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

COUNCIL MEETING AGENDA

CITY COUNCIL – CITY OF ONTARIO OREGON

TUESDAY, SEPTEMBER 12, 2023, 6:00 PM, MT

Zoom Link

Pursuant to the Public Meetings Laws and Rules within the Oregon Revised Statutes, the City Council has the authority, ability, and standing to take action on any items on the Agenda, or add items to the Agenda, during the Study Session or Regular Meeting, as long as all public meeting notice requirements have been met.

1) CALL TO ORDER

Roll Call: Susann Mills _____ Sam Baker _____ John Kirby _____ Ken Hart _____
Penny Bakefelt _____ Eddie Melendrez _____ Mayor Deborah Folden _____

2) PLEDGE OF ALLEGIANCE

This Agenda was posted on September 8, 2023. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) MOTION TO ADOPT THE AGENDA

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

5) CONSENT AGENDA

A) Adopt City Council Meeting Minutes: July 25, 2023; August 22, 2023

B) Liquor License: The Bar at Ontario Ace, Inc.

6) PRESENTATIONS

A) Recognition of Firefighters: Frank Grimaldo, Jr., Mike McLean, Jordan Watts - Life Saving Award

B) Ontario Promise Update: Councilor Ken Hart

7) OLD BUSINESS

A) Ordinance #2822-2023: Amend OMC 2-14 - Diversity Advisory Committee

B) Resolution #2023-115: Purchase Moore Park Property

8) NEW BUSINESS

A) Ontario Sanitary Service: Request for Rate Adjustment

9) DEPARTMENT HEAD UPDATE

A) Community Development: Quarterly Report

10) DISCUSSION ITEMS

A) City Hall Security Discussion

11) HAND-OUTS

A) Minutes: County Court 08-16-2023; 08-23-2023; 08-30-2023

B) Department Stats: Police, Code Enforcement, Public Works, Fire - Aug 2023

C) Packet: V&C 09-07-2023

12) CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS

13) ADJOURN

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

CITY COUNCIL MEETING MINUTES
July 25, 2023

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, July 25, 2023, in the Council Chambers of City Hall. Council members present were Deborah Folden, Susann Mills, John Kirby, Ken Hart, Penny Bakefelt, Sam Baker, and Eddie Melendrez.

Members of staff present were Dan Cummings, Corinna Hysell, Clint Benson, Kari Ott, Casey Mordhorst, Michael Iwai, Al Haun, and Andy Wood.

Also present were members of the city's Diversity Advisory Committee: Billy Carter, Janet Kamoto, Antonio Sunseri, Thomas Moreno, and Mario Grimaldo.

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

AGENDA

This Agenda was posted on July 21, 2023. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

MILLS moved, KIRBY seconded, **TO ADOPT THE AGENDA AS AMENDED.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

CONSENT AGENDA

HART moved, MILLS seconded, **TO ADOPT THE CONSENT AGENDA, WHICH INCLUDED APPROVAL OF COUNCIL MEETING MINUTES OF JULY 11, 2023; LIQUOR LICENSE – JACKSON'S FOOD STORES, INC.; AND LIQUOR LICENSE – CHIPOTLE MEXICAN GRILL, INC.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

PUBLIC COMMENT

Antonio Sunseri (reading a letter for Freddy Rodriguez), Ontario: *Ladies and gentlemen, I am Freddy Rodriguez, a proud and dedicated citizen of Ontario, Oregon. Today, I stand before you to lend my unwavering support to the indispensable Diversity Advisory Committee and its profound impact on our wonderfully diverse population.*

In our vibrant community, we embrace the richness of our diverse backgrounds, where various languages and cultures intertwine. However, we must acknowledge that some segments of our population face language barriers and may be hesitant to engage with parts of our community they don't fully understand.

As elected representatives, you cannot afford to be complacent and assume you comprehend the needs and concerns of every citizen, especially those hindered by language barriers. It is your solemn duty to preserve the sole city-run diversity mechanism available, the Diversity Advisory Committee, as dismantling it would be a grave oversight.

By maintaining this essential committee in robust operation, we open a vital channel of communication with our diverse constituents, fostering a stronger bond between us. Therefore, I urge our esteemed city leaders not only to maintain but also to actively participate in the committee's meetings, dutifully reporting back to the council. Simultaneously, the council member should liaise with the committee to ensure seamless coordination.

The positive ramifications of this collaborative synergy between the council and committee members cannot be overstated. Our community's collective well-being hinges on our ability to embrace diversity and demonstrate inclusivity. By standing united in this endeavor, we empower our city to flourish as a harmonious and thriving hub for all its extraordinarily diverse inhabitants.

Thank you for gracing me with your valuable time and consideration. Together, let us forge ahead on the path of progress and unity, celebrating the diversity that enriches us all.

Mel Baldwin, Ontario: *Last winter, my wife learned that a cat gave birth to kittens in our backyard. Well, it was wintertime, she felt sorry them, so she said, Mel, go out and get a box so we can put mama and babies in this thing, so they'll have some shelter. Well, that kindness was a mistake because I learned that once you feed or give water or shelter to a cat, a feral cat, you become a caregiver and if you did that, you better read city code, so you find out what your responsibilities are. There's quite a few. In 2009, they Ontario Feral Cat Project was begun. I'm not sure, but I'm going to guess that there's been probably 5,000 feral cats that have been trapped, neutered, and returned. The problem with this is the neutering, I think, because first you gotta catch the little buggers, and it isn't too hard, with the right cage and enticement, then the cat has to be neutered or spayed, and the people that do that are our veterinarians. Well, we lost one fairly recently, Lindsey Norman, who retired, and so that left us with two here in the city. When Lindsey Normal retired, her clientele moved to the other two veterinarians, so it overloaded them. In April, I went to the house where the feral cat project is, I got on their list, that was in April. Basically, when I talked to Angela Hunt, who oversees that project, I spoke with her today, and I can be on the list for August 10th and 14th. No, starting the 10th, and then two weeks later, one more. What happens is in-between all this, these feral cats are out there and they're multiplying. We can't catch up with this. Angela Hunt, the project manager, is overwhelmed and she needs help of any sort, and I would urge the Council to give consideration to some sort of support, either monetary or otherwise. Another problem is, there is not enough places that these cats can be sheltered before they are spayed or neutered, or after they are spayed or neutered. If you go down to the project house, you'll see cages just stacked up, and it's only run by volunteers, so those people, I am sure, are getting burned out at this point. So, anything that the City Council can come up with, would certainly be appreciated by me, and also, I'm sure, by Angela and the other people that volunteer for this program.*

Mayor Folden read a letter into the record, submitted by past Mayor Ronald Verini: *Dear Mayor Folden, Council President John Kirby, and Councilors Ken Hart, Eddie Melendrez, Sam Baker, Susann Mills, and Penny Bakefelt: I submit this letter in support of the pending Ordinance #2822-2023, an ordinance amending Ordinance #2728-2017, and amending Title 2, Chapter 14 of the Ontario Municipal Code. Having more diversity around the table brings to the group a mindset of developing solutions to community challenges. Diversity of thought can only be achieved by diversity of the members involved. I not only support the changes proposed but also support the Diversity Advisory Committee itself and would encourage a more active role of the sitting City Council to engage the committee more in the activities and issues that the Council is engaged in. I do believe that this group if, given the chance would bring a tremendous amount of knowledge that will make decisions on the Council more productive. This group is advisory in nature and the City Council has the power and the final word. This group and the perspectives and suggestions on issues that are being considered for our community could be a huge asset if the City Council utilizes it more than it has. My statement today does not address or take sides with any political party lines. My statement today, and support of the Advisory Committee, is only to be taken as an important tool of different opinions on a committee that could benefit the future of Ontario. This is certainly my opinion and the original intent of why we formed this group and why we had 100% of the City Council that were in attendance on 6 April, 2017, vote for the original resolution. This also is in tune with our city Mission Statement, " Our mission Is to create a healthy, safe, diverse, and prosperous city by engaging community members to develop an enriched quality of life. Thank you, Ronald Verini, Past Mayor.*

OLD BUSINESS

Ordinance #2819-2023: Amend OMC 2-14 – Diversity Advisory Committee
Dan Cummings, City Manager, presented.

At the last meeting, the Council tabled this action to obtain more input. Staff asked the members of the Diversity Advisory Committee to attend the current meeting, to explain some questions raised. There had been concerns about the statement where changes were made to one section of the ordinance to remove the reference to "age". A question asked by Councilor Hart was that the rest of the statement also might be discriminating. Another issue he raised was ensuring they were not putting individuals in boxes. He'd like members of the committee to receive questions directly from the Council, to assist in understating the overall reason for the committee.

Billy Carter, DAC Member, stated if he understood correctly, he thought the Council was giving themselves some guidelines that would help guide them in a way that they wouldn't fall back into a position of the good old boys syndrome, or something along those lines. He thought it was to be used as a tool to say they wanted a diverse committee, they didn't want to be in a position where because no one else applied, they'd appoint the same people. That was his interpretation. He'd been on the DAC for around four years, and since being appointed, he'd advocated for the committee to be more involved in the city operations. He'd expressed that desire to the previous City Manager, and his solution was to have John Breidenbach bring the applications for city employment to his workplace and introduce him to the applicants, and then provide him feedback. In his opinion, that was extremely ineffective. He recently shared with the DAC how he ended up in Ontario, one of the best cities he'd ever lived in. He hadn't heard about Ontario on the radio, read about Ontario in the newspaper, nor had he discovered Ontario on the internet. He was recruited, very heavily, by the Director of the Department of Corrections, who was the Director of the DoC in California, where he had worked. He was familiar with his qualifications, his background, his leadership skills, his values, his work ethic, his demeanor, his character, and his adaptability. After his interview at SRCI, Gretchen Ludwig, took him on a tour of the downtown area, and introduced him to various people such as Salvador Sanchez, Mike & Debbie Blackaby, Patty Aarestad, and others who were very welcoming in this community. However, he did understand that recruitment was a key component of diversifying any organization, one thing he had been successful in at SRCI. It was his opinion that the Diversity Committee could be a very valuable asset in the area of recruiting, hiring, and promoting a city employee. They knew, by their own actions, they could encourage participation, or discourage it. The city missed an opportunity to appoint and/or hire two exceptionally qualified applicants of color over the past few years. One, as a City Councilor, and one as the City Attorney. This could send a very deep and profound message. Don't apply or they'll just deny you like they did the others. He grew up in the south, so he knew racism and discrimination when he saw it or heard it. The fact that the legitimacy of the Diversity Committee was in question, and it's function not understood, was concerning, and indicative of the fact there was a lot of work that needed to be done. A previous City Council had the insight to understand that this community should be inclusive and seek to apply a diverse culture. He encouraged the Council to support and utilize the expertise on the committee. They were there to assist the Council, and stood ready if, and when, called upon. Thank you.

Thomas Moreno, DAC Member, stated he was speaking because he's joined the Diversity Committee a few months ago. He and his partner were new to the area, and were embraced into a welcoming environment, eyes open and taking everything in and seeing disparities as well as advancements, different things, looking into it, unwrapping it. Basically, what it came down to was what they witnessed were people in the community, living honestly, trying to get ahead and build a life. That was still being seen, and that was his vision for this area. One thing, in regard to the committee, was in defining its role. How could it be part of the system for improvement – the location, the voters of this community, open-minded dialogue. He challenged the Council to find a way to establish that. Many were bilingual, definitely multi-cultural. They had a broad range of understanding. For them to be able to recognize where any of those inequalities might be, they were at a disadvantage because that was not the space he was in. That was not the space the people who attended his church were in. That was not the space the people he socialized with were in. And it was not the space his friends were in. They did not live in that world. So, how would they find out what it was? How did they find out, from those people that maybe felt like they were being shortchanged in some way, their accessibility through governmental accountability, through fiduciary advantages? How did that look to the people? He implored and supported the idea of opening up communication lines and actually posting forums to where they would hear what the constituents had to say. When he said "we", he meant all of them. If they were involved in the leadership of their city, and actually appointed its leaders, that should be their concern. One other thing he wanted to point out was, as an example, was the Gay Pride organization and centralization. How could they get the city's name in that and on that and involved with it, so they were a presence. That was one small event. World Day – they were there, registering voters. The presence from them, and the opportunity for people to express what it was they were looking for. They were involved in some things, but not really, they didn't have teeth. Where there no issues to be resolved? Was there no one feeling like there was inequality? He did not know. But, he knew they needed to open the lines of communication to where people could express their concerns. National Night Out – wonderful thing, couldn't wait to be there. The city had two booths at that event. Where was the Diversity Advisory Committee? Where was the voter registration? Where was the invitation or inclusion with the committee that was *about* inclusion? It was a mess. He wanted them to get it together, and to utilize what the committee had to offer, which was a diverse range of age, sex, color, orientation, and religion. That one piece of it, how they were picking off the committee and doing that thing, he couldn't remember exactly what had been stated there, it was kind of like "Naw, I think we're good". He thought they got that part, so utilize that and move forward together.

Councilor Bakefelt issued an invitation to the committee for attending National Night Out. If they wanted to put up a canopy, they were welcome to join. If she hadn't issued an invitation earlier, she apologized. She was still receiving calls from a lot of people wanting to participate, and there were some requirements, but they were more than welcome to have a booth. She also appreciated all their comments.

Councilor Kirby stated in reference to the ordinance they were discussing changes for, in Section 2-14-6, Duties and Responsibilities, that was what got him. To him, the committee's only duty was to have a meeting. That was the reason he questioned it. The only thing the Council had seen was that sometimes they had trouble getting representatives on the committee. He didn't know that in his time on the Council that there had ever been a proposal presented by the Diversity Committee. Was that because of the lack of direction? Both speakers seemed to be asking the Council the same question that he was asking. Basically, what was the committee supposed to be doing?

<u>Antonio Sunseri, DAC Member</u>, read from the establishing ordinance's mission statement: *The City of Ontario Diversity 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. To* him, he took that as being the committee did not make proposals to the City Council, but they were….

Councilor Kirby asked if the committee was waiting for someone to come see them, or, as Mr. Carter had mentioned, were they seeking to possibly have a role with the HR interview process? The city's HR Manager was there, but he didn't know what was allowed under the state's system. He was curious, with the creation of the DAC, he didn't know if they needed to have someone handicapped, as that was a big need in the community, but he was uncertain of the true relationship. The committee was comprised of smart people, and the advice, if coming, he never heard it from the committee. That was his concern.

Mr. Carter stated he thought they had the same concern, which was that they were in an advisory capacity. His mission, as he saw it, as the Council was making decisions that might affect the city overall, they might need some expertise on diversity. That, to him, was what the committee was there for. Regarding recruitment and interviewing, it wouldn't hurt to have a member of the Diversity Committee sit on the interview panel. He didn't think that was illegal or violated city rules. It wouldn't hurt for the city to assist the HR Director in recruitment. If she wanted to approach the committee and ask them to reach out to whoever and help get some qualified candidates, they'd be happy to do things like that. The good thing about the committee was that they were a diverse group across every spectrum. They could bring that expertise and support to the Council, if needed. They tried to do some things on their own, such as the voter registration. They thought that would be good for the community, getting a diverse group of people registered to vote. They also worked on some diversity training, such as some unconscious bias training developed by Paul Chaney, who had previously been on the committee. They had been doing things they felt were productive, but how was it spread across the community as a whole, and how was it being supportive of the Council? That's what they wanted to do, and that was what they were there for. They had submitted a letter of support for one of the candidates for the vacancy on the

City Council. They had questioned if they had the authority to do that, but they did it. The committee was there to help the Council with any needs they had along those lines.

Chief Iwai stated part of his recruitment process when he had been hired, Billy Carter had been on the interview panel. He had to be introduced to several community members, who asked him pointed questions. After being hired as Chief, he reached out to Mr. Carter and other community members who came from a diverse background. He had incorporated some of that, and they definitely could do it. It was legal, but it did make it a longer process. When he hired the Operations Lieutenant, that was the last time he incorporated members of the community into that panel. So, it did happen occasionally, in support of diversity, ethnicity, and inclusion.

Councilor Melendrez thanked the committee for the work they were doing. For the past few months, there had been trouble filling some of the vacancies, and actually having a quorum. He supported what the committee was doing, and thought the more they could be involved in fostering the relationships within the community who might not have trust with the city, city staff, or Councilors, they should continue to do that. He had attended some events, and he believed it was important for the committee to be seen at those events to continue to build trust with the community.

Councilor Bakefelt stated, with the Council's agreement, she would like to help the Diversity Committee by taking an active role with Councilor Melendrez to see what was being done in other communities, how they could utilize the committee so they felt their job was taken seriously, to see what they could do to move this along.

Mr. Cummings reiterated this was a city committee, so the public was always invited to attend, which included any Councilor. Councilor Melendrez was the Council Liaison for the committee, but there was nothing prohibiting any other Councilor from attending. Those were advertised meetings, so that met the public meeting notice laws. If more than three (3) Councilors planned to attend, notice could be sent to the media, letting the media know they were there to listen, not to make decisions. He attended the DAC meetings, and when he began doing that, he, too, wondered what the committee was assigned to do. After listening to the committee, they were confused, too. The committee had been trying to get out to the public, to make the community aware of the existence of the committee, and if anyone had any issues relating to fairness or language barriers, or whatever, they could approach the committee. Or, if anyone came before the Council to discuss issues regarding diverse issues, the Council could recommend taking it to the committee, have that person go to a committee meeting, to freely discuss issues. The committee would weigh the issues, and then report to the Council. To him, that was the reason behind the creation of the committee. It was to give the city and the citizens tools to speak. Not many people liked to speak in a public forum, such as a Council meeting, but that was why the various committees were created. It was less formal, but there were still rules.

Councilor Kirby suggested having the committee write recommendations, so the Council did not have to do this mishmash. The committee had ideas on what they were doing, but if they had recommendations that made it more fluid, that should be presented to the Council for consideration. Currently, under Responsibilities, there was nothing there. To be a viable committee, they needed to work together with the Council to get some things cleared up. To be a functioning committee, things needed to filter from the bottom up.

Mayor Folden stated she supported the committee, and she would also like to better engage with them, to get a better understanding of what they were doing.

Mr. Cummings asked to clarify what Councilor Kirby was saying or asking. All the committees were advisory, so the Council, he understood Councilor Kirby telling them to come back to the Council with things that gave the committee authority to make decisions, and that could not be done.

Councilor Kirby stated it was advisory to the Council, but this was awkward. All he saw was that there was a Diversity Committee. He believed they needed to give some thought about how to enhance the committee. He believed the community was already diverse. He didn't see it changing. The ordinance was very weak.

Mr. Moreno stated the ordinance read the committee was advisory in nature, and the City Council had the power and final word. He disagreed with it going from the bottom up. It was from the top realizing there was a need and how was the need filled. The idea of it coming from the bottom going up, put the Council in a reactive stance, which was not leading, it was reacting. That wasn't how this was written. This was an idea where the Council felt there was something in the community that wasn't equal, fair, and equitable for the people who lived here. How was that determined? Not by what was between their ears currently, but what came into their ears during conversations with people who had concerns. Their concerns were equitable with the people who lived in this community. The decisions, or the driving force behind it, was the Council. That's where he was at, and he challenged it. It didn't come from the committee doing whatever they wanted. They were just a committee. The committee had concerns; did the Council know that? No. It should all be nice and peachy like it had been for the past 50 years. No disrespect intended. Things changed rapidly. There were people who lived in this community that they had no idea what they were about or what they had experienced, because they were not them. The only way to find out was to engage with those who lived in the community. If that meant opening their doors and saying yes, come visit me, were Robert's Rules all that sacred that he had told somebody who barely had a grasp on the language, to understand the minutia of Robert's Rules? It's called an open forum. City town meetings, town hall meetings, there were things the city could be doing to engage the residents. It did not come from the committee, and, for the record, he did not support that ideology.

Councilor Kirby stated that *was* from the bottom up.

Councilor Melendrez asked for a clarification from Councilor Kirby on the definition and description of duties and responsibilities, did he want more added to that?

Councilor Kirby stated so many on the Council had a business or were active; they were the last ones to see what was truly going on. That's why he asked that things come from the bottom. Then the committee could keep the Council abreast of what needed to occur. But, if there was something on the agenda for the committee, it would be sent down their way. Councilor Melendrez was part of the community and represented a different portion of the community that most of them did not. He knew people in the Mexican-American community and the Japanese-American community. He'd grown up with them; he knew them, they were his friends. He had gay people in his family, but he did not know what went on in that community. That was his reason behind the thinking that if it was going to be functional, it had to sometimes come up from the bottom, not just from the top.

Councilor Hart stated he had two examples where the committee had been helpful to him: one, Ontario Promise. They'd given him some great ideas as they were trying to develop that program. That was an example of where they, as a Council, were working on an idea and took it to a committee to get input. Then, the unconscious bias training, that was a training they'd rolled out at St. Alphonsus. Paul provided that at one of their Ontario Chamber of Commerce meetings, and then again at Valley Family. Another great way where maybe the city didn't have the expertise, but there was expertise on the committee. Those were examples of where he believed the committee had been very effective. He had no concerns at all with the committee. He appreciated the article in the paper about this because it had raised visibility, and there were now more members of the Council willing to be involved with the committee; however, he had concerns, and he'd spoken with Mr. Moreno previously, about some language. What caused him some concern was the third paragraph in 2-4-1. Staff had added new language, which was excellent. The language that had been asked to be added read *"Committee appointments shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status".* It was probably an oversight when originally written, and that was an appropriate add. It was the next paragraph that caused him concern, and what he wanted to discuss again. This was language that was already in place in the current ordinance, not asking to be added, which read *"Membership must represent more than 2 different ethnicities, cultures, generations, genders, and/or* socioeconomic *statuses. No one ethnicity, culture, or socioeconomic status shall be represented by more than 50% of the committee membership.* Again, the question was when the city received applications, that was not on the application. Someone had been appointed at the last Council meeting, and no one had asked those questions. If a person wanted to be involved on the Diversity Committee, they were going to be appointed. But, this language actually contradicted earlier language. If they had quite a few of one race on the committee, they'd have to stop and say there couldn't be anymore of that race, they had to have different races. While he did want to move the proposed ordinance forward, he would ask that they make an additional amendment and strike that paragraph out. He believed that paragraph was in conflict with the new paragraph to be added, and not to have any criteria that they, as a Council, were deciding if someone could be on a committee based upon the color of their skin. That appeared to be the opposite of what they were trying to accomplish.

HART moved, KIRBY seconded, **TO APPROVE ORDINANCE #2822-2023, WITH THE EDIT THAT HAD BEEN PRESENTED, IN ADDITION THAT THE PARAGRAPH STATING MEMBERSHIP MUST REPRESENT DIFFERENT ETHNICITIES, AND CANNOT HAVE MORE THAN 50% OF ONE ETHNICITY BE STRICKEN, BUT THE REST BE APPROVED.**

(Mayor restated motion)
IN ACCORDANCE WITH SECTION 8.2(2) OF THE CITY CHARTER, THE CITY COUNCIL APPROVE ORDINANCE #2822-2023, AN ORDINANCE AMENDING ORDINANCE #2728-2017, AMENDING TITLE 2, CHAPTER 14 OF THE ONTARIO MUNICIPAL CODE BY REMOVING THE WORDS LINED THROUGH AND ADDING THE WORDS THAT ARE UNDERLINED IN THE ATTACHED ORDINANCE #2822-2023, AT A SINGLE MEETING BY TITLE ONLY, WITH THE ADDED AMENDMENT TO REMOVE THE CURRENT PARAGRAPH OF 2-14-1. No vote.

Councilor Melendrez asked what the thoughts of that were with the Diversity Advisory Committee. Also, when reading the ordinance, he hadn't read it that way. He took it more that they were trying to make sure that the committee was diverse, not end up looking like the City Council where it was all the white race sitting up there, or on the Diversity Committee. He took it to mean they were hoping to have different races and not just one race. But, he would like to see the Diversity Committee review the change to see if they would be comfortable removing the language as suggested by Councilor Hart.

