19	2,273.87
27	05/01/2021	233.67	11.37	222.30	2,051.57
28	06/01/2021	233.67	10.26	223.41	1,828.16
29	07/01/2021	233.67	9.14	224.53	1,603.63
30	08/01/2021	233.67	8.02	225.65	1,377.98
31	09/01/2021	233.67	6.89	226.78	1,151.20
32	10/01/2021	233.67	5.76	227.91	923.29
33	11/01/2021	233.67	4.62	229.05	694.24
34	12/01/2021	233.67	3.47	230.20	464.04
2021 Totals		2,804.04	116.02	2,688.02	
35	01/01/2022	233.67	2.32	231.35	232.69
36	02/01/2022	233.67	0.98	232.69	0.00
2022 Totals		467.34	3.30	464.04	
Grand Totals		8,412.12	731.00	7,681.12	

Last interest amount decreased by 0.18 due to rounding.

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
5.999%	\$731.00	\$7,681.12	\$8,412.12



January 2022 ACTIVITY REPORT



January 2022

Emergency Medical:

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

CITY	168
RURAL	20

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

Hazmat Team Calls:

1

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	23	1	0
RURAL	4	4	0

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

TOTAL CALLS FOR MONTH

CITY	191
RURAL	24

Firefighter Training:

12/28, 1/8 – The staff finished up the month with more live burns at the Live Fire Burn house on SW 2nd St.





January 2022



Firefighter Training continued:

The staff has done firefighter rescue drills, and more live fire attacks. On Saturday 1/8 we burned the house all the way down.





January 2022



Firefighter Training continued:

1/4 – The staff reviewed cold weather emergencies and rescue scenarios.

1/11 – This was ventilation night; different types of ventilation were reviewed and then some vertical vent holes were cut.



1/18 – The staff toured numerous different new construction sites in town. They are all at different stages of construction. Chief reviewed building construction and different fire attack strategies for the particular properties. The projects visited were 70-unit townhouses, Family eye center, Commercial Tire, River Point RV Park, and Sunset Villa

1/22,23 – Ontario hosted a fire instructor I class for three of the Malheur County fire departments.

1/25 – The crews went over fire operations at Garden Style apartments.

Permits Issued:

City Open Burns 0

City Burn Barrels 0

Rural Open Burns 10

Rural Burn Barrels 2



January 2022

Inspections:

1/10/22 – Ontario Mini Market S. Oregon, final on new kitchen area.

1/10/22 – Cannabis and Glass Emergency egress and lighting changes.

1/12/22 – Ont/ PCCC Fortner, fire sprinklers inspection and pressure test.

1/12/22 – Commercial Tire fire sprinkler and alarm, final.

1/14/22 – Witco office and houses, annual inspection with State Fire Marshal.

Community Involvement:

1/22/22 – Birthday party hosted at the fire station for 4-year-old with friends and family.



Summary of Calls of Interest:

City Incidents:

12/26 175 NE 6th Ave. Rescue 1 responded to Heinz to a commercial fire alarm. The plant is shut down for maintenance and the only staff on site is two security guards. The security took the staff through the facility to look for any signs of fire or smoke, none was found. They then proceeded to the main fire alarm panel, and it showed to trouble signals. They went to the alarm panel and attempted to reset the system, but it stayed in alarm. The fire staff tried to call Heinz staff and did not get anyone to answer the phone. Rescue 1 crew advised security to do fire watch and continue to call maintenance staff and to call the fire department if any other alarms go off.



January 2022



City Incidents continued:

12/28 88 SW 2nd Ave. R1 called for a dumpster fire in the alley. The top was burned off the dumpster and the fire had almost completely burned out. R1 extinguished the remaining fire and checked the area.

12/28 1249 SW 12th St. Rescue 1 responded for a possible gas leak. All the occupants had evacuated. The occupant stated he had smelled gas and heard a hissing sound near the gas meter. The crew could not smell gas or hear a hissing sound near the meter or in the house. The used the 4-gas monitor and found no levels of gas and low levels of C/O. R1 crew shut of the gas meter and did more monitoring. They did not find any levels out of normal ranges. The gas company was called, and they also monitored the but did not find any leaks.

12/29 SW 3rd St. R1 called for possible attic fire. The reporting party was concerned about steam coming out of the chimney. It appeared to be steam and when R1 checked the natural gas furnaces in the basement they were plumbed into the chimney. That is what was the RP was seeing. They did not realize that the furnaces were plumbed into the chimney.

1/1 759 NW 8th Ave #29 R1 responded to a fifth wheel camp trailer on fire with animals inside. They arrived to find the trailer fully involved. R1 crew started fire attack with back up and water supply from 103 and 101 crews. Some of the animals did not survive and the trailer was destroyed.

1/2 1704 Pennington Dr. Rescue 1 crew responded to a smoke detector going off. The crew found the detectors to be 25 years old. They replaced the battery, and it still was going off. The crew advised the occupants to replace all the detectors to the age and the sensors being bad.

1/2 833 Alameda #6 Rescue 1 crew responded for smoke coming from the neighbor's apartment. Upon arrival the crew did not see any smoke but checked with the occupants of apt.6 and they had burned some food, but everything was fine.

1/2 650 College Blvd. Career Tech Center The compressor for the dry fire sprinkler system had quit so the system became wet and set off the alarm. The security staff was notified to contact the sprinkler company to get the compressor fixed and to reset the dry system.

