

**MISSION STATEMENT: TO PROVIDE A SAFE, HEALTHFUL AND SOUND ECONOMIC ENVIRONMENT,
PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE**



**COUNCIL MEETING AGENDA
CITY COUNCIL – CITY OF ONTARIO OREGON
THURSDAY, JULY 6, 2017, 12:00 PM, MT**

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.

I CALL TO ORDER

Roll Call: Tessa Winebarger _____ Dan Capron _____ Marty Justus _____ Ramon Palomo _____
Betty Carter _____ Norm Crume _____ Mayor Ron Verini _____

II PLEDGE OF ALLEGIANCE

III MOTION TO ADOPT THE AGENDA

IV PUBLIC COMMENTS Citizens may address the Council; however, Council may not be able to provide an immediate answer or response. Our 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.

V OLD BUSINESS

- A Ordinance #2725-2017: Create OMC 8-17: Create Transportation Utility Fee
- B Draft Mission Statement
- C Sales Tax Alternatives Discussion
- D Presentation on Civil Penalties connected to code enforcement citations.

VI NEW BUSINESS

- A Presentation by third party insurance administrator John Forsyth.
- B Resolution 2017-125: A Resolution Appropriating Funds from the Utility Capitalization Fund to Complete the Water Treatment Plant Chemical Feed Improvements Project
- C Ordinance #2728-2017: Creating Title 2, Chapter 6, of the Ontario Municipal Code, Creating a Diversity Advisory Committee
- D Bid Award: Purchase Tree Grates for East Idaho Avenue Tree Replacement Project
- E Phase 3: City of Ontario National Pollutant Discharge Elimination System Permit
- F Letter of Support to Four Rivers Cultural Center for a reader board.

VII PUBLIC HEARING

- A Ordinance #2726-2017: Annexation and Rezone of Lots 4 and 11 of Ridge View Subdivision I - Residential-Urban Growth Area (R-UGA) to City Duplex Residential (RD-40)
- B Ordinance #2727-2017: Amending the Ontario Comprehensive Plan and Zoning Map Rezoning Property Tax Map 18S47E09BA, Tax Lot 3900, from Single Family Residential (RS-50) to High Density Residential (RM-10)

VIII DEPARTMENT HEAD UPDATES

- A Finance Monthly Report: Kari Ott, CPA, Finance Director
- B City Recorder Semi-Annual Update: Tori Barnett, MMC, City Recorder
- C Police Department Quarterly Update: Cal Kunz, Police Chief

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IX HAND-OUTS/DISCUSSION ITEMS

- A Fire Department Stats: June 2017
- B Police Department Stats: May, 2017
- C Ordinance/CitizenServe Stats: May, 2017
- D Public Works Stats: May, 2017
- E County Court Minutes: Jun 7, 14, 21, 2017
- F Public Works Committee Minutes: 04-11-2017

X CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

XI ADJOURN

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

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; (d) Labor Negotiations; (e) Real Property Transactions; (f) Exempt Public Records; (g) Trade Negotiations; (h) Litigation /Consult with Legal Counsel; (i) Performance Evaluation of Public Officers and Employees; (j) 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 6, 2017**

To: Mayor and City Council

FROM: Kari Ott, Finance Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2725-2017: CREATE OMC 8-17: CREATE TRANSPORTATION UTILITY FEE**

DATE: June 21, 2017

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE ORDINANCE NO. 2725-2017, AN ORDINANCE ADDING CHAPTER 17 TO TITLE 8 OF THE ONTARIO CITY CODE TO ADOPT A TRANSPORTATION UTILITY FEE, ON SECOND AND FINAL READING.

SUMMARY:

Council approved the First Reading of Ordinance #2725-2017 at their Tuesday June 20, 2017, Work Session.

BACKGROUND:

At the recommendation of the City Manager, during the May 2017 Budget Hearings, the Budget Committee approved the implementation of an \$8 Transportation Utility Fee in the 2017-2018 budget

CURRENT SITUATION:

The street fund does not currently have a large enough revenue source to pay for the annual street maintenance. The original proposed 2017-2018 budget given to the Budget Committee had some crack fill dollars appropriated, but no funding for chip sealing. The chip sealing had also been cut from the 2016-2017 budget. The City Council and Budget Committee recognized the need for a funding mechanism to finance the pavement preservation and maintenance of the city's street system. The City Manager proposed, and the Budget Committee approved, an \$8 monthly Transportation Utility Fee on each utility bill.

In order to impose a TUF, the city is required to create an ordinance, approve two different resolutions, allow for public comment and publish notice in the newspaper. These documents

do the following:

- The ordinance will create Title 8, Chapter 17, of the Ontario Municipal Code which will allow the city to adopt the Transportation Utility Fee and set up the parameters.
- The first resolution will set the Transportation Utility Fee as a monthly \$8 fee to each billing unit. The resolution also certifies that a chance for public comment was given.
- The second resolution classifies the Transportation Utility Fee not subject to Measure 5 limitations. This also certifies that a publication will be published in the newspaper to give notice of the adoption of this resolution.

The resolutions will be brought to the City Council after the ordinance becomes effective.

ANALYSIS:

- A. **FINANCIAL** Staff estimates the \$8 monthly Transportation Utility Fee will bring in \$364,800 to the Street Fund annually.
- B. **TIMING** This action should be approved as soon as possible to start bringing revenue into the city to fund street maintenance.
- C. **POLICY/LEGAL** The ordinance and two resolutions are required to be approved in order to adopt a Transportation Utility Fee.

ALTERNATIVES:

The Council could take no action on this matter; however, this would cause chip sealing to be cut from the budget and also a larger transfer from the General Fund to fund street maintenance.

RECOMMENDATION:

Staff recommends that the City Council approve a final reading of Ordinance No. 2725-2017.

ATTACHMENTS:

1. Ordinance #2725-2017



ORDINANCE NO. 2725-2017

AN ORDINANCE CREATING TITLE 8, CHAPTER 17, OF THE ONTARIO MUNICIPAL CODE TO ADOPT A TRANSPORTATION UTILITY FEE FOR THE CITY OF ONTARIO

- WHEREAS,** The City of Ontario recognizes the need for pavement preservation and improvement of the city's street system, along with a funding mechanism; and
- WHEREAS,** The Ontario City Council and Budget Committee deemed it a priority to commence pavement preservation and street improvements as identified by the City Council and Public Works Department; and
- WHEREAS,** In order to finance city preservation and street improvements, the Ontario City Council determined that funding from a Transportation Utility Fee is required in addition to existing sources of street funding.

NOW THEREFORE, The Common Council for the City Of Ontario Ordains as follows:

Section 1. The following Chapter 17 is hereby added to Title 8 of the Ontario City Code and is entitled "Transportation Utility Fee":

CHAPTER 17

8-17-1 DEFINITIONS

- (A) City Manager: The City Manager or the City Manager's designee
- (B) Public Works Director: The City Public Works Director or the Public Works Director's designee
- (C) Finance Director: The City Finance Director or the Finance Director's designee.
- (D) Responsible Party: The person or persons who by occupancy or contractual arrangement are responsible to pay for utilities. Unless another party has agreed in writing to pay and a copy of the writing is filed with the city, the person(s) paying the city's water or sewer bill shall be deemed the responsible party.
- (E) Street Maintenance: Any action to maintain or improve city streets, including repair, renewal, resurfacing, replacement, and reconstruction. Street maintenance does not include work that increases the capacity of a street such as street widening, adding bike lanes or sidewalks, or the construction of new streets or street lighting.

8-17-2 CREATION AND PURPOSE

- (A) A Transportation Utility Fee is created and imposed for the purpose of maintaining the City of Ontario's streets. The Transportation Utility Fee shall be paid by the Responsible Party for each Billing Unit per the terms of this ordinance. The purposes of the Transportation Utility Fee are to charge users for the service the city provides in maintaining public streets and to ensure that maintenance occurs in a timely fashion, thereby reducing increased costs that result when maintenance is deferred.

8-17-3 ADMINISTRATIVE OFFICERS DESIGNATED

- (A) Except as provided in subsections (B) and (C) of this Section, the City Manager shall be responsible for the administration of this chapter. The City Manager shall be responsible for developing administrative procedures for this Chapter, administration of fees, for establishing the fee for a specific Occupied Unit, and the consideration and assignment of categories of use subject to appeal in accordance with this Chapter.
- (B) The Public Works Director shall be responsible for developing and maintaining Street Maintenance Programs for the maintenance of city streets and, subject to City Budget Committee review and City Council approval, allocation and expenditure of budget resources for street system maintenance in accordance with this Chapter.
- (C) The Finance Director shall be responsible for the collection and calculation of fees.

8-17-4 DETERMINATION OF TRANSPORTATION UTILITY FEE

- (A) A Transportation Utility Fee is hereby established and shall be based upon the following:
1. The city's prioritized corrective and preventative street maintenance projects.
 2. Fees will be charged on a per unit basis.
 3. The amount of the Transportation Utility Fee shall be set by Council resolution.
 4. The Transportation Utility Fee Program shall be reviewed annually as part of the city's budget process.

8-17-5 TRANSPORTATION UTILITY FEES ALLOCATED TO THE STREET FUND

All Transportation Utility Fees received shall be deposited in to the Street Fund or other fund dedicated to the operation and maintenance of the city street system. Other revenue sources may also be used for Street Maintenance.

8-17-6 DETERMINATION OF AMOUNT, BILLING, AND COLLECTION OF FEE

- (A) Based upon the fees set by Council resolution, the Finance Director shall charge a per unit Transportation Utility Fee to the responsible party for each billing unit with an active utility account.
- (B) The Transportation Utility Fee shall be billed to and collected from the responsible party identified in subsection(A), above. Transportation Utility Fees shall be included as part of the water and sewer bill. All such bills shall be rendered regularly by the Finance Director and shall become due and payable upon receipt.

- (C) The Transportation Utility Fee shall be included as a separate line item in the city's monthly bill for water and sewer services. Transportation Utility Fee collections will be applied first to mandatory garbage service, second to Transportation Utility Fees and the remainder to the water and sewer bill.
- (D) A failure to pay for the Transportation Utility Fee shall be subject to the same enforcement procedures as a failure to pay for water and sewer service, including termination of water and sanitary sewer service.

Section 2. Severability. The sections, subsections, paragraphs, and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause does not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 3. This ordinance shall become effective 30 days after passage.

PASSED AND ADOPTED by the Common Council of the City of Ontario this 18th day of July, 2017, by the following vote:

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED by the Mayor this 18th day of July, 2017.

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
OLD BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: DRAFT MISSION STATEMENT

DATE: June 26, 2017

PROPOSED MOTION:

I MOVE TO APPROVE THE MISSION STATEMENT AS AMENDED BY CITY COUNCIL.

SUMMARY:

City Council requested a review of the Ontario Mission Statement.

BACKGROUND:

In a strategic planning discussion, the Ontario City Council requested that the City Manager bring back the Ontario Mission Statement for review. The City Council brainstormed about mission statement concepts.

Staff subsequently took the brainstorm material and worked to craft a mission statement that reflects the council's expressed purpose of the city.

CURRENT SITUATION:

Staff has composed a mission statement from Council feedback. The City Manager requests review and amending of the draft mission statement for adoption by the City Council.

ANALYSIS:

- A. **FINANCIAL** The intent of a mission statement is that we can align our expenditures with the mission of the organization and the strategic plan.
- B. **TIMING** The Council should amend the mission at their discretion to reflect their intent for the organization.
- C. **POLICY/LEGAL** Does not apply

ALTERNATIVES:

Take No Action: Without adoption of a new mission statement or repeal of the old mission statement, the old mission statement will continue to be used.

RECOMMENDATION:

The City Manager recommends that the council approve the proposed mission statement as amended by discussion.

ATTACHMENTS:

1. Draft Mission Statement



MISSION STATEMENT REVISION

BY: ADAM BROWN, CITY MANAGER

JULY 6, 2017



CURRENT MISSION STATEMENT

To provide a safe, healthful,
and sound economic
environment, progressively
enhancing our quality of life.



WORDS WE HEARD

What

Create Community People Want to Live

Infrastructure

Transparency

Safety

Health

Balanced

Jobs

Progressive

Understanding

Build

Openness

Quality of Life

Healthy Awesome Citizens

Equitable

Fun

Opportunities Change

Training/Education



WORDS WE HEARD

Whom

Citizens

Youth

Community

Business

Travelers

Families

All Encompassing

Each Other

Visitors

Tourist

Western Treasure Valley

World

Next Generations



WORDS WE HEARD

Why

Service

Represent

Partner

Make Decisions

Progress

Build

Change

Keep the Community Safe

Economic Development

Quality of Life

Leadership

Engagement

Bridge

Relationships

Learn

Listen

Create



COMMON THEMES

- Create – Community – Quality of Life
- Balance – Equity
- Transparency – Openness – Understanding
- Safety
- Clean – Healthy
- Economic Development – Progressive – Business
- Engage – Make Decisions – Each Other



PROPOSED MISSION STATEMENT

To create a healthy, safe, and balanced community by engaging others to develop an awesome quality of life.



DISCUSSION



**AGENDA REPORT
OLD BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: SALES TAX ALTERNATIVES DISCUSSION

DATE: June 26, 2017

PROPOSED MOTION:

I MOVE THAT THE CITY COUNCIL APPROVE THE CITY MANAGERS RECOMMENDATION OF ITEMS TO BE TAXED AS AMENDED BY THE COUNCIL.

I MOVE THAT THE CITY COUNCIL APPROVE THE CITY MANAGERS RECOMMENDATION OF EXPENDITURES TOWARDS WHICH NEW REVENUES WOULD BE BUDGETED TOWARD IN FUTURE FISCAL YEARS.

I MOVE THAT THE CITY COUNCIL AUTHORIZE THE CITY MANAGER TO PROCEED WITH DRAFTING A SALES TAX ORDINANCE IN ACCORDANCE WITH THE REVENUE AND EXPENDITURE PLANS AS AMENDED BY COUNCIL ON THIS DAY.

SUMMARY:

Key decisions must be made by the Ontario City Council if they desire to move forward with a sales tax proposal. The purpose of this discussion is to determine what items to include or exclude from a sales tax if the City Council wishes to proceed and to determine what is the financial plan that the additional revenue would be used for.

BACKGROUND:

The sales tax discussion began with a comprehensive look at opportunities for the city to acquire new revenue sources. Upon review of these opportunities, the City Council asked the City Manager to explore further information on a local sales tax.

After a presentation of a sales tax option in January of 2016, the City Council directed the City Manager to acquire the services of an economist to explore the sensitivity of different sales tax rates on consumer behavior. City staff presented the findings of the economists study. City staff has also presented to 6 community forums.

Most recently, I presented at the Chamber of Commerce lunch and a co-sponsored forum with the Argus Observer at the Four Rivers Cultural Center. This most recent forum was aimed at the business community and was successful at drawing them out.

CURRENT SITUATION:

There are key decisions that must be made if the City Council desires to move forward with a draft sales tax proposal.

1. What will be included in the taxable retail?
2. What will the funds be used on (i.e. What city residents will get, after the sales tax is implemented.)

I have attached two revenue options. One is based on the highest (most conservative) estimate of elasticity. The other revenue option table is based on the midpoint between the lowest and highest elasticity which I feel is a more realistic expectation of the consumer behavior. I am recommending using the midpoint elasticity at 1%. At 1% the elasticity is expected to be -5.3% to -10%. Under this option the City would collect \$3,000,254 based on a 1% tax, excluding grocery, and automobile sales.

The city has a rational basis for excluding sales tax on vehicles. Sales to people from neighboring states would be taxed in each state creating a disincentive for auto purchases in Ontario.

We are assuming that Idaho will eliminate a grocery tax next year under a new governor. Excluding sales tax on groceries would make sure that we are competitive with our neighbors across the river. If sales tax on groceries is eliminated in Idaho then Ontario will lose business regardless of the City Sales Tax because shoppers will have less of a reason to drive to Ontario to shop.

The second chart shows the revenue using the very conservative estimates of revenue and consumer behavior. I am not recommending the small business elimination under either alternative. The 4 person definition of small businesses is problematic and creates perverse incentives. We have heard from many in the community that if we are to tax, then we should tax everyone fairly. I do recommend that the council consider a one-time small business technology reimbursement grant of around \$1,000 for upgrading of computer systems to calculate and collect taxes.

It is also important that the city define where the additional revenue will go. Items 1 & 2, in the spending choices attached, are necessary to be structurally balanced (i.e. our revenues match our expenditures moving forward.) The City Manager recommended the following combination of items, which are reflective of the council's previously stated priorities, be

included such as street maintenance, two additional police officers, one additional fire fighter, road repair, code enforcement, re-opening of the Ontario Aquatic Center, and funding for an airport manager.

ANALYSIS:

- A. **FINANCIAL** Using the midpoint analysis, the revenues projected from the sales tax excluding groceries and auto sales are approximately \$3 million. Expenditures were reduced according to the amount of funding available using the council's priorities as the primary determinant for what to fund and what not to fund.
- B. **TIMING** It will take time to draft an ordinance since there is no complete template for Oregon. Staff will work to prepare an ordinance in July that can be brought back to council in August.
- C. **POLICY/LEGAL** Once an ordinance is written the council can either approve the ordinance or refer it to voters. Both directions require council action to implement.

ALTERNATIVES:

There are multiple alternatives in the expenditures and revenues that the council must decide prior to drafting an ordinance. Items can be interchanged with the recommendation of the city manager. Groceries could be taxed now and using elimination of the grocery tax in Idaho as a trigger, be eliminated with Idaho's decision to do the same.

RECOMMENDATION:

The City Manager recommends that the City Council approve the recommendation of items to be excluded in a sales tax or as amended by the council. Additionally, that the City Council approve the City Managers recommendation of expenditures towards which new revenues would be budgeted in future fiscal years. Lastly, that the City Council authorize the City Manager to proceed with drafting a sales tax ordinance in accordance with the revenue and expenditure plans as amended by council on this day.

ATTACHMENTS:

- 1. Midpoint Revenue Options
- 2. High Point Revenue Options
- 3. Expenditure Options

Revenue Options			
		At 1/2% Tax	At 1% Tax
Use Midpoint Elasticity		0.50%	1%
Base Revenue on all Taxable Revenue (excludes fuel, alcohol, cigarettes, services, & internet sales)		\$3,186,540	\$6,068,205
Options	Yes or No		
Grocery	Yes	-\$1,176,937	-\$2,259,670
Small Business (based on consultants recommendation of less than Four Employees)	No		
Automobile Sales	Yes	-\$420,989	-\$808,281
Revenue from Tax		\$1,588,614	\$3,000,254

Revenue Options			
		At 1/2% Tax	At 1% Tax
Use Highest Elasticity		0.50%	1%
Base Revenue on all Taxable Revenue (excludes fuel, alcohol, cigarettes, services, & internet sales)		\$2,529,000	\$4,797,000
Options	Yes or No		
Grocery	Yes	-\$1,162,256	-\$2,202,169
Small Business (based on consultants recommendation of less than Four Employees)	Yes	-\$377,746	-\$715,729
Automobile Sales	Yes	-\$415,737	-\$787,713
Revenue from Tax		\$573,261	\$1,091,390

Spending Choices to Meet the Vision

		Choose	Choose		
		Yes or No	Number	Cost Per	Total Cost
1	General Fund Structural Deficit	Yes	1.00	\$700,000	\$700,000
2	Supplement Street Fund	Yes	1.00	\$750,000	\$750,000
3	Street Fund - Meet Desired Chip Seal budget for long term savings	Yes	1.00	\$300,000	\$300,000
4	Capital Plan Investment - Vehicles, Buildings, Infrastructure	Yes	0.75	\$600,000	\$450,000
5	Pool/Recreation - Open Aquatic Center	Yes	0.85	\$350,000	\$297,500
6	Financing for an Aerial Truck	Yes	0.00	\$75,000	\$0
7	Airport Manager/Capital Invest	Yes	1.00	\$100,000	\$100,000
8	Police Officers	Yes	2.00	\$100,000	\$200,000
9	Fire Fighters	Yes	1.00	\$100,000	\$100,000
10	Code Enforcement Officer	Yes	0.50	\$100,000	\$50,000
11	Beautification	Yes	0.50	\$100,000	\$50,000
12	Placemaking - Downtown funding, trails, playgrounds	Yes	0.00	\$200,000	\$0
13			1.00		
14			1.00		
15			1.00		
Total				\$2,997,500	



**AGENDA REPORT
OLD BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **PRESENTATION ON CIVIL PENALTIES CONNECTED TO CODE ENFORCEMENT CITATIONS.**

DATE: July 5, 2017

PROPOSED MOTION:

I MOVE THAT THE ONTARIO CITY COUNCIL AUTHORIZE THE POLICE CHIEF TO PROCEED WITH WRITING AN CIVIL PENALTIES ORDINANCE FOR CODE ENFORCEMENT AS PRESENTED IN THE WORK SESSION.

SUMMARY:

The City Council asked staff to investigate the possibilities of imposing civil penalties in addition to citations for city code violations. The code enforcement officer visited the state capital, Salem, to see how they enforced a civil penalty ordinance.

BACKGROUND:

CURRENT SITUATION:

ANALYSIS:

- A. **FINANCIAL**
- B. **TIMING**
- C. **POLICY/LEGAL**

ALTERNATIVES:

RECOMMENDATION:

ATTACHMENTS:

1. Code Enforcement



07/06/2017

Code Enforcement

Civil Penalties

City of Salem – Code Compliance



- June 28th, 2017
- Brady Rogers
 - Administrator
- Patrick Long
 - Supervisor
- Consists of 8 Compliance Officers



The Comparison



City of Ontario

- Post/mail Abatement Notice
- Non compliance – abate
- Bill owner
- Owner non payment??
- Currently \$15,000 in outstanding abatements (unpaid) for this fiscal year.
- Almost 3 years of past due abatements in limbo

City of Salem

- Verbal warning/education. (give owner 3-5 days to complete)
- Enforcement Order
- Non Compliant – Civil Penalty, up to \$2,000 per violation, per day
- Non payment- liens
- Have not spent \$15,000 in abatements the last 10 years
- Received a check this year for \$40,000 for one property lien.



Citation or Civil Penalty?

Advantages and Disadvantages

The Current Battle



- Salem's Municipal Court Judge
 - May be inconsistent
 - Forgiving to violators
 - No accountability
- Malheur County Municipal Court Judge
 - Can drop fines/fees
 - Sets up payment plans as low as \$10/mo.
 - May result in less accountability
- Citations (must be served in person)
 - Ontario - \$110
 - Salem - \$250 infraction, \$500 misdemeanor
 - Only a certain percentage comes back to the city

Municipal Court Judges are Elected

Civil Penalty



- 100% of the money goes to the city
- Max fine of \$2,000 per violation
- \$250 charge to Appeal
- Penalty can be mailed to out of state property owners
- Appeal Process
 - Hearings Officer
 - Looks at the facts and more “black and white”
 - Cost/Time

Appeal Process



- Salem – Two Wednesdays per month for hearings.
- Hearings Officer - generally a lawyer or retired judge.
- Appeal must be done within 15 days. Hearing must be not before 20 days, and not after 60 days.
- Appeal costs \$250 to the person making the appeal. Refunded if case is won.

Salem's Civil Penalty



- After non-compliance – civil penalty is sent; via mail or in person.
- Can be fined up to \$2,000.
- Civil Penalty Matrix



What happens when people don't pay?

Collections vs. Liens

Collections or Liens



Collections

- Salem has had difficulty retrieving money. (receiving <25%)
- Collections companies have to be pushed or driven to collect money.
- Effects credit history with property owner
- Takes time to receive full payment.

Liens

- Receive 100% plus interest. (Salem is 9% interest per year)
- May take a year or longer to receive the money.
- Hold people more accountable; bigger impact on the property owner vs. credit history hit.

Disadvantages



- People want to negotiate
 - Once a lien is placed, people want to work with the city to negotiation cost.
- \$50/\$75 cost of a lien to be placed on property.
- “Pipeline” build this machine/infrastructure
 - Can take 1 year or more to receive payment



Other Codes

Nuisance properties, demolition, derelict properties

Salem – ‘Derelict Properties’



- Property is classified “derelict” factors:
 - Unoccupied/unsecured
 - Partially constructed
 - Abandoned structure or attractive nuisance
 - Condition of deterioration
 - Infestation of pests
 - Doors or windows boarded over
 - Other condition that in the opinion of the Health Officer is detrimental to public health, safety or welfare.
- Must pay a monthly fee to the city; due on the 15th of every month. Any payment late, is put as a lien on the property.
 - Example: \$250/mo for 6 months, \$500/ mo next 6 months, \$750/mo following 6 months until building is back up to code.

