

**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, JULY 12, 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 July 8, 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) PUBLIC COMMENTS Citizens may address the Council; however, Council may not be able to provide an immediate answer or response. Out of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

5) OLD BUSINESS

- A) Downtown Attraction Plan by GGLO
- B) Ordinance #2811-2022: Water Shortage Emergency Code Revisions
- C) Resolution #2022-126: Airport Mowing Contract
- D) Resolution #2022-127: Amendment to Residency Requirements

6) NEW BUSINESS

- A) Appointment of City Councilor to Ontario Promise Ad Hoc Committee
- B) Merchant McIntyre: Contract Renewal

7) PUBLIC HEARING

- A) Accept Right of Way for a Portion of East Lane South and SE 5th Avenue, per Approved Partition Plat, Approved Under Planning Action 2022-03-18 PTN

8) DEPARTMENT HEAD UPDATES

- A) Police: Quarterly Update

9) DISCUSSION ITEMS

- A) Airport Beacon Purchase
- B) Proposed Resolution #2022-128: Ontario Promise

10) HAND-OUTS

- A) Monthly Departmental Stats: Public Works, Police, Code Enforcement, Fire - June, 2022
- B) Minutes: County Court - May 5, 2022; May 12, 2022; June 15, 2022

11) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

12) ADJOURN

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 (l) Labor Negotiations.

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



**AGENDA REPORT
OLD BUSINESS
July 12, 2022**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Danny K. Cummings, City Manager Pro Tem

SUBJECT: **DOWNTOWN ATTRACTION PLAN BY GGLO**

DATE: July 7, 2022

PROPOSED MOTION:

I MOVE TO PROCEED WITH THE PLAN PROPOSED IN THE SUMMARY TO MOVE THE DOWNTOWN ATTRACTION PROJECT FORWARD.

SUMMARY:

At the June 28th Council meeting, GGLO presented their phased plan for the downtown attraction. The design of the first phase will cost \$70,000, the amount the city has budgeted for FY 22-23. GGLO would like to meet to discuss a plan for how to move the project forward, including the steps below:

- Mark from GGLO, Dan or May, and the Mayor meet with the former Mayor of Caldwell and founder of Destination Caldwell, Keri Smith-Sigman, to better understand the economic benefits, programming and operations of a re-envisioned Moore Park from folks who have been through it.
- Decide on who a 'champion' from the city can be for this now and moving forward (Dan? May? Mayor? A Council member?).
- Mark from GGLO, Dan or May, and the Mayor meet to talk about a reasonable Phase 1 and budget, to understand what is approvable and politically acceptable.

BACKGROUND:

GGLO and Trademark Designs had a community outreach booth at the Spring Fling event on April 9th in Moore Park. They presented the feedback they received on the park feature options and design options at the April 12, 2022 Council meeting. GGLO presented a four-phase plan at the June 28, 2022 Council meeting based off of the feedback they received from the community on April 9, 2022 and the Council on April 12, 2022.

CURRENT SITUATION:

A plan has been recommenced and it is time to move to the next step of finalizing the design.

ANALYSIS:

- A. **STRATEGIC PLAN** This impacts the strategic plan goal of desirability. Improving a park to create more things to do for our community will make it a desirable place to be.
- B. **FINANCIAL** The Moore Park downtown attraction project has \$70,000 allocated in the budget for design in FY 22-23.
- C. **TIMING** If design is completed in FY 22-23, construction can begin at the beginning of FY 23-24.
- D. **POLICY/LEGAL** The Council is required to approve professional service contracts.

ALTERNATIVES:

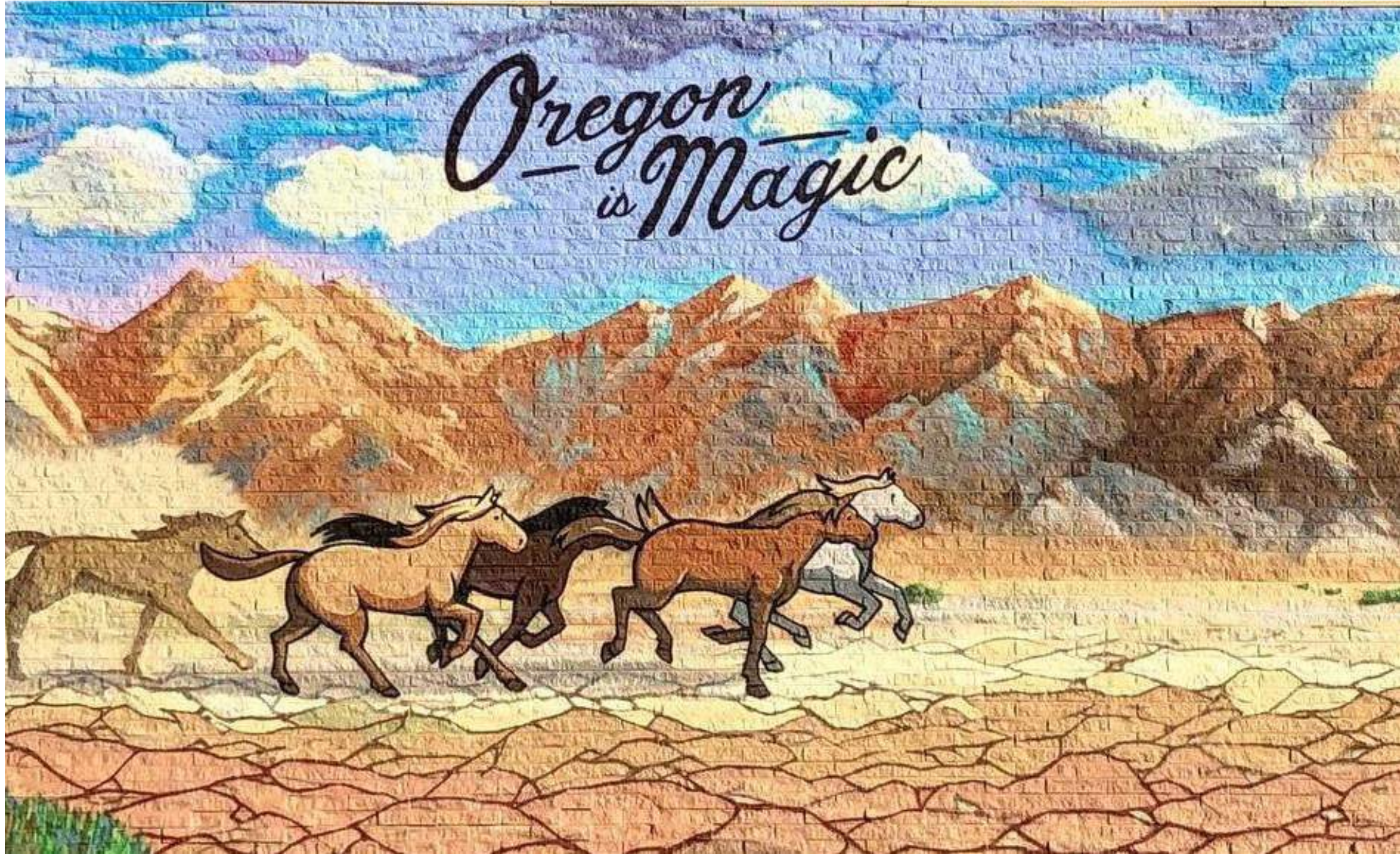
City Council can approve Phase 1 of the project for an amount not to exceed \$70,000.
City Council can table the decision until a future Council meeting.

RECOMMENDATION:

Staff recommends moving forward with the steps presented in the summary.

ATTACHMENTS:

1. GGLO- 20220621_Moore Park_Landscape Package_final_email



The Oregon Mural Trail in Ontario, OR by artist Jesse Hazelip

MOORE PARK

Ontario, OR

GGLO

MOORE PARK
Design Concept
June 21, 2022

DESIGN + DEVELOPMENT TEAM

Owner

City of Ontario
444 SW 4th Street
Ontario, OR 97914



ONTARIO
OREGON
THE GATEWAY TO ADVENTURE

Contact:
Dan Cummings
City Manager Pro Tem

May Swihart
Human Resources Manager /
Assistant to the City Manager

Landscape Architect

GGLO
1199 Shoreline Dr,
Boise, ID 83702
(208) 953-7227

Contact:
Mark Sindell, Principal
msindell@gglo.com
(206) 902 -5672

Michael Lipko, Project Manager
mlipko@gglo.com
(206) 902-5452

Jason Miller, Landscape Architect
jmillerr@gglo.com
(208) 579-5471

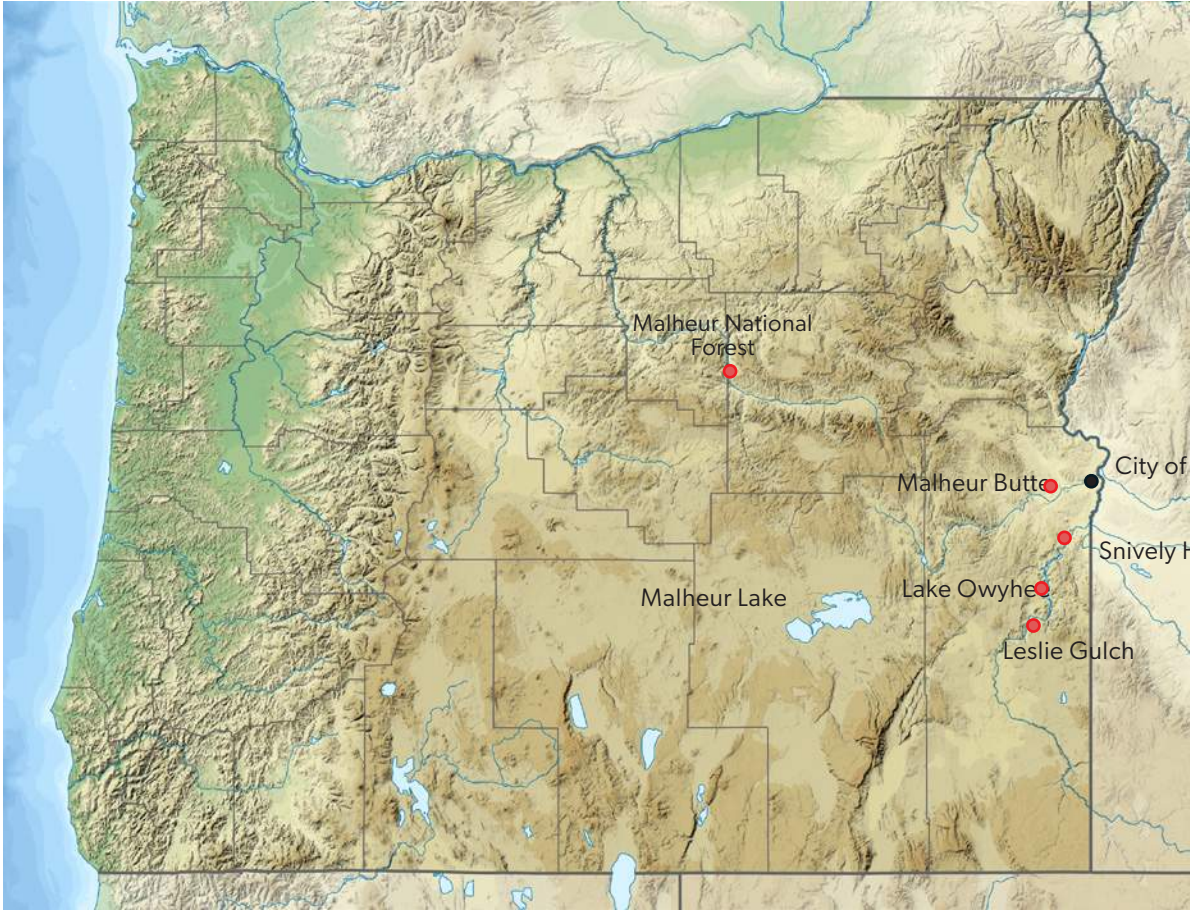
Wayfinding and Project Branding

TRADEMARK
915 West Royal Blvd
Boise, Idaho 83706

Contact:
John Yarnell, Founder / Principal
john@trademarkcreative.com

Andie Kelly, Designer
andie@trademarkcreative.com

4	SECTION 01 REGIONAL AND NATURAL CONTEXT
6	SECTION 02 CULTURAL, HISTORICAL, & ENVIRONMENTAL
8	SECTION 03 ONTARIO COMMUNITY VALUES
9	SECTION 04 SITE ANALYSIS
11	SECTION 05 ACTIVATION TIMELINE AND PLACEMAKING
13	SECTION 06 PROJECT VISION AND CASE STUDIES
20	SECTION 07 PROGRAMMING
22	SECTION 08 PROGRAM DIAGRAMS
25	SECTION 09 PUBLIC PROCESS AND SURVEY RESULTS
35	SECTION 10 SITE PLAN CONCEPT
38	SECTION 11 PROPABLE COST



State of Oregon Recreation Map



Malheur Butte



Succor Creek



Snively Hot Springs



Malheur National Forest



Payette River



Owyhee River



Malheur River



Leslie Gulch

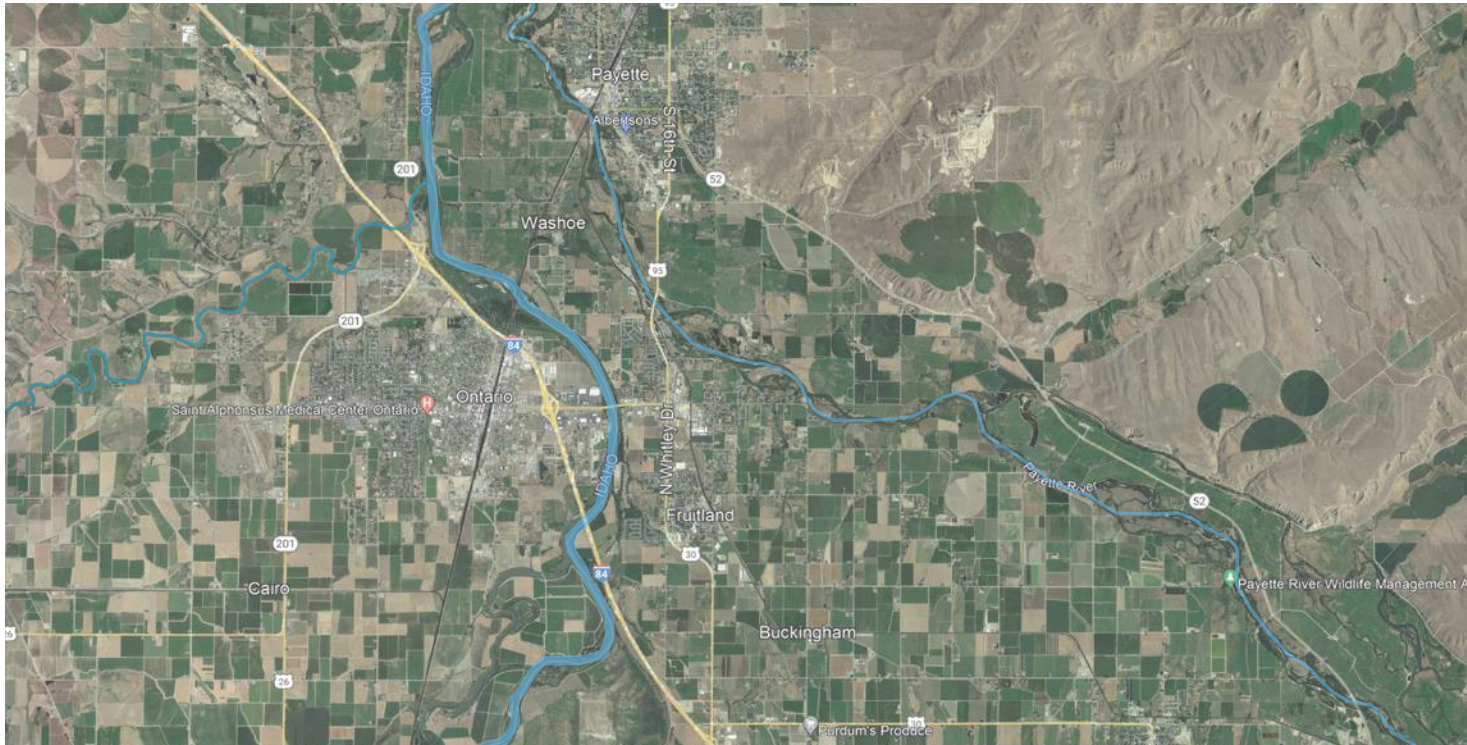


Lake Owyhee

REGIONAL LANDSCAPES

SCENIC LAKES | HOT SPRINGS | CARVED CANYONS

Ontario can attribute most of its geology to the fertile alluvial plain of the Malheur and Snake Rivers. Deposition from lakes and volcanic basalt lava floods once covered thousands of square miles and have eroded to the modern day forms with rich soils and basalt monuments resisting erosion with geothermal hot springs present.



Confluence of Malheur River and Snake River



Payette River



Malheur Butte - Extinct Volcano



Snake River



Malheur River



Owyhee River



Dense basalt and volcanic rock resists erosion

VOLCANIC LANDSCAPE

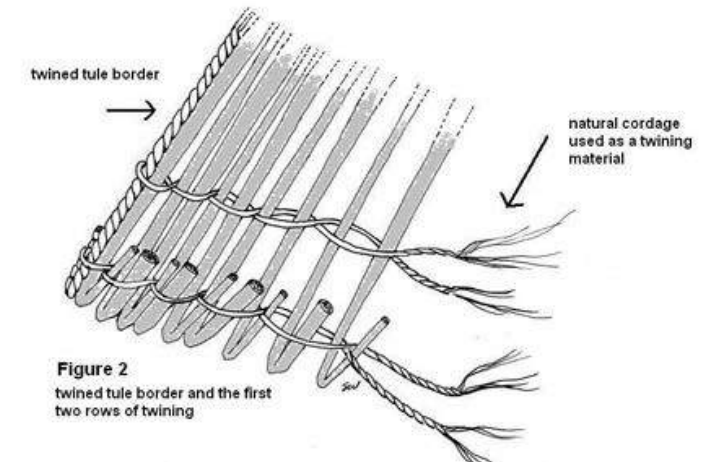
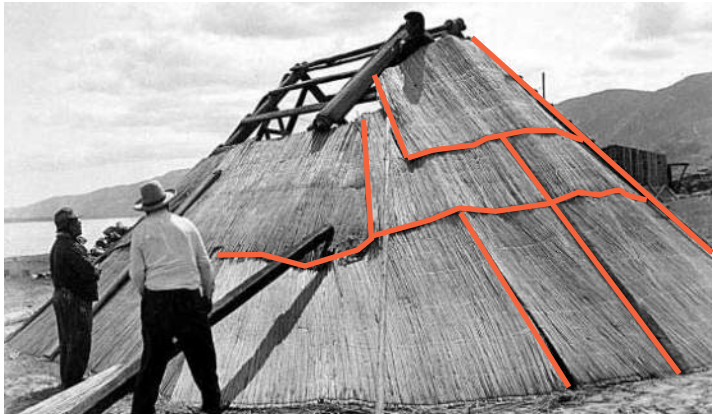
ERODED | SEDIMENTED | VOLCANIC | MEANDERING WATERWAYS | LANDSCAPE CONTRAST

Ontario can attribute most of its geology to the fertile alluvial plain of the Malheur and Snake Rivers. Deposition from lakes and volcanic basalt lava floods once covered thousands of square miles and have eroded to the modern day forms with rich soils and basalt monuments resisting erosion with geothermal hot springs present.

First Nations

Several tribes including Northern Paiute, Nez Perce, Umatilla, Cayuse, Walla Walla and Shoshone inhabited and inhabit the Snake River Valley and eastern Oregon. Many were originally river people, living along tributary streams in what is now eastern Oregon and western Idaho. They fished, traded, and traveled by canoe or on foot. Like other Columbia Plateau peoples, their lives were governed by the “seasonal round.” They moved with the seasons in a pattern based on available foods: toward the Columbia River in the spring, when the salmon began running; to other locations when the berries were ripe or the camas roots -- a nutritious mainstay of the aboriginal diet -- were ready to be harvested.

It is our historical understanding that the dominate tribe in the area was the Northern Paiute.



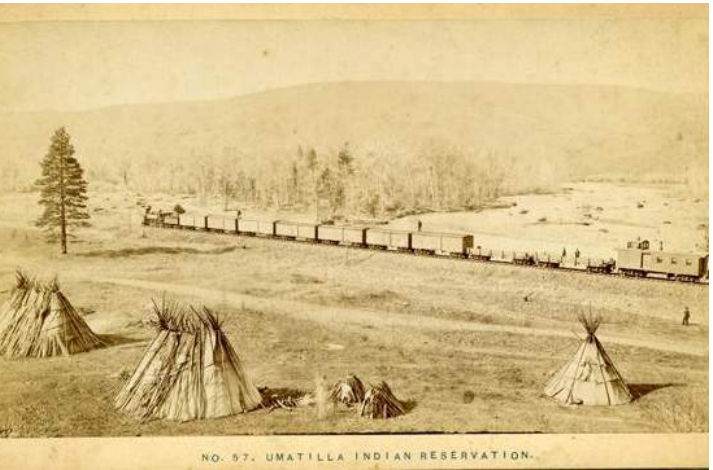
TULE-MAT HOUSE AND TEXTILES

Extended families lived together in rectangular longhouses, held up by wooden poles covered with tule mats. Tule (pronounced “too-lee”) is a type of sedge that swells when wet. Winter rains would cause the tules to swell, closing gaps between them and providing a relatively waterproof structure.



RIVERS AND WATER AS LIFE

Tribal life revolved around rivers and sustenance they provided year-round. They fished, traded, and traveled by canoe or on foot. Winters were spent in villages in the river valleys, where it was easier to find firewood and some shelter from the ever-present wind.



HORSES AND SETTLER CONTACT

Acquisition of the horse led to what historian Theodore Stern has called “a revolution in perspective” for the Cayuses. No longer restricted to what they could carry or what their dogs could pull, they moved into new areas, traveling as far east as the Great Plains and as far west as California, to hunt, trade and fight.

Immigrants

“Where Oregon Begins” was the city’s proud motto, but diving into Ontario’s own historic beginnings reveals a story of migration and a story about how Ontario itself became the truly multicultural community it is today.

Elmo Smith, then Ontario’s mayor and later governor of Oregon, called for the U.S. government to allow Japanese descendants to relocate inland to Ontario since living on the West Coast had been cited as a chief concern. Paired with Malheur County’s desperate need for agricultural workers, Japanese Americans in Oregon were able to abandon the makeshift living quarters at the Portland Assembly Center and escape internment on May 20 following the adoption of Civilian Restrictive Order 2.

The construction of the Oregon Short Line Railroad in 1883 was essential to Ontario’s economic successes and led to an influx of international laborers that included a large arrival of Basques, a sheep herding indigenous ethnic group hailing from the Iberian Peninsula near the Pyrenees mountain range that hugs France and Spain. Ontario wasn’t officially founded until 1899, but one of the five original white American settlers used the opportunity to pay homage to his hometown of Ontario, Canada, in a big way.

As the newly minted Ontario became the livestock industry hub of the region, the public lands provided ample opportunity for grazing. By 1900, the number of sheep in Malheur County had ballooned steadily. Hundreds of Basque inhabited Eastern Oregon and brought along family members. By 1940, the influx slowed, but 1.4 percent of Ontarians in 2010 still identified as Amerikanuak, or of Basque ancestry in the United States.

Thousands of Mexican migrant farmworkers were recruited as part of the Bracero program introduced in 1942 to similarly keep up with the agricultural labor demands. Nearly half a million Mexican workers migrated to Oregon, California, Texas and other states by 1947. Nyssa, Ore. – Fewer than 15 miles south of Ontario – became home to the largest Latinx population due to its proximity to farms, and Ontario followed closely behind.

For Ontarians, diversity is a proud legacy and tradition that continues today.



JAPANESE IMMIGRANTS

Community for Japanese immigrants began with agricultural work during WWII and continues today with the celebration of their culture including the Obon Festival and the Idaho-Oregon buddhist temple. Ontario’s Japanese population remains the largest per capita in Oregon.



MEXICAN IMMIGRANTS

Bracero Program, official title Mexican Farm Labor Program, series of agreements between the U.S. and Mexican to allow temporary laborers from Mexico, known as braceros, to work legally in the United States. Latinx students now account for 67 percent of all students enrolled in the Ontario School District.



EUROPEAN IMMIGRANTS

The construction of the Oregon Short Line Railroad in 1883 was essential to Ontario’s economic successes and led to an influx of international laborers that included Basques, a sheep herding indigenous ethnic group hailing from the Pyrenees mountain range that hugs France and Spain. Ontario wasn’t officially founded until 1899, but one of the five original settlers used the opportunity to pay homage to his hometown of Ontario, Canada,

Modern Day Ontario

Ontario today is a community built on the history of the rich agricultural soil provided by the confluence of four rivers. Residents have a strong connection to the community and appreciate the strong history and identity of the town. The town is surround by scenic natural landscapes which have abundant opportunities for recreation.

AGRICULTURE



Agricultural Production

RIVERS AND WATER AS LIFE



Recreation

ART AND CULTURE



Community Gathering



Farmer's Market



Play



Cultural Events

LOCAL BUSINESS
SUPPORT

WELCOMING
ATTITUDE

AGRICULTURAL
ROOTS

FAMILY FRIENDLY

RESPECT FOR
GEOLOGY AND
WATERSHED

GATEWAY TO
ADVENTURE

SAFE AND HEALTHY

COMMUNITY
INVOLVEMENT

LARGE COMMUNITY
CELEBRATIONS

NEIGHBORLY

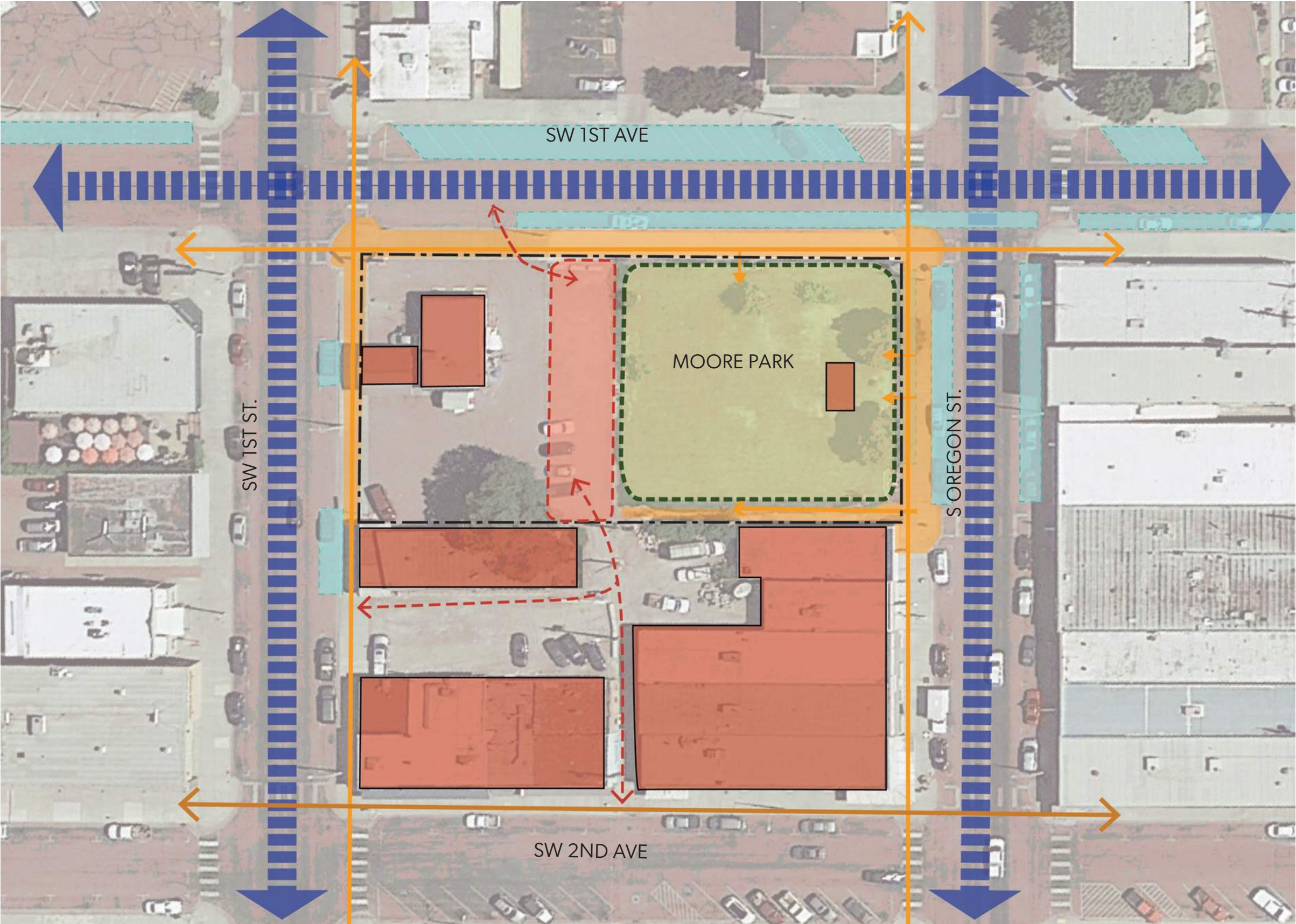
COMMUNITY
PRIDE

STRONG IDENTITY
& HISTORY

ACCESS & USE DIAGRAM

LEGEND

-  Pedestrian Zone
-  Maintenance Access
-  Adjacent Parking
-  Existing Lawn
-  Adjacent Buildings
-  Primary Pedestrian Circulation
-  Vehicular Route
-  Maintenance Route
-  Moore Park Boundary