Councilor Hart asked about tabling this action again. He was alright doing that, to allow the Diversity Committee time to adjust the document. He didn't want to delay the action, but having an ordinance that read a membership must represent was pretty clear, and he wouldn't support anything that read they'd have two of this, and two of another, and two of another.

Councilor Bakefelt asked if they could question the Diversity Committee members in attendance how they felt about the action.

Mr. Carter stated he liked it, as it gave the Council some guidelines. As Councilor Melendrez said, to not have a Diversity Committee that looked like the current City Council. He believed that was what the Council was after, and not to fall back into the good ol' boy syndrome. He supported the language as written, and to not have that stricken out. The committee had a difficult time currently getting people to participate because it seemed like committee did nothing, and people got bored and resigned. He could see a lot of applications being submitted of one ethnicity, and the Council would just appoint without considering the balance on the committee.

Councilor Kirby stated they were in total conflict. They almost cancelled each other out. He didn't think that was what they were after. Maybe it did need to be tabled, submitted to the City Attorney for review and rewrite.

Janet Komoto, DAC Member, asked to table the action and let the Diversity Advisory Committee work on rewording the paragraph and then bring it back to Council, maybe by the next Council meeting.

Councilor Hart withdrew his motion; Councilor Kirby withdrew his second.

KIRBY moved, HART seconded, to **TABLE THIS ACTION.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

Councilor Hart stated an item he'd like to ask the DAC to consider was any recommendations, anybody could apply to be on the Diversity Committee. Those came to the Council. That language wasn't on there, so nobody checked a box. Maybe get applications to the committee, and then the committee would send recommendations to the Council, who would conduct interviews and make an appointment.

NEW BUSINESS

Bid Award: Airport Fencing Project (Boise River Fence)
Casey Mordhorst, Public Works Director, presented.

The west side of the airport was not secured to standards. There existed a large section where the fencing was not completed, which allowed animals and people to obtain unauthorized access to the airport. This project would secure the west side of the airport and stop unwanted animals and people gaining access, which could potentially cause a safety incident with aircraft utilizing the airport.

The fence on the west side of the airport was budgeted in the FY 23-24 CIP budget for the amount of $150,000. Staff advertised the project and on July 13, 2023 received four (4) bids. Boise River Fence was the low bid at $140,242.00, which fell below the budgeted amount.

If approved, this project would start this summer and be completed by winter.

KIRBY moved, BAKEFELT seconded, **THE CITY COUNCIL ACCEPT THE BIDS FOR THE AIRPORT FENCE PROJECT AND AWARD THE PROJECT TO BOISE RIVER FENCE FOR THE AMOUNT OF $140,242.00 AND APPROVE THE CITY MANGER TO SIGN ALL DOCUMENTS.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES

Finance: Monthly Report
Kari Ott, Finance Director, presented.

HAND-OUTS

Check Register
June, 2023

Minutes:
County Court: 07-12-2023; Public Works 06-20-2023

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Councilor Bakefelt stated she had attended the Emergency Management training class on July 18th in La Grande. It was informative, and she encouraged the Council to attend. Also, her son took the Missoula theater class a few weeks ago and it was a great venue at the Four Rivers Cultural Center, who did a great job. She also attended two swearing in actions – Casey Walker to Sgt, and then the two new patrol officers. She went to the Ontario Airport open house, where Andy did a great job. She then reminded everyone that National Night Out was August 8th. She had a great team and was excited to see it come to fruition. She had jobs for the Council.

- Mayor Folden thanked Councilor Bakefelt for all her dedication and efforts for National Night Out. She also thanked the Diversity Committee for attending the Council meeting.

- Councilor Hart stated he had lunched with Sheriff Johnson, who voiced his appreciation for the coordination of efforts between Chief Iwai and the Sheriff's Department.

- Mr. Cummings stated last Wednesday through Saturday, he had gone to Pendleton to attend the Oregon City/County Management Association spring conference. One presentation was from the Pacific Power and Bonneville Power administrations on the new mandate to, by 2025, be limited on coal usage. Being as polite as they could to the politicians, they said they'd acted without facts, and were working as hard as they could. To put it into perspective, if they were to try to meet the mandates given, they didn't say it was impossible, but it was unlikely that would happen. They wanted all the cities to inform their citizens to look at the facts. For example, to replace all the coal and power being used currently, it would take 25 nuclear generation plants to be installed in the Pacific Northwest alone. And the Council could guess what money would be involved. More importantly, at the rate, the money, and the construction to do 25 plants, would take nearly 50 years. He assumed the presentation was given to the politicians across the state, but he was unsure. If they did, the politicians didn't pay attention to it. Solar and wind power provided some energy, but it wouldn't meet the needs. There were cloudy days, and winter days, that wouldn't provide solar power. Days with no wind couldn't generate power. When power was needed the most, there was no wind to generate it. He hadn't been on board with the plan for the lithium mines in Southern Malheur Country, because he'd seen what they would do to an environment, but after listening to the presentation, they basically said without getting good battery storage, the solar and wind was never going to be a replacement if they couldn't store the energy when it was being made. Another thing, being in the northwest, there was a lot of hydropower, but everyday there were groups that were trying to force the dams to be breached. If that happened, this area would lose a huge percentage of that power. To summarize, if the mandate didn't change, and it was forced to occur, this area would see the same thing happen as what was happening in California and Texas. There would be brown outs and black outs all the time because there would not be enough power to meet the demand.

- Mr. Cummings stated he attended the Southeast Area Commission on Transportation (SEACT) meeting in Burns, where they had a great discussion, but there was disparity. ODOT was having the same problems with requirements for higher efficient vehicles; cut back on power, but require power cars. The biggest concern was the mandate that all the car manufacturers had to make vehicles more efficient, to make cars that would get 40-50 miles per gallon, which meant not purchasing as much gas, which meant lower gas tax collecting, which lowered revenue for ODOT. There were a lot of policies being made that had not looked at the scientific facts and set mandates that were unrealistic. This community needed to recognize that, and they needed to be educated about what was coming. It was going to be a huge financial change to the users.

- Councilor Kirby stated a few meetings ago at a MAC meeting, the new director of HUD was in Ontario, along with Oregon's head of HUD. They were trying to get certification and verification for the concrete houses built by 3D. They were looking at a project in John Day, but he informed them of the business here in Ontario. He and Mr. Cummings met with Sean McKay, and saw a prototype of a building they built.

- Councilor Melendrez also attended meetings to learn about alternative resources for energy. He'd like to attend future meetings about that. He appreciated the new rules that were being put in place by OSHA about working outside in the heat. That would have an effect on farmworkers.

ADJOURN

KIRBY moved, MILLS seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-yes; Melendrez-yes; Folden-yes. Motion carried 7/0/0.

ACCEPTED: **ATTEST**

____________________________ ____________________________

Deborah K. Folden, Mayor Tori Barnett, MMC, City Recorder

CITY COUNCIL MEETING MINUTES
August 22, 2023

The scheduled meeting of the Ontario City Council was called to order by Mayor Deborah Folden at 6:00 p.m. on Tuesday, August 22, 2023, in the Council Chambers of City Hall. Council members present were Deborah Folden, Susann Mills, John Kirby, Ken Hart, and Sam Baker. Penny Bakefelt was excused; Eddie Melendrez was absent.

Members of staff present were Dan Cummings, Tori Barnett, Clint Benson, Kari Ott, Casey Mordhorst, Michael Iwai, Al Haun, Paul Woods, and Andy Wood.

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

AGENDA

This Agenda was posted August 18, 2023. Copies of the Agenda are available from the City Hall Customer Service Counter and on the city's website www.ontariooregon.org.

KIRBY moved, BAKER seconded, **TO ADOPT THE AGENDA AS PRESENTED.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-out; Melendrez-out; Folden-yes. Motion carried 5/0/2.

CONSENT AGENDA

BAKER moved, HART seconded, **TO ADOPT THE CONSENT AGENDA, WHICH CONSISTED OF APPROVAL OF COUNCIL MEETING MINUTES OF AUGUST 10, 2023.** Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-out; Melendrez-out; Folden-yes. Motion carried 5/0/2.

PRESENTATIONS

Recognition by Veterans Advocates of Ore-Ida: Police Office Richard Fraizer

Charlene Pelland read a statement: *Today, when there is so much media attention about all the supposedly negative publicity about our police, I want to send my highest regard for one of your police officers. On July 10th, our office placed a call to have a veteran trespassed from Veteran Advocates of Ore-Ida. That day, we gave him a gas card, and bought a part for his vehicle, and this was not the first time that we had helped him financially. We had asked him to make sure he was off the property by 4 p.m., when we close. He had caused some issues that made the staff uneasy having him on the property after closing. Officer Richard Frazier answered the call and was very nice to this gentleman. The gentleman could not leave the property as he was not able to get the part that we bought for him earlier in the day installed in the vehicle. That day we only had three ladies in the office who did not know anything about fixing cars, and he had three dogs in his car that were aggressive. Officer Frazier helped him install the part and made sure that I could get safely to my car. He made sure that the gentleman got safely off our property. I am enclosing a copy of a certificate on behalf of Veteran Advocates that I would like to make sure that Officer Frazier gets this for his file. He went over and beyond the call of duty to help this person and made sure our staff were safe. He deserves a great deal of credit for his gentleness and kindness toward all involved. His behavior during this call was evident of your tremendous leadership and proper training of your officers. Thank you so much to Officer Frazier and to you for the great police department here in Ontario. Your friend in service, Charlene Pelland, CEO, Veteran Advocates of Ore-Ida*

Beck-Kiwanis Park Improvements

Dan Cummings, City Manager, stated it was part of the city's plan to attempt to maintain more of the assets the city already had prior to building new, Relating to that, about a month ago he'd tried to take three of his grandkids fishing, but there was very little around this community, including across the river, because all the ponds he grew up around and went fishing in, were all overgrown, and low water years made stagnant. But, he figured you could always fish at Beck-Kiwanis; however, that pond, too, had become stagnant and overgrown so badly that it was almost impossible to get to. Therefore, this plan was part of what he would like to begin doing with the city's funds. (Pointing to the overhead), here's the Master Plan that staff created, and it basically was the red showing a future total ADA type path. It would be hard surface, not the gravel that was currently out there. The yellow, coming from the tennis court, it was red, and yellow out in the water would be an ADA dock, so people in wheelchairs or using walkers, or anyone who had a hard time maneuvering on regular docks, it would be an accessible dock for fishing off or just to enjoy the wildlife, such as turtles, birds, or fish. The blue was proposed for installing aerators so they could get oxygen back into the water, hopefully to cool it a bit, so the fish population could be improved. The other docks, the orange in the bottom left hand corner, was another dock for people to use for fishing. Then there were areas all along there for inexpensive boulders with topsoil that would get someone out just past the vegetation area. It would provide access to fishing without having to take all the vegetation away from the bank, so it would still maintain the wildlife areas. It was proposed to tie the middle pond, which showed as a different color, in talking with Fish and Game, it was possibly cleaner because it was not being contaminated by surface water running off the irrigation of the lawns, running off from the fair grounds to the west, and the grounds to the north. They were going to try and limit that. The middle piece showed them connecting that pond by cutting a channel like the other one had, and eventually building a bridge. Keep in mind, this was the Master Plan, it was not going to happen overnight, but they had to have something in place to get started. Meeting with Fish and Game, he learned there were grants the city could go after that if the city was trying to improve accessibility, fishing, and wildlife, there were grants available. As the Council might recall, the Council had already approved $40,000 to put against improving the existing trail.

> **Option #1** would be to utilize the existing $40,000 and improve the red trail around the pond with just the gravel that was currently there. But, long term, that was not accessible for wheelchairs, walkers, elderly with canes, etc. A gravel type trail was not the easiest to maneuver on. With current prices, staff was not positive they could get the entire trail done for the $40,000.
>
> **Option #2** would be to do a full ADA trail, or hard surface, from the tennis courts, heading north towards the bridge and the area he referred to as a "resting spot". The $40,000 would not get them much there. He did not believe that was a good option.
>
> **Option #3** would be to not do the "resting area", and do the same thing heading south, tying into the trail coming from the restroom area, with a hard surface trail. That was probably as far as they could get with the $40,000, not sure if they could get all that done for that amount. But, it was a step towards that.
>
> **Option #4**, which he would really like to pursue, was that the city did not spend the $40,000 now, but to go after grants to determine how much money could be received from grants, utilizing the $40,000 as matching funds to build a lot more, if possible.

Overall, he'd like to put off improving the existing trail for now, and go after grants to see what kind of money the city could get to begin improving the Master Plan out there. It could not be done all at once, more like a multiple year project to get to where they wanted, but it was his request to not spend the $40,000 now, to hold it back for seed money. If the city did not receive any grant funds at the end of the grant cycle, they could always improve the gravel trail. Many people in the community liked the idea of spending some money to fix an asset the city already had. Also, on the Master Plan where it showed an ADA on the south side, the reason he did not want to do that through the entire park was, in between the island, those were standing areas. They were already mostly hardpacked. True, no one could get clear around it in a wheelchair unless someone was pushing the chair, but it also kept it more to nature, to keep that area to the gravel and sand trail. Wildlife would function better there.

Councilor Hart asked if this proposal had been presented to the Parks Committee.

Mr. Cummings stated he didn't want to go too far with it. He had presented something similar to the committee, and they were on board. He wanted to give Council the first shot at telling him what direction they wanted him to move in. Also, every phase of the project would go before the Parks Committee and the Public Works Committee, because Public Works would be providing the maintenance funds for this project. He hoped that the Parks Committee would move on getting some fundraising going, to get the community involved. Maybe then it would only take a few years, instead of a longer period.

Councilor Hart stated Mr. Cummings had raised the issue that he had been unable to get down to the water. Was there something that could be done now to make it more accessible? Were there areas that could be cleaned out, or did they have to wait?

Mr. Cummings stated right away they could probably start with whatever grant received to get the islands, the rocks and gravel, to get people out there. Plus, in speaking with Fish & Game, there were sections of that that the city could burn off a lot of the heavy overgrowth, as long as it was outside of the egg season. But, burned off material would regrow. He'd like to move forward on some plan as soon as possible. One option he hadn't mentioned was they were going to try to get all the irrigation, the lawns were fertilized, so any runoff going into the pond was not good for the fish. He was also toying with the possibility of using the city's wells out there to supplement water into the pond to try to add cooler water in. It was just recycling ground water. That cost would have to be calculated, since they'd be running pumps. There were a lot of different options. He planned to get all the experts, the Fish & Game people, all those heads together to figure out what was working in other places. He expected to do some improvements this coming fall, maybe burn some off once mating season was done.

Councilor Mills asked if the city had grant writers on staff, who were experienced in that type of grant writing?

Mr. Cummings stated there were three members of staff currently in a grant writing class, and one more would be going out to class tomorrow. He planned to come back later with a proposal on grant writing.

Councilor Mills asked the distance around the park.

Mr. Cummings stated it was around a mile and a quarter. It would be a really nice walk. If the Council chose to say no, they wanted a hard surface path completely around it at some point, that could be done. He was just trying to keep some of it more natural.

NEW BUSINESS

Proclamation: Mental Health, Substance Use, and Harmful Gambling Behaviors Recovery Month: September, 2023

Mayor Folden read the Proclamation into the record: *Whereas, mental health, substance use, and problem gambling behaviors affect all communities nationwide. With commitment and support, our family members, friends, colleagues, and community members with these disorders can achieve healthy lifestyles and lead rewarding lives in recovery. By seeking help, people who experience mental health, substance use and/or harmful gambling behaviors can embark on a new path toward improved health and overall wellness. The focus of our local theme for Recovery Month for September 2022 is "Recovery is for Every Person, Recovery is for Every Family, Recovery is for Every Community, Recovery is for Everyone!" To celebrate their journey, we recognize the challenges of recovery, and we support them! We realize the need to share resources and build networks that support recovery in all forms, as we are all part of the solution. Recovery Month and Hands Around the Park spreads the message that behavioral health is essential to one's overall health and wellness, and that prevention works, treatment is effective, and people do recover; and, Whereas, the impact of mental health and substance use disorders is apparent in our country, with 46.3 million people suffering from active addiction in the past year. Oregon ranks second among all states for adults with substance use disorders and third in the nation for youth with substance use disorders. Additionally, an estimated 84,000 adult Oregonians have moderate or severe gambling disorders. These conditions in one way or another affect us all. Through Recovery Month, people become more aware and able to recognize the signs of mental health, substance use,* *and harmful gambling disorders, which can help guide more people into needed treatment. Managing the effects of these conditions can help people achieve healthy lifestyles, both physically and emotionally; and, Whereas, the Recovery Month observance continues to work to improve lives to promote and support treatment, and recovery practices, educating communities about prevention and acknowledging the dedication of service providers and community members who assist in making recovery possible. For the above reasons, we are asking the citizens of Ontario, Oregon, to join us in celebrating this September as Recovery Month. Now, therefore, be it resolved that I, Deborah K. Folden, Mayor of Ontario, Oregon, do hereby proclaim September, 2023, as* Mental Health, Substance Use, and Harmful Gambling Behaviors Recovery Month *in Ontario, Oregon, and call upon our community to observe this month with compelling programs and events that support this year's observance.*

Mark Keele, Clinical Supervisor/Partner, Altruistic Recovery, thanked the city for their support, and voiced his appreciation for everything the city did.

Proclamation: Vietnamese Community of Oregon
Mayor Folden read the Proclamation into the record: *Whereas, Vietnamese refugees have proudly resided in the City of Ontario and surrounding communities since the conclusion of the Vietnam War; and Whereas, Vietnamese Americans have put forth their full toiling energy building the City of Ontario and surrounding cities in a multitude of prominent areas including industry, economy, culture, education, and military service; and Whereas, Vietnamese Americans have counted on the state of Oregon, USA as being their second heart, mind, and family homeland; and Whereas, Vietnamese Americans have embraced Vietnamese customs and traditions that have been continually practiced through generations; and Whereas, a large number of the Oregon's Vietnamese Americans respectfully embrace the yellow and three red striped Heritage and Freedom flag as a symbol of Vietnamese Americans community; and Whereas, it is the will and desire from Vietnamese Community Of Oregon and its community members, that the Vietnamese American Heritage and Freedom Flag be recognized as the official flag of their organization in the City of Ontario. Now, therefore, be it resolved that I, Deborah K. Folden, Mayor of Ontario, Oregon, do hereby recognize the Vietnamese American Heritage and Freedom Flag as the official flag of Vietnamese Americans in the City of Ontario, and resolutely encourage all to join in the reverent recognition of this cultural heritage and freedom flag.*

DEPARTMENT HEAD UPDATES

Finance: Monthly Report
Kari Ott, Finance Director, presented.

Public Works: Quarterly Report
Casey Mordhorst, Public Works Director, presented.

HAND-OUTS

Minutes:
County Court: 06-28-2023; 07-19-2023; 07-26-2023; 08-09-2023
Tater Tot Trail: 06-15-2023; 07-12-2023
Diversity: 07-19-2023

Department Stats – July, 2023:
Fire& Rescue, Public Works, Code Enforcement, Police

Check Register
July 2023

Councilor Hart asked Ms. Ott about the payment to CIS Trust, was that annual?

Ms. Ott stated yes, it was the city's liability insurance. The city received a prepayment credit for paying in full.

ADJOURN

KIRBY moved, MILLS seconded, **THAT THE MEETING BE ADJOURNED**. Roll call vote: Mills-yes; Baker-yes; Kirby-yes; Hart-yes; Bakefelt-out; Melendrez-out; Folden-yes. Motion carried 5/0/2.

ACCEPTED:

ATTEST

____
Deborah K. Folden, Mayor

____
Tori Barnett, MMC, City Recorder

AGENDA REPORT
CONSENT AGENDA
September 12, 2023

TO:	Mayor and City Council
FROM:	Michael Iwai, Police Chief
THROUGH:	Danny K. Cummings, City Manager
SUBJECT:	**LIQUOR LICENSE: THE BAR AT ONTARIO ACE, INC.**
DATE:	September 5, 2023

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE THE NEW OUTLET LIMITED ON-PREMISES LIQUOR LICENSE APPLICATION FOR THE BAR AT ONTARIO ACE, INC.

SUMMARY:

Ontario Ace Hardware, under the name The Bar at Ontario Ace, Inc., located at 460 SW 4th Avenue, Ontario, Oregon, completed the "New Outlet Limited On-Premises" liquor license sales application.

The Oregon Liquor Control Commission has updated the licensing procedure. Applications now come to the local government for endorsement before completing the application process through the State of Oregon Liquor Control Commission office in Salem.

All necessary paperwork has been submitted to the City of Ontario. The Oregon Liquor Control Commission office is awaiting approval and recommendation from the Ontario City Council.

BACKGROUND:

Ontario Ace Hardware, located at 460 SW 4th Avenue, Ontario, Oregon has applied for a New Outlet Limited On-Premises liquor license. They are applying for the liquor license in the name of The Bar At Ontario Ace, Inc. and it will operate under the name – The Bar At Ontario Ace.

The application forms have been filled out appropriately and the required fees have been paid. All permit and license requirements have been met through the City of Ontario Planning, Building, and Fire Departments.

CURRENT SITUATION:

Ontario Ace Hardware is requesting to add the sale of alcohol to their business. Renovations have been made to create a bar-like setting for the sale of beer, wine, and coffee. To obtain the privilege of selling alcohol at this location, the Oregon Liquor Control Commission requires The

Bar at Ontario Ace, Inc. to complete the "New Outlet – Limited On-Premises" application. Once this step is completed, the location will have the necessary license which will require renewal on a yearly basis.

ANALYSIS:

A. **STRATEGIC PLAN** This meets the Council's adopted Strategic Plan for Lifestyle and Growth. Under Lifestyle, with the approval of this license, The Bar at Ontario Ace will offer beer and wine in a bar-like setting within the hardware store. This new concept also has the potential to bring more visitors to the city, creating additional revenue which supports the Strategic Plan goal of Growth.

B. **FINANCIAL** There is no financial impact of this action.

C. **TIMING** The city's recommendation is required before allowing the sale of alcohol at this location.

D. **POLICY/LEGAL** All legal steps have been followed to completion, with no negative feedback.

ALTERNATIVES:

Not recommend the license application.

This has no true effect on the process, as the Oregon Liquor Control Commission may take the city's objections to the action into consideration but is not obligated to do so. They are the ultimate authority on the issuance of the license.

RECOMMENDATION:

Staff recommends that the City Council approve the limited on-premises new outlet liquor license for The Bar at Ontario Ace, Inc.