Benefits for our City



- Holds property owner's accountable
(Including out of state owners.)
- Provides “teeth” in our ordinance for non-compliant property owners.
- Cleaner city – increases value of properties – increased revenue for the city.



Other Cities

What do other cities do?

What other cities do



Liens?

- Baker City, OR
- Payette, ID
- Bend, OR
- Salem, OR
- Portland, OR
- Newport, OR

Civil Penalties

- Salem, OR
- Portland, OR
- Santa Cruz, CA
- Newport, OR
- Tualatin, OR



What's next?

Civil Penalties for Ontario

What's next, if directed?



Prepare Plan for Ontario

- Submit Proposal to Council for Civil Penalties, Liens & Derelict Properties for the City of Ontario.
- Discuss legal items with City Attorney/Revamp Ordinance proposal
- Involve City Manager/HR
- Education of City Employees & Finance
- Education of property owners and citizens of Ontario

Questions/Comments?





**AGENDA REPORT
NEW BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: **RESOLUTION 2017-125: A RESOLUTION APPROPRIATING FUNDS FROM THE UTILITY CAPITALIZATION FUND TO COMPLETE THE WATER TREATMENT PLANT CHEMICAL FEED IMPROVEMENTS PROJECT**

DATE: June 27, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION 2017-125, A RESOLUTION APPROPRIATING FUNDS FROM THE UTILITY CAPITALIZATION FUND TO COMPLETE THE WATER TREATMENT PLANT CHEMICAL FEED IMPROVEMENTS PROJECT.

SUMMARY:

The Water Treatment Plant Chemical Feed Improvements require changes which cause the costs to be higher than originally budgeted. These change orders are a result of changed conditions and improvements to function. They also involve last minute operation changes required as the facility became functional as customer demand was increasing.

BACKGROUND:

The table below summarizes the status of the Water Treatment Plant construction contract to date. The table includes the original bid, negotiated contract changes and change orders reviewed and approved during the course of the project; minor field changes with minimal dollar impacts may not have been brought before Council but are included.

WTP Activity/Phase	COST
Budgeted in Water Fund	\$1,800,000
LESS Current approved construction cost (w/ Change Orders)	\$1,777,214
LESS Approved Budget for Special Testing & Engineering	\$127,756
Obligated Budget Remaining	(\$104,970)
Actuals Spent to Date	

LESS Construction Paid to Date	\$1,567,093
LESS Special Testing & Engineering Paid to Date	\$28,022.41
Actual Budget Remaining to Date	\$204,884.59

Special Testing has been completed and billed. However, complete costs on engineering services is still outstanding. While the majority of the work is complete, some activities such as final SCADA (supervisory control and data acquisition) work and Record Drawings are not yet complete. Resident Project Representative time needs to be accounted for and billed as well.

The total project change orders were just over 7% of the contract bid amount. Considering that over 70% of the change order costs were related to inadequate field records and extreme weather conditions this change order percentage was quite modest.

CURRENT SITUATION:

The Contractor has completed the work to a point that the plant is running under the new operation protocols. Staff is operating the plant using the new chemical feed system and monitoring operations using the new operation control system. This means the Contractor is considered "Substantially Complete". Substantially Complete is a contract milestone that defines that the system is operational and has been turned over to the Owner for operation. The Contractor still has some final site clean-up work to do and will participate in some troubleshooting and final commissioning as well as delivery of Operation and Maintenance Data.

The overrun of the budget has been anticipated and shared with the Council in previous reports. Those reports indicated that funding would be available from the Utility Capitalization Fund.

ANALYSIS:

- A. **FINANCIAL** \$104,970 will be removed from the Utility Capitalization Fund contingency to fund the remaining water treatment plant costs.
- B. **TIMING** Time is critical as this project is currently under construction.
- C. **POLICY/LEGAL** A formal resolution approved by the City Council is required to expend the funds per ORS 294.

ALTERNATIVES:

Take No Action

1. This alternative only exists to push the timing off for one month, as Council has already approved and therefore obligated the funds beyond the actual budgeted amount.

RECOMMENDATION:

Staff recommends that the City Council approve the use of funds from the UCF to cover the overruns on the City of Ontario 2016 Water Treatment Plant Chemical Feed Improvements project.

ATTACHMENTS:

1. Resolution 2017-125



RESOLUTION 2017-125

A RESOLUTION APPROPRIATING FUNDS FROM THE UTILITY CAPITALIZATION FUND TO COMPLETE THE WATER TREATMENT PLANT CHEMICAL FEED IMPROVEMENTS PROJECT

- WHEREAS,** The 2016 Water Treatment Plant Chemical Feed Improvements Project will result in higher costs than budgeted; and
- WHEREAS,** Change orders were required to the original project due to inadequate field records and extreme weather conditions; and
- WHEREAS,** The Capital Projects Fund Utility Capitalization Fee Department Budget for Fiscal Year 2017-2018 was adopted without the knowledge of such funds; and
- WHEREAS,** The City desires to modify the 2017-2018 budget to expend the funds.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council to approve the following adjustments to the fiscal year 2017-2018 budget:

Line Item	Item Description	FY 17-18 Budget	Amount of Change	Adjusted Budget
Capital Projects Fund – Utility Capitalization Fund Department				
030-087-871000	UCF Dept Contingency	\$2,305,895	(\$104,970)	\$2,200,925
030-087-719278	WTP Audit Projects	\$ -	\$104,970	\$104,970

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this ____ day of _____, 2017, by the following vote:

AYES:

NAYES:

EXCUSED:

ABSENT:

APPROVED by the Mayor this ____ day of _____, 2017.

Ronald Verini, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2728-2017: CREATING TITLE 2, CHAPTER 6, OF THE ONTARIO MUNICIPAL CODE, CREATING A DIVERSITY ADVISORY COMMITTEE**

DATE: June 14, 2017

PROPOSED MOTION:

I MOVE TO APPROVE ORDINANCE 2728-2017, AN ORDINANCE CREATING TITLE 2, CHAPTER 6, OF THE ONTARIO MUNICIPAL CODE TO CREATE A DIVERSITY ADVISORY COMMITTEE, ON FIRST READING BY TITLE ONLY.

SUMMARY:

The City Council approved Resolution #2017-117 supporting community diversity which directed staff to create a Diversity Advisory Committee. The City Manager has worked with community members to create and review changes to the municipal code for creation of the Diversity Advisory Committee.

BACKGROUND:

The Council approved Resolution #2017-117 on April 6, 2017, a resolution in support of diversity, and directed the City Manager to provide guiding principles for establishing a Diversity Advisory Committee.

CURRENT SITUATION:

A draft has been created and reviewed by community members and organizations. The responsibilities of the Committee include:

The responsibility of the Diversity Advisory Committee will be to provide a means of intentional communication between the community's diverse cultures and communities with the city's elected and appointed officials.

The Committee also provides representatives that the city's varying area cultures and socioeconomic circumstances can contact with issues, concerns, and problems, which relate

to the city.

The Diversity Advisory Committee shall review police, advocate for opportunities and report back to the City Council on matters at regular intervals.

ANALYSIS:

- A. **FINANCIAL** Staff time will be the only financial cost. Staff devoted to this Committee will likely be exempt employees who will not be eligible for overtime.
- B. **TIMING** Staff would like to proceed with creating the ordinance so that we can begin to recruit for members of the Committee and work on the bylaws of the Committee. The goal is to have the Diversity Advisory Committee fully appointed and running by January 2018.
- C. **POLICY/LEGAL** Amending the Ontario Municipal Code can only be done by the City Council.

ALTERNATIVES:

Take No Action - The goal of the Diversity Advisory Committee is to hear from diverse perspectives. Taking no action will either defer this decision or stop the creation of the Committee. This may compromise the ability of the city to hear from diverse perspectives.

RECOMMENDATION:

The City Manager recommends the Ontario Council approve Ordinance #2728-2017.

ATTACHMENTS:

1. Revisions to Ord #2728-2017



ORDINANCE NO. 2728-2017

AN ORDINANCE AMENDING CREATING TITLE 2, CHAPTER 6, OF THE MUNICIPAL CODE TO CREATE A DIVERSITY ADVISORY COMMITTEE

- WHEREAS,** The Ontario City Council approved Resolution #2017-117 supporting community diversity; and
- WHEREAS,** By Resolution #2017-117 the City Council directed the City Manager to create a Diversity Advisory Committee; and
- WHEREAS,** The proposed addition to the Ontario Municipal Code has been vetted by multiple communities with diverse perspectives represented.

NOW THEREFORE, The Common Council for the City of Ontario Ordains as Follows:

Title 2: Ontario, Oregon Municipal Code

Chapter 14 - Diversity Advisory Committee Draft

2-14-1 - Diversity Advisory Committee Established

A Diversity Advisory Committee is established composed of seven (7) members representative of varying area cultures and socio-economic circumstances. Consideration for broad representation reflective of the community shall be the primary factor in selection of the committee members, including representation of a range of ages. Recommendations from community associations that represent diverse populations shall be an additional contributing factor for selection of committee members. No one ethnicity, culture, or socio-economic status shall be represented by more than 50% of the committee membership.

2-15-2 - Term(s) of office

All seats shall be filled through an open application process with final selection by the City Council. Upon establishment of the committee, members will serve staggered terms: three members will serve 3-year terms, two members will serve 2-year terms, and one member will serve a single year term.

Following the first staggered term, each appointed member shall serve three year terms running from January 1st to December 31st.

2-15-3 - Ex-officio Members

One person from the City Council shall serve as an Ex-Officio member of the Diversity Advisory Committee. The Ex-Officio member shall serve as a liaison to the City Council on issues from the Advisory Committee.

2-15-4 - Meetings

The Diversity Advisory Committee's regular meetings will be held at least every other month at a time and date decided by the Committee.

2-16-5 - Advisory Capacity

The City of Ontario Diversity Advisory Committee is established to advise the Mayor, City Council, and City Manager on a range of issues as they relate to promoting diversity and equity issues in the community.

2-16-6 - Duties and Responsibilities

The Diversity Advisory Committee shall elect a Chair, Vice-Chair, and Secretary on an annual basis for one year terms. The Chair shall serve no more than three consecutive terms.

The Diversity Advisory Committee serves to provide a means of intentional communication between the community's diverse cultures and communities with the city's elected and appointed officials. The Committee also provides representatives that the city's varying area cultures and socio economic circumstances can contact with issues, concerns, and problems which relate to the city. This enhanced communication will assist in the development of a stronger community that is respectful of all nationalities, races, genders, ethnic groups, ages, and socioeconomic classes and cultures.

The Diversity Advisory Committee shall review policy, advocate for opportunities (e.g. grants or projects), and report back to the City Council on these matters at regular intervals.

2-16-7 - Compensation of members

Members of the Diversity Advisory Committee shall receive no compensation, but shall be reimbursed for authorized and necessary expenditures. The Diversity Advisory Committee shall have no authority to make any expenditure on behalf of the city, nor to obligate the city for payment of any sums of money.

2-16-8 - Quorum and rules and regulations for meetings

A quorum of four members must be present to take action and make recommendations to the City Council. The concurrence of a majority of members present and eligible to vote shall be necessary to decide any question.

2-16-9 - Members - prohibited acts

A member of the Diversity Advisory Committee shall not participate in any Committee proceeding or action in which the following has a direct or substantial financial interest:

A member or his spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which he has been serving or has served in the previous two (2) years or any business with which he is negotiating for or has an arrangement or understanding concerning a prospective partnership or employment, any actual or potential interest shall be disclosed at a meeting of the Committee where the action is being taken.

2-16-10 - Items for review and recommendation

Meeting minutes of the Diversity Advisory Committee shall be submitted to the Ontario City Council in the month following the Committee meeting.

2-16-11 - Committee appraisal by City

The City Council will seek feedback on matters impacting diverse populations and communities from the Diversity Advisory Committee prior to taking action on such items.

2-16-12 - Regulation of Committee

As a Committee created by the Ontario City Council, the Committee is subject to the provisions of the Oregon Public Meetings and Records Laws.

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of July, 2017 by the following vote:

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED By the Mayor this ____ day of July, 2017

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder



**AGENDA REPORT
NEW BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: **BID AWARD: PURCHASE TREE GRATES FOR EAST IDAHO AVENUE TREE REPLACEMENT PROJECT**

DATE: June 27, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE BID FROM NORTHWEST RECREATION OF OREGON FOR TREE GRATES FOR THE EAST IDAHO TREE REPLACEMENT PROJECT.

SUMMARY:

Public Works staff is available to conduct improvements on E. Idaho Street in partnership with Meadow Outdoor Advertising. The work will consist of planting 35 new trees, including cast iron tree grates, improved irrigation system, and rock cover material.

BACKGROUND:

Meadow Outdoor Advertising will be removing 46 trees and will be purchasing and planting 25 new Chanticleer Pear trees. The City Council budgeted funds in the current Fiscal Year to purchase 25 new tree grates, construct concrete frames, relocate and improve irrigation, and place rock cover coat material. Public Works staff will do all the improvements work outside of that being conducted by Meadow.

Additionally, Public Works will be conducting a similar improvement on a segment of E. Idaho each year. This year the section is on the far eastern end of E. Idaho near the river on the south side of the street. Public Works will be removing 20 trees and planting 10 new trees. Similar to the partnership area, the area will get new tree grates, irrigation, and rock cover coat. This work is being conducted under the maintenance budget. No additional costs will be put against the capital budget of \$40,000.

CURRENT SITUATION:

Public Works would like to secure tree grates for the entire project from Northwest Recreation of Oregon, as they have been the only supplier so far to be able to meet the variation in tree

grate size and to meet the existing grate pattern.

ANALYSIS:

- A. **FINANCIAL** The cost of the 25 tree grates will not exceed \$19,000.
- B. **TIMING** The grates for the 10 new trees on the far eastern side of E. Idaho have already been ordered. Due to a relatively long lead time, Public Works staff would like to order the remaining 25 grates for the Meadow Outdoor Advertising partnership area.
- C. **POLICY/LEGAL** None.

ALTERNATIVES:

Continue searching for other tree grate manufacturers that can provide the correct pattern and variation in grate size.¹ This will delay the process and the likelihood of finding a cost competitive product is very low.

RECOMMENDATION:

Staff recommends that the City Council approve the bid estimate from Northwest Recreation of Oregon.

ATTACHMENTS:

- 1. Existing Tree Count West of Ramps
- 2. Existing Tree Counts East of Ramps
- 3. Northwest Rec. Quote Tree Grates



Total area for 20
trees is 320 SF

total 1165 LF



CH2M HILL Public Works Segment - 2017

Trees healthy; concrete flatwork DONE

19 Existing
10 New



www.nwrecreation.com

PRICE QUOTE/ORDER FORM

Project Name: **Ontario Downtown**
Ontario Or, 97914

Date: **6/25/17**

Attention: **Bidder/Estimator**

Quantity	Units	Item Description	Unit Price	Subtotal
25	ea	Urban Accessories Raw Cast Iron 4' sq. FAN Tree Grates	\$525	\$13,125
25	ea	Raw Steel Frame for above Grates - 'S' Frame for fresh concrete	\$131	\$3,275
0	ea	Optional Tamper-resistant bolt-downs for grates (2/grate)	\$13	\$0
			Subtotal	\$16,400
			Freight	\$1,156
			Total	\$17,556

Prices are good for 30 days. Freight is quoted as one shipment. Contractor is responsible for quantities. Typical lead time is 8-10 weeks. Confirm at time of order

Grates and frames are pedestrian duty unless otherwise noted

For orders under \$2500, 100% deposit required. Over \$2500, 50% deposit standard. Net due 30 days.

If Certificate of Material Origin (CMO) is required, it MUST be requested at the time of order

Please indicate CMO is required: YES/NO _____

Frames can be shipped in as little as 2 weeks - please call. Extra freight costs will apply

If bolt-downs are included, frames must be field tapped if purchased or shipped separately.

If frames are NOT manufactured by Urban Accessories, customer assumes all liability for fit and finish of frames

Signed *James Ringelberg*

Jim Ringelberg, Northwest Recreation
jim@nwrecreation.com

Signature _____ Date _____

PO # _____

Ship To:

Bill to:

Address _____

Address _____

City, State, Zip _____

City, State, Zip _____

Attention _____

Attention _____

Phone _____

fax _____

Phone _____

fax _____

Freight Rates are for transportation only, and do not include unloading costs. Freight rates are valid for 30 days

Accessorial charges such as tailgate delivery, residential delivery, driver assisted delivery, etc. not included in this proposal

PO Box 25441 Portland, Oregon 97298
(503) 248-7770 (503) 296-5781 fax



**AGENDA REPORT
NEW BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Betsy Roberts, City Engineer

THROUGH: Adam J. Brown, City Manager

SUBJECT: **PHASE 3: CITY OF ONTARIO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**

DATE: June 27, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE PHASE 3 OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT NEGOTIATIONS FOR CH2M HILL FOR \$18,200.

SUMMARY:

Over the past year, the city has been negating with the DEQ over the development of a draft NPDES permit. The language and compliance schedule of the permit will have significant financial and operational impact to the city. Paul Woods, Woods Consulting Group, and specialists from CH2M have been engaged to support the city in this on-going process. The DEQ has recently developed two new compliance schedule tracts that need to be reviewed and evaluated to fully understand their impact to the city.

BACKGROUND:

Woods Consulting and CH2M Hill have been working with the City Manager on the city's behalf with the Oregon DEQ over the past year regarding the city's future NPDES permit. The City of Ontario's NPDES Permit has been extended administratively since 2009 by the DEQ. Over the past year, the team has:

- Developed and implemented an arsenic sampling plan
- Created a facility plan outline
- Begun investigation into a Permit Variance
- Initiated dialogue with the DEQ regarding the Intake Credit System
- Evaluated and responded to several variations of Compliance Schedule and draft permit language
- Formed and partially executed a political support plan

- Engaged DEQ leadership and State Representative Bentz's staff

Council has previously approved Phases 1 and 2 of the permit process. Because it is nearly impossible to know the duration of this effort, the team has been trying to estimate out in roughly 6 month periods, which have been defined as "Phases".

CURRENT SITUATION:

It has been a year since the initial formal negotiation process began. We are now entering the third 6-month period. New information has been shared from the DEQ that needs review. Time is becoming more critical as the DEQ is beginning to feel pressure to finalize a permit.

ANALYSIS:

- A. **FINANCIAL** The estimated effort for roughly the next 6-month period is \$18,134 to cover Woods Consulting and specialized CH2M staff.
- B. **TIMING** The DEQ has shared a new compliance schedule for review. It is in the city's best interest to address this quickly, as the DEQ is beginning to feel pressure to finalize a permit.
- C. **POLICY/LEGAL** None.

ALTERNATIVES:

Do Nothing

- 1. By not acting, staff will not have the benefit of additional specialized support to evaluate and drive the permit process to the best possible solution.

RECOMMENDATION:

Staff recommends that the City Council approve Phase 3 of the NPDES permit process.

ATTACHMENTS:

- 1. CH2M Phase 3 Task Order
- 2. Woods Ontario NPDES Support Phase 3

Phase 3 – City of Ontario National Pollutant Discharge Elimination Scope of Work

PREPARED FOR: Adam Brown/City Manager

COPY TO: Mike Moon

Mark Bowen

Cliff Leeper

PREPARED BY: Betsy Roberts

DATE: June 27, 2017

Team

The core CH2M team will include: Mike Moon/Operations and Maintenance Regional Manager, Mark Bowen/senior engineer and Area Manager, Amy Scott/compliance specialist, Cliff Leeper/Public Works Director, Betsy Roberts/City Engineer, and Kim Lord/Water & Wastewater Supervisor. Not all members will be involved in the project at all times, but will be available as their specific skillset is needed. Certainly, other members will be added as necessary.

Team Special Services

The majority of the team members are already part of the Ontario Core Team and will not be charging to this Task Order. The two CH2M members who provide special services beyond the Core team are Mark Bowen and Amy Scott.

Subconsulting to the CH2M team will be Paul Woods of Woods Consulting Group.

Phase 3

The Phase 1 and Phase 2 efforts associated with the City of Ontario National Pollutant Discharge Elimination System (NPDES) have been completed. Most recently, the Phase 2 effort included meeting and coordination time with the DEQ, as well as developing a documented path forward including a schedule with milestones, coordinating with DEQ leadership, and engaging State Representative staff. Because of the fluid nature of this type of work, the Phases, as they have been defined, have been roughly based on a period of 6 months. Foreseeing activities over this shorter duration has been most successful. This effort will cover approximately the next 6 months moving forward with those activities. The general dates are July through December of 2017.

The overall goal of this task order is to negotiate the most advantageous terms possible for the City of Ontario with respect to the City's NPDES permit renewal. This may not be completed in the 6 month timeframe and could require additional time in the future.

Identifiable tasks in support of the negotiation process include the following items:

Response to DEQ Compliance Schedule Options

This task consists of working closely with the subconsultant and technical advisors on the project to review the two recently shared options for Compliance Schedule as laid out by the DEQ. Each option has different impacts to the City and will require close examination to ensure the City's best interests are being protected. The effort will include reviewing the document, providing technical analysis, and developing a written response to the DEQ. It is anticipated this will require one to two internal team meetings and at least one meeting with the DEQ. The DEQ meeting may or may not be in Pendleton, depending on the significance of the evaluation of the information provided.

Political Support

Depending on the review of the Compliance Schedule options, the team may recommend engaging State Representative Bentz and his staff for support. The team will help develop a plan appropriate to the level of support needed, and provide applicable documentation and information for the elected officials.

Permit Draft Language Review

It is possible that draft language will be developed during this timeframe. If so, the team will review the language and provide comment on the City's behalf.

Continued Permit Activities

While drafting the permit is the anticipated next step in the process, there are a number of other activities that could occur, including investigation into:

- Intake Credits
- Variance (financial review)
- Sampling
- Consideration of system modifications or other evaluations that might be pertinent
- Continued negotiations with DEQ
- Preparation for legal action

Anticipated Effort

The level of effort identified in the cost for CH2M is associated with those technical experts who are not a part of the Public Works and City Engineer team and come to the task as specialists. In this case that will include Mark Bowen and possibly Amy Scott. The outside consultant, Woods Group, comprises the other portion of cost on the project. Woods Group Scope of Work as a CH2M subconsultant is attached. The anticipated cost for the combined effort over approximately the next 6 months is: \$18,200.



June 21, 2017

Ms. Betsy Roberts
CH2M Operations Management Inc.
322 East Front St., Suite 200
Boise, Idaho 83702

RE: **Addendum 1 to Award/Agreement No. 10520-7-101563**
Project Number: 496187
City of Ontario, Oregon Wastewater Discharge Permit Renewal

Dear Betsy:

Woods Consulting Group is pleased to provide this Addendum 1 to the proposal for professional consulting services to CH2M's Operations Management Inc. for assistance in negotiating renewal of the City of Ontario's National Pollutant Discharge Elimination System (NPDES) permit.

Paul Woods will perform all of the work under this proposal. The scope of services will address the following topic areas:

Task 7: Assist with Negotiations with Oregon DEQ on new NPDES Permit

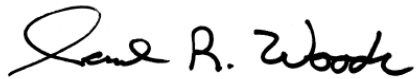
This task will consist of working with CH2M's Operations Management Inc. staff to negotiate favorable terms in the re-issuance of the NPDES permit for the City of Ontario. This task will be completed at the direction of CH2M staff and may involve technical analysis, strategic planning, technical writing and meeting with City staff as assigned. The goal of this task is to have consensus from the City on the strategic approach appropriate for NPDES permit renewal that accomplishes the goals of City leadership. The allocated time to complete this task is 78 hours and travel expenses will be billed at \$0.54 per mile in addition to the hourly rate.

The total estimated cost to complete the scope of work in Tasks 7 as outlined in this proposal is 78 hours @ \$128 per hour for a total of \$9,984 in labor costs. Woods Consulting Group is

prepared to begin the project immediately upon authorization and approval under the terms and conditions of the existing consulting agreement.