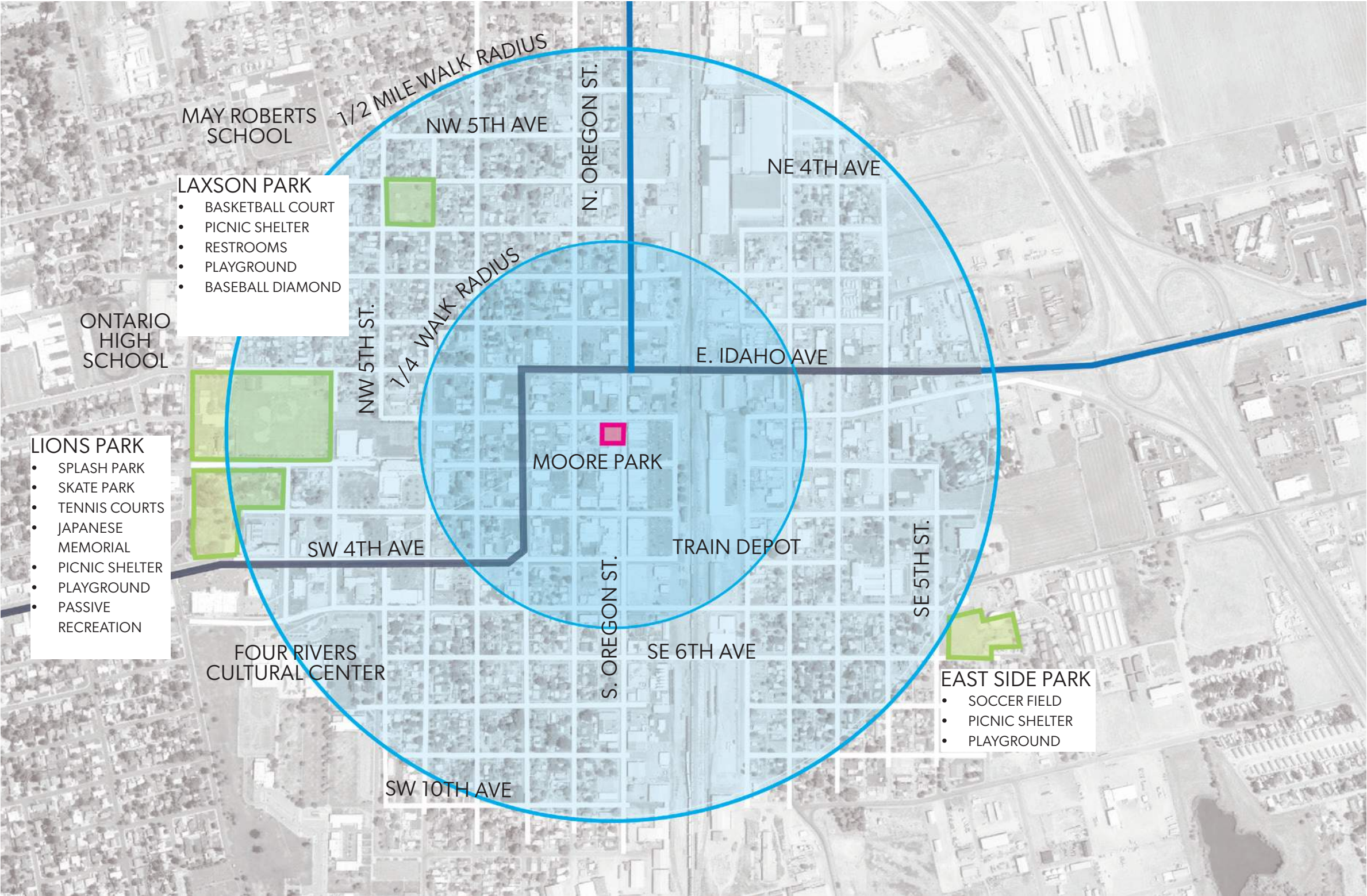
LEGEND

MOORE PARK

MAIN STREET

ONTARIO PARKS

BIKE ROUTES





4th of July Parade & Fireworks



Winter Wonderland Parade



Tater Tot Festival



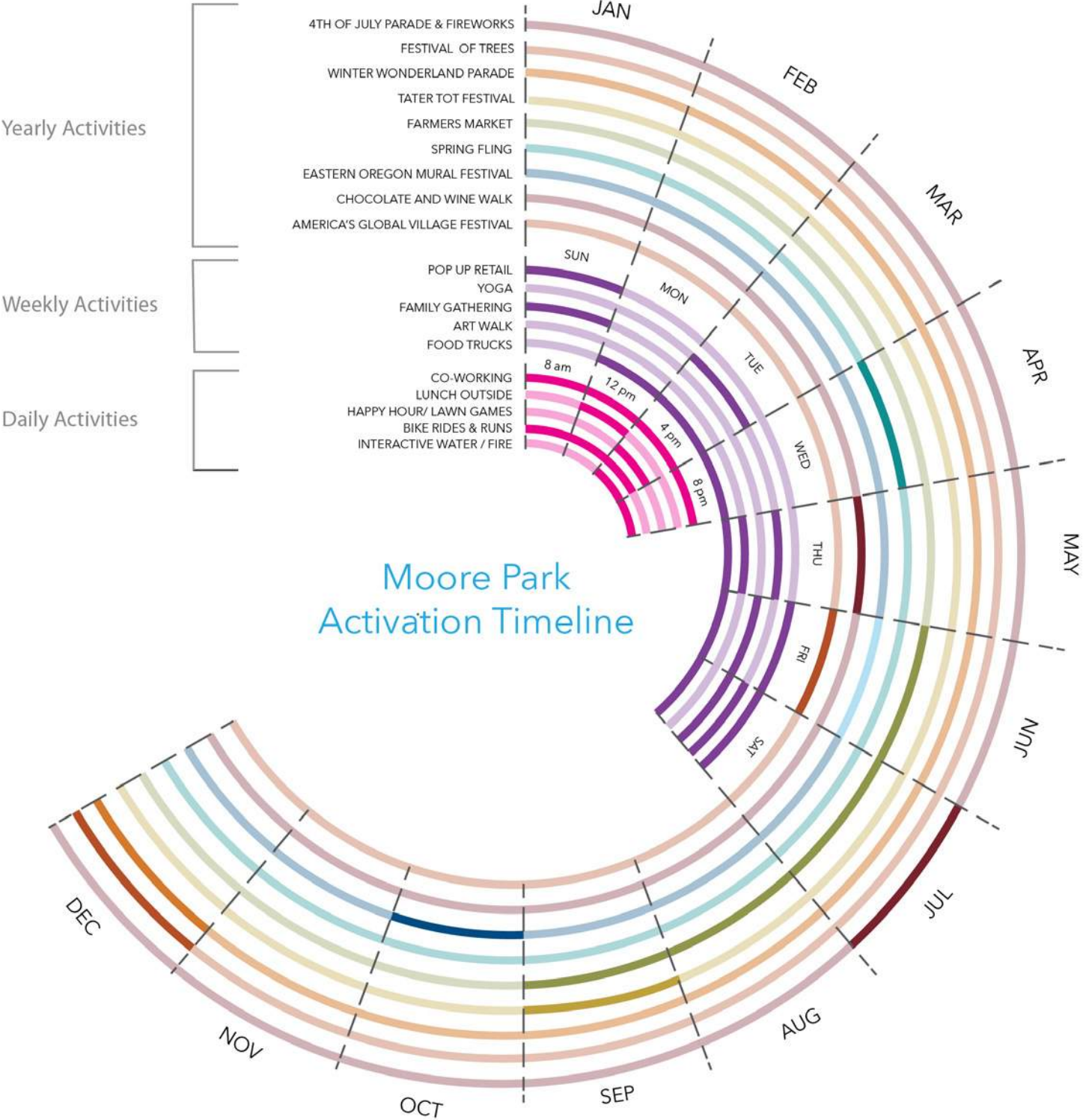
Farmers Market



Chocolate and Wine Walk



America's Global Village Festival



THE POWER OF 10+

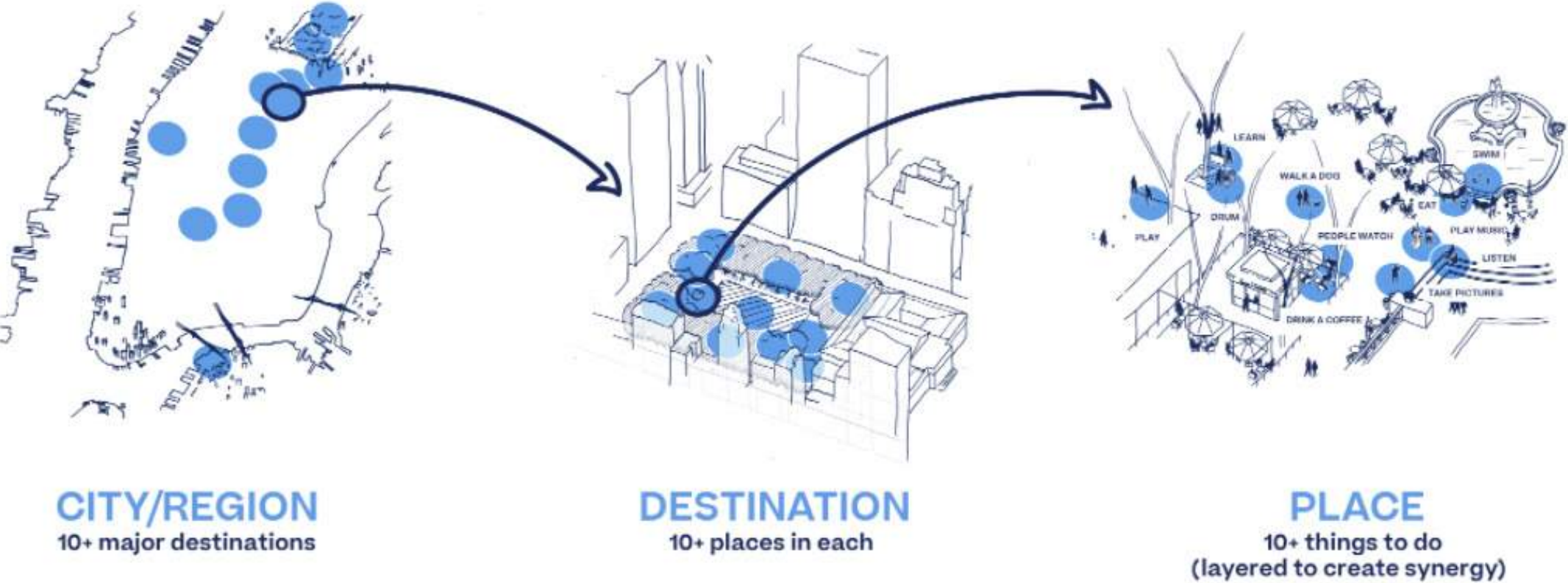
The Power of 10+ is a concept Project for Public Spaces developed to evaluate and facilitate Place making at multiple city scales. It is a powerful tool for generating constructive conversations to identify targeted Place making efforts. Cities succeed or fail at the human scale—the place scale—and this scale is often overlooked. The Power of 10+ shows how paying attention to the human experience when building a city’s destinations and districts can have immediate and widespread impacts.

The idea behind this concept is that places thrive when users have a range of reasons (10+) to be there. These might include a place to sit, playgrounds to enjoy, art to touch, music to hear, food to eat, history to experience, and people to meet. Ideally, some of these activities will be unique to that particular place, reflecting the culture and history of the surrounding community. Local residents who use this space most regularly will be the best source of ideas for which uses will work best.

Further, when cities contain at least 10 of these destinations or districts, their public perception begins to shift amongst both locals and tourists, and urban centers can become better equipped for generating resilience and innovation.

Power of 10+

How Cities Transform Through Placemaking



Project
for Public
Spaces

PROGRAM & ACTIVITIES	↑ GRAND	Summer Concert	
		Winter Festival	
		Kids' Carnival	
		Craft Beer Festival	
		Block Party	
	—	Movie Night	
		Ice Skating	
		Performance	
		Ice Sculpture Competition	
		Dog Show	
		Pop-Up Retail	
		Food Trucks	
		Splash Play	
		Outdoor Gallery	
		Tai Chi, Yoga & Zumba	
		Lawn Games	
		Snow Play	
		Pop-Up Dining	
		Chess & Ping Pong	
		Picnic	
		Daily Casual Gathering	
		Art Cart	
	↓ INTIMATE	Book Cart	
		Casual Seating	
		Sun Bathing	
		Information Kiosk	

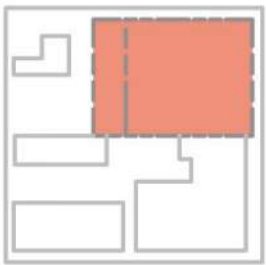


Project Size Comparison

Open Space Buildings



Indian Creek Plaza (68,000 sf)



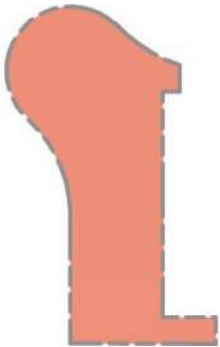
Moore Park (21,609 sf)

PROGRAM & ACTIVITIES	↑ GRAND	Summer Concert	
		Winter Festival	
		Kids' Carnival	
		Craft Beer Festival	
		Block Party	
	↓ INTIMATE	Movie Night	
		Ice Skating	
		Performance	
		Ice Sculpture Competition	
		Dog Show	
		Pop-Up Retail	
		Food Trucks	
		Splash Play	
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		Information Kiosk	

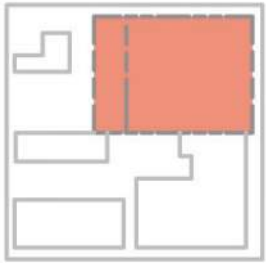


Project Size Comparison

Open Space
Buildings

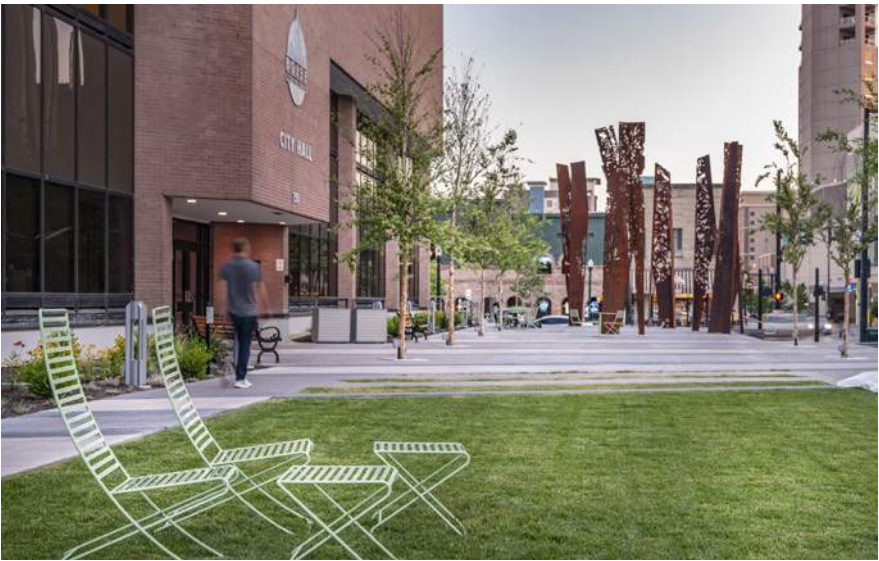


Burien Town Square Park (44,760 sf)



Moore Park (21,609 sf)

PROGRAM & ACTIVITIES	↑ GRAND	Summer Concert	
		Winter Festival	
		Kids' Carnival	
		Craft Beer Festival	
		Block Party	
		Movie Night	
	↓ INTIMATE	Ice Skating	
		Performance	
		Ice Sculpture Competition	
		Dog Show	
		Pop-Up Retail	
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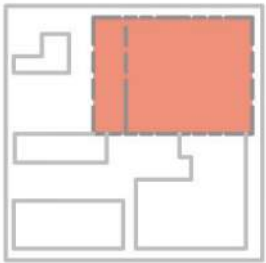


Project Size Comparison

Open Space Buildings



Boise City Hall (13,895 sf)



Moore Park (21,609 sf)

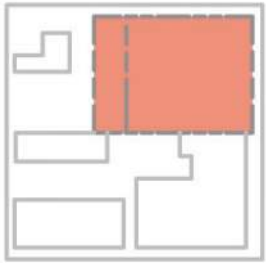
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		Picnic	
	↓ INTIMATE	Daily Casual Gathering	
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		Book Cart	
		Casual Seating	
		Sun Bathing	
		Information Kiosk	



Project Size Comparison



Cherie Buckner-Webb Park (32,550 sf)



Moore Park (21,609 sf)

POTENTIAL SITE AMENITIES



Interactive Water Feature/ Geologic Stream



Winter Light Festival



Food Truck Plaza



Geologically Inspired Fire Feature



Active Lawn Area



Food/ Beer/ Wine Festivals



Elevated Stage



Iconic Interactive Public Art



Covered Stage/ Performance Area



Flexible Seating



Pop-Up Retail



Fixed Seating with Lighting

POTENTIAL SITE ELEMENTS AND PLACE MAKING FEATURES



Festival Lighting, Fixed Seating and Movable Furn.



Flexible and Passive Lawn



Rocks and Geology for Interactive Play and Education



Planting to define spaces and provide seasonality



Shade Trees with Decomposed Granite and Site Furn.



Boulders and Geological Formations for Interactive Play



Native Planting that evokes place and region



Torii Gate meets Rustic Ranch Gate



Ribbon Wall as Fixed Seating and Geologic Element



YouTuber Shed as Folly and Instagram Muse



Gas Station Canopy - Period Architecture with Cultural History - Upcycle and Reuse as Shade Structure or Performance Stage



Iconic Signage as Gateway

PRECEDENT PUBLIC ART, BRANDING, WAYFINDING AND INTERPRETIVE COMPONENTS



Indian Creek Plaza Destination Signage



Indian Creek Plaza Destination Signage



Indian Creek Plaza - Donor Recognition



Indian Creek Plaza Destination Signage



Rhodes Skate Park - Landmark Letters



Rhodes Skate Park - Landmark Letters



Rhodes Skate Park - Finch Tower



Rhodes Skate Park - Donor Wall



Rhodes Skate Park - Interpretative Signage



City of Ontario Brand Identity



City of Ontario Wayfinding Signage

		PRECEDENT STUDIES				
		INDIAN CREEK PLAZA	CHERIE-BUCKNER-WEBB PARK	BOISE CITY HALL	BURIEN TOWN SQUARE PARK	MOORE PARK
		Caldwell, ID	Boise, ID	Boise, ID	City of Burien, WA	Ontario, OR
PROGRAM & ACTIVITIES	↑ GRAND ↓	Summer Concert				
		Winter Festival				
		Geological Feature				
		Temporarily Covered Stage				
		Host Events: Music, Arts, Food				
		Public Art				Shed as Art
		Plaza				
		Fire Feature				
		Active Lawn Area				
		Wayfinding				
		Food Truck Plaza				
		Adjacent Food & Beverage/ Retail				
		Adjacent Farmers Market				Saturday Market
		Interactive Water Feature				
		Fixed and Movable Seating				
		Bioretention/ Snow Storage				
		Shade Trees				
		Drought Tolerant Planting				
		Pop-Up Retail / Vendors				
		Pop-Up Dining				
		Plaza/ Park Fitness				
		Yard Games				
	↓ INTIMATE ↑	Daily Casual Gathering				

RECOMMENDED SITE AMENITIES & PROGRAMMED EVENTS

MOORE PARK	
Ontario, OR	
Live Music	
Holiday Lighting Festival	
Cultural Events	
Covered Stage	
Host Events: Music, Arts, Food	
Public Art	Shed as Art
Plaza	
Fire Feature	
Flexible Lawn Area	
Wayfinding / Park Signage	
Food Truck Plaza	
Adjacent Food & Beverage/ Retail	
Farmers Market	Saturday Market
Water Feature	
Fixed and Movable Seating	
Restrooms	
Shade Trees	
Drought Tolerant Planting	
Pop-Up Retail / Vendors	
Pop-Up Dining	
Plaza/ Park Fitness	
Yard Games	
Daily Casual Gathering	

WE ENVISION MOORE PARK AS A **FLEXIBLE, MULTI-USE** SPACE THAT CAN ADAPT TO PROGRAMS FOR **ALL FOUR SEASONS**. MOORE PARK CAN BECOME A SPACE THAT FEELS COMFORTABLE FOR MORE **INTIMATE, EVERYDAY USE**, AND FUNCTION FOR **LARGE SEASONAL EVENTS** THAT ATTRACT THE BROADER WESTERN TREASURE VALLEY OF IDAHO AND MALHEUR COUNTY COMMUNITIES. BY BUILDING OFF OF ALREADY ESTABLISHED LOCAL EVENTS AND CREATING ROOM FOR NEW PROGRAMS TO ARISE, MOORE PARK HAS THE POTENTIAL TO BE **THE CORE OF DOWNTOWN ONTARIO**.



Shaded Seating



Market Street



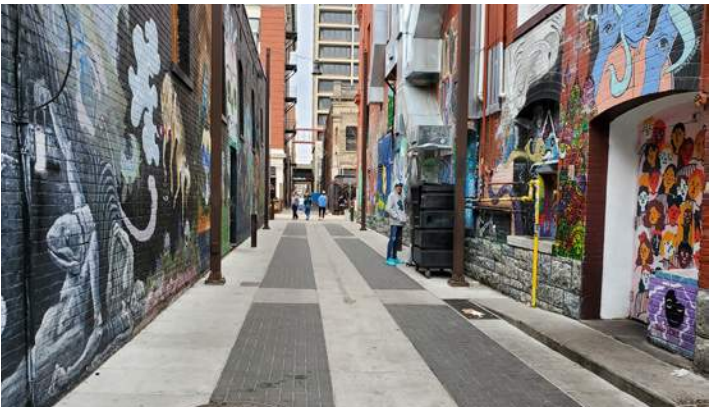
Water Feature



Fire Feature



Food Truck Plaza and Vending



Public Art Gallery

PROGRAMMATIC DIAGRAM

LEGEND

- Flexible Lawn / Shade
- Outdoor Seating
- Plaza and Event Space
- Covered Space
- Enhanced Streetscape
- Boulder Arrangement
- Interactive Water Play
- Mural - 2D Art
- Enhanced Walking Space
- Trail Connection
- Existing Shade Tree



PROGRAMMATIC DIAGRAM

LEGEND

- | | |
|---|------------------------|
|  | Flexible Lawn / Shade |
|  | Outdoor Seating |
|  | Plaza and Event Space |
|  | Covered Space |
|  | Enhanced Streetscape |
|  | Boulder Arrangement |
|  | Interactive Water Play |
|  | Mural - 2D Art |
|  | Enhanced Walking Space |
|  | Trail Connection |
|  | Existing Shade Tree |



PROGRAMMATIC DIAGRAM

LEGEND

- Flexible Lawn / Shade
- Outdoor Seating
- Plaza and Event Space
- Covered Space
- Enhanced Streetscape
- Boulder Arrangement
- Interactive Water Play
- Mural - 2D Art
- Enhanced Walking Space
- Trail Connection
- Existing Shade Tree



The public outreach process consisted of an online public survey and questionnaire and a visual preference survey conducted in person at the 2022 Spring Fling. Results provided through public feedback were then used to finalize the Site Concept Plan.



PREFERRED EVENTS - ONLINE SURVEY:

- 1. Farmers Market
- 2. Live Music
- 3. Food & Drink
- 4. Holiday Lighting
- 5. Pop-Retail & Dining
- 6. Cultural Events

PREFERRED AMENITIES - ONLINE SURVEY:

- 1. Shaded Seating Areas
- 2. Vending & Food Trucks
- 3. Plaza with Fire Pits
- 4. Market Street
- 5. Restrooms

PREFERRED FEATURES - ONLINE SURVEY:

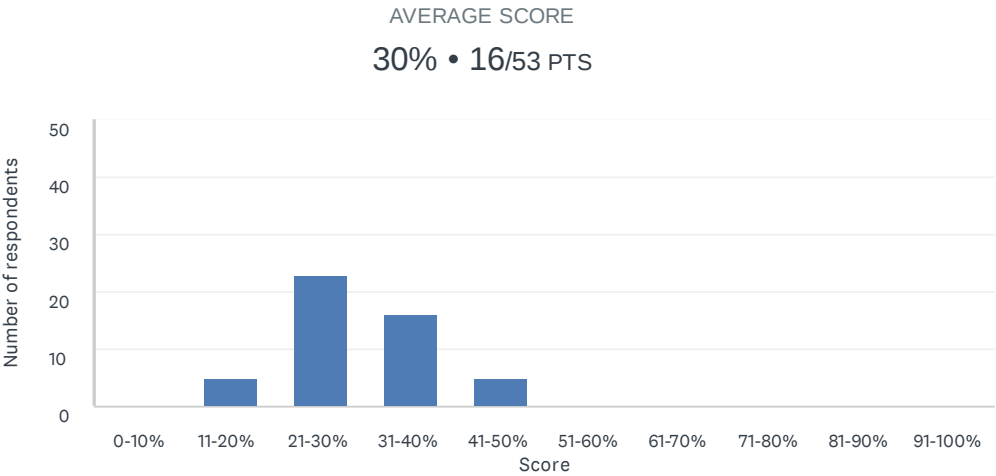
- 1. Performance Stage (Option B)
- 2. Flexible Lawn (Option C)
- 3. Fire Pit & Plaza Seating (Option B)
- 4. Native Meadow (Option A)
- 5. Water Feature (Option A); Geologic Stream (Option C)

PREFERRED - SPRING FLING:

- 1. Shaded Seating
- 2. Fire Pit & Plaza Seating
- 3. Water Feature (all versions)
- 4. Flexible Lawn
- 5. Repurpose Existing Gas Station Canopy
- 6. New Performance Stage
- 7. Farmers Market Street
- 8. Option ‘C’

Moore Park - Programming and Visioning Public Survey

Quiz Summary



STATISTICS		
Lowest Score	Median	Highest Score
13%	30%	49%
Mean: 30%		
Standard Deviation: 8%		

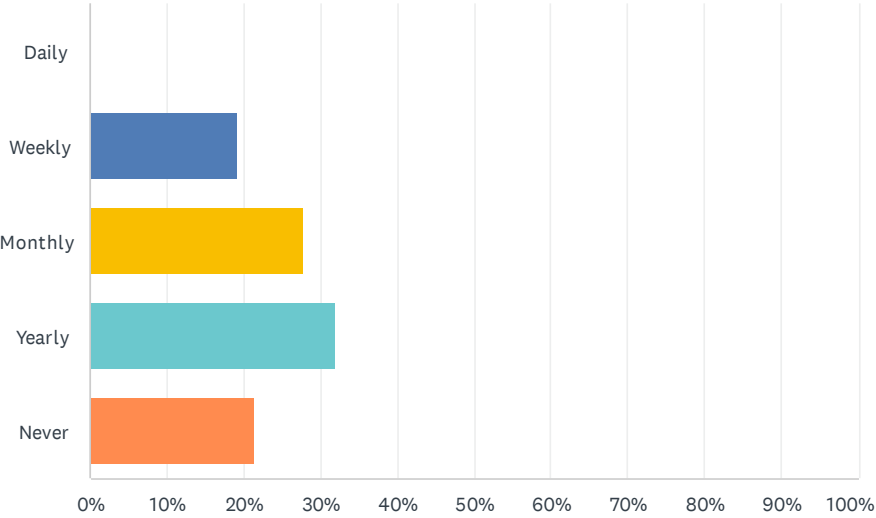
Question Ranking

QUESTIONS (7)	DIFFICULTY	AVERAGE SCORE
Q4 Out of the proposed park amenities displayed above (labeled A-X), what are your top 3 programmatic park amenity priorities for this park? (Choose up to 3)	1	14%
Q7 Out of the 3 Program Options diagrams displayed above, what are you favorite early concept images associated with each of the individual program diagram. (Choose 2 images per Diagram: Example selection - Diagram A - Native Meadow and Entry Gate Marquee Letters; Diagram B - Splay Play and Performance State; Diagram C - Geologic Stream and Flexible Lawn)	2	30%
Q3 What type of special events would you like to see at the renovated Moore Park? (Choose up to 5)	3	49%
Q2 How many events do you attend downtown annually?	4	100%
Q6 How often do you plan to visit the park after it's renovated?	4	100%
Q1 How often do you visit the park?	4	100%
Q5 How long have you lived or resided in Ontario?	4	100%

Moore Park - Programming and Visioning Public Survey

Q1 How often do you visit the park?