ATTACHMENTS:

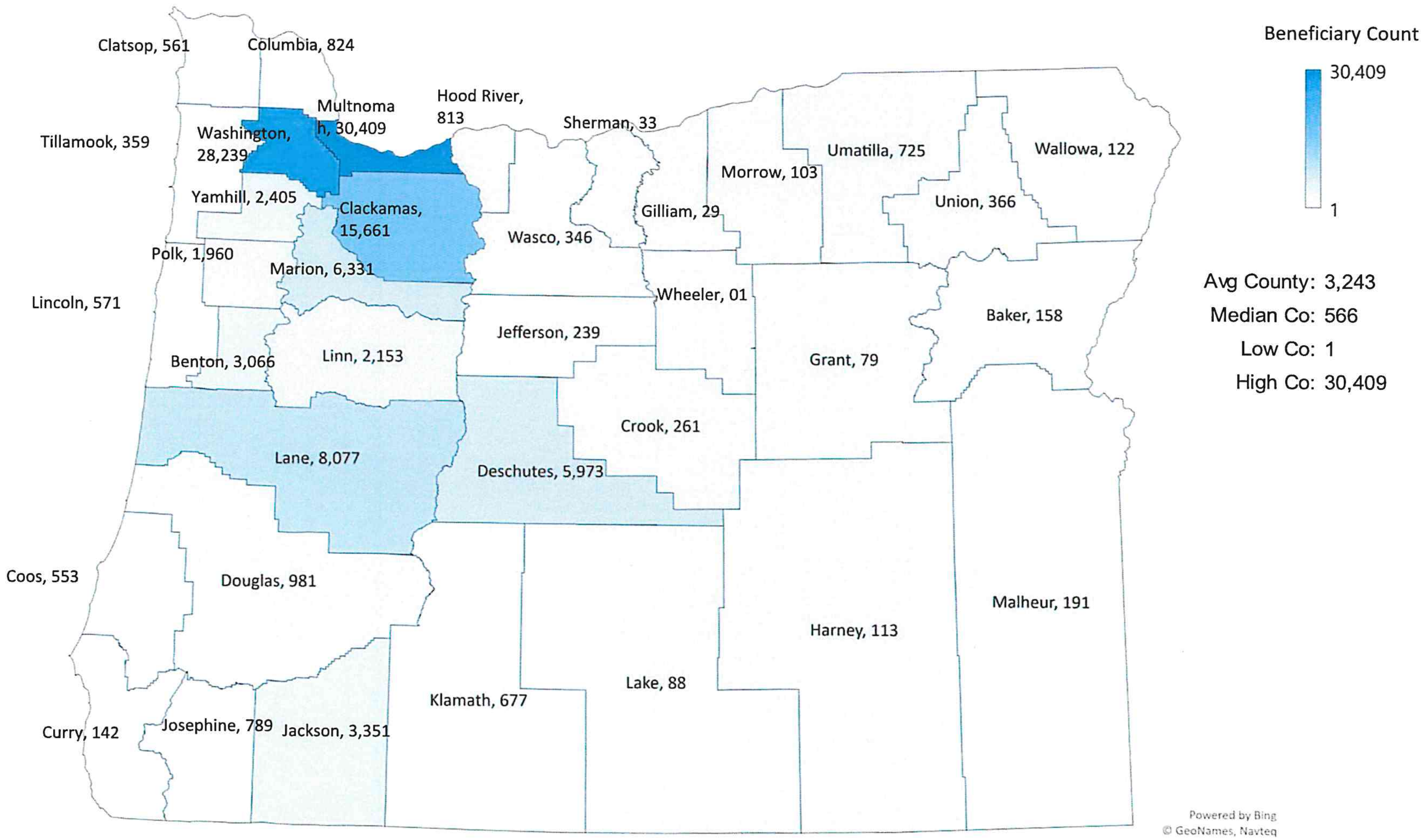
None

Sellwood
CONSULTING LLC

Oregon Treasury Savings Network

Beneficiary Count by County - Oregon College Savings Plan

As of June 30, 2023



Avg County: 3,243
Median Co: 566
Low Co: 1
High Co: 30,409

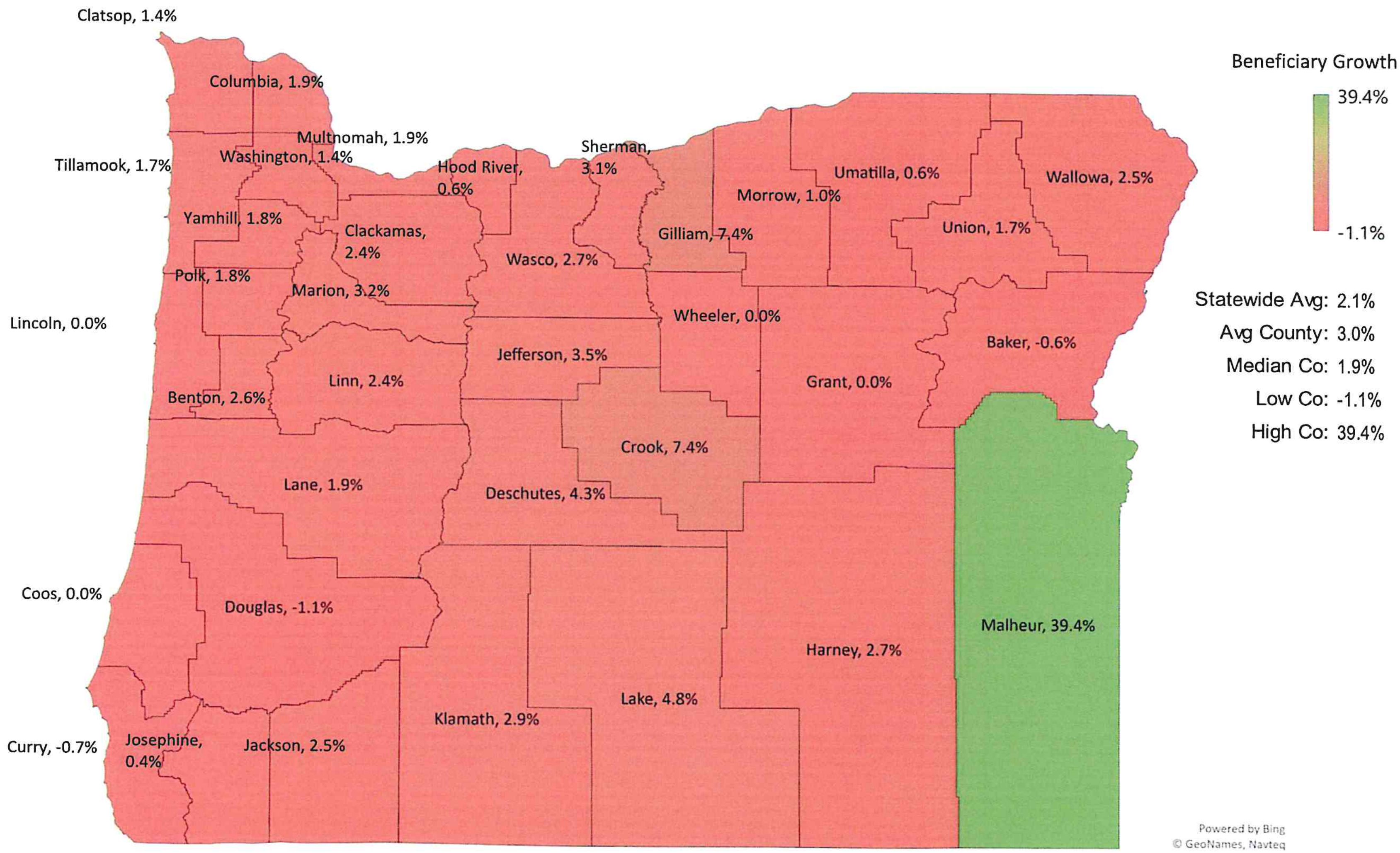
Source: Program Managers, Sellwood Consulting.

Sellwood CONSULTING LLC

Oregon Treasury Savings Network

Beneficiary Count by County 1-Year Change - Oregon College Savings Plan

As of June 30, 2023



Statewide Avg: 2.1%
Avg County: 3.0%
Median Co: 1.9%
Low Co: -1.1%
High Co: 39.4%

Source: Program Managers, Sellwood Consulting.

AGENDA REPORT
OLD BUSINESS
September 12, 2023

TO: Mayor and City Council

FROM: Dan Cummings, City Manager

THROUGH: Danny K. Cummings, City Manager

SUBJECT: ORDINANCE #2822-2023: AMEND OMC 2-14 - DIVERSITY ADVISORY COMMITTEE

DATE: September 6, 2023

PROPOSED MOTION:

IN ACCORDANCE WITH SECTION 8.2(2) OF THE CITY CHARTER, I MOVE THE CITY COUNCIL APPROVE ORDINANCE #2822-2023, AN ORDINANCE AMENDING ORDINANCE #2728-2017, AMENDING TITLE 2, CHAPTER 14 OF THE ONTARIO MUNICIPAL CODE BY REMOVING THE WORDS LINED THROUGH AND ADDING THE WORDS THAT ARE UNDERLINED IN THE ATTACHED ORDINANCE #2822-2023, AT A SINGLE MEETING BY TITLE ONLY.

IF VOTE IS UNANIMOUS:

IN ACCORDANCE WITH SECTION 8.2(2) OF THE CITY CHARTER, I MOVE THE CITY COUNCIL APPROVE ORDINANCE #2822-2023, AN ORDINANCE AMENDING ORDINANCE #2728-2017, AMENDING TITLE 2, CHAPTER 14 OF THE ONTARIO MUNICIPAL CODE BY REMOVING THE WORDS LINED THROUGH AND ADDING THE WORDS THAT ARE UNDERLINED IN THE ATTACHED ORDINANCE #2822-2023, AT A SINGLE MEETING BY TITLE ONLY.

SUMMARY:

The Ontario Diversity Advisory Committee has determined that some of the wording within Title 2, Chapter 14, of the Ontario Municipal Code is outdated and changes are needed to amend the existing ordinance.

BACKGROUND:

The Ontario City Council approved Resolution #2017-117 supporting community diversity and thereafter approved Ordinance #2728-2017 establishing a Diversity Advisory Committee under Title 2, Chapter 14 of the Ontario Municipal Code.

CURRENT SITUATION:

The Ontario Diversity Advisory Committee has determined that some of the wording within Title 2, Chapter 14, of the Ontario Municipal Code is outdated and changes are needed to amend the existing ordinance.

Proposed amendments were brought to the City Council at their July 7, 2023, and July 25, 2023, meetings. The action was tabled and sent back to the Diversity Committee to work on other suggested corrections.

The committee met and formulated revisions based on the comments they received from the City Council and have agreed upon the changes in the version of OIrdinance #2822-2023, attached to this report.

ANALYSIS:

A. **STRATEGIC PLAN** None.

B. **FINANCIAL** None.

C. **TIMING** Adoption of this ordinance will update the current code to reflect the recommended changes.

D. **POLICY/LEGAL** The City Council is the governing body that approves all ordinances.

ALTERNATIVES:

None offered. Not approving the proposed ordinance would leave the existing language of OMC 2-14 in place.

RECOMMENDATION:

Staff recommends the City Council approve Ordinance #2822-2023.

ATTACHMENTS:

1. Ord #2822-2023 Amend OMC 2-14 DAC

After recording, return to:
City of Ontario
Attn: City Recorder
444 SW 4th Street
Ontario, OR 97914

ORDINANCE NO. 2822-2023

AN ORDINANCE AMENDING ORDINANCE #2728-2017,
AND AMENDING TITLE 2, CHAPTER 14 OF THE ONTARIO MUNICIPAL CODE

WHEREAS, The Ontario City Council ("Council") approved Resolution #2017-117 supporting community diversity; and

WHEREAS, the Council approved Ordinance #2728-2017 creating the Diversity Advisory Committee under Title 2, Chapter 14; and

WHEREAS, the Ontario Diversity Advisory Committee has determined that Title 2, Chapter 14, of the Municipal Code is outdated, and in need of amending; and

WHEREAS, the Council has agreed Title 2, Chapter 14, of the Municipal Code is outdated, and in need of amending to meet current standards; and

WHEREAS, by adoption of Ordinance #2822-2023, the Council hereby amends Title 2, Chapter 14, of the Ontario Municipal Code.

NOW, THEREFORE, the City of Ontario ordains as follows:

Title 2 Chapter 14 of the Ontario Municipal Code shall be amended by removing the words lined through and adding the words that are underlined as follows:

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~~ the city's diversity. Consideration for broad representation reflective of the community shall be the primary factor in selection of the committee members. Recommendations from community ~~associations~~ organizations that represent diverse populations shall be an additional contributing factor for selection of committee members.

~~The committee shall be reflective of the City demographics including to the best degree possible age. Membership must represent more than two (2) different ethnicities, cultures, generations, genders, and/or socio-economic statuses. No one ethnicity, culture, or socio economic status shall be represented by more than fifty percent (50%) of the committee membership.~~

Ideally, the committee shall be reflective of the city's diversity with members who represent different races, ethnicities, cultures, disabilities, ages, genders, gender identities, sexual orientation, and/or socioeconomic classes.

2-14-1.1 Diversity Advisory Committee Mission Statement.

In Ontario, we operate as "One Team, One Community" and are committed to diversity, equity and inclusion as a core value of collaborating and fostering a community where we value, support, and develop people of all backgrounds and experiences.

2-14-2 Term(s) of office.

All seats shall be filled through an open application process with a preliminary review and recommendation by the current Diversity Advisory Committee members and final selection by the Mayor with consensus of the City Council. Upon establishment of the committee, members will serve staggered terms: Three (3) members will serve three (3) year terms, two (2) members will serve two (2) year terms, and one member will serve a single year term.

Following the first staggered term, each appointed member shall serve three (3) year terms running from January 1st to December 31st.

2-14-6 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 (3) 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 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~~.

The Diversity Advisory Committee can assist and participate in the hiring and promotional process for city staff and work collaboratively to create a diverse and inclusive community.

The Diversity Advisory Committee can be instrumental in distributing materials that promote diversity and inclusion in the community and help to bring about the changes necessary for the community, both internally and externally, to be an equitable, inclusive, welcoming, and enriching environment for all.

The Diversity Advisory Committee can review diversity and inclusion policies, advocate for opportunities (e.g. grants or projects), and assist the City Council, management, staff, and citizens of Ontario in their oversight of any issues related to diversity, equity, and inclusion.

The Committee can provide contacts from various social service agencies that the City may want to contact regarding issues, concerns, and problems which affect the city. This enhanced communication will assist in the development of a stronger community that is respectful of all people of Ontario.

2-14-9 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~~ their spouse, brother, sister, child, parent, father-in-law, mother-in-law, any business in which ~~he has~~ they have been serving or has served in the previous two (2) years or any business with which ~~he is~~ they are 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.

PASSED AND ADOPTED by the City Council of the City of Ontario this _____ day of September, 2023, by the following vote:

AYES:

NAYES:

ABSENT

APPROVED by the Mayor this ________ day of September, 2023.

____
Deborah K. Folden, Mayor

ATTEST:

____
Tori Barnett, MMC, City Recorder

AGENDA REPORT
OLD BUSINESS
September 12, 2023

TO: Mayor and City Council

FROM: Dan Cummings, City Manager

THROUGH: Danny K. Cummings, City Manager

SUBJECT: RESOLUTION #2023-115: PURCHASE MOORE PARK PROPERTY

DATE: September 1, 2023

PROPOSED MOTION:

I MOVE THE CITY COUNCIL APPROVE RESOLUTION #2023-115 A RESOLUTION APPROVING THE PURCHASE OF THE PROPERTY KNOWN AS MOORE PARK FOR THE AMOUNT OF $250,000.00 AND AUTHORIZE THE CITY MANAGER TO SIGN ALL DOCUMENTS REQUIRED TO COMPLETE THE PURCHASE.

SUMMARY:

The City has determined it is in the best interest of the citizens of Ontario for the City to purchase the property known as Moore Park before spending any further city funds towards developing and improving the park.

BACKGROUND:

Riley Hill owns a parcel of real property on a tax lot in downtown Ontario, identified as Tax Lot 5901 on Assessor Map No. 18S4703CC, located at 151 South Oregon Street at the SW corner of South Oregon Street and SW 1st Avenue. Tax lot 5901 consists of 21,375 square feet according to the Malheur County Assessor's Office.

The City of Ontario has leased the property from Mr. Hill for the past 15 years and has determined it would be in the best interest of the citizens to purchase the property before utilizing any further city funds on the property. Mr. Hill agreed to sell the property to the City for Two Hundred Fifty Thousand Dollars ($250,000.00).

The City had an appraisal performed on the property, and said appraisal fair market value was determined to be Two Hundred Seventy Thousand Dollars $270,000.00. Therefore, the City has determined that Mr. Hill's price of Two Hundred Fifty Thousand Dollars ($250,000.00) is a fair offer.

The Council authorized the City Manager to finalize the negotiations with the owner and to sign a real property sales agreement.

CURRENT SITUATION:

The sales agreement has been approved by both parties outlining the terms of the sales and Resolution #2023-115 is presented to the Council to proceed with the purchase of the property.

ANALYSIS:

A. **STRATEGIC PLAN** The purchase of this property is part of the City Council Strategic plan for Desirability and Lifestyle of the citizens of Ontario.

B. **FINANCIAL** The purchase of this property was budgeted for in the FY 2023-2024 Budget.

C. **TIMING** This purchase needs to be completed so that the city can move forward on the required work this fall to prepare the adjacent land for planting grass.

D. **POLICY/LEGAL** The City Council is the governing body authorized to make real property purchases.

ALTERNATIVES:

The Council could choose not to purchase the land and continue to lease the land as a city park.

The Council could choose not to purchase, nor continue to use the land as a city park.

RECOMMENDATION:

Staff recommends the City Council approve Resolution #2023-115 for the purchase of Moore Park.

ATTACHMENTS:

1. Reso #2023-115 Moore Park Purchase-Riley Hill
2. Ontario Riley Hill Property Sales Agreement_Executed_8 17 2023

RESOLUTION #2023-115

A RESOLUTION AUTHORIZING THE PURCHASE OF THE PROPERTY KNOWN AS MOORE PARK FROM OWNER RILEY J. HILL AND AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS RELATED TO THE PURCHASE

WHEREAS, Riley Hill owns a parcel of real property on a tax lot in downtown Ontario, identified as Tax Lot 5901 on Assessor Map No. 18S4703CC, located at 151 South Oregon Street at the SW corner of South Oregon Street and SW 1st Avenue. Tax lot 5901 consists of 21,375 square feet according to the Malheur County Assessor's Office, as described and shown on Attachment 1 attached herein and made a part hereof; and

WHEREAS, The City of Ontario has leased the property from Riley Hill for the past 15 years and has determined it would be in the best interest of the citizens to purchase the property before utilizing any further city funds on the property. Riley Hill has agreed to sell the property to the city for Two Hundred Fifty Thousand Dollars ($250,000.00); and

WHEREAS, The city had an appraisal performed on the property, and said appraisal determined fair market value to be Two Hundred Seventy Thousand Dollars $270,000.00. Therefore, the city has determined that Riely Hill's price of Two Hundred Fifty Thousand Dollars ($250,000.00) is a fair offer; and

WHEREAS, The Council authorized the City Manager to finalize the negotiations with the owner (Riley Hill) and to sign a real property sales agreement; and

WHEREAS, The seller (Riley Hill) desire to sell the property and the city desires to purchase the property subject to the terms and conditions of the Agreement as per Attachment 2, attached herein and made a part hereof; and

WHEREAS, The City Council has provided an opportunity for public comment at the regular meeting of the City Council on September 12, 2023.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Ontario City Council, to

SECTION 1 Terms. The City Council authorizes the purchase of the property owned by Riley J. Hill, known as Moore Park, as described, and shown on Attachment 1, in the amount of $250,000.00.

SECTION 2 Closing costs. Both Hill and City each agree to pay one-half of all closing costs associated with this transaction including the Title Report.

SECTION 3 Final Documents. The City Council authorizes City Manager Dan K. Cummings to sign all documents required to complete the purchase of the property known as Moore Park as described and shown on Attachment 1.

EFFECTIVE DATE: Effective immediately upon passage.

PASSED AND ADOPTED by the City Council of the City of Ontario this 12th day of September, 2023, by the following vote:

AYES:

NAYES:

ABSENT:

APPROVED by the Mayor this 12th day of September, 2023.

____
Deborah K. Folden, Mayor

ATTEST:

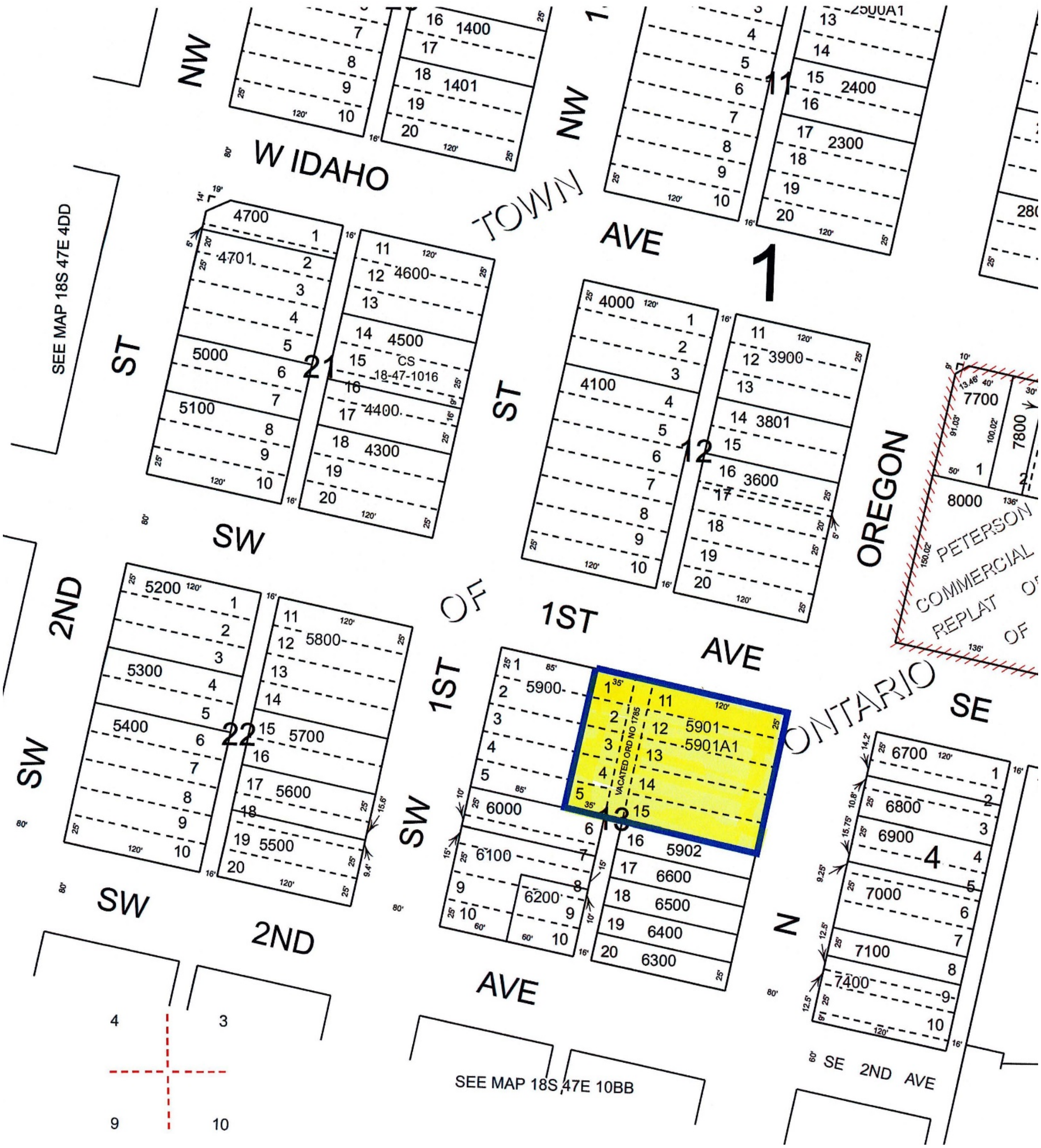
____
Tori Barnett, MMC, City Recorder

Attachment 1
Moore Park Property

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

Block 13: The East 35 feet of Lots 1 through 5 and all of Lots 11 through 15.

TOGETHER WITH all that portion of the vacated alley adjacent to said lots vacated under City Ordinance No. 1785.



REAL PROPERTY SALES
AGREEMENT

THIS AGREEMENT, entered into this 17 day of August, 2023, by and between the CITY OF ONTARIO, OREGON ("City") whose current address is 444 SW 4th Street, Ontario, Oregon, 97914, and RILEY J. HILL., an Individual ("Hill") whose current address is P.O. Box 428, Ontario, Oregon, 97914.

RECITALS:

A. Hill owns a parcel of real property on a tax lot in downtown Ontario, identified as Tax Lot 5901 on Assessor Map No. 18S4703CC, located at 151 South Oregon Street at the SW corner of South Oregon Street and SW 1st Avenue. Tax lot 5901 consists of 21,375 square feet according to the Malheur County Assessor's Office, as described and shown on Exhibit "A".

B. The City has leased the property from Hill for the past 15 years and has determined it would be in the best interest of the citizens to purchase the property before utilizing any further city funds on the property and Hill has agreed to sell the property to the City for Two Hundred Fifty Thousand Dollars ($250,000.00).