Thank you for the opportunity to provide this proposal to CH2M and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, reading "Paul R. Woods". The signature is written in a cursive style with a large, stylized 'P' and 'W'.

Paul R. Woods
Woods Consulting Group



**AGENDA REPORT
NEW BUSINESS
July 6, 2017**

To: Mayor and City Council

FROM: Adam J. Brown, City Manager

THROUGH: Adam J. Brown, City Manager

SUBJECT: **LETTER OF SUPPORT TO FOUR RIVERS CULTURAL CENTER FOR A READER BOARD.**

DATE: June 28, 2017

PROPOSED MOTION:

I MOVE THE CITY COUNCIL AUTHORIZE THE MAYOR TO SIGN A LETTER OF SUPPORT FOR A READER BOARD AT THE FOUR RIVERS CULTURAL CENTER.

SUMMARY:

The Four Rivers Cultural Center (FRCC) is seeking funding for a reader board. They have requested a letter of support from the City of Ontario.

BACKGROUND:

Four Rivers Cultural Center reached out to the City Manager to get a letter of support for a reader board. A reader board is used to post information about activities. Messages can be dynamic rather than static.

CURRENT SITUATION:

The Four Rivers Cultural Center has drafted a letter of support for the City Council to consider. It may be revised as the Council deems necessary.

ANALYSIS:

- A. **FINANCIAL** No financial assistance is being requested.
- B. **TIMING** FRCC would like action on this letter of support so that can meet funding opportunities.
- C. **POLICY/LEGAL** Any sign would be required to conform to the city's land use ordinances including sign requirements.

ALTERNATIVES:

Take No Action - Without taking any action the FRCC will not have support from the City Council as they solicit funding.

RECOMMENDATION:

The City Manager recommends that the Ontario City Council authorize the Mayor to sign a letter of support for a reader board.

ATTACHMENTS:

None



**AGENDA REPORT
PUBLIC HEARING
July 6, 2017**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2726-2017: ANNEXATION AND REZONE OF LOTS 4 AND 11 OF RIDGE VIEW SUBDIVISION I - RESIDENTIAL-URBAN GROWTH AREA (R-UGA) TO CITY DUPLEX RESIDENTIAL (RD-40)**

DATE: June 27, 2017

PROPOSED MOTION:

TWO MOTIONS ARE REQUIRED FOR APPROVAL AND ONE FOR DENIAL ON THIS ACTION AND RECOMMENDED MOTIONS ARE NOTED BELOW:

- 1. I MOVE THAT THE REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO, AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM RESIDENTIAL-URBAN GROWTH AREA (R-UGA) TO CITY DUPLEX RESIDENTIAL (RD-40), AS SET FORTH IN ACTION 2017-04-04AZ BE RECOMMENDED FOR APPROVAL TO THE CITY COUNCIL, BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS IN THIS REPORT**
- 2. I MOVE THAT THE CITY COUNCIL ADOPT ORDINANCE #2726-2017, AN ORDINANCE ANNEXING INTO THE CITY AND REZONING OF TWO PARCELS OF LAND ONE BEING LOCATED AT 1939 THOMAS CIRCLE AND THE OTHER AT 1936 BRADY CIRCLE IN THE RIDGE VIEW SUBDIVISION FROM UGA RESIDENTIAL TO CITY DUPLEX RESIDENTIAL (RD-40); ON FIRST READING BY TITLE ONLY.**

OR

- 3. I MOVE THAT THE REQUEST FOR ANNEXATION OF THE SUBJECT PROPERTIES INTO THE CITY OF ONTARIO, AND THE REQUEST FOR REZONE OF THE SUBJECT PROPERTIES FROM UGA R TO CITY RESIDENTIAL RD-40, BE DENIAL BASED ON THE INFORMATION, FINDINGS AND CONCLUSIONS SET FORTH BELOW:
(STATE FINDING AND REASONING FOR DENIAL):**

SUMMARY:

At its regular meeting of July 10, 2017, the Planning Commission heard the annexation and

rezone proposal contained in Planning File 2017-04-04AZ, which was applicable to two properties located at 1939 Thomas Circle and 1936 Brady Circle, the properties being known as Tax Lots 8900 & 9600, on Assessor's Map 18S47E05AC as shown on Attachment "B".

The Planning Commission made a recommendation to the City Council to APPROVE/DENY.

BACKGROUND:

The applicants own lots in the Ridge View Subdivision, known as 18S4705AC, tax lots #8900 and 9600. The applicants wish to connect to city water and sewer. In order to connect to City water and sewer, annexation into the City is necessary. This application, if approved, will result in the annexation of 16,816 square feet, plus the right of way for Brady Circle into the City and a rezone of the property from Urban Growth Area Residential (R-UGA) to City Residential (RD-40).

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

CURRENT SITUATION:

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

A. Rezone

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

- a. The zoning map amendment is in conformance with statewide planning goals and guidelines.
- b. The zoning map amendment is in conformity with the acknowledged comprehensive plan.
- c. The applicant has demonstrated a mistake or error in the original zone designation or

the applicant has demonstrated a change in physical, social or market conditions generally effecting the area which make the proposed change appropriate.

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

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

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

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

Findings of fact:

a. The City of Ontario Municipal Code implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals.

b. The subject properties are currently zoned R-UGA and the request is to rezone to the companion City Duplex Residential (RD-40) Zone that is the same zone as adjacent and nearby property. The requested zone allows basically the same use as the UGA zone, and is reflected in the Comprehensive Plan. No Comprehensive Plan amendment is necessary for this rezone; therefore, the proposal is consistent with, and conforms to, the Comprehensive Plan.

c. The applicants have requested annexation into the City of Ontario concurrent with the request for rezone; a City Zone must be applied to the property once within City Limits. The existing zone is not a mistake, and there is no need to demonstrate a change in conditions in the surrounding area; the change in zone is necessary and appropriate.

d. This request is legally necessary due to the annexation of the property; granting of this request is not a special privilege and no public need has to be demonstrated.

e. The subject property is adequate in size and shape for the proposed use to be rezoned from R-UGA to City Duplex Residential (RD-40).

f. The property owner of tax lot 9600 proposes development at this time into a single-family dwelling and has presented a plot plan showing adequate room for structures, parking, landscaping, etc. City Water and Sewer are available near the boundary of the property. City fire and police services will be available upon annexation for both properties. City streets, right-of-ways, including curb, gutter and sidewalks are in place and have been developed to city standards.

g. Uses allowed by the current zone are basically identical to the proposed zone. No significant difference in allowed uses will occur as a result of the rezone. Requirements in the OMC applicable to uses in the residential zone will ensure that impacts from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land are minimized.

Conclusion: The proposed rezone is consistent with all applicable criteria and standards.

B. Annexation:

1. 10B-45-10 INITIATION OF ACTION. When a person, authorized by statute, wishes to extend the city's boundaries, an application on forms supplied by the city shall be filed with the Planning Director and which include: annexation consent forms, by the property owners, and by tenants if required by law or court decision; request for a change in zoning map designation, or plan change if required; request for other quasi-judicial action if required; fees, and other exhibits and requirements for a quasi-judicial action as set forth in this Title. All land use actions associated with the annexation shall be consolidated, as feasible, and one fee paid.

2. Oregon Revised Statute 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Findings:

1. The applicants have paid the fees and provided the proper application with signatures.

2. The property is annexable because it lies inside the Urban Growth Boundary and is contiguous with current city limits and Subdivision Plat was approved and recorded in 1998..

3. The property is currently zoned for Residential use in the Urban Growth Area; the requested zone, City Residential RD-40, is consistent with contiguous property.

4. Findings from preceding sections of this report are herein included by this reference. A change to the comprehensive plan map or text is not necessary to annex the property; however, the annexation of the property must be consistent with all applicable Comprehensive Plan Policies.

5. Annexation would benefit the city by increasing tax revenue, and, by providing more potentially developable residential land.

Conclusion: All criteria and standards applicable to a request for annexation have been met. The property may be annexed.

ANALYSIS:

- A. **FINANCIAL** Annexation will benefit the city by increasing tax revenue.
- B. **TIMING** The request was filed on May 17, 2017 by the applicant DLCD was given its 35 day notice and 20 day notice to the affected persons and agencies were sent 20 days prior to the hearing as required by law which has set the public hearing for this action to July 18, 2017 to meet the notice requirements.
- C. **POLICY/LEGAL** The quasi-judicial Zoning Map amendment procedures are designed and authorized to adjust zone boundaries and create new zoning classifications on the official Zoning Map within areas on the land use plan indicated for the uses allowed by the map change. Such changes shall be in conformity with the land use goals of the State. The decision of the Commission shall be the final decision of the City unless an appeal is filed as authorized by this Title. (LANGUAGE IN 10B-10-05 SUPERSEDES THIS LANGUAGE) WHICH IS: The ultimate decision-making authority for legislative actions and zone changes brought under the provisions of this Title shall rest with the City Council. Certain actions of the Planning Commission are in the form of a recommendation to the City Council. The land use actions for which the Commission provides only a recommendation to the Council are amendments of the comprehensive plan and zoning ordinances or Zoning Map.

ALTERNATIVES:

Alternatives could be as follows: The Council could, by motion, based on public testimony or need for more clarification refer this matter back to the Planning Commission. Table and continue this item to a future date certain meeting, to obtain clarification on issues raised at this Public Hearing.

RECOMMENDATION:

The Planning Commission at a Public Hearing on July 10, 2017 made a motion that the request for annexation and rezoning of the subject property from UGA Residential to Duplex Residential (RD-40), as set forth in ACTION 2017-04-04AZ be recommended for APPROVAL/DENIAL to the City Council, based on the information, findings and conclusions at said Public Hearing.

ATTACHMENTS:

- 1. Ordinance #2726-2017
- 2. Attachment "B" - Tax Map



ORDINANCE #2727-2017

AN ORDINANCE PROCLAIMING THE ANNEXATION AND REZONING OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT NO. 3.

- WHEREAS,** there has been submitted to the City of Ontario a written request for annexation and rezoning to the City signed by 100% of the owners of land within the affected territory to be annexed; and
- WHEREAS,** All of the owners of land in that territory have consented in writing to the annexation of their land in the territory and have filed a statement of their consent with the legislative body of the City; and
- WHEREAS,** The City Charter does not expressly require the City to submit a proposal of annexation of territory to the electors of the City; and
- WHEREAS,** All the owners has requested the lands to be rezoned from UGA Residential to City Duplex Residential (RD-40); and
- WHEREAS,** The City desires to withdraw the land to be annexed from the ONTARIO RURAL FIRE PROTECTION DISTRICT 7-302 and the ONTARIO RURAL ROAD ASSESSMENT DISTRICT NO. 3, pursuant to ORS 222.120(5) and has received assent from the Districts to do so.

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. Annexation Area. The following contiguous territory be and the same is hereby annexed: The property mapped and legally described in the attached Exhibits "A" and "B" respectively.
2. Withdrawing above described area from Ontario Rural Fire Protection District 7-302. The Common Council of the City of Ontario deems it in the best interest of the public of the City of Ontario and hereby declares that the real property described hereinabove is withdrawn from the Ontario Rural fire Protection District No. 7-302 on the effective date of this annexation pursuant to ORS 222.120(5).
3. Withdrawing above described area from the Ontario Rural Road Assessment District No. 3. The Common Council of the City of Ontario deems it in the best interest of the public of the City of Ontario and hereby declares that the real property described hereinabove is withdrawn from the Ontario Rural Road Assessment District No. 3 on the effective date of this annexation pursuant to ORS Sections 222.120(5) and 222.510.

4. Record. The City Planner shall submit to the Oregon Secretary of State (1) a copy of this Ordinance, (2) a copy of the statement of consent of the landowner in the territory annexed; and (3) Shall send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City within 10 days of the effective date of annexation to the Malheur County Assessor, Malheur County Clerk and the State Department of Revenue.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2017 by the following vote:

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED by the Mayor this _____ day of _____, 2017.

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

Exhibit "A"

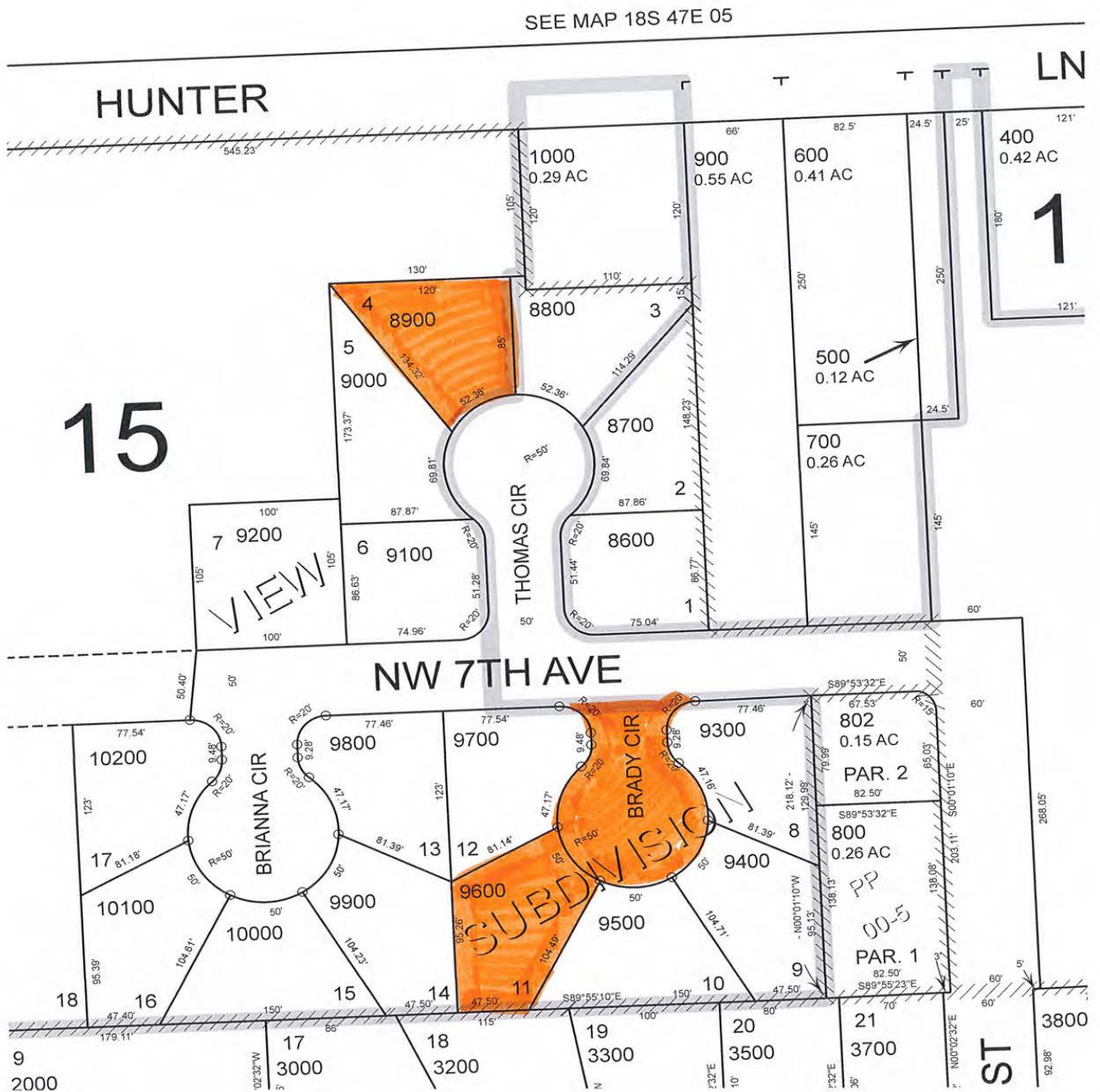
Property Description for Annexation/Rezone

City Action No. 2017-04-04AZ

Land in Ridge View Subdivision I, within the SW1/4NE1/4 of Section 5, Township. 18 South, Range 47 East, W.M., Malheur County, Oregon according to the Official Plat thereof as Recorded under Instrument No. 98-4363 deed records of Malheur County, being Lot 4 and Lot 11 and all that portion of Brady Circle as shown and Platted on said Subdivision Plat.

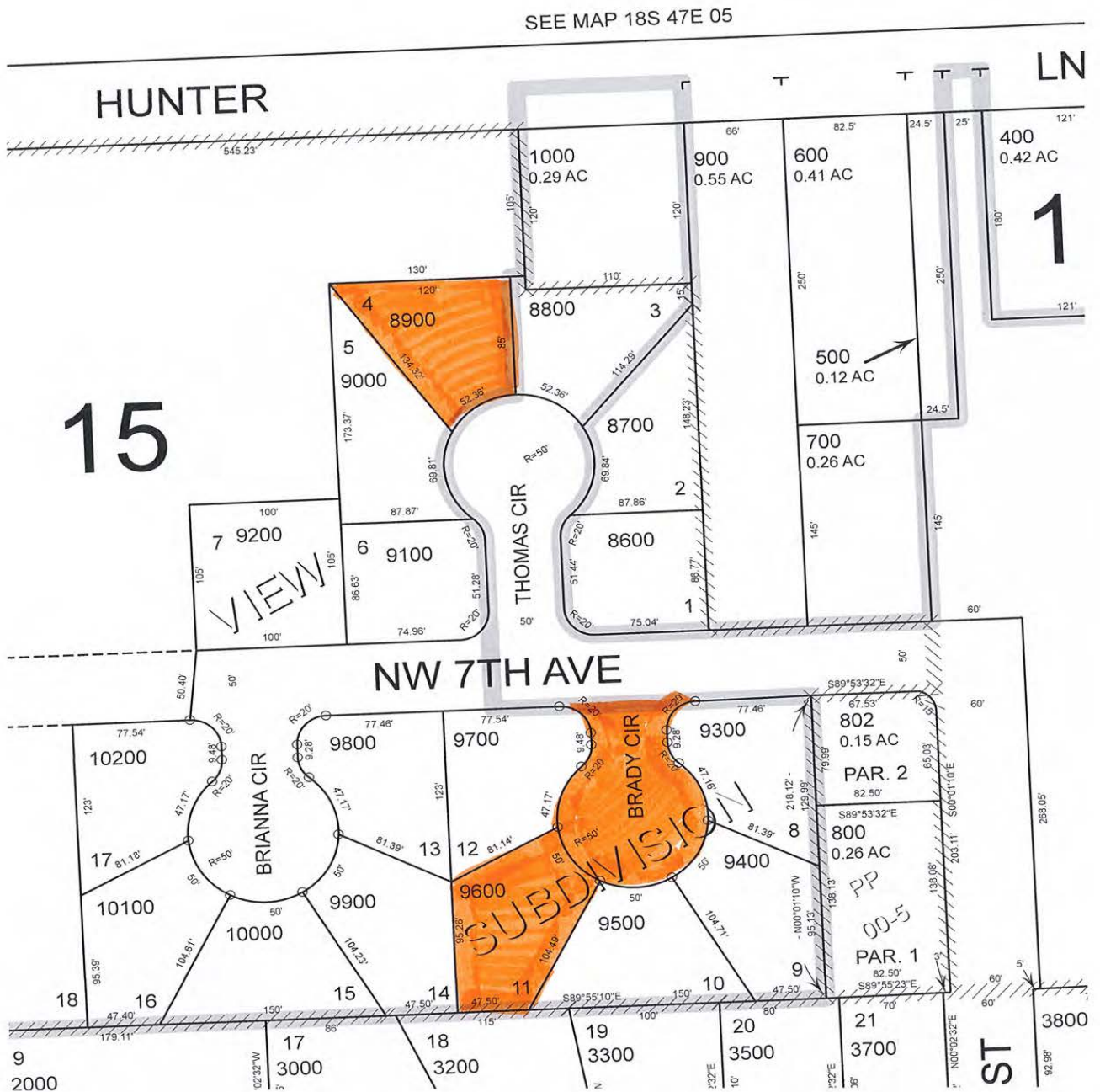
Exhibit "B"

Subject properties



Attachment "B"

Subject properties





**AGENDA REPORT
PUBLIC HEARING
July 6, 2017**

To: Mayor and City Council

FROM: Dan Cummings, Community Development Director

THROUGH: Adam J. Brown, City Manager

SUBJECT: **ORDINANCE #2727-2017: AMENDING THE ONTARIO COMPREHENSIVE PLAN AND ZONING MAP REZONING PROPERTY TAX MAP 18S47E09BA, TAX LOT 3900, FROM SINGLE FAMILY RESIDENTIAL (RS-50) TO HIGH DENSITY RESIDENTIAL (RM-10)**

DATE: June 26, 2017

PROPOSED MOTION:

TWO MOTIONS ARE REQUIRED FOR APPROVAL AND ONE FOR DENIAL ON THIS ACTION AND RECOMMENDED MOTIONS ARE NOTED BELOW:

- 1. I MOVE THAT THE CITY COUNCIL ACCEPT THE FINDINGS OF FACT AS PRESENTED (OR AMENDED) AND THE PLANNING COMMISSION RECOMMENDATION'S TO THE CITY COUNCIL FOR APPROVAL OF THE REQUESTED REZONE.**
- 2. I MOVE THAT THE CITY COUNCIL ADOPT ORDINANCE #2727-2017, AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM CITY SINGLE FAMILY RESIDENTIAL (RS-50) TO HIGH DENSITY RESIDENTIAL (RM-10) ZONE CLASSIFICATION FOR THE PROPERTY ON TAX MAP 18S47E09BA IDENTIFIED AS TAX LOT 3900, PLANNING FILE 2017-05-08RZ; ON FIRST READING BY TITLE ONLY.**

OR

- 3. I MOVE THAT THE CITY COUNCIL DENY THE REQUEST FOR REZONE BASED OF THE FOLLOWING FINDINGS:
(STATE FINDING AND REASONING FOR DENIAL):**

SUMMARY:

At its regular meeting of July 10, 2017, the Planning Commission heard the rezone proposal contained in Planning File 2017-05-08RZ, which was applicable to a property located in the NW corner of the intersection of SW 11th Street and SW 5th Avenue, the property being known as Tax Lot 3900, on Assessor's Map 18S47E09BA as shown on Exhibit "B".

The Planning Commission made a recommendation to the City Council to **APPROVE/DENY**.

BACKGROUND:

The City of Ontario's Comprehensive Plan was adopted by the Ontario Planning Commission and City Council in 1978. On May 22, 1985, the Land Conservation and Development Commission (LCDC) acknowledged the City of Ontario's Comprehensive Plan. The most recent updates of the City's Comprehensive Plan for the area being addressed occurred in 2007 when the city made substantial amendments to the Ontario Comprehensive Plan to address the implications of the new year 2027 and 2056 population and employment projections, and the Ontario Urbanization Study. This analysis acknowledged a need for additional recreational facilities to serve long-term projected population of Ontario. Other than the above mentioned city-wide actions, no other actions on this particular property could be found in the past 20 years.

CURRENT SITUATION:

The applicant/owner owns a parcel, known as Tax Map18S4709BA, Tax Lot #3900, which is currently zoned City Single Family Residential (RS-50), and is requesting that this property be rezoned to High Density Residential (RM-10) to allow for better use and development of the properties.

This request for rezone needs a recommendation for approval or rejection from the Planning Commission to the City Council, who will be the decision maker for this request. This action specifically seeks approval for rezone from RS-50 to RM-10 for a parcel of land within the City Limits of the City of Ontario and the following findings are the criteria of Ontario City Code Section 10B-20-30 REQUIRED FINDINGS, DECISION CRITERIA, Subsections a through g.

Findings:

a. The City of Ontario Municipal Code (OMC) implements policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; generally, if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. The applicant feels that the proposed rezone will not result in a substantial change to the City's comprehensive planning and zoning map. The rezone application proposes a change in zoning of a single parcel of land from a Single Family Residential Zone (RS-50) to a High Density Residential Zone (RM-10). While the proposed rezone would allow for expanded permitted uses of the property, there would be no substantial change to the official Planning and Zoning Map of Ontario which is already in compliance with the statewide planning goals and guidelines.

b. The applicant states that the proposed rezone will conform to the Comprehensive Plan of the City of Ontario. Below, each policy section is addressed.

1. Citizen Involvement

Response:

Submitting this Land Use Application ensures citizen involvement through public notification of the Planning Department and related hearings.

2. Land Use Planning

Response:

The City's consideration of the Zone Change Application is consistent with these policies. The City has established a Land Use Planning Process and Policy framework forming the basis of all decisions. The City's consideration of this application will ensure this goal is satisfied.