1/2 1650 SE 5th Ave. Rescue 1 responded to a structure fire with medium smoke coming out of the gable ends and the chimney. The crew found the ceiling and wall near the chimney to be hot and found active fire between the wall and the chimney. They found a junction box of old wires that were bare, and the occupant stated that they had a circuit breaker trip earlier in the day. The crew put down salvage covers and pulled the ceiling and removed the insulation to the front yard. The owners were very pleased with the professional job done by the crews.



January 2022



City Incidents continued:

1/3 1436 Horning R1 crew responded for a carbon monoxide detector activation. The crew checked the whole house and found only normal readings. The also found a C/O detector over 20 years old. The occupant was advised to by a new C/O detector due to it being out of service.

1/4 E. Idaho and East Ln. Rescue 1 crew for a downed power line and transformers. A truck had hit a line and knocked two transformers off the pole. R1 secured the scene until Idaho Power had restored the power.

1/4 1330 SW 4h St. Armory, 676 SW 5th Ave. Rescue responded to a couple of false alarms. One was dishwasher steam, and the other was construction workers set off the alarm at Four Rivers Cultural center.

1/5 995 Manor Way - Rescue 1 responded to commercial fire alarm, this is a multi- family apartment that the occupant of unit #10 was cooking bacon and the smoke set off the detector. The crew ventilated the hall and the apartment and then the alarm system reset.

1/5 824 SW 4th Ave. R1 responded to a commercial alarm for water flow. The sprinkler system was normal and possibly set off the alarm due to some testing earlier in the day.

1/8 River St and Railroad trestle, The staff responded to a homeless camp where the occupant was burning an old tire. The fire was contained and just about out.

1/17 986 NW 4th St. # 33 R1 crew responded to a smoke detector activation. They found an old detector that had become defective due to age. The staff advised the occupants to get it replaced.

1/18 14 NW 1st St. R1 responded to a smoldering dumpster. They put out the fire.

1/19 653 E. Idaho R1 responded to a gas can fire, they only found a person with car troubles, and someone was helping him.

1/21 2609 SW 4th Ave. The crew responded to a fuel spill at the gas station. They spread floor dry to absorb the spill.

1/25 544 NW 4th St. Rescue 1 crew responded to a car fire in the engine compartment that was out prior to arrival.



January 2022



Rural Incidents:

12/29 2825 NW 4th Ave. Rescue 1 155 and 159 responded to a possible attic fire. Upon arrival smoke was coming out of the roof and the gable ends. There was a dark ring on the ceiling around a light in the living room. There was a fire smoldering in the attic for quite a while. The crew did salvage with the occupants' belongings and then pulled the ceiling and removed the insulation and framing material to the outside. Idaho power disconnected the power, and the Red Cross was called to assist the family. OFR burn out funds were also given out.

12/29 2425 NW 11th St. Rescue 1 responded to a report of the smell of smoke with the lights going on and off and the ceiling hot to the touch. The crews hot spot appeared to be right about the bedroom area. Salvage operations were started and then a small portion of the bedroom ceiling was pulled down and the insulation and framing material was taken outside. The power was off, and the area was checked with the thermal camera and by touch for extension. The area appears to cool and no extension. The Red Cross was able to help the family out along with the OFR burnout funds.

1/6 Hwy 201 and Winterhawk Ln. Rescue responded to a vehicle that ran off the road and struck a gas line. A commercial vehicle left the roadway to avoid rear ending a turning passenger car. The gas leak could be heard, and Cascade gas was requested to respond. A protective attack line was pulled, and the crew investigated the leak. It was determined that they could shut a valve to control the leak. The valve was shut down and the hazard was minimized.

1/25 SRCI Haz-Mat response Haz-Mat team 14 was requested for a possible exposure in the mailroom at the correctional institution. The exposed staff member when he sat down a pile of mail onto a table, he felt a whoosh of air and then had irritated throat and eyes. He shut his door and called a coworker and told her what happened, and the emergency response was activated. 100 made the early calls to ORES and got the process moving while the team was paged in. 100 responded to the scene and established command and monitored the exposed pt. with the institution staff by telephone. The other staff in the area stayed in their offices until the area could be cleared by the Haz-Mat team. The team of 8 responded and monitored the area and cleared the other staff and the exposed member and he was checked out by EMS and then refused transport.



Police Stat Report 2022

Activity	2021 December	2022 January	YTD 2022	PRIOR YTD 2021
Calls for Service	677 /1127	619 / 1056	619 / 1056	750/1334
Murder	0	0	0	0
Manslaughter	0	0	0	0
Robbery	0	1	1	1
Sex Crimes	2	5	5	6
Burglary	8	16	16	14
Assault	6	15	15	9
Arson	0	0	0	0
UUMV / Auto Theft	8	12	12	7
Arrests	104	82	82	102
Arrests w/Use of Force	1	1	1	0
Gang Related Cases	4	0	0	0
Graffiti	6	1	1	4
Death Investigations	2	2	2	0
SRO Cases	12	12	12	18
Thefts	56	66	66	52
Traffic Stops	80	86	86	125
Cited Traffic/Parking	94	132	132	76
Traffic Crashes	32	25	25	24
Alarms	34	27	27	23

Jacobs

Public Works Department

January 2022

Monthly Report



Monthly Business Review

Public Works Department

Contents:

- **ENGINEERING DEVELOPMENT REVIEW SUMMARY**
- **WATER TREATMENT PLANT AND DISTRIBUTION SYSTEM SUMMARY**
- **WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY**
- **OPERATIONS MAINTENANCE SUMMARY**
- **APPENDIX**