C. The City had an appraisal performed on the property which said appraisal fair market value was determined to be Two Hundred Seventy Thousand Dollars $270,000.00. Therefore, the City has determined that Hill's price of Two Hundred Fifty Thousand Dollars ($250,000.00) is a fair offer.

D. The seller desire to sell the property and the City desires to purchase the property subject to the terms and conditions of the Agreement.

AGREEMENT:

1. Truth of Recitals. The Recitals set forth above are true and are incorporated into the Agreement.

2. Sale. Hill agrees to sell the property as identified in Section A of this agreement for the price of Two hundred fifty thousand dollars ($250,000.00). At closing, Hill will execute a statutory warranty deed to the City, naming Hill as grantor and City as grantee, subject only to the following exceptions:

   a. Right, title and interest of the public in and to those portions of the Land lying within roads, streets, or highways.

3. Closing costs. Both Hill and City each agree to pay one-half of all closing costs associated with this transaction including the Title Report.

4. Purchase. The City agrees to purchase the property for the sum of Two Hundred Fifty Thousand Dollars ($250,000.00) pending the outcoming of public hearing required by law, subject only to the following exceptions:

a. Right, title, and interest of the public in and to those portions of the land lying within roads, streets, or highways.

5. Cash Payment by City at Closing. City acknowledges that the asking price is a real market value, and that the City will pay to Hill cash payment at closing. At closing, City will give Hill a payment of Two Hundred Fifty Thousand Dollars ($250,000.00). The City acknowledges that Hill is gifting the City the difference between the sales price and the appraised value.

6. Closing Date. Upon the completion of the public hearing required in Section 4, the parties will set a closing date to close for this transaction. Closure will occur within 30 days of the Council approval, based on the outcome of the hearing. If, based on the hearing, it is determined that it is not in the best interest of the citizens to purchase this property then the agreement is null and void and no monies are owed to Hill.

7. Following the public hearing, City will order a Title Report for the property through AmeriTitle in Ontario, and the cost of the report shall be added to closing costs. If the report shows any encumbrances on the property other than what is listed in this agreement, Hill shall clear these encumbrances before closing on the property takes place.

8. Closing. This transaction shall be closed through AmeriTitle in Ontario, Oregon, as the closing agent. At closing, Hill shall deliver to AmeriTitle the deed described in Section 2. Both the City and Hill shall be responsible for each one-half of the closing costs.

9. Environmental Claims Barred. Each party has had an opportunity to inspect the parcels of real property subject to this Agreement regarding environmental concerns, and this Agreement has been negotiated to eliminate all claims relating to environmental matters. Consequently, this clause bars all claims brought by the parties or their assigns concerning the condition of the either parcel pursuant to the Federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended, the Federal Resource Conservation and Recovery Act (RCRA), as amended, and any applicable, similar federal, and state legislation. Notwithstanding the parties' intent that this clause bar all such claims, should a court of competent jurisdiction deem otherwise, the presence of this clause shall serve as the overwhelming, primary factor in any equitable apportionment of liability or damages under CERCLA, RCRA, and other such Acts.

10. Attorneys. This Property Exchange Agreement has been prepared by Dan Cummings, City Manager on behalf of the City of Ontario. Hill has been advised and encouraged to have this Agreement reviewed by an attorney of his own choosing.

11. Attorney Fees. In the event the City or Hill shall take any action, judicial or otherwise, to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to recover from the other party all expenses which it may reasonably incur in taking such action, including but not limited to, costs incurred in searching records, the cost of title reports, surveyor's reports and reports, and attorney fees, whether incurred in a suit or action or appeal from a judgment or decree therein or in connection with nonjudicial action.

12. Complete Agreement. This document is the entire, final, and complete agreement of the parties pertaining to the exchange of real property between the parties.

Dated on the day and year first above written.

CITY OF ONTARIO

By: Dan Cummings

Dan K. Cummings, City Manager

Attest: Tori Barnett

Tori Barnett, MMC, City Recorder

RILEY J. HILL. Individual,

Riley Hill

Riley J. Hill

STATE OF OREGON)
) ss.
County of Malheur)

The foregoing instrument was acknowledged before me this 17 day of August, 2023, by Riley J. Hill an Individual.

OFFICIAL STAMP
MARGIE JESSICA BOWE
NOTARY PUBLIC - OREGON
COMMISSION NO. 1025018
MY COMMISSION EXPIRES JUNE 06, 2026

Margie Jessica Bowe

Notary Public for the State of Oregon

My Commission expires: 6.6.2026

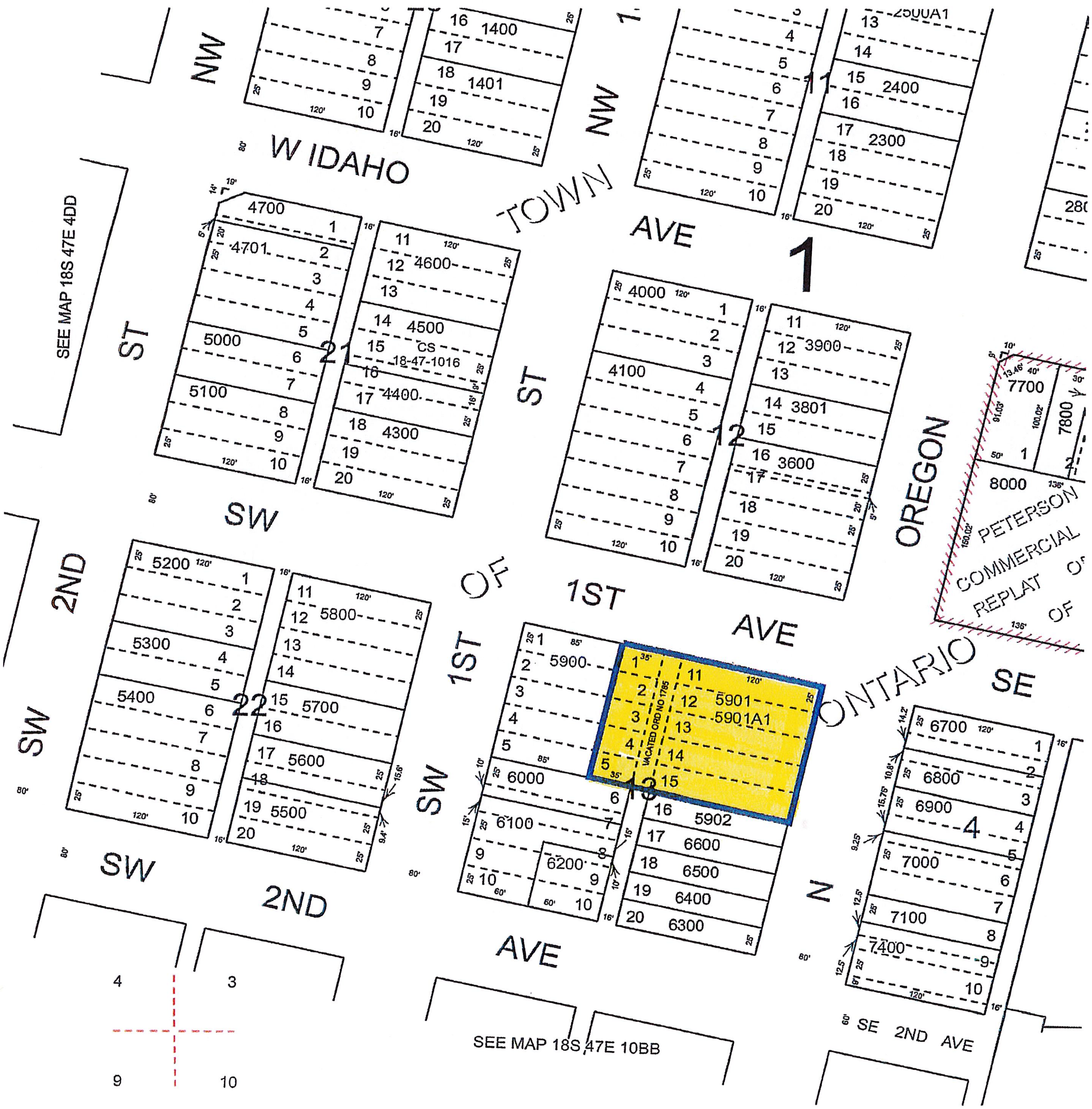
Exhibit "A"

Sales Agreement

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

Block 13: The East 35 feet of Lots 1 through 5 and all of Lots 11 through 15.

TOGETHER WITH all that portion of the vacated alley adjacent to said lots vacated under City Ordinance No. 1785.



AGENDA REPORT
NEW BUSINESS
September 12, 2023

TO: Mayor and City Council

FROM: Mark Fulwiler District Manager OSS

THROUGH: Danny K. Cummings, City Manager

SUBJECT: ONTARIO SANITARY SERVICE: REQUEST FOR RATE ADJUSTMENT

DATE: August 23, 2023

PROPOSED MOTION:

I MOVE THE CITY COUNCIL TO APPROVE THE REQUEST OF ONTARIO SANITARY SERVICE UNDER SECTION 16.2 OF THE CURRENT CONTRACT FOR A RATE ADJUSTMENT OF 8%, WHICH ADJUSTMENT EQUATES TO AN ADDITIONAL $1.77 PER MONTH FOR THE MOST FREQUENTLY UTILIZED SERVICE LEVEL, EFFECTIVE OCTOBER 1, 2023.

SUMMARY:

Waste Connections of Oregon, Inc., dba (doing business as) Ontario Sanitary Service has not asked for a rate increase for three years and is requesting a CPI rate adjustment of 8% effective October 1, 2023.

BACKGROUND:

On June 7, 1993, the City of Ontario granted an exclusive solid waste franchise agreement under Ordinance #2328 (attachment #2 Section 16 only).

On January 18, 2000, the Council approved Ordinance #2435 amending Section 16.3 of Ordinance #2328 requiring a 60-day notice for any rate changes.

On June 16, 2022, the Council approved Ordinance #2810-2022. The city approved Ontario Sanitary Service assignment of ownership to Waste Connections of Oregon, Inc.

CURRENT SITUATION:

On August 22, 2023, the city received a letter (attachment #1) from Ontario Sanitary Service requesting to be placed on the City Council's agenda for September 12th, to request an 8% price increase for both commercial and residential services, effective October 1, 2023. The proposed adjustment is based on Section 16.2 of the current contract, which clarifies an annual "mandatory rate increase based on the CPI formula" and the "discretionary rate change" section. Ontario Sanitary has not requested an increase in over three years and will provide other operational costs during the council meeting to justify the request. This adjustment equates to an additional $1.77/month for the most frequently utilized service level.

Analysis:

A. **STRATEGIC PLAN** None.

B. **FINANCIAL** This will increase the user rate by $1.77 per month.

C. **TIMING** The request is being asked to go into effect on October 1, 2023.

D. **POLICY/LEGAL** This action is allowed under current franchise agreement Section 16.2 of Ordinance #2328-1993.

Alternatives:

The Council could negotiate a different rate adjustment.

Recommendation:

Staff makes no recommendation on this proposed action.

Attachments:

1. 2023 Ontario City Council Request Letter_
2. Section 16 from 2328 Franchise Agmt OSS
3. 2435 Franchise Agmt w Ontario Sanitary Service OMC 16-3
4. 2810-2022 Garbage Franchise Agreement (Txf Owner) 06-16-2022

Waste Connections Inc.
Connect with the Future

Ontario
Sanitary Service, Inc.

August 22, 2023

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

RE: Request for Solid Waste Rate Adjustment CPI (8%) from Ontario Sanitary Service

Dear Mayor Folden and City Council:

We would like to be placed on the City Council's agenda September 12th, to request an 8% price increase for both Commercial and Residential service, effective October 1, 2023. The proposed adjustment is based on Section 16.2 of current contract which clarifies an annual "mandatory rate increase based on CPI formula" and the "discretionary rate change" section. Ontario sanitary has not asked for an increase in over 3 years and will provide other operational cost during council meeting to justify the request. **This adjustment equates to an additional $1.77/month for our most frequently utilized service level.**

Over the course of providing many years of service to the citizens of the City of Ontario, we have actively sought out new cost-effective ways to provide a high level of service to our customers. We have invested over $1.2M in our operations over the last year to assure that level of service to the City of Ontario. Ontario Sanitary and our employees are committed to "Doing Good in our Communities".

We look forward to meeting with the Council to answer any questions you may have. Thank you in advance for your time and please let us know if you need any additional information.

Respectfully Submitted,

Mark Fulwiler

District Manager
Ontario Sanitary Service

provision, it may take action to alleviate such conditions within a time specified in the notice to the franchisee and without a public hearing prior to the taking of such action.

SECTION 13. Preventing Interruption of Service: The franchisee agrees as a condition of this franchise that whenever the Council determines that the failure of service or threatened failure of service would result in creation of an immediate and serious health hazard or serious public nuisance, the Council may, after a minimum of twenty-four hours actual notice to the franchisee and a public hearing if the franchisee requests it, authorize another person to temporarily provide this service or to use and operate the land, facilities or equipment of the franchisee to provide emergency service. The Council shall return any seized property and business upon abatement of the actual or threatened interruption of service, and upon payment to the City for any net costs incurred in the operation of the service.

SECTION 14. Termination of Service: The franchisee shall not terminate service to all, or a portion, of its customers, unless:

1. The street or road access is blocked and there is no alternative route, provided that the franchisee shall restore service not later than twenty-four hours after street or road access is reopened; City is not and shall not be liable in any regard for any such blocking of access.

2. As determined by the franchisee, excessive weather conditions render providing service unduly hazardous to persons providing service or to the public, or such termination is caused by accidents or casualties caused by the act of God, a public enemy or a vandal.

3. A customer has not paid for service provided after a regular billing and after a thirty day written notice to pay. Franchisee may not terminate service to all customers unless ninety days written notice is given to the Council and to effected customers and written approval is obtained from the Council.

4. The customer does not comply with the service standards of Section 17 (Public Responsibility).

SECTION 15. Subcontracts: Franchisee may subcontract with others to provide a portion of the service when franchisee does not have the necessary equipment or service. Such a subcontract shall not relieve franchisee of total responsibility for providing and maintaining service and from complying with this ordinance.

SECTION 16. Rate Determination:

1. Rates per service shall be those contained in the document

marked "Exhibit A", attached hereto and incorporated by this reference.

2. After the dates provided in Exhibit A, changes in garbage disposal rates shall occur as follows:

MANDATORY RATE CHANGES

a. An annual automatic rate adjustment shall be made each year on the 1st day of September, beginning with the 1st day of September, 1993. This adjustment shall be made utilizing the following formula:

FORMULA FOR ADJUSTMENT

b. The Annual Percentage Change in CPI and the Annual Percentage Change in PCPI shall be converted into decimal form. Then the Annual Percentage Change in CPI shall then be added to the Annual Percentage Change in PCPI. The resulting sum shall be divided by two (2) to obtain the adjustment percentage. The adjustment percentage, which shall not exceed 1.07, shall then be multiplied by each of the then current garbage disposal rates to obtain the new adjusted garbage disposal rates for that year.

The terms in the above formula are defined as follows:

(1) **Consumer Price Index** (hereinafter the CPI) shall refer to the Consumer Price Index published by the United States Bureau of Labor Statistics, U.S. Department of Labor, utilizing the Index entitled All-Items and Major Group Figures for All Urban Consumers in the Western 16 States Area (1967 = 100).

(2) **Per Capita Personal Income** for Malheur County (hereinafter the PCPI) shall refer to the Per Capita Personal Income Figures for Malheur County, Oregon as published by the State of Oregon Department of Human Resources Employment Division.

(3) **Base CPI** shall, in 1993, refer to the published CPI figures effective for the date of enactment of this ordinance, more specifically, the CPI figure published in 1992 for the calendar year 1991, which is 221.9. In any year after 1993, the Base CPI shall refer to the published CPI figure effective for the calendar year immediately prior to the calendar year for which the adjustment is being made. By way of example: in the calendar year 1994, the Base CPI shall refer to the CPI figure published in 1993 for the calendar year 1992.

(4) **Current CPI** shall, in 1993, refer to the CPI figure published in 1993 for the calendar year 1992. In any year after 1993, the Current CPI shall refer to the published CPI figure effective for the calendar year for which the adjustment is being made. By way of example: in the calendar year 1994, the Current CPI shall refer to the CPI figure published in 1994 for the calendar year 1993.

(5) **Base PCPI** shall, in 1993, refer to the published PCPI figure effective for the date of enactment of this ordinance, more specifically, the PCPI figure revised in May, 1991 for calendar year 1989, which is $12,969. In any year after 1993, the Base PCPI shall refer to the published PCPI figure effective for the calendar year immediately prior to the calendar year for which the adjustment is being made. By way of example: in the calendar year 1994, the Base PCPI shall refer to the PCPI figure revised in May, 1992 for the calendar year 1990.

(6) **Current PCPI** shall, in 1993, refer to the PCPI figure revised in May 1992 for the calendar year 1990. In any year after 1993, the Current PCPI shall refer to the published PCPI figure effective for the calendar year for which the adjustment is being made. By way of example: in the calendar year 1994, the Current PCPI refer to the PCPI figure revised in May, 1993 for the calendar year 1991.

(7) **Annual Percentage Change in CPI** is a fraction in which Base CPI is the denominator and Current CPI is the numerator.

(8) **Annual Percentage Change in PCPI** is a fraction in which Base PCPI is the denominator and Current PCPI is the numerator.

If the CPI is discontinued, comparable statistics on the purchasing power of the consumer dollar published by the Bureau of Labor Statistics of the United States Department of Labor shall be used for making the mandatory garbage disposal rate adjustment. If the Bureau of Labor Statistics shall no longer maintain statistics on the purchasing power of the consumer dollar, comparable statistics published by a responsible financial periodical or recognized authority selected by the City of Ontario shall be used for making the mandatory garbage disposal rate adjustment.

If the PCPI is discontinued, comparable statistics on the per capita personal income for Malheur County published by the State of Oregon Department of Human Resources shall be used for making the mandatory garbage disposal rate adjustment. If the State of Oregon Department of Human Resources shall no longer maintain statistics on the per capita personal income for Malheur county, the mandatory garbage disposal rate adjustment shall be based solely on the percentage change in the CPI or other comparable statistics as they shall be substituted for the CPI under the provisions of the paragraph immediately preceding this paragraph.

DISCRETIONARY RATE CHANGES

c. In addition to mandatory rate changes, the Council may by resolution amend the rates in Exhibit A, as they now exist or are in the future amended by either method provided for in this Section 16.2. In determining discretionary rate adjustments, the Council may give, but shall not be required to give, consideration to: current and projected revenue and expenses, both direct and indirect; actual and overhead expenses; the cost of acquiring, maintaining, and replacing equipment; the services of owner and management; the cost of providing for future, added or different service; the cost of compliance with federal, state, and local laws, ordinances, and regulations; a reasonable return to franchisee for doing business, including the consideration of long term contingent liability related to hazardous wastes which have been previously or will be intentionally or inadvertently transported and deposited at a sanitary land fill; research and development; the public interest in providing efficient and beneficial service to all users at a reasonable rate; the local wage scale, costs of management, facilities, and dumping fees at the disposal site; the costs of providing recycling service and any proceeds provided from that service; and such other factors as the Council deems relevant.

Prior to the Council's consideration of any rate increase due to increases in the cost of disposal, franchisee shall submit a comparison of alternative methods and sites of disposal. Such comparison shall consider factors including but not limited to relative costs, environmental impact and compliance with federal, state and local statutes, rules, regulations, ordinances and provisions relevant thereto.

3. The franchisee shall provide sixty days written notice of rate change with accompanying justification of proposed rate changes. Unless a governmental unit has raised the cost of providing service or there has been a substantial increase in costs not covered in the preceding adjustment, rate

adjustments shall be made annually on the following schedule:

a. Applications shall be filed by franchisee prior to May 1.

b. Unless there is good cause shown and recorded in the minutes of the Council, the Council shall act upon any rate adjustment by June 30, and the adjustment shall take effect on July 1.

c. An emergency or interim rate for a new or altered service may be adopted by written order of the City Manager valid for a stated period not to exceed six months on the emergency or interim basis.

4. Rates charged shall be those set as provided herein. Non scheduled services may be provided at the reasonable costs of providing the service giving consideration to the standards in (2) of this Section.

5. Franchisee may require payment for residential service and multi-family residential service for up to three months in advance. Franchisee may bill up to three months in advance, arrearages, or any combination. Where billed in advance, franchisee will refund a prorata portion of the payment for any complete month in which service is not to be provided. Franchisee may charge at the time service is provided to drop-box or roll-off box service where the customer has not previously established credit with the franchisee.

6. If approved in the rate schedule, franchisee may charge a starting charge for a new service and a restart charge to any customer who has been previously terminated for failure of service.

7. Franchisee and City shall endeavor to assure that rates are uniform or uniform within zones or uniform within classes of services. In the event that residential recycling becomes mandatory in the state of Oregon thereby compelling franchisee to provide service for recycling purposes to all residences within the city when not all residences are not otherwise paying customers, a per residence charge for such service, reasonable in amount and approved by the Council, shall be imposed upon all residences so as to ensure that customers receiving services for solid waste disposal will not be adsorbing the expenses of mandatory recycling in their rates paid for solid waste disposal. Should this provision be found to be considered a tax upon property subject to ballot Measure 5 and the resulting legislation, this subsection shall be considered null and void.

SECTION 17. Public Responsibility: In addition to compliance with

AFTER RECORDING, RETURN TO:
CITY RECORDER
CITY OF ONTARIO
444 SW 4TH STREET
ONTARIO OR 97914

INSTRUMENT NO. 2000 -381
Page 1 of 3 Pages

ORDINANCE NO. 2435

AN ORDINANCE AMENDING ORDINANCE NO. 2328, SECTION 16, PARAGRAPH 3 TO PERMIT DISCRETIONARY GARBAGE SERVICE RATE CHANGE UPON COUNCIL APPROVAL AND 60 DAY NOTICE TO CUSTOMERS

WHEREAS, The City of Ontario adopted Ordinance No. 2328 in 1993, establishing the Solid Waste Collection and Disposal Franchise Agreement;

WHEREAS, Ontario Sanitary Service, Inc., the current solid waste collection and disposal franchisee has requested a discretionary rate increase due to the need to purchase a new solid waste collection truck and the need to convert all residential customers to the roll cart collection service;

WHEREAS, Due to the timing of the purchase of the new truck, the Franchisee has requested that the new rate be effective upon receipt of the new truck;

WHEREAS, Ordinance No. 2328 currently provides for a discretionary rate change to be effective on the July 1 following the request and approval of a discretionary rate increase; and

WHEREAS, The Ontario City Council has found that 60 day prior notice is sufficient notice to the solid waste collection and disposal customers.

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. Section 16, Paragraph 3, of Ordinance No. 2328 shall be amended to read as follows:

   3. The franchisee shall provide sixty days written notice of rate change with accompanying justification of proposed rate changes. **Unless the City Council, in the resolution granting a discretionary rate change, specifies a different effective date**, ~~a governmental unit has raised the cost of providing service or there has been a substantial increase in costs not covered in the preceding adjustment~~, **all discretionary** rate adjustments shall be made annually **as follows:** ~~on the following schedule~~

      a. Applications shall be filed by franchisee prior to May 1.

      b. Unless there is good cause shown and recorded in the minutes of the Council, the Council shall act upon any rate adjustment by June 30, and the adjustment shall take effect on July 1.

c. An emergency or interim rate for a new or altered service may be adopted by written order of the City Manager valid for a stated period not to exceed six months on the emergency or interim basis.