3. Agricultural Lands

Response:

The subject property is not agricultural land and the rezone request does not propose using the property as such; therefore, this policy does not apply.

4. Open Spaces, Scenic and Historic Areas and Natural Resources

Response:

The subject property is not mineral or aggregate resource land and the rezone request does not propose using the property as such. The subject property is not listed as a bird habitat, fish and wildlife area or big game range area. To the applicant's knowledge and belief, the property is not within any historic site or is any building on the registered list of historic resource sites within the City's Comprehensive Plan. The property is connected to the public water and sewer, and the proposed rezone does not include degrading any water resources. The property is not listed as a dam site. Lastly, the rezone will not impact any scenic resources and no redevelopment is included under this proposal. To the extent the City deems the open spaces and scenic resources potentially impacted by the rezone, any future development projects on the property would need to comply with the policies of this section. For the reasons stated here, these policies do not apply to the rezone proposed.

5. Air, Water and Land Resources Quality

Response:

The rezone request would not impact this goal; therefore, these policy sections do not apply.

6. Areas Subject to Natural Disasters and Hazards

Response:

The subject property is not located in the floodplain of the Snake or Malheur Rivers. Furthermore, the proposed rezone would not increase or exacerbate the potential impact of natural disaster; therefore, this policy section does not apply.

7. Recreational Needs

Response:

The rezone request would not impact this policy; therefore, this policy section does not apply.

8. Economic Development

Response:

The applicant's existing use of the property is currently of an economic nature. The applicant employs a number of personnel providing support services to the transportation business it operates at the subject property. The proposed rezone would bring applicant's existing use of the property into conformance and further the goals of the City in expanding and furthering economic development in the area. In addition, the rezone would open the property up for future uses consistent on an either permitted or conditional use basis which would also further the City's objective, promoting economic development through employment opportunities and the additional financial benefits to the community created through the use of the property in these ways. The proposed application would not harm or detract from the City's economic development as it would add a single parcel of property with the ability to be used for limited commercial purposes without changing the overall nature of the neighborhood in which the subject property lies.

9. Housing

Response:

The City of Ontario's Comprehensive Plan provides that it will be the City's goals to provide sufficient land area to accommodate the housing needs of its residents. The proposed rezone of the subject property will not result in exclusion of residential development. Furthermore, approval of the proposed rezone would not have a significant impact on any existing housing shortages affecting the City. As indicated in this application, applicant is currently using the property to support a business operation. Approval of this rezone application would bring the applicant's existing use of the subject property into conformance with the City's zoning code. The RM-10 zone sought by applicant in this application allows for the use of the property for residential uses as single family homes or multi-family dwellings. Therefore, the rezone of the subject property will not decrease the availability of adequate buildable lands for housing or impact the City's ability to expand its urban growth area to make room for additional developable lands for housing needs.

10. Public Facilities and Services

Response:

The subject property is connected to public sewer and public water and does not propose an extension of these services; therefore, this policy section does not apply.

11. Transportation

Response:

The Traffic Study dated July 31, 2014 (Exhibit A in Planning Commission report only) related to the SW 4th Avenue rezone provides sufficient information to evaluate the impacts on Ontario's Transportation System by the proposed rezone. While the subject property is not located within the study area identified in the Traffic Study attached as Exhibit A, the subject property's approximate location to SW 4th Avenue and the properties which were the subject of the SW 4th Avenue re-zone makes the Traffic Study relevant to Applicant's request. Furthermore, the proposed rezone from RS-50 to RM-10 of the subject property, while allowing for additional expanded commercial uses of the subject property would not result in any significant traffic in the area over and above what is already in existence. At this time, the applicant is not proposing any re-development of the subject property which would increase traffic or transportation in the area over and above what already exists. Providing further instruction is the fact that multiple parcels located within three (3) lots of the subject property are currently zoned as RM-10 and are being utilized as dental or other medical businesses. Applicant's proposed use of the property under the RM-10 designation does not create additional traffic as applicant does not have customers or patients which visit the property for treatment or services. This rezone request does not conflict with any of the transportation objectives identified in the City's Comprehensive Plan.

12. Energy Conservation

Response:

The re-zone request would not impact this policy; therefore, this policy section does not apply.

13. Urbanization

Response:

This re-zone request does not propose to change the City's Urban Growth Boundary; therefore, this policy section does not apply.

c. The applicant states that the zone change requested in this application seeks to change the zoning applicable to the subject property from a Single-Family Residential to a High Density Residential. Applicant does not contend that there has been a mistake or error in the original zone designation; however, due to the development of the properties adjacent to SW 4th Avenue in Ontario and the related need to provide office space to businesses providing support services to business in the area such as the hospital or other medical care providers makes the proposed zone change in this case appropriate. Because the proposed zone change would not make the subject property unable to be used for residential purposes in the future, the impact to the City's overall Comprehensive Plan is minimal.

d. The applicant states that the public is benefited by the proposed rezone of the subject property because the applicant's proposed use of the property provides a public need regarding the transportation of non-ambulatory medical patients to medical providers. It supports services provided to medical providers and to patients in the area benefitting the public at large and the proposed rezone would bring the applicant's existing use of the property in this manner into conformance with the City Zoning Code.

e. The subject property is a corner lot providing street frontage sufficient to accommodate the minimal additional parking related to the applicant's use and proposed use of the subject property. The size and shape of the property will allow for appropriate setbacks which would accommodate a larger building to be located on the property. As indicated in this application, applicant does not propose any redevelopment or construction on the property at this time which would change

any zoning requirements applicable to the property. Any future development of the property would require compliance with zoning rules applicable to the property; however, the size and shape of the property should be sufficient to accommodate all reasonably feasible uses in the proposed zone.

f. As indicated in this application, the subject property is located one block South of the SW 4th Avenue, a major arterial roadway serving Ontario. The subject property sits at the corner of SW 11th Street and SW 5th Avenue and is connected to City water and sewer services. Under the principal permitted listed under the proposed RM-10 Zone, and in addition to the principal permitted uses allowed in the existing zone of RS-50 are mortuaries or funeral homes, rooming houses, hotels, bed and breakfasts, museum, concert halls, auditoriums and similar cultural facilities, nursing homes, and medical/dental or other health professional offices or clinics for humans. While these additional permitted uses do have the potential to utilize additional public facilities, utilities and general assets of the City of Ontario, any such increase would be minimal. As indicated in the application, applicant intends to continue to utilize the subject property for an office space supporting its medical transportation business. The proposed existing use of the property would not increase or place any additional strain on the City's utilities or utilize additional public assets in the area. Furthermore, other RM-10 Zone lots are located within the vicinity of the subject property. Any future development of the property would require conformance and identification of how the change in use would place additional stresses upon the resources available.

g. The change proposed in this application would not result in any adverse effects upon surrounding properties. As currently situated, the property is located within one (1) block of SW 4th Avenue. The proposed and permitted use of the property in the proposed zone is permitted and would not result in any additional significant increase in noise or other items over and above what already exists given the subject property and the surrounding properties' proximity to SW 4th Avenue. In addition, the principal permitted uses allowed in the RM-10 Zone do not lend themselves to significant increase in these areas of concern. The permitted uses are related to low volume traffic and uses which do not lend themselves to the creation to significant amounts of noise or other discharges of dust or odor into the air, water or surrounding lands. The principal permitted uses are related to the type which would blend well into a predominantly residential area. This fact coupled with the subject property's proximity to SW 4th Avenue makes the application for rezone as it allows the property to be used for residential purposes as well as for limited economic and commercial purposes which are consistent with surrounding residential areas allowed by the current zone are basically the same type of use that will be used under the rezone with the exception of a few properties that will be able to add a few newer type businesses but will not be detrimental to adjoining properties.

Conclusion: Based on the findings above:

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

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

c. The applicant states that due to the development of the properties adjacent to SW 4th Avenue in Ontario and the related need to provide office space to businesses providing support services to business in the area such as the hospital or other medical care providers makes the proposed zone change in this case appropriate. Because the proposed zone change would not make the subject property unable to be used for residential purposes in the future, the impact to the City's overall Comprehensive Plan is minimal. Therefore there is a change in social condition, and demonstrates that this criterion is met. **CRITERION IS MET**

d. The applicant states that the public is benefited by the proposed rezone of the subject property because the applicant's proposed use of the property provides a public need regarding the transportation of non-ambulatory medical patients to medical providers. It supports services provided to medical providers and to patients in the area benefitting the public at large and the proposed rezone would bring the applicant's existing use of the property in this manner into conformance with the City Zoning Code. Rezoning to a zone to match the surrounding properties within the same block to the west, would not be considered as the granting of a special privilege for a single property or group of property owners. **CRITERION IS MET**

e. As noted in the findings above, the subject properties sizes are more than adequate to demonstrate consistency with this criterion and the existing business will be required to meet all off street parking and landscape requirements under the new zone. **CRITERION IS MET**

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

g. As noted in the findings above, uses of the property in the proposed zone is permitted and would not result in any additional significant increase in noise or other items over and above what already exists given the subject property and the surrounding properties' proximity to SW 4th Avenue. In addition, the principal permitted uses allowed in the RM-10 Zone do not lend themselves to significant increase in these areas of concern. The permitted uses are related to low volume traffic and uses which do not lend themselves to the creation to significant amounts of noise or other discharges of dust or odor into the air, water or surrounding lands are minimized. **CRITERION IS MET**

Final Conclusion: ALL CRITERIA ARE MET

ANALYSIS:

- A. **FINANCIAL** At this time there are no financial implications to the City associated with this action; applicant has paid the required fees.
- B. **TIMING** The request was filed on May 17, 2017, by the applicant. DLCD was given its 35 day notice. The 20 day notice to the affected persons and agencies was sent 20 days prior to the hearing as required by law. This set the public hearing for this action to July 18, 2017 meeting the notice requirements.
- C. **POLICY/LEGAL** The quasi-judicial Zoning Map amendment procedures are designed and authorized to adjust zone boundaries and create new zoning classifications on the official Zoning Map within areas on the land use plan indicated for the uses allowed by the map change. Such changes shall be in conformity with the land use goals of the State. The decision of the Commission shall be the final decision of the city unless an appeal is filed as authorized by this Title. (LANGUAGE IN 10B-10-05SUPERSEDES THIS LANGUAGE) WHICH IS: The ultimate decision-making authority for legislative actions and zone changes brought under the provisions of this Title shall rest with the City Council. Certain actions of the Planning Commission are in the form of a recommendation to the City Council. The land use actions for which the Commission provides only a recommendation to the Council are amendments of the comprehensive plan and zoning ordinances or Zoning Map.

ALTERNATIVES:

Alternatives could be as follows:

1. The Council could, by motion, based on public testimony or need for more clarification, refer this matter back to the Planning Commission.
2. Table and continue this item to a future date certain meeting, to obtain clarification on

issues raised at this Public Hearing.

RECOMMENDATION:

The Planning Commission recommended **APPROVAL/DENIAL** to the City Council, based on the information, findings and conclusions at said Public Hearing.

ATTACHMENTS:

1. Ordinance #2727-2017
2. City Codes RS-50 & RM-10 Regulations



ORDINANCE #2727-2017

AN ORDINANCE AMENDING THE CITY OF ONTARIO COMPREHENSIVE PLAN AND ZONING MAP FROM SINGLE FAMILY RESIDENTIAL (RS-50) TO HIGH DENSITY RESIDENTIAL (RM-10) ZONE CLASSIFICATION FOR A PROPERTY ON TAX MAP 18S47E09BA IDENTIFIED AS TAX LOT 3900; BEING LOTS 10 THROUGH 13 INCLUSIVE IN BLOCK 1 OF ALAMEDA HEIGHTS ADDITION TO THE CITY OF ONTARIO;

- WHEREAS,** Applicants have initiated a zone change request for the property in the City for rezoning of those properties from “Single Family Residential (RS-50)” to “High Density Residential (RM-10)”, which property are described in Exhibit “A” and designated on Exhibit “B” Assessor’s Map 18S47E09BA, as Tax Lot 3900; and
- WHEREAS,** After giving the notice required by law, the City Planning Commission held a public hearing on the requested zone change on July 10, 2017, after which the Ontario Planning Commission made findings of fact and conclusions of law and recommended that the Ontario City Council approve the zone change request for the subject property; and
- WHEREAS,** After giving the notice required by law, the Ontario City Council held a public hearing on the zone change request on July 18, 2017 and July 25, 2017, and having reviewed all evidence and testimony submitted therein, makes the following findings of fact and conclusions of law with respect to the subject property:
- A. The City of Ontario Municipal Code policies contained in the City of Ontario Comprehensive Plan, which conforms to the Statewide Planning Goals; generally, if a proposed rezone meets all criteria and standards contained in the OMC, the request will be consistent with Comprehensive Plan Policies and therefore conform to the Statewide Planning Goals. The applicant has demonstrated in their application that this request is consistent with Statewide Planning Goals.
 - B. The findings show that the request is within goals and conformance of the acknowledged Comprehensive Plan. Therefore, this proposal has demonstrated to be consistent with the Comprehensive Plan.
 - C. The applicant states that the surrounding area is zoned General Commercial (C-2), High Density Residential (RM-10), Duplex Residential (RD-40) and Single Family Residential (RS-50). With the change in the development of the City to the east side of town, rezoning these properties to allow for new types of businesses would help entice new businesses to move or develop in this portion of town. Therefore, there is a change in social condition, and demonstrates that this criterion is met.
 - D. The applicant states that the area surrounding the subject property has a well-rounded mixture of zones that is compatible and granting this request would not be granting a special privilege, but would be granting a zone that would blend in with the surrounding area and provide for better use of the property. Rezoning to a zone to provide new services to the area would not be considered as the granting of a special privilege for a single property or group of property owners.

- E. The subject property size is more than adequate to demonstrate consistency with this criterion.
- F. The property are properly related to streets and public facilities and the existing uses and services demonstrate that uses allowed in the proposed zone can be provided.
- G. The findings shows that the conditions of the neighborhood are such that the subject property and surrounding area are zoned for General Commercial (C-2) and mixed Residential (RM-10, RD-40 & RS-50) use. The proposed use will not change the conditions of the neighborhood except to provide an enhancement of needed medical service. There is a defensible argument that any chance of impacts will be minimal, if any. In any case, requirements in the OMC applicable to uses in the zone High Density Residential (RM-10) will ensure that impacts from dust, noise, vibration, odor, heat, glare, lighting, or discharges into the air, water or land are minimized; and

WHEREAS, the above findings meet all the Criteria's of the City code Section 10B-20-30 REQUIRED FINDING, DECISION CRITERIA;

NOW THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

The Ontario Comprehensive Plan and Zoning Map are amended by changing the zone from "Single Family Residential (RS-50)" to "High Density Residential (RM-10)" for the property described on Exhibit "A" designated on Exhibit "B" Assessor's Map 18S47E09BA, as Tax Lot 3900.

PASSED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2017, by the following vote:

AYES:

NAYS:

EXCUSED:

ABSENT:

APPROVED by the Mayor this _____ day of _____, 2017.

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

Exhibit “A”
Property Description for Rezone
City Action No. 2017-05-08RZ

Land in the City of Ontario, Malheur County Oregon, Township 18 South, R. 47 East, W.M., within the NE1/4NW1/4 of Section 9 more particularly described as follows:

Lots 10, 11, 12 and 13 of Block 1 of the Alameda Heights Addition to the City of Ontario, Oregon according to the Official Plat thereof.

Exhibit "B"

Of subject property



N.E. 1/4 N.W. 1/4 SEC. 9 T. 18S. R. 47E. W.M.
MALHEUR COUNTY
1" = 100'

SEE MAP 18S 47E 04CD



Attachment

Zoning regulations for RS-50 and RD-40

EXISTING ZONE:

- **CHAPTER 10A-11 - RS-50, SINGLE-FAMILY RESIDENCE ZONE**
-
- **10A-11-01 - PURPOSE.**
- To provide and maintain residential areas of predominantly owner-occupied single-family detached dwellings at relatively high densities for this type of housing.
- **10A-11-05 - PRINCIPAL PERMITTED USE.**
- The following principal uses are permitted as of right in the RS-50 Zone:
 1. Single-family detached dwellings.
 2. Home occupations meeting the standards herein.
 3. Family day-care provider.
 4. Parks and recreation facilities, public.
 5. Horticulture and the growing of field crops or hay.
 6. Residential care facility housing not more than eight clients.
 7. Adult foster care for not more than five patrons.
- **10A-11-10 - CONDITIONAL USES.**
- The following are permitted conditionally in the RS-50 Zone:
 1. Private stables, corrals and paddocks which meet the standards set forth in RS-80 Zone.
 2. Utility facilities, other than distribution lines, at a specific location necessary for the functioning of that utility.
 3. Duplex dwelling as defined herein.
 4. Schools or seminaries, public or private.
 5. Churches.
 6. Day care center with 13 or more children or if not in a private home.
 7. Cemeteries and crematoria when located in or on property adjacent to a cemetery.
- **10A-11-15 - ACCESSORY USES.**
- Accessory uses and structures common to all zones as listed in Chapter 10A-53 are allowed in the RS-50 Zone.
- **10A-11-20 - SPACE LIMITS.**
- The building height, development site, open space and yard dimensions applicable to the RS-50 Zone are found on the Residential Zones Space Limits Table, Chapter 10A-25.
- **10A-11-25 - GENERAL PROVISIONS.**
- The provisions of Chapter 10A-57, Miscellaneous provisions, apply to the RS-50 Zone.

PROPOSED ZONE:

- **CHAPTER 10A-17 - RM-10, HIGH DENSITY, MULTI-FAMILY RESIDENCE ZONE**

-

- **10A-17-01 - PURPOSE.**

- To provide and maintain relatively high density residential area containing a variety of family and institutional housing types and limited nonresidential uses.

- **10A-17-05 - PRINCIPAL PERMITTED USES.**

- The following principal uses are permitted as of right in the RM-10 Zone:
 1. Single-family, duplex dwellings, and single-family attached dwellings, provided there shall be no more than five single-family attached dwellings in a continuous building.
 2. Multi-family dwellings.
 3. Home occupations meeting the standards herein.
 4. Day care center or family day care provider.
 5. Park and recreation facilities, public.
 6. Private clubs and clubhouses as defined herein.
 7. Residential care facilities not limited as to number of clients.
 8. Mortuaries or funeral homes.
 9. Rooming houses as defined herein.
 10. Hotel, bed and breakfast, as defined herein.
 11. Museums, concert halls, auditoriums and similar cultural facilities.
 12. Nursing homes.
 13. Medical, dental or other health professional office or clinic for humans.
 14. Adult foster care for not more than five patrons.

- **10A-17-10 - CONDITIONAL USES.**

- The following are permitted conditionally in the RM-10 Zone:
 1. Utility facilities, other than distribution lines, at a specific location necessary for the functioning of that utility.
 2. Apartment hotel.
 3. Business office.
 4. Churches.
 5. Schools or seminaries, public or private.
 6. Congregate housing facility.

- **10A-17-15 - ACCESSORY USES.**

- Accessory uses and structures common to all zones listed in Chapter 10A-53 are allowed in the RM-10 Zone.

- **10A-17-20 - SPACE LIMITS.**

- The building, development site, open space and yard dimensions applicable to the RM-10 Zone are found on the Residential Zones, Space Limits Table, Chapter 10A-25.

- **10A-17-25 - GENERAL PROVISIONS.**

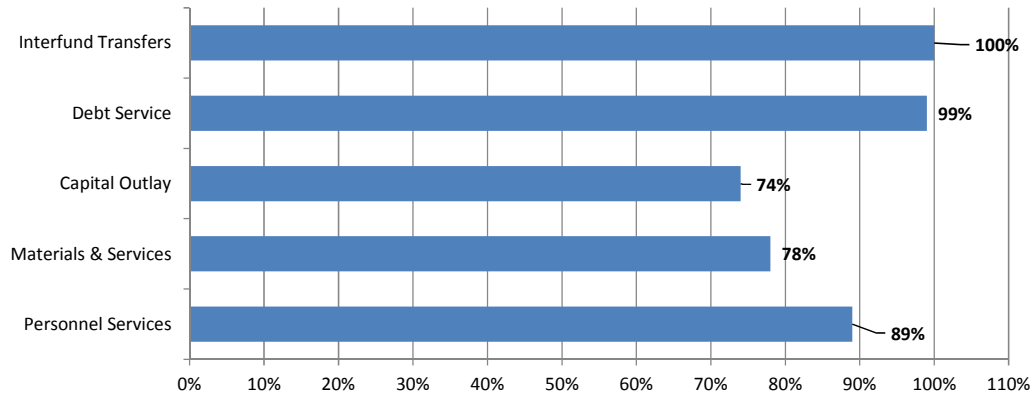
- The provisions of Chapter 10A-57, Miscellaneous Provisions, apply to the RM-10 Zone.