Answered: 47 Skipped: 2

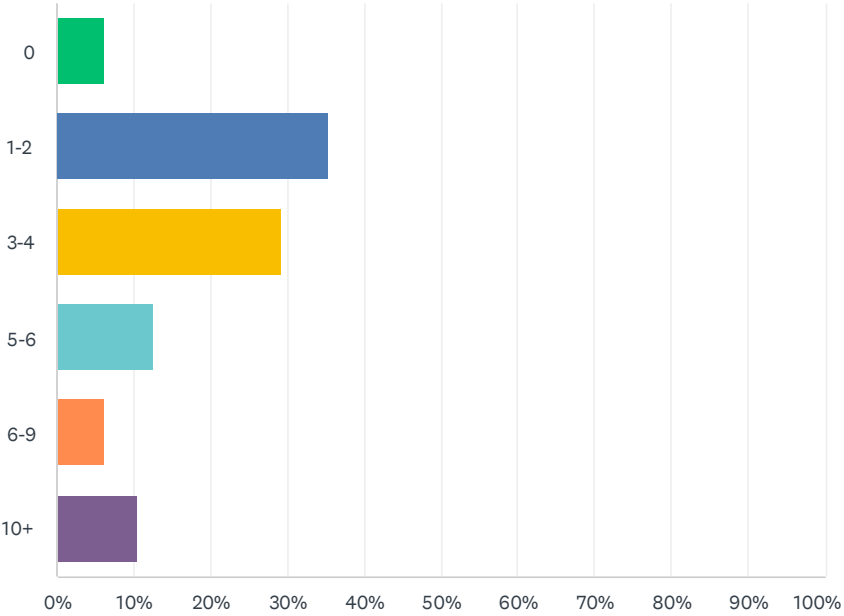


QUIZ STATISTICS			
Percent Correct 96%		Average Score 1.0/1.0 (100%)	Standard Deviation 0.00
		Difficulty 4/7	
ANSWER CHOICES	SCORE	RESPONSES	
✓ Daily	1/1	0.00%	0
✓ Weekly	1/1	19.15%	9
✓ Monthly	1/1	27.66%	13
✓ Yearly	1/1	31.91%	15
✓ Never	1/1	21.28%	10
TOTAL			47

Moore Park - Programming and Visioning Public Survey

Q2 How many events do you attend downtown annually?

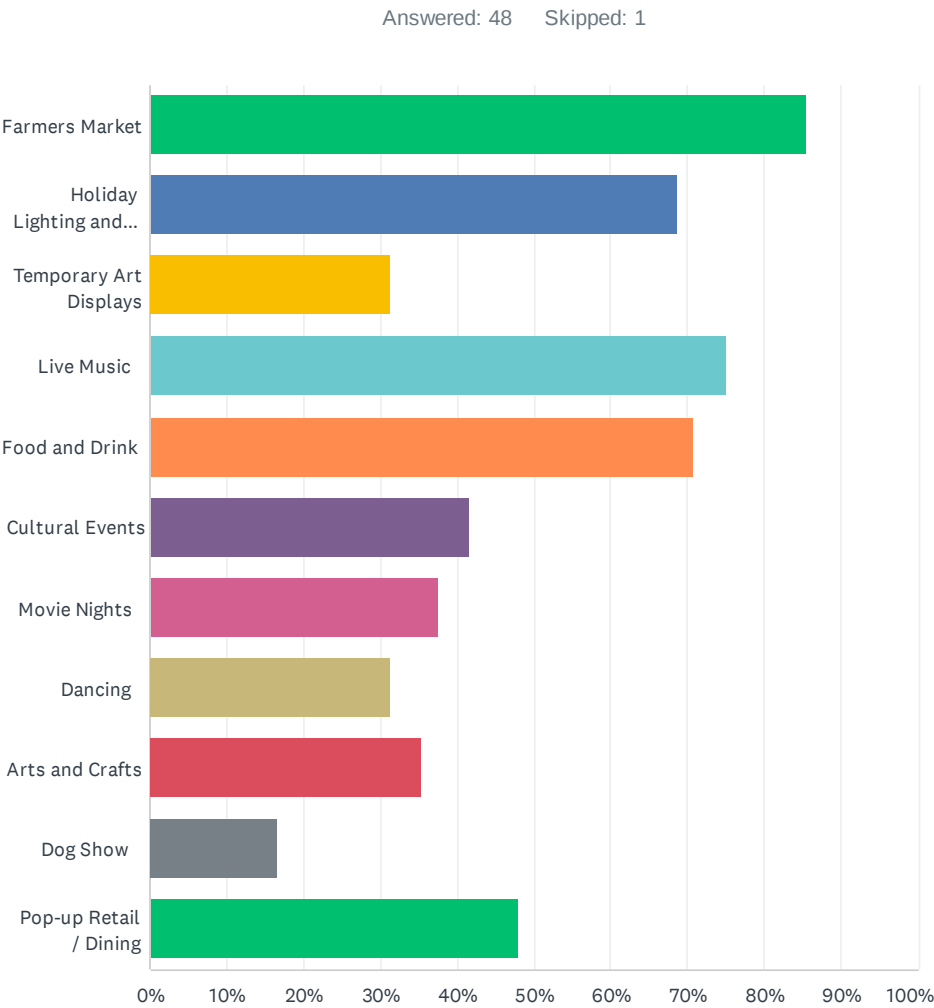
Answered: 48 Skipped: 1



QUIZ STATISTICS			
Percent Correct 98%		Average Score 1.0/1.0 (100%)	Standard Deviation 0.00
		Difficulty 4/7	
ANSWER CHOICES	SCORE	RESPONSES	
✓ 0	1/1	6.25%	3
✓ 1-2	1/1	35.42%	17
✓ 3-4	1/1	29.17%	14
✓ 5-6	1/1	12.50%	6
✓ 6-9	1/1	6.25%	3
✓ 10+	1/1	10.42%	5
TOTAL			48

Moore Park - Programming and Visioning Public Survey

Q3 What type of special events would you like to see at the renovated Moore Park? (Choose up to 5)



QUIZ STATISTICS			
Percent Correct	Average Score	Standard Deviation	Difficulty
4%	5.4/11.0 (49%)	2.19	3/7

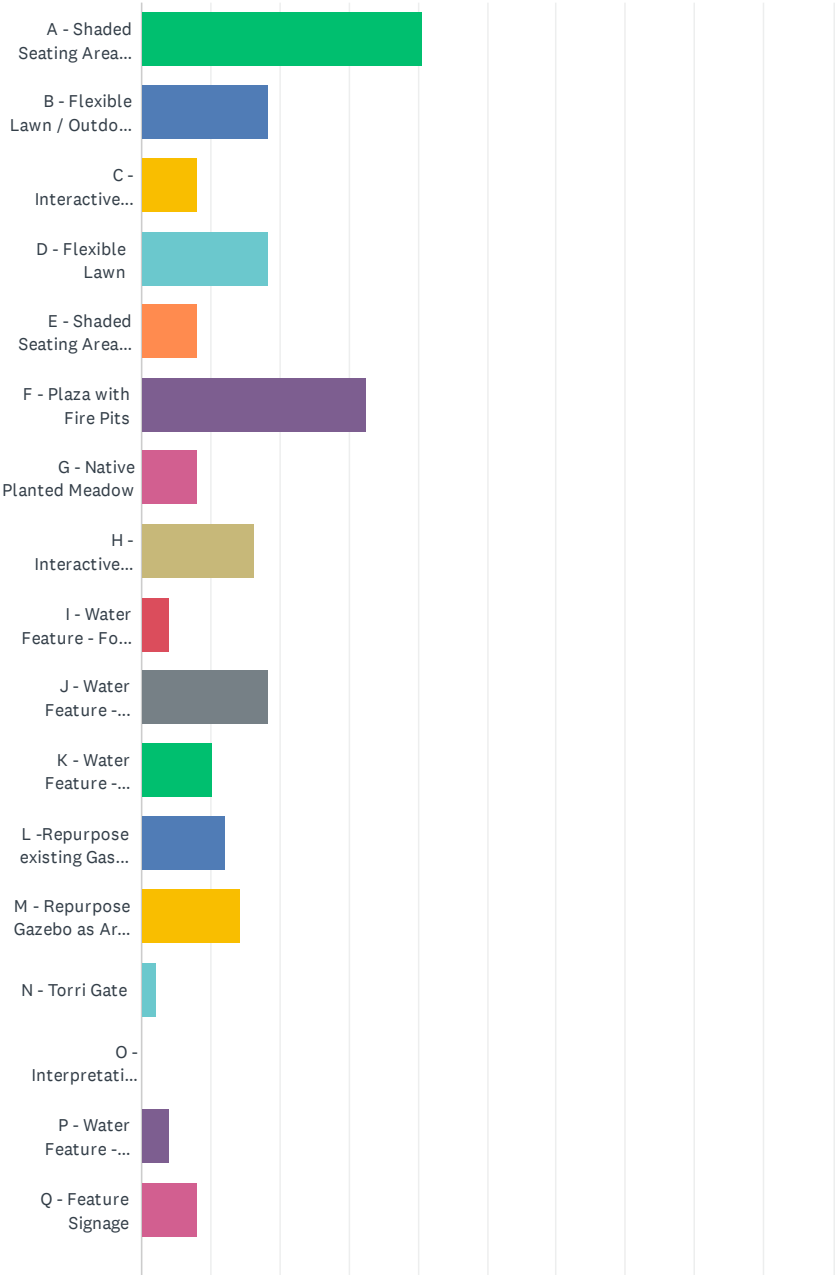
Moore Park - Programming and Visioning Public Survey

ANSWER CHOICES	SCORE	RESPONSES	
✓ Farmers Market	1/11	85.42%	41
✓ Holiday Lighting and/or Winter Festival	1/11	68.75%	33
✓ Temporary Art Displays	1/11	31.25%	15
✓ Live Music	1/11	75.00%	36
✓ Food and Drink	1/11	70.83%	34
✓ Cultural Events	1/11	41.67%	20
✓ Movie Nights	1/11	37.50%	18
✓ Dancing	1/11	31.25%	15
✓ Arts and Crafts	1/11	35.42%	17
✓ Dog Show	1/11	16.67%	8
✓ Pop-up Retail / Dining	1/11	47.92%	23
Total Respondents: 48			

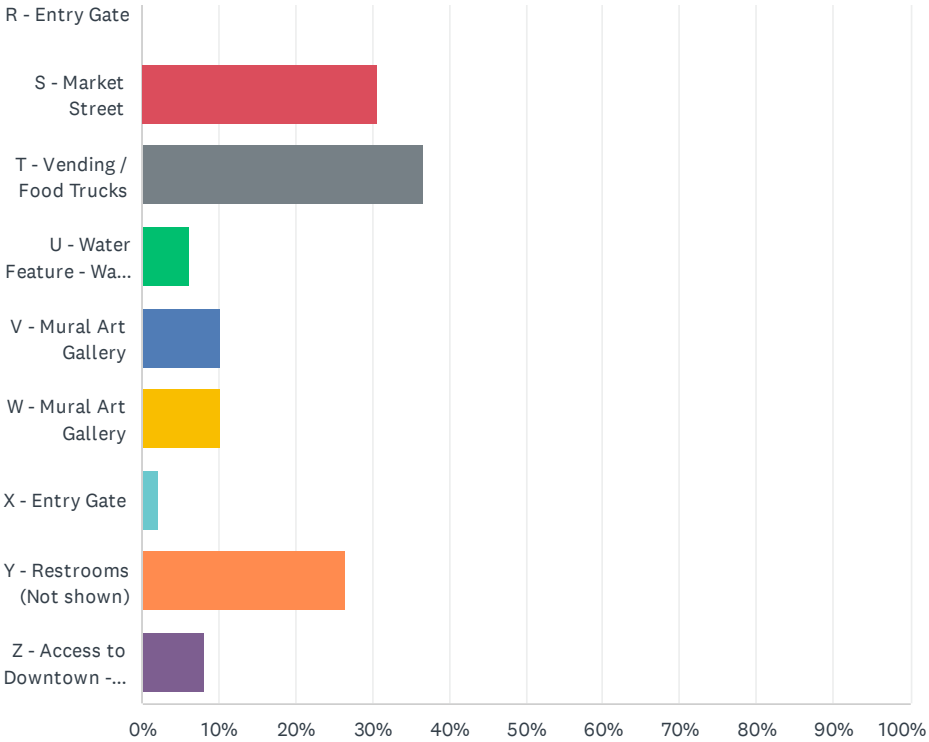
Moore Park - Programming and Visioning Public Survey

Q4 Out of the proposed park amenities displayed above (labeled A-X), what are your top 3 programmatic park amenity priorities for this park?
(Choose up to 3)

Answered: 49 Skipped: 0



Moore Park - Programming and Visioning Public Survey



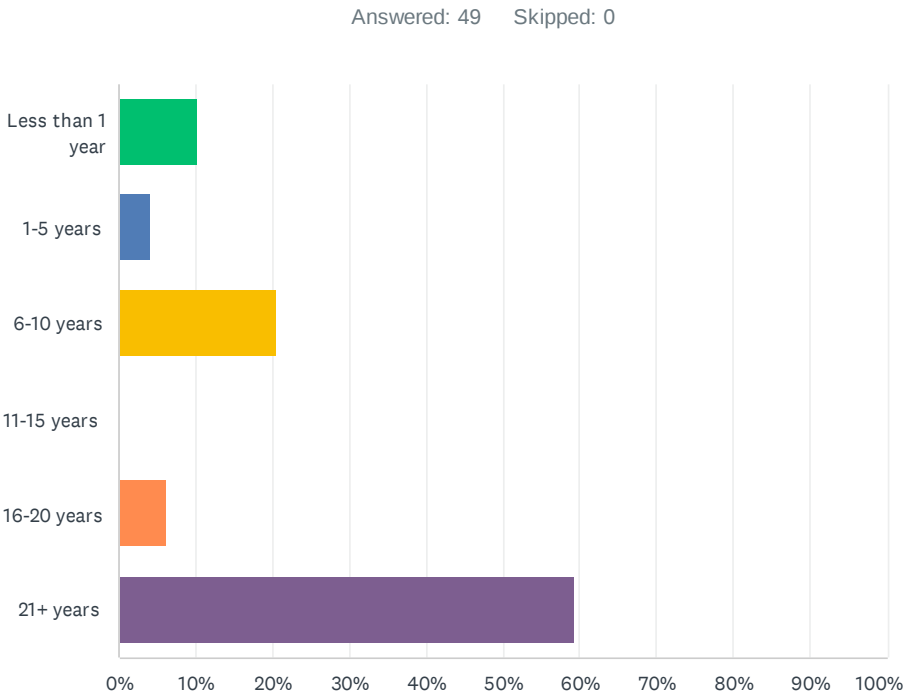
QUIZ STATISTICS			
Percent Correct	Average Score	Standard Deviation	Difficulty
0%	3.6/26.0 (14%)	1.65	1/7

Moore Park - Programming and Visioning Public Survey

ANSWER CHOICES	SCORE	RESPONSES	
✓ A - Shaded Seating Areas - Fixed and Movable furnishings	1/26	40.82%	20
✓ B - Flexible Lawn / Outdoor Games	1/26	18.37%	9
✓ C - Interactive Geology	1/26	8.16%	4
✓ D - Flexible Lawn	1/26	18.37%	9
✓ E - Shaded Seating Areas - Fixed and Movable furnishings	1/26	8.16%	4
✓ F - Plaza with Fire Pits	1/26	32.65%	16
✓ G - Native Planted Meadow	1/26	8.16%	4
✓ H - Interactive Public Art	1/26	16.33%	8
✓ I - Water Feature - Fog Spray	1/26	4.08%	2
✓ J - Water Feature - Geologic Stream	1/26	18.37%	9
✓ K - Water Feature - Splash Play	1/26	10.20%	5
✓ L -Repurpose existing Gas Station Canopy	1/26	12.24%	6
✓ M - Repurpose Gazebo as Art Piece	1/26	14.29%	7
✓ N - Torri Gate	1/26	2.04%	1
✓ O - Interpretative Signage	1/26	0.00%	0
✓ P - Water Feature - Splash Play	1/26	4.08%	2
✓ Q - Feature Signage	1/26	8.16%	4
✓ R - Entry Gate	1/26	0.00%	0
✓ S - Market Street	1/26	30.61%	15
✓ T - Vending / Food Trucks	1/26	36.73%	18
✓ U - Water Feature - Water Runnel	1/26	6.12%	3
✓ V - Mural Art Gallery	1/26	10.20%	5
✓ W - Mural Art Gallery	1/26	10.20%	5
✓ X - Entry Gate	1/26	2.04%	1
✓ Y - Restrooms (Not shown)	1/26	26.53%	13
✓ Z - Access to Downtown - Dining / Shopping (Not shown)	1/26	8.16%	4
Total Respondents: 49			

Moore Park - Programming and Visioning Public Survey

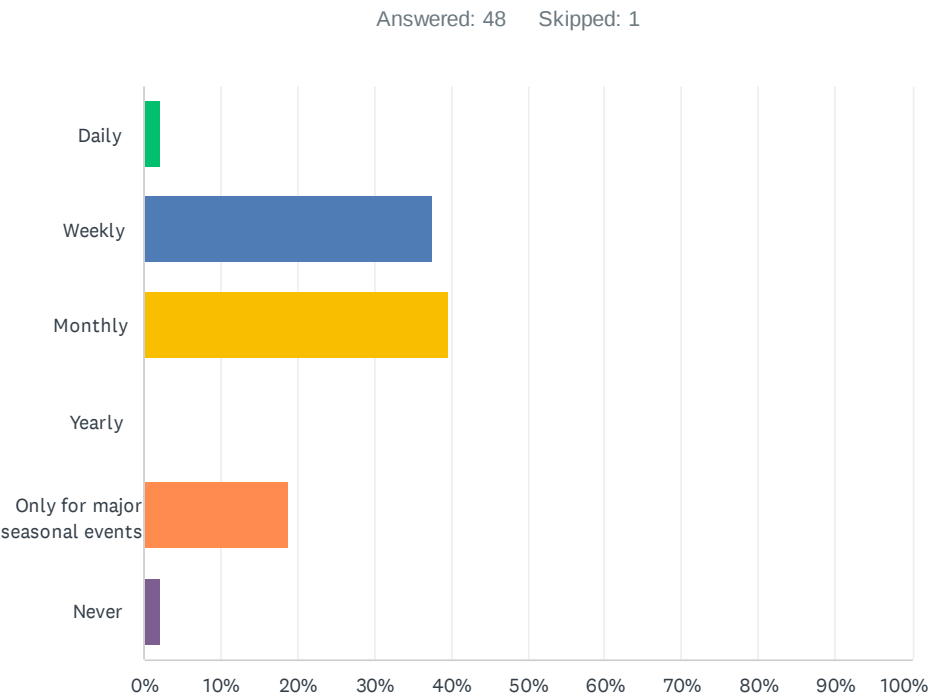
Q5 How long have you lived or resided in Ontario?



QUIZ STATISTICS			
Percent Correct 100%	Average Score 1.0/1.0 (100%)	Standard Deviation 0.00	Difficulty 4/7
ANSWER CHOICES	SCORE	RESPONSES	
✓ Less than 1 year	1/1	10.20%	5
✓ 1-5 years	1/1	4.08%	2
✓ 6-10 years	1/1	20.41%	10
✓ 11-15 years	1/1	0.00%	0
✓ 16-20 years	1/1	6.12%	3
✓ 21+ years	1/1	59.18%	29
TOTAL			49

Moore Park - Programming and Visioning Public Survey

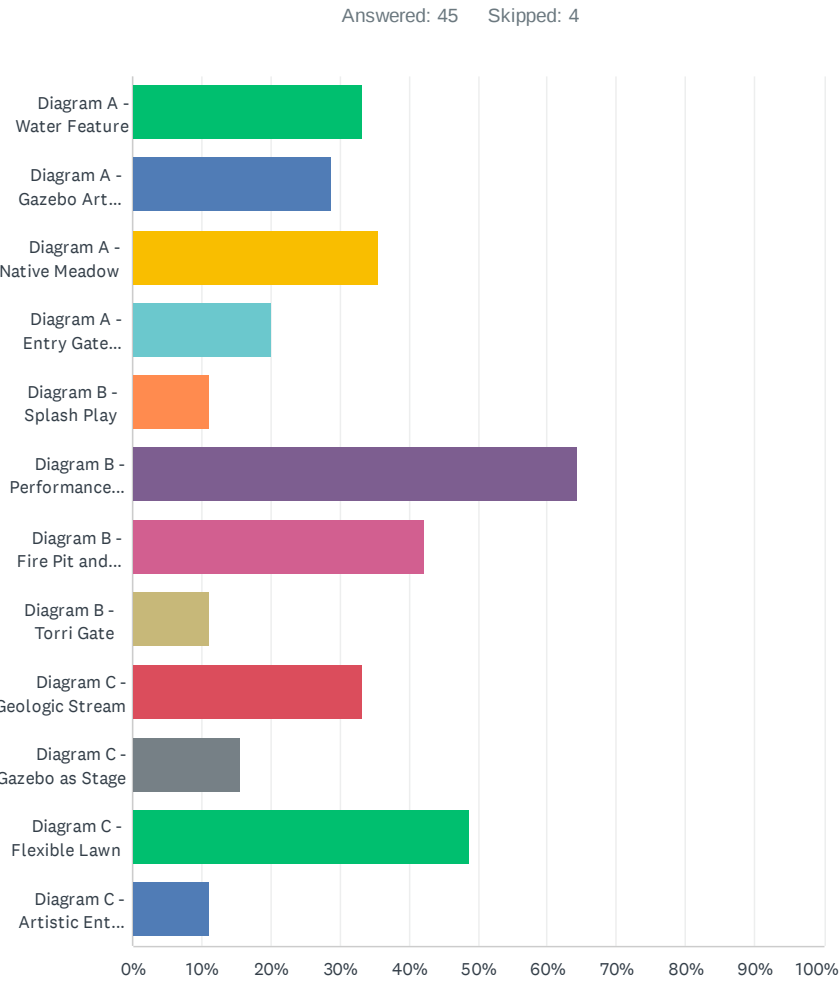
Q6 How often do you plan to visit the park after it's renovated?



QUIZ STATISTICS			
Percent Correct	Average Score	Standard Deviation	Difficulty
98%	1.0/1.0 (100%)	0.00	4/7
ANSWER CHOICES		SCORE	RESPONSES
✓ Daily	1/1	2.08%	1
✓ Weekly	1/1	37.50%	18
✓ Monthly	1/1	39.58%	19
✓ Yearly	1/1	0.00%	0
✓ Only for major seasonal events	1/1	18.75%	9
✓ Never	1/1	2.08%	1
TOTAL			48

Moore Park - Programming and Visioning Public Survey

Q7 Out of the 3 Program Options diagrams displayed above, what are you favorite early concept images associated with each of the individual program diagram. (Choose 2 images per Diagram: Example selection - Diagram A - Native Meadow and Entry Gate Marquee Letters; Diagram B - Splay Play and Performance State; Diagram C - Geologic Stream and Flexible Lawn)



QUIZ STATISTICS			
Percent Correct	Average Score	Standard Deviation	Difficulty
0%	3.6/12.0 (30%)	2.03	2/7

Moore Park - Programming and Visioning Public Survey

ANSWER CHOICES	SCORE	RESPONSES	
✓ Diagram A - Water Feature	1/12	33.33%	15
✓ Diagram A - Gazebo Art Piece	1/12	28.89%	13
✓ Diagram A - Native Meadow	1/12	35.56%	16
✓ Diagram A - Entry Gate Marquee Letters	1/12	20.00%	9
✓ Diagram B - Splash Play	1/12	11.11%	5
✓ Diagram B - Performance Stage	1/12	64.44%	29
✓ Diagram B - Fire Pit and Plaza Seating	1/12	42.22%	19
✓ Diagram B - Torri Gate	1/12	11.11%	5
✓ Diagram C - Geologic Stream	1/12	33.33%	15
✓ Diagram C - Gazebo as Stage	1/12	15.56%	7
✓ Diagram C - Flexible Lawn	1/12	48.89%	22
✓ Diagram C - Artistic Entry Gate	1/12	11.11%	5
Total Respondents: 45			

Moore Park - Programming and Visioning Public Survey

Q8 Please provide your email address to be kept updated on this project, as well as any additional comments you may have regarding this project.
Thanks for your input!

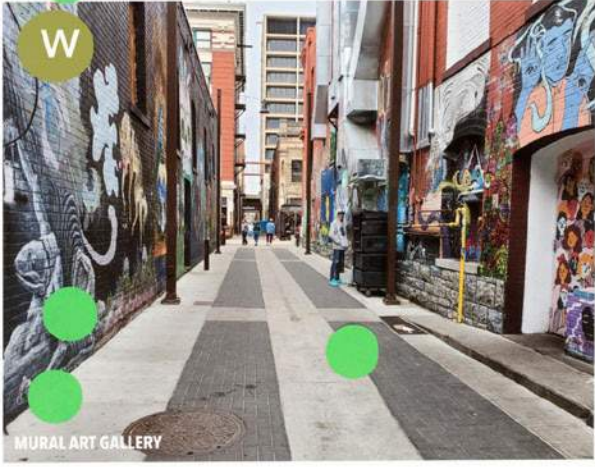
Answered: 29 Skipped: 20

#	RESPONSES	DATE
1	terry.leighton@ontariooregon.org	4/11/2022 8:06 AM
2	sowing4health@gmail.com	4/10/2022 8:28 AM
3	Wendiewonderful@yahoo.com	4/9/2022 11:35 AM
4	Cr_reed@msn.com	4/9/2022 7:32 AM
5	cristle71@hotmail.com	4/9/2022 5:59 AM
6	Birchcreekbc@gmail.com	4/8/2022 9:57 PM
7	howards1995@gmail.com	4/8/2022 8:11 PM
8	Tina.bonadiman@gmail.com	4/8/2022 2:00 PM
9	djcapron99@gmail.com	4/8/2022 7:45 AM
10	lynelle.christiani@yahoo.com	4/8/2022 6:22 AM
11	Kagaemi@gmail.com	4/8/2022 12:22 AM
12	Lionjack1@msn.com	4/7/2022 8:33 PM
13	Megvanzelf@gmail.com	4/7/2022 8:12 PM
14	Rootedin5@gmail.com	4/7/2022 7:45 PM
15	I believe that a water feature would be challenging to maintain and receive negative feedback in drought season. The park is a beautiful location but would be best focused towards adult entertain as most of the retail shops at focused towards adults. Additionally, the roads are busy and once cars are parked the viability is limited. Water features also open up opportunities for homeless to use for bathing and other bodily functions.	4/7/2022 6:33 PM
16	homestreete@yahoo.com Extend the farmers market into the street blocking off from stockmans to Brewsky and one block south for vending in the street every saturday	4/7/2022 5:36 PM
17	nautiluszero@gmail.com	4/7/2022 5:16 PM
18	etphnhome@mail.com	4/7/2022 4:43 PM
19	Protaxontario@gmail.com	4/7/2022 3:49 PM
20	lynn.allstarpt@gmail.com	4/7/2022 2:42 PM
21	kristinandreazzi@gmail.com	4/7/2022 2:39 PM
22	mw8708795@gmail.com	4/7/2022 2:19 PM
23	g.cassie@yahoo.com	4/7/2022 1:39 PM
24	Torie.g2010@gmail.com	4/7/2022 1:21 PM
25	scutler@live.com	4/7/2022 1:11 PM
26	david@dialegomai.com	4/7/2022 1:02 PM
27	Dimaniart@gmail.com	4/7/2022 12:26 PM
28	Juliachadwick79@yahoo.com	4/7/2022 12:25 PM
29	whiteravenfriend@duck.com	4/7/2022 12:14 PM

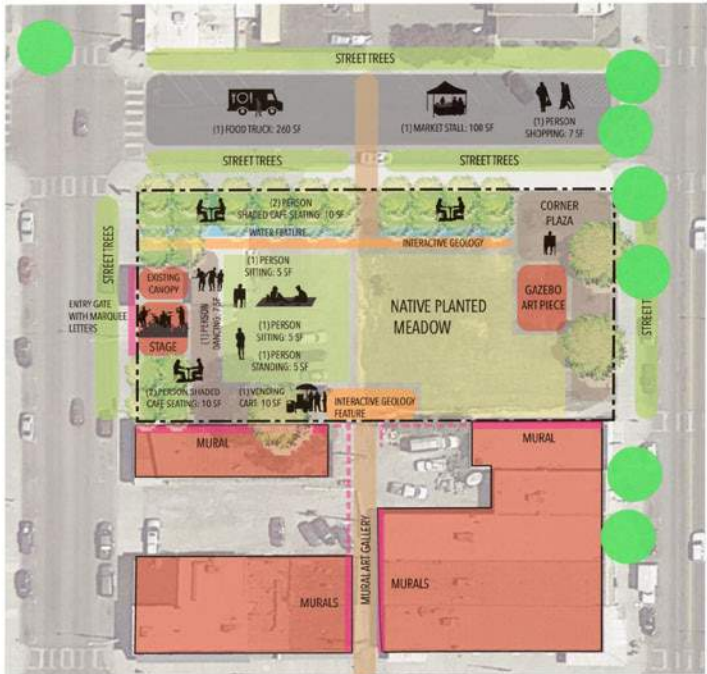
PROPOSED PARK AMENITIES



PROPOSED PARK AMENITIES



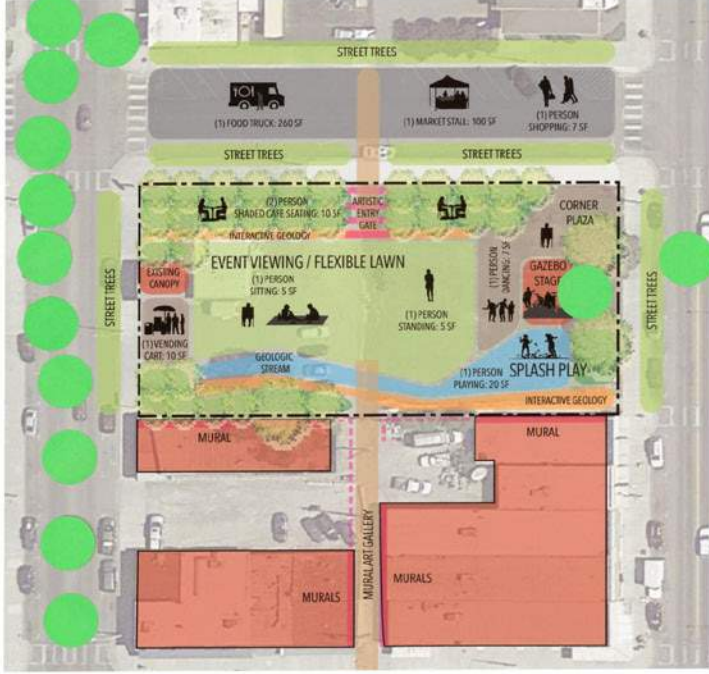
PROGRAM DIAGRAMS



MOORE PARK - DIAGRAM A



MOORE PARK - DIAGRAM B



MOORE PARK - DIAGRAM C



EARLY CONCEPT IMAGES



EARLY CONCEPT IMAGES



EARLY CONCEPT IMAGES



- LEGEND
- A EXISTING GAZEBO - ADAPTIVE REUSE AND UPGRADE AS PARK STAGE FOR EVENTS - PAINT SOLID BRIGHT COLOR AND ADD INTERNAL SEASONAL LED LIGHTING AND ELECTRIC
 - B EXISTING STATION CANOPY - ADAPTIVE REUSE AND UPGRADE AS PARK SHADE CANOPY W/ SEATING BELOW
 - C EVENT PLAZA FIXED AND FLEXIBLE SEATING, LIGHTING AND DECORATIVE PAVING
 - D FLEXIBLE EVENT AND SATURDAY MARKET LAWN
 - E TREE-SHADED CAFE TABLE & CHAIR SEATING
 - F LARGE DECIDUOUS STREET TREES
 - G FESTIVAL STREET WITH CONCRETE PAVING, MARKET VENDING AND FOOD TRUCK STAGING
 - H INTERACTIVE WATER FEATURE WITH GEOLOGICAL ROCK FEATURES
 - I NATIVE PLANTED MEADOW
 - J ARTISTIC ENTRY GATE FEATURE
 - K MURAL AND ART EXHIBIT ALLEY AND WALLS
 - L BENCHES AND SEATING
 - M EXISTING SHADE TREES TO BE PRESERVED
 - N FOOD AND POP-UP DINING VENDOR PLAZA
 - O ALLEY WITH DECORATIVE PAVING
 - P GEOLOGICAL FIRE PITs
 - Q FOOTBRIDGE, TYP.
 - R PATH
 - S MARKET TENTS