DEVELOPMENT REVIEW

ACTIVITIES JANUARY 2022

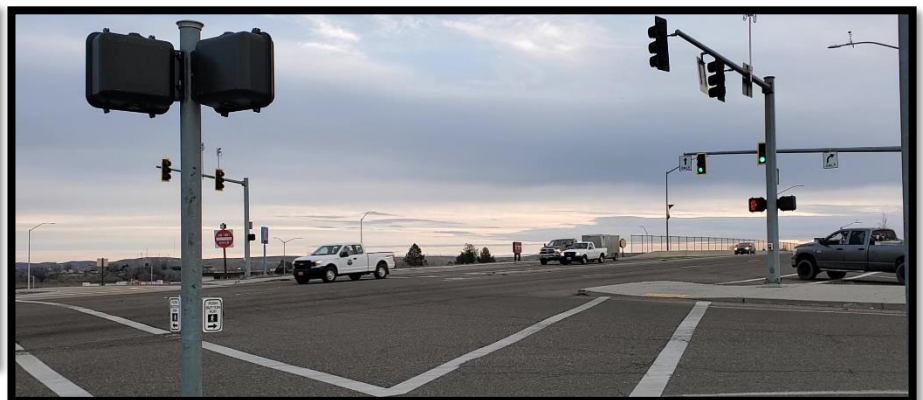
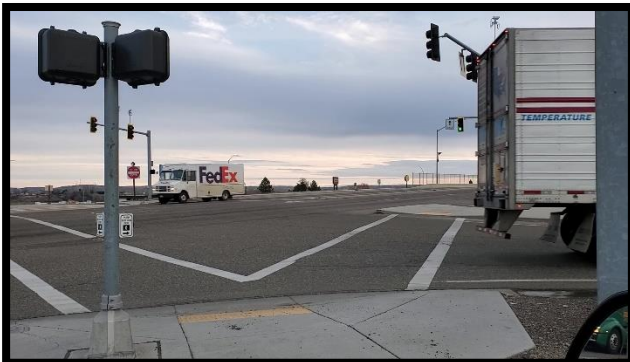
- Issued 5 ROW Permits
- Attended 1 PDAC meeting to discuss new businesses.
- Attended the Jacobs monthly safety meeting.
- Inspected the abandonment of 0 Backflow devices on irrigation systems.
- Support in the design of the Safe Routes to School design.
- Support in the design of the T200 and Navarrete water and sewer extension.
- Multiple plan reviews for new construction
- Multiple construction inspections
- Continuous updating of the GIS mapping
- SRCI Sewer line upgrade awarded
- CRP Training and recertification



CPR Recertification Class



Traffic Counts for SE 18thAve. Bridge Project



WATER: TREATMENT PLANT AND DISTRIBUTION SUMMARY

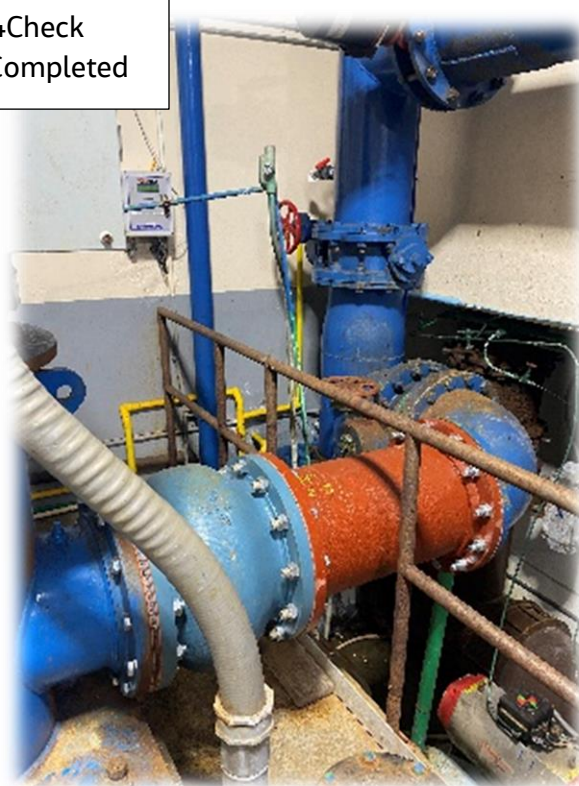
ACTIVITIES JANUARY 2022

- 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
- High Service Pump 4 Check Valve replacement complete
- WesTech Clarifier #1 Annual maintenance
- New Decant Pump Installed
- Crews adjusting the chemical delivery systems
- 12 water services turned on customer request
- 8 water services shut off customer request
- 35 water services shut off for nonpayment
- 23 water services turned on for payment received
- 29 water services turned on/off read only customer request
- 10 water services shut off for leaks to be repaired customer request
- 6 water services checked for leaks customer request
- 8 water services turned on and verified leaks repaired by customer
- 5 water services checked for consumption issues
- 1 new water services installed
- 3 water meters were frozen and had to be thawed
- 4 irrigation meters were shut off and winterized