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
MAY 31, 2017**

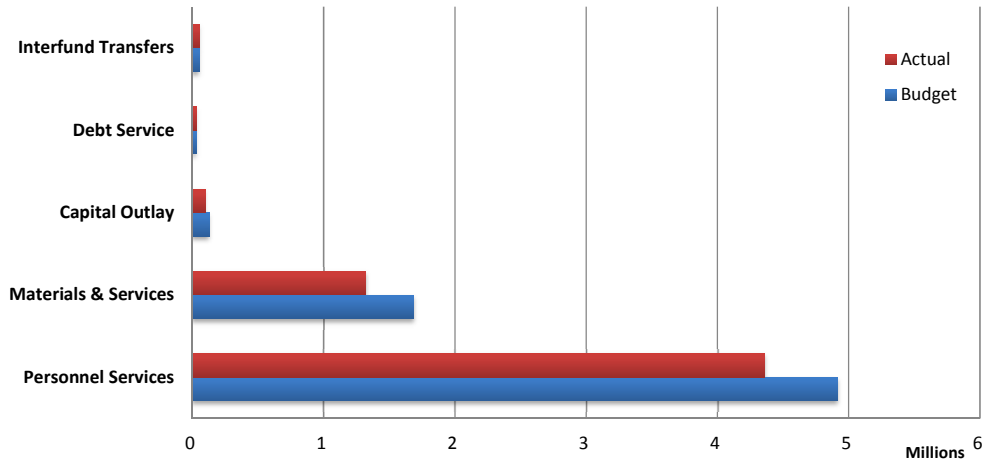
DEPARTMENT	BUDGET	ACTUAL	% EXPENDED	COMMENTS
Parks	210,630	209,378	99.4%	CH2M prepaid
Recreation	208,562	191,466	91.8%	
Parks & Recreation	419,192	400,844	95.6%	
Fire	1,397,043	1,231,046	88.1%	software not paid yet this year, no training spent yet.
Code Enforcement	146,516	107,902	73.6%	
Police	3,228,525	2,798,594	86.7%	
Police reserves	17,245	7,330	42.5%	
Emergency operations	-	38,613	#DIV/0!	
Public Safety Total	4,789,329	4,183,485	87.4%	
Administration	371,829	308,222	82.9%	No SRCI labor yet
Human Resources	102,549	85,711	83.6%	
Business Registration	950	421	44.3%	
Cemetery	159,343	135,414	85.0%	
Finance	231,570	188,185	81.3%	
Technology	116,278	93,990	80.8%	
General Government Total	982,519	811,943	82.6%	
Community development	182,821	120,676	66.0%	Building improvements not completed
Community Development	182,821	120,676	66.0%	
Administrative Overhead	396,121	299,572	75.6%	
Other Total	396,121	299,572	75.6%	
Operating Transfers Out	17,600	17,600	100.0%	The budgeted transfer to the grant fund has been recorded
GENERAL FUND TOTALS	\$ 6,787,582	5,834,121	86.0%	
YTD BUDGET BENCHMARK			91.6667%	 5.7%

**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT EXPENSE
FOR THE PERIOD ENDED
MAY 31, 2017**

% Expended by Category



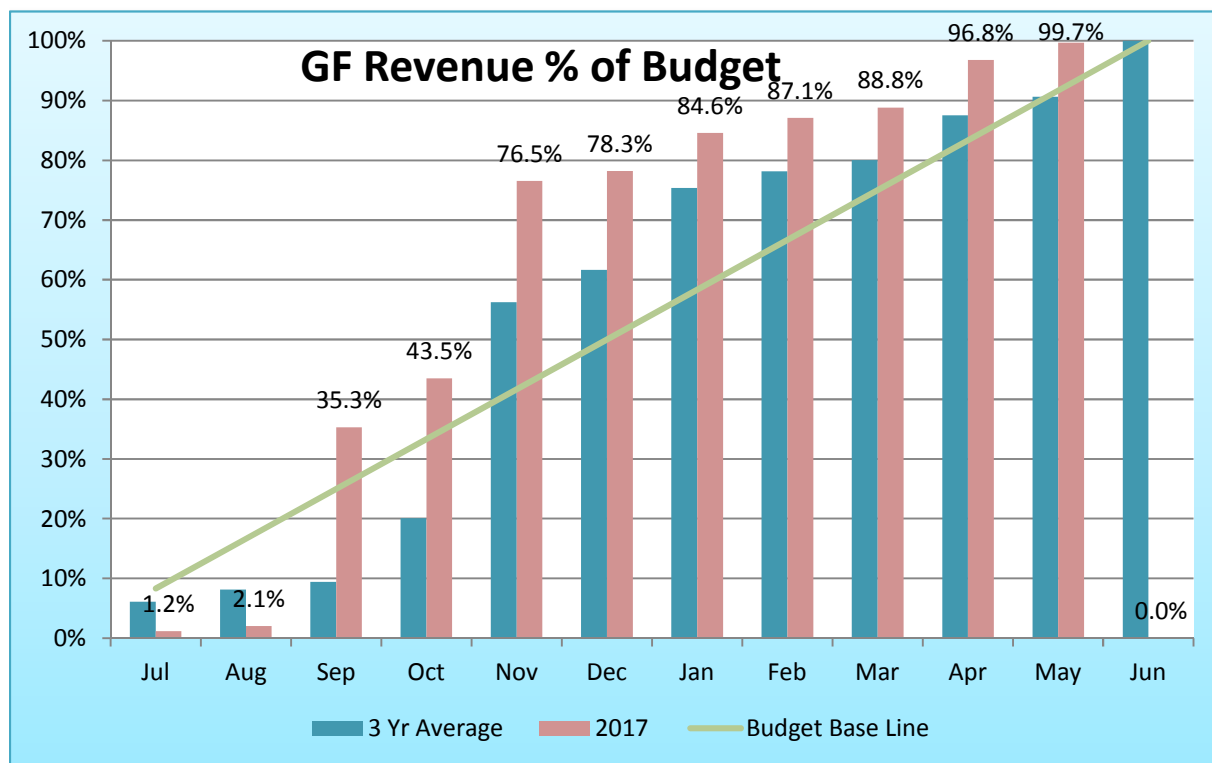
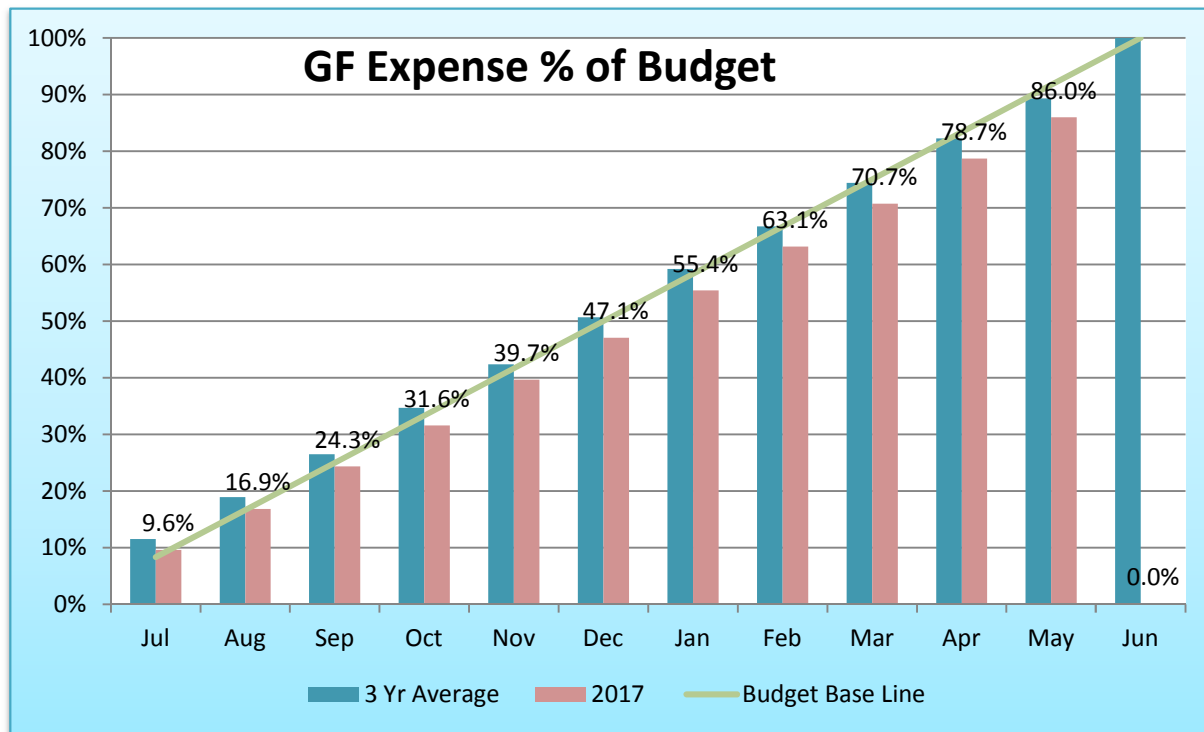
Budget to Actual by Category



**CITY OF ONTARIO
GENERAL FUND - DEPARTMENT REVENUE
FOR THE PERIOD ENDED
MAY 31, 2017**

DEPARTMENT	BUDGET	ACTUAL	% REALIZED	COMMENTS
GENERAL FUND BEGINNING FUND BALANCE	2,300,000	2,780,156	120.9%	(not calculated in totals)
Parks	1,900	1,401	73.7%	program timing
Recreation	71,400	66,119	92.6%	
Parks & Recreation	73,300	67,520	92.1%	
Fire	133,622	98,626	73.8%	Quarterly Rural Fire Payment
Code Enforcement	10,048	16,237	161.6%	
Police	217,345	161,759	74.4%	SRO contract timing, less court revenues
Public Safety Total	361,015	276,622	76.6%	
Interest	11,000	24,403	221.8%	higher interest rate than prior year
State Revenue Sharing	115,640	90,519	78.3%	Quarterly payments
Administrative Services	497,145	455,719	91.7%	
Other General Revenues	13,055	3,791	29.0%	Less Misc. revenue
Property Taxes	3,318,702	3,349,515	100.9%	P. taxes are due in November
Alcohol Bvg License & Fee	165,555	133,563	80.7%	Quarterly payments
Cigarette tax	13,414	10,847	80.9%	State slow on payments
Franchise Fees	1,665,241	1,332,346	80.0%	Quarterly payments
Business Registration	1,500	1,905	127.0%	
Cemetery	60,800	57,760	95.0%	
General Government Total	5,862,052	5,460,367	93.1%	
P&Z Hearings	1,500	3,022	201.5%	
Community development	1,500	3,022	201.5%	
Operating Transfers In	17,245	-	0.0%	
Transfer Total	17,245	-	0.0%	
GENERAL FUND REVENUE TOTALS	\$ 6,315,112	\$ 5,807,531	92.0%	
YTD BUDGET BENCHMARK			91.7%	 0.3%

**CITY OF ONTARIO
GENERAL FUND
FOR THE PERIOD ENDED
MAY 31, 2017**



**CITY OF ONTARIO
OTHER FUNDS - DEPARTMENT EXPENSES AND REVENUE
FOR THE PERIOD ENDED
MAY 31, 2017**

DEPARTMENT/FUND	EXPENDITURES				REVENUES		
	BUDGET	ACTUAL	% EXPENDED		BUDGET	ACTUAL	% REALIZED
005 Golf Course Fund	40,000	40,000	100.0%		40,000	46,802	117.0%
010 Grant Fund	480,000	12,936	2.7%		480,000	119,182	24.8%
027 Building Fund	199,100	143,420	72.0%		199,100	248,564	124.8%
030 Capital Projects Fund	550,108	58,847	10.7%		2,955,163	3,270,469	110.7%
031 SDC Fund	138,574	-	0.0%		138,574	187,001	134.9%
035 Debt Service Fund	63,500	64,084	100.9%		164,200	169,552	103.3%
045 Street Fund	1,851,192	1,771,495	95.7%		2,020,035	1,948,819	96.5%
050 Trust Funds	543,100	335,863	61.8%		692,283	713,053	103.0%
055 Reserve Funds	308,850	67,480	21.8%		1,690,930	1,844,682	109.1%
060 Revolving Loan Fund	551,764	7,982	1.4%		551,764	540,837	98.0%
065 Aquatic Donation Fund	25,000	-	0.0%		25,450	25,814	101.4%
105 Water Fund	4,309,665	3,619,719	84.0%		4,809,950	4,889,243	101.6%
110 Sewer Fund	3,025,193	2,581,847	85.3%		3,495,030	3,845,316	110.0%
115 Storm Sewer Fund	137,931	88,156	63.9%		572,700	572,569	100.0%
120 Airport Fund	90,474	69,263	76.6%		90,474	83,335	92.1%
125 Aquatic Fund	10,000	15,200	152.0%		122,452	142,261	116.2%
YTD BUDGET BENCHMARK91.7%							



07/06/2017

City Recorder

Semi-Annual Report
Jan 1-Jun 30, 2017

Tori Barnett, MMC
City Recorder



This report covers actions
from January 1, 2017,
through June 30, 2017.



Job duties include:

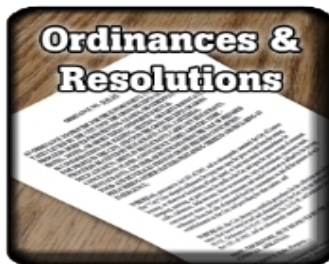


- ❖ Records Custodian/Archivist
- ❖ Elections Official
- ❖ Ordinance/Resolution Docket
- ❖ Business Registrations
- ❖ Cemetery Records/Deeds
- ❖ Clerk to the Council
- ❖ Website Co-Administrator
- ❖ Agent of Record
- ❖ Notary Public
- ❖ Municipal Code Book Updates





**One Council resignation;
one appointee sworn into office.**



**Four ordinances and 26 resolutions
were brought before Council.**

[illegible]

Processed 16 new Deeds; 21 burials; 2 transfers/changes.



- The Council held six regular meetings, six work sessions, two strategic planning meetings; four sales tax meetings, and three budget meetings. Twelve packets were created and distributed.
- Processed five FIOA requests.
- Worked on updates for the city's website.
- Worked with other staff on preparing events for the August 21, 2017 Solar Eclipse.
- Processed five updates to the Municipal Code.





Questions?



07/06/2017

Police Department Quarterly Report

2017 Quarter Two

Awards

[Commitment to providing superior service.]



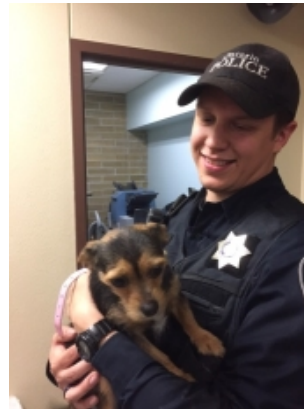
'VFW Service Awards'
Sgt. Grimaldo, Officer Swank &
Officer Phelps



'Volunteer of the Year'
Ontario School District 8C
Officer Jon Esplin

Community

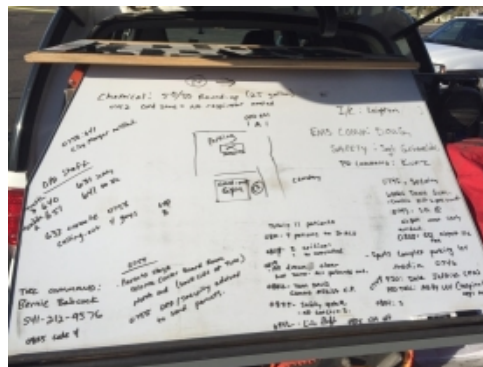
[Respect for the citizens we serve.]



- ✓ 2 Elementary School Class Tours of the PD
- ✓ Car Seat Fitting Training
- ✓ 4 Elementary/Pre-School Visits by Officers
- ✓ Fish with a Cop Event
- ✓ Many Pancakes Created for a Good Cause.

Training

[Commitment to learning.]



- ✓ Firearms Instructor Course
- ✓ Law Enforcement on the Stand
- ✓ Mock Emergency



Special Operations:

- ✓ SW 4th Ave Traffic Saturation –
24 citations, 47 warnings, 3 arrests
- ✓ Sex Offender/DV Warrant Round Up –
5 Arrests (3 hour, joint agency.)



Police Academy Graduates



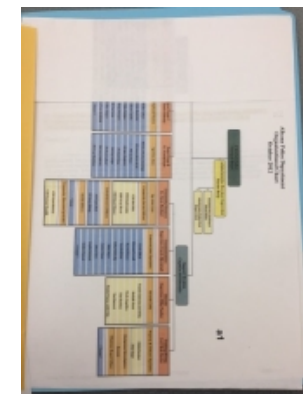
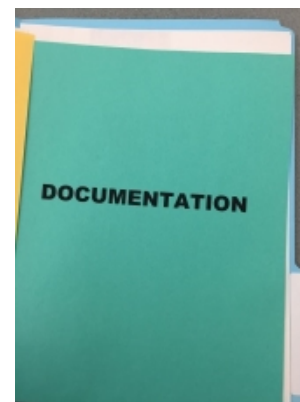
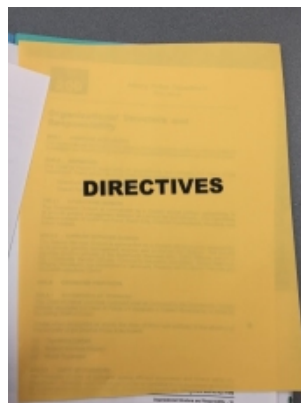
Fleet Improvements



IMG_2824.MOV

Friends from YSEALI





Questions/Comments?





June 2017 ACTIVITY REPORT

Emergency Medical:

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

CITY	171
RURAL	12

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

Hazmat Team Calls:

0

Fire Related Emergency Calls:

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

	TOTAL	General	Mutual Aid
CITY	26	4	0
RURAL	9	0	1

TOTAL CALLS FOR MONTH

CITY	197
RURAL	21

FIREFIGHTER TRAINING:

5/30 Drafting and Tender operations

6/6 Narcan and recreational drug usage

6/13 Case reviews, hands on ladders, ropes, and forcible entry

PERMITS ISSUED:

City Open Burns 3

City Burn Barrels 3

Rural Open Burns 75
Rural Burn Barrels 15

INSPECTIONS:

5/30 H&R Block- 1457 SW 4th Ave.
6/1 Council on Aging, St Al's Hospital,
6/8 Elks lodge
6/14, 15 Bulk Propane tanks Farmers co-op
6/14 Strip mall in front of Ware-mart
6/23 Taco Bell

SCHOOL VISITS:

STATION TOURS:

5/30 Aiken- 50 students
6/7 Alameda- 50 students

COMMUNITY INVOLVEMENT:

5/31 Presentation with Chief Kunz at Kiwanis Meeting
6/1 Cooking at the Buck a roo supper
6/6, 21- Meetings with Heinz for future expansion
6/12, 13 New firefighter testing

Summary of Structure Fires:

5/30/17 04:30 318 NW 4th St.

Fire is still under investigation. There were a fifth wheel trailer, a 2002 Ford Explorer, a shed, a 2007 Chevy pickup and the siding of the house damaged due to the fire. R 1 was dispatched for a tree fire. Arrived on scene to find multiple vehicles, a shed and trees fully involved with a residence threatened. Notified dispatch to sound a general alarm. R1 crew pulled a 1-3/4" pre-connect and established water supply at a nearby hydrant. Crew began extinguishing fire nearest the threatened residence. FF Benson asked an arriving LE officer to make contact with the occupants in the threatened residence. R1 crew pulled an additional 1-3/4" attack line; both crew members worked on extinguishing fire. 100 arrived on scene and assumed command. FF Benson made contact with the neighbor to the north, who stated that

sometimes the affected RV is used for sleeping by the neighbors. Soon after we received confirmation that both of the residents of the affected structure were safe and accounted for. 103 arrived on scene and assisted fire attack. A 1" booster line was also used off of R1 for mop up. It appeared that a passenger car, an RV, a pickup truck were all damaged at the 318 NW 4th Street property as well as the fence separating the property to the north. The property to the north had a small shed completely burned down. Trees separating the properties were also involved in the fire. After the fire was extinguished R1 crew worked with 100 to investigate the possible cause of the fire. 100 made contact with the homeowners and found that the homeowners had several surveillance cameras installed throughout the property. 100 was able to see footage from the camera located on the peak of the east gable, facing the alley; footage showed an incendiary device being thrown to the area between the RV and the passenger car. 100, R1 crew and LE interviewed the occupants and neighbors. R1 crew also took several pictures.

6-3-17 610 NW 2nd St. Structure fire at vacant duplex.

Dispatched to a report of a house on fire near the 600 block of NW 1st Street. While enroute rescue called for a city general alarm. As rescue approached the scene we could see that there were flames on 2nd street. Rescue arrived on scene of a medium sized multiple unit residential structure with heavy flames on the outside of the D side. The flames were just starting to get into the eaves. 146 established command as the NW 2nd street command. The booster line was pulled off of the rescue and quickly established a rapid knock down of the exterior flames. 148 advised dispatch of the knock down and had incoming units continue. 148 did a walk around to look for fire extension. No fire extension was found to other parts of the building. 103 arrived and command had 2 personnel get a ladder and cut access to the A side gable end, the other crew did a primary search to look for victims and interior extension, neither were found. Access was made into the attic and there was medium smoke and some charring. 146 turned command over to 148 and made an announcement over the radio. Command had interior crews pull ceiling to look for hot spots. The fire looked to possibly have started on the D side in a small 6x6 attached room. That is where the heaviest charring was and the siding had burned through to the sheetrock. Three of the neighbors stated that they heard an explosion prior to seeing flames.

6-5-17 3079 Court Ave Structure fire.

R1 was dispatched to a fire in the house and that everyone was out of the structure. A general alarm was called for per SOP and 100 also responded. Upon R1 arrival 146 did a size up and established command, they had a manufactured home with some additional rooms built on. There was heavy smoke showing from a bedroom window on the bravo side. They were doing an exterior attack with the booster line from R1. 100 arrived and assumed command and had Idaho power and Cascade Gas dispatched to the scene. Firefighter Saito took a crew of four from E 103 interior from the alpha side and further extinguished the fire that was extending down the hall way, into the bathroom and the bedroom as well. There was smoke damage to other parts of the house but the rooms that had the door closed received much less damage. R1 and 100 stayed on scene for quite a while investigating the origin and cause. It appears to have started in the area of a plug strip that was mounted on the wall above a bed. The strip was damaged extensively and had some devices plugged into it. The occupants

stated they were in the front of the house when the female yelled that there was a fire and the male went to the rear to try to put out the fire. They stated that they saw the fire in the area over the bed.

Rural structure fires

5-31-17 828 Railroad Structure fire in shop

This is a very large farm outbuilding shop. There was a fire that appears to have started down low on the outside of the building and went up the NE. corner. This building is right at the border of ORFD. Dispatch originally sent Vale fire. They arrived first and had the fire knocked down and under control when 100 and 156 arrived on scene. The fire was contained to the 6x6 post and some of the girts and the siding and trim in the NE corner area. The cause is under investigation, they owners have been having trouble with malicious acts around the property, and we don't find any cause of ignition. There are some electrical components in the area but they were not plugged in and the fire started on the outside area of the structure. After further investigation it was determined that a hired man was burning seed bags and an ember had blown into some railroad ties stacked alongside the shop. There was a strong wind storm that blew through that evening.

6-8-17 2373 Bishop Rd Vale Structure fire in shop.

OFD received a mutual aid request from Vale to assist with a working structure fire. Pumper/Tender 155 responded with a crew of 5 personnel. Once on scene we first staged and 4 crew members assisted on pre-established hand lines working off Vale FD apparatus. 155 was then positioned on the Alpha/Bravo corner and we utilized the deck gun using all 2500 gallons on board. This action cooled the entire fire so crews could remove the metal tin roofing which had fallen in on top of burning contents. 155 and crew were on scene for about 1 hour assisting in the above listed fire ground activities then released.



City of Ontario
 POLICE DEPARTMENT
Office of the Chief
 444 SW 4th Street
 Ontario, OR 97914

To: Ontario City Council
 Re: Department Statistics for May 2017

Activity	Month of May	Previous Month	Year to Date	Prior Year to Date
Calls for Service	1011	865	4378	3984
Traffic Stops	120	138	497	820
Cited Traffic/Parking	87	128	459	524
Motor Vehicle Crashes	30	27	221	169
Arrests	72	74	301	433
Arrests w/ Use of Force	1	0	5	3
Citizen Complaints	0	0	0	0
Cases to Dist. Attorney	79	61	333	298
Ordinance Cases Total	186	97	572	464
Ordinance-Weeds	60	11	72	144
Ordinance-Garbage	1	9	21	24
Dogs to Ani-Care	11	5	37	41
Junk/Vehicles	2	5	12	57
Death Investigations	0	3	6	8
SRO Cases	50	32	250	131
Gang Related Cases	11	14	35	31
Gang Designations	1	0	1	2
Task Force Cases	3	8	21	22
Graffiti	11	13	34	37
Burglary	9	12	53	34
Robbery	0	0	2	3
Larceny	28	42	298	229
Assault	17	21	98	30
Homicide	0	0	2	0
Sex Crimes	1	0	5	9
Alarms	31	26	129	77
Property Loss/Recover	\$95,405/\$85,227	\$79,383/\$46,611	\$293,721/\$203,543	\$184,216/\$20,269



ONTARIO POLICE DEPARTMENT

444 SW 4TH STREET, ONTARIO, OR 97914

OFFICE: (541) 889-7684 DISPATCH: (541) 473-5125 FAX: (541) 889-3026

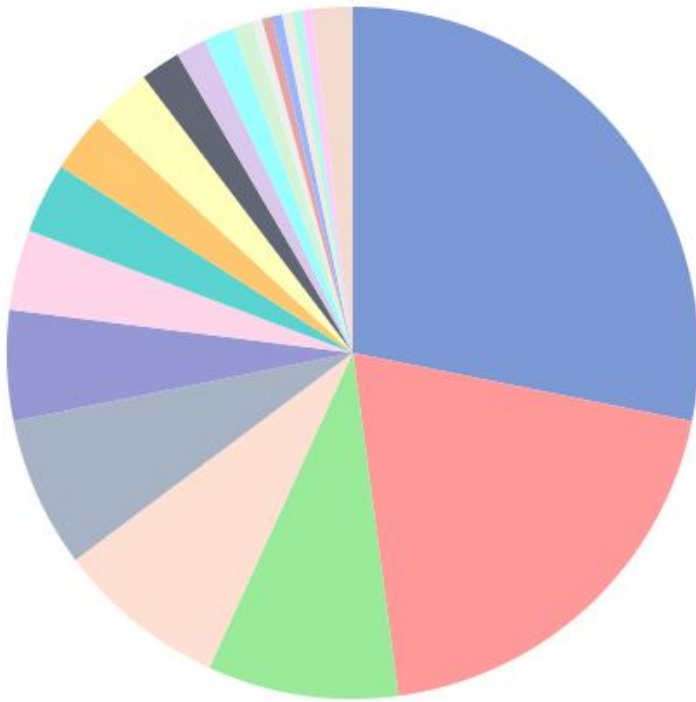
Code Enforcement Stats May 2017

Open Date From:

05/01/2017

Open Date To:

05/31/2017



Violations by Violation Type		
Weeds	60	28.2%
Dog running at large	42	19.7%
Public nuisance	19	8.9%
Parking over 72 hours ? Abandoned Vehicle	17	8.0%
Prohibited parking and stopping	15	7.0%
AniCare Transport	11	5.2%
Dog license required; No dog license	8	3.8%
Parking Complaint	7	3.3%
Cruelty to animals	6	2.8%
Animal Neglect II	6	2.8%
Animal Complaint	4	1.9%
Graffiti prohibited	3	1.4%
Graffiti removal required	3	1.4%
Storage of Motor Vehicles or Parts	2	0.9%
Tree maintenance required	1	0.5%
Trees	1	0.5%
Outdoor Storage of Other Nontrash Items	1	0.5%
Found Property	1	0.5%
Prohibited Parking Front Lawn	1	0.5%
Storage of Junk	1	0.5%
All Others	4	1.9%

Total Violations	213
Total Cases	186
Garbage	1
Dogs running at large	42
Dogs taken to Ani-Care	11
Junk	1

CH2M

May 2017

Report



*"Making Ontario's roads
safer for you."*

May
2017

Prepared by CH2M for
CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

Monthly Business Review

PUBLIC WORKS DEPARTMENT

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FACILITY MAINTENANCE SUMMARY	13
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FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

MAY ACTIVITIES CONTINUED:

- Pored back sidewalk from West Idaho Avenue storm line repair project.
- Paved back 15 tons of paving completed for spot repairs around town needed after winter damage.
- Installed 3 inch meter for the Bureau of Land Management at the Ontario Municipal Airport.
- Trimmed weeds on East Idaho and alleys throughout the City.
- Applied herbicide on City owned right of ways.
- Swept downtown weekly.
- Sign maintenance on damaged signs.
- Re-installed center rapid flashing beacon on Southwest 4th Avenue at Four Rivers Charter School after it was damaged by a vehicle. Waiting on anchors to arrive before installing the rapid flashing beacon on North Oregon in front of Mallard's Grocery.
- Swept Evergreen Cemetery for Memorial Day.
- Swept around Lion's Park for the Global Village event.
- Installed piping for Well No. 17 at the Water treatment Plant.
- Repaired sink holes on Dorian Drive at Northwest 4th Avenue.
- Installed two light poles that were damaged by vehicles.
- Storm line backed up into the Plaza Subdivision, root cause was a weir box that had been blocked on the out fall by someone. Drainage district talked to property owners about this.