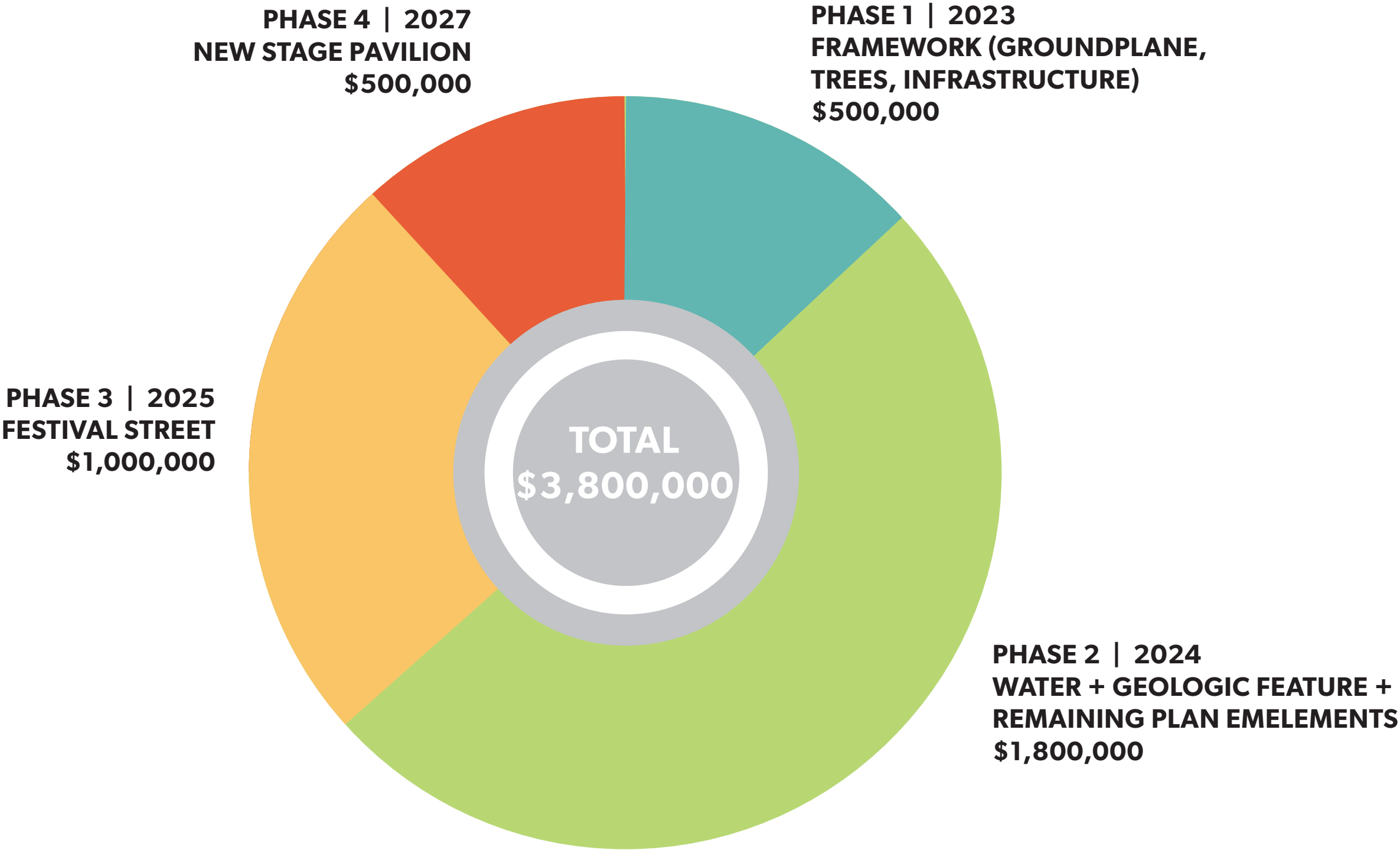




LEGEND

- A** REMOVE GAZEBO - REPLACE WITH CONTEMPORARY PARK STAGE FOR EVENTS
- B** EXISTING STATION CANOPY - ADAPTIVE REUSE AND UPGRADE AS PARK RESTROOM
- C** EVENT PLAZA FIXED AND FLEXIBLE SEATING, LIGHTING AND DECORATIVE PAVING
- D** FLEXIBLE EVENT AND SATURDAY MARKET LAWN
- E** TREE-SHADED CAFE TABLE & CHAIR SEATING
- F** LARGE DECIDUOUS STREET TREES
- G** FESTIVAL STREET WITH CONCRETE PAVING, MARKET VENDING AND FOOD TRUCK STAGING
- H** INTERACTIVE WATER FEATURE WITH GEOLOGICAL ROCK FEATURES
- I** NATIVE PLANTED MEADOW
- J** ARTISTIC ENTRY GATE FEATURE
- K** MURAL AND ART EXHIBIT ALLEY AND WALLS
- L** BENCHES AND SEATING
- M** EXISTING SHADE TREES TO BE PRESERVED
- N** FOOD AND POP-UP DINING VENDOR PLAZA
- O** ALLEY WITH DECORATIVE PAVING
- P** GEOLOGICAL FIRE PITs
- Q** FOOTBRIDGE, TYP.
- R** PATH
- S** MARKET TENTS







**AGENDA REPORT
OLD BUSINESS
July 12, 2022**

To: Mayor and City Council

FROM: Paul Woods, City Engineer

THROUGH: Danny K. Cummings, City Manager Pro Tem

SUBJECT: **ORDINANCE #2811-2022: WATER SHORTAGE EMERGENCY CODE REVISIONS**

DATE: June 21, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE PROPOSED MODIFICATIONS TO THE CITY'S WATER SHORTAGE EMERGENCY ORDINANCE AS PRESENTED.

SUMMARY:

The City of Ontario Code of Ordinances, Title 8, Chapter 11, Section 18, titled Water Shortage Emergency requires updating to reflect the current water supply system serving the City. The last update occurred more than 20 years ago. Staff have proposed changes to the code to reflect the current operating status.

BACKGROUND:

The current Water Shortage Emergency code was adopted more than 20 years ago and is no longer reflective of the current water supply system.

CURRENT SITUATION:

Staff have proposed revisions to reflect the current water supply system for the City.

ANALYSIS:

- A. **STRATEGIC PLAN** The proposed modifications support the City's Strategic Plan goals of Desirability and Lifestyle by proactively taking actions to prevent a water crisis.
- B. **FINANCIAL** There is no financial impact from the proposed modifications.
- C. **TIMING** Time is of the essence in bringing these code revisions up to date.
- D. **POLICY/LEGAL** Council action is required for the passage of an ordinance.

ALTERNATIVES:

The Council can make changes to the draft wording as proposed.

RECOMMENDATION:

Staff recommends approving the ordinance change as proposed

ATTACHMENTS:

1. Water_shortage_emergency Revisions
2. Ord #2811-2022 OMC 8-11-18 Water Conservation

8-11-18 Water shortage emergency.

- (A) When the Mayor, or City Manager, determines that the City water supply is inadequate to meet the demands of the residents of the City, he shall declare a water shortage emergency to exist.
- (B) In the event of water shortage emergency is declared as set forth hereinabove, the following measures shall be implemented:

Water Level Shortage Action Levels	Water Shortage Alert Actions Stages According to Water Management Plan 1999
Level I: Reservoir System Storage down ten-fifteen percent (15%) to twenty five percent (25%) from normal operating capacity and/or river intake or groundwater intake conditions or limitations that warrant Level I action. thirty feet (30') to twenty-seven feet (27') .	Voluntary Reduction of Water Use: This stage of water use reduction would come as a declaration from the City Manager. The public is requested to help abate the situation through a concerted effort to use less water. Irrigation shall be limited to alternate days; residents with addresses ending in an odd digit shall irrigate no more often than on calendar days ending in an odd digit; likewise, those residents with addresses ending in an even digit shall irrigate no more often than on calendar days ending in an even digit.
Level II: Reservoir System Storage down twenty five percent (25%) to fifty percent (50%) from normal operating capacity and/or river intake or groundwater intake conditions or limitations that warrant Level II action. Level II Reservoir at twenty-four feet (24') or twenty percent (20%) shortage.	This regulation restricts types of outside water use by prohibiting use of potable water for washing driveways and sidewalks, washing of cars other than at car washes that recycle water, filling swimming pools, spraying water for dust control, etc.
Level III: Reservoir System Storage down fifty percent (50%) to seventy-five percent (75%) from normal operating capacity and/or river intake or groundwater intake conditions or limitations that warrant Level III action. Level III Reservoir at fifteen feet (15') or fifty percent (50%) shortage.	This regulation prohibits any and all outside water use. All use of water shall be prohibited for irrigation or other uses other than uses within a residence or building that are necessary to the health and safety of the residents of the City.
Level IV: Reservoir System Storage down seventy-five percent (75%) or greater from normal operating capacity and/or river intake or groundwater intake conditions or limitations that warrant Level IV action. Level IV Reservoir at seven and a half feet (7.5') or	This regulation is a commercial-system wide use restriction. This level of water use curtailment will restrict the use of water for any purpose other than needed for public health. This eliminates all uses including commercial, industrial and fire protection.

seventy-five percent (75%) shortage.	
Level V Reservoir at less than seven and a half feet (7.5') or less than seventy-five percent (75%).	This regulation is also called water rationing. This extreme measure would have to be put into effect in the event that a catastrophic loss occurred to the water system. A plan shall be put into effect to ration water to each service based on the number of people served and a system to monitor compliance by the users.

- (C) With the declaration of each water shortage level, public announcements to local media shall describe the situation causing the reduced water supply and possible affects of the shortage to public health and fire protection, requirements of the ordinance and the legal consequences of violating the ordinance.
- (D) "Irrigation" as used in this Section shall mean the application of water to lawns, shrubbery and gardens on those properties serviced by the City water system.
- (E) In the event a water supply shortage emergency is declared, the Mayor or City Manager shall direct that notice of declaration of a water shortage emergency be published in a daily newspaper of general circulation in the City no more than twenty-four (24) hours after declaration of emergency. The measures directed by the Mayor in accordance with this Section dealing with the water shortage emergency shall become effective twenty-four (24) hours after the aforementioned notice is published. Notice given under this subsection shall be applicable only to subsection (B)(1) of this Section.
- (F) Any person violating any of the provisions of this Section (8-11-18), upon the conviction thereof, shall be punished by a fine to be set by fee resolution; provided, however, no prosecution shall be commenced for any violation occurring prior to publication of the notice set forth in subsection (C) of this Section.

(Ord. 2521 § 11, 2003)



ORDINANCE NO. 2811-2022

AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE 8-11-18 CONCERNING WATER SERVICE REGULATIONS

- WHEREAS,** The City of Ontario provides water service to the residents and businesses in the City of Ontario; and
- WHEREAS,** The city has identified Title 8, Chapter 11, Section 18, on water service regulations, which needs to be updated; and
- WHEREAS,** Additions are designed by **bold** and underlined; deletions are represented by a ~~strikeout~~; and
- WHEREAS,** All other language in Title 8, Chapter 11, shall remain unchanged and in full effect.

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

Ontario Municipal Code Section 8-11-18 shall be amended to read:

8-11-18 Water shortage emergency.

- (A) When the Mayor or City Manager determines that the City water supply is inadequate to meet the demands of the residents of the City, he shall declare a water shortage emergency to exist.
- (B) In the event of water shortage emergency is declared as set forth hereinabove, the following measures shall be implemented:

Water Level Shortage <u>Action</u> <u>Levels</u>	Water Shortage Alert <u>Actions</u> Stages According to Water Management Plan 1999
Level I: Reservoir <u>System</u> <u>Storage</u> down ten fifteen percent (150%) to twenty five percent (25%) from <u>normal operating capacity</u> <u>and/or river intake or</u> <u>groundwater intake</u> <u>conditions or limitations</u> <u>that warrant Level I action.</u> thirty feet (30') to twenty- seven feet (27').	Voluntary Reduction of Water Use: This stage of water use reduction would come as a declaration from the City Manager. The public is requested to help abate the situation through a concerted effort to use less water. Irrigation shall be limited to alternate days; residents with addresses ending in an odd digit shall irrigate no more often than on calendar days ending in an odd digit; likewise, those residents with addresses ending in an even digit shall irrigate no more often than on calendar days ending in an even digit.

Level II: <u>Reservoir System Storage down twenty five percent (25%) to fifty percent (50%) from normal operating capacity and/or river intake or groundwater intake conditions or limitations that warrant Level II action.</u> Level II Reservoir at twenty four feet (24') or twenty percent (20%) shortage.	This regulation restricts types of outside water use by prohibiting use of potable water for washing driveways and sidewalks, washing of cars other than at car washes that recycle water, filling swimming pools, spraying water for dust control, etc.
Level III: <u>Reservoir System Storage down fifty percent (50%) to seventy-five percent (75%) from normal operating capacity and/or river intake or groundwater intake conditions or limitations that warrant Level III action.</u> Level III Reservoir at fifteen feet (15') or fifty percent (50%) shortage.	This regulation prohibits any and all outside water use. All use of water shall be prohibited for irrigation or other uses other than uses within a residence or building that are necessary to the health and safety of the residents of the City.
Level IV: <u>Reservoir System Storage down seventy-five percent (75%) or greater from normal operating capacity and/or river intake or groundwater intake conditions or limitations that warrant Level IV action.</u> Level IV Reservoir at seven and a half feet (7.5') or seventy-five percent (75%) shortage.	This regulation is a commercial system wide use restriction. This level of water use curtailment will restrict the use of water for any purpose other than needed for public health. This eliminates all uses including commercial, industrial, and fire protection.
Level V: Reservoir is less than seven and half feet (7.5') or less than seventy five percent (75%).	This regulation is also called water rationing. This extreme measure would have to be put into effect in the event that a catastrophic loss occurred to the water system. A plan shall be put into effect to ration water to each service based on the number of people served and a system to monitor compliance by the users.

- (C) With the declaration of each water shortage level, public announcements to local media shall describe the situation causing the reduced water supply and possible ~~affects~~ **effects** of the shortage to public health and fire protection, requirements of the ordinance and the legal consequences of violating the ordinance.
- (D) "Irrigation" as used in this Section shall mean the application of water to lawns, shrubbery and gardens on those properties serviced by the City water system.
- (E) In the event a water supply shortage emergency is declared, the Mayor or City Manager shall direct that notice of declaration of a water shortage emergency be published in a daily newspaper of general circulation in the City no more than twenty-four (24) hours after declaration of emergency. The measures directed by the Mayor in accordance with this Section dealing with the water shortage emergency shall become effective twenty-four (24) hours after the aforementioned notice is published. Notice given under this subsection shall be applicable only to subsection (B)(1) of this Section.
- (F) Any person violating any of the provisions of this Section (8-11-18), upon the conviction thereof, shall be punished by a fine to be set by fee resolution; provided, however, no prosecution shall be commenced for any violation occurring prior to publication of the notice set forth in subsection (C) of this Section.

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of July, 2022.

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this ____ day of July, 2022.

ATTEST:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
OLD BUSINESS
July 12, 2022**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Danny K. Cummings, City Manager Pro Tem

SUBJECT: **RESOLUTION #2022-126: AIRPORT MOWING CONTRACT**

DATE: May 21, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2022-126: A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO APPROPRIATE FUNDING FOR AIRPORT MOWING CONTRACT.

SUMMARY:

A budget resolution is necessary to fund the Airport Mowing contract for 2022-2023.

BACKGROUND:

The City Council approved a contract with Schneider Tree Service & Construction, LLC for airport mowing from May 2022 to June 2023 at the council meeting on May 24, 2022. This contract came in higher than the budgeted amount of \$30,000.

CURRENT SITUATION:

A budget resolution is necessary to fund the additional costs of \$33,390 for the 2022-2023 portion of the Airport Mowing Contract.

ANALYSIS:

- A. **STRATEGIC PLAN** No direct strategic plan impact.
- B. **FINANCIAL** \$33,390 will be taken from General Fund contingency and transferred to the Airport Fund. This leaves \$219,249 in General Fund contingency.
- C. **TIMING** The contract is in place and the budget appropriations need to be approved as soon as possible to prevent an overexpenditure of budget.
- D. **POLICY/LEGAL** A formal resolution approved by the City Council is required to spend funds per ORS 294.

ALTERNATIVES:

A. The City Council could choose not to approve the resolution. This would cause a budget violation.

B. The City Council could choose to fund the contract with another funding source.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2022-126.

ATTACHMENTS:

1. Reso #2022-126 Airport Mowing



RESOLUTION #2022-126

A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET TO APPROPRIATE FUNDING FOR AIRPORT MOWING CONTRACT

- WHEREAS,** The bids received for the Airport mowing contract were all higher than budgeted; **and**
- WHEREAS,** The Council approved the lowest contract bid that was \$33,390 over the original \$30,000 budget; **and**
- WHEREAS,** The City desires to modify the 2022-2023 budget in order to appropriate funding for the chemical cost increases.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council, to approve the following adjustment to the fiscal year 2022-2023 budget:

Line Item	Item Description	FY 22-23 Budget	Amount of Change	Adjusted Budget
GENERAL FUND				
001-004-871000	Contingency	\$252,639	(\$33,390)	\$219,249
001-004-832000	Transfer to Airport Fund	\$63,124	\$33,390	\$96,514
AIRPORT FUND				
120-000-458000	Transfers In	\$63,124	\$33,390	\$96,514
120-006-615550	Contract Services	\$45,929	\$33,390	\$79,319

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 12th day of July 2022, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 12TH day of July, 2022.

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
OLD BUSINESS
July 12, 2022**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Danny K. Cummings, City Manager Pro Tem

SUBJECT: **RESOLUTION #2022-127: AMENDMENT TO RESIDENCY REQUIREMENTS**

DATE: July 7, 2022

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE RESOLUTION #2022-127: REVISIONS TO THE CITY'S RESIDENCY POLICY.

SUMMARY:

The Ontario City Council approved a resolution requiring residency of all employees in 2018 by passage of Resolution #2018-112 and made revisions to the policy in 2021 by passage of resolution #2021-138. A revision is necessary based on a survey conducted by the citizens of Ontario to remove the residency requirement for all Non-Department Head employees.

BACKGROUND:

Resolution #2018-112 was approved on February 27, 2018, which was a resolution requiring residency of certain city positions and providing incentives for all employees to live in the city. The resolution brought to the city was originally intended to require only department heads to be residents of the city. After a large turnout of residents in support of all employees living within the city limits, the resolution was amended in the meeting to include all employees.

An employee who was residing inside the city limits at the time the resolution was passed recently decided to move to Idaho from his residence in Ontario. When approached by the City Manager's Office, the employee cited a "whereas" in the resolution that read "the City Council does not intend to cause any employee currently working for the city to be terminated because of residency status." The employee asserted that he was currently working for the city at the time the resolution was passed, so the resolution did not impact him.

The intent of that clause was that any person who lived outside of the city at the time the resolution was passed would not be terminated. Under this interpretation, though, the attorneys, both for the city and the union, agreed that the language left it open for interpretation as to whether an employee working at the time the resolution was passed would be allowed to move at a later date. To address the intent of the resolution, additional

wording was required to enforce the intent of the resolution. Said wording was reflected in the passage of Resolution #2021-138.

CURRENT SITUATION:

At the June 28, 2022, Council meeting, a request by the Chief of Police was presented to the City Council to remove the new hire residency requirements as it was putting the citizens at risk due to the inability to attract enough qualified employees to fill vacancies not only in the police department, but the fire department and other departments.

The Council instructed city staff to conduct a survey for the Ontario citizenry and surrounding communities on whether or not the city should remove the residency requirement for all employees, with the exclusion of department heads. The results of that survey, with 73% of the residents of Ontario participating, voted to remove the residency policy. 91% of the non-residents of Ontario taking the survey voted to remove the residency policy. Results attached as Attachment 1.

ANALYSIS:

- A. **STRATEGIC PLAN** No strategic plan impact.
- B. **FINANCIAL** There is no major financial impact on this action.
- C. **TIMING** Approval of Resolution #2022-127 should be passed immediately so the search for qualified employees may begin as soon as possible.
- D. **POLICY/LEGAL** The City Council holds the authority to approve policies for the city.

ALTERNATIVES:

The Council could choose other residency requirements.

RECOMMENDATION:

Staff recommends the City Council, following the recommendation of the citizens' survey, approve Resolution #2022-127, which removes the non-department head employee residency policy.

ATTACHMENTS:

- 1. City of Ontario Residency Policy Survey Results
- 2. Reso #2022-127 Amending Residency Requirements for Employees



City of Ontario Residency Policy Survey Results

City Council requested community input on the city residency policy at the council meeting on June 28, 2022. Staff organized a survey on the city website and Facebook to run from June 29, 2022, through July 5, 2022. The survey asked two questions: 1) Do you live in the 8C School District? 2) Should City Council repeal the City's Residency Policy, Resolution #2021-138 and Resolution #2018-112? The results of the survey are below. Comments from the public are unedited and have been sorted by residency and whether the respondent is in favor of, or in opposition to, the repeal of the resolution. The Facebook comments at the end of this report are not sorted by residency.

Ontario Residents		Non-Residents	
Yes	No	Yes	No
73%	27%	91%	9%

Ontario Resident's Comments

In Favor of Repealing the Resolution:

- Although I do qualify for the residency requirement, I think that it unfairly excludes qualified candidates from positions at the city. In this day and age, we need qualified candidates!!
- As long as they agree to uphold Oregon's laws and not bring their Idaho preconceived beliefs (like the Idaho people who work at Snake River did when it came to vaccinations or face coverage) there's no problem resending The residency policy
- At minimum for first responders
- City manager should be required to live in city limits
- current ontario city residency policy exclusionary and discriminatory to all malheur county citizens who consider themselves part of ontario oregon.
- Department heads and councilors should live in the city limits. The other city employees should not be required to live in the city or the school district. I am ok with incentivizing city employees with reduced sewer/water fees who choose to live in the city. I expect the city to hire the most qualified applicant- regardless where they live. Hiring people with prior experience or certifications benefits the citizens of Ontario regardless of the departments they are hired in. Ontario has always had a unique advantage over the Western Treasure valley. Ontario was able to provide higher paying jobs and benefits due to the difference in state laws. Ontario had the ability to recruit talent from other municipalities because of this advantage. The current housing market cost, rental and housing availability, and interest rate increases have curtailed that advantage. This is bad a policy given the current state of the job market. Employers are having a difficult time just getting people to apply. Restricting the pool of applicants with this policy hurts the citizens of Ontario.
- Highest crime rate in the state of Oregon. City council better pull their head out.



- Hill speaks of being invested into the City of Ontario. Seems like Hill is more invested into the tax money, not the safety for Ontario
- However, as a retired parole/probation officer for Malheur County, the requirements of an out of state police officer should be the same as and Oregon officer; that is, 16 weeks of academy training. Not the measly 10 weeks and low requirements of the Idaho academy. s/J.M. Thomson
- I think as long as one is willing to put in the work and protect our city like there own I don't see a problem with it.
- I think people should be forced to live in a town they do not want to live in. You're taking that right away from a person.
- I want the best and most qualified officers in charge of my safety. I could care less where they live. When it comes down to life or death, residency isn't even on the table.
- It doesn't matter whether you have a policy or not, What matters is this: If you are going to have a residency policy then enforce it across the board, if you are not going to enforce the policy that is in place then why have it. The City of Ontario has rolled over and played dead so many times with the current policy, why bother changing it.
- It is a good idea in theory but in reality we need to remove the roadblocks to hire more public safety employees. If the city is worried about not getting as much property tax as they can then the answer to me is to build more houses to tax. Not half a million dollar homes but entire subdivisions of \$150,000 homes and the tax base that would come with them.
- It should Not matter where you live. If you are a good candidate & good employee it should not matter. No one should dictate where a person chooses to live. I thought this was a FREE Country. And It is hard enough to get good employees as it is !!!!
- It's hard to get employees to fill positions. If they're willing to devote their time, education, and passion to Ontario, they shouldn't be punished. Ontario needs more new neighborhoods like other towns. The lack of development is a big roadblock to many.
- Living in the not so good part of town, doing ANYTHING to limit our police force is a horrible decision.
- Officer AND public safety should be a higher priority than taxes!
- Ontario needs qualified police officers. With Ontario's gang issues, I don't blame the officers for being concerned about retribution for their families.
- Our city is becoming more dangerous. While some is its citizens, a majority is influx population. The police department has been thinned to the point of breakage. Our city deserves the best of the best. If they drive in from Idaho, that shouldn't matter. Keeping our city safe should be the highest priority. Basing this off of the school issues and wants is not a just comparison. And truly, does the city want the same public perception that the school district has. Other districts pass bonds. Their teachers don't all live in district. Without going into shortcomings of the school district, the failure of bonds is in the public trust and perception with them. Do we want our citizens to lose their trust in you?
- Public Safety in this community should be the highest priority for the City if of Ontario and it's government. I am recently retired public safety officer from the Oregon Youth Authority and



understand and see the disturbing trends in criminal activity not only with the youth i worked with but the communities i covered including Ontario and Malheur County. It is imperative to hire the best qualified officers period! Are there some members of the city council that do not understand how hard it is to recruit police officers at this time? I would like to continue to live in Ontario, but if the city council can not repeal this resolution so that they can get the best officers to cover all the crime that's going on in this town, then then I will definitely move. I'm guessing some of these city council members may change their minds when criminal activity actually affects them and/or their family and they become very upset that there wasn't an appropriate response time. This resolution needs to be repealed as soon as possible. This resolution needs to be repealed as soon as possible. And don't put together more committees or task force to study it. It's time to be done with it. Thank you

- Residency requirement is counter-productive to the recruitment and retention of qualified future employees
- The City should strive to hire the best people, not based on where they live.
- The council should work on making the City a place employees would want to live in. Potential good future employees might already be invested into a community outside Ontario, and we should not miss an opportunity to employ them with the Police Department because of that.
- The lack of affordable housing, or any housing, and the proximity of Idaho towns make the rule too limiting to recruitment.
- The school district also did not stick with the superintendent living in the school district.
- There have been several qualified candidates for Ontario Police that were excluded from hire due to their inability to move into the 8C District. Response time from the outskirts of Ontario also known as Annex is sometimes more extended than some of the Idaho residents.
- This needs to be repealed in order to recruit optimal employee's in a ever shrinking employee pool. Ontario has a very limited housing.
- This policy is preventing the police department from doing their work and keeping our community safe. It is ridiculous to those of us who moved here from large urban areas. Short sighted, limiting progress.
- This will widen the pool of qualified candidates.
- Was a dep.sheriff for 26 years in Payette never an issue with me living in Ontario
- We are a hub. People come to Doctor's, shop, attend events from all over. We need people from outside our boundary to continue to have businesses thrive and grow. Our entire area is community! COMMUNITY not just Ontario. Allow those who wish to work for the city to live within the timeline for response!!!
- We are hurting for officers. I have heard we have only two officers on night patrol. This is ridiculous and unsafe for our citizens and our officers. The homeless population is out of control I saw a guy shooting up on the street corner in front of a gas station and was told by others don't bother reporting it. Nothing is being done. Something needs to change our city is an embarrassment our mayor and city council need to make changes and this start with more officers.