2. Section 17, Paragraph 1, of Ordinance No. 2328 shall be amended to read as follows:

SECTION 17. Public Responsibility: In addition to compliance with Chapter 459 of the Oregon Revised Statutes and Regulations promulgated pursuant thereto and to compliance with the City Code:

1. To prevent recurring back and other injuries to collectors and other persons and to comply with safety instructions to collectors from SAIF Corporation, **no residential user shall use a container other than one provided by Franchisee, which container shall be capable of being automatically picked up by Franchisee's trucks. Additionally,** ~~:~~

~~a. Excepting containers provided by franchisee, no garbage cans shall exceed thirty-five gallons in size. No garbage cans shall exceed sixty pounds gross loaded weight. Garbage cans shall be tapered with a smaller bottom than top opening. Garbage cans shall have hand holds or spaces.~~

~~b. Sunken refuse cans or containers shall not be used.~~

~~c.~~ **a**. To protect against injuries to users or collectors, to protect against damage and spilling during cold weather, and to protect against rodent hazards, all garbage cans shall be ridged and rodent and fire proof.

~~d.~~ **b**. The customer shall provide safe access to the pick-up point so as not to jeopardize the safety of the driver or a collection vehicle or the motoring public or to create a hazard or risk to the person providing the service. Where the Council finds that a private bridge, culvert, or road is incapable of safely carrying the weight of the collection vehicle, the collector may elect not to enter onto such a structure or road and the franchisee may elect to not provide service to said customer until said customer shall provide a safe alternate access point or system.

PASSED AND ADOPTED by the Common Council of the City of Ontario this 18th day of January, ~~1999~~ 2000, by the following vote:

AYES: Gaskill, Mollahan, Cammack, Lawson, Jacobs
NAYS: None
ABSENT: Simko

APPROVED by the Mayor this 18th day of January, ~~1999~~ 2000

ATTEST:

LeRoy Cammack
LeRoy Cammack, Mayor

Tori Barnett
Tori Barnett, City Recorder

Inst. No. 2000-381

STATE OF OREGON) SS
County of Malheur)

I certify that the within instrument of writing was received for record on the 20 day of Jan, 20 00 at 10:10 O'clock A. M.
DEBORAH R. DeLONG
County Clerk
By: Gayle V. Trotter Deputy

After Recording return to:
Tori Barnett, City Recorder
444 SW 4th Street
Ontario, OR 97914

FILED
11:00 A M

JUN 21 2022

GAYLE V. TROTTER, County Clerk
By Gayle V. Trotter ~~Deputy~~

ORDINANCE NO. 2810-2022

AN ORDINANCE OF CITY OF ONTARIO AMENDING ORDINANCE NO. 2328, AS AMENDED BY ORDINANCE NO. 2435, WHICH ORDINANCE GRANTED ONTARIO SANITARY SERVICE, INC. AN EXCLUSIVE FRANCHISE AND RIGHT TO PROVIDE SOLID WASTE MANAGEMENT SERVICES IN CITY OF ONTARIO, AND CONSENTING TO ONTARIO SANITARY SERVICE, INC.'S ASSIGNMENT, AND WASTE CONNECTIONS OF OREGON, INC.'S ASSUMPTION, OF ALL ONTARIO SANITARY SERVICE, INC.'S RIGHTS, INTERESTS, AND OBLIGATIONS ARISING OUT OF OR UNDER ORDINANCE NO. 2328, AS AMENDED

WHEREAS, Ontario Sanitary Service, Inc. ("OSS"), an Oregon corporation, provides certain solid waste management services in City of Ontario ("City") in accordance with the franchise terms and conditions contained in City Ordinance No. 2328; and

WHEREAS, Ordinance No. 2328 was amended by City Ordinance No. 2435 to permit discretionary garbage service rate changes; and

WHEREAS, Waste Connections of Oregon, Inc.("WCO"), an Oregon corporation, has entered into a letter of intent dated February 24, 2022, with OSS (the "Purchase Agreement"), pursuant to which WCO will acquire substantially all OSS's operational assets (the "Transaction"); and

WHEREAS, in connection with the Transaction, WCO desires to acquire all OSS's rights, interests, and obligations arising out of and/or under the Franchise Agreement (as defined below); and

WHEREAS, by letter dated May 5, 2022, OSS requested that City consent to OSS's transfer and assignment of the Franchise Agreement to WCO; and

WHEREAS, subject to the terms and conditions contained in this Ordinance No. 2810-2022 (this "Ordinance"), the Ontario City Council (the "Council") desires to (a) amend the Franchise Agreement to modify the insurance and indemnification provisions contained in the Franchise Agreement, and (b) consent to OSS's assignment of the Franchise Agreement (and franchise granted thereunder) to WCO. For purposes of this Ordinance, the term "Franchise Agreement" means, individually and collectively, Ordinance No. 2328 and Ordinance No. 2435.

NOW, THEREFORE, THE CITY OF ONTARIO ORDAINS AS FOLLOWS:

1. Findings; Definitions. The above-stated findings are hereby adopted. Except as otherwise modified under this Ordinance, all capitalized terms used in this Ordinance and not otherwise defined herein have the meanings assigned to them in the Franchise Agreement.

2. Amendments.

2.1 Section 7 of Ordinance No. 2328 is amended to include the following two sentences at the end of Section 7:

"Commencing on or about January 3, 2023, and continuing on or about the same day of each year thereafter during the term of this franchise, City and franchisee will review this franchise to determine whether any increases to the franchise fee are necessary or appropriate. Any increases to the franchise fee require the parties' mutual written agreement."

2.2 Section 8.1.a of Ordinance No. 2328 is amended and restated in its entirety to read as follows:

"a. Obtain and maintain, at the franchisee's cost and expense, in full force and effect during the term of this ordinance (and for a period of two years immediately thereafter) the following insurance coverage and their respective minimum limits: (a) workers' compensation insurance within statutory limits; (b) employer's liability insurance with limits of no less than $1,000,000 per occurrence, $2,000,000 in the aggregate; (c) comprehensive general liability insurance with limits of no less than $3,000,000 for bodily injury or death to each person, $3,000,000 for property damage resulting from any one accident, and $3,000,000 for all other types of liability; and (d) automobile liability insurance for all owned, non-owned, and hired vehicles that are or may be used by the franchisee and its employees with limits of $1,000,000 for each person, $3,000,000 for each accident. Each liability insurance policy the franchisee is required to obtain and maintain under this section will name City and its officers, employees, and agents as additional insureds. No cancellation, expiration, modification, and/or reduction in amount or scope of insurance coverage is permitted without providing City thirty (30) days' prior written notice. All insurance the franchisee is required to obtain and maintain under this section will be issued only by insurance companies licensed in Oregon. Prior to City's execution and acceptance of this ordinance, and at any other time thereafter within ten (10) days after City's written request, the franchisee will provide City with certificates of insurance and endorsements evidencing the franchisee's compliance with this section. Notwithstanding anything contained in this ordinance to the contrary, City may increase the minimum levels of insurance the franchisee is required to carry under this ordinance as City determines necessary or appropriate by providing the franchisee one hundred eighty (180) days' prior written notice."

2.3 Section 8.1.m of Ordinance No. 2328 is amended and restated in its entirety to read as follows:

"m. Defend, indemnify, and hold City, and each City employee, officer, agent, contractor, and representative, harmless for, from, and against all claims, actions, proceedings, damages, liabilities, losses, and expenses of every kind, including, without limitation, attorney fees and costs, resulting from or arising out of the following: (a) the negligent acts and/or omissions or willful misconduct of franchisee and/or its Agents (as defined below), whether such acts or omissions are authorized, allowed, and/or prohibited by this ordinance; (b) franchisee's and/or its Agents' failure to obtain and/or comply with any necessary permits, licenses, and/or laws; (c) damage, injury, and/or death to person or property caused by franchisee and/or its Agents; and/or (d) franchisee's breach and/or failure to perform any franchisee representation, warranty, covenant, and/or obligation under this ordinance. Franchisee's indemnification obligations provided under this section will survive the termination of this Ordinance. For purposes of this Section 8.1.m, the term "Agent(s)" means franchisee's affiliates, officers, directors, shareholders, members, managers, employees, agents, contractors, and/or subcontractors."

3. Consent to Assignment.

3.1 Subject to the terms and conditions contained in this Section 3, City consents to OSS's transfer and assignment of the Franchise Agreement (including OSS's franchise rights and interests arising thereunder) to WCO and WCO's assumption of all OSS's rights, interests, and obligations arising out of and/or under the Franchise Agreement. City's consent will not be a waiver of City's right to withhold consent of a subsequent proposed assignment of the Franchise Agreement. City's consent to the assignment will not (a) modify any Franchise Agreement terms and/or conditions, except as expressly provided otherwise in this Ordinance, (b) constitute an actual or implied waiver or release of any condition or obligation contained in the Franchise Agreement, and/or (c) impair and/or adversely affect City's rights and/or remedies under the Franchise Agreement.

3.2 Notwithstanding anything contained in this Ordinance to the contrary, City's consent to the assignment identified under Section 3.1 is subject to the following terms and conditions: (a) WCO unconditionally assumes and will timely and faithfully pay and perform all OSS's obligations and/or liabilities arising out of and/or under the Franchise Agreement, whether arising on, before, and/or after the effective date of this Ordinance; and (b) the assignment does not operate to release OSS from any obligations and/or liabilities arising out of or under the Franchise Agreement (OSS remains liable under the Franchise Agreement).

4. Acceptance of Franchise; Reimbursement. Within thirty (30) days after City's passage of this Ordinance, (a) OSS and WCO will sign and file with City the written acceptance provided on the attached Exhibit A (the "Acceptance"), (b) WCO will provide City with certificates of insurance and endorsements evidencing the insurance coverages (and endorsements) required under the Franchise Agreement, and (c) WCO will pay City $1,000.00 for costs and expenses City incurred in connection with the amendments and consent to assignment provided under this Ordinance (the "Reimbursement"). If OSS and/or WCO fail to timely file the Acceptance with City, WCO fails to timely provide the required certificates of insurance and endorsements, and/or WCO fails to timely pay the Reimbursement to City in full, this Ordinance (and the consent provided hereunder) will be null and void and will be repealed by City in all respects.

5. Full Force and Effect. This Ordinance is hereby made part of the Franchise Agreement. The provisions of the Franchise Agreement that are not amended or modified by this Ordinance remain unchanged and in full force and effect. WCO affirms all WCO obligations (as franchisee) arising out of or under the Franchise Agreement.

6. Interpretation; Severability; Errors. All pronouns contained in this Ordinance and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. All prior and contemporaneous agreements, discussions, understandings, and negotiations, whether written or

oral, express or implied, are merged herein, and to the extent inconsistent herewith, are of no further force and effect. The provisions of this Ordinance are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

7. Effective Date. The Council finds that passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of City's citizens. Therefore, an emergency is hereby declared to exist. Subject to the terms and conditions contained in this Ordinance, including Section 4 concerning acceptance and reimbursement, this Ordinance will be deemed in full force and effect on the closing date of the Transaction (the "Closing "Date") (provided, however, this Ordinance will be deemed null and void and of no further force and effect if the Closing Date does not occur on or before July 30, 2022). OSS and WCO will provide City written notice of the Closing Date contemporaneously with the closing of the Transaction.

APPROVED AND ADOPTED by the City Council of the City of Ontario and signed by the mayor this 16th day of June, 2022.

AYES: KIRBY, HILL, MELENDREZ, BRADEN

NAYS: NONE

ABSTENTIONS: NONE

ABSENT: MILLS, HART, BAKER

Riley Hill

By: Riley J. Hill, Mayor

ATTEST:

Tori Barnett

Tori Barnett, MMC, City Recorder

Exhibit A

Acceptance

The forgoing Ordinance No. 2810-2022 adopted by the City of Ontario on June 14, 2022, consisting of 5 pages (including this exhibit), is acknowledged, approved, accepted, and agreed upon by Ontario Sanitary Services, Inc. and Waste Connections of Oregon, Inc. in all respects.

OSS:
Ontario Sanitary Service, Inc.,
an Oregon corporation

Ontario Sanitary Service Inc.

By: ______________________

Its: PRESIDENT

Dated: 6-9, 2022

WCO:
Waste Connections of Oregon, Inc.,
an Oregon corporation

____

By: CHRIS WELKER

Its: DISTRICT MANAGER

Dated: 6/13, 2022

ONTARIO
OREGON

Presentation by Dan Cummings
Tuesday, September 26, 2023

CITY OF ONTARIO COMMUNITY DEVELOPMENT

Fiscal Year 2022-23
Fourth Quarter

Building Department Statistics

Mechanical and Structural Permit Amounts and Fees

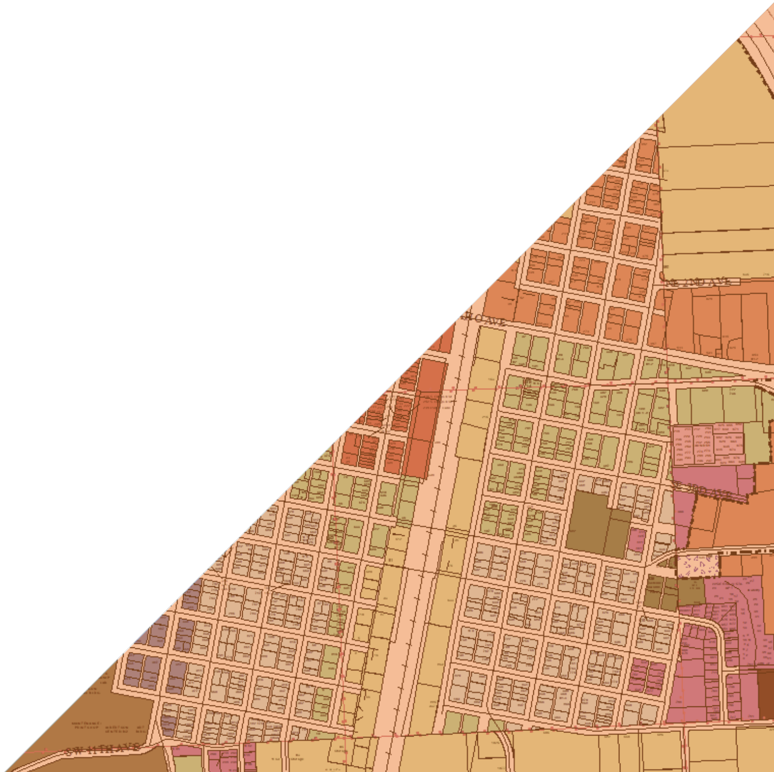
Apr – Jun 2023

Mechanical Permits and Fees Issued

- Mechanical Permits Issued **50**
- Mechanical Valuation Totals **$ 789,826**
- Total Mechanical Fees **$ 7,887**

Structural Permits and Fees Issued

- Structural Permits Issued **26**
- Structural Valuation Totals **$ 3,885,110**
- Total Structural Fees **$ 44,218**



Building Department Statistics

Mechanical and Structural Permit Amounts and Fees

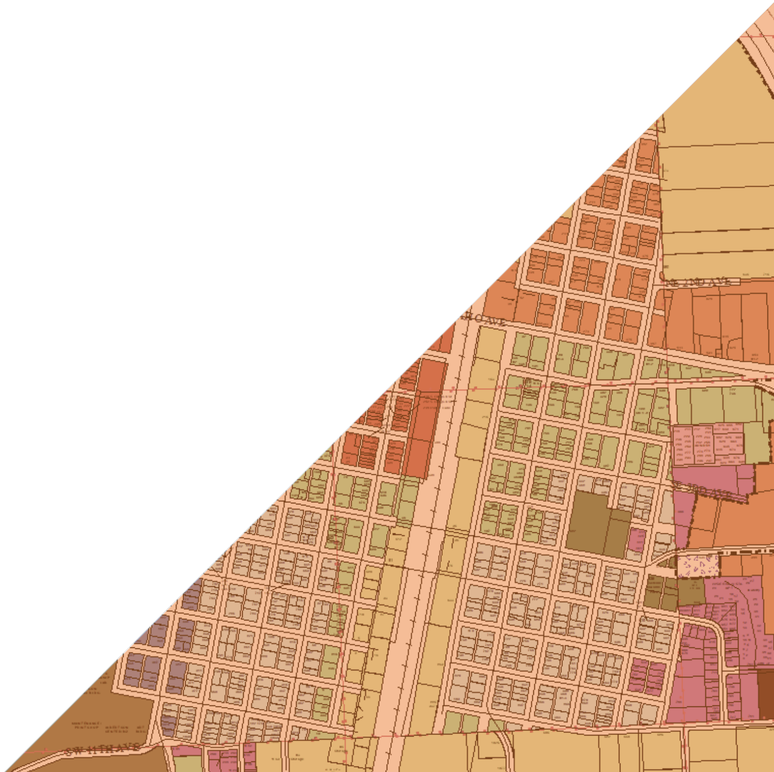
Issued in 2nd Quarter FY 22-23

Apr – Jun 2023

- Total Permits Issued **76**
- Valuation Totals **$ 4,674,936**
- Total Permit Fees **$ 52,105**

New Permits:

- Tenant Improvement for Chipotle at 1657 E Idaho Avenue
- Remodel at Ontario High School at 1115 W Idaho Avenue
- Remodel of Adrian Manor (was Mills Manor) for Transitional Housing at 949 N Oregon



Planning and Zoning Department

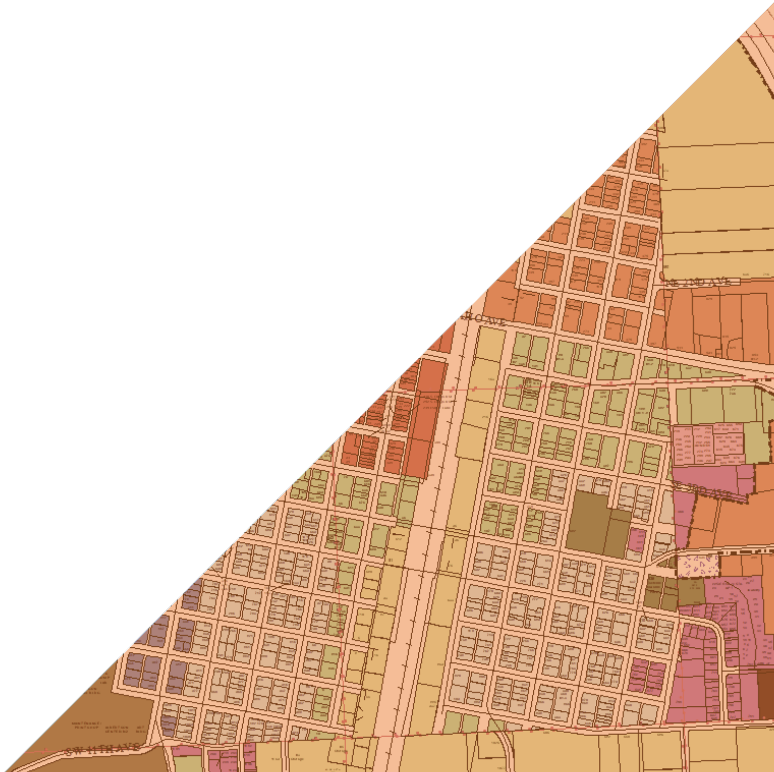
Apr, May, June 2023

- Easement **1**
- Annexation 1
- Temporary Use Permits 2
- Site Development Applications 2
- Partition 1

Total Land Use Applications 7

Total Fees for the Quarter

$ 35,334



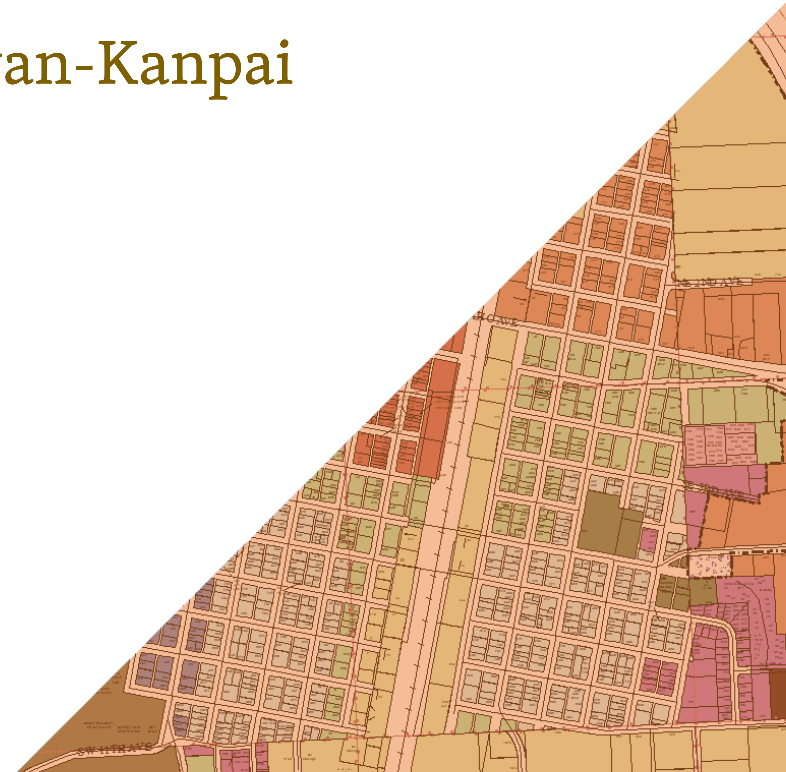
Phase II Façade Grant Program

- Applications for locations along SW 4th Ave & E Idaho
- 2022 ended with a total of two applicants for the Phase II Grant
- $23,255 worth of project costs for businesses
- Remaining funds for 2023 are $16,300
- $10,000 of matching grant money awarded
- Phase II has had a total of 7 approved grants for a total award of $33,700
  Total Improvements $106,667

Participating Businesses

Speech Tree

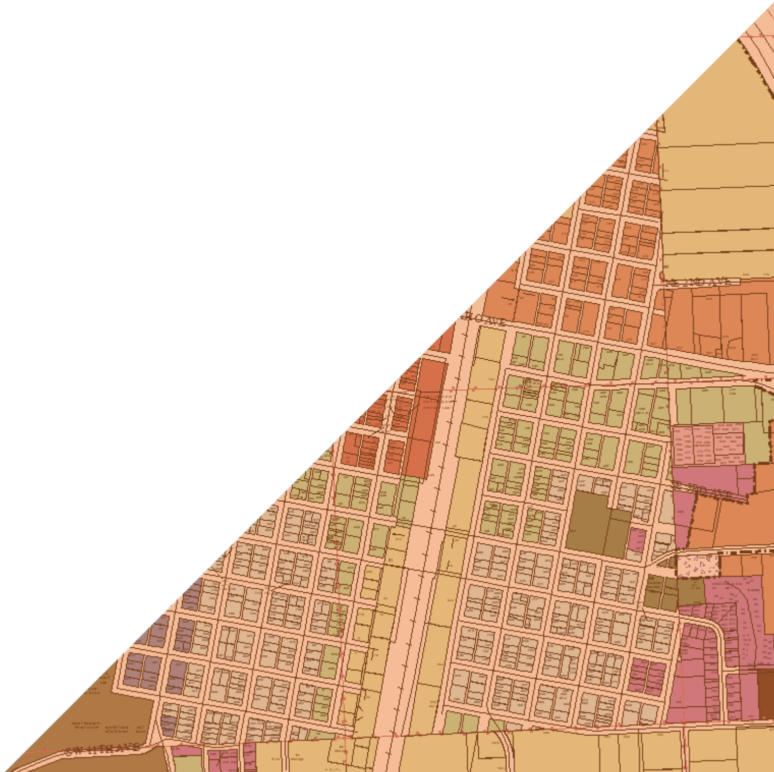
Sullivan-Kanpai



Ontario Economic Activity

Apr, May, June 2023

- Mayberry Subdivision-completed & 10 applications have been submitted
- Project Build Ontario-Housing Incentive is at #53, 2 new 2023
- Project West Park-construction to start soon
- Brownfields Grant Program
- Project Veteran Village
- Staff is working on several requests for information



Ontario Economic Activity

Continued

"Project Build Ontario"