Field Services Crew digging trench for new water main water to new Well No. 17 at the Water Treatment Plant.

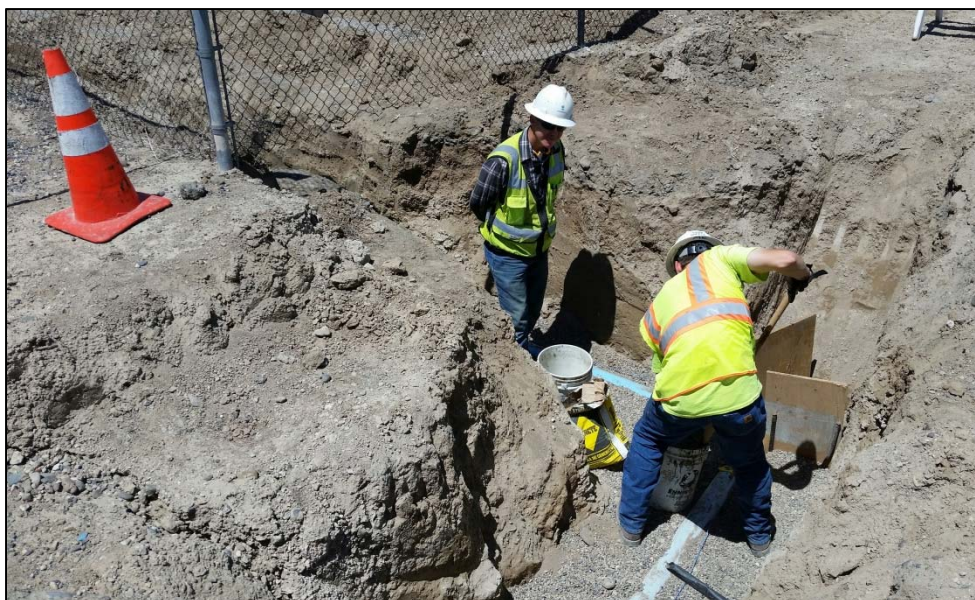


Field Services Crew installing new water valves to new Well No. 17 at the Water Treatment Plant.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

MAY ACTIVITIES CONTINUED:

- Verde irrigation pump was started for the year.
- Weekly checks and maintenance through irrigation season started and will end in October.
- ODOT paint crew painted traffic lines throughout the City. This will be done again in the fall.
- Significant rain required after hours catch basin clearing. The storm system was surcharged with the rivers being high and it took approximately three hours to drain the rain water off some of the city streets.
- Repaired Murakami pump No. 2 – replaced bearings and rebuilt.
- 54 water services were turned on customer request
- 24 water services were shut off by customer's request.
- 34 water services were read only on/off by customer's request.
- 39 services were shut off for non-payment.
- 32 water services were turned on for payment received.
- 1 new water meter was installed.
- 47 meters were changed out do to non-functioning components.
- 11 water services were shut off for repairs at the customer's request.
- 16 water services were checked to make sure still off from shut off list.
- 14 water services were checked for leaks at the customer's request.



Field Services Crew installing new 3-inch water meter for the Bureau of Land Management at the Ontario Municipal Airport.



New 3-inch water meter for the Bureau of Land Management at the Ontario Municipal Airport.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

MAY ACTIVITIES CONTINUED:

- 10 water services were checked at the customer's request to verify leaks have been repaired.
- 44 utility locates were completed.



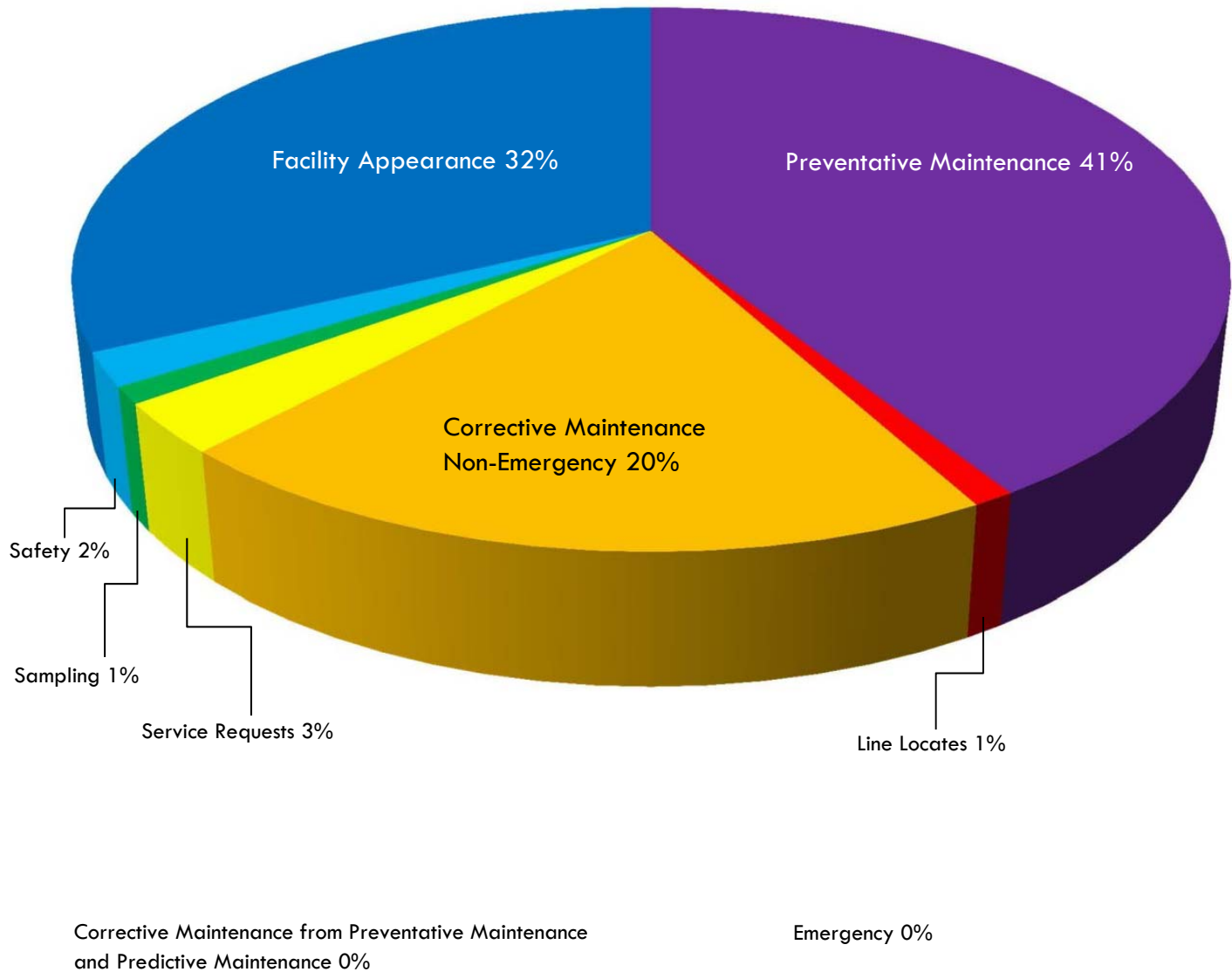
Field Services Crew crack sealing on North Oregon Street prior to chip seal project.



Field Services Crew blowing out the cracks in the asphalt before crack sealing crew follows.

FIELD SERVICES: STREETS & COLLECTION/DISTRIBUTION SUMMARY

May
Work Orders Actual Hours by Work Order Type



WATER TREATMENT PLANT SUMMARY

MAY ACTIVITIES:

- Snake River water levels remain very high but there has been a decrease in water levels by 3 to 4 feet.
- Water inventories are good, although the plant is experienced a wide fluctuation in raw water quality at the beginning of the month. Staff is continually adjusting chemical dose rates to address wide swings in water variability. Heinz went off line during the long Memorial Day weekend. Staff was instructed to build up water inventories to meet water needs over the holiday weekend.
- Additional work by staff troubleshooting chemical feed systems while the new system is being plumbed into place.
- Sand removal from flocculation basins in the old treatment plant, this is due to the long period of high water levels and additional solids in the raw water. This activity will continue to be done more frequently until river levels drop and the river returns to normal flows.



Above, Water Treatment Plant crew monitors the new chemical feed setup. Below, Water Treatment Plant Crew makes some minor adjustments to the chemical feed system.



WATER TREATMENT PLANT SUMMARY

MAY ACTIVITIES CONTINUED:

- A conference call was held with State of Oregon Water Authority on the new chemical feed system upgrades, there will have to be additional sampling throughout the system while the systems comes on line and will continue for the next year to assure compliance.
- A power outage for approximately 4 hours was experienced May 11. The emergency power system worked flawlessly while Idaho Power addressed issues off site and returned normal supply power.



Above photos: Water Treatment Plant Well No. 17 new valves and tees installed by Field Services Crew.

WATER TREATMENT PLANT SUMMARY

MAY ACTIVITIES CONTINUED:

- The new chemical feed system project trials continue, and staff has observed some issues typical and expected with any new system startup. System startup and integration will continue to move forward in coming weeks. Staff has addressed some of those issues identified with initial startup and will continue to address other areas of concern. Systems at this time are working as designed. We will have some Ch2m technical experts arriving the first week of June to review operations and protocols.
- Our large decant pump failed and a temporary system was installed to continue operations, the pump is at the vendors but motor rewind is most likely solution. This system needs to be redesigned and engineered to address chronic problems.

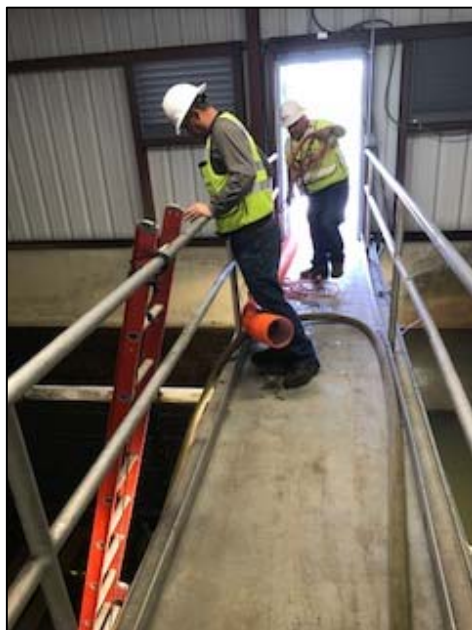


Crew running pump calibration curves for the new ferric and poly chemical pumps and chlorine chemical pumps.

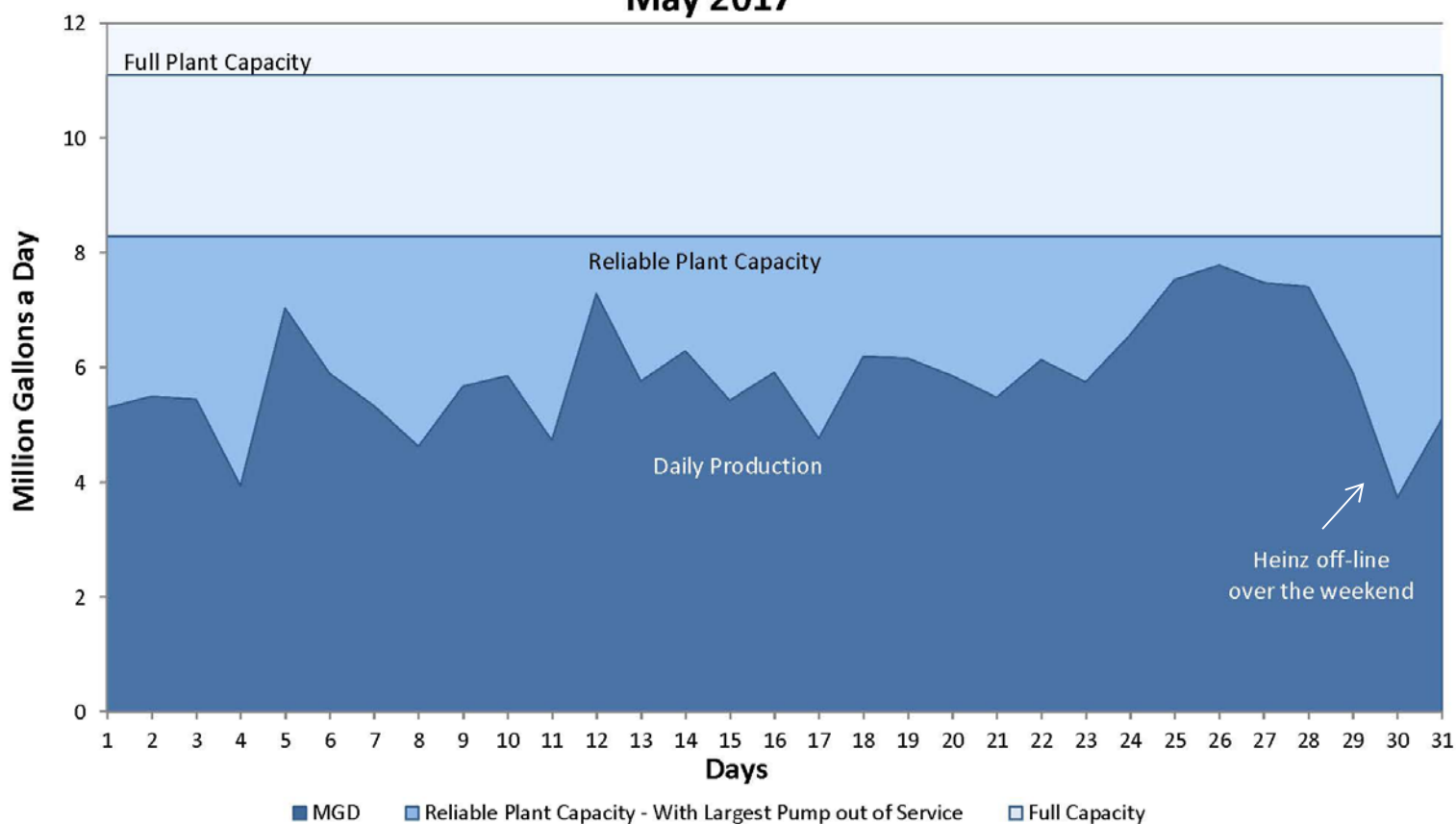
WATER TREATMENT PLANT SUMMARY

MAY ACTIVITIES CONTINUED:

Field Services crew clearing
sand from flocculation basin
No. 1

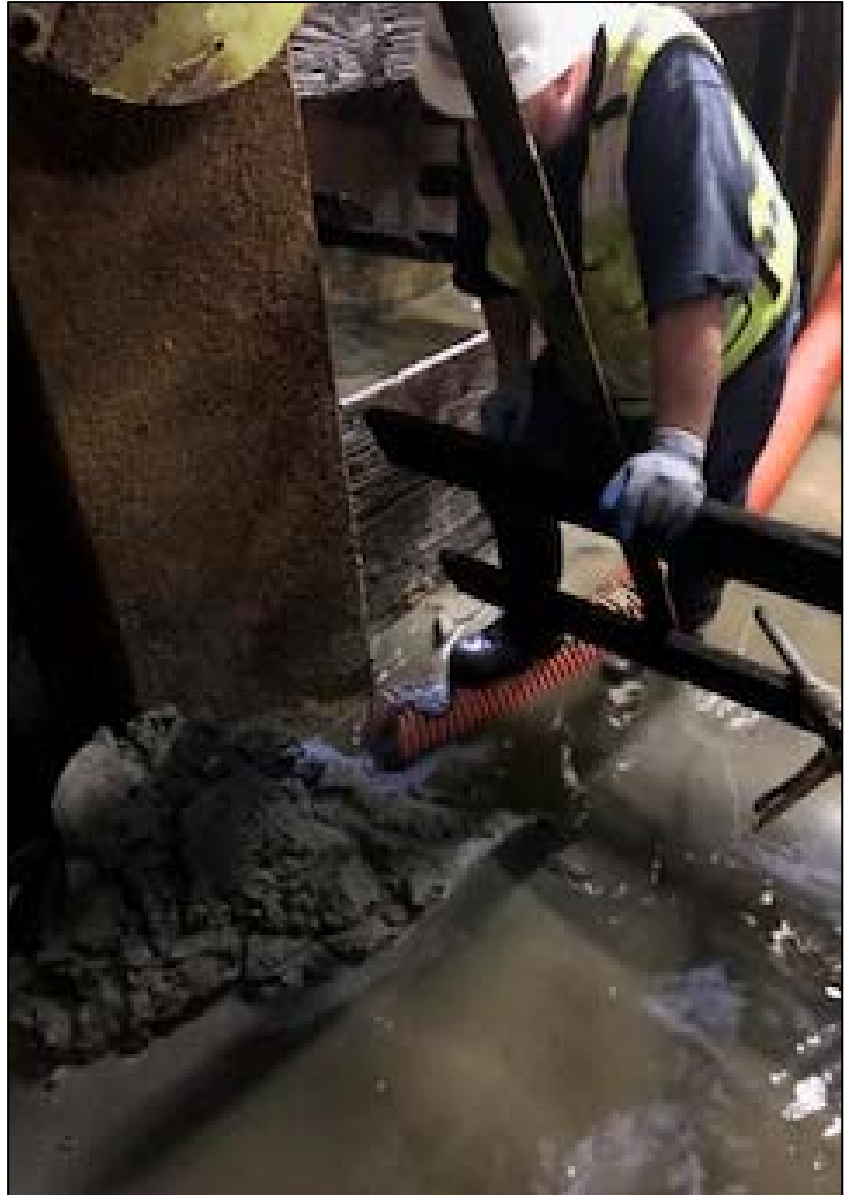


Demand vs. Availability
May 2017



WATER TREATMENT PLANT SUMMARY

MAY ACTIVITIES CONTINUED:



Water Treatment Plant Crew removing sand from Clarifier No. 2.

WASTEWATER TREATMENT PLANT SUMMARY

MAY ACTIVITIES:

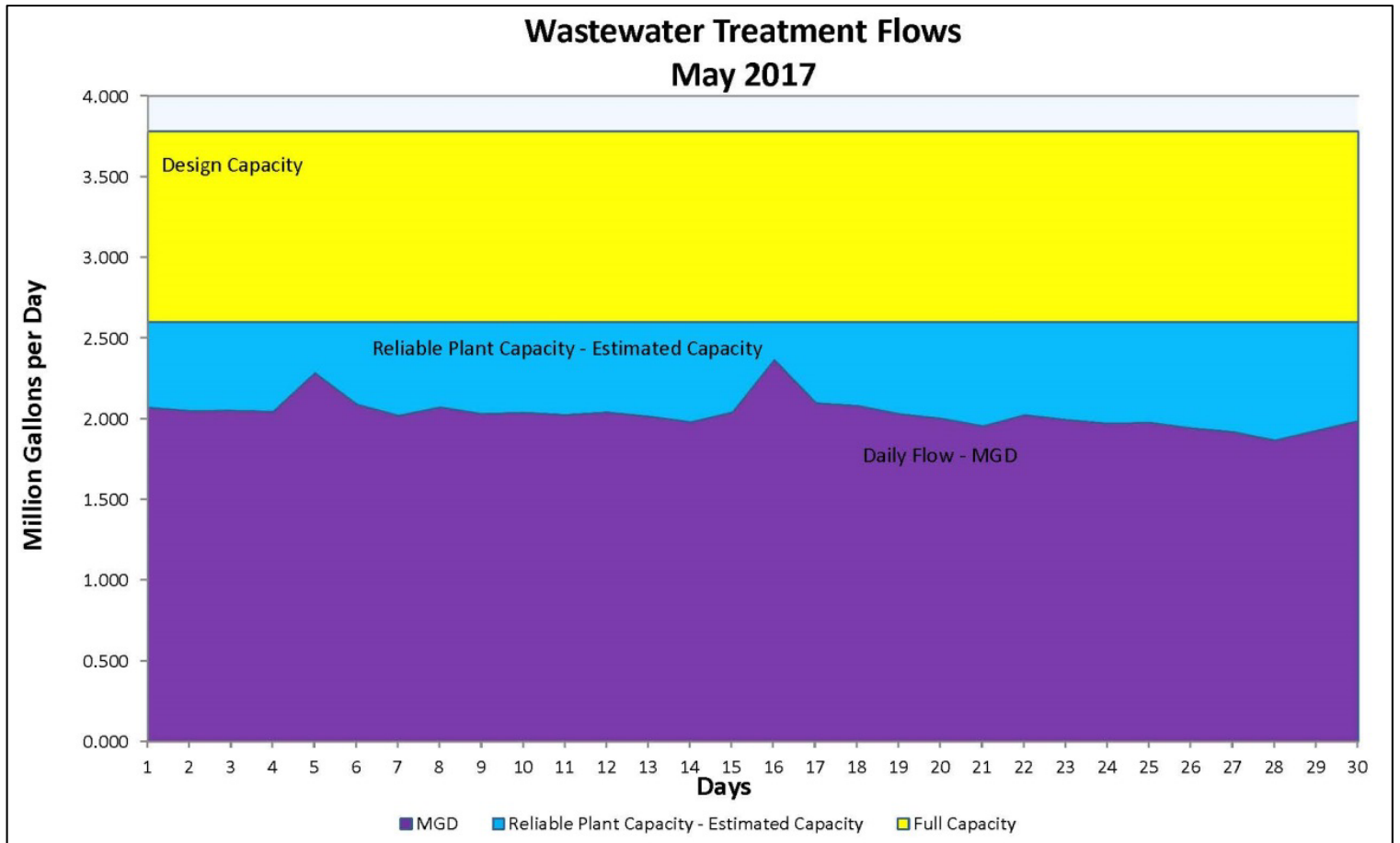
- The Wastewater Treatment Plant began discharging to Skyline Farms and began running the Skyline pivots as per the City's permit requirements, this will continue till the end of October 2017.
- Chlorine contact chamber switched and cleaned as per protocols.
- Training occurred on the new electronic Discharge Monitoring Report (DMR) Permit. Staff is prepared to begin electronic submittals of the DMR this month.
- Spraying weeds around the Wastewater Treatment Plant property will continue as weather allows and on an as-needed basis.
- Staff is working with Oregon DEQ to address our National Pollutant Discharge Elimination System (NPDES) issue. A report will be given at the City Council work session, and this will be scheduled for the near future.
- An internal operations audit was performed for the wastewater system. A Ch2M auditor reviewed operations and data. No significant issues were discovered during this review.
- An audit was performed this month by Oregon DEQ. No findings were found and the inspection went well.
- Wastewater Treatment crew rebuilt the Everfelt filter system for Skyline Farms irrigation system.