- We need to be able to hire the best staff and be able to provide public safety over worries about a small property tax base
- We need to keep this city safe and not worry about the money.
- We need to listen to the advice of the department heads and remove barriers that impede their role.
- You're having a hard enough time attaining and retaining quality staff. If you expand the requirements, you have a much larger pool of individuals who are of the quality in which this city is in desperate need.

Ontario Resident's Comments

In Opposition to Repealing the Resolution:

- Build a stronger community before reaching for outside sources.
- Earn your living from tax base you need to live here to support the wages the rest of us residents provide through our taxes
- I strongly recommend all new hired employees need to live in the 8c school district. All current employees do Not need to relocate.
- If they want to work here and enjoy the wages they earn, and protect our community they need to live
- If you do repeal the residency policy, you need to put a distance limit on it. Say, within 10 miles of city limits. Police officers need to be able to respond quickly in an emergency. They can't do that if they live too far away. Citizens will suffer if they can't get the help they need in a timely manner.
- I'm open to change my mind, but the arguments, ESPECIALLY SRCI's number, is not a solid argument for this position.
- Important to have our city employee be part of our rural community. State of Oregon benefits are rich and we need those city employees be apart of our city and state community
- In small towns like Ontario it's very important for police developing relationships with citizens and building community. Consider increasing pay incentives.
- The chief answered his own question. People wanting to live in Fruitland and not having a vested interest in Ontario except for the cheap SHOPPING! You talk to many who work here from out of State, they hate this town and run it down calling it names but have run here to shop and no shame in taking the high wages!! How can you say the Police will be any different?? They'll have no interest in keeping Ontario safe or building relationships because they're kids are in Fruitland schools and neighborhoods. It's just a job then run home to your supposed safer smaller town.
- They only come here because OR pays better than Idaho. Grab them from the same state never Idaho they have different mindsets
- Those who work for the city are typically educated middle class. They improve the city tremendously. Their kids go to school here and hopefully the employees retire here. Ontario is



better than a higher paying job, then the employee goes home to improve a different community. We deserve what is in place.

- To work for the city or state, you should have to live within the boundaries. It is getting so that people live in near by states to beat the taxes, thus cheating the taxpayers of Ontario and the state of Oregon.
- When people live outside of the city they place no value on it. So many of my coworkers lived in Idaho or moved there and reasons were they hated Ontario or other negative reasons. It's to easy for law enforcement to do that also. If there's a change. The staff should have to LIVE IN OREGON. NOT IDAHO.
- City needs to do better and make Ontario attractive to existing and new employees rather than giving up on it. By rescind this policy, the City is saying that Ontario population contingent is not good enough to hire from. Running to Idaho is not always the answer. Be Ontario proud and be leaders in promoting our town!

Non-Resident Comments

In Favor of Repealing the Resolution:

- Aside from my own experiences, I know others are not applying for police positions because they cannot afford to move to Ontario. We NEED more applicants.
- Border towns will always have overlap and it's that very flexibility that can help recruit the best employees. Rigid residency requirements will limit the pool of highly qualified applicants and that is something that all of us, as a border community, can't afford to do now.
- Explain the rational for neglecting something like public safety in the face of a clearly failed policy. Are you interested in protecting your citizens or your feelings?
- For fire, ems, and police specifically I feel it isn't in their best interest to live in the community they work. Safety is a big concern. They deal with all kinds and I wouldn't want to live in the community that I am possibly arresting people. Also, the housing market is crazy. Requiring someone to move is completely unreasonable. With little inventory and housing costs, it is not practical.
- I support Chief Iwai's proposal. Being involved in the community and dedicated to your job is a personality trait not necessarily the town you reside in.
- I think it's absolutely ridiculous to require a person to live within the city limits of Ontario. If you want truly highly qualified people what about if their spouse were to be say a farmer and they farm a 1000 acres and live on that property. Are you expecting them really to sell and move in to Ontario? That's ridiculous, go for the highly qualified work qualified workforce!!
- I would say as long as people live in Malheur County you should consider them for your positions. People who live in Nyssa, Adrian, Vale, Harper they all spend their money and ample time in Ontario. Who cares where their pillow is.
- It's silly. What other cities have the requirement. Ask those public safety heads how it's hurt their town.



- Public safety should be number one priority. No one will want to live in Ontario if there isn't a police presence. At the current rate, officers are going to burn out. Who will respond to help the citizens in need? I know of many lateral transfers who are more than qualified that would love to work for OPD. If anything, consider they live no farther out than Payette County, ID.
- Response time to Ontario is still less than 20 minutes, studies show officers who don't live in the town they police are safer and happier.
- Safety is invaluable. Crime costs everyone something. The recruits that would not be residing in 8C are not that many. The ability to reduce crime in our community would more than make up for it. Also a reduction of crime would be more attractive to those wanting to raise a family in a secure community. Also, at this point in time there is a huge lack of homes to move to. In the long run a safe community will entice more families when homes do become available.
- There are a lot of people that would love to work in Ontario, but do not want to live there. The crime is awful, the legalization of marijuana is not helping it at all.
- This will greatly assist in recruiting more quality law enforcement
- When it comes to emergency management, when the public requires fire, ems, or help from law enforcement. The last thing on their mind will be whether or not the first responder assisting of mediating their emergency will be whether or not they live in the 8C district. Their priority will be to help their loved one in a professional and timely manner.

Non-Resident Comments

In Opposition to Repealing the Resolution:

No Comments Submitted

Facebook Comments

In Favor of Repealing the Resolution:

- Submitted mine! City and district are having a hard enough time attaining and retaining quality staff. By tossing the residency requirements, you create a better pool of a quality staff in which Ontario is in dire need.
- I totally agree with the report the Chief brought to you. I personally have family members in law enforcement, specifically a son who was an officer with Ontario PD for 8 years. The reasons the chief gave for dropping the residency requirement are valid points that I have heard my law enforcement family members express. We must support our police department and do away with residency requirements. I live in Ontario and as a citizen, ask that you support our officers in this area.
- The residency requirements are so short sighted. Time to move on if we want to hire the best in any industry. Safety and schools should be interested in the quality of applicants as the first priority.
- It has become the norm with Ontario government to first implement damaging propositions onto its community then after growing backlash from the community they decide... "hmm,



maybe we should ask the community.” This is the second chief in two years to say this, although this one is more articulate. Thank you so much Chief. 🙏

- I believe at this time that hiring officers that live outside of the city is a must.
- I cannot vote in Oregon as I am an Idaho resident.. but we own a business in Ontario and utilize the police department. I definitely agree with the need to recruit outside the area - our area is unique in that we live on the border and have seen a huge influx of traffic and crime due to the legalization of marijuana. If we do not remove this requirement to live in Ontario we are definitely shooting ourselves in the foot. Change is needed yesterday! The more attention to the fact crime is going unpunished the more crime we are going to face. This is going to affect everyone in the community as well as outlying communities.
- If Ontario wants to have effective law enforcement and a safe city the citizens need to support rescinded the residency requirement.
- I served on the Ontario School Board, when we hired Superintendent Albus. The contract required her to live in the Ontario School District Boundary. However, she was not able to find a similar property - a 100 acre ranch/ farm. Since she was doing an outstanding job, the board agreed to remove that requirement. The result has been just what we expected - we hired an outstanding employee. She moved the district from Poor Performing and implemented an improvement plan as required by the State Education Board. When serving on the Board for nine years, I based my decisions on what is best for our students. To do that, we need outstanding administrators, faculty and support staff. A requirement to live in the district would hinder the ability to hire the best.
- I would like to add. The comment from one that these recruits from out of the area are not paying their fair share of taxes.... There are not that many in our police department. There's a trade off and a dire need to recruit outside the area to keep crime at a minimum and that in the end will make up for those "few" police living outside the area. Isn't safety invaluable?
- Why is it so imperative that our police officers live in Ontario or within the 8C school district. Do you not understand what a long time professional officer is telling you. By restricting residency you are putting all of the residents in Ontario in jeopardy. At the present time one has to really hunt to find a police officer on patrol or anywhere else. You cannot run a City on tax revenue alone. This is a proven fact. What has happened to all of the wonderful revenue we were supposed to get from the pot sales or were we fed a line of BS as per usual. You need to rescind this stupid rule and get adequate police protection for Ontario before4

In Opposition to Repealing the Resolution:

- I agree with the residency requirements. But at the same time with the housing market and rentals the way they are. It's very difficult to find an affordable place in a good area of Ontario.
- A very strong no. Don't let residents of other states decide what we want. So many people are moving their businesses to Idaho side and you can do the same. 🇺🇸 Ontario needs to focus on Ontario in building stronger people within stronger communities firstly. The complacency of Ontario residents is why this town is in shambles. Sad.



- Police officers need to be able to respond in a timely manner. They can't do that if they don't live here.



RESOLUTION #2022-127

A RESOLUTION AMENDING THE RESIDENCY REQUIREMENTS OF CITY POSITIONS TO LIVE IN THE CITY OF ONTARIO ESTABLISHED BY RESOLUTIONS 2018-112 AND 2021-138

- WHEREAS,** The Ontario City Council approved Resolution #2018-112 on February 27, 2018, and amended the resolution by Resolution #2021-138 on December 14, 2021; and
- WHEREAS,** Citizens had expressed a desire that city employees reside in the city or the immediate area within the state; and
- WHEREAS,** Department Heads have significant responsibility toward the community in which they work; and
- WHEREAS,** The City Council is desirous for employees to live in the community and to be vested in the impacts of city decisions; and
- WHEREAS,** A credit to water and sewer bills for employees living in the city limits would have minimal impact on the water and sewer fund, but would provide greater incentive for employees to live within the city boundaries; and
- WHEREAS,** The times have changed and the need for more qualified employees have become hard to attract; and
- WHEREAS,** A survey was performed polling the citizens of Ontario and the surrounding area and results was the citizens what the residency requirements for non-Department Head employees removed.

NOW THEREFORE BE IT RESOLVED that the policy attached as an appendage to this resolution is the official residency policy of the City of Ontario, Oregon; and

BE IT FURTHER RESOLVED that the policy shall be amended by striking out the sections to be removed from the policy and renumbering the reminder.

BE IT FURTHER RESOLVED that the policy shall be adopted as an amendment to the City Personnel Policy Handbook under Employment Eligibility Verification.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

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

ATTEST:

Riley J. Hill, Mayor

Tori Barnett, MMC, City Recorder



City of Ontario, Oregon Residency Policy

I. Purpose

- A. The purpose of the Ontario Residency Policy is to have city employees who are participative, engaged, and vested citizens for the immediate community and state by which they are employed.

II. Policy

- A. ~~Non-Department Head Employees~~ - ~~Employees must reside within the Ontario 8c School District Boundaries.~~
- A. **Department Head Employees** - Department heads are held to a higher standard and must reside within the Ontario City Limits.
- B. **Contracted Employees** - This policy does not apply to contracted employees.
- C. **Benefit** - A water/sewer credit of up to \$50 per month (not to exceed the monthly amount due) will be provided to all city employees receiving water and sewer from the City of Ontario. This benefit is meant to provide greater incentive and support for employees to live within the City boundaries.

III. Practice

- A. **Grandfathered Employees** - Grandfathered employees, with respect to this policy, means employees who are living outside of the 8c School District Boundaries (for all employees) or outside of the city limits (for department heads) at the date of passage of this policy. No employee currently working for the city, who lives outside of the city at the time of passage of this policy, will be terminated for living outside of the boundaries respectively referred to above.
- B. **Movement Outside of Boundaries** - If an employee who currently works for the city and lives within the boundaries of the ~~Ontario 8C school district (for all non-department head employees)~~ or Ontario City Limits (for department heads) moves outside of the boundaries to which the policy requires them to live, that employee shall be deemed to have voluntarily resigned from their position of employment with the City of Ontario. Similarly, any employee hired by the city after the passage of this policy who at any time moves outside of the boundaries to which the policy requires them to live shall be deemed to have voluntarily resigned from their employment with the city.

- C. **Promotions** - Existing city employees who are promoted to department head positions shall be required to move within the Ontario City limits within twelve months of said promotion.
- D. **Time to Comply**- New hires shall be given six months to obtain residency within the boundaries to which the policy requires them to live. Failure to do so shall be deemed a voluntary resignation from their employment with the city.
- E. **Grace Period** - The City Manager may provide a grace period of up to six (6) months, beyond the six-month compliance time if the employee is able to show progress toward obtaining residency (e.g., a lease agreement or an employee is building a new home within the required area and can produce a purchase agreement).
- F. **Exceptions** -Any exceptions beyond 12 months must be approved by the City Council. Any hiring of a department head not living within the city limits and who is unable or unwilling to obtain residency requires approval by the City Council following the request of the City Manager.
- G. **Enforcement** - An accurate address of an employee's residing domicile shall be kept by the Human Resources Manager and can only be changed through a Personnel Action Form submitted by the employee. Employees may not use addresses within the city limits ~~or 8c School District~~ which are only kept for purposes of compliance and do not serve as the primary residence of the employee.
- H. **Proof of Residency** - All employees with whom residency is required must have a current Oregon driver's license on file with the City of Ontario. If an employee is unable to obtain an Oregon Driver's License for any reason, they must notify the City Manager and provide an explanation.

Committee/Council Liaison Appointments - 2022

Committee	New Term Expires	Current Member	Applicant-Interested
Airport [4 year term]			
Full			
Budget [4 year term]			
Full			
Diversity Advisory [3 year term]			
Public Member	2024	Vacant	
Public Member	2024	Vacant	
Ontario Promise/529 Plan			
City Councilor		Vacant	
Parks [3 year term]			
Full			
Planning Commission [4 year term]			
Full			
Public Works [3 year term]			
Full			
V&C [3 year term]			
Full			

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

Ontario Promise/529 Program: As needed @ 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



**AGENDA REPORT
NEW BUSINESS
July 12, 2022**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Danny K. Cummings, City Manager Pro Tem

SUBJECT: MERCHANT MCINTYRE: CONTRACT RENEWAL

DATE: July 8, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE AN EXTENSION OF SERVICES FOR MERCHANT MCINTYRE FOR AN ADDITIONAL 12 MONTHS.

OR

I MOVE THE CITY COUNCIL APPROVE AN EXTENSION OF SERVICES FOR MERCHANT MCINTYRE FOR AN ADDITIONAL 6 MONTHS.

SUMMARY:

The Council needs to discuss moving forward with the city's grant writers for another term. There are several grants pending that staff will not know the results of until September or October of 2022, and will require the assistance of the grant writers if successful.

BACKGROUND:

In June of 2020, the city entered into an agreement with Merchant McIntyre to pursue federal grants and appropriations. Merchant McIntyre conducted an inventory of grant needs from the city and then aligned federal grant requests with the funding needs.

The City Council reviewed the contract for performance for 90 days and just over a year. Merchant McIntyre was successful at acquiring two grants for Ontario. The first was an Oregon Community Paths Grant for \$68,298 to conduct trail planning for the north-south connector. The second grant was for a Wildland Urban Interface Assistance Grant (WUI) for a total of \$105,507. The city has received a total of \$173,805 in grants for their work.

The City Council approved a one-year extension of the contract from June 1, 2021, terminating on June 30, 2022.

On June 28, 2022, Merchant McIntyre made a presentation to the Council on the grants received, as well as the pending grants and possible future grants, but no action was taken at that meeting.

CURRENT SITUATION:

The contract with Merchant McIntyre expired on June 30, 2022, and is before the Council for consideration to extend the relationship. Staff sees this as a great benefit. Merchant McIntyre is aware of funding opportunities that staff were not previously aware of. They also have relationships with the funding agencies that give them special insight into the needs required by those agencies to have successful applications.

The lag time on applying and receiving notifications for federal grant awards is long, usually between five to nine months from the time submitted until the notification of funding. Consequently, this makes it difficult to stop the success of the relationship.

ANALYSIS:

- A. **STRATEGIC PLAN** The Strategic Plan includes a goal to increase grant capacity. This has certainly helped city staff handle the additional workload that comes with applying for grant writing.
- B. **FINANCIAL** The annual cost for the contract with Merchant McIntyre is \$78,000, which is \$6,500 per month. This expense was budgeted for the next fiscal year (i.e. 2022-2023)
- C. **TIMING** Since the contract has expired and there are projects pending and new federal grants available, staff believes it would be best to approve a contract for another year or, at a minimum, another six months.
- D. **POLICY/LEGAL** The Council must authorize the city to continue this contractual relationships with Merchant McIntyre.

ALTERNATIVES:

Merchant McIntyre has been willing to work with us, and if the Council wishes to proceed, they could choose to only extend it for 180 days(6 months) or some other term.

RECOMMENDATION:

City staff recommend continuing work with Merchant McIntyre.

ATTACHMENTS:

- 1. OntarioOR-MM.ServiceAgreement.07.01.2022 (1 year option)
- 2. OntarioOR-MM.ServiceAgreement.07.01.2022 (180-Day Option)



SERVICE AGREEMENT

THE CITY OF ONTARIO, OR (the “City”) agrees to retain **MERCHANT MCINTYRE & ASSOCIATES, LLC**, a Delaware limited liability company with a principal place of business in Washington, D.C. (“MM”) (together, the “Parties”), for government relations services commencing on July 1, 2022 and terminating on June 30, 2023 (the “Term”).

Fee. The City agrees to pay MM a total professional fee of \$6,000 per month, billed monthly in advance. Payment shall be due on receipt and made payable to MM each month at the address listed on the MM invoice(s). Federal funds may not be used to pay MM professional fees.

Scope of Work. MM shall provide the following services during the Term of this Agreement:

1. Continue identifying federal grant opportunities for which the City is eligible and competitive;
2. Support the City in all facets of the federal grant process, including planning, partnership development, grant writing, budget development, proposal submission, administrative requirements, and compliance; and
3. Build, strengthen, and help leverage relationships with the City’s Congressional delegation, the Administration, and other key decision-makers to support the City’s position on federal legislation, including appropriations.

Assurances. In its capacity as a consultant, MM shall make its best effort to assist the City in pursuing its federal funding and government relations objectives. The nature of these objectives shall be determined by the City with the advice and assistance of MM. In this role, MM shall plan and implement all government relations strategies designed to accomplish the City’s federal funding objectives; assist in the preparation of grant applications and supporting materials for the initiatives; develop meetings with Members of Congress, congressional staff, and federal agency decision-makers to advance the funding initiatives; and serve as liaison to federal agencies relevant to the City’s funding initiatives. The City agrees to frequent communication with MM and to provide MM the necessary information in real time to help MM plan and implement strategies.

Indemnification. The City agrees to indemnify and hold MM harmless from and against all liability, including all actions, claims, damages, costs, and attorneys’ fees, which MM may incur (or to which MM may be a party), arising out of actions taken or statements made by MM at the City’s direction or based upon information provided by the City, except in the event of wrongful acts or omissions on MM’s part.

Assignment. No other party shall assign any of its rights or delegate any of its duties or obligations under this Agreement without the express written consent of the other party.

* * *

IN WITNESS THEREOF, the parties hereto have executed or approved this Agreement on the dates below their signatures.

Brent Walton Merchant
Principal and Co-Founder
Merchant McIntyre & Associates, LLC

Date: _____

The Honorable Riley J. Hill
Mayor
City of Ontario, OR

Date: _____

#



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Brent Walton Merchant
Principal and Co-Founder
Merchant McIntyre & Associates, LLC

Date: _____

The Honorable Riley J. Hill
Mayor
City of Ontario, OR

Date: _____

#####



**AGENDA REPORT
PUBLIC HEARING
July 12, 2022**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Danny K. Cummings, City Manager Pro Tem

SUBJECT: **ACCEPT RIGHT OF WAY FOR A PORTION OF EAST LANE SOUTH AND SE 5TH AVENUE, PER APPROVED PARTITION PLAT, APPROVED UNDER PLANNING ACTION 2022-03-18 PTN**

DATE: July 7, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE DEDICATION OF THE RIGHT OF WAY FOR A PORTION OF EAST LANE SOUTH AND SE 5TH AVENUE AS SHOWN ON THE PARTITION PLAT, SAID PARTITION BEING APPROVED BY AN ADMINISTRATIVE ACTION ON JUNE 6, 2022, UNDER PLANNING FILE 2022-03-18PTN, AND AUTHORIZE THE MAYOR TO EXECUTE HIS SIGNATURE ON THE FINAL PLAT ACCEPTING THE DEDICATED RIGHT OF WAY.

SUMMARY:

The City Council, who is the governing body for the City of Ontario, needs to accept the right of way of a portion of East Lane South and SE 5th Avenue as shown on the Plat attached as an exhibit to this report.

BACKGROUND:

The subject property has been partitioned by Rouge Credit Union into two parcels with public right of way being dedicated. The action requires the dedication of public right of way for portions of East Lane South and SE 5th Avenue.

CURRENT SITUATION:

The Partition is ready to be finalized and the public right of way accepted by the City Council.

ANALYSIS:

- A. **STRATEGIC PLAN** This partition leads the way for future development in the area with the dedication of right of way to meet the Growth and Desirability portions of the City Council's Strategic Plan.
- B. **FINANCIAL** There is no financial cost to the city at this time.

- C. **TIMING** This action needs to be completed and the right of way accepted so the developer may move forward with the sale of the new lot in a timely manner.
- D. **POLICY/LEGAL** The City Council, under 10 B-55-45 for a land division involving the creation of streets, shall, by action of the City Council at a public hearing, approve the final plat by motion accepting the public right of way, and the Mayor and planning official shall sign the plat.

ALTERNATIVES:

The alternative could be to not accept the right of way.

The Council could, by motion, not accept the right of way offered for dedication and instruct the applicant to make the street private. These alternatives would not meet city codes for connectivity and existing public use of portions of the roads.

RECOMMENDATION:

Staff recommends that the Council approve the request for the dedication of the street right of way and authorize the Mayor to sign the plat and acceptance of the right of ways as shown on the attached Plat.

ATTACHMENTS:

1. Attachment 1-Partition Plat

PARTITION PLAT NO. 2022-

**Within a portion of SE1/4NW1/4NW1/4 Section 11,
Township 18 South, Range 47 East, Willamette Meridian,
Malheur County, Oregon**

DETAIL 1

FOUND 5/8" IRON ROD
w/WPC IN PVC PIPE
8" BELOW GRADE

S89°54'47"W 19.90'

9.90'

5.00'

10.00'

OHP

10.00'

FOUND 5/8" IRON ROD
NO CAP

FOUND 5/8" IRON ROD
w/WPC "KOERNER PLS 64242"

S89°54'47"W 338.52(R1)
(N87°26'04"W 338.48(R2))
-S89°54'47"W 328.52'

FOUND 5/8" IRON ROD
NO CAP

10.00'

5.00'

10' WIDE POWER
LINE EASEMENT
INST. No. 94-7244.

RIGHT-OF-WAY
DEDICATION

GAS

S89°54'47"W 338.64'

N00°10'27"W 396.72(R1)
(N02°39'19"W 396.73(R2))

S00°10'27"E 228.78'

R/W VARIES

FOUND 5/8" IRON ROD
w/OPC IN CONC. "PLS 87770"

FOUND BRASS TAB
w/LEAD BASE IN
SIDEWALK "PLS 96936"

8' COMMUNICATION EASEMENT
INST. No. 96-8201.

10' WIDE POWER
LINE EASEMENT
INST. No. 94-7244.

MAJHEUR FEDERAL
CREDIT UNION
10,142 SQ. FT.
2-STORY

PARCEL 1
AREA :1.27 ACRES

PARCEL 2
AREA :1.65 ACRES

EAST LANE

FOUND 5/8" IF
NO CAP FLU

BASIS OF BEARING N89°57'27"W 1321.61(1321.66(R1))
(N87°33'38"E 1321.60(R2))(N89°59'58"E 1321.58(R3))

SOUTHEAST 5TH AVENUE

N 1/16 CORNER SECTIONS 10 & 11,
T.18 S., R.47 E., W.M.
FOUND 1" BRASS CAP MONUMENT,
3" BELOW ROAD GRADE.

WEB: CK3LLC.NET		
CHECKED BY: LCK	FIELDBOOK No. 0-349	PAGE(S): 10-11
DRAWN BY: AMC	DWG FILE No.: B-13--	
APPROVED BY: LCK	FILENAME: V022002	JOB No.: V022002
DATE: 2-25-2022	DATE REVISED:	SHEET: 1 of 1



2022 Quarterly Report

2nd Quarter (April-June)

Michael S. Iwai
Chief of Police
July 12, 2022



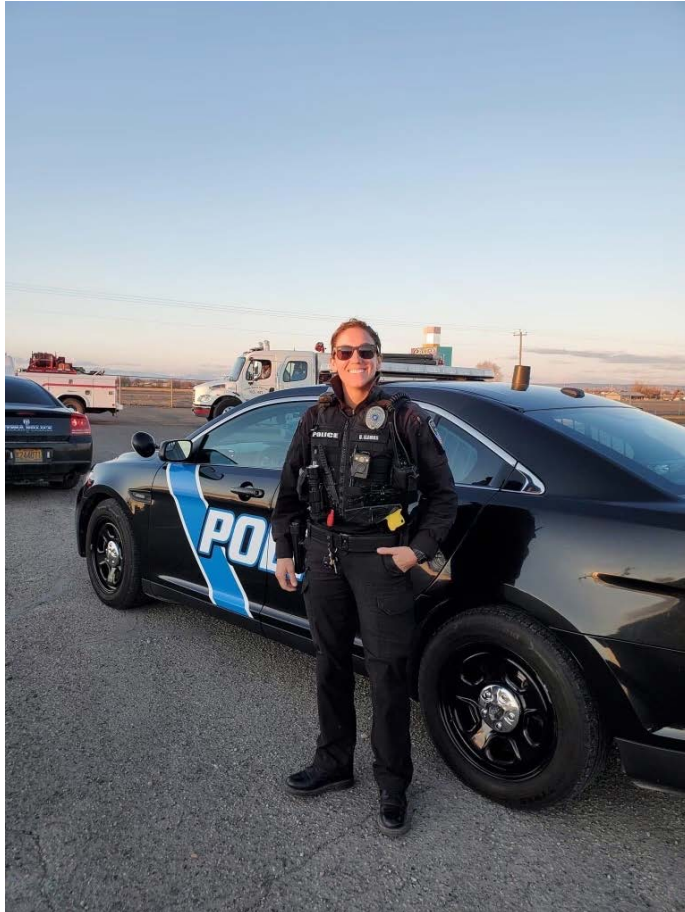


Officer Recognition

Drug Recognition Expert



Congratulations Officer Danielle Llamas!





Community Engagement



May 16 – EASTERavaganza

May 20 – Saint Alphonsus (Fentanyl Training)

May 23 – Border to Border (Oregon/Idaho)





Community Engagement



May 25 - Kiwanis

June 1 - Rotary

June 3 - Boots and Blues

June 10 - Fentanyl Presentation OMS

June 18 - Public Safety Training Center

June 25 - Stronger Together

June 26 - POW MIA Motorcycle Ride (Escort)





Recruit Officer Updates



Officer A. Cisneros

April 18, 2022 – Solo Patrol



Officer B. Mitchell

DPSST Academy Training

Week #16 (Graduation July 15)





Significant Cases



- April 10 – Detective callout for homicide investigation - suspect at-large
- April 12 – Agency assist in a rape investigation – pending prosecution
- April 27 – Drug Case (Meth and MJ) – pending prosecution
- May 7 – Drug Case (Fentanyl and Meth) – pending prosecution
- May 17 – Agency assist double homicide investigation – pending prosecution
- May 24 - Attempted Murder Investigation – pending prosecution
- June 9 – Drug Case (Fentanyl and Meth) – pending prosecution
- June 9 – Attempted Murder Investigation – pending prosecution





OPD 2022 Quarter 2



Activity	2022 April	2022 May	2022 June	YTD 2022	Qrt1 Jan-Mar	Qrt2 Apr-Jun	PRIOR YTD 2021
Calls for Service	1303	1293	1218	7207	3393	3814	8276
Case Activity	838	782	784	4487	2083	2404	5113
Murder	0	0	0	0	0	0	0
Manslaughter	0	0	0	1	1	0	0
Robbery	2	1	1	7	3	4	9
Sex Crimes	8	5	4	34	17	17	33
Burglary	16	11	13	84	44	40	85
Assault	22	10	11	76	33	43	73
Arson	0	0	0	1	1	0	2
UUMV / Auto Theft	7	5	5	46	29	17	54
Arrests	90	107	74	514	243	271	547
Arrests w/Use of Force	2	0	5	13	6	7	12
Gang Related Cases	9	3	3	22	7	15	35
Graffiti	14	5	2	34	13	21	56
Death Investigations	1	1	2	11	7	4	9
SRO Cases	0	1	0	29	28	1	60
Thefts	81	75	69	437	212	225	355
Traffic Stops	85	97	115	660	363	297	550
Cited Traffic/Parking	131	180	59	670	300	370	475
Traffic Crashes	42	27	34	207	104	103	232
Alarms	32	24	25	168	87	81	168

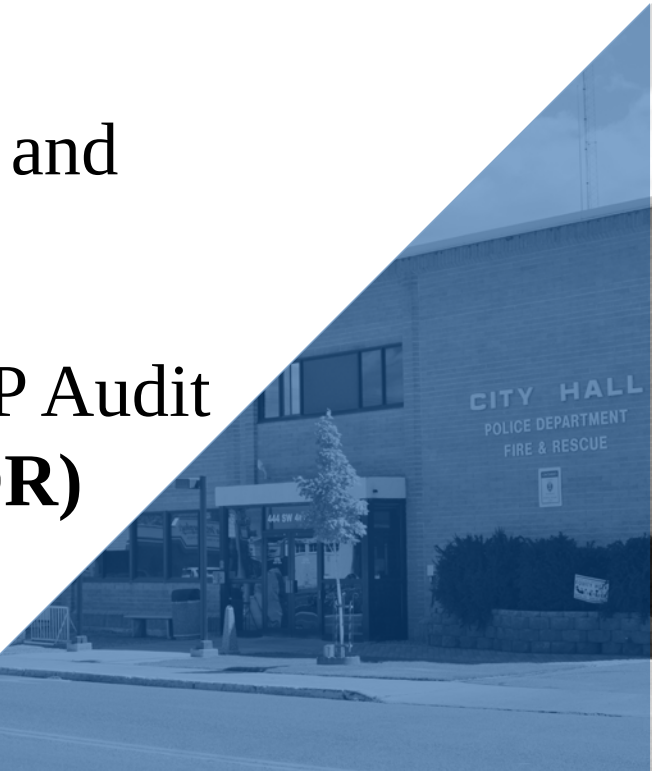




Evidence Program Update



- **Lt. Cooper special assignment**
- **Install Space Saver (August, 2022)**
- **Install of Evidence OnQ (August, 2022)**
- EMCS Initial On-Site Visit and action plan submitted
- All Officers have completed training related to packaging and documentation
- **GunBusters for firearm disposals are pending**
- Firearms have been reorganized from the July 2021 OACP Audit
- **June 22 – disposed of 907 items at Covanta (Brooks, OR)**





Department Need



Priority 1: Long gun & Assault rifle ballistic protection

- Rifle plate carrier vest
- Ballistic inserts (2)
- Double rifle mag pouch
- Basic medical pouch
- EMS shears





Department Need



Priority 1: Long gun & Assault rifle ballistic protection

Engineered to protect against high energy bullets, our SPEED Plate Plus is ultra-light, multi-hit protective inserts that consistently delivers exceptional ballistic performance against a wide-range of “special threats” bullets. As a Stand-Alone plate, it provides additional stopping power along with a high degree of trauma reduction, equaling unparalleled ballistic protection.