New Decant Pump Installed

High Service Pump 4 Check Valve replacement Completed

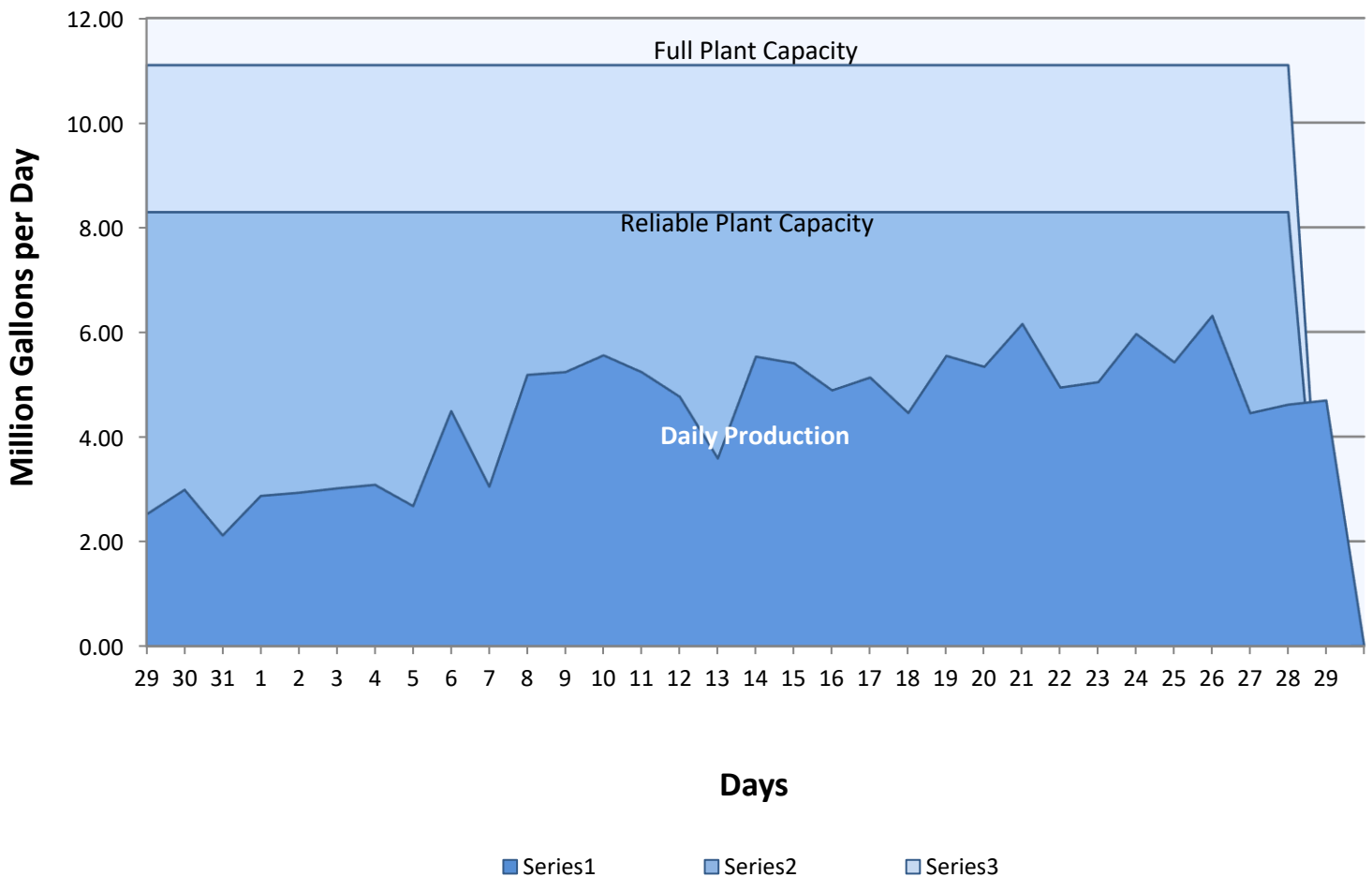


WesTech Clarifier #1 Annual Maintenance



WATER TREATMENT PLANT PRODUCTION VS. CAPACITY

Demand vs. Availability Dec 29-Jan29, 2021



WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY

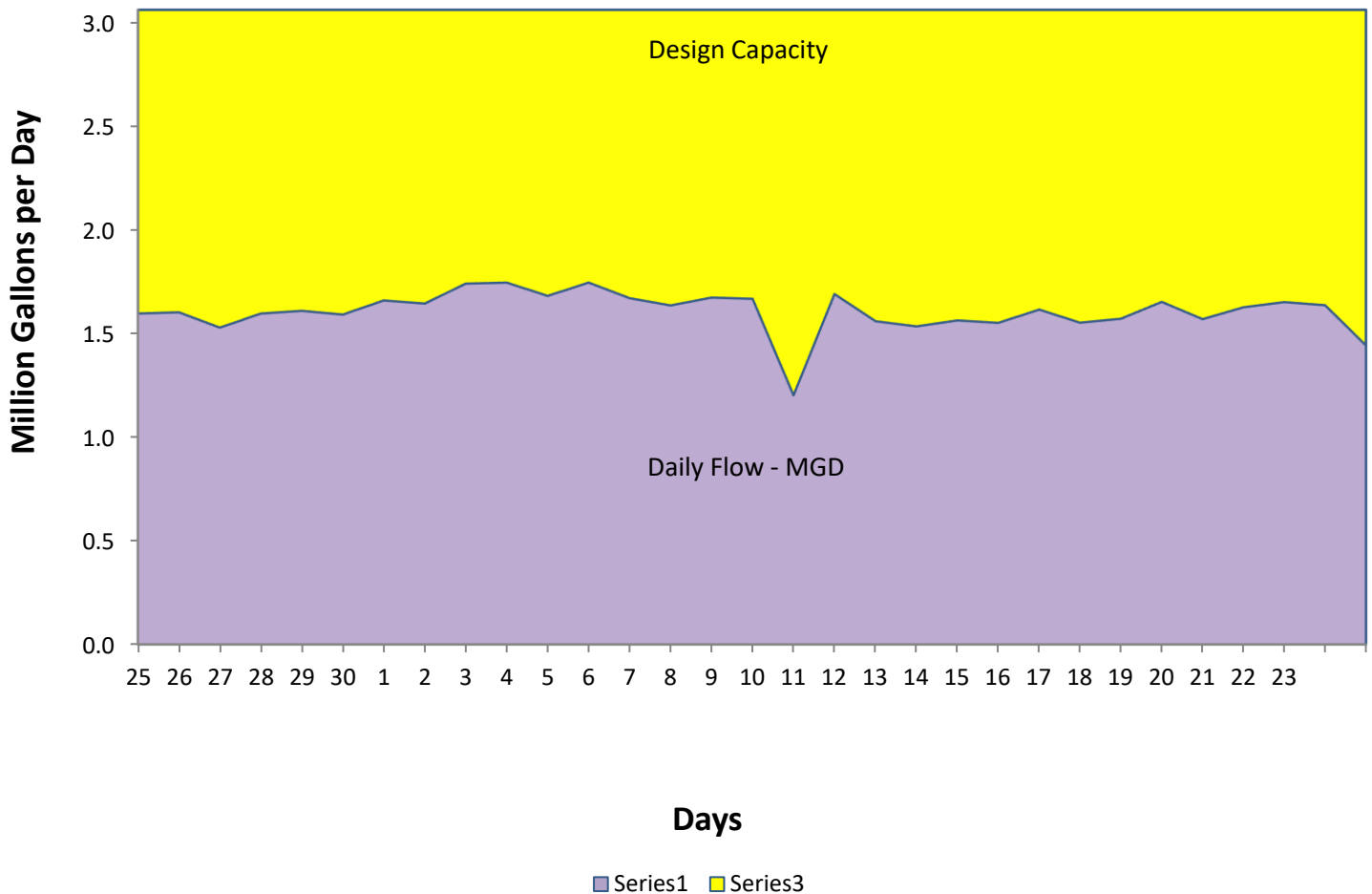
ACTIVITIES JANUARY 2022

- All sampling per the 2019 NPDES permit have been taken.
- December Tier 2 sampling required by the NPDES permit completed
- Continued required copper Biotic sampling required in the NPDES permit.
- Annual electrical control panels (PdMs) completed and closed out
- All OSU and ASU covid 19 samples sent to lab
- New shop hot work area was completed



WASTEWATER: TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY

Wastewater Treatment Flows Dec 25 - Jan 25, 2022



WASTEWATER TREATMENT PLANT

ACTIVITIES JANUARY 2022



Certified Welding Station WWTP

Chlorine Generator WWTP



OPERATIONS MAINTENANCE: FACILITIES, PARKS, CEMETERIES AND STREETS SUMMARY

ACTIVITIES JANUARY 2022

FACILITIES, PARKS & CEMETERIES

- 2 funerals at Evergreen cemetery, and 0 at Sunset Cemetery.
- Disassembled picnic tables and benches, to apply new stain, and replace damaged boards.
- Trimming shrubs and trees in parks and cemeteries.
- De-iced and plowed snow on sidewalks at city hall
- Installed new knives on the aerator that we use in the parks.
- Changed the air filters in city hall.
- Fixed outside lighting at city hall.
- Received new mower for the parks department.

New knives on aerator



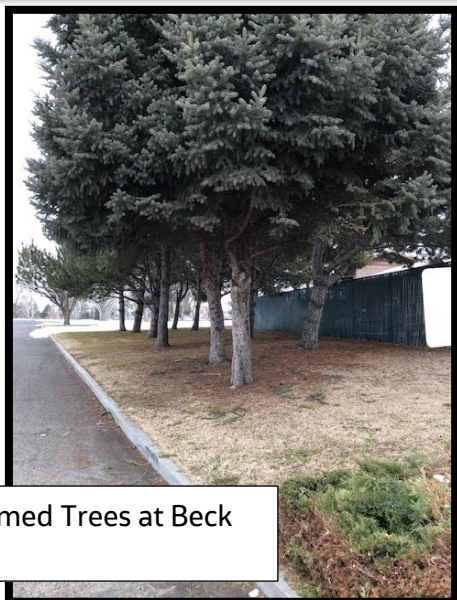
New Mower for Parks Depart.