**View of the
Wastewater
Treatment Plant
lagoons from
the Bench
Reservoir.**



WASTEWATER TREATMENT PLANT

MAY ACTIVITIES CONTINUED:



FACILITY MAINTENANCE SUMMARY

MAY ACTIVITIES:

- A water leak was repaired in one of the holding cells at Ontario City Hall.
- Rain gutters were repaired to prevent a leak at the City Hall Apartments.
- Five Star cleaned the carpet in the council chambers. They will be returning to mend the wall after a water leak last month.



Water leak repaired in Ontario City Hall police holding cell.



Parks and Cemetery/Facility Maintenance Crew mends rain gutters at the City Hall apartments.

PARKS AND CEMETERY SUMMARY

MAY ACTIVITIES:

- This month there were three burials this month at Evergreen Cemetery and 1 burial at Sunset Cemetery.
- Crew spent a total of 111 hours mowing the cemeteries.
- All City parks took a total of 129 hours to mow.
- Trees were trimmed at Lions Park.



Tree trimming at Lion's Park.

ENGINEERING SUMMARY

MAY ACTIVITIES:

- Right of way permits issued: 6
- Work orders for new sewer or water connection: 1 – new 3 inch meter installed for the Bureau of Land Management (BLM) based at the Ontario Municipal Airport.
- Maps printed: 15
- Tested new water main for conformance to specifications – passed.
- Reviewed parking request.
- Assisted resident with sanitary sewer issue.
- Preliminary development meeting for solar water regeneration project.
- Staff attended Oregon Department of Transportation Americans with Disabilities Act training for inspecting push button crosswalks and pedestrian ramps at crosswalks.
- Preliminary development meeting for expansion of existing business.
- Preliminary development meeting for a confidential business.
- Preliminary development meeting for relocation of an existing business.
- Continuing work with property owners regarding new bus shelter placement along bus route for the Malheur Council on Aging.
- Checking elevations for Record Steel and Construction LLC., (RSCI) at WTP to develop updated site mapping.
- Public Works Committee Meeting – There was not a quorum, but the group present discussed Snake River Correctional Institute. PW staff also provided brief project updates.
- ODOT Transportation Management Grant (TGM) – began working on TGM grant application due June 9.
- National Pollutant Discharge Elimination System (NPDES) – Continued monitoring in support of NPDES permit. Conducted conference call May 15th with DEQ staff. Call resulted in DEQ proposing to come back with 2 compliance schedule options by early June.
- Capital Improvements Projects – Attended staff level meetings to work on budget request reduction in preparation for Budget Committee meetings. Attended budget committee meetings.
- Attended WWTP review with DEQ staff member, Carl Nadler.
- Coordinated with County Rural Road District regarding paving on SE 5th Ave.



Engineering Technician collects GPS coordinates on newly installed valves at the Water Treatment Plant for Well No. 17.

ENGINEERING SUMMARY

MAY ACTIVITIES:

- Met with ODOT Sean Maloney, other ODOT staff, and City Planner Dan Cummings for team update on grant projects:
 - SE 2nd Street Status
 - SE 5th Street Status
 - North Park Right of Way
- Other ongoing miscellaneous projects:
 - Annual Water Line and Sewer Line Projects – Continued working with both consulting engineers to progress project forward.
 - Water Treatment Plant Construction – Continued coordination and review of construction at project site.
 - Eastside Tank 3B – Finalized project; informed council, and confirmed final pay application numbers with contractor.

APPENDIX

FIELD SERVICES

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

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

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

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

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

As part of the Street Division's maintenance program, crews chipseal street surfaces in the summer to protect them from water and weather damage and to keep them in good condition. A chipseal maintains the existing pavement, delaying further aging due to water and sun; and provides a moisture barrier and corrects existing pavement problems by sealing cracks. A chipseal application provides substantial savings to

taxpayers and should last a minimum of eight years with minimal maintenance required. The City chipseals approximately 7 miles per year.



APPENDIX CONTINUED

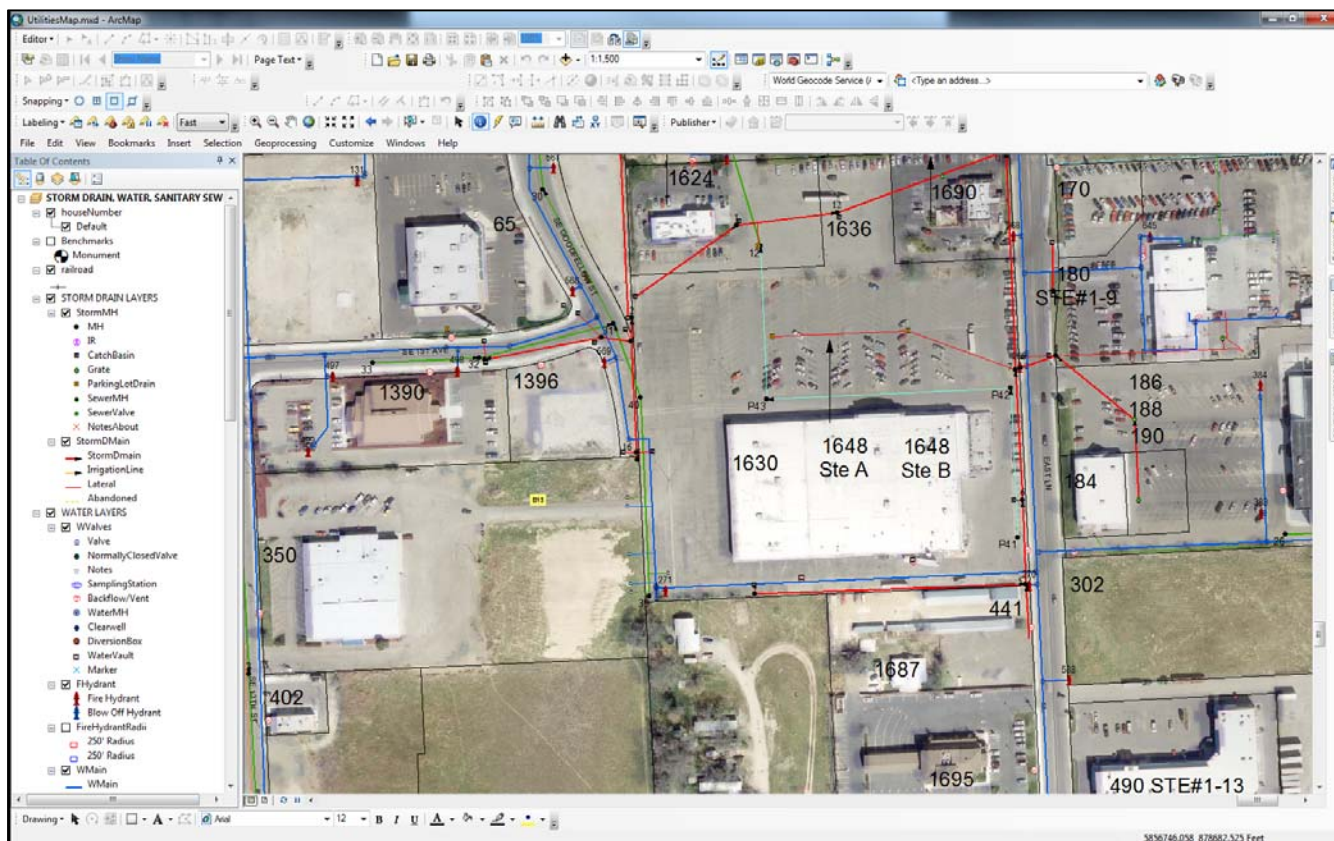
PARKS DEPARTMENT

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

ENGINEERING DIVISION

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

The Geographic Information System (GIS) database is maintained by Engineering Department staff. The department also maintains and updates the record maps for all City utilities, right-of-way, easements, land division plots and City base maps.



MALHEUR COUNTY COURT MINUTES

JUNE 7, 2017

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

DA'S OFFICE - DEPENDENCY AGREEMENT AMENDMENT

District Attorney Dave Goldthorpe met with the Court and presented an amendment to the IGA with Department of Human Services for the Juvenile Dependency Title IV-E program. The amendment extends the agreement to June 30, 2018 and increases the allowable reimbursable funding to \$143,000. Commissioner Hodge moved to approve Amendment Number 01 to State of Oregon Intergovernmental Agreement #148548 with the State of Oregon, through its Department of Human Services. Commissioner Wilson seconded and the motion passed unanimously. A copy will be returned electronically for recording.

Mr. Goldthorpe also requested the County continue to allocate the quarterly payment (\$2,000) to the District Attorney for the active supervision responsibilities of the dependency program in the DA's Office. Commissioner Hodge moved to continue the quarterly payment. Commissioner Wilson seconded and the motion passed unanimously. (It was later noted that the quarterly supervision payment is paid from the Dependency agreement with Child Welfare, not the Title IV-E program, which will be signed next week.)

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of May 31, 2017 as written. Commissioner Wilson seconded and the motion passed unanimously.

CHECK REGISTER

The Court signed the Accounts Payable (AP) book for April 2017.

IGA - COMMUNITY MENTAL HEALTH

Commissioner Hodge moved to approve 2017-2019 Intergovernmental Agreement #153131 for the Financing of Community Mental Health, Substance Use Disorders, and Problem Gambling Services. Commissioner Wilson seconded and the motion passed unanimously. Services will be provided by Lifeways. A copy will be returned for recording.

IGA - ENVIRONMENTAL HEALTH SERVICES

Commissioner Wilson moved to approve Oregon Health Authority Intergovernmental Agreement #154639 For Environmental Health Services. Commissioner Hodge seconded and the motion passed

unanimously. The agreement is for the Licensed Facilities Program through the Environmental Health Office; the agreement expires June 30, 2023. A copy will be returned for recording.

SUB-AGREEMENT WITH MCOA&CS/ODOT #32200

Commissioner Hodge moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) to Provide Public Transportation to Seniors and Individuals with Disabilities and the General Public in Malheur County Pursuant to State Agreement Number 32200-Operating 5310. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2017-2250](#)

ODOT AGREEMENT #31926

Commissioner Hodge moved to approve Rail and Public Transit Division Oregon Department of Transportation Agreement No. 31926 - Capital, Operating, Planning 5311. Commissioner Wilson seconded and the motion passed unanimously. Funding is for administration, operations, preventive maintenance, and mobility management. These resources will provide general public transportation in the form of commuter, fixed route, demand response, and complementary paratransit under the Americans with Disabilities Act. A sub-agreement with MCOA&CS to provide the services will be drafted. A copy of the agreement will be returned for recording.

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Wilson moved to approve Resolution R17-23: In the Matter of Fiscal Year 2016/2017 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. The supplemental budget resolution allocates grant funds that were received but not anticipated when the adopted budget was prepared. Funds in the amount of \$19,807 were received and are to be used to revamp the floor in the Commercial Building at the Fairgrounds. See instrument #[2017-2249](#)

FUND TRANSFERS RESOLUTION - EXTENSION SERVICE TAX DISTRICT

Acting as the governing body of the Malheur County Agricultural Educational Extension Service District, Commissioner Hodge moved to approve Resolution R17-24: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Wilson seconded and the motion passed unanimously. Funds are transferred from the Insurance-Vehicle line-item to the Capital Outlay line-item. See instrument #[2017-2248](#)

IGA - PUBLIC HEALTH SERVICES

Commissioner Wilson moved to approve Oregon Health Authority (OHA) 2017-2019 Intergovernmental Agreement #154122 for the Financing of Public Health Services. Commissioner Hodge seconded and the motion passed unanimously. The IGA outlines the programs and services provided by the Health Department; the agreement expires June 30, 2019. A copy will be returned for recording.

WILDLIFE SERVICES WORK PLAN

Commissioner Hodge moved to approve USDA APHIS Wildlife Services Work and Financial Plan, Cooperative Agreement No. 17-73-41-5124. Commissioner Wilson seconded and the motion passed unanimously. The document sets forth the objectives, activities and budget for the wildlife services program in Malheur County to be conducted July 1, 2017 through June 30, 2018; the County's financial contribution to the program is \$60,314. A copy of the document will be returned for recording.

REPEATER SITE LEASE AGREEMENT - BLACK BUTTE

Commissioner Hodge moved to approve Repeater Site Lease Agreement with MLB Juntura Ranch LLC (MLB) for the Black Butte repeater site. Commissioner Wilson seconded and the motion passed unanimously. The lease expires June 30, 2026. See instrument #[2017-2251](#)

CROSSING PERMIT

Commissioner Hodge moved to approve Crossing Permit #28-17 to AT&T Corp. for maintenance work to access and replace one vault on Lockett Road #730. Commissioner Wilson seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

FAIR - MONTHLY UPDATE

Fair Manger Lynelle Christiani met with the Court and provided an update of activities. Fair books are out and were published by the Malheur Enterprise this year. Ms. Christiani is working with the City of Ontario to have additional signage for this year's Fair. Work Crew participants have been few and there are projects needing done on the grounds; contact was made with the Juvenile Department and some individual youth will be coming in to assist with weeding projects. Various 4-H and FFA groups do projects throughout the year at the fairgrounds. A grant from the Murakami Foundation was received to redo the floor in the Commercial Building. There were no bids on the horse barn repair project; will probably rebid it this Fall. Ms. Christiani participated in the recent Global Village in an effort to promote the fair.

SHERIFF'S OFFICE

Undersheriff Travis Johnson met with the Court and explained there will be an upcoming dispatch vacancy; which will be a total of two vacancies in dispatch. Efforts to fill the first vacancy are underway, only three persons tested so the advertising process will be done again for the second vacancy. Additionally, it is anticipated that there will be a corrections officer vacancy soon. The Court authorized Undersheriff Johnson to proceed with filling the vacancies.

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of Supplemental Budget Resolution R17-22. Notice of the hearing was published in the Argus Observer. No public comments were received. The purpose of the supplemental budget is to allocate \$94,217 in STP Enhanced funds from ODOT that were received but not anticipated when the adopted budget was prepared; and to allocate \$80,620 in ODOT prior year funds that were received after fiscal year 2015-16 was closed. Judge Joyce closed the

hearing. Commissioner Wilson moved to approve Resolution R17-22: In the Matter of Fiscal Year 2016/2017 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2017-2247](#)

COURT ADJOURNMENT

The meeting was adjourned.

MALHEUR COUNTY COURT MINUTES

June 14, 2017

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

Also present was John Braese of the Malheur Enterprise.

JUSTICE COURT - VACANCY

Justice of the Peace Marji Mahony met with the Court telephonically. Judge Mahony explained that a current employee was selected to fill the Office Manager vacancy and as a result there is now an Office Assistant (OA) II vacancy. Judge Mahony requested authorization to advertise/hire for the vacant OA II position. The job description will be reviewed and updated as necessary. By consensus, the Court authorized Judge Mahony to proceed with the advertising/hiring process.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of June 7, 2017 as written. Commissioner Hodge seconded and the motion passed unanimously.

RESOLUTION - BUDGET TRANSFER

Commissioner Hodge moved to approve Resolution No. R17-25: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Wilson seconded and the motion passed unanimously. Funds being transferred are in connection with the recent Fire Alarm System project. See instrument # ****

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 R17-17 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 Wilson moved to approve Resolution R17-17: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2017/18 as Required by ORS 294.456. Commissioner Hodge seconded and the motion passed unanimously. Total Appropriation is \$768,144; and the tax rate is \$0.23 per \$1,000 of assessed value. See instrument # ***

PUBLIC HEARING - AMBULANCE SERVICE DISTRICT (ASD) BUDGET

The Court met as the governing body of the Ambulance Service District. Judge Joyce opened the public hearing for consideration of Resolution R17-18 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 Wilson moved to approve Resolution R17-18: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2017/2018 as Required by ORS 294.456. Commissioner Hodge seconded and the motion passed unanimously. Total Appropriation is \$478,950. See instrument # ***

SUB-AGREEMENT WITH MCOA&CS

Commissioner Wilson moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) for General Public Transit Service Pursuant to State Agreement Number 31926, 5311-Capital, Operating, Planning. Commissioner Hodge seconded and the motion passed unanimously. The sub-agreement expires June 30, 2019. See instrument # ***

PUBLIC HEARING - COUNTY BUDGET

Judge Joyce opened the public hearing for consideration of Resolution R17-19 adopting the County budget; notice of the hearing was published in the Argus Observer. No public comments were received. Judge Joyce closed the hearing. Commissioner Wilson moved to approve Resolution R17-18: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2017/18 as Required by ORS 294.456. Commissioner Hodge seconded and the motion passed unanimously. The total sum of the budget for the 2017/18 fiscal year is \$28,022,890; and the tax rate is \$2.5823 per \$1,000 of assessed value. See instrument # ***

ODOT AGREEMENT #31431

Commissioner Hodge moved to approve Rail and Public Transit Division Oregon Department of Transportation Agreement No. 31431, Capital 5310, Capital STATE. Commissioner Wilson seconded and the motion passed unanimously. Funding shall not exceed \$116,649 and is for the purchase of 2 transit vehicles. A copy will be returned for recording.

SUB-AGREEMENT WITH MCOA&CS

Commissioner Wilson moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) for General Public Transit Service Pursuant to State Agreement Number 31431, Capital-5310. Commissioner Hodge seconded and the motion passed unanimously. The sub-agreement expires June 30, 2018. See instrument # ***

CROSSING PERMIT

Commissioner Hodge moved to approve Crossing Permit #29-17 to Vale Oregon Irrigation District (VOID) for installation of pipe on Little Valley Road #698. Commissioner Wilson seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

IGA WITH OSU - FINANCIAL SYSTEMS

Commissioner Wilson moved to approve Intergovernmental Agreement with Oregon State University's Extension Service (OSU). Commissioner Hodge seconded and the motion passed unanimously. The agreement authorizes one County employee to have access to security classes or data determined by

OSU to be necessary to complete financial transactions in OSU's Banner FIS, OSCAR and TRES/TEM systems, or such other systems as OSU may use in the future. A copy of the IGA will be returned for recording.

AMENDMENT TO IGA #147907 - DEPENDENCY PROGRAM

Commissioner Hodge moved to approve Amendment Number 01 to State of Oregon Intergovernmental Agreement Number 147907 through its Department of Human Services for the Juvenile Dependency program. Commissioner Wilson seconded and the motion passed unanimously. The amendment extends the agreement to June 30, 2018 and increases the allowable reimbursable funding to \$43,001. The quarterly supervision payment to the District Attorney is paid from this agreement. A copy of the amendment will be returned for recording.

HOUSING AUTHORITY BOARD MEMBER APPOINTMENT

Commissioner Wilson moved to appoint Elijah Luna to the Housing Authority of Malheur and Harney County (HAMHC) board as a Tenant Commissioner. Commissioner Hodge seconded and the motion passed unanimously.

ONTARIO CHAMBER OF COMMERCE

Ontario Area Chamber of Commerce President John Breidenbach met with the Court and updated them on local tourism efforts to market Malheur County. The Chamber has placed 4 ads in a national outdoor hunting/fishing magazine called Outdoor Adventures in the last 1 1/2 years and is getting results; the ad features fishing at the Owyhee River. The 2017 Eastern Oregon Visitor Guide is out and copies were left for distribution at the Courthouse. Mr. Breidenbach attended an Outdoor Recreation class at the Governor's Conference on Tourism; the class had a panel of three people - an executive from REI, an executive from Travel Oregon, and a person from Southern Oregon who spoke about trails types of things being done in Southern Oregon. The REI executive spoke about the number of millions of dollars that outdoor recreation brings to Oregon; hunting and fishing numbers were not specified. "Graveling" was discussed in the class; Graveling is a new trendy outdoor recreation and is mountain biking (with wider tires) on gravel roads. Graveling may be a huge opportunity for Malheur County; a working group is forming to explore the feasibility of possibly putting some of these Graveling paths together in areas of the county; grants could then be applied for to further the endeavor. An Agritourism working group is also meeting; Agritourism can include farm trails and farm markets and those types of things, including pheasant farms (pheasants and chucker are popular with hunting enthusiasts). Mr. Breidenbach will continue to work on outdoor recreation opportunities; hunting, fishing, and shooting will be included; he will also visit with Economic Development Director Greg Smith. Additionally, the upcoming Eclipse is very popular and the Chamber receives numerous calls about it daily; callers requesting information for events in the County's jurisdiction are being referred to the Environmental Health Department.

Mr. Braese left the meeting.

HEALTH DEPARTMENT - STAFFING VACANCIES

Health Department Director Angie Gerrard and Nursing Supervisor Rebecca Stricker met with the Court to discuss current staff vacancies within the department. An offer was extended to the Registered Dietician regarding the WIC Coordinator vacancy and the Court is awaiting a response to the offer. An Accounting Specialist (Biller) position has been vacant since April; and an RN position that was the Coordinator for both the Tobacco Prevention and Education Program (TPEP) and Public Health Emergency Preparedness (PHEP) program has been vacant since May.

The Accounting Specialist (Biller) was extensively discussed. It was discussed if perhaps the billing responsibilities should be contracted out to a billing agency. Commissioner Hodge suggested ESD be contacted to see how they do their billing. Ms. Gerrard explained the important working partnership between the Biller and the nurses that ensures services are coded and billed properly. (The charting records and the coding are cross-checked.) The Biller also follows up on denied claims to ensure eligible claims are collected on. It was also discussed that there are two Accounting Specialist positions at the Health Department, however, only one position is the Biller; the other position is responsible for accounts payable/receivable, vital records registrar, and other duties. Commissioner Wilson suggested Malheur Memorial be contacted regarding their billing process.

The other vacant position is a nurse position who was the Coordinator for the Public Health Preparedness Program and the Tobacco Education Prevention Program (TPEP). Ms. Gerrard explained that these two programs do not require the coordinator to be a RN. Ms. Gerrard proposed to hire two health specialists, rather than one nurse, to coordinate each program individually; the health specialists could be either 1.0 or 0.8 FTE each. Having a health specialist for each program would advance the programs beyond the required minimum and more fully utilize the funding allotted from the State for the work. The salaries for two health specialist would be comparable to the salary of one RN; however, with two employees there would be an increased cost of benefit packages. (Ms. Gerrard did explain that she understands that her request may not be granted but as an advocate for the health of the community she needs to make the request.) TPEP and Public Health Preparedness are not direct client service programs; Public Health Preparedness is responsible for ensuring that in the event of a public health emergency the necessary response and network is in place (including MOU's, training drills, protocols, etc.).

Ms. Gerrard also gave a couple of "outside the box" ideas that would need further consideration: consolidate all clinical programs to one entrance of the facility and as a result reduce one OAI staff member. The salary cost of the reduced OAI position could then be used to help support the hiring of two health specialist for the two discussed programs. The other option would be to combine the Environmental Health Department and the Health Department (as is currently done in many counties). There would be one department director and office staff and facility costs could be shared.

Judge Joyce proposed contracting out the services of the Health Department to another agency similar to what Grant County currently does. Ms. Gerrard noted that the state would need to be involved in this process and offered to contact them.

Ms. Gerrard will follow-up with an email recapping today's discussion; and include bullet points per Judge Joyce's request.

JUVENILE DEPARTMENT

Juvenile Department Director Susan Gregory met with the Court and presented an IGA for their consideration. Commissioner Hodge moved to approve State of Oregon Intergovernmental Agreement Juvenile Crime Prevention Basic Services with Oregon Youth Authority (OYA), Agreement #13794. Commissioner Wilson seconded and the motion passed unanimously. Funding is in the amount of \$89,233 for the biennium; the agreement expires June 30, 2019. Funding is used for competency development, community service work program, detention, and GPS monitoring; the Flex Fund is used for individual items such as assessments, treatment, medical services, mediation, transportation, UA's, educational needs, positive extracurricular activities, and services of Douglas County's shelter for stabilization and evaluation. A copy will be returned for recording.

Ms. Gregory requested authorization to advertise/hire for an Office Manager/Detention Manager position due to retirement. By consensus, the Court authorized Ms. Gregory to proceed with filling the vacancy. The job description will be reviewed and updated as needed and the position will be posted in-house (Malheur County staff only).

COURT ADJOURNMENT

The meeting was adjourned.

MALHEUR COUNTY COURT MINUTES

June 21, 2017

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois and County Counsel Stephanie Williams. Public present was Vale Schools Superintendent Scott Linenberger.

Also present was Larry Meyer of the Argus Observer and John Braese of the Malheur Enterprise.