THREAT LEVEL: SPECIAL RIFLE THREATS STAND-ALONE





Department Need



Priority 1: Long gun & Assault rifle ballistic protection



BASIC MEDICAL POUCH
PRODUCT #PCHMD2





Department Need (Cont.)



Lawman Supply Company

- \$1,052.85 each
- 25 officers = \$26,321.25
- OPD, Nyssa, Malheur County SO, and OSP in partnership with the FBI have active shooter training scheduled before the start of the school year.





Thank You





**AGENDA REPORT
DISCUSSION ITEMS**
July 12, 2022

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Danny K. Cummings, City Manager Pro Tem

SUBJECT: **PROPOSED RESOLUTION #2022-128: ONTARIO PROMISE**

DATE: July 7, 2022

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2022-128: A RESOLUTION TO AMEND RESOLUTION #2022-102 TO UPDATE THE ONTARIO PROMISE 529 SCHOLARSHIP PROGRAM BY CHANGING THE STUDENT BOUNDARIES AND ESTABLISH 529 ACCOUNTS FOR ALL STUDENTS.

SUMMARY:

The Ontario Promise Ad Hoc committee proposed some amendments to the Ontario Promise 529 Scholarship program.

BACKGROUND:

The City Council approved Resolution #2022-102 on January 24, 2022, which established the Ontario Promise 529 Scholarship Program.

CURRENT SITUATION:

The Ontario City Council appointed Ad Hoc Committee has met over the last several months to explore how best to implement the Ontario Promise scholarship program. Meetings included input from the Four Rivers Healthy Community not-for-profit as well as staff from the Oregon State Treasury which, oversees Oregon's College Savings Program (529 education savings accounts). The Committee has concluded that helping all Ontario students set up a 529 Education Savings Plan is an important first step in the successful launch of the Ontario Promise. Assisting every student to set up an account in the first years accomplishes two goals:

1. Focusing the bulk of the Ontario Promise money on student scholarships and not on administrative overhead; and
2. Allows for a broad-based communication strategy for all students in Ontario and not just the five grades originally targeted for scholarships.

To accomplish this goal, the Ad Hoc Committee is requesting that the Ontario City Council revise Resolution #2022-102, which currently provided funds for \$100 scholarships for grades K, 3, 6, 9, and 12. The Ad Hoc Committee requests that the Council allow funds to be used to establish Oregon 529 Scholarship accounts for all other grades at \$25 each (the minimum required amount established to set up an account). The \$25 in funds for the additional grades (1, 2, 4, 5, 7, 8, 10, and 11) would be funded from the previously allocated funds by the Council. Previous estimates assumed 100% participation by students. After further discussion, it is assumed that participation rates may be as low as 50% to 75%. At a 75% participation rate by students, there are sufficient funds already budgeted for this program to have enough money to fund all accounts (\$100 for the original five grades and \$25 for all other grades).

With the expansion of the Ontario Promise program to cover all students, the Ad Hoc Committee will turn its attention to collaborating with the Oregon State Treasury staff and local educational partners to begin informing students and families about the program and plan to disburse the \$25 to all student accounts in the Fall of 2022 and then the subsequent additional distribution to the original five grades by December of 2022.

ANALYSIS:

- A. **STRATEGIC PLAN** This would apply to the Education goal in the City Strategic Plan.
- B. **FINANCIAL** At this point, there are no financial implications. There will need to be a supplemental budget resolution to transfer the appropriated Ontario Promise funds to a separate department in the Trust Fund.
- C. **TIMING** To get the program marketing out and contributions started in the Fall of 2022, the Ontario Promise changes should be made as soon as possible.
- D. **POLICY/LEGAL** The Council is required to approve all resolutions.

ALTERNATIVES:

The City Council could choose to leave the program as initially established.

RECOMMENDATION:

Staff recommends following the committee recommendation with the approval of Resolution #2022-128.

ATTACHMENTS:

1. Reso #2022-128 Ontario Promise Amendment



RESOLUTION #2022-128

A RESOLUTION TO AMEND RESOLUTION #2022-102 TO UPDATE THE ONTARIO PROMISE 529 SCHOLARSHIP PROGRAM BY CHANGING THE STUDENT BOUNDARIES AND ESTABLISH 529 ACCOUNTS FOR ALL STUDENTS

- WHEREAS,** The City of Ontario, by Resolution #2022-102, dated January 24, 2022, established the Ontario Promise program for the purpose of establishing and adding funds to 529 scholarship accounts for Ontario students; **and**
- WHEREAS,** The Ontario Promise Ad Hoc Committee has concluded that helping all Ontario students set up a 529 Education Savings Plan is a priority; **and**
- WHEREAS,** To assist in this goal, the committee is recommending making a change in the program by giving \$25 contributions to set up 529 education plans to 1st, 2nd, 4th, 5th, 7th, 8th, 10th and 11th grade students; **and**
- WHEREAS,** The boundaries of the students will need to be changed from the 8c school district boundary to all students with a 97914 zip code for administration purposes; **and**
- WHEREAS,** The City Council desires to make the recommended adjustments to the Ontario Promise program and the following will supersede and replace Resolution #2022-102.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to amend Resolution #2022-102 as follows:

- o Students are required to reside in the 97914 zip code boundary instead of the Ontario 8c School District boundary; *and*
- o The city will fund a \$25 initial deposit to establish 529 plans for students in grades 1, 2, 4, 5, 7, 8, 10 and 11.

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 12th day of July 2022, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 12TH day of July, 2022.

Riley J. Hill, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



Jacobs June 2022 Monthly Report



Removing shrubs in beck park



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 JUNE 2022

- Issued 6 ROW Permits
- Issued 1 New Address to Commercial lot.
- Attended 1 PDAC meeting to discuss a new hanger.
- Attended 1 PDAC meeting to discuss new businesses.
- Attended 1 PDAC meetings to discuss the addition of residential housing.
- Attended the Jacobs monthly safety meeting.
- Inspected the abandonment of 3 Backflow devices on irrigation systems.
- Safe Routes to School –no bids were received. We had a meeting with ODOT to discuss the next steps to take.
- Construction on the Beck Park Bathroom Remodel has started. To date they have removed the concrete walk and removed and replaced the roof.
- Safe Routes to School Sidewalk Project out to bid.
- Multiple plan reviews for new construction
- Multiple construction inspections
- Continuous updating of the GIS mapping
- Around 120 Cross Connection/Backflow letters were mailed out.



DEVELOPMENT REVIEW CONTINUED

ACTIVITIES JUNE 2022

Family Eye Center's new location



Tapadera Lift Station



Tapadera Lift Station



WATER: TREATMENT PLANT AND DISTRIBUTION SUMMARY

ACTIVITIES JUNE 2022

- 25 water services turned on customer request
- 29 water services shut off customer request
- 22 water services turned on/off read only customer request
- 38 water services turned off for non-payment
- 46 water services turned on for payment received
- 5 water services shut off for leaks customer request
- 4 water services turned on and verified leak repaired by customer
- 8 water services checked for leaks customer request
- 7 water services checked for high consumption
- 10 water services checked to make sure still off from the non-payment list
- 11 water services checked for 0 consumption
- 8 new water meters were installed
- 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
- Crews adjusting the chemical delivery systems

Installed new media in WesTech #2 Filter



WATER: TREATMENT PLANT AND DISTRIBUTION SUMMARY

ACTIVITIES JUNE 2022

Installed new buoyant media in WesTech #2 Clarifier



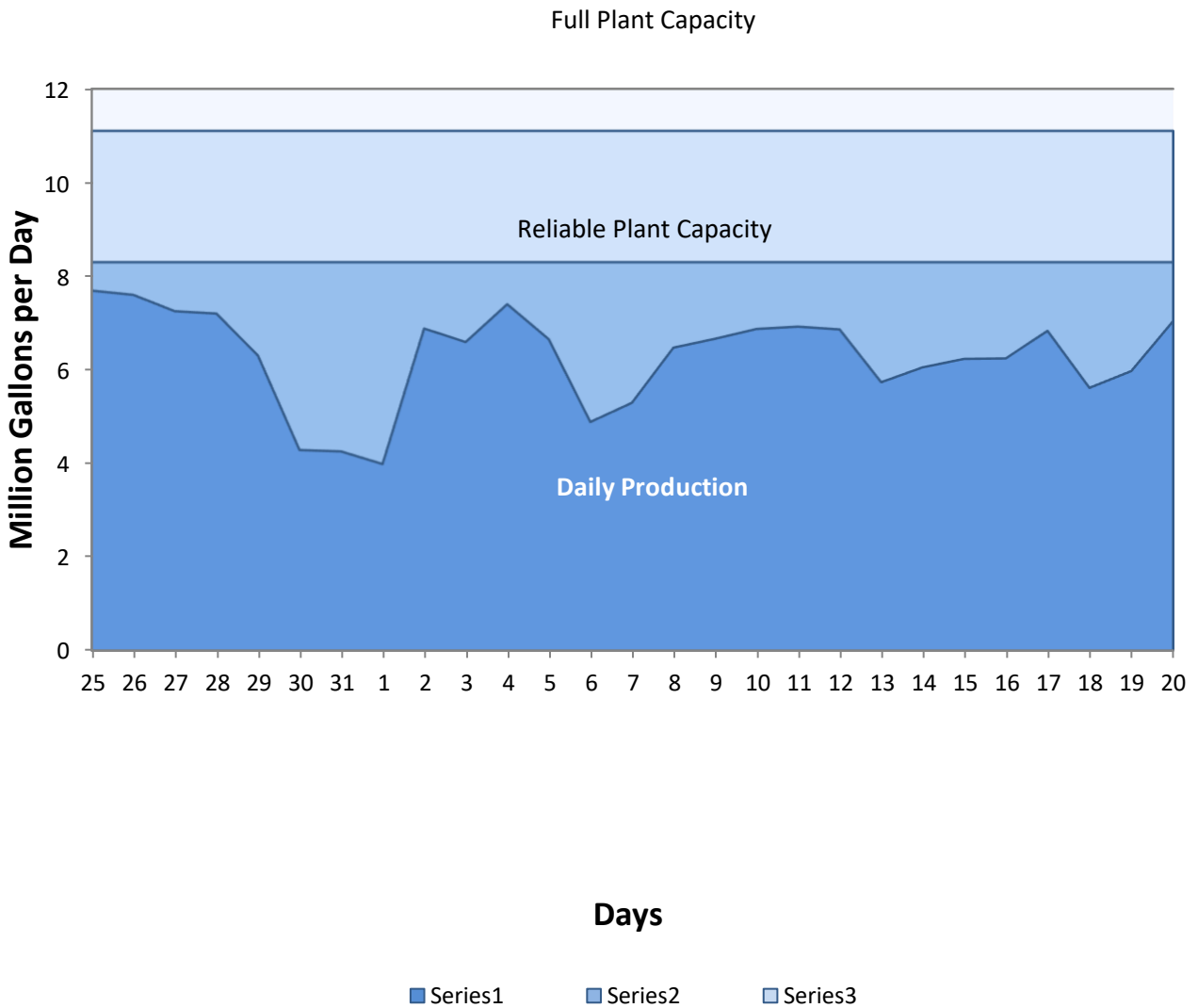
Received new WTP UTV



Fabricated new buoyant media retention screens

WATER TREATMENT PLANT PRODUCTION VS. CAPACITY

Demand vs. Availability May 25-June 29, 2022



WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY

ACTIVITIES JUNE 2022

- All sampling per the 2019 NPDES permit have been taken.
- Sewer only account Arsenic results were sent out to customer
- Completed required copper Biotic sampling required in the NPDES permit.
- All OSU and ASU covid 19 samples sent to lab
- Crew helping out at WTP for short staffing
- Skyline Everfilt system hooked up and running properly
- Annual Valve Maintenance completed
- Annual Aerator Service completed
- All irrigation packages have been installed on both Skyline and Malheur Farms



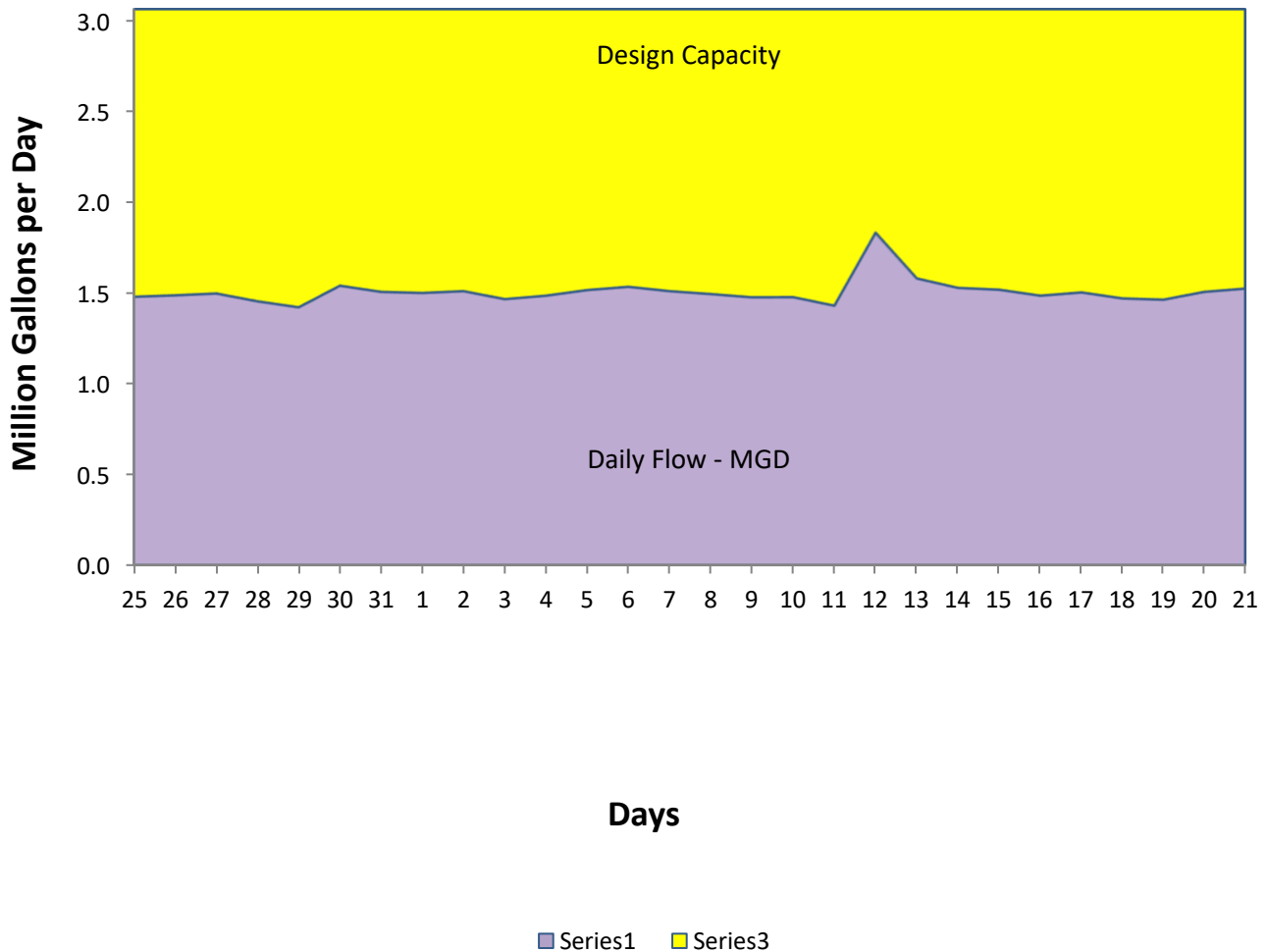
WASTEWATER TREATMENT PLANT

ACTIVITIES JUNE 2022



WASTEWATER: TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY

Wastewater Treatment Flows May 25 - June 27, 2022



OPERATIONS MAINTENANCE: BUILDINGS, PARKS, CEMETERIES AND STREETS SUMMARY

ACTIVITIES JUNE 2022

- Swept the downtown and under pass 2 additional times
- Weed trimming on the ODOT swells on E. Idaho Ave.
- Trash pickup on E. Idaho ODOT swells
- Cleaned sanitary sewer lines ahead of the CCTV project
- Crews responded to flooding during heavy rain event, closed a couple sections of flooded roads, cleared catch basins, and maintained lift stations for 6 hours following the heavy rainstorm on June 12th.
- W. Idaho pump #2 had to be pulled and unplugged 2 times
- Eastside lift station pumps 1 and 2 had to be pulled and unplugged each 1 time
- Chip seal prep, flushing and sweeping the chip seal area
- Covered manholes, valve boxes and communication vaults for the chip seal
- Chip sealed June 22nd and 23rd, 8.5 lane miles (SW 4th Ave. – from S. Oregon St. to SW 9th St., NW 4th Ave. – from NW 9th St. to Verde Dr., Fortner – from N. Oregon to NW 5th Ave. and NW 3rd St. – From NW 5th Ave to W. Idaho Ave.)
- Repaired a stop sign that was damaged by a vehicle on SW 2nd Ave. and SW 12th St.
- Vehicle maintenance for chip seal, dump trucks, and JD gator
- Installed 3 water services at the Airport for new hanger developments
- Found a large leak at the old golf course club house on the water service line, 7ft deep. A new water service line from the vault to the building is being installed.
- Poured 9 of 20 new tree wells on E. Idaho Ave, the remaining tree wells will be poured in July.



OPERATIONS MAINTENANCE: BUILDINGS, PARKS, CEMETERIES AND STREETS SUMMARY

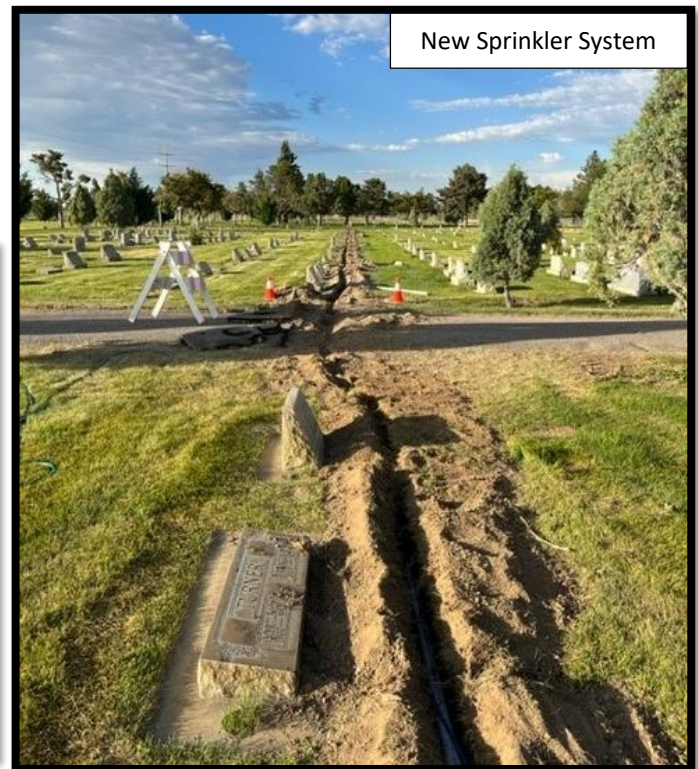
ACTIVITIES JUNE 2022



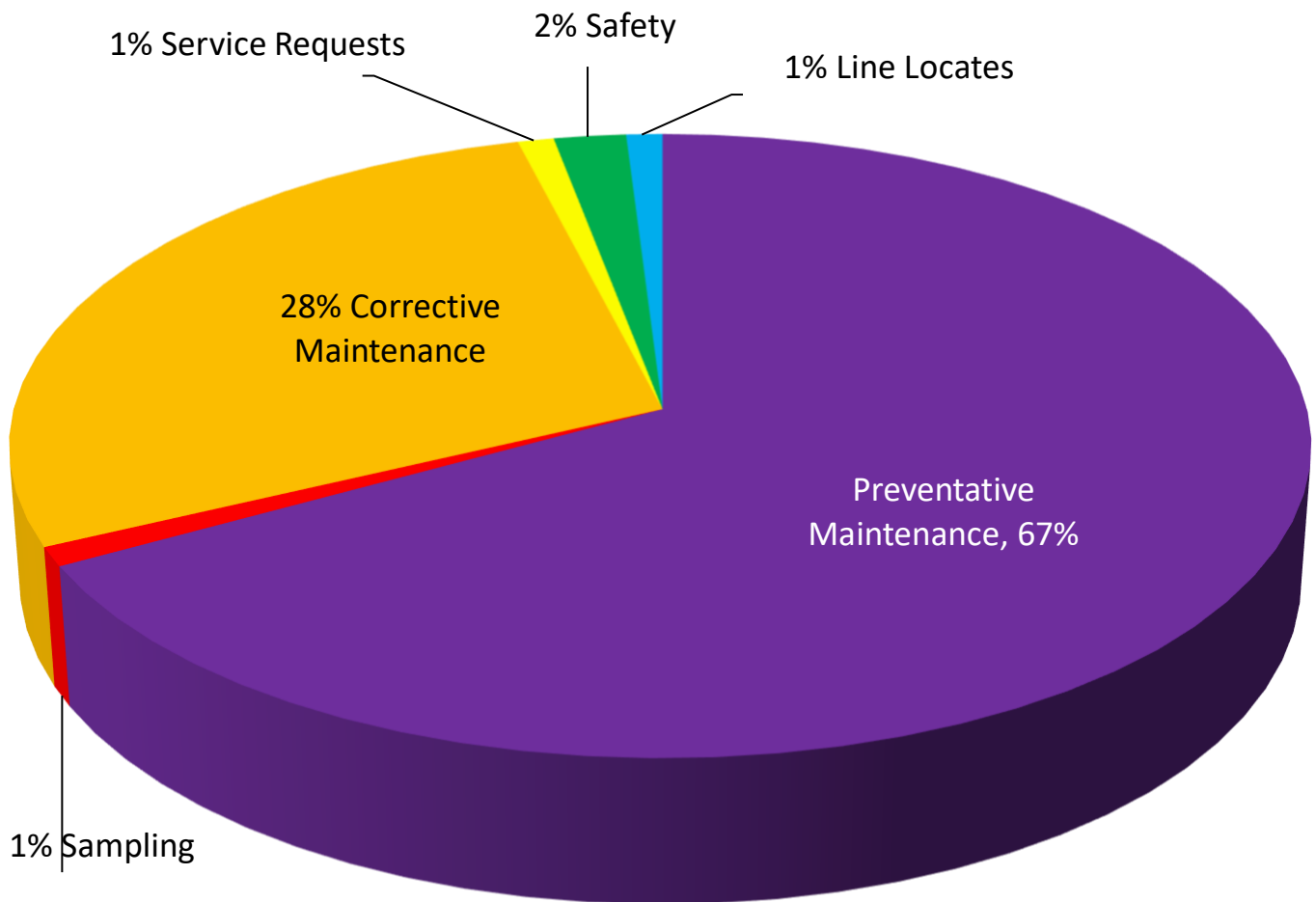
OPERATIONS MAINTENANCE: BUILDINGS, PARKS, CEMETERIES AND STREETS SUMMARY

ACTIVITIES JUNE 2022

- Repaired radiator on generator at city hall.
- Freedom sprinklers began work on sprinkler system at Evergreen Cemetery.
- Repaired doors on Golf Course, golf cart storage.
- Repaired AC at public Works office.
- Completed yearly inspection on the elevator at City Hall.
- Removed old shrubs at Beck Park.
- 8 funerals at Evergreen Cemetery, and 2 at Sunset Cemetery.



OPERATIONS MAINTENANCE: BUILDINGS, PARKS, CEMETERIES AND STREETS SUMMARY

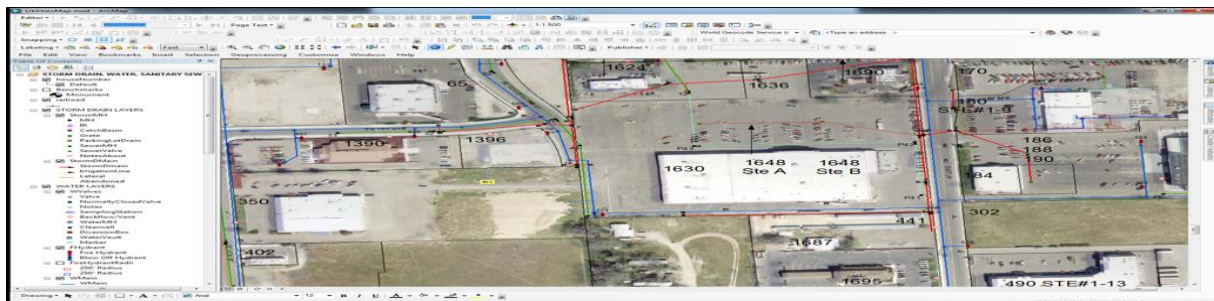


The City of Ontario Public Works Department consists of five Divisions that include Administration, Engineering, Water Treatment and Distribution, Wastewater Treatment and Operations (Streets, Stormwater, Buildings, Parks and Cemeteries). The Department has 30 FTEs (full-time equivalent) employees. This service is provided via a Public-Private Partnership with Jacobs Engineering Group, INC.

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).

The Administration Division is responsible for the delivery of all of the contractual obligations and oversees the financial, human resource and all resource management processes. The Administrative Staff evaluate the needs for contracted services, implementing necessary service agreements, developing energy management strategies, and formulating short- and long-term programs and plans in conjunction with City Administration (City Management and City Council).

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.