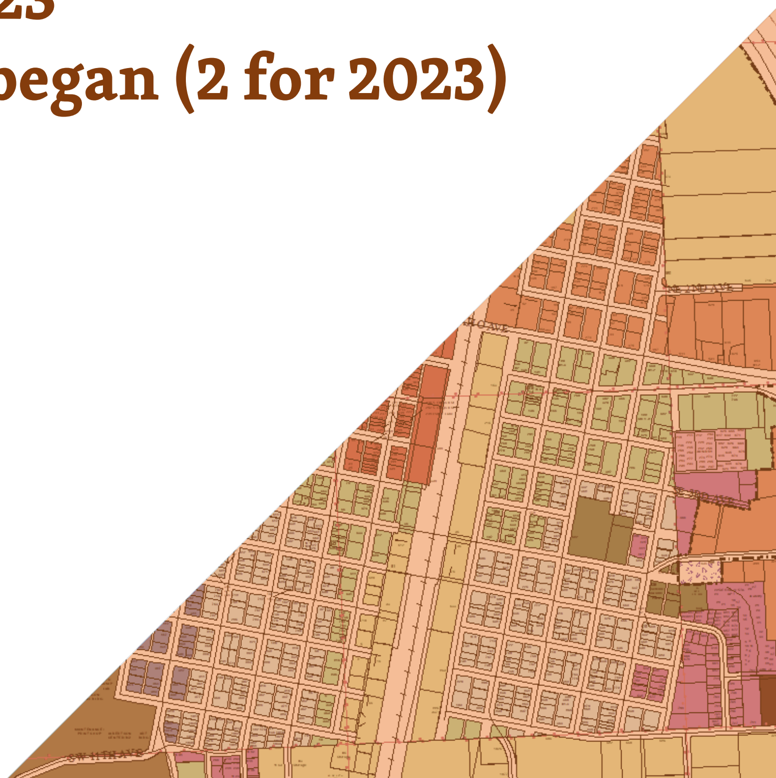
- Single Family Residential Housing Incentive program promotes new housing within the City Limits

Status: 8 incentive applications submitted in 2023
53 total applications since the incentive began (2 for 2023)

"Project Westpark"

- Redevelopment of the West Park Plaza Mall
- Creation of new indoor mini storage and flex space
- Under construction-addition of a new gym

Status: On-going



EPA Brownfield Grant Program

- Redevelopment of Brownfields within Malheur County
- Funding still available to properties in Ontario, Nyssa, Vale
- Phase I and Phase II studies ongoing

Status: EPA had approved a 1-year extension –due to end in Sept 2023

"Mayberry Subdivision"

- Affordable Mini Housing Development for Veterans and Seniors Citizens

Constructed and 10 building permits have been applied for so far

"Veterans Village"

- 15 Veteran Cottages (10) 1-Bedroom @490 sq ft & (5) 2-Bedroom @640 sq ft
- 10 Units for Transitional Housing
- Market Apartments Future, TBD

Projects

Completed:
Valley Family Fortner Clinic

Completed:
Red Eye Dispensary

Projects

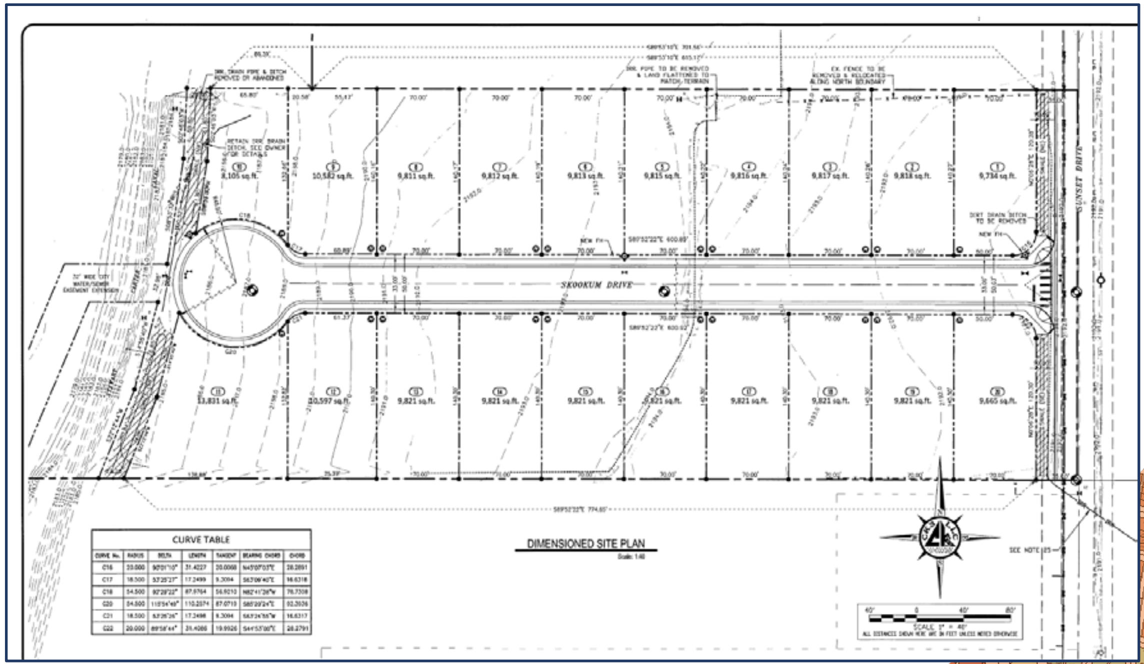
Completed:
Public Works Equipment Shed
NW 9th Street

Completed:
Pizza Hut
SW Idaho Ave

Projects in Development

Harrah Heights Subdivision
Under Construction

Completed:
1604 Skookum Drive



Projects

ONTARIO
OREGON

1253 Phillips Circle

1251 and 1249 Phillips Circle

1234 Phillips Circle

Mayberry Subdivision
Under Construction

Ongoing Construction

Commercial C of O's Issued:

- Pizza Hut (1636 E. Idaho Ave)
- Valley Family Health Clinic (896 Fortner)
- Red Eye Dispensary (833 SW 30th St)
- City of Ontario Public Work (1551 NW 9thSt)

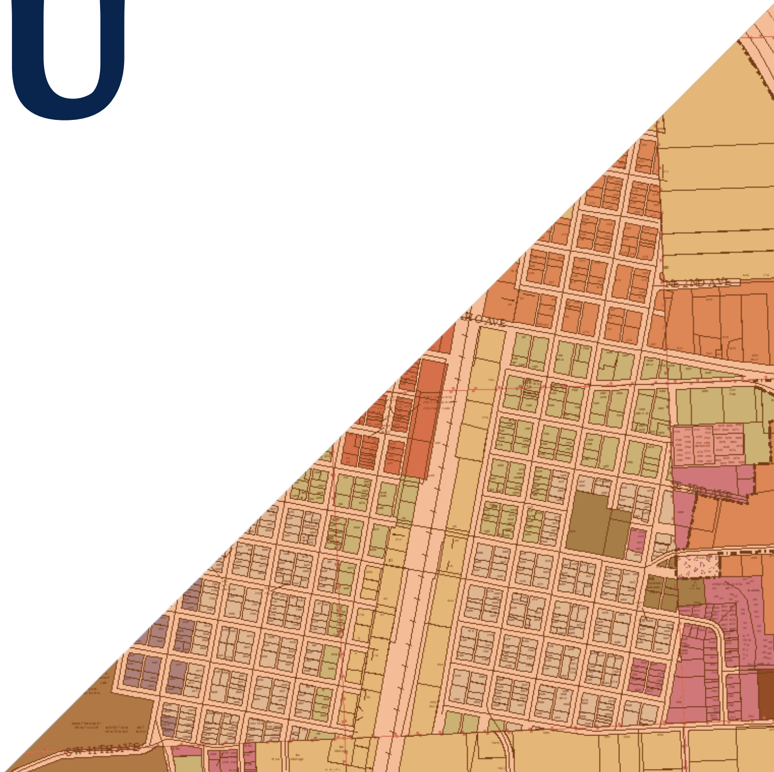
Residential C of O's Issued:

- Single Family Home (1253 Phillips Circle)
- Single Family Home (1249 Phillips Circle)
- Single Family Home(1251 Phillips Circle)
- Single Family Home (1234 Phillips Circle)
- Single Family Home (1604 Skookum Drive)

Construction Complete

ONTARIO
OREGON

THANK YOU



MALHEUR COUNTY COURT MINUTES

August 16, 2023

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Staff present was Administrative Officer Lorinda DuBois and Planner Eric Evans. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2023-2376

SAGE GROUSE CORE HABITAT MAPS

ODFW Klamath & Malheur Watersheds District Manager Philip Milburn, Sage-grouse Conservation Coordinator Skyler Vold, Wildlife Biologist Tucker Freeman, and Upland Game Bird Coordinator Mikal Cline met with the Court. Mr. Vold shared a power-point presentation regarding the Oregon Sage-Grouse Conservation Assessment and Strategy Update and Habitat Revision, 2023 and answered questions. Sage-grouse are relatively long-lived; have relatively low productivity; have a strong fidelity to breeding and nesting areas; and their populations are slow to recover following habitat disturbance. Sage-grouse were deemed 'warranted but precluded' for listing under the ESA (Endangered Species Act) in 2010; conservation commitments by western states, especially Oregon, helped with the 2015 'not warranted for listing' decision by US Fish and Wildlife Service. ODFW is currently updating its plan for conservation and management of sage-grouse; the plan was first developed in 2005 and last updated in 2011.

Core Sage-Grouse Habitat: In 2011, ODFW delineated sage-grouse habitats necessary to conserve 90% of Oregon's sage-grouse population, defined as 'Core Areas'.

Low-Density Habitat: Additional areas which provide breeding, summer, and migratory habitats for sage-grouse were also delineated.

Most of Malheur County is sage-grouse habitat. There are implications for land use in sage-grouse habitat; OAR 660-023-0115 defines core and low-density habitats in accordance with the 2011 Sage-Grouse CAAS (Conservation Assessment and Strategy). There are also implications for conservation actions.

Over 150 new leks have been discovered in Oregon since 2010 and research projects have contributed over 1 million new sage-grouse GPS locations. It is hoped to align ODFW's process with BLM's Sage-Grouse Approved Resource Management Plan Amendment process.

ODFW sent scoping letters to partners of their intent to update the core and low-density habitat maps in March 2022. The 2023 habitat revision utilizes the 2011 CAAS modeling process for mapping core and low-density habitat and incorporates new data collected over the past 12 years. An internal review was also conducted by ODFW; each adjustment to the revised habitat boundaries required a biological justification and followed specific criteria that were developed for this phase of the process. Unincorporated communities, towns, and cities were buffered to 0.8 km and removed from sage-grouse core and low-density habitat. (Aside from this, donut holes were not made during the boundary adjustment phases of the habitat revision.) Other areas considered where sage-grouse do not typical inhabit were pivots and developed agriculture, areas of heavy pine or juniper cover, areas lacking sagebrush cover, and areas of rugged topography (no donut holes were allowed). In general, the core and low-density boundary adjustments removed areas of modeled habitat from the maps. In some cases, District Biologists added core or low-density habitat in areas that were not included during the modeling process but were supported by data. Overall approximately 200,000 acres of sage-grouse habitat was added to Malheur County (mostly on public lands). The cooperating agency review was completed in June 2023. Partner and public review is taking place from July-September 2023; and the formal comment period is July-December 2023.

ODFW is also updating the Conservation Assessment and Strategy plan. Scoping letters were sent to partners in March 2022. The CAAS is being updated with new science, information, and data relevant to sage-grouse conservation in Oregon. A formal comment period will be open from July through the December ODFW Commissioner meeting and the updated CAAS will be presented to the ODFW Commission for review. See instrument # *** for the complete power-point presentation.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of August 9, 2023 as written. Commissioner Jacobs seconded and the motion passed unanimously.

FAIR BOARD

The Court received a request from Maddie Hewitt to be appointed to the vacant Fair Board position (voting). Commissioner Jacobs requested the matter be tabled.

MCDC LINE OF CREDIT

The Court discussed the line of credit for Malheur County Development Corporation (MCDC). After discussion, Commissioner Mendiola moved to pay off the balance and interest on the line of credit with Bank of Eastern Oregon. Commissioner Jacobs seconded and the motion passed unanimously. A supplemental budget resolution will be prepared for the interest amount not currently budgeted.

EMPLOYMENT AGREEMENT - PERKINS

Commissioner Jacobs moved to approve Employment of PERS Retiree Employment Agreement with Danny Perkins. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-2377

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

MALHEUR COUNTY COURT MINUTES

August 23, 2023

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Staff present was Administrative Officer Lorinda DuBois, Building Official Adele Schaffeld, and Planner/Interim Environmental Health Director Eric Evans. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2023-2435

BLM - LITHIUM EXPLORATION PROJECTS

BLM Malheur Field Manager Jonah Blustain met with the Court and briefed them on two lithium exploration projects in the McDermitt area. The HiTech McDermitt Exploration Project is mostly for lithium. The project area is 7200 acres and they are proposing 100 acres of disturbance (roads, drill pads etc). BLM has done its environmental baselines and reviewed HiTech's plan of operations and found it to be administratively complete (this is not BLM approval). Public scoping is currently taking place until September 15, 2023. Two community briefings were held before the public scoping period opened. Additional community briefings will be held. BLM has inquired with HiTech if they have the ability to develop a gravel pit within their plan of operation for road maintenance and repair.

A proposal from Oregon Energy LLC for the Aurora Uranium-Lithium Exploration Project was recently received. The project area is about 5800 acres of public land and 411 acres of private land (the private land is located in Nevada). BLM is coordinating with Humbolt County Commission, and the Nevada partners. A maximum of 100 acres of surface disturbance is proposed. A meeting with state and local governments from both Oregon and Nevada will be held and Oregon Energy will present the project and answer questions that the cooperating agencies may have. Community briefings will be held for this project also.

Based on the complexity of these exploration projects and the controversy that was seen in the Thacker Pass project (previous project in Nevada), BLM is taking a pre-planning approach as opposed to the traditional NEPA process. The cooperating agencies will be involved in the project from the beginning.

LYTLE BOULEVARD LANDFILL POWER LINE PROJECT

Mr. Evans inquired of Mr. Blustain the status of the categorical exclusion for the County's Lytle Blvd Landfill power line project. BLM staff is currently working on a state-level Idaho Power priority project and all other Idaho Power realty projects have been put on hold.

CROSSING PERMIT

Commissioner Mendiola moved to approve Crossing Permit #31-23 to Windwave Communications for work on Lockett Road #730. Commissioner Jacobs seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of August 16, 2023 as written. Commissioner Mendiola seconded and the motion passed unanimously.

FAIR BOARD

The Court received a request from Maddie Hewitt to be appointed to the vacant Fair Board position (voting); the Court requested the matter be put on the next meeting agenda.

EMPLOYMENT AGREEMENT - SPEELMAN

Commissioner Jacobs moved to approve Background Investigator/Malheur County Sheriff's Office - employment of PERS retiree Employment Agreement with Robert "Bob" Speelman. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-2438

SUPPLEMENTAL BUDGET

Commissioner Mendiola moved to approve Supplemental Budget Resolution R23-24: In the Matter of Fiscal Year 2023/2024 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Jacobs seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate additional General Fund Cash on Hand that was not anticipated when the budget was adopted - the funds will be used to pay off the Bank of Eastern Oregon line of credit; to allocate additional General Fund Transfer funds in the Reload/Industrial Park Project fund that were not anticipated when the budget was adopted - the funds are to be used for paying off the Bank of Eastern Oregon line of credit; and to allocate additional Cash on Hand in the Building Program that were not anticipated when the budget was adopted - the funds will be used to purchase an additional vehicle to be used to do inspections. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2023-2436

CHECK REGISTER

Commissioner Mendiola moved to approve June and July 2023 Accounts Payable Registers. Commissioner Jacobs seconded and the motion passed unanimously.

RESOLUTION - FINANCIAL ASSISTANCE ADMINISTRATOR

Commissioner Jacobs moved to approve Resolution R23-25: In the matter of: Resolution Appointing County Financial Assistance Administrator/CDDP Administrator for the 2023-2025 Intergovernmental Grant Agreement for the Financing of Community Developmental Disabilities Program (CDDP) Services (Agreement 180108). Commissioner Mendiola seconded and the motion passed unanimously. Ms. DuBois is designated as the County Financial Assistance Administrator/CDDP Administrator. See instrument # 2023-2433

IGA 18002 - AMENDMENT

Commissioner Jacobs moved to approve First Amendment to Oregon Health Authority 2023-2025 Intergovernmental Agreement for the Financing of Public Health Services, Agreement #180022. Commissioner Mendiola seconded and the motion passed unanimously. Funding is adjusted for the Tobacco Prevention and Education Program (TPEP). A copy will be returned for recording.

TREASURE VALLEY PARAMEDICS (TVP)

Meeting with the Court from Treasure Valley Paramedics were: Steve Patterson, Heather Land, and Attorney Shawn Logan. Also present was County Counsel Stephanie Williams and ASD Coordinator Jeff Rodgers. Mr. Logan explained that TVP entered into a contract with the County in 2022. Since then five employees left employment with TVP; those employees have been replaced but the requirement that paramedics remain on call has become a big issue. When the paramedics are on call they must remain in the Malheur county area and are paid $3.00 an hour while on call. A number of the employees are not local - they come from the Boise/Caldwell area. This requirement makes it difficult to hire new employees and to retain employees. TVP has proposed an amendment to the contract. There will still be two ALS ambulances on duty. The third ambulance (Medic 3) may come from the Nyssa ASA; if both ALS ambulances from Ontario were called out then the Nyssa BLS ambulance would stage halfway between Nyssa and Ontario. If for some reason an additional ambulance was needed then the mutual aid contracts would be utilized (Parma, Weiser and Payette). Additionally, a chase car will be available to respond when ALS is needed.

The proposal has been reviewed by the ASD Advisory Board and have agreed to the proposal temporarily; the agreement is to be reevaluated in one year or earlier upon request of the parties; and the Advisory Board has requested that TVP meet quarterly with the County Court. Additionally, the chase car needs to meet the requirements of Oregon and Idaho law. TVP has communicated with Oregon Health Authority about this proposal and Oregon Health Authority has agreed that this could be an alternative for Medic 3. Mr. Rodgers is in support of the proposal.

Commissioner Jacobs moved to approve First Amendment to Personal Services Contract for Emergency Medical and Ambulance Services Ontario ASA Malheur County Oregon recorded with the Malheur County Clerk on June 29, 2022 as instrument number 2022-3114. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-2437

ASD BYLAWS/ JV AMBULANCE

ASD Coordinator Jeff Rodgers explained that the bylaws were recently updated. The membership and quorum requirements were changed. The ASD Advisory Board has approved the revisions. Consensus of the Court was to accept the updated bylaws. See instrument # 2023-2453

Jordan Valley Ambulance purchased an ambulance several years ago with financial assistance ($10,000) from the Ambulance Service District (ASD) and the County's name is on the title. Jordan Valley Ambulance wishes to sell the ambulance as they have purchased a new ambulance. Mr. Rodgers estimates the value of the ambulance at possibly $7,000. Consensus was to divide the sale of the ambulance proportionately to the purchase price. (i.e. if JV Ambulance paid 90% and ASD paid 10% then the sale proceeds will be divided 90/10).

FARMLAND LEASE - FARMERS

Ms. Williams discussed the farmland lease and right of first refusal of water rights with Charles, James and Margaret Farmer with the Court. The agreement was entered into in 2020. Farmer's farm a portion of the County's property in the Arcadia Industrial Park. If the County wish's to terminate the lease notice needs to be provided to the Farmer's before harvest (untimely notice triggers penalties in the agreement). The Court took the matter under advisement.

COURT ADJOURNMENT

The meeting was adjourned.

MALHEUR COUNTY COURT MINUTES

August 30, 2023

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Staff present in the meeting room were: Administrative Officer Lorinda DuBois, Veterans Service Officer Connie Tanaka, Accounts Payable Manager Mauri Saito, Personnel Officer Duane Cowperthwait, IS Director Joshua Kreger, and IS Coordinator Ty Hemeon. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2023-2505

DLCD GRANT APPLICATION

Planner/Interim Environmental Health Director Eric Evans met with the Court and explained that the Department of Land Conservation and Development (DLCD) is accepting applications for their Technical Assistance Grant program. These are competitive grants to fund local government planning compliance projects, land use ordinance updates, or comprehensive plan updates. Mr. Evans proposed submitting an application to update the County's land use ordinances (County Code); Mr. Evans requested authorization to contract with Winterbrook Planning for assistance in completing the grant application using some of the Planning Department's budgeted funds in Contracted Services (funds in this line-item were originally earmarked for a future rural housing project). Consensus of the Court was to engage Winterbrook Planning to assist with the DLCD Technical Assistant Grant application.

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of August 23, 2023 as written. Commissioner Mendiola seconded and the motion passed unanimously.

FAIR BOARD

Commissioner Jacobs moved to appoint Maddie Hewitt to the Fair Board as a Voting Member. Commissioner Mendiola seconded and the motion passed unanimously. Ms. Hewitt fills the position previously held by Warren Osborne.

SUPPLEMENTAL BUDGET

Commissioner Jacobs moved to approve Supplemental Budget Resolution R23-26: In the Matter of Fiscal Year 2023/2024 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Jacobs seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate additional Criminal Justice Commission Specialty Court Grant funds in the District Attorney budget that were not anticipated when the budget was adopted - the funds will be used to help fund the Malheur County Adult Drug Court; to allocate additional funds from the sale of equipment in the Weed Fund that were not anticipated when the budget was adopted - the funds will go towards the purchase of a new four-wheeler; and to allocate additional funds from the District Attorney's Fund Specialty Court Grant Program in the Community Corrections budget - the funds will pay for a portion of staff involved in Drug Court. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-2506

MALHEUR WATERSHED COUNCIL

Commissioner Mendiola moved to appoint Mark Carpenter to the Malheur Watershed Council (as recommended by the Malheur Watershed Council). Commissioner Jacobs seconded and the motion passed unanimously.

ECONOMIC DEVELOPMENT DIRECTOR VACANCY

The Court has reviewed the applications received for the vacancy. Commissioner Jacobs suggested the interview committee be comprised of the County Court and community partners. Staff is developing interview questions. The Court members are available each Wednesday in September to conduct interviews. The position will be housed at the Goodfellow Building. Mr. Tanaka said the office needs a computer and a phone line. The internet at the building may need to be upgraded.