GOLDEN SLIPPER PROPERTY, REF#4812

Vale City Manager Lynn Findley and City Attorney Larry Sullivan met with the Court to discuss the former Golden Slipper property at 122 Main Street South, Ref. #4812. Also present was Treasurer/Tax Collector Jennifer Forsyth. The property collapsed in January 2017 due to heavy snow load. Mr. Findley explained the ownership history of the property; according to County records the property is owned by Margaret Stallknecht under contract with Wyman Investors Inc. Wyman Investors is an Oregon corporation that went defunct in 2011. The City issued Margaret Stallknecht a Notice of Abatement after the collapse of the building and Ms. Stallknecht responded to the City that Wells Fargo held the mortgage on the property and had evicted her and she now has no right or interest in the building. The City requested assistance from FEMA to cleanup the property as it is an imminent public safety hazard but so far that request has been denied. Three contractors have given estimates to cleanup the property and the estimates range from \$50,000-\$60,000. The County is due to become an involuntary landowner of the property in October 2017 due to unpaid property taxes. The City is requesting the County expedite the redemption period and foreclose on the property sooner as it is a public safety hazard. Mr. Sullivan explained that he has conferred with County Counsel and there is an Oregon statute that authorizes an expedited process in the case of property that is abandoned and suffering from waste. Ms. Williams explained that if the Court wants the County to expedite the process staff is ready to move forward; notice must be sent to the owners and interested persons and a hearing scheduled; after the hearing the Court must make written findings that the property suffers or is subject to waste and abandonment and order that the owners/interested parties right of possession is forfeited and direct the Tax Collector to deed the property to the County after expiration of a period of 30 days if not sooner redeemed; after which, the property may be sold at a Sheriff's sale. The hearing can be scheduled for the end of July and by the end of September it should be possible to offer the property for sale, subject to some terms and conditions. A recent title search was done and notice will be sent to Wyman Investors, Cleo Wyman, Margaret Stallknecht, Wells Fargo, and City of Vale.

Mr. Findley explained that Wells Fargo started the foreclosure process on Ms. Stallknecht through the Sheriff's Sale process in possibly 2013 but then stopped the process just short of the sale date. The City has made numerous attempts to converse with Wells Fargo about the property and the City's liens with no response from Wells Fargo other than to say they would be happy to visit with a perspective buyer.

Lieutenant Rob Hunsucker joined the meeting.

Ms. Williams explained two options to the Court members: Expedite the redemption period and foreclose on the property pursuant to Oregon Revised Statutes and County Code and offer the property for sale, as is, at the end of September subject to terms and conditions for cleanup and salvage of the property, which may include posting a bond. If the property is not sold at the public auction then there are available options for the County to negotiate directly with interested parties. The other option would be for the County to pay for the cleanup of the property and offer the property for sale; monies would be isolated from the affected taxing districts for the cleanup costs and then reimbursed after a successful sale of the property.

If the Court chooses not to expedite the redemption process, the County will foreclose on the property in October 2017 and the property will be offered for sale at the 2018 County land sale.

Ontario City Manager Adam Brown joined the meeting.

It was noted that there is a bearing wall that adjoins the Slipper property and the adjacent property. There is also an advantage to cleaning up the property sooner rather than later as there is a specially permitted winter storm damage demolition trench at the landfill that can accept asbestos; the permit expires in August but will hopefully be renewed for 6 additional months. (The property may not contain asbestos but that has not been confirmed.) Mr. Findley said that the City has fenced the debris at its own expense and would continue that if the County will expedite the process. The City will not continue to pay the fencing expenses if the County does not foreclose until October.

Annette Serano of Lifeways joined the meeting and was present through the approval of the various agreements involving Lifeways in case of any questions from the Court members.

Commissioner Hodge moved to expedite the redemption period and foreclose on the property as the property suffers from waste and abandonment. Commissioner Wilson seconded and the motion passed unanimously.

NATURAL HAZARDS MITIGATION PLAN

Emergency Services Lieutenant Rob Hunsucker met with the Court regarding the County's Natural Hazards Mitigation Plan. Also present was Ontario City Manager Adam Brown. The Plan needs to be updated as the current version expires in 2019. Oregon Office of Emergency Management has funding available through FEMA's Pre-Disaster Mitigation grant program and Department of Land Conservation and Development (DLCD) is coordinating a sub-application to include cities and counties with plans in need of updating. The grant will allow DLCD to offer technical assistance and other services. The County's Plan was last updated in 2014 with the assistance of OSU. The Natural Hazards Mitigation Plan includes the participating cities of Ontario, Nyssa, and Vale. The Plan probably does not need a lot of updates other than the storm management section based on experiences from the recent winter storm activities. The cost match required can be supplied by the County and Cities as in-kind services - primarily staff time.

Some of the questions that will need to be answered include: Where do you need support? Lieutenant Hunsucker indicated that anything already available that would help to add the winter storm threats to the process. What data is available and what are your GIS mapping capabilities? What are the critical facilities and how do you define critical facilities? Each city probably has a different idea on what their

critical facilities are and those will be different than the County's. Would you be interested in collaborating with an adjacent county? Lieutenant Hunsucker did not feel that would be beneficial due to the distance of adjacent counties.

Lieutenant Hunsucker suggested the road districts be involved in the update process as well as various other County staff. After discussion, the consensus of the Court was to proceed with updating the Natural Hazards Mitigation Plan and to commit to the project with in-kind match. Judge Joyce will send notice via email to DLCDC acknowledging the County's commitment to the project with an in-kind match.

ROAD ACCEPTANCE - PARTITION PLAT

Surveyor/Engineer Tom Edwards met with the Court and presented road dedications on a partition plat for the Court's consideration. Commissioner Hodge moved to accept the road dedication of a portion of Ontario Heights Road, Community Road, and Eastway Lane on Lydell Sensenig's Partition Plat #17-05. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2017-2446](#)

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of June 14, 2017 as written. Commissioner Hodge seconded and the motion passed unanimously.

AMENDMENT - IGA #147797

Commissioner Wilson moved to approve Nineteenth Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement for the Financing of Community Addictions and Mental Health Services Agreement #147797. Commissioner Hodge seconded and the motion passed unanimously. A copy will be returned for recording.

AMENDMENT TO IGA #148074

Commissioner Hodge moved to approve Amendment 02 to State of Oregon Intergovernmental Agreement for the Financing of Community Developmental Disability Services, Agreement Number 148074. Commissioner Wilson seconded and the motion passed unanimously. The amendment extends the expiration date of the agreement to September 30, 2017. A copy will be returned for recording.

TORT LIABILITY COVERAGE AS PROVIDER FOR PSRB IGA; LIFEWAYS CONTRACT

Commissioner Hodge moved to approve Intergovernmental Agreement #153166 Tort Liability Coverage as a Provider for Psychiatric Security Review Board (PSRB). Commissioner Wilson seconded and the motion passed unanimously. The agreement expires June 30, 2019. A copy will be returned for recording.

Commissioner Hodge moved to approve Amendment No. 3 to County Contract No. [2013-3013](#) between Malheur County and Lifeways Inc.; County Third Party Amendment for Tort Liability Coverage to provide services for persons under the jurisdiction of the Psychiatric Security Review Board. Commissioner Wilson seconded and the motion passed unanimously. A copy will be returned for recording.

CROSSING PERMIT

Commissioner Hodge moved to approve Crossing Permit #30-17 to Idaho Power to replace a recloser on Alder Road #1007. Commissioner Wilson seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

DEED - KINCADE

Commissioner Wilson moved to approve Statutory Bargain and Sale Deed to Cole Kincade for Ref. #12289 purchased at the recent County land sale. Commissioner Hodge seconded and the motion passed unanimously. See instrument # ***

ANI-CARE CONTRACT

The Court discussed the contract with Ani-Care. The current contract expires June 30, 2017. Ani-Care has proposed a new contract with the County with several changes. Proposed changes that there is concern about are: No "regular" operation hours; and a 20% per month increase for 2017 with an additional 20% increase in 2018 for 4 years. The Court requested Ani-Care meet with them to discuss the contract.

GORDON LEE - CLAIM FOR DAMAGES

Public member Gordon Lee met with the Court regarding his claim for damages that was denied by the County's insurance company. Judge Joyce and Mr. Lee explained that a pump owned by Mr. Lee was damaged by a County road grader this past winter in an area that is private and not a County Road (an area of Tattletale Lane). Surveyor/Engineer Tom Edwards confirmed the area in question is not dedicated as a County road. After discussion, Commissioner Hodge moved to pay Mr. Lee's claim for damages and to resubmit the claim to the insurance company. Commissioner Wilson seconded and the motion passed unanimously.

RETIREMENT NOTICE - COUNTY CLERK

It was announced that County Clerk Deborah DeLong will retire as of August 1, 2017. The Court will accept letters of interest and resumes from persons interested in being appointed to complete the unexpired term beginning August 2017 and ending December 31, 2018. The deadline to apply is July 3, 2017. Public interviews may be conducted by the County Court on July 12, 2017.

COURT ADJOURNMENT

The meeting was adjourned.

DRAFT

PUBLIC WORKS COMMITTEE MEETING MINUTES
Tuesday, April 11, 2017, 3:00p.m. MT
**** PUBLIC WORKS HEADQUARTERS ****

Meeting called to order at 3:04 p.m. by Bernie Babcock, Public Works Committee Chairman.

Committee members present included Mr. Bernie Babcock, Mr. Riley Hill and Mr. Scott Wilson (Woodcock - Excused; one vacant position).

Others present included Cliff Leeper, Betsy Roberts, Suzanne Mulvany, and Marty Justus, Councilor.

The press was notified. This meeting was recorded (the tape is available at the Public Works Headquarters); the minutes are on file at City Hall and on the city's website at www.ontariooregon.org.

ADOPTION OF MINUTES - MARCH 14, 2017

RESOLUTION, ACTION &/OR MOTION:

The motion was made by Mr. Hill, seconded by Mr. Babcock to adopt the minutes of the previous meeting, March 14, 2017 - with the noted revision on SDC's: Motion passed unanimously (Woodcock - excused).

CAPITAL PROJECTS - 2017-18... (DRAFT LIST)
(NOT COMPLETE LIST)

BETSY/CLIFF

April 25th is when this goes to the budget hearings... First year of a 10yr Plan....		(For comparison)	(Asking)
Water Treatment Plant	Description	FY 2016-17	FY 2017-18
Microchlor Cell Replacement	Cell replacement needed every year for generating disinfectant. <i>(always have to replace a couple every year; includes inflation)</i>	25,000	27,000
Chlorine Generation System	Updating existing System <i>(some may be blank - part of 10yr - place holder)</i>		
Solids Removal	Remove accumulated treatment solids. Cost to haul & spread non-toxic materials off WTP site. <i>(building up over the years)</i>		50,000
Baffle Wall Replacement	Replace baffle walls in flocculation system. Redwood is literally disintegrated.		175,000
Water Treatment Master Plan	WMP needed to support capacity increase identified in MSA Audit.		175,000
Hydraulic Model Calibration	Calibrate hydraulic model - can be spot check process to ensure model is still correct.		
Well #18	Replace lost groundwater capacity		
Phase 2 WTP Audit - Increase Capacity	New WesTech water treatment module to provide increased capacity. This is the 3rd module; system currently has 2 modules.		
Phase 2 WTP Audit - Clear well	Provide detail on project enhancements		
Phase 2 Security upgrade	Repair/replace exterior doors, add intrusion detection to ext. doors/windows; clear vegetation around fence; keep gates, hatches, equipment panels, vaults, etc. locked using bolt cutter-proof chains/locks.		15,000
Bench Reservoir Evaluation	Bench Reservoir is designed to store 3.5 MGD. Due to elimination of multiple pressure zones, this tank loses capacity. <i>(Rolled this cost into the Water Master Plan.) *Only one line going in/out is also an issue.</i>		
Wash Arm	Wash arms on the floc train need to be replaced. <i>(Cost is high because of the machining & materials needed.)</i>		60,000
Transfer Switch Replacement	Install automated transfer switches for booster stations. High priority.		
Canyon Res - chlorine analyzer	Getting alarms for low chlorine at Canyon. Need chlorine injection system at Canyon (old gas system was removed & currently done manually). Results in super chlorination & in hot weather, DBP's)		15,000

		(For comparison)	(Asking)
PW Building Fund	Description	FY 2016-17	FY 2017-18
City Hall HVAC	Minor upgrades to system to continue to improve operation of existing, less than desirable system. (Sanyo & Panasonic both were bought out & now Clima-Tech & YMC have been working with us.)	15,000	12,000

UCF	Description	FY 2016-17	FY 2017-18
Annual Water Line Replacement	Annual Program: Begin process of replacing AC waterline, especially near locations where we will be replacing san sewer in future.	150,000	200,000
Annual Fire Hydrant Replacement	Annual Fire Hydrant Replacement (Try to get further ahead on replacement hydrants & new ones only if there is not adequate coverage in areas)	10,000	25,000
Abandon Wells Properly	Abandon Wells 8, 9, 13 in accordance with ODWR standards.		
Valve Replacement	Pneumatic valve replacement: 2 24" butterfly valves effluent valves & 3 controllers. These valves are getting old & not operating as smoothly as they should; are critical to the WTP.		30,000
Annual San Sewer Replacement	Annual replacement of aging/problem segments of pipe. (To try to get ahead of those ac waterlines & old crumbling ac sewer lines)	90,000	200,000

Waste Water Treatment Plant	Description	FY 2016-17	FY 2017-18
NPDES Permit	Continue coordination on draft (& final) DEQ/EPA WW Permit. (Continuing to work thru the negotiations; have not spent the \$150k by far)	150,000	100,000
Facility Plan	Facility Plan to support the NPDES Permit (We'll have to do as part of the NPDES Permit; Increased for SCADA improvements)		270,000
Wastewater Reuse Plan Update	(New) (old plan is out of date – 2002 Skyline farms)		50,000
Bio solids Management Plan	(New)		
Interim Facility Improvements	Covers the sampling & monitoring, reports that may be required as part of the Permit through the compliance schedule.		250,000
Headworks Improvements	Replace screw system with belt system. Current system breaks down often & requires maintenance.		30,000
Phase 2 Security Upgrade	Phase 2: WWTP - intrusion detection at doors/windows (on SCADA)		
SCADA Upgrade	Evaluate best option for SCADA upgrade (Cloud? Local?). Conduct Assessment as part of Facility Plan, so new plant options are incorporated.		
SCADA annual license maintenance			
Sludge Removal - Phase 1	Remove sludge from Lagoon 1; sludge has not been removed in over 20 years. May provide advantage to NPDES limit requirements if removed, especially with respect to inorganic		
Skyline Liner Vents	Need vents for Skyline HDPE Liner		5,000
Microchlor Cell	Microchlor cell replacement		10,000
SRCI Lower Lift Station - Evaluation	Feasibility Study to evaluate alternatives for wet well expansion, pressure pip size expansion, siphon, or other option to avoid WW spill.		40,000
SRCI Lower Lift Station – Design	Design based on findings of study. Assume 10% of est. construction cost.		
SRCI Lower Lift Station - Construction	Construction improvement phase		
*HOLD - SRCI LS Repair	Upgrades & improvements to the electrical system at the Lift station in the event no major project is moved forward.		
SRCI 37 MH Replacement of lining	Repair & line concrete manholes along SRCI Line. Requires CCTV to start.		

Storm	Description	FY 2016-17	FY 2017-18
Stormwater marking program	Permanent marking of CB's & other facilities		
Storm line replacement on SW 13th St & SW 2nd Ave	Disconnect storm from sanitary		90,000

(For comparison) (Asking)

Streets	Description	FY 2016-17	FY 2017-18
Annual Chip & Overlay Program	Annual program. 2017 includes: Crack fill & chip seal N. Oregon from W. Idaho to Yturri Beltline; repave NE 2nd/NE 3rd & spring season crack fill purchase (like to switch to a hierarchy of arterials, collectors & residential)	225,000	140,000
Vacuum whirlwind sweeper	Purchase replacement for 2002 piece of equipment		
Sign Replacement Program - Phase 1	Replace old steel posts with required break-away posts. Currently not to code-makes City liable. 2-yr program to complete.		55,000
Concrete Work: SW or C/G	Downtown midblock & corner crossings (remove 2" PVC storm under ramp)		85,000
Back Parking Lot improvements	Grease dumpster enclosures & screen		22,000
Update Transportation Master Plan	Need to update to support grant applications & grown/development. Last update was in 2009.		75,000
Pavement Rehab Evaluation	Windshield/spot-check review of pavement surface & base. Change information Management System (IMS to AASHTO Pavement Evaluation Process (by walk/windshield)		
2016 Half Street Completion	Between 8th & 9th Ave on SE 4th St. Full block with curb & gutter. Need to develop an estimate - include base, AC, c/g		
Cimline Crack fill machine	10 yrs old, high hours		180,000
5 yd Truck * High Priority	Need replacement ASAP: Transmission is out, parts are not available for this 1985 vehicle & beyond ability to repair.		195,000
Skidsteer * High Priority	Skidsteer for AC patching, grading allies, snow removal. Snow grinder attachment.		100,000

Parks	Description	FY 2016-17	FY 2017-18
Picnic Tables	60 expanded steel picnic tables. Low to no maintenance		25,000
Tree Replacement	Past budget is about \$2k to replace trees in parks		5,000
Tennis Courts - Lions Park	2 courts need resurfacing		45,000
Tennis Courts - Beck Park	2 courts need more than resurfacing. (Basketball instead??)		
Toro Mower - 5800	Replace - 1999 Toro 5800 mower: Used at Beck, Optimus, and Laxon parks. It has 6,978 hours, life expectancy is 7 yrs, and it runs 5 days a week. The hydraulic lines are starting to leak which creates issues for both maintenance & safety. Drips on the shop floor & on the grass & kills it. The lines are continually being repaired.		60,000
Utility Cart - Gator	Replace - Gator similar to utility cart for cemetery for equipment hauling, spraying, etc.		
Riding Mowers	Replace - Riding mowers for lawn mowing		

Cemeteries	Description	FY 2016-17	FY 2017-18
Evergreen Cemetery Irrigation	Needs valves & controller (currently manual)		
Riding Mowers	Replace - Riding mowers for lawn mowing		
Utility Cart - Gator	Replace - Gator similar to utility cart for cemetery for equipment hauling, spraying, etc.		

ADDITIONAL DISCUSSIONS:

SRCI – LOWER LIFT STATION, CONTRACT, ETC.:

- BR – currently do not show any improvements to future years; dollars are sitting there & need to agree at some point on what to do.
- RH – object to spending any money when the contract is up. Fine if they pay for the system & we maintain it for the life their contract.
- MJ – When was the last meeting?
- BR – Mid February. Left the evaluation of the Lower LS on the list for now. So it does need to be a discussion at some point. They, the state, does not have it in their budget, they are on a two year cycle and

couldn't get it in. Our attorney indicated in a brief review of the contract that it looks like we own it; the state paid the capital and looks like it is ours to maintain. It is out of capacity & that is what the review is for.

- MJ – When is the review plan?
- BR – If this study passes the budget it will be this year; it will tell us #1. Can we berm it or put a containment wall around it? As a very cheap first alternative. #2. Other possibilities, etc., and #3. Most expensive – the siphon.
- 37 manholes: could run a camera up and get a visual of them (where it heads down into the lift station). Incorporate it in the report as a discussion of their condition.
- MJ – Concern is just talking and not doing.
- BR – Did agree that we cannot do anything until the budget is approved, because the Council has no budget to do this. The State said as well, they are on a two-year cycle and do not have a budget to do it. All agreed to wait until probably July 1 when we find out if/who has money. If Council does not agree something else will have to be negotiated.
- MJ – Is that enough money?
- BR – Yes, for an evaluation it is. It's not a design it is "what are our options?"
- MJ – In the meantime has our attorney sent the State a notice? Believe that the PW needs to make a recommendation to Council to do something to head this off at the pass. Put them on notice, it may take five years for them to do anything but if we give them full notice that we acknowledge that the system is broken, or that it is in an inferior state of repair.
- BR – Can share all the letters that have been sent to them. Adam has been involved; both parties have said they're holding off getting attorneys too involved yet. Hoping we could find some more information from some of the old reports; to determine why this lift station was so undersized to begin with. They are reviewing their options to split away from the city, and both parties agreed that if we need to, there could be an extension for another year to work out the renegotiation time. Due to City's budget cycle. If the Council agrees to the city taking care of the feasibility study in preparing this option for what could be done with the Lower Lift Station, it could be incorporated into the next negotiation. It would probably take a year to get the report done, get the negotiation done, etc.
- RH – Why should the City extend the contract when they don't come to the table in good faith? What would happen? Negotiate it now.
- BR – In the meetings we've felt like they've come to the table, listened, and were willing to look at what the options were...
- RH – They've known this for three years.
- SW – We had these conversations a long time ago, and have asked multiple times when this contract is up what is going to be done?
- MJ – Need to tell Council that this is a priority and that they have to figure out something. "I'm that concerned about it."
- BR – Just to caution.., in going through history, may not want to push. They have been paying close to \$200,000 every year on their use fee; could come back with different interpretations.
- BB – When does the contract expire? – September 2017.
- BR – This could be topic for next month's meeting?? Will bring more information on history, challenges of language, etc.
- BB – In CH2M's contract with the City of Ontario you've been charged with the purpose of reconciling this with SRCI?
- BR – No, Adam Brown is the City Manager and we are supporting him, providing data, backup, etc.
- BB – Not comfortable with entertaining a motion now. Reality is the CM is responsible for the process, and the resolution with SRCI. We need more direction from Adam to find out where he is at and what his thoughts are. We need to support him.
- RH – Believe that we are charged with looking and recommending to the Council....
- BB – Nothing wrong with us recommending that they be more expedient in a resolution, however would like to hear from Adam first to help him.
- Needs to be a major discussion point at our next meeting, and please make sure Adam can be there.

STREETS:

- BR – Chip seal program like to switch to a hierarchy of arterials, collectors & residential. Found that the residential were still in pretty good shape. Residential streets/every 12 years, Collectors/10 years, Arterials/8 years, etc.
- MJ – Love that there is a plan for this, but need to add another line for damaged areas from the disaster.
- BB – Just on SW 11th Ave. alone there are at least \$5,000 to \$10,000 in damage.
- BR – the chip seal is very different than the patching and pot holes. To add line for street repair.
- MJ – Need a stop sign/control plan throughout the city (add stop signs to some of the uncontrolled intersections)
- BR – 1. Add street repair line for asphalt from winter damage, 2. Add stop sign control plan, 3. Curb/gutter repair for those damaged during the snow removal, 4. And East Idaho tree project.

UPDATES

BETSY/CLIFF

- WATER TREATMENT PLANT:
 - Doing really well on change orders, however the well lines were nowhere near where they were shown to be. This is to be a pretty significant change order to deal with. The connections, bringing the ground water to mix with our river water.
- EASTSIDE STORAGE TANK:
 - Final test has been done, and we are going to leave it. Still have two small pin holes.
- NPDES:
 - Need to have another meeting soon; have contacted DEQ above this guy, the Director and the assistant director.

COMMENTS

TREES:

MJ – Was told that the trees down North Oregon are the City's responsibility. Either we start pruning them, taking care of them or they need to come out. Talking about the ones all the way down to Loves Truck stop. They look terrible, they have not been pruned, was told they would be and they have not been.

BR – We have talked about this internally also. Oaks do not lose their leaves, they are Columnar, they grow well, they look dead all winter and through the spring then they bust out.

MJ – Also the ones on Verde, prune or take them out.

RH – Last time it took 5 days to prune and pull those trees out. (Not under CH2M at that time; City had turned water off (conserving water) that is why the trees had died.)

MJ – On East Idaho in front of Walmart, etc. the trees have been pruned but it's not fabulous. The ground cover is still there, its spotty and messy. That is our retail hub and it should be "pristine". We have all these people coming in to the new Winco; it should be pristine, we want people to come in and say "This is where we want to shop." If we don't start maintaining it going to advocate pulling it out. Would rather have nothing than having it look bad.

ADJOURN

The motion was made by Mr. Wilson, seconded by Mr. Hill to Adjourn: Motion passed unanimously (Woodcock - excused).

APPROVED:

Signature

(Bernie Babcock, Chairman / Riley Hill, Vice-Chairman)

Date

6/13/17