Police Stat Report

JUNE 2022 - QTR 2

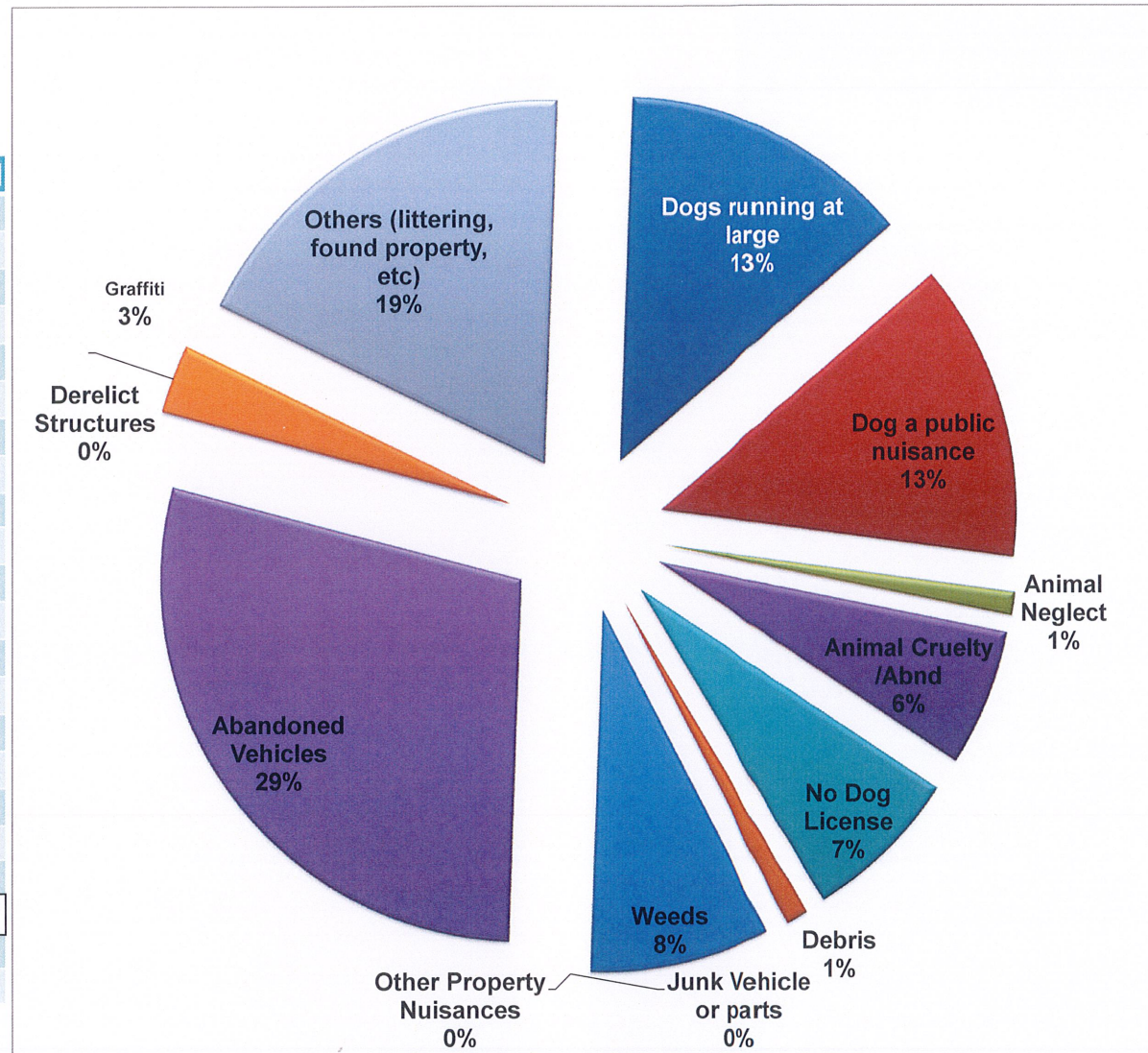
Activity	2022 April	2022 May	2022 June	YTD 2022	Qrt1 Jan-Mar	Qrt2 Apr-Jun	PRIOR YTD 2021
Calls for Service	1303	1293	1218	7207	3393	3814	8276
Case Activity	838	782	784	4487	2083	2404	5113
Murder	0	0	0	0	0	0	0
Manslaughter	0	0	0	1	1	0	0
Robbery	2	1	1	7	3	4	9
Sex Crimes	8	5	4	34	17	17	33
Burglary	16	11	13	84	44	40	85
Assault	22	10	11	76	33	43	73
Arson	0	0	0	1	1	0	2
UUMV / Auto Theft	7	5	5	46	29	17	54
Arrests	90	107	74	514	243	271	547
Arrests w/Use of Force	2	0	5	13	6	7	12
Gang Related Cases	9	3	3	22	7	15	35
Graffiti	14	5	2	34	13	21	56
Death Investigations	1	1	2	11	7	4	9
SRO Cases	0	1	0	29	28	1	60
Thefts	81	75	69	437	212	225	355
Traffic Stops	85	97	115	660	363	297	550
Cited Traffic/Parking	131	180	59	670	300	370	475
Traffic Crashes	42	27	34	207	104	103	232
Alarms	32	24	25	168	87	81	168

CODE ENFORCEMENT

JUNE: 2022 Stats

Ontario Police Department

Violation	Jun-22	Column1
Dogs running at large	13	
Dog a public nuisance	13	
Animal Neglect	1	
Animal Cruelty /Abnd	6	
No Dog License	7	
Debris	1	
Weeds	8	
Junk Vehicle or parts	0	
Other Property Nuisances	0	
Abandoned Vehicles	28	
Derelict Structures	0	
Graffiti	3	
Others (littering, found property, etc)	18	
Dogs taken to (Fetch This Kennel)	0	
Civil Penalties Issued	0	
C.P. Amount Sent	\$0	
Total Parking Citations	0	
Total Violations	98	
Total Cases	98	98



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.





June 2022 ACTIVITY REPORT



June 2022



Emergency Medical:

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

CITY	175
RURAL	13

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

Hazmat Team Calls:

2

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	18	3	1
RURAL	11	2	1

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

TOTAL CALLS FOR MONTH

CITY	195
RURAL	24

Firefighter Training:

5/31 – Virtual Haz-Mat training on a program that is used to better plan for the effects on the community when a Haz-Mat incident occurs. The rest of the staff worked on vehicle stabilization and extrication.

6/7 – EMS training on collapse incidents; mostly trench collapse but also some structure collapse. We talked about safe-zones, operations, resources, and recent incidents in our area.

6/14 – This was a work party night at the training center to prepare for the upcoming truck show on June 18.



June 2022



Firefighter Training Continued:

6/21 – A drill was planned for water safety and use of the rescue boat. The drill was shortened due to a fire call.

Permits Issued:

City Open Burns 4

City Burn Barrels 4

Rural Open Burns 69

Rural Burn Barrels 14

Community Involvement:

6/3 – The Chief attended and supported the Boys and Girls Club Boots and Blues Fund raiser.

6/8 – The Chief attended the TVCC Health and Nursing Feasibility study session.

6/7 through 6/9 – The department assisted the court system with having a youth do community service on a couple of projects for training they had.

6/18– The department had the Grand Opening for the Ontario Public Safety Training Center to go along with the Snake River Valley Fire Chiefs Wildland Truck Show.





June 2022



Community Involvement Continued:





June 2022

6/20 – *All of the department apparatus pumps had their annual test done.*

6/20 – *The department conducted the written test for the new firefighter position.*



6/22 – *The Nyssa Migrant School brought 40 young children to the station for public education and a tour.*





June 2022

Summary of Calls of Interest:

City Incidents:

5/27 995 Manor Way Rescue 1 crew responded for a propane smell. The staff could not smell any odors and the gas monitor did not detect any levels of gas. There is no gas to the property or signs of propane tanks in the area.

5/31 1051 SW 5th Ave. Rescue 1 crew responded to investigate two patio chairs that had burned. The chairs were sitting in the yard and the residents had been sitting in them the night before. In the morning, they found them badly burned. The crew was unable to find an ignition source but assumed possibly an ash from a cigarette had smoldered and started the fire.

6/1 180 East Ln. R1 responded to a motor vehicle that ran into the building of the Subway sandwich shop. There was damage to the front building windows and metal frames. The vehicle was inside the building but no one inside was injured. The person driving the car was evaluated and then removed from the car, she was also not injured. The crew assisted with securing the scene and making sure the structure was safe. They remained on scene and assisted with the removal of the vehicle and then cleaning up glass and liquids after the building was clear.



6/8 351 SW 9th St. St. Al's R1 staff responded to a commercial alarm. The crew and the hospital staff did not find any issues and the alarm was reset.

6/9 751 N. Oregon Rescue 1 crew responded for a residential fire alarm; they were cancelled upon arrival by the property occupant.



June 2022



City Incidents Continued:

6/10 1223 SE 11th Ave. R1 responded to a neighbor's complaint of an illegal burn. The occupant was burning non-approved products in a fire pit and was not attending the fire. He did not have a burn permit. The occupant was told to put the fire out and advised of the burn permit policies.

6/10 795 NW 9th St. R1 responded to a fully involved dumpster fire. They extinguished the fire and investigated the cause.

6/11 175 NE 6th Ave. Heinz Rescue 1 crew was dispatched to a commercial alarm but were cancelled prior to arrival.

6/11 995 N. Oregon R1 responded to a fire alarm in the assisted living facility. They found patients outside the home, but no alarm sounding. They investigated and found no issues. The alarm was reset and showed normal. The patients returned inside, and the crew cleared.

6/13 995 Manor Way Rescue 1 responded to a fire alarm at the apartment building. They did not find any problem and the alarm was reset.

6/15 789 Sierra Vista Dr. R1 was requested to assist the OPD with the use of a ladder.

6/17 1150 Fortner Rescue 1 was dispatched to a vehicle fire with structures threatened. They found a car with the engine compartment heavily involved. The crew extinguished the fire and found heavy damage in the battery area. The occupant had been in the house and the car was not running. It appeared the fire started due to issues with the battery.

6/18 1712 W. Idaho R1 crew responded for a residential fire alarm. Upon arrival the occupant cancelled them and said the alarm activated due to burned food.

6/22 1600 East Ln. Rescue 1 was called for a dumpster fire but were unable to locate any burning.

6/23 1630 E. Idaho R1 responded to a vehicle fire, but it turned out to be a radiator issue with the car.

6/24 154 Sunset R1 responded to a small amount of trash in a dumpster on fire. They put the fire out and cleared the scene.

6/25 - 1330 SW 4th St. Rescue 1 was dispatched to the Armory building. An event was taking place there and some sparklers were lit and set off the alarm. The smoke had cleared, and the alarm was reset.



June 2022



Rural Incidents:

5/26 4419 Bellows Dr. Rescue 1 responded for a residential fire alarm. Upon arrival they were advised by the occupant that the alarm was set off by some burned food in the microwave. There was a light haze of smoke that was clearing from open windows.

6/3 2240 NW 22nd Ave. R1 responded to a vehicle fire in a homeless camp area. They found a fully involved suburban with propane tanks on fire inside the suburban and in the area. The owner stated that he had set up a charging system with some jumpers off a battery in the rear of the vehicle. It appeared that some arcing had caused the fire to start, and the propane tanks and other aerosol cans accelerated the fire. The crew was able to extinguish the fire without further damage.

6/4 I-84 and NE 3rd St. Rescue 1 responded to a report of smoke in the area. The fire was located by a police officer that had the responsible party put out the fire.

6/10 I-84 MP 376 R1 responded to a fire at a homeless camp. They were unable to locate any sign of a fire and cleared the scene.

6/13 Hwy 20/26 Nyssa 14A responded to a mutual aid possible Haz-Mat by Nyssa Fire. Two personnel responded and found a truck had rolled over in an onion field and spilled about 5 gallons of motor oil in the field and the irrigation ditch. The spill was small enough to not be considered a reportable quantity. The crew used floor dry in the irrigation ditch and absorbent pad in the other areas to absorb the oil. The pads were collected and put in the truck to be hauled off when it was removed. The oil still left in the field was going to be taken care of by the farmer.

6/14 1611 East Ln. R1 and 157 responded to a brush/grass fire with structures threatened. They extinguished the fire without any damage.

6/17 518 Ontario Heights Rd. Rescue 1, 100, and other apparatus responded to a structure fire at the asphalt plant. Upon 100's arrival, he was advised by the facility staff that the fire was in the sand hopper and that their staff was able to extinguish the fire. R1 arrived and did further investigation. Other crews were cancelled.

6/20 3176 SW 13 Ave. 156 responded to an unattended brush fire that ended up being discarded lumber. The property owner had been cleaning up the area earlier in the day and left the property. The fire became larger after he left. The crew was able to put out the fire and clear the scene.



June 2022



Rural Incidents Continued:

6/21 928 Morgan Ave. 156 and 100 responded to a truck full of hay on fire. The crew found the truck in a driveway on fire with both the truck and hay burning. 155 and 159 also responded to assist with the extinguishment. The truck owner towed the truck away from the burning hay and the staff was able to put out the fire in the truck. The rest of the area around the hay pile was secured so there would be no fire spread and the hay pile was allowed to burn.



6/23 4808 Pioneer Rd. 159 responded to a mutual aid call for water supply from Payette Fire. The 159-crew responded and assisted with fire attack of a grass fire by supplying 6,000 gallons of water for the suppression crews.

6/24 1520 Central Dr. Rescue 1 responded to a vehicle fire. They found a U-Haul type moving vehicle with the passenger compartment fully involved and the front portion of the enclosed hauling area starting to burn. The crew put out the fire and did investigation to determine the cause. The fire started down low in the passenger's compartment on the passenger side of the vehicle. They found the vehicle to not have a battery so ruled out electrical. They found the vehicle doors locked and the hauling area also locked. They had to cut the lock to access the storage/hauling area. The vehicle owner and his ex-wife stated that they suspected their son of starting the fire in retaliation due to a dispute with his father the vehicle owner. The vehicle was turned over to the owner and the crew cleared the scene.

MALHEUR COUNTY COURT SPECIAL MEETING MINUTES

Pursuant to Initiative Measure No. 23-64

May 9, 2022

A Special Meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. with Commissioner Ron Jacobs and Commissioner Don Hodge present. The Special Meeting was held pursuant to Initiative Measure No. 23-64 to discuss how to promote the interests of Malheur County in any negotiations regarding the relocation of the Oregon-Idaho border. Present in the meeting room were public members Bob Wheatley, Chrystine Wheatley, Judith Kerby, and Paul Skeen. Present electronically were various members of the public and members of the media including: Bob Doughty, Stuart Reitz, Matt McCaw, Ruth Rubelt, Mike McCarter (Citizens for Greater Idaho) and Leslie Thompson of the Argus Observer. Notice of the meeting was emailed to the Argus Observer and Malheur Enterprise and posted on the Courthouse bulletin board and County website. The meeting was audio recorded. The agenda is recorded as instrument # [2022-2433](#)

Judge Joyce asked for public comments.

Bob Wheatley: The first thing that I would like to find out – I had a number of friends that I've talked to over the weekend and that would've liked to have been here in person this morning but due to other things going on in their lives they could not be here, but I do have a list of 12 of our friends that have authorized me to submit their names so that you have it on record.

Judge Joyce: That's perfect, yes, thank you, did you want to read the names?

Bob Wheatley: I can do that. Those that have authorized me to let you know that they are in support of the move the Oregon border movement: Elaine Camp, Art Camp, Duane Anderson, Khrist Anderson, Steve Burton, Arvina Burton, Gary Thompson, LaRaine Thompson, Robert Wheatley, Chrystine Wheatley, Charles Pike, and Verna Pike. See instrument # [2022-2437](#)

Multiple talking, leaving list, and asking Mr. Wheatley to sit at the table and to continue his comments.

Bob Wheatley: Some comments, some questions, things that I would like to discuss that have been out and about in the community and especially reported in the newspapers that I have some questions about. I think one of the primary things, and this is the message that I'm getting from people that I know that were active in getting this initiative passed in Malheur county. I was part of the grassroots movement that got the signatures to get it on the ballot and since that point the, one of the main things that we, as a group in Malheur county, and this is, I'm just speaking for the people that I have direct contact with, but one of our feelings was that the real point of the initiative was to get you as a group, the commissioners, Malheur County, to listen to the voice of those people, those in favor, and those who are not. But it seems to me, from what the figures I see, that the majority of voters in the county have expressed their desire to see this movement move forward, to have questions answered that have come up, and eventually get this to the Oregon and also the Idaho legislatures. Because in the end they are the people who will make the decision on where we go and what we do. And they will be the ones that will need to answer the questions about, you know, what happens if. What happens to the people who are enrolled in PERS, what happens to Snake River Correctional facility, what happens to state employees? There are obviously a number of questions that will have to be answered before this ever gets to the point where any final decisions are made. The thing that seems to be lacking is any movement, and so we would like to know what we can do to help. I can understand that you as commissioners and the county judge need information in order to make decisions, these types of things, and if there are things that we can do as citizens to provide you, to help provide that information, we'd be more than happy to. I know I was involved in the meeting last September, it was done virtually, and I know at that point, and since then, I have heard comments, both by this group and by our state representatives, that, first of all, that this initiative doesn't really require you to do anything other than to hold this meeting. And I would question that. It seems to me there's been people who also question how many people in the county really support the movement, they cite the turnout for the vote, the small percentage of margin in the vote supporting it, and I really think that those need to be better analyzed. At the meeting last September there was a big point made about there was only, I think, a 35% turnout of the registered voters on that May election. Okay. But at that point I asked, and was answered, I asked what the average turnout for that type of a vote, where it's a non-presidential election, and the average turnout for that type of election was something like 34.5%. So that was an average vote; and I think that we need to take that for what it's worth. And there was a margin, I think it was 54% for it/46% against. So there was a positive margin that those who voted in that election did want to see this movement move forward. Now I understand the way of the wording in the initiative is not such that you can absolutely state that those who voted yes are in favor of actually moving the border, but I would like to testify here, that as a person who worked on the grassroots, went out throughout the county with other members and got signatures, the people that we talked to face-to-face, what they were signing up for was to see positive movement towards seeing a moving of the border if it was reasonable or not and to get answers for these questions that have to be answered before anything would really go forward. I know this commission has said that you don't feel that you are required to initiate any kind of statement to our representatives to take this forward to the state legislature, but I would just remind you that already three counties, Harney, Grant and Lake county, their commissions have already sent letters, and Baker county is expected to do so, their commissioners, this month. This movement continues to move in a positive direction. There are three more counties I believe that will be voting on it in this May election. The feeling is very much that it will be a positive result and we're looking at 11, 12 counties in eastern central Oregon where the people are saying something's wrong here, we need to look at it, and it needs to go to the Oregon legislature. Ultimately, they're the ones that's going to make the decisions. There is already support in the Idaho legislature to look at the issue. In fact, there have been surveys done in Idaho and Oregon that show that people do support looking at this issue. There was a recent study done and there were two questions that I found very interesting, I don't know if you've seen it or not, this was a poll that was done with Willamette Valley voters and the first question was: Should Oregon state government look into what the effect on Oregon would be if Oregon counties became a part of Idaho? And this is voters in the Willamette Valley – 68% of them said yes. A second question asked: Should Oregon state government look into the causes of discontent in eastern and southern Oregon? 81% answered yes. So it's not just a few rebels in central and

eastern Oregon, but there are people in northwestern Oregon that realize that there is a problem and that it should be addressed, whether it's moving the border or not, we need to find out. Maybe there's better ways to resolve it; and I am not against that at all. We do feel that our areas of the state need to have a better voice. We need to be heard. The issues that we face are much different than what the people in the Portland - Salem, areas face, and too, let's face it, what 78% of the voting population lives in that Portland - Salem corridor. So that leaves three quarters of the state, as far as landmass goes, being dictated by that small amount of part of the state but where the majority of the population or the majority of the voters are. So we would like to see a more equitable situation than that. I don't have the answer to that. I don't, I'm not politically minded. This is the first time in my 74 years that I've become politically involved.

Commissioner Hodge: Bob, did you say, on those two questions, that was a poll question? It wasn't put to a vote was it, it was a poll?

Bob Wheatley: No, no, no, it was a poll.

Commissioner Hodge: Okay.

Bob Wheatley: I just would remind you that at the current time there are eight counties that have already passed this initiative, Malheur county being one of those. Douglas, Josephine and Klamath counties will be voting on it in May. There are two or three other counties that have petitions going and are interested. And I think it's, it's really interesting to me that, I don't know if you can see this map very well, but

Commissioner Hodge: Is Deschutes in there?

Bob Wheatley: No, Deschutes is not

Commissioner Hodge: Lakeview and Klamath and

Bob Wheatley: If you'd like that, maybe you guys can look at it closer. But the interesting thing to me, and I think that something that is important for you to consider is that the majority of counties in eastern Oregon that directly border Idaho are all in favor of this type of movement. And I think, my true feeling is the people in those counties have voted and have spoken their wishes to have this looked at, it's time to move forward and do something with this. And I would ask the commissioners at the end of this meeting, to look at this really strongly and think about whether you would be interested in doing something as these other counties have. Have you seen the petition, or I guess I don't know whether you call it a petition, but I do have a copy of the letter that was sent by the Harney county commissioners.

Commissioner Jacobs: I haven't seen it.

Commissioner Hodge: I haven't seen it either.

Bob Wheatley: They indicated that the citizens of Harney county have requested to have our state senator and district representative acknowledge the desire for the state of Oregon's border to be moved and investigate the possibility. Okay. They also have said that they have heard many concerns about how this would affect PERS, water rights, prison populations, road authorities, these types of things. These are all questions, I understand, they have to be answered. But we need to start answering those questions, and the people, in my opinion, and this is just my opinion, but those that I've spoken to, and who favor this motion, want to move on, they want to move ahead. If you have any questions of me, I'd be glad to

Commissioner Jacobs: Bob, I think the last time that we met, you know, we suggested, or I did, suggested that you guys get organized as a group, and do just this, come to us with, you know, your feelings and your desires, what you're doing right now. And so, that's what this meeting, this bill was for, was to have this, have these meetings. But you mentioned you thought we should do more, more being requesting our representatives to move forward?

Bob Wheatley: Let me share with you this comment from one of the persons involved in the Citizens for Greater Idaho organization. He said, the only way for these counties to actually vote on moving a border would be a state initiative or a plebiscite ordered by the state legislature. Okay, so our feeling is that is what the next step needs to be, and that's what I'm asking for, and that's what these other counties are asking their commission to do. Let's move this to where it has to go, to our state legislature. They are the ones that, I know that you guys aren't required to form a committee and study this and answer these questions. You shouldn't have to. In my opinion, that is a duty of the state legislature, but we have to let them know, and it has to come from you, that your citizens in Malheur county, along with these other counties, want the state legislature to form a committee, to look at this issue, to find out what the answers to these questions are. And to also work with the Idaho legislature. As I mentioned, there are people, legislative people, in Oregon and Idaho, who are in favor of this initiative and in seeing movement on it. So that would be my request to this point of what I would be asking of you, as a commission, is to take that next step, to move this forward to the state legislature where it belongs and let's push a little bit on them, let's put a little bit of pressure on them to look at this. Now their answer might be, when they form a committee, their answer might be to look at our issues, what's bothering us. If that happens, I think that's a great step too. But we would really like to see some movement forward and we would like to hear some people who have legislative and governmental power listen to what our desires are and what our needs are in eastern Oregon. The only other comment I would make is that I have talked to a lot of people in Malheur county who are involved in agriculture, our farmers and ranchers, and I'm telling you, they tell me that they are on the verge, a lot of them are looking or have already moved their operations to Idaho. And others are saying, that if things continue the way they are going, with the bills that are being passed that are affecting agriculture, they will not be able to continue in business. And without our farmers and ranchers in Malheur county, we will not have Malheur county.

Judge Joyce: So a follow-up to Ron's question is, my understanding at our last meeting you and another gentleman were going to come together with answers for us.

Bob Wheatley: We volunteered to do that, but the answer, I stated that I would be happy to be on a committee that would look at

those issues for you. What I heard in those, and you can go back to the minutes, was, is that was not something that this initiative forced you to do. That you did not need to form a committee to look into it. All you needed, all this issue did was cause you to meet three times a year to discuss possibilities. But it didn't require you to really form any investigative committees. And in truth, the information that I've gotten since then indicates to me that really, I think we'd have a tough time answering most of those questions. Again, like I said, those questions are going to have to be answered by the state legislature and committee that they would form.

Commissioner Hodge: Well you know, we have a Eastern Oregon Counties Association, and I wonder if, well I think we have a meeting the 26th maybe of this month, and they've been in John Day, and you went to the last one, I wonder if we shouldn't, that should be presented at, because that's all of the eastern Oregon counties, like, you know, Wallowa, Union, all the way across. I wonder if we shouldn't present that to them, you know, put it on the agenda and talk and see, at least get a conversation going.

Bob Wheatley: Sure, that'd be great.

Commissioner Hodge: And see what their thoughts are, because they're the ones who pass the regulation, or that voted it in, they're under the same obligation we are to meet three times a year. And I haven't, personally, I haven't read anything in our EOCA minutes or meetings that we've talked about it, and we do have them on the phone once in a while, I haven't heard anybody say a thing about it, have you?

Commissioner Jacobs: Well I discussed, actually discussed this with some of the commissioners when I was in John Day the other day, and especially the ones that have already submitted their letters. I sat with the Harney County commissioner and the Lake County commissioner, and so we did discuss this some. And you know, I've talked to Senator Findley about this some, and we've discussed, just briefly, some of the concerns you have. But, you know, I think I'm sitting here feeling the same way you do is that we're not being heard from Salem, you know, we don't have a voice over there out of eastern Oregon, and that's something that we need to push for is to try to get our viewpoints heard and be able to have more effect. But that's only change with the legislatures, if we get more people from the east side and more conservative people in the legislature. So that's one thing. Personally, I feel the same way you do Bob. We will continue to discuss this as a group and determine whether or not we want to, I don't think it's that we don't want to actually submit a letter or something to the legislatures, but, I think we want to have these, at least the first three meetings, and get the viewpoints of those that come in and talk. Because we're going to have some people that are for it and some people against it. So we just feel like we need to listen to everybody that has an opinion on this to start with.

Bob Wheatley: That's very fair.

Judge Joyce: And back to your point, I think we're really well represented on this side of the state, they just get outvoted every time they get in the legislature, and that's the real issue, that part of it.

Commissioner Hodge: And they're pretty frustrated by that

Judge Joyce: Really frustrated

Commissioner Hodge: They go to those sessions and they're barely heard because they just shut them down. I have no idea what we can do about that, other than they just get up and talk, and then they're just, you know, their bills and stuff they put up and they try to get through to help, that's going to help our area, eastern Oregon, and man they don't even get a review or look at.

Bob Wheatley: What you're saying, I mean, that's the feeling, that's why this whole thing ever got a start, that's the feeling of the majority of the people I believe. And these counties in eastern, central Oregon, so eventually, I think you're right. Pressures got to be put on the legislature and those people in the legislature.

Commissioner Jacobs: One more thing. When we talked about not forming a committee, we were discussing that we weren't going to form a committee as the county. But, if individuals want to go out there and form a committee and start trying to push things forward and make sure that we know that the majority of the people are in favor of this; and I think at one point we're going to want to make the decision of issuing a letter to the legislatures and our representatives. But they know how we feel about it right now.

Commissioner Hodge: And I don't know how big of a committee you need, and it might be where, I think I see Leslie Thompson is listening, might be where you go to the paper and ask or put some type of article in the paper and you said you were willing to volunteer on that committee, maybe having some people give, put it out, some verbiage, and then have your contact information where they can get back to you and then you can setup, start setting up some type of committee to have these conversations. And then have forums throughout the county, you know, like in Ontario, Vale, Nyssa, and even, you know, the Jordan Valley area. Or have them all meet in a central location. But I think that would have to, you know, you'd have to get something in the paper. And then you're going to want to restrict your committee; you might have a thousand people contact you wanting to be on the committee, so how that could grow or how it could develop is going to be in your hands.

Commissioner Jacobs: And I guess one thing that I would like to see is people from both sides on that committee. So that when you meet you can talk about the pros and cons, because, you know, if you and I met we'd probably only talk about the pros. But other people are going to have other ideas, that the legislators are going to want to be familiar with and know about as well when they have to make their decision.

Bob Wheatley: Great suggestions

Commissioner Jacobs: I do think the counties need to do their due diligence in bringing that stuff forward, the pros and the cons, so that the legislators are familiarized with those.

Commissioner Hodge: I think what Ron's saying, you'd want to probably, or my estimation, think you'd want to get

representative, Mark involved, and Senator Findley involved, at least talking to your group or your committee for some direction. And just like Ron said, you'd want pros and cons on there, so you can come to some kind of understanding of a direction to go.

Bob Wheatley: I appreciate your time and input; I really appreciate your suggestions and input.

Commissioner Jacobs: We appreciate you coming in and talking about this because this is what we need is to have more of the citizens I think getting involved and talking about this issue.

Mike McCarter: Can I give you a little bit of input into this issue that might clarify some things?

Judge Joyce: Sure, we're looking for information.

Mike McCarter: I've talked to a lot of state representatives this year and one of them is Representative Gomberg out of the Tillamook area. When I made the comment to him that you're not listening to our legislators from eastern or southern Oregon, his response was we hear everything they're saying but we're outvoting them. That is just how blatant it is in the Oregon legislature and even if we get a red way pushback, which I hope we do, I believe it's only going to be a temporary thing because a majority of the vote is coming out of the Willamette Valley and they're dictating everything that the state is doing. So our suggestion is, if the state of Oregon wants to treat us this way, like they've already let us go, then let us be part of Idaho. Don't sit there and try to control us and pass mandates and state legislation that affects us negatively because it helps the Willamette Valley. Just let us go. In Measure 23-64, that is your county measure that was passed there, in the summary part, it says, if passed the petition requires the Malheur County Court to meet once every January, May, and September to discuss how to promote the interests of Malheur county in any negotiations regarding the relocation of the Oregon Idaho border. I heard you mention already that its got to be picked up in the state legislature; and we agree with that wholeheartedly. But to get it into the state legislature we've got to contact our state representatives, our state senators, and have them push towards the legislative process. Because, that's where the decisions are going to be made and that's where all of the inquiry needs to take place as to the benefits, plus or minus, of moving the border. Now what's important for Malheur county is if there are specific issues, and I've heard a lot of the issues that have come out of Malheur county, the minimum wage, the sales tax, marijuana issue, all of those there, if they're important, the best thing for Malheur county and for you, the commissioners, is to have that information ready to go so that when the negotiations get started in the state legislature, you make sure that those important things are mentioned. And remember, in a negotiation, everything's up for negotiations. Certain things can be grandfathered in, whether it's water rights, whether it's licensing or whatever. So everything's out there on the table to be talked about. But if it's not talked about from the county level, on important issues that you have in your county, and I know that Malheur county's got different issues than say Harney or Baker or Lake or all the way over to Josephine and Douglas. Those issues need to be in the negotiations, otherwise they could be forgotten. And that's not good. So our recommendation is, even though you may not be in favor individually, which I think you are, that something needs to be done, it's important that a letter goes to Senator Findley and Representative Owens saying our people voted, we would like you to take that vote up to the state legislature, and that's all we're asking the counties to do, is to take it up there. Because you're right, it's got to be talked about in the state legislature.

Commissioner Hodge: Thank you for your comments.

Mike McCarter: And I thank you for holding these meetings three times a year, it, you know, it's a pain, I understand that. We offered in the beginning as a suggestion that you put it on as an advisory question which wouldn't have mandated any of these meetings like this. But, for whatever reason, that suggestion was not responded to. Josephine county has put it on their ballot as an advisory question, because if it passes then they're not mandated to do anything with it. But now that we're in this mandate, and this is the way that the state elections said the only way you can get this legislative, get this process going is on a legislative to create a law. And we had to do it.