Newly Stained picnic boards



Trimmed Trees at Beck Park

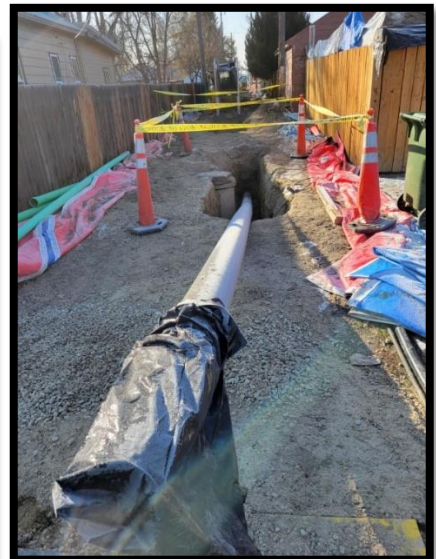


OPERATIONS MAINTENANCE: FACILITIES, PARKS, CEMETERIES AND STREETS SUMMARY CONTINUED

ACTIVITIES JANUARY 2022

Streets

- Continued full town sweeping
- Snow and Ice control on the primary and secondary routes
- Plowed the airport runway, taxi way, hanger roads, and parking area 3 times
- Pothole repair throughout town
- Sign maintenance throughout town
- Cleared storm catch basins for snow melt periods
- Small equipment maintenance
- Snow Equipment Maintenance
- Water maintenance, replacing broken meter boxes, frozen meters, leaking angle stops
- Worked with IMCO on the water and sewer pipe bursting project, isolating water mains as the project progressed
- SCADA failure cause an SSO, 01/13/22, cleaned up and reported to the regulator
- Installed new 2" water service, replacing an existing 3/4" water service
- Graded and installed asphalt millings for the new parking area on Airport way
- Started removing the last sections of trees on E. Idaho Ave., this project will be ongoing for the next few weeks
- 43 utility locates were completed
- Primary and Secondary Routes will be swept in February, Downtown and underpass will be swept as needed.



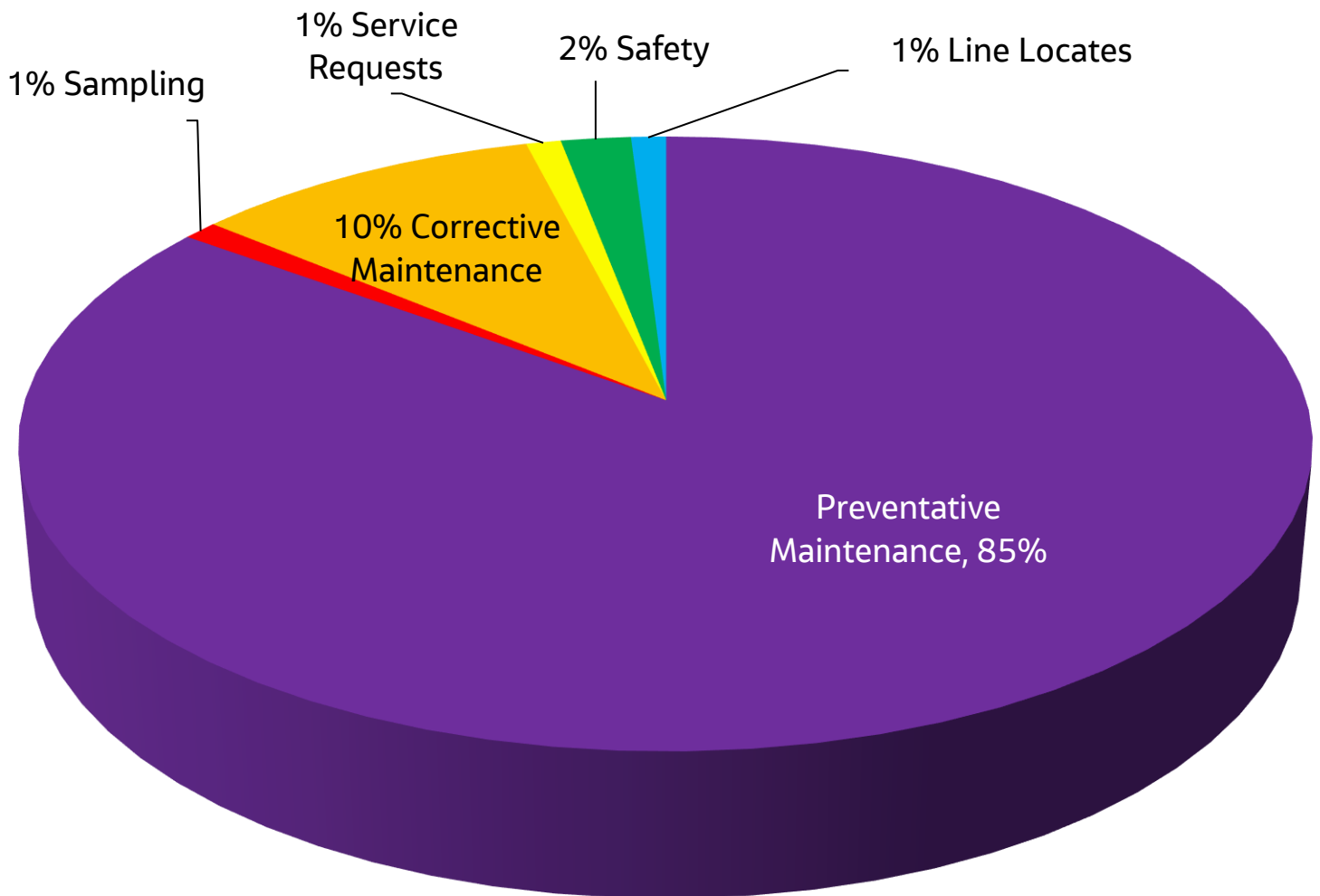
OPERATIONS MAINTENANCE: FACILITIES, PARKS, CEMETERIES AND STREETS SUMMARY CONTINUED