COMPENSATION

Commissioner Jacobs noted that Mr. Evans had submitted a proposal to amend his Agreement for additional duties of Interim Environmental Health Director; and that Ms. DuBois had also submitted a proposal for additional compensation for additional work with ARPA/LATCF funds she is doing; additionally, Commissioner Jacobs explained that he feels that Malheur County's wages for all County employees are somewhat lower than other counties throughout the state and an increase for all employees should be considered. Commissioner Jacobs requested authorization to negotiate with Mr. Evans and Ms. DuBois on behalf of the County Court regarding their proposals. Commissioner Mendiola and Judge Joyce had no objections to Commissioner Jacobs request.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

Police Stat Report

AUGUST 2023

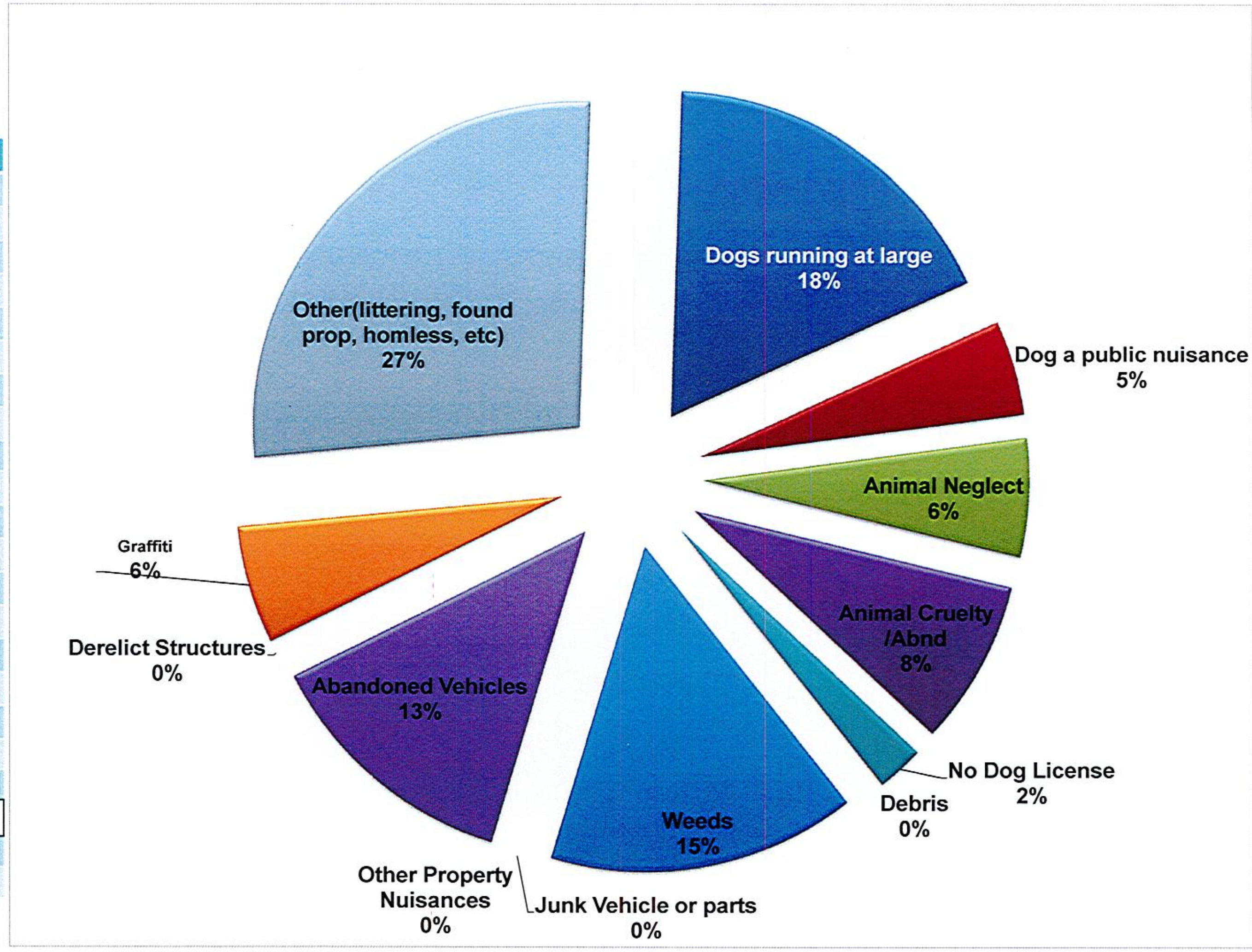
Activity	2023 June	2023 July	2023 August	YTD 2023	PRIOR YTD 2022
Calls for Service	1537	1450	1449	10475	9886
Case Activity	918	873	889	6397	6268
Murder	0	0	0	0	0
Manslaughter	0	0	0	0	1
Robbery	1	0	0	5	10
Sex Crimes	13	9	13	81	44
Burglary	6	11	5	55	101
Assault	14	8	14	95	103
Arson	0	0	0	1	1
UUMV / Auto Theft	6	9	11	54	54
Arrests	120	100	80	722	719
Arrests w/Use of Force	4	3	4	21	18
Gang Related Cases	3	0	5	27	27
Graffiti	4	0	6	31	39
Death Investigations	1	1	1	16	19
SRO Cases	1	0	7	72	29
Thefts	74	48	79	478	596
Traffic Stops	183	159	97	1062	893
Cited Traffic/Parking	131	86	65	829	780
Traffic Crashes	46	34	52	344	288
Alarms	36	32	25	239	224

CODE ENFORCEMENT

August 2023 Stats

Ontario Police Department

Violation	Jul-23	Column1
Dogs running at large	15	
Dog a public nuisance	4	
Animal Neglect	5	
Animal Cruelty /Abnd	7	
No Dog License	2	
Debris	0	
Weeds	13	
Junk Vehicle or parts	0	
Other Property Nuisances	0	
Abandoned Vehicles	11	
Derelict Structures	0	
Graffiti	5	
Other(littering, found prop, homless, etc)	23	
Dogs taken to (Fetch This Kennel)	0	
Civil Penalties Issued	0	
C.P. Amount Sent	$0	
Total Parking Citations	0	
Total Violations		
Total Cases	**85**	



Notes:

Jacobs
Public Works Department
Monthly Report
August 2023

August 2023 Prepared by Jacobs for: CITY OF ONTARIO/PUBLIC WORKS DEPARTMENT

Monthly Business Review

Public Works Department

Contents:

DEVELOPMENT REVIEW

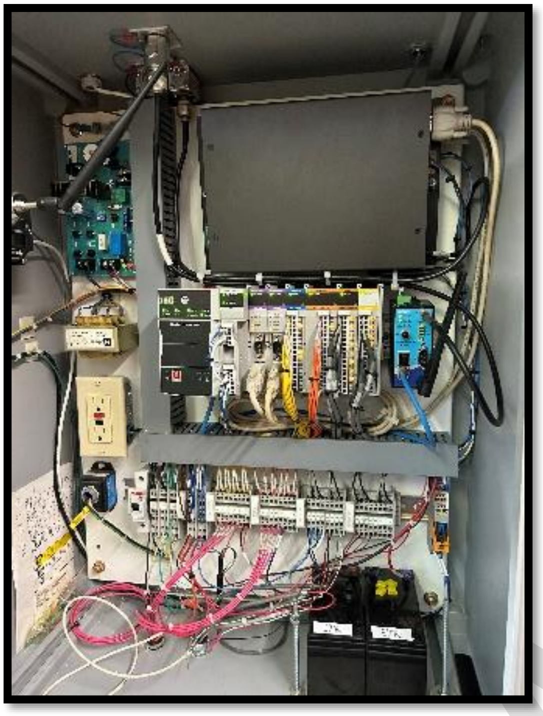
ACTIVITIES AUGUST 2023

- Issued 6 ROW Permits
- Attended 1 PDAC meeting to discuss the expansion of a business.
- Attended the Jacobs monthly safety meeting.
- Mailed out 73 backflow test notifications due by the end of May.
- Door hangers- 39 were hung on doors for final notice before water termination for noncompliance.
- Multiple plan reviews for new construction
- Multiple construction inspections
- Updating of the GIS mapping of all new utility expansions.
- Creation of the Beck Park Pond Master Plan
- Tapadera Lift Station construction continued.
- “Safe Routes to School” utilities relocation.

WATER: TREATMENT PLANT AND DISTRIBUTION SUMMARY

ACTIVITIES AUGUST 2023

- Water treatment staff run diagnostic checks (jar testing) weekly to ensure that the chemical dosing is correct for the river water quality.
- Monthly Bacterial samples taken.
- Grounds maintenance and landscaping.
- 12 water services turned on customer request.
- 10 water services turned off customer request.
- 16 water services turned on/off read only customer request.
- 25 water services shut off for non-payment.
- 21 water services turned on for payment received.
- 3 water services checked and verified still off from the non-payment list.
- 32 water services checked for 0 consumption.
- 10 water services checked for high consumption.
- 12 water services shut off for leaks customer request.
- 45 water meters changed out for non-functioning.
- 4 water services turned on and verified leaks repaired by customer.
- 2 new water services installed.

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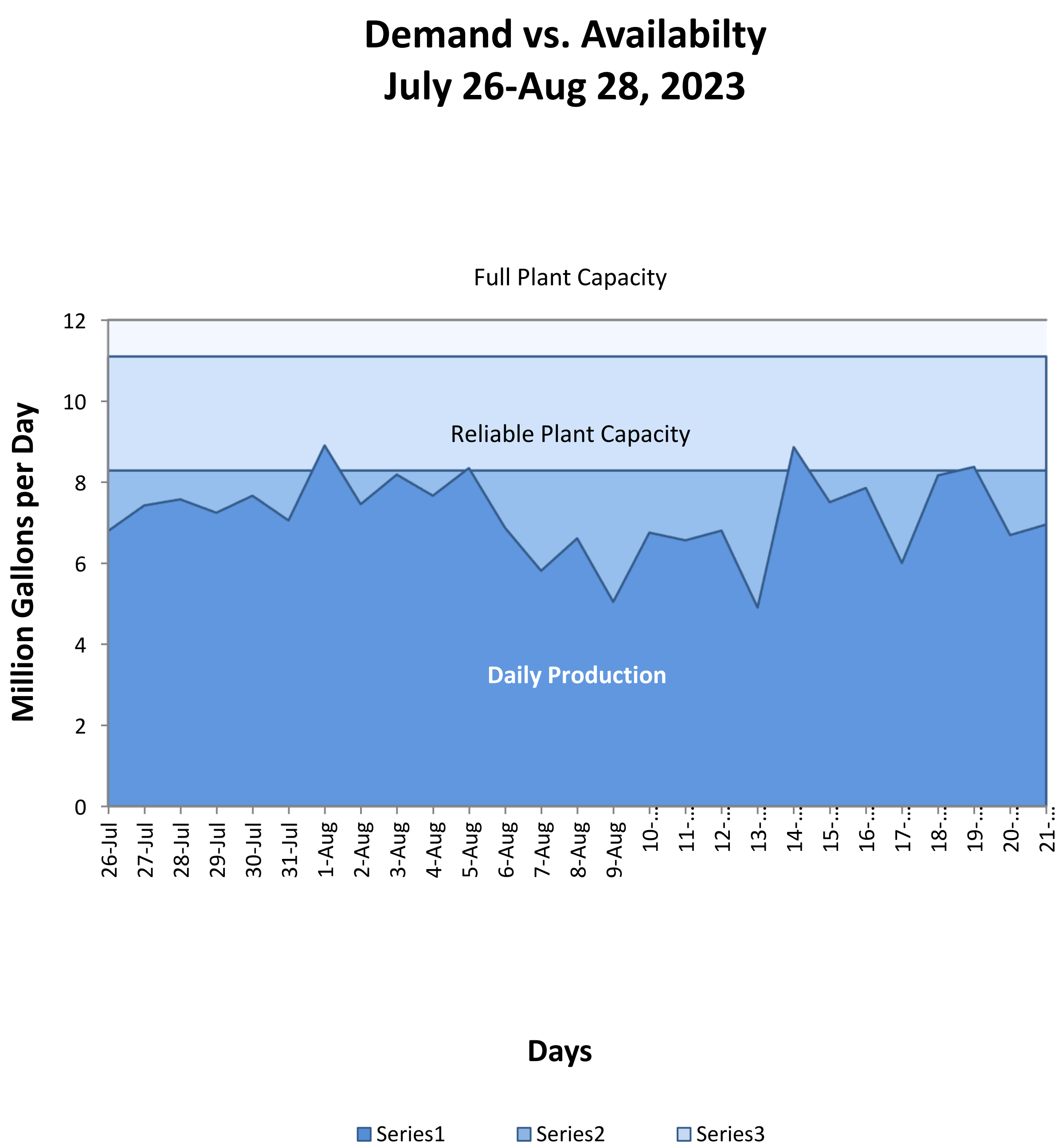
WATER TREATMENT PLANT

PRODUCTION VS. CAPACITY



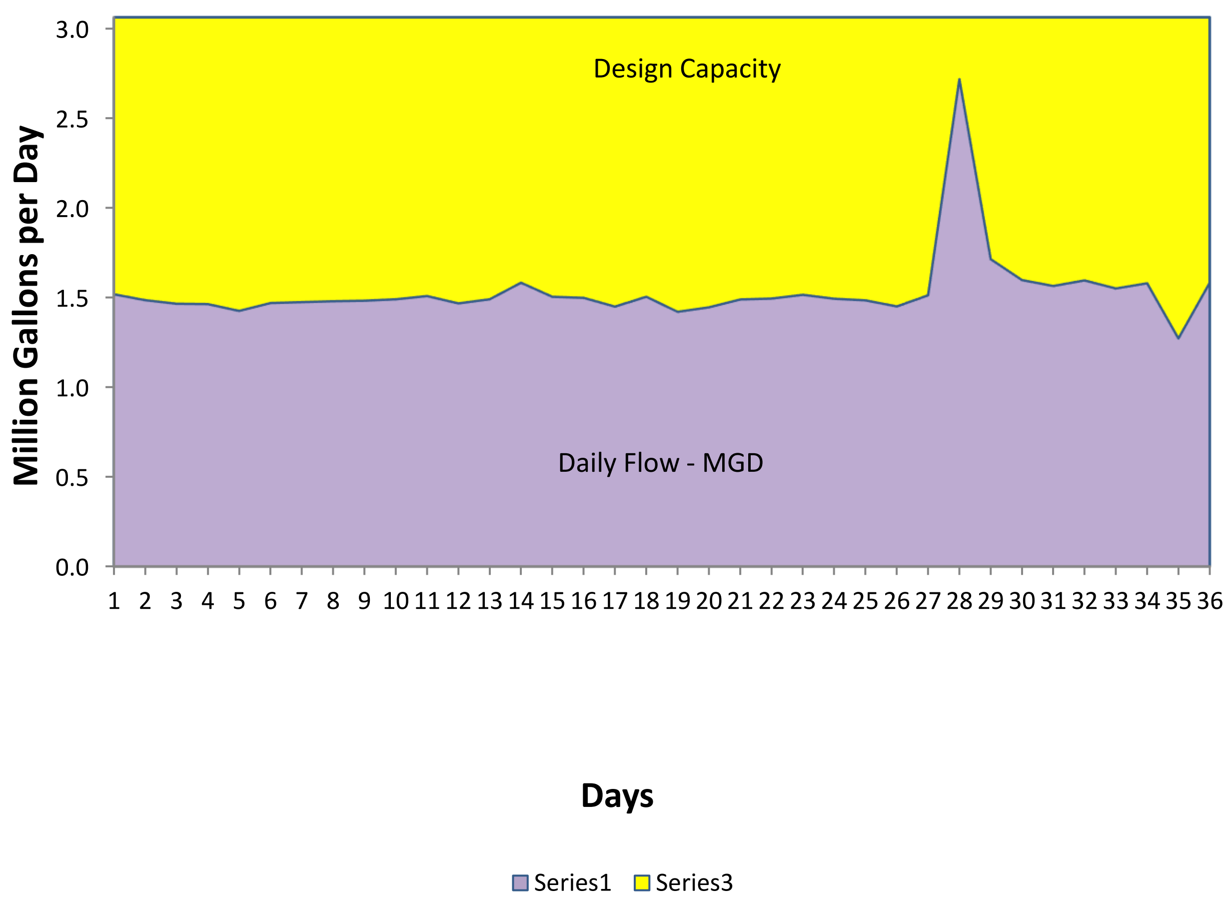
WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM SUMMARY

ACTIVITIES AUGUST 2023

- All sampling per the 2019 NPDES permit has been completed.
- All piezometer readings taken for the month.
- 8 OSU covid samples collected and sent to lab for the month of August.
- The Step screen motor electrical conduit moved for auger replacement.
- The farmer has started irrigating at Skyline and Malheur pivots again after harvest.
- Malheur pump station had rock spread to stop erosion.

WASTEWATER TREATMENT PLANT

Wastewater Treatment Flows
Jul 25, 2023 - Aug 29, 2023



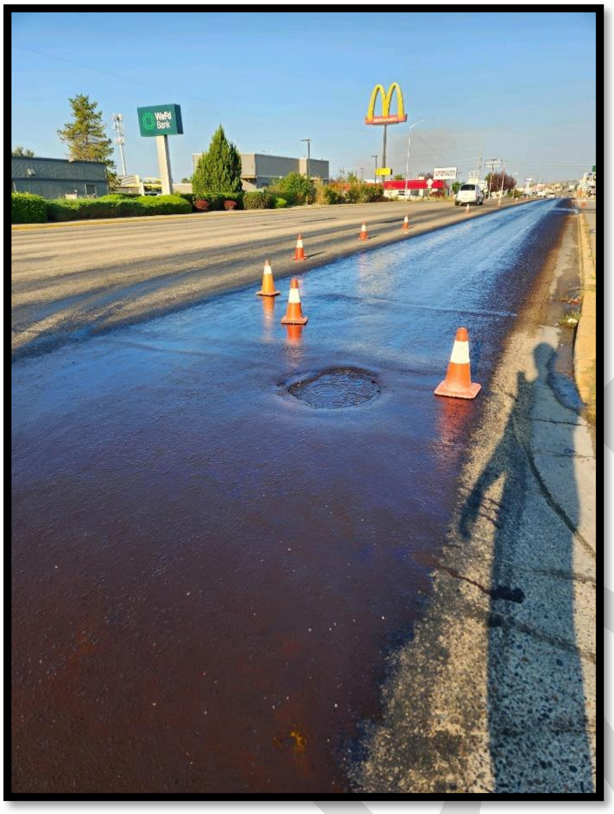
OPERATIONS MAINTENANCE: STREETS AND COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES AUGUST 2023

- Traffic control for the Fog Seal project August 18th on SW 4th Ave.
- Continued a full town sweeping.
- Swept downtown and the underpass 3 additional times.
- Weed removal throughout town on City owned right of ways.
- Sign maintenance as needed, damaged stop signs by vehicle, and graffiti.
- Equipment maintenance, in shop repairs and services.
- Started painting cross walks through out town.
- Started thermos plastic cross walk removal on the Primary and secondary roads.
- Flooding mitigation and clean up after the heavy rains on August 21st.
- Storm line inspection after the flooding, ran a few sections to ensure the lines were not blocked, removed roots out of 1 section near Beck Park.
- I&I into the Lower lift station wet wells found a broken vault drain line letting irrigation water into the wet well.
- Installed the no trespassing signs on the fence at the Kendall pit property.
- Installed a banner in the underpass for the Tater Tot Festival.
- 69 utility locates completed.

OPERATIONS MAINTENANCE: STREETS AND COLLECTION/DISTRIBUTION SUMMARY

ACTIVITIES AUGUST 2023

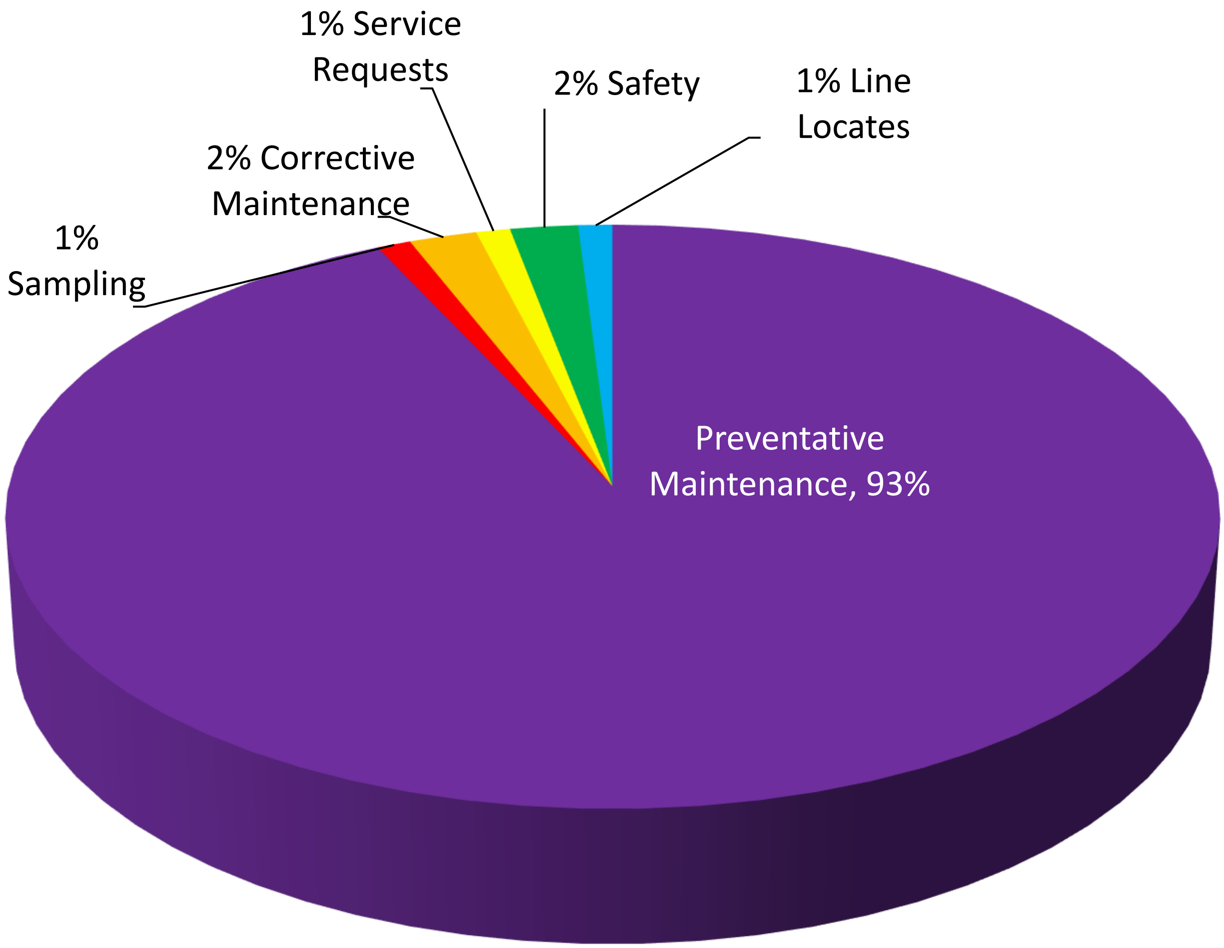


FACILITIES, CEMETERIES, AND PARKS SUMMARY

ACTIVITIES AUGUST 2023

- Sprayed the old golf course.
- Replaced the motor on irrigation system at Beck Park.
- Fixed a water line leak and replaced a hot water tank at Wastewater.
- Added new bark in the shrub beds at Beck Park.
- 6 funerals total this month.
- Roof repaired at the Wastewater plant.

OPERATIONS MAINTENANCE: BUILDINGS, PARKS, CEMETERIES AND STREETS SUMMARY



APPENDIX

PUBLIC WORKS DEPARTMENT

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

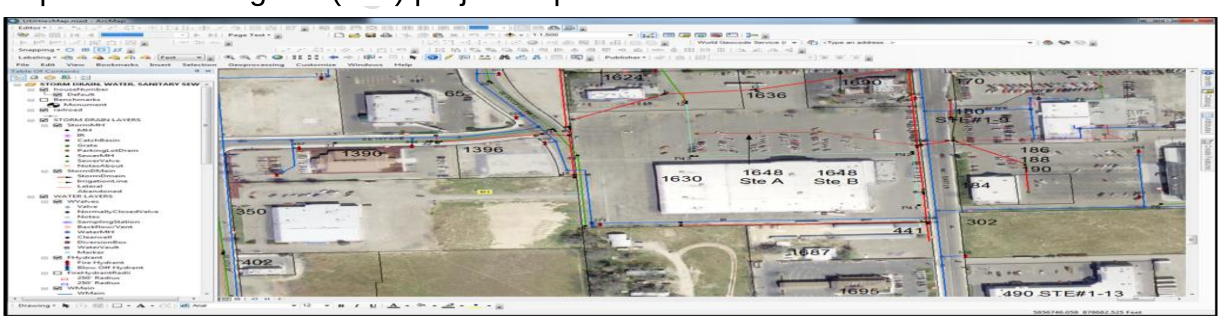
Public Works maintains a water system that complies with the EPA and Division of Health requirements. Staff also maintains the Wastewater Collection system and Wastewater Treatment facilities to meet DEQ standards. These same employees provide sewer and water line construction and maintenance to the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

ADMINISTRATION

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

ENGINEERING

The Engineering Division Department works with other utilities, developers, and property owners in addressing utility issues, public improvements, subdivision development, local improvement districts and other municipal projects. The Department also maintains a set of Standard Specifications for providing uniform procedures for the installation. The staff reviews and approves construction plans for subdivisions, partitions, streets, sanitary sewer, water lines, and storm drainage construction projects. They also design projects, prepare bid documents, and provide project management for Public Works Capital Improvement Program (CIP) project improvements.