Commissioner Jacobs: So Mike, what is the advisory question, what do you mean, we could've done that instead of having the meetings?

Mike McCarter: What Josephine county and Douglas county did it too on it, basically, the most recent one coming out of Josephine county is asking the citizens, in your opinion, should Josephine county, along with other rural counties, separate from Oregon and become part of Idaho? Now, from the citizen level we could not put that on a ballot; the only way we could get a measure on the ballot according to the Secretary of State from the people is to create a legislative bill. And that legislative county bill turned out to be Measure 23-64. So the other way that commissioners can do it, and we're still talking to commissioners in some of the counties that haven't got it on the ballot, why don't you just ask the people with an advisory question? It's that simple. But again, I don't know what their reason is, why they don't want to do it. Maybe they feel that they don't agree with it or whatever the case. But when we went county by county, we were not trying to tie the hands of county commissioners and require issues to be done. Our goal was to find out in each rural Oregon county, how do you feel about this issue? What do you want somebody to do about it? Just like this question in Josephine county, do you want to see something happen here? Now the polls say, out of northwest Oregon, in January, 81% of the people that responded on that poll, Survey USA, said the state legislature needs to pick this up and talk about it. They even realize there's an issue going on, but we've got to push in every way we can to get our legislators and every legislature to take it up, to the legislative process and at least start talking about this. That's our goal there.

Commissioner Jacobs: Thank you.

Judge Joyce: Appreciate that insight.

Mike McCarter: Your welcome, and I apologize, I wanted to be there in person today, but all of a sudden, I had a state representative said, would you come to Salem and talk to us? And so as soon as I get off the phone I'm heading for Salem to start talking to the legislature about this. And that's where it needs to be taken.

Commissioner Hodge: Well thank you.

Judith Kirby: I want to alert the county commissioners, the major concern I have are three. One is the school curriculum. Our schools are propagandizing to our kids. I mean, my 10-year-old brought home last semester an environmental studies, social studies, he had to describe how agriculture hurts the environment. Agriculture!

Commissioner Hodge: How it hurts the environment?

Judith Kirby: How it hurts the environment. Since second grade he's been coming out of school and telling me, grandma, you've got to get an EV. I said, Colton, grandma doesn't have the money to buy an EV. I said, Colton, they are brainwashing you to, you know, in the future buy an EV but poor people like your grandma and other people that don't have the money, especially in poor countries, third world counties, and even here, they don't have the money for EVs. But what's coming, even more violent than that, is when our schools were closed in 2020, and I don't know if you realize this, the State Department of Education, nonelected bureaucrats, imposed in their social studies curriculum, basically what's called Critical Race Theory, they're not talking about it, nobody knows about it, especially the low-income people do not know what this stuff is that the schools are going to teach our kids. But basically, if you look at it through the Heritage Foundation, its Marxism. I put the standards where you can find them in my letter, but you can go on the Oregon Department of Education, Social Studies, and by 2026 every school district in Oregon is mandated to start doing this curriculum in our schools. First grade kids have to divide themselves on the basis of sex, gender, identity, and disability. By third grade they're taught to be activists for the things that the group is discriminated against. It's against the Constitution. It's against the Bill of Rights. It's against free speech. And basically, this is being pushed by a lot of people with money. And the way I see it is they want puppets. They want our kids to think like they do so they can control them. And it's scary to me. I want my kid so badly to be able to go to Fruitland or to Idaho to school it's not even funny. Some of the people with more money than we do actually they can pay \$800 a child and go to the Fruitland Charter School; and they are if they have the money. Other people that have money are moving across the river to get their kids away from this stuff. It's lethal. Schools, more than anything else, the way that they're indoctrinating our kids in school is lethal to the freedom and the thinking of our kids. And most people don't even know what's coming down, especially low-income people that don't afford a paper. And I put where you can find the standards in my letter because you need to look them up because one of the standards is kids are supposed to be taught that people working in agriculture, like packing sheds and the fields that I did are being repressed and therefore they shouldn't be doing that. I mean the stuff that they're going to teach our kids are anti-agriculture, they're anti-freedom, they're anti-law, they're anti-constitution, and I am just very fearful about what my grandson who's 10 is going to be subjective to because of the crazy thinking on the other side of the state. And I so much want him to be able to get out of this school system. The other thing you need to know, is when our schools were shut down by our governor, the Ontario schools only offered two 45-minute sessions a day. Two 45-minutes for education. The schools were shut down in March, there was no school from March through the rest of that year, except paper packets. And the governor dictated that no child could advance in education for that period of time. So, what they got in the paper packets were, write a sentence, write a story, color this, color that, have your grandma read a book. It was worthless. Most of those bus drivers were dropping off lunches, some kids were getting lunches, but they weren't getting education. Then when schools did start, we got two 45-minutes. I offered to help two kids, 10 years old, my grandson and another boy, online and we did it for four weeks. And this one little boy turned to me and said, he said, Judith, he says, this is first grade math and we're in fourth grade. And he said, I know this stuff, they're telling us to go to see the counselor, to go to see the PE teacher, he said this is garbage. I mean this is from a 10-year-old. And so we got homeschool books and off I went as a 74-year-old grandma with a stroke, teaching two little 10 year old's third grade and fourth grade. And those boys got, had to go back and relearn their third grade and learn their fourth grade and they're doing fine. But most kids did not get that help. They did not get caught up. And now our schools are just continuing with some of those kids two years behind. It's a travesty. I mean our education in Oregon stinks.

Commissioner Jacobs: Did you have other points?

Judith Kirby: No. But, just that, the other thing is our state is anti-business. The Every Student Succeeds Act, it takes .56% of everything that's sold in Oregon; it's supposed to collect \$2 billion. The reason that that was passed supposedly was that every Oregon child was supposed to get free preschool. In the bill, sadly, there was no money for buildings. How do you implement universal preschool if there's no money in it for buildings? All of the money goes to more people being hired by the school district. There is absolutely no money in that bill for preschool. I mean, we fought to find a preschool for our little one because he didn't qualify for Head Start. So, what they promised, they broke the promise and all they're doing using that money for is hiring more people, some of them not even needed in the schools. And its anti-business, our state is more anti-business when you compare it to Idaho that's pro-business our state is very anti-business. For example, we got some help from the federal government because of COVID to keep our employees, well that money is being taxed on as a sale by the state under the Every Student Succeeds. Our state is anti-business, I so much, I look all the time at real estate in Idaho because my husband said, you can never take me over there because I'm going to stay in Oregon, because that's where I'm known and that's where I'm civically active. But our kids so badly want to move to Idaho but can't afford it. The schools are terrible, they want to move partly because of the schools.

Commissioner Jacobs: You mentioned you had three things, so you have

Judith Kirby: Agriculture, the curriculum of our schools, the anti-business and the anti-agriculture. I mean our kids are being taught that agriculture is negative. And then our governor tells us that she flies to Belgium and then comes home, did you see it in the paper where she said that we ought to farm less by a third when our people are hungry, farm less by a third after she's flown to Belgium. I mean, they don't have a clue how we live out here. They don't have a clue of our values. They don't have a clue and the other thing with Critical Race Theory, its not to help civil rights of any one group. It is to mind control everybody so that they can be used. The kids can be used against their own rights and their parents' rights. They want to control the kids, it's not about helping a group of kids. It's like what's called equity in this bill, an educator can be hired, a consultant can be hired to help a group of kids under one of these groups, but if a kid has the same need that's in a different group, that kid does not get

studied. So basically, it's reverse discrimination in disguise. Thank you. See instrument # [2022-2436](#) for written comments.

Commissioner Jacobs: Thank you.

Judge Joyce: Thank you Judith.

Paul Skeen: Farmer in Nyssa. I really agree with everything that's been said today, but there's a couple other things that I want to talk about. Before this meeting's over I'm hoping that you will do exactly what we want you to do which is send it to both of our legislators and get this moving. One of the greatest things about all of this, whether it all comes to fruition or not, by the way Hi Leslie, is it causes them to look and see. We are a pain in their side. But a pain in their side that they don't have to worry about because we can't outvote them. I've got 2.5 miles of river frontage where I'm 800 feet away from a really, really conservative agricultural based state. And then I get to deal with this. I spent 37 years as the, 37 years on the board and 23 years as either the president or vice president of the Malheur County Onion Growers Association. And to be truthful with you, all I do is play defense. I've now stepped down so it's a different deal and Cory's going to have all he can handle. But as we push forward on all this stuff, it may help to change some of the thoughts over there. Some of you know that I have pushed because I have people in the Idaho legislature that I know, let's just get Malheur county in right now, let's not worry about everybody else. That's me speaking, that's not Greater Idaho. But it needs to be for all of you. I've known you guys for a long time and I believe that you feel the same we do. I can't tell you, and she brought it up, I can't tell you how many people are moving to Idaho that are fantastic community members, taxpaying people. The people that I work with, we own part of that Baker-Murakami situation and we've had three that are getting ready to move over there and I'm one of them; well four, and I'm one of them, I just can't find a lot because I'd kind of like to be close back to my farm. But the way that this state has lined things up, and that's another thing I want you to push forward on this, is there's only 13 states in the United States that have a death tax. And I like being number one in everything except death tax, and we're number one with Massachusetts and death tax. Idaho doesn't have a death tax. If I die, and it's not like I got money just sitting in the bank, I'm trying to keep two boys farming. They won't be farming because I gotta give it all to the State of Oregon, we've gotta get something done. Now the natural resource that Congressman Bentz, when he was actually a state legislator was 7.5 million if one of your relative's comes back in and actually farms behind you. That was put in 13 or 14 years ago, and the problem we've got is land prices have skyrocketed. So, Senator Findley has been working on trying to even get it into the legislature over there and he can't even get it in to the legislature. We need your help. We are losing good people in the state of Oregon, specifically out of Malheur county in to Payette and Canyon county and what we're getting in return is looking for stuff that they can buy over in Ontario that probably doesn't bring the best citizens into the county. CRT, she's probably right, I've probably said something I shouldn't have said. We've got to wake up here or we're going to have a county that's really going to be in trouble. I've lived here all my life, born in Holy Rosary Hospital, used to beat him up when, no he was always smarter than me when we were in school. Anyhow, I guess that's the point that I want to say, I want you to worry about the rest of the state, but I really want you to concentrate on Malheur county, let's get this into our two legislative people and let's start pushing on this, and I would really like you to do this on this natural resource (inaudible) well Owens is part of it too, but it's mainly Senator Findley. And hey, I want on record they are two of the finest people you'll ever, ever see but you talk about showing up to a gun fight and you've got a BB gun, that's what they deal with every day and the times that I've gone over there and testified, I'll tell you I tell them they deserve heaven because they're in an uphill every single day that they're there, fighting everything.

Commissioner Hodge: And unfortunately, they know that, they have the sessions, they go there

Paul Skeen: Oh they know it better than I know it

Commissioner Hodge: and when we have our legislative calls during the session its, we get to hear all of that too.

Paul Skeen: Well you talked about having a meeting with your eastern Oregon people, I'm not sure whether Wallowa county and Umatilla county and those guys are with us, I don't, I'm not up to speed on it, but Malheur county really needs to be in Idaho. I'd even step down and say Treasure Valley needs to be in Idaho. I mean we deal with it every day; 90% of my produce and I grow a lot of seed product, they don't stay in Oregon, they leave Oregon because of all the tax situations. Now I was sitting here thinking is there something that me and Governor Brown agree with? And it was the transload, she did help with that. Other than that, she's on one side and I'm on the other, and the rumors are she's the most hated governor in the United States, I feel bad for her that she hasn't seen the light. Any questions?

Commissioner Hodge: Appreciate you coming.

Judge Joyce: Appreciate your comments.

Commissioner Jacobs: Appreciate your comments Paul.

Paul Skeen: Cory's asked me to stay on the, helping with this kind of stuff, so that's why I'm here.

Judge Joyce: Good, appreciate it

Commissioner Hodge: Like in an advisory

Paul Skeen: Oh I'm not an advisory, he's way smarter than me, I'm just helping with time and efforts with this stuff.

Commissioner Hodge: Well again, Paul, we appreciate you coming, and appreciate your comments and I think, you know, we agree

Judith Kirby: And along with that Senator Findley was quoted in the paper not too long ago, every single bill in the legislature coming up is anti-rural, anti-rural Oregon, every single one.

Paul Skeen: Just to show you how this, because maybe you don't know and maybe it needs to be on the record, because we are, you get a million dollars, and it sounds like a lot of money for other people but it doesn't take very much land to be a million

dollars, a million for your wife, a million for you, and then it's 16% for the state of Oregon. So the federal is not going to hurt me, but I own a lot of land in Oregon, Oregon Slope down to south of Nyssa, it's not like I'm going to use it and spend it on the islands of Hawaii, I'm just trying to keep some boys going that, I'm a fifth generation farmer, and they're sixth, and I'd like to see maybe even a seventh with some of my grandkids. I'll tell you my oldest son was smarter than me and moved to Fruitland so his whole farm operation is in Oregon but he lives in Fruitland and his corporation is in Idaho.

Commissioner Hodge: Is an Idaho corporation?

Paul Skeen: And I have to do that, if I don't I'm going to be in big trouble. So when she talks about anti-agriculture, these big feed lots or ranches and farms, it doesn't take much and you've got to move to Idaho or you're giving it all to the state. And these smarter guys, that probably have a little more money, have already moved to Fruitland, or already bought it and are already building their houses.

Judge Joyce: True

Paul Skeen: Anything else, thanks for listening to me. I would really like to see you make that motion today before we leave.

Commissioner Hodge: This is information gathering and Paul, appreciate your comments, you're highly thought of in Malheur county and the Treasure Valley, and we hear you and we hear the same horror stories you hear, you know you go to coffee and you've got a coffee group and our county is agricultural based, and just like you said, you're a little bit into (inaudible) and I think you've got three or four of those that are looking at relocating and actually they're already in the process

Paul Skeen: They've already got their lots

Commissioner Hodge: they've got their lots and they're developing it over there.

Commissioner Jacobs: Thank you Paul.

Matt McCaw: I'm here with the Greater Idaho movement. I logged on today to be able to answer questions and just be able to kind of, you know, represent the movement. I thought Bob did an awesome job of basically laying out what's going on statewide and so I don't really want to, you know, reiterate any of that. But I will just say that I would ask you guys, along with all these other folks, as a commission, what voters are saying all across our state when given a chance, is that moving the border is the solution that they want their elected leaders to pursue. And as county commissioners, there's only so much you can do, because you're not really the people that have the ability to do that, to move the border. But what you can do is you can promote the interest of your voters, your county, by writing a letter to Senator Findley, Representative Owens, and asking them to move it forward, because they are the decision makers. So I just want to encourage you guys to do that, and thanks for having this meeting and it's great to hear all the folks voicing, having a voice.

Commissioner Hodge: Thank you for your comments.

Commissioner Jacobs: Thank you.

Judge Joyce: Appreciate that.

Judge Joyce read the written comments the Court received into the record:

Carolyn Taghon, Ontario, Oregon: As a citizen of Malheur County I am very concerned about the Greater Idaho Initiative and would like to express these concerns. 1. If we become part of Idaho, we will be subjected to a sales tax which has been voted down more than once in Malheur County. 2. The sale of marijuana will become illegal and we will lose the tax money from that source. 3. We will lose our work force as our workers will be subjected to the Idaho minimum wage. Idahoans will stay home and save on the time and money of coming this far for work. Oregonians will leave looking for higher wages. I feel this initiative is not well thought out and if passed will not help our community. Please give it more intelligent thought and dismiss it. I'm sure there are more negative consequences than the three I have mentioned. Thank you for your time. See instrument #[2022-2435](#)

Frances R. Lewis and Steven R. Lewis: We are 100% opposed to moving Oregon's border into Idaho for the following reasons: Idaho's sales tax is very hard on fixed income seniors and low-income workers. Idaho's land use laws allow uncontrolled expansion. Good farm ground is being covered over with houses. We live in the country and want it to stay that way, not have a housing project next door. Idaho is near the bottom of the states in education and teacher pay. A low percentage of students go on to higher education. Minimum wage in Idaho is very low and hasn't been raised in over 9+ years, in spite of the cost of living going up each year. Idaho has active laws that allow discrimination. We do not want to live in a state where all people aren't welcome. For the above 3 reasons, we are opposed to and will NOT vote for moving Oregon's border into Idaho. See instrument #[2022-2434](#)

Bob Wheatley: Just two short things. Both those letters mentioned the tax situation. There have been studies done and we looked up comparing the tax situation between Oregon and Idaho, and this includes the sales tax, and the studies show that Idahoans individually pay approximately \$1700 less a year than Oregonians, and that includes paying the sales tax. So I understand, that is a great question, but there is an answer to it and it is a positive. The only other thing I wanted to do, in kind of closing out, I just received a text, and I wish I had had this to start with, because I think I could have kept my talk a lot shorter, this is from somebody you guys all know - Tom Butler, Ontario. Tom text me and he said: would love to live in Ontario and be an Idahoan. And gentlemen, that's the feeling I get from most of the people I speak to and you guys all know Tom.

Judge Joyce: That's the bottom line. Thank you sir.

Paul Skeen: I will tell you for the record, when they talk about 7.5 minimum wage, find somebody in Idaho that's getting that. I can tell you that they're so close to Oregon, if they want people, and we can't even get the people we need, they gotta pay what we're paying. The only difference is their H-2A workers, they don't have to pay as much to them as what we do; we're 17.40 and they're like 14.50

Multiple talking

Commissioner Hodge: I was going to say, you go over there, you know, a lot of us spend a lot of time over in the Treasure Valley and looking around you see the help wanted signs and they're saying, starting at \$16, \$17, because, again, they've got to have workers also.

Judith Kirby: And the other thing is a lot of people from the Ontario area or from the Treasure Valley drive to Boise because they've got higher paying wages in Boise proper. I mean there's a transit bus that takes some people that do stock trades. The idea that everybody that's, I mean the workers not getting paid adequately in Idaho is passé, it's not true. To get a worker you've got to pay the wage.

Paul Skeen: One other thing. I have a house that's on 79.5 acres, it's a really nice brick home. I can't sell it.

Judge Joyce: Because you need 80.

Paul Skeen: Because you need 80. And that's fine. I have somebody that I love that's in it, so that's fine. But my point is, Idaho you can split and build, that's probably too extreme but we are one extreme to the other. It's like when I testified in Salem one time and I said, I look across that 800 feet into Idaho and I see Christy Brinkley, she's our age, and I turn around and there's Phyllis Diller standing right next to me. (laughter)

Judith Kirby: And I think the other thing that needs said is, this is splitting the wealthy from the people that can't afford it. I mean, Ontario is getting poorer and poorer because the people that can afford it are moving. (multiple talking) and some of the people that haven't, I mean I know a man that's very wealthy that's staying in Ontario but he's sending his kids at \$800 a month to the Fruitland charter school. But we can't, I mean as older people, we can't afford the \$800 a month; I wish we could (inaudible) going to the charter school.

Commissioner Hodge: Well again thank you all for the comments.

Multiple talking

Paul Skeen: It's probably not politically legal but both of you are running for office again and I've already sent my ballot in and you know how I voted.

Multiple laughing and talking

Judge Joyce adjourned the meeting.

** Staff note: the September meeting Mr. Wheatley refers to in his comments about voter turnout was discussed in the January 2022 meeting, not the September 2021 meeting.

MALHEUR COUNTY COURT MINUTES

May 11, 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 and Commissioner Ron Jacobs present. Members of the media, public, and staff had the opportunity to join the meeting electronically or in-person. 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 #[2022-2471](#)

MCDERMITT LITHIUM EXPLORATION PROJECT - JINDALEE RESOURCES

Meeting with the Court from Jindalee Resources were: Lindsay Dudfield, Chief Executive Officer; Brett Marsh, Vice President; and Paul Mayer, Senior Geologist. Also present in the meeting room for the session were: Road Supervisor Dave Tiffany, Planner Eric Evans, Surveyor/Engineer Tom Edwards, Tucker Freeman with Oregon Department of Fish and Wildlife, Dennis Cindell, Gary Wescott, and Barbara Westcott. Mr. Dudfield gave a power-point presentation on the McDermitt Lithium Exploration Project and answered various questions from the Court and those listening. See instrument # [2022-2484](#) for the complete power-point document.

HiTech Minerals Inc (HTM) is a 100% owned, US subsidiary of Jindalee Resources Limited. The project is near the Oregon-Nevada border. Access in Malheur County is 22 miles from McDermitt along the Disaster Peak Road. The exploration project is on federal ground. Lithium is a critical component in lithium ion (Li-ion) batteries. There is currently one operating lithium mine in the United States and it is in Silver Peak, Nevada and produces about 5,000 tons of Lithium Carbonate Equivalent (LCE). Surface sampling in early 2018 returned high levels of lithium; this was confirmed by drilling in 2018-2021. Exploration results indicate a viable and vital lithium resource requiring continued exploration under the General Mining Act on public lands administered by the BLM.

PUBLIC COMMENTS

Public comments from Henry Guinn were submitted electronically via Go-To Meeting as follows: *Henry Guinn from Vancouver, Canada. This is not "federal land" this is stolen, occupied Paitue Indigenous lands whose "resources" we're talking about. Who are the environmental scientists and "cultural people"? Who ultimately decides whether this project is too risky? Especially because we have not mentioned the long-term impacts on the land of an open pit mine, including chemical leaching into ground water, destruction of habitat of antelope, grouse, and more, and the fact that lithium is not a "renewable resource" if we have to increase extraction to make a transition off ICE vehicles. Too many contradictions, too little time. Instead of finding a quick solution to our climate emergency in lithium mining, let's make sure we are building relationships with Indigenous communities with Indigenous Rights at the center of the debate. That's all. Reject the exploration plan of operation!*

ONTARIO SANITARY SERVICE - WASTE CONNECTIONS

Scott Wilson and Nate Wilson from Ontario Sanitary Service and Chris Welker, district manager for Waste Connections met with the Court. Also present was Environmental Health Director Craig Geddes and County Counsel Stephanie Williams. Scott Wilson explained he is retiring and selling the Ontario Sanitary Service business to Waste Connections. Waste Connections is a nationwide company but also a local company. A transfer of Ontario Sanitary Service's franchise agreement to Waste Connections is requested. Mr. Welker explained the name will remain Ontario Sanitary Service and the current employees will be retained. A franchise agreement with Waste Connections will be drafted for the Court's approval. The Court thanked Mr. Wilson for his years of service to the community and wished him well with his retirement.

PUBLIC COMMENTS

City of Ontario Mayor Riley Hill requested to leave with the Court an East Idaho Avenue Traffic Impact Analysis Report and an economic study for the Ontario-Fruitland Second Bridge Crossing project. The City has applied for federal funding to complete critical planning activities for the project. Mr. Hill requested the Court members individually review the documents and said he would meet with them at a later date.

PROCLAMATION - EMS WEEK

ASD Director Bob Dickinson met with the Court and presented a proclamation for EMS Week.

PROCLAMATION

In Support of

"EMERGENCY MEDICAL SERVICES WEEK"

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in hundreds of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

NOW, THEREFORE, we, the Malheur County Court, in recognition of this event do hereby proclaim the week of May 15-21, 2022, as

EMERGENCY MEDICAL SERVICES WEEK

With the EMS Strong theme, ***EMS WEEK: Rising to the Challenge***, We, Dan Joyce, County Judge, Don Hodge, County Commissioner, and Ron Jacobs, County Commissioner, encourage the community to observe this week with appropriate programs, ceremonies and activities.

Commissioner Jacobs moved to declare the week of May 15-21, 2022 as Emergency Medical Services Week. Commissioner Hodge seconded and the motion passed unanimously.

CROSSING PERMIT

Commissioner Jacobs moved to approve Crossing Permit #23-22 to Fatbeam to place fiber optic route feed for the school district along various roads in the Nyssa Road District #2. Commissioner Hodge seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of May 4, 2022 as written. Commissioner Jacobs seconded and the motion passed unanimously.

EMPLOYMENT AGREEMENT - CORDER

Commissioner Jacobs moved to approve Temporary Employment Agreement Dispatcher - Malheur County Sheriff's Office with Ashley Corder. Commissioner Hodge seconded and the motion passed unanimously. The agreement expires December 31, 2022. See instrument # [2022-2474](#)

EXTENSION OF EMPLOYMENT AGREEMENT - WEIR

Commissioner Hodge moved to approve Extension of Temporary Employment Agreement to Perform Duties of a Dispatcher (Excluding 911) - Malheur County Sheriff's Office Recorded with the Malheur County Clerk's Office as Instrument Number # [2021-5512](#) with Melody Weir. Commissioner Jacobs seconded and the motion passed unanimously. The agreement is extended to May 31, 2022. See instrument # [2022-2475](#)

CHECK REGISTER

Commissioner Hodge moved to approve Accounts Payable Register for April 2022. Commissioner Jacobs seconded and the motion passed unanimously.

WILDLIFE SERVICES WORK AND FINANCIAL PLAN

Commissioner Jacobs moved to approve USDA APHIS (United States Department of Agriculture - Animal and Plant Health Inspection Services) Wildlife Services Work and Financial Plan, Cooperative Agreement No.: 22-7341-5124-RA. Commissioner Hodge seconded and the motion passed unanimously. The Work and Financial Plan define the objectives, plan of action, resources and budget for the cooperative wildlife services program in Malheur County for fiscal year 2022/2023. A copy will be returned for recording.

CONTRACT TO SELL - VALDEZ

Commissioner Hodge moved to approve Contract to Sell/Installment Agreement Pursuant to ORS 275.190 with Rosa Zambrano Valdez for Ref. #634 purchased at the recent County Land Sale. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # [2022-2473](#)

AGREEMENT- GOLDTHORPE

Commissioner Jacobs moved to approve Agreement between Malheur County Court and Malheur County District Attorney for Additional and Temporary Services within the Malheur County Juvenile Department. Commissioner Hodge seconded and the motion passed unanimously. See instrument # [2022-2472](#)

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

MALHEUR COUNTY COURT MINUTES

June 15, 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. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Present in the meeting room was Administrative Officer Lorinda DuBois and Planner Eric Evans; and Les Zaitz and intern Isaac Wasserman from the Malheur Enterprise. 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 # [2022-2909](#)

PUBLIC HEARING - ADOPTION OF COUNTY BUDGET

Judge Joyce opened the public hearing for consideration of Resolution R22-13 adopting the County budget; notice of the hearing was published in the Argus Observer. No public comments were received. Ms. DuBois reviewed the budget changes. Commissioner Hodge moved to approve Resolution R22-13: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2022/23 as Required by ORS 294.456. Judge Joyce seconded and the motion passed. The total sum of the budget for the 2022/23 fiscal year is \$49,474,022; and the tax rate is \$2.5823 per \$1,000 of assessed value. See instrument # [2022-2914](#) for the document listing the changes before budget adoption; and instrument # [2022-2915](#) for Resolution R22-13.

PUBLIC HEARING - ADOPTION OF ASD BUDGET

The Court met as the governing body of the Ambulance Service District (ASD). Judge Joyce opened the public hearing for consideration of Resolution R22-14 adopting the Ambulance Service District budget; notice of the hearing was published in the Argus Observer. No public comments were received. Judge Joyce closed the hearing. Commissioner Hodge moved to approve Resolution R22-14: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2022/23 as Required by ORS 294.456. Judge Joyce seconded and the motion passed. Total Appropriation is: \$296,500. See instrument # [2022-2912](#)

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of June 8, 2022 as written. Judge Joyce seconded and the motion passed.

IGA - MARINE BOARD

Commissioner Hodge moved to approve Maintenance Assistance Grant Intergovernmental Agreement, Agreement No. 2123-048 with Oregon State Marine Board. Judge Joyce seconded and the motion passed. Funding is in the amount of \$17,625 to assist with operation and maintenance of three recreational boating access sites in the County for the 2021/2023 biennium.

IGA - BAKER COUNTY

Judge Joyce noted he contacted Baker County Commissioner Bill Harvey and advised him of discussions in Malheur County to possibly terminate the IGA with Baker County for the Food Borne Illness Prevention Program.

WEED SPRAYING CONTRACTS

Commissioner Hodge moved to approve Professional Service Contract for Weed Spraying with Branch Enterprises 7 Inc. Judge Joyce seconded and the motion passed. See instrument # [2022-2910](#)

Commissioner Hodge moved to approve Professional Service Contract for Weed Spraying with Blue Solutions LLC. Judge Joyce seconded and the motion passed. See instrument # [2022-2911](#)

PUBLIC HEARING - ADOPTION OF EXTENSION TAX DISTRICT BUDGET

The Court met as the governing body of the Malheur County Agricultural Educational Extension Service District. Judge Joyce opened the public hearing for consideration of Resolution R22-15 adopting the Extension tax district budget; notice of the hearing was published in the Argus Observer. No public comments were received. Judge Joyce closed the hearing. Commissioner Hodge moved to approve Resolution R22-15: In the matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2022/23 as Required by ORS 294.456. Judge Joyce seconded and the motion passed. Total Appropriation is \$1,699,763 and the tax rate is \$0.23 per \$1,000 of assessed value. See instrument # [2022-2913](#)

AMENDED AND RESTATED IGA #169522

Commissioner Hodge moved to approve Amended and Restated 2021-2023 Intergovernmental Agreement (IGA) for the Financing of Public Health Services, IGA #169522 (Amendment #7). Judge Joyce seconded and the motion passed. The Amended and Restated Agreement amends the Agreement to provide the second fiscal year (July 1, 2022 through June 30, 2023) Financial Assistance Award, provides the award Program Elements, and updates the funding amounts in the Information Required by 2 CFR Subtitle B.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.