Tree Removal on E. Idaho



OPERATIONS MAINTENANCE: BUILDINGS, PARKS, CEMETERIES AND STREETS SUMMARY



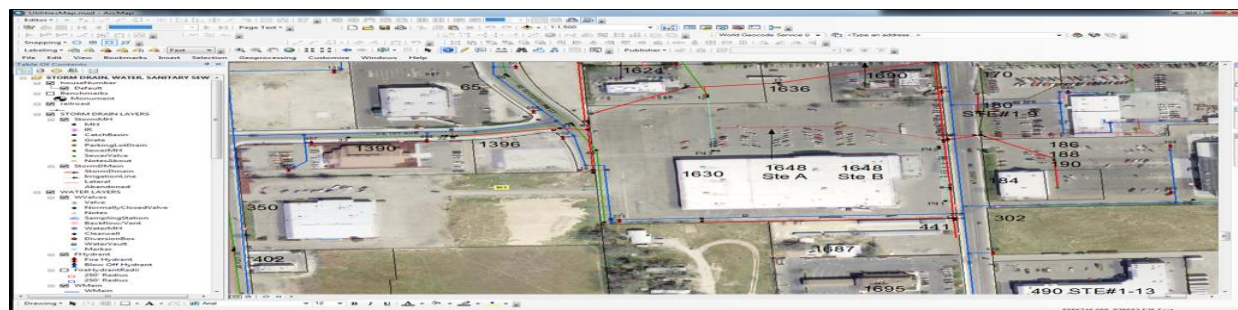
PUBLIC WORKS DEPARTMENT

Public Works maintains a water system that complies with the EPA and Division of Health requirements. Staff also maintains the Wastewater Collection system and Wastewater Treatment facilities to meet DEQ standards. These same employees provide sewer and water line construction and maintenance to the City's transportation system (i.e.: streets, sidewalks, bicycle paths, storm-sewer systems, and other infrastructure within the City).

ADMINISTRATION

ENGINEERING

The Engineering Division Department works with other utilities, developers, and property owners in addressing utility issues, public improvements, subdivision development, local improvement districts and other municipal projects. The Department also maintains a set of Standard Specifications for providing uniform procedures for the installation. 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, and provide project management for Public Works Capital Improvement Program (CIP) project 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.

OPERATIONS MAINTENANCE

Public Works maintains more than 122 lane miles of improved streets and more than 9 miles of alleys and is responsible for resurfacing, repairing, and maintaining the streets, installing, and maintaining street signs and markings, tree trimming, and repairing all established pavement markings. This 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. Public Works assist Ontario Chamber of Commerce by placing Holiday decorations on streetlights during the season.

*ONTARIO PUBLIC WORKS MAINTAINS MORE THAN
122 LANE MILES OF IMPROVED STREETS 9 MILES OF
ALLEYS CHIP SEALS LAST A MINIMUM OF 8 YEARS, AND
PUBLIC WORKS CHIP SEALS 7 MILES PER YEAR 56 MILES
OF STORM DRAIN COLLECTION LINES, AND 1,450 CATCH
BASINS*

As part of the annual Street 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. Chip seal roadway treatments help to maintain the existing pavement, delaying further aging resulting from water and sun,

and provides a moisture barrier to existing pavements by sealing surficial cracks. A chip seal application provides substantial savings to taxpayers and can last 8 to 10 years with just minimal roadway maintenance required. The city chip seals approximately 10 miles of streets per year.

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. There are two municipally owned and operated Cemeteries – Evergreen and Sunset Cemeteries. The Operations Division is responsible for the operation and maintenance of those areas. Included in their responsibilities are all municipal buildings. This includes general maintenance and repair work, the implementation of preventative maintenance programs, and the administering of service contracts (janitorial, HVAC, electrical, elevator, etc.). This division is also charged with the oversight of facility-related projects, including remodels and systems upgrades.

WATER TREATMENT PLANT

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 up-flow clarifier. The steps for treatment are flocculation, sedimentation, filtration, and disinfection, which meet the compliance of the Oregon Health Authority (OHA).

The Oregon Health Authority requires an operator be on duty 365 days a year. Ontario customers account for 3,845 water services, not including Snake River Correctional Institute (SRCI).

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.

MAINTAINS 80 MILES OF WATER MAINS.

The Water Treatment Plant has a reliable capacity (capacity with the largest pump out of service) of 8.3 Million Gallons Per Day (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 MGD of that water.

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. One hundred percent (100%) 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.

Water Distribution System 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.

WASTEWATER TREATMENT PLANT

The wastewater treatment plant collects wastewater from the entire city and SRCI. 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.