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

OPERATIONS MAINTENANCE

Public Works maintains more than 122 lane miles of improved streets and more than 9 miles of alleys and is responsible for resurfacing, repairing, and maintaining the streets, installing, and maintaining street signs and markings, tree trimming, and repairing all established pavement markings. This Division also completes excavation and repair of deteriorating streets, gravel road grading, street sweeping, crack sealing, chip sealing, snow removal and sanding during the winter months, and weed control along the alleys. Public Works assist Ontario Chamber of Commerce by placing Holiday decorations on streetlights during the season.

Ontario Public Works maintains more than 122 Lane Miles of Improved Streets 9 Miles of Alleys Chip seals last a minimum of 8 years, and Public Works chip seals 7 miles per year 56 miles of storm drain collection lines, and 1,450 catch basins

As part of the annual Street Maintenance Program, crews chip seal street surfaces in the summer months to protect them from water and weather damage and to keep them in good condition. Chip seal roadway treatments help to maintain the existing pavement, delaying further aging resulting from water and sun, and provides a moisture barrier to existing pavements by sealing surficial cracks. A chip seal application provides substantial savings to taxpayers and can last 8 to 10 years with just minimal roadway maintenance required. The city chip seals approximately 10 miles of streets per year.

The Ontario Park system consists of both active and passive recreational areas. There are four neighborhood parks, one community park, one large urban park, and numerous special use sites in the park system. In total, the City owns 13 park and recreational areas representing more than 1,012 acres of land. The city also owns the Wayne King Skateboard Park. There are two municipally owned and operated Cemeteries – Evergreen and Sunset Cemeteries. The Operations Division is responsible for the operation and maintenance of those areas. Included in their responsibilities are all municipal buildings. This includes general maintenance and repair work, the implementation of preventative maintenance programs, and the administering of service contracts (janitorial, HVAC, electrical, elevator, etc.). This division is also charged with the oversight of facility-related projects, including remodels and systems upgrades.

WATER TREATMENT PLANT

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

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

The Water Treatment Plant has a reliable capacity of 8.3 MGD and a maximum capacity of 11 MGD.

Approximately 80 percent of water comes from the Snake River, the other 20 percent from wells.

Maintains 80 miles of water mains.

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

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

The City retains surface and groundwater rights permits for a combined total of 38.23 cubic feet per second (cfs), 24.71 MGD for municipal use. One hundred percent (100%) of the City's potable water is treated and disinfected at the water treatment plant. The plant has an original 8-MGD design capacity based on the optimum filter loading rates. The City expanded its treatment capacity in 2006, through the addition of two adsorption clarification and filtration tanks.

Water Distribution System include maintenance and repair of approximately 97 miles of water lines and 3,625 services that include service installations, mainline installation, meter reading, maintenance of more than 600 fire hydrants, and valve exercising of more than 1,700 water valves.

WASTEWATER TREATMENT PLANT

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

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

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

Average discharge volume is approximately 1.5 MGD. Winter discharge is to the Snake River from November through March. Summer discharge is land applied to approximately 353 acres of cropland at the Skyline Farm. Sewer collection duties include maintenance and repair of approximately 78 miles of sanitary sewer lines within the city. Responsibilities include constructing new pipelines, cleaning all gravity sanitary sewer lines, repairing or replacing sanitary sewer lines as needed, providing line locations for all water and sewer lines, and maintaining eight lift stations plus a bar screen and one lift station from SRCI. The city has approximately 56 miles of storm drain collection lines and 1,450 catch basins throughout city limits. Duties include storm drain maintenance and repair, cleaning of approximately 11 miles of storm drain lines, and cleaning the catch basins.

ONTARIO FIRE RESCUE DEPARTMENT

August 2023 ACTIVITY REPORT

August 2023

Response Stats

Total City Medicals	130		Total Rural Medicals	15	
Overdoses	3	2%	Overdoses	0	
Generals/Call Backs	0		Generals/Call Backs	1	
COVID	0		COVID	0	
Top Four City Call Types			**Top Four Rural Call Types**		
Canceled or self-tiered	43	28%	Fire	8	33%
Fire	24	16%	Canceled or self-tiered	4	17%
Pain	10	6%	Traumatic injury	3	13%
Ground Level fall W/ injury	9	6%	Lift Assist	3	13%
Total City Fires	**24**		**Total Rural Fires**	**8**	
Generals	2	8%	Generals	1	12%
Mutual Aid	0		Mutual Aid	1	12%
Hazmat	0		Hazmat	1	12%
Total City Responses	**154**		**Total Rural Responses**	**24**	
Total Combined Emergency Responses	**178**		**Combined Top 4 Emergency Call Types**		
Combined Total Medical Responses	145	81%	Canceled by TVP	47	26%
Combined Total Fire Responses	32	18%	Fire	32	18%
City Call Percentage	**86%**		Lift Assist	11	6%
Rural Call Percentage	**14%**		Ground Level Fall W/ injury	10	6%

Fire Prevention:

- We have been utilizing the OSFM wildfire grant to add additional personnel to the work force through the wildfire season. Part-time staff have been given the opportunity to work alongside the career staff, responding to wildfires as soon as they are paged out.
- Solar permit reviews
- Plan reviews
- Pre-fire planning with duty crews
- True Value walk through
- Fire Safety/code inspections with Oregon State Fire Marshal

Burn Permits Issued:

City Open Burns – 0 *Rural Open Burns – 9 (**AG burn ONLY**)*

City Burn Barrels - 0 *Rural Burn Barrels - 0*

Department Updates

109 – 109 is still expected to arrive in early September

Part time firefighters hiring – We have hired one new part time firefighter. We are awaiting a drug test to get him onboarded.

Grant Writing Class – Charlotte attended a Grant writing class in Seattle.

National Fire Academy – Chief Benson attended the National Fire Academy and successfully completed the Command and control of fire department operations at target hazards class.

CAD update – Chief Benson has been working with Sherri Smith and others from the County to get the new CAD system up and running.

Firefighter Training

- Aug 1st and 8th were spent at community events providing fire prevention
- Patient packaging
- Battery emergencies
- HAZMAT training
- Circuit drill

Community Involvement

Malheur County Fair – August 1st we attended the fair with the smoke house and activities for the kids.

Aiken – Chief Benson, Part time Firefighters Gutierez and Barerra attended the Aiken open house to provide fire prevention materials to students and parents.

National Night Out – August 8th was the first annual National Night Out. We took the smoke house and multiple engines to Four Rivers Cultural Center. We manned 3 separate stations and overall it was a wonderful event for all that attended.

August 2023

Major Incidents:

Evergreen Rd – Ontario Fire was called to assist Payette Fire on Evergreen Road for a fire that consumed three storage buildings, part of a field, and threatened a residence.

Trinkle Hill - we responded to a five-car accident on Trenkle Hill between Ontario and Vale. Wind gusts were up to 40 mph with almost zero visibility.

Trailer fire SE 16th Ave - we responded to a camp trailer fire on SE 16th Avenue. The cause of the fire is suspicious, so, I completed a thorough investigation and report to submit to Malheur County Sheriff's Office.

720 N Oregon St - On August 11th, crews responded to a structure fire at 720 North Oregon Street. Rescue 1 arrived with a three-person crew to find a fire in the kitchen of the residence. During the initial search, Firefighter Jordan Watts found an occupant in the bedroom and removed her from the structure. TVP transported the occupant to the emergency room, and she is doing well. The fire destroyed the kitchen and the residence suffered major smoke damage and is unlivable.

Hazmat – Vale - Our regional Hazmat team responded to a fatal crash northwest of Vale due to diesel and hydraulic oil leaks

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

Ontario Visitors and Convention Bureau
Board MEETING AGENDA

Thursday, September 7, 2023, 7:00 AM, MT
Ontario Chamber office 251 SW 9th ST

CALL TO ORDER: This agenda was emailed on August 31, 2023

1) Roll Call: Bob Quinn _____ Debbie Blackaby _________Cheryl Cruson ______________Doug Dean _____
Terry Dols_____Ken Hart ______Lynelle Christiani _____
City Manager: Dan Cummings______V&C Director: John Breidenbach______

2) NEW BUSINESS

Grant Request:

- **A. Snake River Valley EEA Chapter # 837- Airport Open House- Cheryl Cruson**
- **B. Giggles & Grace ELC Inc.Teaching Conferences- Shawn Reynolds**

3) APPROVAL OF MINUTES:-Bob Quinn
August 3, 2023

4) Review Financial Report – Terry Dols

5) V&C Director Report- John Breidenbach

6) COMMENTS FROM COMMITTEE MEMBERS

7) ADJOURN

Attachments

1. *August 3, 2023, Minutes*
2. *V&C Financials*

Ontario V&C Minutes
August 3, 2023
7:00 am
Ontario Area Chamber of Commerce Office

The meeting was called to order at 7:00 am by Bob Quinn.

Roll Call – **Board Members present** Bob Quinn, Cheryl Cruson, Lynelle Christiani, Debbie Blackaby, Terry Doles,

Board Members absent: Doug Dean, Ken Hart
Ex-Officio Members Present: V&C Director John Breidenbach, City Manager Dan Cummings

NEW BUSINESS

Grant Request

TVCC's New Student Orientation. Cathy Yasduda submitted a grant request for $ 2,000 for the TVCC New Student Orientation. It was motioned by Lynelle Christiani and Second by Cheryl Cruson Dols to approve, and the motion passed 6-0-0

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MINUTES/FINANCIALS

April 13, 2023, minutes were reviewed. Debbie Blackaby motioned to approve, and Lynelle Christiani seconded.
Motion passed 6-0-0

Terry Dols presented the financials. Cheryl Cruson motioned to approve, and Debbie Blackaby seconded.
Motion passed 6-0-0

Adjourn: Motion by Debbie Blackaby seconded by Tery Dols to adjourn at 7:40 am motion passed 6-0-0

CITY OF ONTARIO
VISITORS AND CONVENTIONS BOARD
ACTIVITY SUMMARY
BEGINNING SEPTEMBER 1997

DATE	REQUESTOR	REQUESTED	GRANTED	DISBURSED
JAN 2022	**Better Together, Inc.** *Better Together Serve Day*	$ 900.00	$ 900.00	$ 900.00
FEB 2022	**NO NEW ACTIVITY**	$ -	$ -	$ -
MAR 2022	**Palmer House Rose Garden** *Healing Garden Area Preparation-* ***REFUNDED 03/17/22*** *(Total Funds Granted = $10,000 / $7000 Refunded 11/30/21)*	$ (2,000.00)	$ (2,000.00)	$ (2,000.00)
APR 2022	**NO NEW ACTIVITY**	$ -	$ -	$ -
MAY 2022	**REVITALIZE ONTARIO** *6th Annual Chocolate & Wine Walk*	$ 1,500.00	$ 1,500.00	$ 1,500.00
MAY 2022	**R & R PROMOTIONS** *Ron Dillon / Ontario Speedway*	$ 10,000.00	$ 10,000.00	$ 10,000.00
JUN 2022	**MALHEUR COUNTY FAIR BOARD** *The Bellamy Brothers & Fair Concert Series*	$ 10,000.00	$ 10,000.00	$ 10,000.00
JUN 2022	**ONTARIO MUNICIPAL AIRPORT** *Move & Display F4 Jet @ Airport*	$ 12,000.00	$ 12,000.00	$ 12,000.00
JUL 2022	**ONTARIO SCHOOL DISTRICT 8C** *Ontario Boxing Club - Start Up Funding*	$ 10,000.00	$ 10,000.00	$ 10,000.00
AUG 2022	**JERROD TENNEL** *(Kingdom Muzic, LLC)* *Pablo A. Mendez - Holy & Hyphy Tour*	$ 3,000.00	$ 3,000.00	$ 3,000.00
AUG 2022	**TRACY HAMMOND / FROSTY FEST** *2022 Holiday Experience*	$ 8,000.00	$ 5,000.00	$ 5,000.00
SEP 2022	**TREASURE VALLEY COMMUNITY COLLEGE** *TVCC NEW STUDENT ORIENTATION*	$ 2,000.00	$ 2,000.00	$ 2,000.00
OCT 2022	**NO NEW ACTIVITY**	$ -	$ -	$ -
NOV 2022	**NO NEW ACTIVITY**	$ -	$ -	$ -
DEC 2022	**NO NEW ACTIVITY**	$ -	$ -	$ -
JAN 2023	**BORDER TOWN COMIC CON** *March 2023 Border Town Comic Con Festival*	$ 2,500.00	$ 2,500.00	$ 2,500.00
FEB 2023	**BOYS & GIRLS CLUB OF TREASURE VALLEY** *August 2023 National Night Out*	$ 2,500.00	$ 2,500.00	$ 2,500.00
MAR 2023	**NO NEW ACTIVITY**	$ -	$ -	$ -
APR 2023	**TREASURE VALLEY COMMUNITY COLLEGE RODEO TEAM** *2023 TVCC Rodeo*	$ 2,000.00	$ 2,000.00	$ 2,000.00
APR 2023	**ONTARIO SPEEDWAY, LLC** *Track Expansion & Spectator Capacity for ASBR Champion Series*	$ 10,000.00	$ 10,000.00	$ 10,000.00
MAY 2023	**NO NEW ACTIVITY**	$ -	$ -	$ -
JUNE 2023	**NO NEW ACTIVITY**	$ -	$ -	$ -
JUNE 2023	**NO NEW ACTIVITY**	$ -	$ -	$ -
JULY 2023	**TREASURE VALLEY COMMUNITY COLLEGE** *TVCC NEW STUDENT ORIENTATION*	$ 2,000.00	$ 2,000.00	$ 2,000.00
8/31/2023		$ 882,868.04	$ 750,972.77	$ 750,972.77

CITY OF ONTARIO
VISITORS AND CONVENTIONS BOARD
PROMOTIONS AND EVENT FUND
BALANCES THROUGH
DRAFT AUGUST 2023

2023	*RESOURCES*	*EXPENSES*	*BALANCE*
BALANCE FORWARD	$792,814.15	$764,739.60	$28,074.55
JULY *T.O.T. Disbursement -$2500*	$2,500.00	$0.00	$30,574.55
AUGUST *T.O.T. Disbursement -$2500*	$2,500.00	$2,000.00	$31,074.55
SEPTEMBER *T.O.T. Disbursement -$2500*			$31,074.55
OCTOBER *T.O.T. Disbursement -$2500*			$31,074.55
NOVEMBER *T.O.T. Disbursement -$2500*			$31,074.55
DECEMBER *T.O.T. Disbursement -$2500*			$31,074.55
2024			
JANUARY *T.O.T. Disbursement -$2500*			$31,074.55
FEBRUARY *T.O.T. Disbursement -$2500*			$31,074.55
MARCH *T.O.T. Disbursement -$2500*			$31,074.55
APRIL *T.O.T. Disbursement -$2500*			$31,074.55
MAY *T.O.T. Disbursement -$2500*			$31,074.55
JUNE *T.O.T. Disbursement -$2500*			$31,074.55
TOTAL FISCAL	$5,000.00	$2,000.00	
ACCRUALS FROM JULY 1997 TO PRESENT	$797,814.15	$766,739.60	$31,074.55

VISITORS AND CONVENTION BOARD
C/O Ontario Area Chamber of Commerce
251 SW 9th St.
Ontario, OR 97914
541-889-8012 (Voice) 541-889-8331 (Fax)
ceo@ontariochamber.com

PROMOTION AND EVENT FUND APPLICATION

GENERAL INFORMATION: EIN#82-1521365 501(c) Non Profit

Name of Applicant Organization: Snake River Valley EAA Chapter #837

Complete Mailing Address: 375 Outlook Drive Ontario Or 97914

Telephone: 541.881.6168 Fax: N/A E-Mail: ccruson@fmtc.com

Principal Contact Cheryl Cruson

Complete Mailing Address: (same above)

Telephone: Same Fax: N/A E-Mail: alternate dcruson@fmtc.com

Name of Event and Date and Time Event Will Be Held: Airport Open House Sept. 30, 2023

Has organization applied for a V&C Grant Before: _____ **Yes** X **No**

If yes, was the V&C grant request approved, and for what amount:

_____ _____ **No** / **$**__________

If grant request was approved did the organization give their 90 day follow-up report

__________ **No**

Description of Promotion or Event:

In conjunction with the boat races to be held that weekend, the Chamber and the city has asked the EAA to provide a breakfast from 8am-Noon to facilitate an Airport Open House

NATURE OF PROMOTION/EVENT: Show case the Ontario Airport

_____ Tourism-based capital project ✓ Multi-night local lodging event

_____ Special media promotion _____ Education and/or training project

Amount of Funding Support Requested: $ 2500.00

Total Promotion/Event Budget: $____________________

What specific expenditures will the granted funds be used for?*:

T-shirts 10 @ $15 = $150.00 / 25 @ $13 = $325.00 — $475.00

Advertising - flyers, Argus, Mal Enterprise 1000.00

Breakfast Supplies: 1025.00

Ham, Eggs, Coffee, Pancakes, Juice, Bottled Water

(Asking Ore-Ida donation of Hashbrowns)

List promotion/event supporters or partners**:

Chamber, City of Ontario Airport

McDougal Museum

Soaring (glider) club

Individual Pilots: Airplane Owners

Simplot Ore-Ida - donation of Hash Browns

PROJECTED PROMOTION/EVENT IMPACT:

Describe how the promotion/event will impact the Ontario economy (e.g., room nights, number of visitors/attendees, restaurant sales, retail sales, etc.)*:

Primary impact will benefit the public with information about the local airport. Many people do not even realize Ontario has an airport that houses: GA general aviation, Life Flight, BLM Firefighting, Fire Dept., Silver Hawk Flight School, TVCC, Active Museum, EAA Glider/Soaring Club, Grass Strip, Mechanic Shop, Co-op Ag Spray Service, Hangar Rentals with potential for Charter Service & a restaurant

FINANCIAL REPORTING REQUIREMENTS:

For established groups, please provide two years of P & L Statements, a current Balance Sheet, and a proposed budget for this year's promotion/event. For newly formed groups, please provide a proposed budget of revenues and expenditures in a form similar to the one below:

PROPOSED REVENUES

Source #1 Breakfast @ $10	Amount $ unknown
Source #2	Amount $
Source #3	Amount $
Source #4	Amount $
Source #5	Amount $

If we have 250 TOTAL REVENUES $ 2500.00

PROPOSED EXPENDITURES

Use #1 T-Shirts	Amount $ 475.00
Use #2 Advertising	Amount $ 1000.00
Use #3 Breakfast Supplies	Amount $ 1025.00
Use #4	Amount $
Use #5	Amount $
Use #6	Amount $
Use #7	Amount $
Use #8	Amount $
Use #9	Amount $
Use #10	Amount $

TOTAL EXPENDITURES $ $2500.00

REVENUES MINUS EXPENDITURES $ 2500.00 0

As a final condition to accepting granted funds, the applicant agrees to provide the Ontario Visitors and Conventions Board with a final report summarizing the results of the promotion/event (e.g., attendance, local and regional publicity, hotel/motel occupancy, closing revenue, and expenditure report, etc.) within 90 days of the event/promotion.

8-30-23
Date

Cheryl Cruson EAA Treasurer
Signed

Cheryl Cruson
Printed Name of Applicant

Date Received: 8/31/23 Ontario Area Chamber President/CEO: [signature]

*Use additional sheets as necessary

LAST REVISED 1/12

**Those supporters/partners making cash or in-kind contributions, use additional sheets as necessary.

VISITORS AND CONVENTION BOARD

C/O Ontario Area Chamber of Commerce
251 SW 9th St.
Ontario, OR 97914
541-889-8012 (Voice) 541-889-8331 (Fax)
ceo@ontariochamber.com

PROMOTION AND EVENT FUND APPLICATION

GENERAL INFORMATION:

Name of Applicant Organization: Giggles & Grace ELC, Inc.
Complete Mailing Address: 1260 SW 8TH AVE, Ontario, OR 97914

Telephone: (541) 889-6141 Fax: (541) 889-[illegible] E-Mail: gigglegraceoffice@gmail.com

Principal Contact Shawn Reynolds

Complete Mailing Address: "Same as above"
Telephone:______ Fax:______ E-Mail:______

Name of Event and Date and Time Event Will Be Held: TBD in 2024
Has organization applied for a V&C Grant Before: ____ **Yes** X **No** However, I did apply and receive a grant from the V&C for the Lions Park.
If yes, was the V&C grant request approved, and for what amount:
____ ____ **No** / **$**______
If grant request was approved did the organization give their 90 day follow-up report
____ **No**
Description of Promotion or Event: "Please see attached"

NATURE OF PROMOTION/EVENT: National Conference

FINANCIAL REPORTING REQUIREMENTS:

For established groups, please provide two years of P & L Statements, a current Balance Sheet, and a proposed budget for this year's promotion/event. For newly formed groups, please provide a proposed budget of revenues and expenditures in a form similar to the one below:

PROPOSED REVENUES

Source #1 Giggles & Grace Amount $ 30,000

Source #2 Eastern Oregon Border Board Amount $ 25,000

Source #3 Early Educator Investment Grant Amount $ 105,000

Source #4 V & C Amount $ 5,000

Source #5 ____ Amount $____

TOTAL REVENUES $ 165,000

PROPOSED EXPENDITURES

Use #1 Teach Your Heart Out Conference and Prep Amount $ 165,000 over 3-4 years

Use #2 ____ Amount $____

Use #3 ____ Amount $____

Use #4 ____ Amount $____

Use #5 ____ Amount $____

Use #6 ____ Amount $____

Use #7 ____ Amount $____

Use #8 ____ Amount $____

Use #9 ____ Amount $____

Use #10 ____ Amount $____

se additional sheets as necessary

Those supporters/partners making cash or in-kind contributions, use additional sheets as necessary.

Visitors & Convention Board

Grant App Responses

Description of Promotion or Event: The intended event(s) are teaching conferences that are intended to be held annually in Ontario, over the next three to four years, with the support of grant funding. Teach Your Heart Out, a nationally/internationally known educational/training organization for K-12 and Early Childhood Education, will put on a three-day conference in 2024 at Four Rivers Cultural Center. Thereafter, grant funds will pay for them to continue to come to Ontario annually and build capacity of 500-1,000 attendees. Grant funding will decrease each year to support this conference. Once stability is reached in attendance, then grant funds will no longer be needed as conference attendee fees will make it feasible for the conference provider. In turn, this will stimulate our local businesses and economy in Ontario as well as show people what our area has to offer both nationally and internationally as attendees come for Canada and several countries in south America. My hope is that Four Rivers Cultural Center can then replicate this opportunity by bringing in more national conferences as they relate to our local workforce, which will then ensure our people are trained well for the jobs we have and bolster our economics even beyond the Teach Your Heart Out conference.

What specific expenditures will the granted funds be used for: If granted funds from the V&C along with the other awards and event investments, then funds will all be used to towards paying for the conference to come to Ontario and any other fees that relate directly to the event. The funds from the V&C would be expended in the first conference expected to take place in February/March of 2024.

List promotion/event supporters or partners: The event supporters and partners include a collaborative between Four Rivers Cultural Center, Giggles & Grace, Malheur ESD, Teach Your Heart Out, and Treasure Valley Community College. Beyond that, we hope to have some community partners assist and volunteer time that have in the past such as Rogue Credit Union.

Describe how the promotion/event will impact the Ontario economy (e.g. room nights, number of visitors/attendees, restaurant sales, retail sales, etc.): I touch on this in the previous questions, but I can further describe the intent and positive impacts therein. The intent is to bring quality training to all educators in Malheur County and beyond. In turn, our programming quality for children can improve and funding as a result. This is a long-term investment for our children. Beyond the children and teachers, the city of Ontario will see an annual increase in sales as 500-1,000 attendees come to the Teacher Your Heart Out Conference for three days and nights and purchase meals, lodging, entertainment, and more. Again, if this can be replicated in other industries with four other conferences, Ontario would receive almost a solid 15 days of increased sales among 5,000 people.