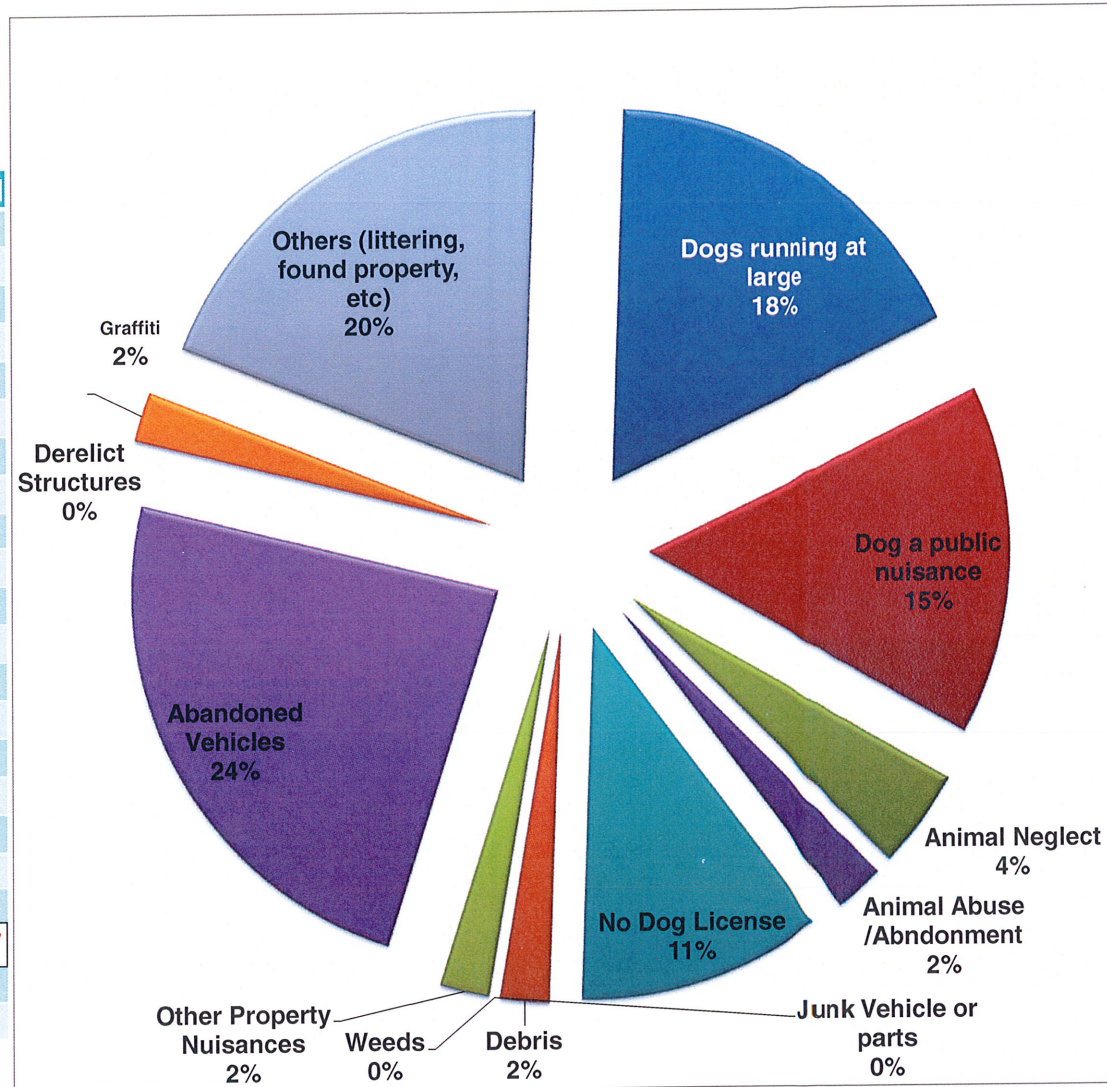
PUBLIC WORKS MAINTAINS 78 MILES OF SANITARY
SEWER LINES THROUGHOUT CITY LIMITS

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. 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 bar screen and one lift station from SRCI. 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.

CODE ENFORCEMENT

JANUARY: 2022 Stats

Violation	Jan-22	Column1
Dogs running at large	8	
Dog a public nuisance	7	
Animal Neglect	2	
Animal Abuse /Abndonment	1	
No Dog License	5	
Debris	1	
Weeds	0	
Junk Vehicle or parts	0	
Other Property Nuisances	1	
Abandoned Vehicles	11	
Derelict Structures	0	
Graffiti	1	
Others (littering, found property, etc)	9	
Dogs taken to (Fetch This Kennel)	0	
Civil Penalties Issued	0	
C.P. Amount Sent	\$0	
Total Parking Citations	1	
Total Violations		
Total Cases	47	47
	0	



Notes: CODE ENFORCEMENT HAS BEEN MAKING MORE VERBAL CONTACT WITH PROPERTIES THAT HAVE VIOLATIONS ABATEMENTS ARE BEING DONE /WITH NO CIVIL PENALTIES BEING SENT AT THIS TIME. CODE ENFORCEMENT HAS BEEN VERY LUCKY AND HAVE BEEN GETTING COMPLIANCE FROM THE BUISNESS AND RESIDENCE WITH CLEANING UP THEIR PROPERTIES.



MALHEUR COUNTY COURT MINUTES

January 19, 2022

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Don Hodge present. Commissioner Ron Jacobs was absent. Staff present was Administrative Officer Lorinda DuBois. Members of the media, public, and staff were present electronically. Notice of the meeting was posted on the County website, Courthouse bulletin board, 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 # [2022-286](#)

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of December 15, 2020 as written. Judge Joyce seconded and the motion passed.

COUNTY BUDGET COMMITTEE

Judge Joyce moved to appoint Janice Belnap to the County Budget Committee. Commissioner Hodge seconded and the motion passed.

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Hodge moved to approve Supplemental Budget Resolution R22-02: In the Matter of Fiscal Year 2021-2022 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 Contingency Funds to Non-Program for transfer to the Reload/Industrial Park. The funds will be used to pay down the mortgage on the Reload Facility property. See instrument # [2022-287](#)

CHECK REGISTER

Commissioner Hodge moved to approve Accounts Payable Register for December 2021. Judge Joyce seconded and the motion passed.

FAIR BOARD APPOINTMENT

Judge Joyce moved to appoint Jennifer Hall (current advisory board member) to the Fair Board as a voting member. Commissioner Hodge seconded and the motion passed.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(d) - Labor Negotiator Consultations with Judge Joyce presiding and Commissioner Hodge present. Also present were County Counsel Stephanie Williams, Administrative Officer Lorinda DuBois, and Undersheriff Travis Johnson. No decisions were made during or following the session.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.